

**SAVANNAH CITY COUNCIL
PROCEEDINGS
REGULAR SESSION
MONDAY, MAY 6, 2013
7 P.M.
CLASBEY CENTER – COUNCIL CHAMBERS**

Mayor Connie George presiding.

Pledge of Allegiance was recited.

Council members present: Don Dillman, John Parker, Greg Wilson and Joy Thompson. Mayor Connie George, City Administrator Jill Cornett, 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 May 3, 2013.

Approve Agenda

Don Dillman would prefer not to do the second reading for the bill on water rates until after Jack Dillingham speaks to Council at the next meeting. John Parker agreed. Parker motioned not to have a second reading on either bill on tonight's agenda. Don Dillman seconded. Motion carried on 4 yes votes.

Minutes – April 15, 2013; April 20, 2013

Joy Thompson motioned to approve the April 15 and 20 minutes as submitted. Greg Wilson seconded. Motion carried on 4 yes votes.

Public Testimony -- No testimony.

Fiscal Year 2012 Audit – Michael Keenan, Cochran Head Vick -- Keenan, Cochran Head Vick, provided an overview of the auditor's responsibilities including the auditing standards board. He reported on the City's financial statements. John Parker asked about the categories in the financial statement report. The audit report jumps from number 5 on page 20 to number 7 on page 21. Keenan responded that nothing was missing; it was an error in numbering. Joy Thompson asked for clarification on the governmental capital assets. Keenan explained that the City needs a more detailed list of assets with the historical costs. It should include buildings, equipment, vehicles and land such as streets. The City needs to set a minimum limit such as \$2500 to \$5000 for recording assets. Keenan would use current replacement value with an estimate of when it was purchased. In the past, the auditors updated this list. This time Cochran requires the City to come up with this list and the values. Don Dillman asked about the deficiencies on bond reserves of \$640,000 on page 5 of the communications letter. Can the City increase the dollar amounts set aside for the reserves to catch up sooner? Yes, the City would have to look at operating expenses and revenues and evaluate increasing the amounts set aside. Don Dillman asked if most cities Savannah's size had a full time financial person. Keenan answered generally "no." Don Dillman asked if there were any other key areas for the City to address. Keenan thought the City would benefit from a more in depth review of procedures.

RESOLUTION FOR CONSIDERATION:

Resolution 2013-7 Approval of Audit -- Don Dillman motioned to approve the audit as presented and approve Resolution 2013-7. Joy Thompson seconded. Motion carried on 4 yes votes.

City Administrator's Report

City Administrator Jill Cornett reported:

AUDIT PRESENTATION -- Michael Keenan will present the final report of Savannah 2012-2013 audit. There is a resolution to accept the audit.

EARLY PAYOFF OF NID -- On April 20, the Council approved the early payoff of the NID (Neighborhood Improvement District). The City's bond counsel, Gilmore & Bell, is preparing a summary with total cost for early payoff.

PERSONNEL POLICY -- The City has contracted with Sullivan Publications to recodify our City Code. This is in process. One of the recommendations they made is to take the Personnel Manual out of the City Code. It should be a stand-alone document that is approved and revised by the Council as necessary. Changes to the Personnel Manual would be discussed and approved by Council as a resolution, since it is a guideline and rulebook for employment, not City Law. However, as it is part of City Code, Sullivan Publications will be aware of HR laws and the personnel manual will be updated.

NEPOTISM -- One of the items the Code will continue to address pertains to "Nepotism." Nepotism exists when an elected official, Park Board or public employee hires a relative within the fourth degree to work for the City. This is established by State Law in the Missouri Constitution, Article VII, Chapter 6. The City cannot override State Law on this matter. According to our Code, nepotism also exists when two relatives within the fourth degree are serving in the same department. There are two types of relations that apply to nepotism: 1) Consanguinity: related by blood; 2) Affinity: related by marriage/adoption/legal guardianship.

The degrees of relation are:

- First Degree: mother, father, son daughter
- Second Degree: brother, sister, grandparents, grandchildren
- Third Degree: aunt, uncle, niece, nephew, great grandparents, great grandchildren
- Four Degree: first cousins, great aunt, great uncle, great niece, great nephew.

Missouri Law states that cities cannot name or appoint relatives from the first to fourth degrees as listed above. Case Law, or a legal decision made by the Courts, indicates that if an individual has been working for the City, and a relative is elected to office, the two may serve, as long as the elected official does not influence decisions regarding the relative employed by the City. This is established by Case Law, or a previous decision of the courts regarding this matter. There are items in your Council Packet that help explain the law and its definitions. This information will be shared with Staff, as well.

PLANNING AND ZONING COMMISSION -- The activities of the Planning & Zoning Commission are also dictated by Missouri State Statutes. Building Inspector Gene Grossman explained some of the details. Grossman referred to the handout on the State Statutes on Zoning.

Presently the City's Planning & Zoning Commission has 6 members, plus the Mayor and Council Liaison. The Mayor can be a voting member. He has not found if the Liaison is a voting member. Greg Wilson and John Parker did not want to be a voting member for Zoning. Wilson did not want to end up potentially voting twice on an issue: once on the Commission and once as Alderman. City staff could draft an ordinance to clarify voting members. Wilson asked how many Grossman thought should be on the board. Grossman thought 6 members plus Mayor = 7 total members, would be a good number. He described an usual provision that if there was a petitioner question, there did not need to be quorum. The next Zoning meeting would potentially be May 28th since 27th is the Memorial Day holiday. John Parker motioned to create a zoning ordinance that the Liaison will have no voting rights, keep the Mayor as a voting member and have the Zoning board have at least one meeting a month if at all possible. Joy Thompson seconded. Motion carried on 4 yes votes. Marshall White asked if quorum was required for Zoning issues including with a petitioner. Yes, a quorum would be required. Don Dillman recommended changing the verbiage on page 7 of the handout so that they needed quorum. John Parker motioned and Joy Thompson seconded to change Ordinance no. 1931 to require at least 4 of the 7 voting members for the Planning & Zoning Commission to have quorum. Motion carried on 4 yes votes.

MCMA – MISSOURI CITY/COUNTY MANAGERS ASSOCIATION -- Cornett attended the annual MCMA conference at Lake Ozark last week. She reported that was a good opportunity to network and troubleshoot with peers. It was also a great learning sessions on a variety of issues, including Finance and Economic Development. The Missouri Municipal League (MML) manages the MCMA, and offers training not only to City Managers, but also to elected officials. June 13-14, MML is hosting "Elected Officials Training Conference." This is an excellent opportunity for newly elected officials to gain valuable training in matters such as:

- Sunshine Law
- Budgeting
- Public Official Liability
- Conflict of Interest
- Public Works Contract and more

It is also a great time to meet other elected officials and find out what they are focusing on and how our own City could benefit. Registration and travel expenses are covered under the City's training budget. Gary Markenson, retired Director of Missouri Municipal League, is also available to speak to the City.

NEW CITY WEBSITE -- The City's new website is ready for launch. The Council and Staff have had more than one week to visit the site and make recommendations. As this is a communication tool for the citizens, Staff recommends moving forward with making it live as soon as possible. The City should attempt to direct citizens to the new website, and ask them to make recommendations, as well. With the Council's approval, Staff will launch the website to the public this week. Don Dillman motioned to approve launching the website. Joy Thompson seconded. Motion carried on 3 yes votes; 1 no: Parker. There will be a news release once the site is launched.

CHAMBER GOLF TOURNAMENT – The Chamber of Commerce Golf Tournament is scheduled for Friday, May 31. Staff requests the City send two teams as it did last year. John Parker motioned to support the Chamber with two teams. Don Dillman seconded. Motion carried on 4 yes votes.

ORDINANCE TO RESCIND FUTURE WATER RATE INCREASES-- At the request of members of the Council, Staff has prepared an ordinance that rescinds the future rate increases

authorized by a previous Ordinance passed by the Council in 2012. Council members had requested this ordinance be deemed an emergency and read twice at tonight's meeting.

ORDINANCE TO RESCIND CEMETERY FEE INCREASES -- At the request of members of the Council, Staff has prepared an ordinance that rescinds the rate increases authorized through a previous Ordinance passed by the Council in Summer of 2011. Cornett asked for any ordinance that is read twice in the same meeting to be referred to in the ordinance as emergency.

Don Dillman motioned and John Parker seconded to approve the City Administrator's report. Motion carried on 4 yes votes.

BILLS FOR CONSIDERATION:

Bill 2013-10 Amend Cemetery rates was read for the first reading. John Parker asked about the difference between the cost for a single space and the cost for a quarter lot. Single lots are in a different section and one cannot purchase two spaces together.

Bill 2013-11 Amend Ordinance No. 2552 Water Rates was read for first reading.

SECOND PUBLIC TESTIMONY

Mike Yuille, Park Board President, mentioned the Parks had a new Facebook page, Savannah MO Parks & Recreation. The page includes items such as the pool construction progress reports and pictures of the pool. It looks like the pool will open the first of June. He described the current construction. Yuille sent out an email about hiking and biking trails. Parks would be interested in a permanent walking trail at Duncan Park. Yuille would like to turn the trails issue over to a citizen advisory board. He suggested a representative from Parks, City, and citizens on the committee to review options and take advantage of the state monies available in 2014. There are other similar programs such as Rails to Trails and Safe Routes to Schools.

Marshall White, News Press reporter, asked for an update on selecting a City Attorney. Cornett suggested he ask again tomorrow after Council's Closed Session.

ELECTED OFFICIALS REPORTS

Mayor's Report – Mayor Connie George reported that she read three proclamations. She went to the Middle School and read the Special Olympics Proclamation to over 200 athletes that had participated. County and City had their annual cook-out. On Arbor Day the fourth graders planted 6 trees in the park.

Council Discussion –

Joy Thompson will not be able to attend the Park Board meeting. It is a busy week pre-Mother's Day for her business. She had a complaint on the City's yard waste/brush dump. Over the weekend a person had a key to the yard waste facility but the double lock was on and the gate could not be opened. How do people know when the facility is closed and the double lock is on the gate? If it is too muddy, the Wastewater employees put the double lock on the gate because they think vehicles could get stuck on the road going into the yard waste dump.

John Parker had a similar question. Is there some way the City could put a sign by the highway when the yard waste is closed? If he had known the gate was double-locked, he would not have gone up the drive. He attended the Special Olympics meet and was honored to be part of the

opening ceremony. Parker felt it was something anyone and everyone should attend. He hoped the event returns to the Savannah Middle School.

Greg Wilson reported last Thursday Zoning had a meeting to work on accessory uses. They would continue to work diligently on the issue.

Don Dillman didn't have anything to report.

Mayor Connie George would like the City's Public Utility Advisory Board (PUAB) to review the water rates and recommend what the rates should be. George felt Mayor/Council needed more information about water rates. City Administrator Jill Cornett asked what the questions were. Mayor and Council would like a copy of Carl Brown's rates report. Council discussed the 48% rate increase from last year and the 3% this year. There was confusion on Brown's recommendations. Joy Thompson brought up the water meters charge. Could the meters be paid off quicker so she could see the charge removed from water bills? Cornett described the history of the water meters purchase. The charge could be added as part of the base rate instead of a separate charge. As the City moves to refinance water bonds, it is more important to increase the City's bond reserves than paying off the meters.

Carl Brown would be willing to return and speak to Council. Don Dillman asked if there were other people available who advise on water rates. Yes but they might charge a lot more. John Parker thought that was why the City needed the Public Utility committee. A few of the members had resigned. He would like Mayor Connie George to fill in the board openings. Joy Thompson suggested Water Superintendent Dale Watson attend. Council might also attend the meetings. If Council attends the PUAB meeting, the meeting would need to be posted as a Council work session. John Parker thought PUAB board member Denise Curran, LaVerna Village, had a conflict of interest because of the water sales tax situation between the City and LaVerna and should step down. There is not a requirement for members to be citizens but it should require them to be a water customers. John Parker motioned for the Mayor to fill in the vacancies on the PUAB. Joy Thompson seconded. Motion carried on 4 yes votes.

Greg Wilson motioned to go into closed session for personnel 610.21(3). John Parker seconded. Vote: Dillman: aye; Wilson: aye; Parker: aye; Thompson: aye. Motion carried.

EXECUTIVE SESSION 610.021 (3) PERSONNEL

No motions were made in Closed Session. Greg Wilson motioned to go back into Open Session. Don Dillman seconded. Motion carried on 4 ayes.

ADJOURNMENT

No further business to discuss. Meeting adjourned at 10:00 p.m. on a motion by Joy Thompson and seconded by Don Dillman. Motion carried on 4 yes votes.

Connie George, Mayor

ATTEST: _____
Beth Kar, City Clerk