

SAVANNAH CITY COUNCIL
MONDAY, JUNE 16, 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, City Clerk/Treasurer Beth Kar, Water Superintendent Dale Watson, Fire Chief Tommy George and Director of Public Works Kenny Lance were also present. The meeting notice was posted at City Hall on June 12, 2014. The meeting was audio recorded.

Approval of Agenda – Joy Thompson motioned to approve the agenda as posted. Greg Wilson seconded. Motion carried on 4 yes votes.

Minutes – June 2, 2014 -- Greg Wilson motioned to approve the June 2, 2014 minutes. John Parker seconded. Motion carried on 4 yes votes.

Bids: Asphalt Streets – Director of Public Works Kenny Lance talked to the bidders: Herzog and Keller about the streets to be asphalted. Elk and Swenson Streets have a few soft spots that need fixed. Herzog thought the whole section of Swenson needed to be replaced which would cost at least another \$40,000. The lowest bidder Keller did not. Swenson from the Highway 71 to the cul-de-sac is in pretty good shape. The third bidder didn't look at the streets. John Parker asked if there was a clause in the contract with a penalty if the work is not done in a timely manner. City Attorney Emily Bauman replied that the City would have to establish what would be considered timely. Keller is busy with other projects and likely will not be available until August. Don Dillman asked if time was a requirement, shouldn't that have been put in the bid specifications? John Parker was concerned because the East Main Street project was still not complete. Don Dillman mentioned that from the City's prior experience with Keller and Herzog time had not been a problem. Joy Thompson asked since the asphaltting will not be done until August/September, do the roads need more patch until then? Lance didn't think so. The City met with Dr. Brax of Savannah schools. The road next to the football field and softball fields needs asphalted. Last time the City and school split the cost 50/50. Estimate: \$16,000. Dr. Brax said the school would pay half again. Council agreed the road could be part of the asphalt street program. Joy Thompson asked if there would be a written agreement showing the shared payment on the street. John Parker motioned to approve Keller's bid for the 2014 asphalt streets program. Joy Thompson seconded. Motion carried on 4 yes votes.

Bids: Painting Water Tower – This is the first time the Savage water tower at Duncan Park has been painted since it was built. Budget: \$160,000. Four companies bid:

Cunningham Inc	\$154,968.00
Utility Services	\$161,000.00
Pittsburg Tank and Tower \$	\$162,500.00
Maguire Iron	\$168,740.00

Water Superintendent Dale Watson researched the references for the two lowest bidders. He felt the second lowest bidder Utility Services would be better. Don Dillman motioned to approve the

bid of Utility Services to paint the water tower. Greg Wilson seconded. Motion carried on 4 yes votes. It will be painted a light color.

Public Testimony – None.

Tiffany Greene, new owner Goochy Goo BBQ LLC, Request for Liquor License: Sunday Sales and 5%. Greene explained that the restaurant planned to keep the same liquor license as the previous owners. Don Dillman motioned to approve the request for a liquor license. Greg Wilson seconded. Motion carried on 4 yes votes.

Annual Report – Mike Yuille, Park Board President

Per State Statute, the Park Board is required to provide an annual report every June. The Board will provide a bigger report in the fall after the fiscal year closes. Park Board President Mike Yuille described the Parks re-vitalization. The goal is to help the community know more about what the parks offer and to have more events in the parks. The program is in the infancy stages. The Board re-established its committees: activities, finance and building/grounds. He illustrated the purpose of each committee. The Activities Committee started the pool season with Dollar Days: three days where admission was only a dollar since school was still in session. The Board would like to have Dollar Days once a month. The Finance Committee makes sure the financial reports follow state and other laws. Treasurer Jerry Baker has developed a one page highlight finances sheet for the Parks as they keep aware of finances so as not to overspend. Building/Grounds Committee look at the current facilities and what needs improvements. This information will help with next year's budget process. There will be gratitude for the Chester Baum Memorial on the new recognition wall at the Youth Sports Complex. Yuille provided the Park fund balances which are about normal for this time of the year. The last thing he highlighted was the state auditor recommendations. They have addressed and implemented four of the six recommendations and are working on the final two. The agreements with outside organizations have been started. The agreement with Savannah Swim Team and Pony Express Swim Team are complete. The School has their agreement to sign. Yuille is working on the rest of the agreements. The last recommendation is the proper accounting of receipts. The Parks are in the process of implementing the solution which includes the chain of custody of receipts.

John Parker had a question about the area-wide shortage of lifeguards that was mentioned in the news. Has the Park Board considered an increase of lifeguard wages? Yuille explained that the shortage was a City of St. Joseph problem. Savannah had not experienced a shortage. The pool wage schedules were already set for this year. Council discussed if the Savannah pool had an increase of applicants for lifeguard due to St. Joseph City pools closing. John Parker motioned to accept the Annual Report. Joy Thompson seconded. Motion carried on 4 yes votes.

Police Chief's Report—Chief of Police David Vincent received word that James "Pete" Swett (child molester) fled town with his wife and children. There is a warrant out for his arrest. Last Wednesday Chief Vincent did Bailiff duties at Andrew County Court with City Attorney Emily Bauman. School is out for the summer. Vincent brought up the topic of holidays. In some police departments, the officers are provided all of the holidays in a lump as opposed to taking off for the physical holidays like Memorial Day. It is difficult scheduling the whole department to take a holiday off and not end up with overtime. At the beginning of the year the officers would accrue all the holidays and could use them any time of the year which would be more convenient for the department. Vincent talked about protection if an officer left earlier, if pay would be docked or something for the holidays that had not passed. It would be almost like

vacation time. Elwood and some of the other police departments in the area use it. Greg Wilson suggested breaking up the year into two parts. The holidays would become more like personal days. Don Dillman suggested checking with the auditor. He recommended that the accrual would follow the fiscal year start: October 1st instead of the calendar year. To make the change would require an ordinance. Greg Wilson motioned to approve the report. John Parker seconded. Motion carried on 4 yes votes.

City Administrator's report

City Administrator Bruce Lundy reported:

1. **Chamber of Commerce Golf Tournament.** Chief Vincent, Sgt. Smith, Officer Ziegler, and he played in the golf tournament. In the spirit of sportsmanship they played for fun rather than competitively giving other teams the chance to win.

2. **MML Conference.** He attended the MML Conference for Officials in Columbia. The topics were good and included zoning, budgets, and the sunshine law. He would like for Council to attend these conferences as well. He will send out copies of the session handouts once they are posted on MML's website.

3. **Golf Committee.** Last Monday night he attended the Golf Committee meeting. The board believed that General Manager Mark Christopher is doing a great job not only with the course but with staying on budget. They recommended that Christopher receive a 5% pay increase whenever Council decides. The board also made a motion to amend their budget to build a practice green. The cost is estimated at less than \$10,000 and the funds will be pulled from irrigation and fertilizer.

Don Dillman motioned to increase Mark Christopher's pay rate 5%. John Parker asked for clarification. He would have liked to have had someone from the Golf Committee at the Council meeting on the request. Christopher was present and stated he had not asked for more money. Greg Wilson seconded the motion. Motion carried on 4 yes votes. Council was not sure if it was meant to be immediately or with the new budget year October 1st and required timing to be part of the motion. After more discussion, Don Dillman withdrew the motion. Christopher suggested having someone from the Committee come to a Council meeting to clarify the recommendation.

4. **Solar at Clasbey** -- Brightergy finished up the Clasbey Solar Panels project. KCPL will send the City incentive checks which the City in turn sends to Brightergy. When Brightergy receives the checks, the City will be put on the list for KCPL's inspection and approval. Then the panels will be turned on. One of the incentive checks arrived last week. Rick from Brightergy said new incentives were coming and he would come back to the City once he received the information.

5. **Bid Opening for Water Tower Painting.** On Wednesday the City opened bids for painting the Savage Water Tower. There were four bids received and \$160,000 was budgeted. The low bid was \$154,000.00. The bids were discussed earlier in the meeting.

6. **Final Payment** On Tuesday of last week the City received a check from Northwest Additions (Brad Lager) in reference to their final payment for the amount they agreed to pay on the East Main Street project. The City received the second developer's, EBR, check a couple of weeks ago. Both of the developers have paid in full their shares on East Main. Lundy talked to

the contractor on the project, Hoggatt, and the sewer line was delivered. Hoggatt was supposed to unload it today and start digging tomorrow.

7. **Traffic** -- Danny Justus, North 2nd off of Main, complained about speeders on 2nd Street coming from North to Main. He would like to see a stop sign at 2nd and Pearl to slow the speeders down. The City had not had other complaints and questioned if it was necessary. John Parker asked about getting a speed counter.

8. **Ingersolls and Clasbey Rental** -- Lundy was contacted by Clasbey renter Mary Ingersoll. The dance studio has purchased a building and will be leaving Clasbey by July 31 and no longer renting the dance rooms. She had a deposit with the plus dance floor that had been installed for the studio. Crane put in the floor for \$3,985. Does the City want to approve her to buy the floor and take it with her at fair market value? Council discussed selling the floor and what was underneath. Inspector Mike Malhiwsky will examine the floor. The City will advertise for a renter.

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

City Attorney's report— City Attorney Emily Bauman provided a report of her current research projects.

6th -- She reported Mr. Moore had paid his fine for North 6th. He explained what he had been doing on the property and why it took so long. It involved issues over obtaining the title. Renovations have started. He has filled in the foundation and there are no more trenches.

Cemetery -- J.P. Reardon is interested in renting property next to the Cemetery for storage. Bauman researched if the property could be rented since it was adjacent to Cemetery. John Parker had a problem with renting the property. He mentioned that there were people already in town that had storage businesses. Does the City want to get into that business and potentially take away from the companies already doing it? Bauman's research found the City can rent the land if desired. Reardon does currently mow the lot.

Other projects -- Bauman also researched drainage ditches and driveway culverts. In St. Joseph it is the property owner's responsibility to maintain; not the City's. She will be attending MIRMA conference and municipal attorney's convention both in July. She is meeting with Richard Sheets/MML.

Fines -- She met with Judge Ordnung on the collection of court fines. She does not recommend turning off utilities for delinquent court fines. She thought about talking to the police and doing a sweep on delinquent payments. Vincent reported that the Police normally get a list. Most of the delinquents are people who live outside the City. Bauman's suggestion is to not give the people time to pay. They have to pay at the court that day. Big city courts do this and have a high collection rate. Don Dillman motioned to approve the report. Joy Thompson seconded. Motion carried on 4 yes votes.

Treasurer's report – City Clerk Beth Kar presented the May financial reports. The funds are doing well. The City has started the process for next year's budget. Supervisors are working on lists. There will be a work session once all of the information is ready. Greg Wilson motioned to approve the report. John Parker seconded. Motion carried on 4 yes votes.

BILLS FOR CONSIDERATION:

Bill 2014-17 approving a contract to asphalt the streets was read for the first and second readings.

ORDINANCE NO. 2644

This ordinance approves Keller as the contractor for the 2014 Asphalt Street program. Greg Wilson motioned to adopt ordinance no. 2644. John Parker seconded. Vote: Dillman: aye; Wilson: aye; Parker: aye; Thompson: aye. Motion carried.

Bill 2014-18 – Greg Wilson asked Water Superintendent Dale Watson if there was a time element and did the Water Tower agreement need two readings at the same meeting. Watson agreed, the sooner the ordinance is approved, the sooner the City can be scheduled for the water to be painted. Greg Wilson motioned to have first and second readings for Bill 2014-18. Joy Thompson seconded. Motion carried on 4 yes votes.

Bill 2014-18 Approving Contract to Paint the Water Tower was read for the first and second reading.

ORDINANCE NO. 2645

This ordinance approves Utility Services for the Savage Water Tower painting. Greg Wilson motioned to adopt ordinance no. 2645. 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 reported it had been uneventful. The only meeting had been cancelled.

Council Members Discussion

Joy Thompson received complaints about the junk at 13th & Williams. She also had a complaint about trash by the trailer on Arbor and Williams. Chief Vincent saw it earlier and talked to the residents. She noticed trash had not been picked up around the Square and called. Deffenbaugh picked it up. Sgt. Josh Smith wrote 13th & Williams a ticket. They have an August court date. Thompson complimented all of staff. She hasn't had a complaint on employees in quite while. The City has a lot to be proud of. She said the handicapped parking at the post office looked good.

John Parker talked about the cemetery lot storage problem. He asked did the City need to take precautions at the Cemetery like a fence? Can the City sell the concrete barriers? The concrete boxes are left over from the Pluckum creek. Would Auxier or another construction company want to buy them? The City could post a No Trespassing sign or fence.

Tennis Courts – City Administrator Bruce Lundy added that during the meeting with the Dr. Brax at the school, the superintendent mentioned that whenever it is time to redo the tennis courts, the city splits the cost 50/50 per the written agreement. Neither the school nor the City has the cost in this year's budget.

71/Main Street -- Mayor Connie George mentioned on Highway 71 and Main Street, there is broken up concrete on the islands. It is Mo-Dot's responsibility. Director of Public Works Kenny Lance will contact Jeff at Mo-Dot.

Office Space – City Attorney Emily Bauman talked about finding local office space. She talked to Missouri Bar and said that it was fine for her having space in a City owned building. She would need to specify what is city or private practice. She cannot share an office with a non-attorney. It would have to have a separate entrance.

City Administrator Bruce Lundy reminded everyone that Council had talked before about hiring someone to work at the police station and to help Bauman. Mike Malhiwsky's wife does have a paralegal degree. This job would replace former part-time Office Help Bev Edwards's old position. The hours would be split by departments. Joy Thompson said she used to work with her and she is great worker. Council discussed the budget. For next year's budget, it will be evaluated if there is enough money for that position. Chief Vincent mentioned that there was money in part time police that hasn't been used.

Adjournment

No further business to discuss. Council adjourned at 9:08 p.m. on a motion by Greg Wilson and seconded by Joy Thompson. Motion carried on 4 yes votes.

Connie George, Mayor

ATTEST: _____
Beth Kar, City Clerk