

**SAVANNAH CITY COUNCIL
REGULAR SESSION
PROCEEDINGS
MONDAY, NOVEMBER 4, 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, and City Clerk/Treasurer Beth Kar were also present. City Attorney Emily Bauman was absent at roll call but arrived a few minutes later. Chief of Police David Vincent was absent. The meeting notice was posted at City Hall on October 30, 2013. The meeting was audio recorded.

Approve Agenda – Joy Thompson motioned to amend the agenda to add two items: City Attorney's report and Terry & Roger Pearl before the City Administrator's report. John Parker seconded. Motion carried on 4 yes votes.

Minutes – October 21, 2013 -- John Parker amended the Minutes that under the first Public Testimony insert the Boy Scout's name as PJ Menard. John Parker motioned to approve the minutes as amended. Joy Thompson seconded. Motion carried on 4 yes votes.

Jeff Arp, MIRMA Loss Control Specialist – Presentation Risk Management Awards – MIRMA insurance is aggressive in the risk management process including police training, audits for pools and recently adding a partnership with MO-LTAP to add public works training. MIRMA created the Risk Management Awards to help offset the costs for safety equipment. City Administrator Bruce Lundy applied for eleven grants. This year the City of Savannah was awarded for seven items for a total of \$11,929.

Bid Tabulations – Truck, Copier and Solar Panels

Trucks for Water Plant – Two companies submitted bids: Greg Chevrolet of Savannah and Bob Brown Chevrolet of Urbandale, Iowa. Iowa's bid for the same model 2013 GMC ¾ ton truck was \$24,490, \$700 cheaper but the City likes to do business locally. Greg's offered \$4,000 for the trade-in on the Water plant's old truck, bringing down the total to \$21,500. It had to be purchased by October 31 to take advantage of incentives. Council had approved a second used vehicle for the building inspector. The second vehicle offered by Greg's needed repairs. City Administrator Bruce Lundy is waiting for the updated price. Council had approved a maximum of \$33,000 for two vehicles.

Copier Bids – The City received bids from six companies. One of the bidders, Lyle Kirk from Datamax, was present. The City currently has a Canon copier from Datamax and is happy with the brand and technical support. Greg Wilson asked what happened if the City needed a replacement. Datamax would provide one. Kirk mentioned the bid would be \$400 less; he had not realized the City no longer needed a PCL driver like it did last time. Don Dillman motioned to approve Datamax's bid for the Canon copier. Greg Wilson seconded. Motion carried on 4 yes votes.

Solar Bids – Only one bid was received: Brightergy. Advanced Energy did not provide a bid before the deadline. What buildings would the panels be on? Once the bid is approved, engineers will start the process including evaluating the roofs and other setup. Jeff/ Arp MIRMA commented that only two of their members that are at the same stage are getting solar panels. John Parker commented that there was only one bid which met criteria for bid request. John Parker motioned to approve Brightergy’s solar panel bids with follow up to determine which City locations structural-wise and energy-wise make sense to add panels. Joy Thompson seconded. Vote: 3 yes; 1 no (Thompson). Motion carried.

Public Testimony

Danny Musser, Advanced Energy Solutions, asked to provide their information. Joy Thompson agreed. Musser reported they had gathered information on putting solar panels on the City’s locations. He apologized for communication gaps within their company and not getting their bid in on time. He distributed copies of a handout, with information on the City locations and whether or not it was feasible for solar panels.

Kodi Moore is part of the Andrew County Alliance, who is organizing the Candlelight Walk for November 29, from 5 to 8 p.m. Wayne Duncan will be providing carriage rides so they are asking to have the streets around the Square closed. There will be several other events including crafts and a gingerbread house competition. Chamber of Commerce is supporting the event. Joy Thompson asked if they had insurance for the event. Moore was not sure of the requirements. The City will work with her. Don Dillman motioned to close off the Square if all of the requirements are met. John Parker seconded. Motion carried on 4 yes votes.

Louis Guardado was present as a Boy Scout for his merit badge.

Request for Original Package Liquor and Sunday Original Package liquor license – Amanda Mays, the realtor, was present and reported that the former Shop & Hop location at 506 N. Hwy 71 is being sold. The owner of Jesse’s gas station on Hwy 71 is buying all five Shop & Hops and hopes to close on the sale by December 11th. The liquor license is the same that the current Shop & Hop owner has. The location downtown will likely be shut down so that is why they are not asking for a liquor license for that one. John Parker motioned to approve the liquor license request. Joy Thompson seconded. Motion carried on 4 yes votes.

Request for Liquor Licenses -- Resort RBDR & Sunday Sales SBD from Wendy Herrod, Hometown Bistro – Wendy Herrod was present. They will serve beer and, possibly, Margaritas. Don Dillman motioned to approve the request. Greg Wilson seconded. Motion carried on 4 yes votes.

Roger and Terry Pearl: Owners of Shaggy Dog Pet Grooming -- The old Mexican restaurant at 4th & Main apparently has a roof problem and water is coming from there into Shaggy Dog’s building. Roger Pearl has had City personnel look at it. He thought the restaurant needed deemed unsafe or torn down. He did not know if anyone from the Health Department looked at it. The owners, Jimenez, told him they don’t have the money or insurance to repair the problem. John Parker had looked at it earlier. Parker wondered if there was enough evidence to condemn the building. City Administrator Bruce Lundy explained the Building Inspector Mike Malhiwsky had looked at it and was researching the condemnation criteria. City Attorney Emily Bauman explained about the civil remedies available. The Pearls could sue the owners. The City could look at condemnation proceedings but would need to get the health department involved. Joy

Thompson explained that since Terry Pearl works with pets, the mold is dangerous to them, also. Whenever it rains, water comes down the walls, onto the upstairs and leaks everywhere and creates black mold. They have tiles that are falling. The breaker box is on the wall so rain is getting into the breaker box. Bauman explained that the City has to be careful with condemnation; it's basically a taking of property. In order to start the process, evidence has to be gathered that shows the building needs to be condemned. She would like to do more research on it. John Parker voiced concern that if the health department looks at it, the department may not let Shaggy Dog run a business in it until the mold is taken care of. Joy Thompson was concerned that if bricks start falling, will the City be responsible. No, the building owner is responsible. Pearls explained they had had two contractors look at Shaggy Dog's roof to make sure it did not have a problem. Pearl's roof is fine. Council will let Building Inspector Mike Malhiwsky continue with the process. Malhiwsky will go back tomorrow if it rains again.

Police Chief's report – The Chief was out sick.

City Attorney's Report – Emily Bauman researched a few issues. The Mayor asked her to look at the possibility of adding alternates for the Planning & Zoning Commission as well as having the City Council representative to Zoning having voting rights. Bauman reported both are possible and make sense. Ordinances would be required to make the changes. John Parker was concerned about a conflict with having the Council representative on Zoning and potentially voting twice: once as representative on Planning & Zoning and once if the issue came before Council for approval. Bauman explained she researched it and that there is no conflict. Zoning is only a recommending board; Council makes the final decisions. The Council member could vote on Zoning and abstain on the Council vote if he felt it was a conflict. The consensus on Attorney General Opinions is that the Council representative can vote.

On the other topic, she found good points about why other cities have alternates on the Planning & Zoning. There can be up to four alternates. There are several items that would need addressed in an ordinance: how long is the appointment; how the alternates are appointed; determination of role of the alternates; and their participation in voting. On an issue will the alternate sit in only for that one meeting, or all the way through until a decision is made? Do the alternates need to attend every meeting? Council agreed it makes sense for alternates to attend every meeting. Bauman recommend all alternates should be appointed at the same time. She suggested putting them on a rotating schedule with no alternates for a specific person. Rotating them is a good idea so it doesn't look arbitrary and choosing someone for a specific vote. Part of the problem is that not all board members notify the City when they will not be able to attend a meeting. Council would like to include that if a member misses so many meetings without notification, then the person would lose his spot on the board. Council would like three alternates. Council would like the alternates able to participate in the planning & zoning discussion. All three would have to be appointed at the same time. Their terms will be the same as regular members (2 years). John Parker motioned to have an emergency ordinance to allow the Council liaison to Planning & Zoning as a voting member and a new ordinance to allow alternates, including if a member misses two meeting unexcused, he is replaced on the board. Joy Thompson seconded. Motion carried on 4 yes votes.

City Administrator's Report

City Administrator Bruce Lundy reported:

Surplus Equipment -- Lundy watched a webinar on posting surplus equipment to sell on a website. So far he has listed the fire truck. Council had previously approved to be sold. He has additional equipment that the City no longer uses and could sell. Joy Thompson motioned to declare the following items as surplus and sell them off: old flatbed truck, two old snow blades, and two pickup camper shells. Don Dillman seconded. Motion carried on 4 yes votes.

Candle Light Walk – Kodi Moore asked about closing the streets around the Square, Friday evening after Thanksgiving. She spoke earlier in the meeting.

Water deposit -- Ron Shelton came by City Hall. He built a five plex on North 6th Street and believed the \$150.00 utility deposit was too high for his renters. The apartments have one common laundry room that he pays the bill on. His renters have very low water bills and he thought the deposit was too high in this case. However, the City landlords had wanted the deposit high to protect them. Shelton agreed and said that he was part of that push but in this case he thought the deposit was too high. Lundy offered to bring the issue up to Council but did not believe that anything would be changed. Council agreed to leave it alone. If any changes were made, it would be sent to the Utility Board to review.

Inspector's Truck -- Inspector Mike Malhiwsky has been busy. The water plant truck was purchased and the other one, 2007 two wheel drive, was reviewed for Malhiwsky. It had a few issues that the dealer needed to look at. They said they would address those issues and provide a price.

Highway Sign – Lundy called MO-DOT in reference to the highway signs. He noticed that there are no signs out on US Hwy 71 that make travelers aware of the services that are available in Savannah. These signs are everywhere along the highway and say Next Exit services available -- gas stations and restaurants, etc. He is waiting for a call back to see what is involved.

Zoning Board – Mayor Connie George, Council Member Greg Wilson and Lundy were at the Zoning Board meeting last week. Rodney Hummer is building a three plex on South First and Robert Davis is building a distribution center/warehouse on North 71 Hwy (where Junior's Outback used to be). Michael Puckett is building a four plex at 8th and Pearl. Puckett's structure is larger than the lot will allow so the Zoning board is looking at solutions. Puckett wants to go to the Board of Adjustments but the problem is the Zoning board has not made a formal decision yet.

Senior Center -- Linda Lambright sent a copy of the acquisition letter. The Seniors are hoping that by November 15th they will know when they will be closing on the new Senior Center property. Joy Thompson asked about the sewer line. It would be the Senior's responsibility. The City has not been formally asked to annex the property into the City limits.

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

RESOLUTIONS FOR CONSIDERATION:

Resolution 2013-20 Change 2014 Council meetings due to holidays – Don Dillman motioned to approve Resolution 2013-20. Joy Thompson seconded. Motion carried on 4 yes votes.

BILLS FOR CONSIDERATION:

Bill 2013-39 2014 Election was read for the first reading.

Second Public Testimony – No testimony.

ELECTED OFFICIALS REPORTS

Mayor’s report -- Mayor Connie George reported she attended the Planning & Zoning meeting. She talked to the Pearls about problems at Shaggy Dog. She signed papers for the Senior Center project.

Council Discussion

Greg Wilson – The City may hold a Christmas lighting contest this year. He suggested having a Mayor’s tree. The City could talk to the Commissioners about putting it in the Courtyard or next to City Hall in Veteran’s Park by the flagpole. Would anyone donate a tree? Council agreed to a holiday lights contest and tree lighting ceremony for a Mayor’s tree.

John Parker received an invitation for the Region D dinner on November 14 if anyone is interested in attending. The Chamber of Commerce lunch is November 6th with a ribbon cutting afterward lunch.

Joy Thompson received lot of complaints but city workers took care of them. Mayor Connie George asked if the speed limit signs were put on Banyon. Yes, but they still need to add the signs for “Slow: Children Playing.”

ADJOURNMENT

No further business to discuss. Council adjourned at 8:32 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