

**SAVANNAH CITY COUNCIL
SPECIAL MEETING
MONDAY, AUGUST 5, 2013 6 P.M.
CLASBEY CENTER – COUNCIL CHAMBERS**

Mayor Connie George presiding.

Purpose: Special Meeting was held to discuss options on the storm sirens bid.

DISCUSSION: STORM SIRENS

Interim City Administrator Bruce Lundy summarized that at the last meeting, three companies who had bid on the sirens, spoke to Council. Council agreed to proceed with two of the companies. Lundy checked approximately 50 references and did not receive any negative reports on any of the siren companies. He also called area banks for interest rates and received this information: U.S. Bank: 2.82% for five years; HNB Bank: 3.9%; Bank Midwest: 4%; and Nodaway Valley: 2.9%. HNB would need other equipment to put up for collateral; they would not want to have the sirens as the collateral.

Greg Wilson's only question was about the dead spot on siren coverage. L & B will be at the meeting at 6:30. Lundy liked Outdoor Warning's product with a solar power option, which is also the lowest bid. The Outdoor Warning sirens can be set off from the police station as well as from the sheriff's department. For testing, they can do chimes as opposed to a siren tone. Also, it is an electronic siren which can do pre-recorded messages. Outdoor Warning had only plotted three while L & B and Blue Valley plotted five and six. Lundy asked him to plot a 4th siren as the City didn't want to be short on coverage.

Council discussed the options. Everyone preferred Outdoor Warning. US Bank allows monthly payments. John Parker asked for cost of two boxes to be able to set off the sirens and ask if they are included in the price. No, but they are not much more. The sirens could even be set off from a vehicle or a hand radio. L & B priced an additional box at \$1700. It is a Kenwood radio that is compatible to set off the sirens. When Maryville purchased sirens, they used Haug Communications for the radios. Haug is what Savannah also uses. There are grants available on radios. John Parker asked if would make sense to receive a grant on the radios because they would have the added benefit of being able to activate the sirens. It would be a selling point.

At 6:30 p.m. Lloyd Wood and Becky arrived from L & B Electronics. Council discussed the coverage area, mapping and dead spot or weak spots. L & B had bid both five larger class 8 sirens at \$85,800 versus six of the smaller class 4 electronic sirens at \$77,600. John Parker asked if they felt six would be sufficient of the class 4 sirens to cover the City. Wood affirmed that 6 would be enough. Parker asked if they could move the class 8 sirens north. A siren on a flat terrain has a coverage of a 1 ¾ miles. Joy Thompson asked about adding to the sirens later. L & B said this would be like starting over and end up costing more.

John Parker motioned to accept financing with U.S. Bank, a 5 year plan. Joy Thompson seconded. Motion carried on 4 yes votes.

John Parker motioned to approve Outdoor Warning with an additional encoder and to see if the current radios can be made capable of setting off sirens. Don Dillman seconded. Motion carried

on 3 ayes; 1 nay: Thompson. Motion carried: \$77,532 for a four siren system. Marshall White asked questions on what type of siren.

John motioned to close the special meeting at 6:50 p.m. Greg Wilson seconded. Motion carried on 4 yes votes.

Connie George, Mayor

ATTEST: _____
Beth Kar, City Clerk

**SAVANNAH CITY COUNCIL
MONDAY, AUGUST 5, 2013
7 P.M.
CLASBEY CENTER – COUNCIL CHAMBERS**

Mayor Connie George presiding.

Pledge of Allegiance was recited.

Council members present: Don Dillman, Greg Wilson, John Parker and Joy Thompson. Mayor Connie George, Interim City Administrator Bruce Lundy, City Attorney Emily Bauman, City Clerk Beth Kar, and Chief of Police David Vincent were also present. The meeting notice was posted at City Hall on August 2, 2013. The meeting was audio recorded.

Approve Agenda -- John Parker motioned to add the first and second reading to Bill 2013-27. Don Dillman asked why both readings. Parker explained that the issue has gone on for months. Dillman felt that it is not really an emergency. Joy Thompson seconded Parker's motion. 3 yes; 1 no: Dillman. Motion carried.

Public Hearing for Rezoning Request: Rezoning 807 E. Price from R-1 to M-1

Mayor Connie George opened the public hearing for rezoning 807 East Price.

Michael Hughes, Attorney, was present on behalf of Lyle Squared and explained why they wanted to rezone the property. It was listed and sold as M-1 property. Hughes provided a history of the property in a handout. The property was built and used for commercial purposes for many years. The County had it zoned as a commercial property until a few weeks ago. He asked to change the zoning so that the property can continue to be used.

William Coats, Planning & Zoning Commission, objected to changing the zoning on the property. There are several large buildings in the city limits. He was concerned that if changed one, then the next person who wants a building changed to M-1, would also want to change the zoning on that building. Parker understood Zoning denied the change and sent it to the variance/adjustment board. There have been some people who think the variance board should communicate better with the zoning board and ask for input before making a decision. Gene Grossman said the adjustments board did have the minutes from the zoning board on the issue.

Parker ask if the decision was sent back to the Zoning Board. It was by word of mouth. Grossman sent out an email and asked if Zoning wanted to revisit this before it went to Council. Consensus was no one was going to change their minds. At the Adjustment Board meeting it was the Mayor, City Administrator, City Attorney, and 3 members: Kenny Gabriel, Stan Stubblefield and Harold Johnson. It took four members to have quorum and they only had three, so they only discussed the issue. John Parker asked City Attorney Emily Bauman if that was enough people to make a decision. Bauman said the Adjustment Board doesn't have the authority to make a decision on rezoning. Parker asked if their advisory position legal, versus quorum or no quorum. Bauman stated that their decision doesn't have any bearing. John Parker then asked if they have the authority to pass it on to Council. Bauman explained that only Council has the authority to make a decision. Even if the Board of Adjustments had said no, along with Planning & Zoning, it would still go to Council for a decision.

Eugene Wall, 802 E. Price, spoke. His property is adjacent,. Davis had a car lot previously and kept it neat and orderly. If the proper business is in there, he doesn't have a problem. He said there already is someone there moving in things. As long as it is neat and there is not a lot of noise, and it is a proper business in there, he doesn't mind.

Greg Gabler, Planning & Zoning Commission, reported that when the issue came before them, they discussed the possibility of a conditional use. It did not seem to be an avenue that the property owners wanted to explore. Gabler said that no one else involved in this, is a resident of the City of Savannah. Everyone else is out of the city limits but the issue will have a bearing on Savannah citizens. People who would make a profit do not live in the City. He said that a roof was put on the building but nothing shows any building permit for a roof. A business would need a hard surface and a fenced in yard and there is not enough room to do that. There are a lot of things more than just changing from residential to manufacturing. If something gets changed with this, what happens when the next realtor comes to town and wants zoning changed?

Michael Hughes, responded, what is in best interest of the citizens? This isn't a house. If it is residential, what do you have? Don Dillman asked why didn't they pursue conditional use. Hughes said that they would have to keep coming back and applying for conditional use. Each tenant would have to get conditional use approved with a delay of time to get approved for the permit. Don Dillman said that next time it could be a chop shop. Hughes said that's why they provided regulations such as to have a fence and a paved lot. These are the rules everyone follows. Don Dillman discussion about surfacing the parking lot and negotiating. Hughes said, no, they need to comply with the rules. Hughes Roofing contractor provided the roof.

Ron Clark, Planning & Zoning Board, said they were trying to avoid M-1 zoning which could allow a junkyard to go in. John Parker asked about M-1. Could it be a warehouse or other items than a junkyard? Clark said they don't need M-1 for that; it could be C-1. City Administrator. Bruce Lundy agreed with Hughes that the property has always been used for commercial, but he appreciates the opinions of the Planning & Zoning Board. Lundy asked Zoning what is the solution? Greg Gabler thought a conditional use permit was the solution. It may be more red tape but then it preserves the nature and what can go in that neighborhood and it doesn't allow free reign.

William Coats, the neighbor who owns property next to it, asked what if he wants to sell? Are the people going to want to buy next to M-1?

Lundy explained the property east to that is zoned M-1 so that's why the classification. Gene Grossman, Building Inspector, is against spot zoning. He said the City should have addressed it a long time ago. He's the one that said "no" when the business is there. The tenant only needs to reapply if a new owner or a new business takes over. Hughes said that any property that moved in could be a junkyard. Joy disagreed with that. Grossman said there is a list of what is permitted in different areas. Page 36 of the regulations doesn't allow for a junkyard. There is no junkyard proposed to go in there. People are looking at the worst case. Joy Thompson asked to go back over the history of the property. Lyles sold it to Mr. Benjamin. He is retired and his family are in Iowa. Thompson asked if he is planning to move here. Lyle said he is planning to move to town and operate his business. He wants to rent it out to a license business. In the past there has been a towing business there. They had a towing business that was interested. Grossman asked who is renting it now? Scott Moran is renting and storing a trailer there. He is not running a business. Lyles had someone who wanted to run an antique shop but told "no" because selling makes it retail and then it needs to be commercial. Lyles said it creates a lapse when they have to get conditional use.

Marty Lyle stated that he doesn't live in the city but until recently he lived at 709 East Price and their office represents Savannah Missouri. They are a hometown real estate company.

Rodney Saunders is at 203 South Cedar which comes in behind the proposed property. He, like Wall, is not anti-business and not opposed to a business going in there but doesn't want a junkyard. As long as a respectable business is there, he doesn't have a problem with it. It is a duplex rental property. He doesn't want the property to decrease in value.

Mayor Connie George asked if there was a stipulation needed to have a privacy fence. Grossman read from the Zoning book regarding M-1 section.

Rodney Saunders felt it was a different situation in that it has always been a commercial building.

Lundy asked the difference between C-1 and C-2. Grossman explained C-1 is downtown around the Square; C-2 would be like on highway 71. If it was C-3 would it help? Lyle needs a laundry list of what qualifies. Grossman said when it was built it, the City was the one that made the mistake and should have rezoned when they put a house there. He said the problem is that the City did not enforce the rules. M-1 could allow many uses. Grossman read what zoning allowed for when it was C-3.

Tommy George asked what are the limits of conditional use? How can they not spot zone but can do conditional use? When the property was sold, everyone understood it was zoned commercial.

Emily Bauman said the key difference is conditional use is not permanent.

John Parker asked how far east it is from the location to the City limits. Bruce Lundy said it is a couple hundred yards. So if the City wanted to expand, they would have an industry in that area. Eugene Wall's property is in and outside the city limits. Lundy looked and there are very few things that you cannot do in C-3 that you could do in a M-1. He read through the list of uses. You cannot have a laundry service, a printing or publishing company, or a manufacturing company. Everything else is the same. A repair service is allowed in both. Retail is allowed in both M-1 and C-3. Don Dillman asked Lyles if he needed to review C-3 or M-1. Lyles verified

the differences were fine. C-1 is pretty restrictive. C-2 allows retail. Hughes said if the City is trying to promote business, it should keep it consistent and M-1 is next door. It was used as an M-1 business in the past. If there is very little difference between C-3 and M-1, then go with M-1.

Minutes -- In the Minutes of July 15, 2013, Don Dillman had a few changes. Dellie was a 10% increase; the dollar amount was correct just not the percent. He never spoke with Gene Grossman. John Parker motioned to approve the minutes as amended. Don Dillman seconded. Motion carried on 4 yes votes.

Bid Tabulations –

Water Plant Motors – There were two bids.

RS Electric \$4,600

Zeller Technologies \$4,891

Water Superintendent Dale Watson said both were good bids. R & S is a little closer to Savannah which may be the price difference. Joy Thompson motioned to approve R & S's bid. Don Dillman seconded. Motion carried on 4 yes votes.

Hay at the Cemetery – There was one bid.

R J Cattle for \$251 each year for possibly a three year option (2014, 2015, 2016).

John Parker asked how many bales there would be and the cost per bale. Parker also asked where RJ Cattle are located. It's Clint Messner's son, Caleb. Parker asked since there was only one bid if the City followed the normal procedures for bidding. Yes, it was in the Reporter.

John Parker motioned to approve R J Cattle's bid for hay at the cemetery for three years. Joy Thompson seconded. Motion carried on 4 yes votes.

Public Testimony

Rodney Saunders talking about 203 South Cedar and the bridge, said that water is eating at his bank on his side. John Parker was out there over the weekend but there is so much growth, he couldn't see the issue. Water used to come through a tube and was released slower where it was confined to the center of the channel. Now that the new bridge has been put in, the channel is wider and the funneling is on his property and eating away at the bank. The original plan showed riprap and he wasn't crazy about that but he would rather have that than lose his bank. They were supposed to have the engineers look at it but he has heard nothing.

Police Chief's report -- Joy Thompson want to compliment the police force for the manner in which they handled the shooter in the City. Chief Vincent had it under control and knew what to do. Vincent said he had a lot of good officers helping with great advice. They were thankful it ended with no one hurt.

Officer Pay scale – a couple of Council members wanted to have the pay scale for all departments. Some of the pay rates may be too low. Vincent explained his reasoning. In the 5 to 10 years are the lowest paid police officer. The lowest officer is at \$12.74 an hour which is at bottom of the range. He needs to have a base to start with and wants feedback. This is something to look at as a starting point when he has to interview an officer. He thought it was a

great idea and something to talk about. John Parker asked if he had made a comparison with other departments. Vincent said it was difficult to make a comparison; Maryville is three times larger than Savannah and Trenton is double and has a higher crime rate. Lundy stated that our number of officers is lower than other cities this size. Parker asked if the way to find pay scale comparisons was by size. Vincent can try the Sheriffs Association.

Hire Reserve Officer – currently paying part time \$10/hour. He would like to ask part time to be \$12/hour which is about the salary to hire someone. Greg Wilson motioned and Joy Thompson seconded to increase part time help to \$12/hour. John asked if there is enough money in the budget to finish this year. Yes. Motion carried on 4 yes votes. Vincent contacted Mayor about hiring a part time officer. He spoke to three Council members. He always brings part time hires to Council but other departments don't. It is a little different. In the future he will come to them as a Council and he asked for them to give blessing to hire Reserve Officer Daniel Ziegler. He is already commissioned.

John Parker motioned to hire Reserve Officer Daniel Ziegler at \$12/hour as of August 1st. Don Dillman seconded. Motion carried on 4 yes votes.

Sunday evening they were called about a suicide. The officer responded to this tragic event and responded professionally. On Monday Sgt Smith and Hwy Patrol arrested Mr. Swett on child molestation charges. Wednesday evening they were called out for a shooting. Vincent is proud at the response from officers.

Greg Wilson motioned to approve the Police Chief's report. John Parker seconded. Motion carried on 4 yes votes.

City Administrator's Report

City Administrator Bruce Lundy provided his report.

CAP Agreement w/ Conservation -- I have communicated with the Department of Conservation about the CAP Agreement for the City Lake. Tory Mason with the Dept of Conservation called and confirmed that Jefferson City has approved the agreement and that info is contained in this packet.

East Main Project -- Lundy has been monitoring the East Main project. They have poured the concrete footings for the wing walls and have moved a lot of dirt. I spoke to Travis Hoggatt on Wednesday and he has a contractor that is supposed to be in Savannah this week to pour the walls and he will be placing the concrete pipe for the storm drain this week or the first of next week. Travis said after that there will be a small amount of grading to do; they will put down some gravel and they will be ready to go with the street. Don Dillman asked about East Main and when they will enter the penalty period. It is 120 days. When did they start the work. Lundy thought that the first time was March 14th. There could be weather days. He is waiting for another contractor to pour the walls.

Audit Recommendations -- Mayor Connie George, City Clerk Beth Kar and Lundy met with Julie of the State Auditors Office. She went over a few things that we need to work on. She recommended that the City create a contract with the Chamber of Commerce so it does not appear the City is making a donation. The City also needs to update the Purchase Policy as it relates to bids received or made over the phone. This was a meeting to discuss a few preliminary findings; she did not believe we would get the complete Audit results until September.

MML Conference -- The MML conference is scheduled for the week of Sept 16th, 2013. The City will need to consider when to reschedule that week's Council meeting. Whoever goes to that event will be back to work Thursday the 19th, and then the Zoning Board meets Monday Sept 23rd. Don Dillman motioned and Joy Thompson seconded to move the 16th meeting to Tuesday, September 24. Motion carried on 4 yes votes.

Yard waste recycling center -- The yard waste center has been cleaned up. The cost of the grinder was \$4450.00 and the cost for Lance Construction to push the brush to the grinder was \$1875.00. Total was \$6325.00.

Cemetery Building -- The roofing job is complete at the cemetery. The gutters have been replaced and all the vents and caps are new. The contractor did a good job.

Paving -- Herzog Construction is in town paving. Ironwood Street is done. They have started on three more streets.

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

BILLS FOR CONSIDERATION:

Bill 2013-26 Agreement with Dept of Conservation on Reservoir was read for first reading.

Bill 2013-27 Rezoning 807 E. Price from R-1 to M-1 was read for first and second readings. City Attorney Emily Bauman suggest that if the ordinance was to be changed to C-3, a paragraph amendment could be made. John Parker motioned to adopt ordinance no 2613 as written. Joy Thompson seconded. Vote: Dillman: nay; Wilson: nay; Parker: aye; Thompson: aye. Mayor Connie George broke the tie by voting aye. Motion carried.

Bill 2013-28 Chamber of Commerce Contract was read for first reading. City Attorney Emily Bauman pointed out this provides for an annual report so the City can gauge for annual growth. Bauman researched and provided the ordinance.

Second Public Testimony

William Coats was out to the city reservoir and thought the City Council needed to commend Curtis Taylor for maintaining the property. The City has provided Taylor thanks before and will plan to do something to acknowledge everything he does. Watson mentioned looking to hire Taylor so he could use the City's equipment.

ELECTED OFFICIALS REPORTS

Mayor's report – Mayor Connie George reported drove up and down Ironwood three times and it gets better each time. She has been busy with personal business.

Council Discussion

Don Dillman had an individual tell him where Hagenaaers lives that the trees block the street view. Lundy will stop by to tell the resident that the City will be trimming the tree.

Greg Wilson –nothing to discuss.

John Parker asked about the TRIM grant and the letter on the building behind the Chinese restaurant. Bruce Lundy explained the TRIM Grant. It is a 60% match. The City receives a check for \$4,837.75 from the Dept of Conservation. He provided the letter about the property since has been discussed at a recent Council meetings. The 60 days is up and Grossman talked to them. Lundy said they are making an effort. Emily Bauman will send a letter that the cleanup needs to be completed. Lundy spoke with Teresa Collins and provided an update. Lundy said part of issue is Collins is trying to buy the property and doesn't want to appear harassing them. Parker thought it was time to fine the people for taking so long. Grossman agreed and said it is time to get the City Attorney involved. The letter is the last chance to comply.

Joy Thompson provided a list on nuisances to Lundy. She wants the City to meet with Bill Christiansen regarding the closing of Savannah Rose. She also mentioned that it had been discussed earlier to have an economic group with the City and County.

John Parker motioned to go into Executive Session to discuss Personnel 610.021(3). Joy Thompson seconded. Don: ye; Greg: aye; John: aye; Joy: aye. Marshall White objected.

EXECUTIVE SESSION 610.021(3)

Council did not make any motions in Closed Session. John Parker motioned to go back into Open Session. Joy Thompson seconded. Motion carried on 4 ayes.

ADJOURNMENT

No further business to discuss. Council adjourned at 9:15 p.m. on a motion by Joy Thompson and seconded by Greg Wilson. Motion carried on 4 yes votes.

Connie George, Mayor

ATTEST: _____
Beth Kar, City Clerk