

**SAVANNAH CITY COUNCIL
PROCEEDINGS: REGULAR SESSION
MONDAY, DECEMBER 16, 2013
CLASBEY CENTER – COUNCIL CHAMBERS
7:00 P.M.**

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 Bruce Lundy, Chief of Police David Vincent, City Attorney Emily Bauman and City Clerk/Treasurer Beth Kar were also present. The meeting notice was posted at City Hall on December 13-2013. The meeting was audio recorded.

Approval of Agenda – John Parker motioned to amend the agenda to include both first and second readings for Bill 2013-42. Joy Thompson seconded. Motion carried on 4 yes votes.

Minutes – December 2, 2013 – John Parker amended the minutes under the City Attorney's report to add the word, **accept**. Parker motioned to **accept** the City Attorney's report. Don Dillman motioned to approve minutes as amended. Joy Thompson seconded. Motion carried on 4 yes votes.

Bids: Snow Blade – The highest bid for the snow blade was \$865 from Chris Haseman. Previously the blade had been estimated at approximately \$50 for scrap. Greg Wilson motioned to approve the bid from Chris Haseman through the Public Surplus Site. John Parker seconded. Motion carried on 4 yes votes.

Public Testimony – Angie and Michael Puckett were present. Angie Puckett went to the Public Testimony microphone. She addressed Don Dillman's statements quoted in the Savannah Reporter article regarding her husband Michael's proposed four plex. She provided history on the project and developed the plans. It was Michael's first time filling out a permit and through human error he accidentally did not write the correct footage. Angie Puckett mentioned various statements from the Reporter newspaper article including that Puckett was trying to sneak something in and he had done things like this before when Dillman was on the Planning & Zoning Commission. Dillman responded those were separate items. He had not met Puckett before and when he had been on Zoning they had to deal with problems. Angie Puckett explained that he has only done single family homes before and had not had to deal with going through approval from Planning & Zoning. Michael Puckett stopped construction until he received approval. At the last Zoning meeting Puckett's permit was approved with a compromise so she was confused why it went to Council. There were eleven violations of where the project did not meet requirements. Dillman felt if there was only one item of the eleven fixed, he did not see that as a compromise. Council and Puckett discussed the items including the lot size and some setback issues. Puckett stated that he went on what he knew; he did not know what the footage was supposed to be. City Attorney Emily Bauman explained that there are different requirements for corner lots. He has a permit now with the correct footage. However, the permit was issued in error because it should have gone to Council per zoning procedures for the final approval. Planning & Zoning is an advisory committee. The permit still needs to go before Council for final approval. Puckett reported he was willing to do the changes. Puckett is

available for the next regular Council meeting on January 6th and will be added to the agenda. The Planning & Zoning Commission members also will be invited to attend.

Deffenbaugh: Recycling Pickups – Tony Roach was asked to attend the meeting and help answer questions on missed recycling pickups. John Parker mentioned that the last four weeks recycling pickups to his house were either late or not picked up at all. Roach thought the problem had been resolved. Deffenbaugh has a lot of problems with what is recycling pick up and what is trash. Not everything is labeled well. Parker mentioned that there was not a problem until the City moved to a single day of combined recycling/trash pickup instead of a separate day for recycling and a separate day for trash pickup. He would like to have better routing with drivers with maps of the City. Deffenbaugh did that initially but it could be revisited. Tony reported Deffenbaugh did not have the input that it used to from the previous administration. Parker and Joy Thompson mentioned other incidents where recycling was not picked up. Thompson asked how the problem could be solved. Roach mentioned the possibility of a separate recycling day. It is confusing where people put recycling versus trash. John mentioned he puts his recycling in trash bags and puts the bags in the recycling tub. Roach reported that only about 25% of residents probably recycle. Different recycling poly are available that are a little smaller than trash ones and have a yellow list on top. Roach will work up the cost. Parker asked about possible credit if residents turned in the old recycle bin for a recycle poly cart. City Administrator Bruce Lundy and Roach will review options including poly cart costs versus looking at a second day for recycling pick up separate from the trash pickup day. Recycle information is also posted on the City's website and TV channel, Channel 19, about recycling.

City Administrator's report

City Administrator Bruce Lundy reported:

Storm Sirens -- Steve from Outdoor Warning and the electric company, KCPL, are coordinating their storm siren installation efforts and now believe the sirens will be installed at the first of the year.

Auctions -- Council agreed to sell surplus equipment. Lundy had listed an 11 foot Henke snow blade at Surplus auction that ended up with a high bid of \$865.00. The payments for the fire truck and flatbed truck have been received and the equipment has been picked up.

Trash Pickups -- Due to the holidays, trash and recycling pick-up will be on the Saturdays following Christmas, and New Year's.

Recycle Pick-up -- Councilman John Parker contacted Lundy Saturday that his recycling was not picked up Friday. He knew of others who were also missed. On Monday Lundy called Tina from Deffenbaugh. She did not know why they would have been missed. Lundy explained this has happened a few times and that Parker would like someone from the company to come to the next meeting. Tony Roach from Deffenbaugh was at tonight's meeting.

Stop Sign -- Lundy had a call from John Osborn who lives on North 5th Terrace. He was recently stopped for running the stop sign at North 5th Terrace and Duncan Street. He complained that this is not an intersection so there does not need to be a stop sign there. This is an intersection of North 5th Terrace and Duncan Street but they do not cross, they meet. From 5th drivers must turn right onto Duncan and from Duncan drivers must turn left onto 5th. He would like to see the sign removed. Lundy explained that would be up to Council. Council asked for Chief Vincent and

Lundy's input. The police felt it was justified for a stop sign; otherwise going around, it was possible the vehicle might end up in the other lane. Joy Thompson thought for safety there should be a stop sign because of kids who ride their bikes there.

Sign up for election to City Council -- The time to sign up to run for City Council opens December 17th at 8 a.m. thru January 21st at 5 p.m. City Hall closes at 4:30 p.m. but will stay open to 5 on January 21st.

Park Board meeting -- Lundy attended the middle school music program rather than going to the Park Board meeting. Park Board President Mike Yuille sent an email saying they didn't have enough members present for quorum so no actions were taken.

Chamber of Commerce meeting -- Last week City Clerk Beth Kar, Council members John Parker and Don Dillman, Mayor Connie George and Lundy all attended the Chamber of Commerce lunch meeting. It was at the museum and the speakers were from Career center speaking about a new program that helps fund on-the-job training. These same two ladies came and spoke at City Hall a few weeks ago.

Planning & Zoning -- The next Zoning board meeting is Monday the 23rd. Is there a problem with the Sunshine Law if at least three Council members are there? City Attorney Emily Bauman explained that if they wanted to attend as a member of the public, that's fine. The Sunshine Law already applies to the meeting. Michael Puckett asked if there was a conflict if Council members spoke at the meeting. Bauman said that she will be at the meeting. There is no problem if the members sit there as citizens. They can ask questions as members of the public. Fire Chief Tommy George voiced the concern that it might change the Zoning board's opinions if a Council member speaks. Bauman explained that Council could speak just as citizens, and not make comments, but they could ask questions as a member of the public.

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

Treasurer's report -- City Clerk Beth Kar provided the November's financial statements. November is a challenging month because the City's highest debt payments for the year are due. This year after the City made the debt payments, the City's total cash balances were still over \$2 million dollars. However, much of that balance is in restricted cash. Per the State Auditor's recommendation a more detailed report on the restricted cash balances including gas taxes and police fines was also added to the Treasurer's report. Don Dillman motioned to approve the Treasurer's report. Greg Wilson seconded. Motion carried on 4 yes votes.

City Attorney Report

City Attorney Emily Bauman spoke to Judge Ordnung about court fines and reviewing the costs. She provided a list of current fines versus the recommended changes. Fines would increase about \$25 per category. For seatbelt fines \$20 or \$25 would work. Currently the \$10 fine does not include court costs. Bauman reported that Ordnung wants the two cities under this jurisdiction, Village of Country Club and Savannah, to have the same fine costs. The fines sheet is for discussion only. When everything is ready, Bauman will draft an ordinance. She will talk to Country Club's Attorney Ron Holliday about the changes. Once changed, the new fines would be closer to the State's charges. Ordnung's concern was that a lot of people don't pay currently. An automatic warrant is issued for any fine that is not paid. These costs are just the

minimum fee if it is paid. If Judge Ordnung is okay with the fines, Council recommended she go ahead and take the proposals to Country Club and bring back an ordinance with the addition of a seat belt fine change to \$25 and No valid operator license raised to the \$150 range.

Bauman met with City Clerk Beth Kar and City Administrator Bruce Lundy to follow up on the State Auditor's suggestions. The items remaining were assigned and will come back to Council for approval. She also wanted to discuss alternate members for Planning & Zoning Commission. Currently the City only has one application for an alternate: Zach Snapp. If Council wants to go ahead with just one alternate, the City can go ahead with the ordinance, otherwise the City will need to wait until there are three so all could be appointed at the same time and avoid looking arbitrary. Alternate(s) will need to attend meeting along with regular Zoning members. John Parker wanted to try for a minimum of three alternates. Greg Wilson asked for clarification concerning why one would not appoint at different times. Bauman's research results were it was better to appoint at the same time so the City does not look like it's appointing someone for a specific issue. Wilson asked if it could be amended in the future, to add one or two more alternates later. Bauman will get the ordinance ready for one alternate.

Police videos – Although the State of Missouri does treat videos as open records, police videos are only public record once the case is over. The City does not need an ordinance because it is state law.

Per the State Auditor recommendations, Council needs to address the closed session paragraph listed on all agendas. There is opinion for and against putting the paragraph on all agendas. The State Auditor would like the City to list only the specific section(s) and if not going into Closed Session, do not list it on the agenda. If it is an emergency, a closed session can be added to the agenda or the City can wait and add it to the next agenda. John Parker's concern was if something comes up during the meeting, can a closed session still be added as an emergency? It is allowed as long as it is in good faith and not trying to evade letting the public know. Parker asked if this information should be passed onto the other boards; that if the board is not planning to go into Closed, do not list it on the agenda. The information will be provided to all boards. Don Dillman motioned to follow the City Attorney's recommendation and not list Closed Sessions on all Council meeting agendas. Joy Thompson seconded. Motion carried on 4 yes votes.

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

BILLS FOR CONSIDERATION:

Bill 2013-41 Contract with City Administrator Bruce Lundy was read for the second reading.

ORDINANCE NO. 2626

John Parker motioned to adopt ordinance no. 2626. Don Dillman seconded. Vote: Dillman: aye; Wilson: aye; Parker: aye; Thompson: aye. Motion carried.

Bill 2013-42 Authorizing an Agreement with Independent Public Advisors for Financial Advisory Services was read for first and second readings.

ORDINANCE NO. 2627

Don Dillman motioned to adopt ordinance no. 2627. John Parker seconded. Vote: Wilson: aye; Parker: aye; Thompson: aye; Dillman: aye. Motion carried.

Second Public Testimony – None.

ELECTED OFFICIALS DISCUSSION

Mayor’s Report – Mayor Connie George thanked City Administrator Bruce Lundy for getting the surplus equipment sold. She attended the Chamber lunch and judged the Christmas lights contest. George thanked Rusty Chandelier for helping to sponsor the lights contest and providing the prizes. She thanked Schweizers for donating the Mayor’s tree. Several people including Zach Snapp, Joy Thompson, and Bruce Lundy helped with the tree. Cruz with the help of Grandpa Tim Spoonemore turned on the light switch at the Candlelight Walk. Mayor George congratulated the Seniors on the new center and plans to attend the open house. She also said the high school would be having a big wrestling tournament that was well worth attending.

Council Members Discussion

Joy Thompson received complaints about trash and recycling pickups; otherwise everything had been quiet. Thompson reported the firemen did a wonderful job as volunteers and the department had a lot to be proud of.

John Parker reported the excitement over the fire district. He attended the meeting. He believed the district was pointed in the right direction and the City should support them with some of the decisions they need to make. Everyone agrees that City/County has the best fire department around. The Senior Center’s open house is between 1 and 3 tomorrow. He is trying to expand his involvement since retiring from the school district.

Mayor Connie George asked about a class on sunshine laws. City Attorney Emily Bauman is putting one together for the first of year for all boards.

John Parker asked if a board goes into Closed Session for personnel, does it need to list on the agenda the specific person. Bauman reported: no. Fire Chief Tommy George provided input. The Sunshine Law has specifics on notifying people on decisions. If a vote is taken in closed session, the board needs to notify the person within a certain time period and the vote becomes public. Bauman explained that boards do not have to go into Closed Session.

Adjournment

No further business to discuss. Council adjourned at 8:30 pm. on a motion by Greg Wilson and seconded by Don Dillman. Motion carried on 4 yes votes.

Connie George, Mayor

ATTEST: _____
Beth Kar, City Clerk