

**SAVANNAH CITY COUNCIL
PROCEEDINGS
REGULAR SESSION
TUESDAY, NOVEMBER 6, 2012
CLASBEY CENTER – COUNCIL CHAMBERS
7:00 P.M.**

Mayor Dave Ingersoll presiding.

Pledge of Allegiance was recited.

Council Members present: Vernon Townsend, Don Dillman, Joy Thompson and John Parker. Mayor Dave Ingersoll, City Administrator Jill Cornett, City Attorney Ron Holliday, Chief of Police David Vincent and City Clerk Beth Kar were present. The meeting was audio recorded. The meeting notice was posted at City Hall on November 2, 2102.

Approval of Agenda

Don Dillman motioned to remove Bill 2012-42 on landlords' responsibility for delinquent bills until the Council has a chance to have a meeting with the landlords. Vernon Townsend seconded. Vote: 3 yes; 1 no: Parker. Motion carried. Don Dillman motioned to amend the agenda to correct the Resolution number as listed from 2012-12 to 2012-8. John Parker seconded. Motion carried on 4 yes votes. Vernon Townsend motioned to amend the Resolution 2012-8 to read changing Council meetings for the year 2013 not 2012. Don Dillman seconded. Motion carried on 4 yes votes. Vernon Townsend motioned to approve the agenda as amended. Don Dillman seconded. Motion carried on 3 yes; 1 no: Parker.

Minutes – October 15, 2012; October 29, 2012

Don Dillman motioned to approve the minutes of October 15, 2012 and October 29, 2012 as submitted. Joy Thompson seconded. Motion carried on 4 yes votes.

Public Testimony

Several landlords spoke regarding the proposed bill to hold the landlords responsible for their renters' delinquent City utility bills.

Mike Ramsel spoke regarding landlord responsibility. He described a recent problem where he ended up paying 90 days of an unpaid utility/water bill. The piece of property is not in his name. He asked why he was paying for the delinquent bill if it was not an ordinance in Savannah. Ramsel thought he deserved a refund. City Administrator Jill Cornett responded that his situation was unique and he could come to City Hall to discuss it. It is a state law holding landlords responsible; the state law prevails when there isn't a City law.

Kathy Lance disagreed with landlords being responsible for unpaid tenants' bills. If a bigger deposit needs to be charged, then collect it. If the City turns off the water for an unpaid bill, put a lock on the meter so the tenant cannot turn it back on.

Greg Krull agrees with the other statements made. He pointed out that from the statement of water receipts printed in the newspaper, the City seemed to be collecting a lot of revenue. If the

average utility bill is \$100 to \$150/month, the deposits are too low at \$75 (renters) and \$50 (homeowners). He may have to raise the rent he charges to cover himself.

Marty Lyle has several rentals. In his experience, utilities charge deposits depending on the renter's credit score. He thought the deposit needed to cover enough so the unpaid bills are not passed onto the landlord.

Rodney Hummer stressed it would be negative for the landlords. He asked what the collection procedures are for collecting bad debt. Mayor Ingersoll responded that the bill was removed from the agenda and there will be no action tonight. He agreed that deposit amounts had to be adjusted. It was mentioned that approximately 1/3 of all homes in Savannah are rentals. Hummer thought deposits should be based on the renter's credit rating. The City could have renters register.

Twila Barr expressed concern that if the tenants find out about this proposed ordinance she felt they would really abuse it.

Mayor Dave Ingersoll reminded everyone that this law is a state statute in Missouri. Hummer asked about the City's policy for turning off water if the bill is unpaid. City Administrator Jill Cornett explained the policy of when bills are due, when they become delinquent, and when water is turned off. There are a handful of customers that run a constant bill to the City. Twila Barr mentioned that her bill says the penalty will be added after the 15th penalty. The City is looking to change the date of when bills are due and when they will become delinquent. Rodney Hummer asked what the total bad debt for tenants was at the present time.

Mike Ramsel liked the idea of registering the rentals and who is living in the rented home. Mayor Ingersoll suggested sending a copy of the shut-off notice to both the renter and the landlord.

Marty Lyle asked if with the new meters was there a way the computer kept track of how much was delinquent compared to the deposit, and when the customer reached that level of water to shut off the meter. The computer system is unable to do this task. Water shut off is still a manual process where City staff has to turn off the meters.

Virgil Davison wondered how many people were against the proposed bill. Many hands were raised. Mayor Ingersoll commented the landlords can be against this bill but there needs a way to resolve the situation. This has been a state statute and has been ignored.

A member of the audience said she had heard of another person who was also charged for a renter's unpaid bill. Joy Thompson wanted the City to have a meeting and get this settled. Landlords need to be aware of the rules.

John Parker recommended scheduling the date of the meeting while all of the landlords were present. He wants a separate meeting. John Parker motioned to have special meeting on the 19th at 6 p.m. on water bills and renters. Joy Thompson seconded. Motion carried on 4 yes votes.

Lorraine Fish received a letter from Building Inspector Gene Grossman and City Attorney Ron Holliday on mobile homes. She asked for clarification if her property was zoned R-4 or R-3. Grossman stated it is zoned R-3. She requested the paperwork on R-3 zoning. She provided a

copy of a letter from Holliday from 2000, which she said stated her property was grandfathered in.

Rodney Saunders, 203 S. Cedar, lives next to where the Cedar bridge was put in. There were different proposals. Property owners at the 4 corners of the area had a meeting with the City. The proposal included doing an easement with riprap and retaining wall; he was not in favor of it. Now the water is washing into the bank on his property and undermining it. There are trees on the bank and it is a matter of time before the ground erodes around them. He is concerned about property damage if something is not done to protect it. Mayor Ingersoll responded that the City would need the advice of the engineer from the bridge project. There has not even been wet weather. Saunders reported the water runs faster with more velocity. After the water comes through funneled area, it chews at his bank. His other neighbor has some concrete that protects him. He offered to show it to anyone. Mayor Ingersoll asked Cornett to get the engineers back.

Teresa Collins, 201 E. Pearl, complained about the property next to her. It is abandoned and in poor shape. Her family mows it to prevent animals such as rodents. The Chinese restaurant owners own this property. Someone made them put up fence. She does not want potential buyers to think she owns it. Is there anyone who can help her beside a tornado? City Administrator Cornett will have staff look at it. Mayor Ingersoll instructed that the Building Inspector Gene Grossman ought to inspect it and condemn it. Grossman said he had talked to the owners. They do not use the property and have no intentions of using it.

Mayor's report – The City has talked about debt but has done little on water and sewer lines and minimal street improvements. It is time to prepare for those improvements.

Midland GIS Presentation --

City Administrator Jill Cornett introduced the two staff members from Midland GIS: Erin Allen and Kirk Larson. Midland helped the City in the past with the water and sewer systems. The City's mapping system is capable of much more. Cornett provided examples such as the updates to the street signs. Erin Allen described they provide the mapping for Andrew County and other communities. She listed the number of benefits from GIS with maintenance and having staffing knowledge transferred into a product everyone can use. The mapping software system is currently on the Building Inspector Grossman's computer. Instead of upgrading the software on one computer, it would be "cloud based" where multiple people would have access. Midland also proposes the collection process in updating the City's physical information on water and sewers. She explained their services including manhole inspections, water network mapping, GIS data creation, quality control, utilizing the information such as receiving paper and electronic copies of maps; and desktop software (single seat license). Cornett asked for more information on the Trenton Municipal Utilities project. Trenton did not have GPS but had very good mapping; their staff maintenance supervisor was retiring. They knew they wanted to be progressive in their maintenance cycle. Midland did a full work up of the entire water, sewer and electric systems for Trenton. Currently in Savannah, Cornett explained how the mapping is restricted to one computer due to the 1 seat license. It would make sense that multiple departments have access to the mapping. The pricing is \$3,000 for setup, which was actually the discounted amount when it is packaged with doing the collection project; otherwise it would cost \$6,000. Midland will honor the \$3,000 pricing. Otherwise, upgrading the single computer is \$1500 plus \$3,000 for training. Access to the mapping program can be limited by passwords. The mapping can help for economic development by showing where the City's sewer and water lines are. The return on investment is the help with limited manpower. Instead of putting the

maps on a single computer, the mapping would be available potentially to more staff and citizens.

Cornett will talk more about Midland's proposals at the next meeting. There are two proposals. Collection is about \$49,000 and includes utilities and geodatabase design. The web design is \$3,000 and development is \$3,600 annually for the web GIS hosting. John Parker asked how much was budgeted. Cornett reported the proposals are not in the budget and would require amending the budget. There were some staffing changes since the budget was approved that would also be part of the budget review. The City would need to look at the budget and see where it can move money. John Parker questioned who is Midland's competition? There are not any nearby competitors; the closest would be in Indiana. They are pretty specialized in what they do.

Mayor Ingersoll announced the unofficial pool bond election results were overwhelming yes passing the issue.

City Administrator's Report

City Administrator Jill Cornett reported:

UPDATE ON E. MAIN STREET – The contracts were signed on October 31. A pre-construction meeting is scheduled for November 8 at City Hall.

CONTRACT ENGINEER – The grant for the East Main Street extension includes an agreement that the City will provide "Construction Management," including overseeing contractor, quality control/testing, record-keeping and reporting. As the City does not have a professional engineer on staff, Cornett recommended the City put out an RFQ (request for qualifications) for an engineer who would work for the City on a contract basis for this project. In the past, the City used an engineer from Larkin (Matt Bleything) to serve in this capacity. The City would need to formally advertise for qualifications, and then select the most responsible, responsive applicant. Cornett reminded everyone that if the City would update its purchasing policy, the City could create a list of "pre-qualified" architects and engineers so that when the need arose for such, the City could select from that list, rather than advertising for qualifications. Vernon Townsend asked her to approach Jerry Baker who has connections with the college. Cornett would look at the A & E (architects and engineers) approved list by the City of St. Joseph. Townsend thought having an engineer on retainer could help with other projects. John Parker commented that if the City had someone on retainer, it would be easier to make a recommendation on Rodney Saunders' problem. The City would set up a list of qualifications and vet the engineers. John Parker motioned for the City to create a retainer procedure for engineers and other specialties so there is a list to refer to when needed. Vernon Townsend seconded. Motion carried on 4 yes votes. Cornett will bring an ordinance to approve an A & E list. The list will be reviewed annually. Purchases will still need to go to Council to approve expenditures.

LPA TRAINING ("Local Public Agency") -- Cornett attended a training session on October 30, presented by Mo-DOT that included regulations and guidelines for LOCAL PUBLIC AGENCY (LPA) that uses federal funding under LPA program. An LPA is any jurisdiction such as a City, County or Road District that sponsors projects utilizing federal transportation funds provided under the current transportation bill. The federal government has stringent requirements for documentation, testing and reporting, prior to, during, and after the project timeline. She mentioned that this is another compelling reason to have a Contract Engineer on hand to perform

some of the testing and reporting. The street programs that MPO oversees and the “Safe Routes to School” program are a couple of the funding opportunities that falls under the federal transportation act.

REQUEST FOR GIS SERVICE CONTRACT WITH MIDLAND GIS - As the City moves toward updating zoning maps, street maps, utility infrastructure maps and others, Staff recommends changing from a fixed software system to a “cloud-based” system hosted by Midland GIS. Cloud computing gives the City access to software and data files, without the cost and safety concerns of hosting it in-house. Midland offers cloud hosting and training to bring our GIS system and maps up to date. Building Inspector Grossman will be learning the mapping software and becoming more responsible for mapping data for the City. The people from Midland earlier described their proposal for the City.

UPDATE ON MODOT SIDEWALK GRANT -- Cornett attended the MPO Technical Committee Meeting October 11 and MPO Coordinating Committee Meeting on October 25. During both meetings, Cornett requested the committees to please consider paying the debt due from Savannah to Mo-DOT for the sidewalk enhancement grant matching funds that are owed as a result of the City not completing the project as defined in the grant agreement. The MPO Coordinating Committee (the decision-making body) agreed unanimously to pay the debt, thereby freeing Savannah to use the funds for other transportation-related projects, hopefully sidewalks. Cornett will work with MPO and Mo-DOT to iron out the details of how the money will exchange hands.

UPDATE ON WATER METER INSTALLATIONS -- Several months ago, the Council approved the purchase of more replacement water meters. Director of Public Works Kenny Lance provided an update on the status of installations. Lance reported all of the residential meters have been installed; remaining to replace are about 13 of the 2” meters and a 4” inch for the school. Country Mart and Orschlen’s would be hard to do because they would have to drill a hole in the wall. There will be about 3 or 4 meters that will have to be manually read. John Parker asked if the school district had put in the separate meters for irrigation. The details are being ironed out. They had not wanted to run a separate line. Cornett talked to Superintendent Dr. Brax today. The holdup is the contractor who is reluctant to do the line the way City recommends because it will take out of his profits. The City’s concern is that it is done correctly. The City is waiting for the contractor to come up with a workable plan. Mayor Ingersoll asked the cost of the meter and was told, \$2100. Lance recommended the cost needs to go up because the wireless meters cost more.

UPDATE ON POSSIBLE SOLAR PROJECT CAPITAL COST AND ENERGY COST SAVINGS -- Tom Alley visited City Hall to gather electric use and cost information. He will prepare a very preliminary estimate on the cost of installation and the return on investment per utility cost savings.

P&Z MEETING UPDATES -- The Planning & Zoning Commission (P & Z) meeting was attended by three Council members as posted. No votes were taken. There was discussion on whether to enforce City Code pertaining to Mobile Homes and Mobile Home Parks. P&Z and Council members present encouraged Staff to be diligent about ensuring that Mobile Homes are clean, safe and well maintained. Additionally P&Z and Council members encouraged Staff to ensure property owners are compliant with current City Code, specifically:

- Mobile Homes must be located in Mobile Home Park;

- Minimum size of property where Mobile Home Park may be established;
- Number of units and required spacing within Mobile Home Park;
- Any Mobile Homes or Mobile Home Parks that were established prior to the enactment of City Code may continue to operate; however, NO NEW MOBILE HOMES may be installed in noncompliant sites. Staff will work with owners and renters to help them understand the City Code and the rules for Mobile Home Parks and Mobile Homes in the City limits. Building Inspector Gene Grossman sent out 101 mailings to Mobile Home owners/occupants October 31. He has only heard from one owner (Fish).

USE TAX SALES TAX -- The Missouri City Manager's Association ("MCMA") has been discussing the sales/use tax that the Missouri Supreme Court deemed unconstitutional this Spring. A few cities already have the use tax in place. This allows them to collect sales tax from Missouri residents who purchase vehicles outside the state. The cities that do not have the tax in place are considering placing the question on the April ballot. She would like to ask this Council if they would consider that as well. The County Clerk estimates the cost to the City to put the issue on the ballot would be approximately \$1800. MML has provided a list of Missouri cities and their use tax status (in the Council packet), including an estimate of the amount of sales tax lost in each municipality as a result of the Missouri Supreme Court decision.

REQUEST FOR APPROVAL OF P.O. TO CONTRACT WITH BOB MOORE (Savannah Machine & Engineering) TO REPAIR WASTEWATER CLARIFIER -- The Wastewater Treatment Plant requires removal and inspection of 10-12" eccentric valve on one of the clarifier. Work includes removal, inspection, refurbishment and reinstallation, of the valve and any additional remote grease lines. The request is to issue a purchase order for \$2800 for parts and labor. Vernon Townsend motioned to approve the request. John Parker seconded. Motion carried on 4 yes votes.

REQUEST FOR APPROVAL OF P.O. TO PURCHASE NEW SNOW PLOW -- The City publicly advertised Request for Bids for the new Snow Plow. Two bids were received. American Equipment Co. submitted the lower bid in the amount of \$6,141.00. Staff recommends issuing a purchase order to American Equipment Co in the amount of \$6,141 for the Snow Plow and ancillary equipment, as well as labor to install. Don Dillman motioned to approve the request. Joy Thompson seconded. Motion carried on 4 yes votes.

ORDINANCE FOR PARK STREET SLURRY SEAL -- The City published the notice to bid in the Savannah Reporter and sent several contractors the Notice to Bid, directly. Vance Brothers provided the sole bid. Vance Brothers recently completed the slurry seal on Catalpa with satisfactory results. Staff recommends awarding a contract to Vance Brothers in the amount of \$22,544.00 for the slurry seal of Park Street from Hwy. 71 to 3rd Terrace.

DELINQUENT WATER BILLS -- State Statutes provide protection to Missouri Utilities allowing cities to hold LANDLORDS responsible for unpaid water/wastewater bills. Some municipalities exercise this option; others do not. Savannah loses \$300- \$400 each month as a result of customers leaving without paying their balance due. Raising deposit to \$100 would partially address the problem, but unless the City requires deposit equivalent to two months' worth (\$200 - \$250) of water/wastewater/sewer charges, the problem is not fully solved. Cornett recommends Council reconsider the option to "Codify" the rule requiring landlords to be responsible for unpaid utility bills. Proposed changes to the Code were in Council packets. Council discussed options and how much a reasonable deposit should be. Mayor Ingersoll

suggested changing the deposit to \$200 and sending the landlord a copy of the cut off notice. The City would also need to register all of the rentals.

PROUD TO REPORT TIM SPOONEMORE RECEIVED HIS DS-I WATER LICENSE -- Staff requests a \$1,000/yr. salary increase. Vernon Townsend motioned to approve to increase Tim Spoonemore pay \$1,000/year. John Parker seconded. Motion carried on 4 yes votes.

John Parker motioned to approve the City Administrator's report. Joy Thompson seconded. Motion carried on 4 yes votes.

Pay the Bills --Cornett noticed there were Parks department bills that were over \$200 that did not have a purchase order pre-authorized. She will be mentioning it at the Park Board meeting. She described the October paid bills. Joy Thompson suggested a letter could be sent to vendors that a purchase order is required for all orders. Bills were ordered paid on a motion by Vernon Townsend and seconded by John Parker. Motion carried on 4 yes votes.

RESOLUTIONS FOR CONSIDERATION:

Resolution 2012-8: Changing Council Meetings in 2013 due to Holidays -- Don Dillman motioned to approve Resolution 2012-8. Vernon Townsend seconded. Motion carried on 4 yes votes.

BILLS FOR CONSIDERATION:

Bill 2012-41 Authorizing the Mayor to execute a contract with Vance Brothers to slurry seal Park Street was read for the first and second readings.

ORDINANCE NO. 2582

This ordinance authorizes the Mayor to execute a contract with Vance Brothers to slurry seal Park Street. Vernon Townsend motioned to adopt ordinance no. 2582. Don Dillman seconded. Vote: Dillman: aye; Townsend: aye; Parker: aye; Thompson: aye. Motion carried.

COUNCIL DISCUSSION

Joy Thompson read the unofficial election results on the pool bond issue. She did a TV interview and was asked to provide responses for if the pool issue passed or if it failed. She thanked Chief David Vincent and the officers for working extra hard on resolving schools traffic problems. She thanked Director of Public Works Kenny Lance and staff for filling in the pothole at Catalpa Tree Apartments. She reported the tree across from the Ben Wilt's house on 12th and Price Street is going to split and needs to be looked at. She attended the Andrew County Extension meeting.

John Parker had 20 calls from landlords. People were concerned how the ordinance was worded. The Sisters of St. Francis asked him if he thought they should cut down trees. Mayor Ingersoll asked if they are still looking to sell the Heights. Yes.

Vernon Townsend noticed that the tree on 6th and Pearl was removed. Trees in the Parks are scheduled to be removed. He was glad to see that progress. He got a complaint from a neighbor that a kid fell in the ditch on 12th and Market on Halloween. He also witnessed a child who fell in the same ditch.

Don Dillman received calls from landlords about the proposed ordinance.

Adjournment

No further business to discuss. Council adjourned at 9:35 p.m. on a motion by Vernon Townsend and seconded by Joy Thompson. Motion carried on 4 yes votes.

Dave Ingersoll, Mayor

ATTEST: _____
Beth Kar, City Clerk