

**SAVANNAH CITY COUNCIL**  
**JULY 10, 2017 7:00 P.M.**  
**PROCEEDINGS REGULAR SESSION**  
**CLASBEY CENTER – COUNCIL CHAMBERS**

Mayor Don Dillman presiding.

Pledge of Allegiance was recited.

Council member present: Kirk Larson, Connie George, Nick Sheppard 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 was posted at City Hall July 7, 2017. The meeting was audio recorded.

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

**Minutes – June 19, 2017** -- Mayor Don Dillman asked if there were any changes. There were none. He stated the minutes stood approved as presented.

**Public Testimony:**

Several people stood and talked regarding the fall carnival and associated streets closing on the Square. Kim McKean, Ivy Cottage, asked Council to reconsider the streets being closed for the carnival the last week of September. She was concerned that closing the streets will take money away from the downtown businesses. Clients may have to walk two to three blocks to get to the stores. She did not know many that will walk that far. She also asked how handicapped people would handle getting to the Square. Even closing one street for one day makes a big difference. When the request was presented to Council, it was presented that none of the downtown entities had problems with closing the streets. Mayor Don Dillman thought the topic should be discussed at a Chamber of Commerce meeting and brought back to Council. McKean asked if the carnival could be held at the fairgrounds or another street. The focus was to bring people back to the Square. She responded that events like the carnival did not actually bring business to the Square. People come in to ask to use the restroom; it really is not a moneymaker for them. Mayor Dillman responded the City would be willing to look at an alternate location. McKean also mentioned that unless businesses were Chamber members, information was not shared with them. She complimented the Chamber on working hard. She expressed concern that other people were told Ivy Cottage was okay with it. Connie George mentioned a related issue was changing the route for the Homecoming parade. McKean thought it would be harder to have good places to sit and watch the parade with the new route. Mayor Dillman recognized the value of the merchants. He commented that the carnival location was a Chamber of Commerce decision based on Council's approval to close the streets.

Cheryl Mitchell owns Miss Doyle's Soapery. She is not a Chamber member and was not told about the event and that it would close streets next to her business. Her concerns included the people who lived in the apartments on the Square and how her many UPS deliveries would occur. It is hard enough when lots of cars are on the street. She asked where the carnival crews would be staying. She was concerned about her building being broken into by strange people coming in for several days. She mentioned about the activities going late on school nights. She felt a lot of concerns had never been discussed. She thought there should have been a larger effort to make sure the people around the Square were okay with the decisions.

Pam Vohs presented her issues. Her law practice with her husband is located on Court and would be affected by the street closure. She described that she was familiar with hometown traditions: Candlelight Walk and the Homecoming parade. The events cause some inconvenience but it is part of what makes the Square a special place. Most of their clients come from the area. Her husband has a lot of disabled clients. She has many elderly clients. The disabled parking is insufficient for people who need to use it. She also mentioned the elevator to the courthouse would not be easily accessible. With respect to the courthouse, she called the circuit clerks' office regarding that week's schedules. When the court is in session parking is worse and disabled parking even more difficult. Vohs read the court's schedule: the week of Sept 25. Monday is a jury trial. Early that morning the involved citizens will need parking. City Administrator Bruce Lundy commented that meant like 40 vehicles for those involved in the trial. She read the rest of the schedule including criminal, domestic bench trial and other items on the docket. She is not a Chamber member. She felt that having the roads blocked off would have a domino effect on lots of people coming into Savannah. She didn't know anything about the event and streets closing until McKean told her. She would like other places in town to be considered. This whole project had good intentions but she thought it was not well thought out and would be an inconvenience. Mayor Dillman responded that Council will consider alternate locations for the carnival. He thought the Chamber had put out good faith money to have the carnival come to town.

Cheryl Mitchell mentioned one of the court employees, Tena Christmas, uses a wheelchair and works in the courthouse. Kirk Larson brought up about ADA rights. Mayor Dillman asked if any letters on the topic were provided to City Administrator Bruce Lundy. The Chamber of Commerce board works similar to Council. Letters will be provided to the Chamber board members. Kim McKean mentioned that the Chamber meetings were when the businesses were open so they cannot attend every meeting. She thought the event was well intended.

Connie George expressed concern about the limitations to local vendors selling that week. Homecoming time is when local fund raisers have booths too. City Administrator Bruce Lundy found that the only vendors allowed were ones that did not sell the same things as the carnival. George mentioned the parade route changes would add other difficulties such as parking. She normally sits across from Donnie's Barber Shop on Main Street. She would not be able to get there because of parking. Cheryl Mitchell asked how much the carnival admission would cost. She commented that the area did not have high income families. Connie George questioned if anyone had contacted Dr. Rippe to see if his land on Hwy 71 could be used for the carnival. Also, 3<sup>rd</sup> Street was mentioned as a possible location. Lundy thought it was best to go straight to the Chamber board. Kim McKean commented that there were businesses like Urban Daisy that were all for having the carnival on the Square. City Attorney Emily Bauman noted that changing the location should not breach the Chambers' contract with the carnival. The event requires three city blocks.

Brad Chellew saw in the newspaper about the wastewater rates discussion at the last Council meeting. He had previously asked for Council to change wastewater billing and make allowances on filling pools. He considered it an anomaly that the City did not use a winter average or sewer discount on filling pools. He liked that the City contacted customers who had possible leaks. Chellew read different parts of the City Code. The way he read the code, residents cannot put the water back into sanitary sewers. He thought it was a conflict that he couldn't put it back into the sewer system. Chellew felt the billing was not fair or proportional. He stated his sewer bill normally ran \$39; filling the pool he paid \$138 sewer this month. Wastewater Superintendent Jason Long responded the water in the pool is different than tap water. With fixing the infrastructure and other items, there is no sewer fund surplus. Chellew would like to see the City use a winter sewer average. He would also like to see a committee put together. He did not think

asking the city's financial advisor would help. Council discussed the different aspects of the issue. Mayor Don Dillman mentioned the Council's budget meeting where rates are discussed is open to the public. He also described that making Chellew's changes would mean customers who have a minimal charge would have to pay more. Where would the money come from to make up the difference? A swimming pool is not a necessity. Joy Thompson mentioned that the City had had past financial problems and that is why the financial advisor reviews everything. Kirk Larson described stormwater and how many cities have stormwater fees. Savannah does not. If a winter sewer average is used, rates will have to be raised more. Long talked about how new regulations by the Department of Natural Resources meant major changes to the sewer system which already means expected raised rates. City Administrator Bruce Lundy described at a recent meeting with a rural water district, the representatives had seen the newspaper article and recommended not changing the city's sewer billing. They said the city is doing it the fairest way. Chellew read from the Code, requested to put in a sewage meter and only be charged for water. Long responded that those meters are more costly and potentially not as accurate. Lundy pointed out if the City provided allowances for filling pool, the residents that water their properties would have a similar argument. Watering lawns means the water would also go into the ground and not the sewer. Lundy referred to the difficulty on measuring how much was used to fill a pool and water flowers. The City will have to raise rates to meet regulations. Decisions need to be made on the numbers.

Steve Williams had worked for the City for several years. Employees, who have worked for 20 years or more years, earn two cemetery plots. He worked for city from 1984 – 1992 when he left with a medical issue to work at another company. He wanted an employee discount on a plot. City Administrator Bruce Lundy responded that there was nothing in the Code providing for ex-employee discounts. Mayor Don Dillman thought that would be opening a can of worms. Nick Sheppard asked questions about how it would work? Would the employee be prorated on time worked? City Attorney Emily Bauman detailed the different issues. It would be complex: prorating like a percentage discount, amount of time to be vested and more. The Cemetery fund already struggles to break even on revenues/expenses. Kirk Larson asked if retirement and other things would be involved. Bauman answered no because the plots were a random benefit. It would set a precedent if set up and needed parameters. Chief of Police David Vincent added that factors such as why one left: on own, medical reasons, fired and others also add additional questions. Mayor Don Dillman suggested checking with the email clerks and attorney listserv email groups if any other Cities offer ex-employee benefits.

**City Administrator's Report** -- City Administrator Bruce Lundy reported:

**Council Meetings** – Reminder the next Council meeting is July 24<sup>th</sup>. There is a council meeting scheduled for the Solar Eclipse day August 21st. Will Council want to reschedule to avoid potential traffic or issues? Joy Thompson motioned to move the meeting to August 22<sup>nd</sup>. Nick Sheppard seconded. Motion carried on 4 yes votes.

**Donation to the Golf Course** -- Lundy was contacted by the Thursday morning Ladies Golf League about their annual invitational golf tournament July 20th. The league approved purchasing a defibrillator to donate to the golf course with the proceeds from the tournament. They have rented the Kitchen room at the Clasbey Center for their lunch afterwards. They have already paid the \$60. They asked if the City will waive that fee so they can use that money to help pay for the AED defibrillator they are donating. This type of device normally costs around \$1000. Connie George motioned to refund the \$60. Joy Thompson seconded. Motion carried on 4 yes votes.

**Heroes for Heroes Rodeo** – He has not heard how many people attended the bull ride event but the helicopter ran four days nonstop. There were a lot of people in line and there were a lot of people sharing their experience on social media. He did not hear any complaints.

**6th Street Project** -- Bid opening was June 21st. The City is hopeful that construction could start the middle of July. Hoggatt Construction was the low bidder at \$417,000 and Central Disposal was the second bidder at \$530,000. The engineer said the City did not have to hire the lowest bidder but Mo-Dot will only fund the amount of the low bid. Joy Thompson asked if there was a time limit to complete the construction. Yes, 90 days. Connie George motioned to accept Hoggatt's bid on 6<sup>th</sup> Street. Kirk Larson seconded. Motion carried on 4 yes votes.

**Accepted Applications** – The City has accepted applications for the open wastewater plant position. Wastewater Superintendent Jason Long, Mayor Don Dillman, City Clerk Beth Kar, and Lundy interviewed Bob Moore and recommended him for the position. He has the best education and experience for the job. Moore was present at the meeting. Joy Thompson motioned to hire Bob Moore at the suggested \$14.50/hour. Connie George seconded. Motion carried on 4 yes votes.

**Carnival** -- He was contacted by businesses about closing the Square all week for the Carnival. Letters were included in the Council meeting packets. A few of those concerned may attend the Council meeting.

**Eclipse** – He thought it was too late to plan to set up allowing camping during the August eclipse. However he thought the City could advertise viewing locations. The Park Board put together a committee to get involved but there was a scheduling conflict and that meeting did not take place. He will meet with City employees and department heads to make sure the City is prepared for that day. He and Chief of Police David Vincent have attended Eclipse meetings and have an idea about what others are concerned about and will try to prepare as well. Employees will have flashlights, hand held radios, movement with gators and vehicles. The parks and concession stands will be open for the public. Restrooms will be stocked with supplies such as toilet paper.

**Force Main** –The City and engineers from Snyder and Associates met last week about the Force Main to be replaced along Chestnut Street. It has been surveyed and the project is about to go out for bid.

**Jeff Arp / MIRMA** – The City's insurance representative was in town last week and inspected the City's pool. The only thing Arp brought up was loose bolts on the diving board that were tightened up that same day.

**From the City Code** -- The sick leave policy in the City Code (155.400) that deals with sick leave does not specifically include Doctors' appointments as an approved reason for using sick time. Lundy thought it should be listed as an acceptable reason. He suggested that it is limited to 4 hours per day for Doctors' Appointments unless there are multiple appointments the same day or other circumstances require a full 8 hours leave. Kirk Larson described how PTO leave was used at his work instead of sick leave. Nick Sheppard motioned to create an ordinance to add what Lundy suggested: doctor's appointments for 4 hours unless circumstances that require longer. Kirk Larson seconded. Motion carried on 4 yes votes. Mayor Dillman suggested that the ordinance could be read twice a one meeting.

**City Attorney's report** -- City Attorney Emily Bauman reported she had been looking at the procedures on billing landlords on delinquent utility billing accounts. Landlords will start

receiving notice of delinquent renter accounts. Property owners will be held responsible. Mayor Dillman reported there is a huge amount of past due renter bills that have not been collected. Bauman will put liens on the properties. She talked to Rural Water District #2. They put liens on unpaid accounts. City Administrator Bruce Lundy detailed how new renters would move in before the delinquent amount was paid on previous renter. The way the City Code reads – if the previous resident moves out, water should not be turned on until the past bill is paid. Lundy asked if the billing system provide delinquent notices to both renter and landlord. The landlord will need to require a big enough deposit.

Bauman also researched allowing shipping containers on properties as discussed at the previous meeting. The City of St. Joseph only allows them on manufacturing and construction sites. She did not find much information available on the topic. Lundy thought the zoning board would not approve them. Kirk Larson added that even if allowed, the containers would be required to have siding and a roof. Bauman also was not sure how an insurance company would cover them. She thought it would set a bad precedent. The City already has issues with mobile homes. It did not make sense to allow another mobile structure. Mayor Dillman will notify the citizen who asked about the containers.

Bauman has researched setting up regulations on event signs. There is not a lot of legislation. She is reading through a case from the federal court on signage. The main point is to for the sign to remain content neutral. All temporary signs would need to be allowed up so many days and must maintain a level of quality.

Discussion continues on the best method to rehabilitate the old Mexican restaurant building. She talked to the cities of Albany and Slater. Each has different ways they address dilapidated buildings. Albany has a partner who is listed as a 501C3 entity; it acquires and rehabs property but it only works with residential properties. Chances are expenses are not recouped from the owner. Slater has an economic development policy. They acquire buildings at a tax sale, rehab and sell at a reduced price including any incentives to rent. Bauman described that after a third tax sale, the collector becomes the trustee and the taxes are abated. If the new owners did some improvements, it could be discussed to abate taxes for a certain amount of time. Kirk Larson described that in the state of Iowa there are a lot of abatements. 501C3 regulations take a while. For a building, it would cost more than \$50,000 to tear down and clean the property. City could still offer incentives at a third tax sale. Mayor Dillman asked if the City would need to change ordinances to do this project. Bauman did not think so. It would be a city program.

Joy Thompson motioned to approve City Administrator and City Attorney reports. Kirk Larson seconded. Motion carried on 4 yes votes.

### **BILLS FOR CONSIDERATION:**

Bill 2017-16 Vicious Dogs was read for the second reading.

### **ORDINANCE NO. 2729**

This ordinance clarifies the provisions and steps regarding vicious dogs. Kirk Larson motioned to adopt ordinance no 2729. Nick Sheppard seconded. Vote: George: aye; Sheppard: aye; Larson: aye; Thompson: aye. Motion carried.

**Second Public Testimony:** None.

**ELECTED OFFICIALS DISCUSSION**

Mayor's Report – Nothing to report.

**Council Members Discussion** – Connie George received calls about the helicopters flying overhead. The callers did not realize it was helicopter rides; they were concerned there had been a bad wreck and it was medvac unit. She had a few tell her they were glad the City's fire truck was getting fixed. George received complaints that the City did not need to spend money on a speed trailer. Nick Sheppard asked about the old building on the Square. Bruce Lundy described that the City is taking an interest to save the integrity of the Square. Joy Thompson received a lot of calls about missed trash and recycling pickups. She asked about No Parking signs at the ballpark. Weeds are bad at 709 W. Pearl. She received calls from business owners that weeds and grass are growing in the streets in the square. Lundy had already asked the street crew to spray and weed-eat downtown from the Methodist Church.

**Adjournment** -- No further business to discuss. Council adjourned at 9:09 p.m. on a motion by Joy Thompson and seconded by Kirk Larson. Motion carried on 4 yes votes.

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Don Dillman, Mayor

ATTEST: \_\_\_\_\_  
Beth Kar, City Clerk