

**SAVANNAH CITY COUNCIL**  
**MONDAY, MAY 19, 2014**  
**CLASBEY CENTER – COUNCIL CHAMBERS**  
**7:00 P.M.**

Mayor Connie George presiding.

Pledge of Allegiance was recited.

Council Members present: Don Dillman, John Parker, Joy Thompson and Greg Wilson. Mayor Connie George, City Administrator Bruce Lundy, City Attorney Emily Bauman, Chief of Police David Vincent and City Clerk Beth Kar were also present. The meeting was audio recorded. The meeting notice was posted at City Hall on May 16, 2014.

**Approval of Agenda** – City Attorney Emily Bauman asked for a motion to amend the agenda placing her City Attorney report after the City Administrator report, where it normally is, but to keep her Sunshine Law presentation at the top of the agenda. Greg Wilson motion: to approve the agenda as amended. Joy Thompson seconded. Motion carried on 4 yes votes.

**Minutes – May 5, 2014** – Mayor Connie George asked to have the minutes amended under the Elected Officials report section adding that Don Dillman, John Parker and Greg Wilson helped her. John Parker motioned to approve the minutes as amended. Greg Wilson seconded. Motion carried on 4 yes votes.

**Proclamation: Savannah Middle School Cleanup Day & Student Body Presentation --** Mayor Connie George read the proclamation in honor of the Savannah Middle Schoolers 10<sup>th</sup> Annual Clean Up Day where they clean up the community. Middle School Student Body past and future presidents Kenedy Grant and Riley Schneider were present along with Principal Leisa Blair for the proclamation. The Middle School students brought a presentation with them. Principal Blair suggested putting their DVD on channel 19 and the City's website.

**Sunshine Law for Boards** – City Attorney Emily Bauman reviewed the requirements for closed meetings. Mike Yuille and Jerry Baker from the Park Board were present. She will also provide a copy of the presentation which will be emailed to the boards for any members who were not able to attend. If a closed meeting is listed on an agenda, she described how board members can only talk about the one area that was listed as the reason for the closed meeting, for example: personnel, litigation, or real estate. Any motions in closed session require roll call/voice votes. Minutes must be taken in closed meetings. Copies of the sunshine law are available at City Hall. Closed sessions are an option; they are not required. She covered the penalties for violations of the sunshine law. The body or its members can be fined. John Parker had a few questions. He asked if an employee can ask for the issue to be in Open Session such as disciplinary. Does it have to be open if the employee requests it? Bauman did not think so but the employee can object and it has to be reflected in the minutes. It would likely be a gray area in the Attorney General's opinion. Parker asked if a board could still go into closed session even if employee objects. Yes. Parker asked if the closed session could deal with more than one area. Yes, but the board would need to list each area on the agenda.

**Public Testimony** – The Scout Leader Kenny Maxwell was present with Boy Scouts from Troop 26, earning their merit badges.

Wayne Duncan and Keven Schneider from the Andrew County Fair Board asked that on the June 13<sup>th</sup> Friday Fun night, the streets on Court, 4<sup>th</sup> and 5<sup>th</sup> (east, west and Court side) be closed. Streets will be shut down from 3 p.m. to midnight. Joy Thompson motioned to close the streets for the Friday Fun Night on June 13 and Don Dillman seconded. Motion carried on 4 yes votes. Joy Thompson reminded everyone that the fair will need to provide a copy of their insurance before the event.

Kirk Larson lives in a low spot on Fox Den Court. He and his neighbors witnessed blow outs on manholes after the more than two inches of rain. Matt Sorensen also lives on Fox Den and was present. They were concerned about the overflow and the items which were included in the water: toilet paper, etc. Sorensen had pictures he distributed of the overflow. It appears there is a bottleneck north of the subdivision. They are curious where the City is going with INI reduction plan. City Administrator Bruce Lundy talked to Wastewater Superintendent Jason Long about the problem. Between those houses and the Wastewater Treatment plant there are a few 90 degree angles and at one point the line goes from 15 to 12 inches causing the backup. Long is aware of problems that need to be addressed. Larson had a backflow preventer and did not have backups in his basement. Greg Wilson asked if where it is 90 degree is there enough room to change? Yes. Resident Michael Puckett asked if working on the problem would cause manhole problems on his Dad's property near there. The City will look at how to resolve the problems.

Joy Thompson asked Michael Puckett where his Dad, Randy's, property (that he was concerned would flood) is on the map. Randy Puckett was present and answered the question.

**Missouri American Water Company** – Kevin Caveny was present. (B. Wynn Morgan, Jr was not available.) Caveny reported he had been before Council a year and a half ago. He is back to provide updates to the new Council members and the Mayor. When he was before Council before, Missouri American was there to look at purchasing the water plant and lowering rates. If they were to acquire Savannah, they could combine it with St. Joe and reduce the rates. He was looking at rates for a larger user like the golf course or school. They could save up to \$10,000 if they had St. Joe rates. They would become a property tax payer. The cash to Savannah could be utilized for other purposes. They would be offering jobs to the existing employees. If they acquired the systems, the City would not have to worry about future DNR regulations. Becoming part of Missouri American Water would bring resources from employees across the state. He asked for any questions. City Administrator Bruce Lundy asked what Missouri American gained by acquiring Savannah's plant. Missouri American is interested in growing and he explained through the economy of scale they would spread costs over a larger customer base. Lundy asked if they lowered Savannah rates, what would happen to St. Joe rates. Caveny described that St. Joe rates would go up. It's hard to say how much that would be. John Parker asked why not buy water from Savannah? Missouri American has enough water supply right now. It wouldn't benefit them. Council talked about some of the problems in St. Joe with Missouri American. Greg Wilson asked what was the initial value for the City's water plant? There was no official offer; he expected it to be in the 10 to 12 million dollar range off the top of his head. He wasn't sure where the City was in paying off debt or improvements. Parker asked would Missouri American then take over the responsible of updating lines? Yes they would. They spend a lot each year to replace pipe approximately 1% each year. John Parker feared that local residents might save a couple of hundred dollars the first year but then later everyone would have an increase. Joy stated that if Savannah sells them the plant and St. Joe's bills go up then if buy another plant someplace else, will Savannah's water bills go up? It doesn't necessarily mean bills would go up; it depends. It depends on fair market value and the

condition the system is in and what kind of improvements are needed. Joy pointed out when we had the big flood, Savannah had water and St. Joe didn't. That bothers her for the citizens of Savannah. He said there is a new plant and it won't happen again. Bruce Lundy thinks the main issue is we are a community of 5000 with a water plant to be proud of and we don't want to relinquish that to Big Brother. We need, as a council, to find more customers. Lundy asked what the St. Joseph sewer rate is. Savannah's water bills contain sewer and water rate. St. Joseph's sewer rate is higher and water lower so it balances out. Savannah is proud to have new water plant. If they could make electricity, they would do that so they wouldn't have to depend on KCPL. Joy appreciated Kevin Caveny coming and if things change, he will be contacted. We don't know what going on down the road. Kevin Caveny thanked Council for letting him speak. Council thanked him for speaking.

### **Police Chief's Report**

Chief of Police David Vincent stated that he has been busy since April 1<sup>st</sup>. He made 36 arrests which are quite a few. The police have worked several incidents. One officer was slightly injured. Their 2006 Ford has had a lot of repair problems with the transmission. Also, the radiator was replaced. Dalsing and Zeigler share the vehicle. They plan to keep it as long as they can. Graduation day went well. Officers are getting qualified on the new weapons. May 27 is the Torch Run. This year they plan on running all the way to Jesse's. Mayor Connie George will be reading the proclamation. John Parker motioned to approve the report. Greg Wilson seconded. Motion carried on 4 yes votes.

### **City Administrator's report**

City Administrator Bruce Lundy reported:

1. Nuisance Property. The property on North 6th was declared a Nuisance. The owner of that property has been issued a summons and his Court Date will be June 11. They have been working there and have now gotten the dirt pushed back around the foundation. They said they would have siding, windows, and doors updated soon.
2. County Fair. Patrick Turner of the Pizza Shoppe called and said the Fair board was looking at having a concert on the square and they wanted to be on the agenda. I explained that I would make Council aware that they are planning an event and they can speak during the public time. I believe they were inquiring about closing Court Street and having beer again. Greg Wilson motioned to approve the caterer's permit for Patrick Turner for the one day event. John Parker seconded. Motion carried on 4 yes votes.
3. Lighting Audit. Luke Case of Case electric recently toured all of our properties in reference to replacing our lighting with energy efficient LED lighting. Apparently there are some incentives available for upgrades. Since then Brightergy has also called wanting to do the same audit and will be in town next week. When their audits are done and they have information about costs and savings we will get them on the agenda. I have spoken to Brightergy a few times and they are finished installing solar and we are now on the list for KCPL to inspect and approve. They are still expecting new incentives to be announced any time for the remainder of our projects. Solar is done at the Clasbey/Golf Course. John Parker suggested talking to Harold Morgan at the school district. The school district did an audit and change of order and the company absorbed the costs for the fixtures.

4. Out for Bids. We will soon be putting out bid requests for the street paving and for painting the Savage Water tower. The company Public Purchase that helped us with selling the blade and fire truck also puts out bids to known vendors for projects like the water tower. When we get the specs all put together they will be sent to Public Purchase and they will put it out for bid on their web-site at no cost to us. Hopefully this will result in more competitive bids. So far Kenny has a preliminary list to pave Hall St in front of the Catholic Church, East Swenson from 71 to the cul-de-sac, Benton from 3rd to 6th, and Elk from 5th to 2nd.

Surplus Equipment -- We have two white camper shells sitting by Cemetery. They are surplus and Lundy suggested selling them. Greg motioned to declare them surplus and Joy seconded. Motion carried on 4 yes votes. It will be put in newspaper and bid out. Council asked if this was a liability. Kenny Lance asked if the city would be interested in selling the land where Mrs. Boyles had her trailer. John Parker said no because it is part of cemetery property and maybe someday we would need it. Parker asked if we can sell cemetery property? Joy Thompson wished the city hadn't let them take down the fence. That would have made a good dog park. Greg Wilson suggested Emily Bauman first see if the city could sell the property and if it is of value, then decide if whether to sell it or not. Even if we can't sell the property, then J.D. needs to move the boat. Council talked about storage. Joy Thompson asked if it was a problem when people park their semis and trucks on 3<sup>rd</sup> street City lot. Trucks are temporary but the boat is more permanent.

5. 8th and Main Project. The 8th and Main drainage project is nearly finished. M&M Utilities from Chillicothe came to town early last week and had most of the work done in about four days. At last check the project was done; they were just waiting for asphalt to be placed back in the trenches that they cut. When tearing out the old boxes they found what appeared to be an open sewer line that ran into one of the boxes. Jason Long brought up the new push camera that we received on the MIRMA Grant and ran it up the line. He found it was an old line that had been capped. The new camera worked great. They are supposed to finish up the hand work on the street tomorrow.

6. Cemetery. Several of the guys have been helping the Cemetery crew get ready for Memorial Day by mowing and weed eating. I also had a chance to review Cemetery Rates for lots and services and found that they were raised a few years ago and then reduced to levels that need attention. I will put some stuff together for a future meeting so this can be discussed. Council suggested involving funeral homes in rates discussion.

7. Mowing the median. Mowing season is in full swing again and Lundy spoke to Kenny about mowing the median on Business 71. We did this in the past as it does make it look much nicer. We agreed we should go ahead and mow it again this year but will stop just south of Swenson where it widens out. That far south area near the City limits is a lot of space. What do you all think? Mayor Connie George reported that someone was mowing the median. Mo-Dot did mow it today. Joy Thompson said it makes the City look so much better having that mowed as people go into town.

8. Rain. Lundy believes we had 3 ½ inches of rain last Monday Morning. This amount of rain overwhelmed our sewer system. South of Swenson we had manhole lids being lifted by bubbling water and we had four sewers backup into residences. He made the four claims to MIRMA. Three of the claims were on Catalpa.

Greg Wilson motioned to approve the City Administrator's report. Joy Thompson seconded.

Motion carried on 4 yes votes.

**City Attorney's report** – City Attorney Emily Bauman reported two items: 1) When at Municipal Court last week Judge Ordnung wanted her to talk about the collection process for delinquent court fines. He would like the city to come up with something where they would try and get them collect such as shutting off utilities because they owe the city money. Don had a customer that owed for materials. We can't shut off utilities. If the ticket is track related, we could look into suspending their license. Joy Thompson thought if someone didn't pay a ticket, that person should go to jail. They do put out warrants but have to find the person. Emily Bauman will look into options to get people to pay their tickets. The State was supposed to be doing collections but it is not working out so well. Bruce Lundy asked if on the warrant, the fine and court costs could be combined? Greg Wilson asked if we can garnish wages? It's different from a lien. Joy Thompson asked how much are we talking about? The judge was concerned that it's mostly residents and was looking for any incentives to make them pay. We don't have to turn delinquent bills over to the state to collect. People can make payments. She will check with other cities about collections.

2) She met with Building Inspector Mike and David Duvall on the proposal including site plan, to make sure the City Code is being followed. The site plan will be on the next Planning & Zoning agenda to make sure it happens correctly. She thinks he will be asking for a conditional permit and drainage study because of where it is located. Bruce Lundy doesn't think he should be granted any permit until that drainage study is completed. It will take lots of work before someone can safely do something in that area. If he follows everything in Zoning, the City would need a really good cause to deny a permit. He wants to build two 3-story buildings with six apartments. It is multi-family housing. We don't have many multi-plexes. John Parker asked about the state right of way and if there was enough room for a driveway. Don Dillman asked about conditional use. It will not be conditional use but rather a permit on certain conditions similar to Puckett's. If the study and everything comes back okay then he would have the permit. Greg Wilson motioned to approve the City Attorney's report. John Parker seconded. Motion carried on 4 yes votes.

**Treasurer's report** - City Clerk/Treasurer Beth Kar presented the April financial summary. Don Dillman motioned to approve the Treasurer's report. Greg Wilson seconded. Motion carried on 4 yes votes.

### **BILLS FOR CONSIDERATION:**

Bill 2014-15 Amend Golf Fees by removing drought surcharge from memberships was read for the second reading.

#### **ORDINANCE NO. 2642**

This ordinance amends the golf fees by removing the drought surcharge from Duncan Hills Golf Course memberships. Greg Wilson motioned to adopt ordinance no. 2642. Don Dillman seconded. Vote: Dillman: aye; Wilson: aye; Parker: aye; Thompson: aye. Motion carried.

Bill 2014-16 Sewer Rate Increase was read for first and second readings.

#### **ORDINANCE NO. 2643**

This ordinance increases the sewer rate by 4% beginning with the bills due in June 2014. John Parker motioned to adopt ordinance no. 2643. Don Dillman seconded. Vote: Wilson: aye; Parker: aye; Thompson: aye; Dillman: aye. Motion carried.

**Second Public Testimony:** None

## **ELECTED OFFICIALS DISCUSSION**

**Mayor's Report** -- She had complaints about dead nightcrawlers on driveways. The Cemetery looks great. After the heavy rains, she had several complaints on water where people could see ditches full but there was no water in basements.

### **Council Members Discussion**

Don Dillman had not had any calls. He noticed the percentage of recyclables seemed like it has increased. Deffenbaugh sent notice that recycling had nearly doubled.

Joy Thompson received a lot of complaints. One man is not happy with dogs at cemetery; they run through the cemetery without leashes. If he see it again, he will call the police. Two of the men don't even live in Savannah. She had two ladies call with complaints about cats. May have to tell them there is a limit. Don Dillman thinks most of them are feral. There is a lady who goes around feeding cats in town. Had a man call to say he thinks the mandatory trash should be a vote of the people. He wasn't happy raising the sewer rates. Boy Scouts cleaned up the north side of the Cemetery. The lights which were out at Clasbey are finally working. Thanks to Dan Hegeman for getting it taken care of. Joy Thompson asked about the mural, now that Gary Swanson is back. Kenny Lance reported that the 6<sup>th</sup> & Benton street light stays on all the time. Greg Wilson reported that on Main Street, Arbor between 1<sup>st</sup> and 2<sup>nd</sup> are out.

John Parker reported that the Middle Schoolers painted 49 fire hydrants.

### **Adjournment**

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

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Connie George, Mayor

ATTEST: \_\_\_\_\_

Beth Kar, City Clerk