

City Council Meeting December 10, 2013

Present: Mayor Rose Hanser, Councilpersons Tom Jankowski, Evan Stewart, Lawretta Miller and John Williams

Also Present: City Clerk/Treasurer Michelle Richards, Assistant Police Chief Kris Egan, Fire Chief Ryan Reid, Public Works Director Bryan Swan and Building/Planning Official Jan Morgan

Mayor Hanser called the meeting to order at 7:00 pm. Following the Pledge of Allegiance, Clerk/Treasurer Richards conducted the Roll Call.

Consent Agenda:

Councilperson Stewart moved to approve the Consent Agenda. Councilperson Jankowski seconded the motion. Discussion: Councilperson Jankowski had questions regarding Claims #18529, #18543, and #18552. City Clerk/Treasurer explained claim #18529 to Randy's Repair was for the handicap ramp at the Schoolhouse History and Art Center and is being funded by the Coal Board and other grants. Claim #18543 to Star Printing & Supply is for shelving at the new shop building. Councilperson Jankowski asked if this item was budgeted for. Mayor Hanser responded it is part of the Public Works Department Supplies budget. Claim #18552 to Black Mountain Software is split evenly between the water and sewer funds since it is for computer program support for the utility billing program. Motion carried with all in favor.

- a. Minutes of 11/26/13 Regular Meeting
- b. Claims Roster 12/06/13

Departmental Reports:

Reports were given by Assistant Police Chief Egan, Building/Planning Official Morgan, Fire Chief Reid, Public Works Director Swan and City Clerk/Treasurer Richards.

Councilperson Williams requested that Dewatering Wells Rates and Senior Resident Snowbird Rates be on the City Council agenda for review.

Mayor's Communications:

Mayor Hanser thanked the public for their patience with snowplowing during the recent snowstorm. She explained that it is very difficult to plow snow in the cul-de-sacs due to limited room for maneuvering the snow plows and vehicles, trailers, etc parked along the street. If neighbors of a cul-de-sac can get together to remove all the vehicles and notify the City then the Public Works Department could plow the snow.

Public Comment and Participation:

Greg Koczur, 7446 Castle Rock Lake Drive, didn't think the water and sewer rate increases would go into effect until the next billing cycle, not the December billing. He also feels there should be a way for residents attending the council meetings to respond to the discussion of the council members when action is being taken on an agenda item.

Joe Baxley, 422 Wildrye, complained about the snow plowing done by the city's Public Works Department. He suggested hiring temporary help if necessary to get all the streets plowed sooner. He also does not like the snow being plowed up onto the side of the streets next to the sidewalk creating 2 feet deep drifts that the residents are expected to shovel. He feels if the city can afford to buy new police vehicles and build a new shop building than it can afford to plow and remove the snow.

Joe Novasio, 7423 Castle Rock Lake Drive, thanked the City for plowing the streets and knows it is a difficult job, but would like the City to look at better equipment for snow removal and feels the snow plowing can be improved.

Unfinished Business:

Councilperson Stewart moved to approve the recommendation from the Budget/Finance Committee to increase the compensation of Police Chief Hert and Assistant Police Chief Egan \$2.50 per hour each effective December 2, 2013. Councilperson Jankowski seconded the motion. Discussion: Councilperson Stewart noted that he did not include the other recommendation from the Budget/Finance Committee in his motion. He stated he is not against the other recommendation but didn't feel it appropriate to include it in this motion. Motion carried with all in favor.

New Business:

Councilperson Stewart moved to approve contracting with Element 8, Inc. for union negotiating services in the amount of \$10,000 plus travel expenses. Councilperson Miller seconded the motion. Discussion: Councilperson Williams feels \$10,000 is a lot of money and doesn't feel the benefit would be worth the cost. Councilperson Miller is in favor of the contract due to the additional knowledge and advice. She feels it would be helpful and wise to have someone experienced and knowledgeable assisting the Mayor and Council, especially with legal issues. Councilperson Jankowski agrees it is a lot of money; however, he would welcome the expertise. Councilperson Stewart doesn't feel the cost is outrageous, the city employees and officials are not experienced in union negotiations and this would be a wise investment. Councilpersons Stewart, Miller and Jankowski voted in favor. Councilperson Williams voted nay. Motion carried 3-1. Councilperson Williams called for point of order; public comment was not called for prior to council voting on this agenda item. Mayor Hanser apologized for the oversight and asked if there was any public comment. Greg Koczur, 7446 Castle Rock Lake Drive, feels the City Council is missing a great opportunity to sit down with the union employees. He feels it is crazy to spend \$10,000 plus travel expenses when the council can do it themselves. He doesn't feel it is right to hand it off to a third party. Councilperson Stewart clarified that the City Council is not handing off the union negotiations but are hiring an advisor to assist them,

answer questions, etc. He pointed out that the union members have an experienced representative assisting them.

Councilperson Williams moved to approve the purchase of a 2014 Ram Crew Cab Heavy Service Package Truck in the amount of \$36,500 as requested by Police Chief Hert. Councilperson Stewart seconded the motion. Discussion: None. Public Comment: Michael Sample, 822 Olive Drive, asked what vehicle is being traded in. Mayor Hanser explained a 2008 Ford Crown Victoria car is being traded in. Mr. Sample feels less than \$2,000 for the car seems low and it may be more beneficial to auction the car or sale it instead. Motion carried with all in favor.

Administrative Matters:

Councilperson Miller would like to consider contracting with local people who have snowplows to assist the Public Works Department with snow plowing.

Councilperson Williams commented that the City adopted Robert's Rules of Order and that requires motions to be seconded even if the other council members do not agree with it. He feels that the public has not always been allowed to make comment before the City Council takes action on an agenda item, which is in violation of the open meeting laws. He also questions why a Request for Proposals for Legal Services was advertised for. He feels this should have been discussed and decided by the City Council. He encouraged the city to continue contracting with Attorney Gary Ryder.

Councilperson Stewart responded that he agrees that a formal adoption of parliamentary procedure would be very beneficial, but asked which version of Robert's Rules of Order should be adopted. Attorney Ryder has stated at previous meetings that the City doesn't follow all of Robert's Rules, just parts of it. He also responded that Robert's Rules of Order does not require a second to a motion; only that a second to a motion is necessary for discussion of any item. He doesn't feel the City violated the open meeting law and that the public has been allowed to comment if they wanted to comment.

Greg Koczur, 7446 Castle Rock Lake Drive, stated he felt it didn't matter how many people attended the utility rate increase public hearing last month the vote was going to be to raise the rates no matter what was said. He feels the City Council needs to listen to the people and respect their wishes.

Adjournment:

Councilperson Stewart moved to adjourn the meeting. Councilperson Jankowski seconded the motion. Mayor Hanser adjourned the meeting at 8:23 pm.

Michelle Richards, City Clerk/Treasurer