

SAVANNAH CITY COUNCIL
MAY 1, 2017 7:00 P.M.
CLASBEY CENTER – COUNCIL CHAMBERS

Mayor Don Dillman presiding.

Pledge of Allegiance was recited.

Council members present: Connie George, Nick Sheppard, Kirk Larson, and Joy Thompson. Mayor Don Dillman, City Administrator Bruce Lundy, City Clerk Beth Kar, City Attorney Emily Bauman and Chief of Police David Vincent were also present. The meeting notice posted at City Hall April 28, 2017. The meeting was audio recorded.

Approval of Agenda – Connie George motioned to amend Bill 2017-13 Emily Bauman’s addendum contract and change Mayor’s name to Don Dillman instead of Connie George; and to approve the agenda with that amendment. Nick Sheppard seconded. Motion carried on 4 yes votes. Motion carried on 4 yes votes.

Minutes – April 17, 2017 -- Mayor Don Dillman held that with no changes the minutes stood approved as submitted.

Public Testimony: None.

Dog Incident – Valorie Bush provided more information about the Pitbull dog talked about at the previous Council meeting. It was Bush’s dog that the Pitbull attacked. Bush described multiple incidents with the neighbor’s dog getting loose and exhibiting threatening behavior. She mentioned other neighbors such as the VonKaenel’s and Schulenberg’s also having issues. The dog tried to get in her house to get at her dog. It has charged kids and dogs. There are four other dogs at that household. She stated the dog is not a service animal. Megan and Zack Schulenberg also stood up and spoke about their incidents with the same dog and threatening kids in their front yard. Chief of Police David Vincent added details about how after the initial incident a ticket was issued and they were told to move the dog since the City has a ban against Pitbulls. After the second incident and the dog had not been moved, the police made sure the dog was relocated. Mayor Don Dillman asked more about service dogs. City Attorney Emily Bauman will describe more during her report. She found a City that she felt was doing the most federally compliant program regarding dangerous dogs and dog breeds.

City Administrator’s Report -- City Administrator Bruce Lundy reported:

Region D Electronics Disposal -- Region D Electronics pick-up event will be in Savannah on May 6th from 8 a.m. to 2 p.m. The turnout here is always very large and they have extended the time from four to six hours to allow more people to dispose of unwanted items.

Arbor Day Event – The City’s annual Arbor Day Event was rescheduled to Wednesday, May 10th at 10:45 a.m. The Fourth Grade classes from Minnie Cline Elementary will walk over to the Savannah Cemetery. The students help a Forester from the Missouri Department of Conservation and the City’s Tree Board plant trees. It is a learning experience: how important trees are to the community and how to plant and care for them.

Kenny Lance Retirement Reception -- There will be a reception for Director of Public Works Kenny Lance May 20th at the Clasbey Community Center from 7:30 p.m. to 9:00 p.m.

July 3rd Council Meeting – The first July council meeting falls on the 3rd which is close to the Independence Day holiday. A couple officials already mentioned they will not be at the meeting. Lundy will be on vacation on the July 17th council meeting date. What alternate dates work? Connie George motioned to change the July meetings to the 2nd and 4th Mondays: 10th and 24th. Kirk Larson seconded. Motion carried on 4 yes votes.

Water Plant Mower -- Water Superintendent Jason Mercer budgeted for the purchase of a couple of mowers to use at the water plant. The bid opening is May 17th.

427 West Main – Lundy provided background regarding the old Mexican restaurant on the corner of 5th and Main Streets. The building is vacant due to a bad roof and this roof is allowing rain water in that is damaging this and adjoining buildings. An engineer from Snyder & Associates inspected the building. Other than the roof it is sound. The City Attorney is working on a lease purchase agreement with the owner of this building that would allow the City to assume ownership of the building with the roof replaced. The owner is not financially able to have the repairs made. By calling around, he has three bids so knew how much to expect to have the roof fixed. The bids run from \$14,900 to \$24,000. This lease purchase agreement would insure that the City will not assume any liability for damages to other structures that occurred before the roof was fixed and before it assumes ownership. With this lease purchase agreement, after the roof is fixed the City would assume ownership and then would be able to sell the building to recoup expenses. The concern is that if the City does not step in and do something this building and those nearby will become so damaged that they will have to be torn down and this would affect the structural integrity of the entire north side of the square. Every day that it rains there is possibly more damage. He will advertise and request sealed bids.

Missouri City/County Management Association – Lundy will attend the MCMA training May 3rd thru 5th at Lake Ozark MO.

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

City Attorney's report – City Attorney Emily Bauman described her research on the 427 West Main building. She checked what other cities do on older buildings. She had a few options. The most promising was to use a 5013C foundation with tax exempt status. The City would avoid liability and prevailing wage costs. She would refile the foundation that already exists. It does mean the building has to be acquired for a public purpose such as renting out similar to the Clasbey Center rooms for meetings and other occasions. It does not have to be long term. The property can still be sold. There will need to be a mold inspection. Nick Sheppard asked if there was a legal definition of a landmark building. The building is late 1800s. Mayor Dillman asked if once it is a landmark building, will it have to be restored in a particular way? Bauman mentioned grants. Kirk Larson described his experience regarding historical buildings and other cities, setting aside money each year. Lundy was concerned if we wait too long the damage will increase. The building is structurally sound except the roof. Bauman felt it would help promote economic development to fix it. Lundy felt it was a high priority. Joy Thompson motioned to go ahead with processing 5013 C paperwork for this cause. Connie George seconded. Motion carried on 4 yes votes.

Service animal vs support animal issue. She did a ton of research. The federal case was that local ordinances are pre-empted by federal laws. She talked to the City of Camden which has a good program. Ordinances are set regulating dangerous dogs versus breed specific ban. There are conditions owners have to comply with on dogs like Pitbulls. Savannah used to have regulations on dangerous dogs. When the City was codified, it appears that section of Code was

left out and needs re-added. Mayor Dillman asked to have at least a temporary solution. Lundy recommended until the City is told it cannot have breed bans, keep what the City has. Kirk Larson asked about aggression and service animal; a dog cannot be a service animal if aggressive. Lundy agreed that would be the grounds to deny it. Council decided to hang onto the current Pitbull breed ban for the present.

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

Deffenbaugh – The City needs to decide on renewing or bidding out the trash/recycling contract. A few years ago the City went with another company after bidding it out. It was a disaster. Connie George motioned to approve to keep Deffenbaugh as the City's trash/recycling company. Kirk Larson seconded. Motion carried on 4 yes votes.

Longevity Pay – City Administrator Bruce Lundy described the current longevity program. There are a couple employees retiring. When they retire, do they get their longevity pay? The policy lists \$30 per year. It was updated from \$500 to \$510. Lundy described that longevity is normally paid in December. For the ease of everything, can it be in their last paycheck instead of waiting until December? Connie George asked what about Dale Watson who retired not long ago. Will the longevity pay change affect him?

BILLS FOR CONSIDERATION:

Bill 2017-11 Longevity Pay was read for first and second readings. Connie George amended the ordinance to reflect payment on the final paycheck on retirements instead of waiting until December. Nick Sheppard seconded. Motion carried on 4 yes votes. Connie George motioned to adopt ordinance no 2724. Kirk Larson seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

Bill 2017-12 Golf Course Regulations was read for first and second readings. Mayor Don Dillman described that the regulations have been accepted by the Golf Committee and ready for Council's review. Kirk Larson motioned to adopt ordinance no 2725. Joy Thompson seconded. Vote: Sheppard: aye; Larson: aye; Thompson: aye; George: aye. Motion carried.

Bill 2017-13 City Attorney Emily Bauman contract addendum was read for first and second readings. City Administrator Bruce Lundy described that all full-time city employees have benefits such as pool and golf course. It has never been extended to the city attorney. This ordinance adds it. Connie George motioned to adopt ordinance no 2726. Joy Thompson seconded. Vote: Larson: aye; Thompson: aye; George: aye; Sheppard: aye. Motion carried.

Second Public Testimony: Tyler Swink owns a rental property 106 N. 8th. There is an alley with a light pole on each of the property lines. His neighbor drives through Swink's yard. He talked to landowner Jason Duncan about fixing it so cars don't drive across Swink's yard to Duncan's. He refused. Swink asked to abandon the alley or what he can do to stop the issue. Duncan has other access to the property and can still get in his garage from the gravel side. Mayor Dillman asked if the City needed to notify the landowner before vacating the alley. The City will research further. Director of Kenny Lance described the vacating alley procedures.

ELECTED OFFICIALS DISCUSSION

Mayor's Report -- Mayor's Appointments: Park: Connie George, Golf: Nick Sheppard, Zoning: Kirk Larson, Tree: Joy Thompson, Park Board Alternate: Joy Thompson; Selection of Council

President – Connie George. Kirk Larson motioned to approve the board positions. Nick Sheppard seconded. Motion carried on 4 yes votes. Joy Thompson asked about Nuisance Committee. Everyone is on it. Bruce Lundy mentioned that Larson will need to resign as Chairman of the Zoning board. Mayor Dillman reported that he attended Chamber, Golf and other meetings.

Council Members Discussion -- Connie George thanked the City crew for cleaning up the tree after the storm on Hwy 71. Nick Sheppard reported the Messick Park sign on 71 highway is looking rough. Council discussed whether to remove or replace it. Replacement approximate cost \$400. It will be pulled down as there are similar signs in the area. Joy Thompson suggested doing a firemen appreciation time with pool and/or golf day. She noticed a lot of abandoned cars and cars that haven't been moved on the west side of town. She'll provide addresses. One is in Ethel Bledsoe's trailer court.

Joy Thompson motioned go into Executive Session for Personnel 610.021(3). Kirk Larson seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

EXECUTIVE SESSION Personnel 610.021(3)

During Executive Session, Council approved promoting Tim Spoonmore to Director of Public Works and Tyler Swink to Assistant once current Director of Public Works Kenny Lance retires in May. Connie George and Joy Thompson seconded to hire Tim Spoonmore as street superintendent at the amount recommended by City Administrator Bruce Lundy. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

Joy Thompson motioned to promote Tyler Swink at a \$4,000 raise. Connie George seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

Ann Wilkerson at the Water plant is retiring in June. Current employee Dellie Dunn asked to transfer from the Wastewater Plant to the Water Plant. The Water and Wastewater plant supervisors are okay with the change. Same pay rate. Joy Thompson motioned to allow the transfer. Connie George seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

Joy Thompson motioned to go back into Open Session. Connie George seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

Tyler Swink was present. Council let him know of his promotion.

Adjournment -- No further business to discuss. Council adjourned at 8:53 p.m. on a motion by Joy Thompson. Seconded by Connie George. Motion carried on 4 yes votes.

Don Dillman, Mayor

ATTEST: _____
Beth Kar, City Clerk