

Final  
Regular Meeting

July 9, 2018

City Council met in Regular Session at 7:00 PM on Monday, July 9, 2018. Mayor Gary Heilbrun called meeting to order. Melody Cundiff, City Clerk gave the invocation.

Roll call was taken. Present were Aldermen Jane Baine, Barbara Welch, Chris Ellsworth, and Mayor Gary Heilbrun. Absent: Alderman Adam Hogan. Also present were City Attorney Mike Talley, and approximately 6 guests.

**Agenda:** Alderman Chris Ellsworth stated the need to strike the Closed Session from the agenda. Motion made by Barbara Welch, seconded by Chris Ellsworth, to approve agenda as amended. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Minutes:** June 11 Regular Meeting: Attorney Mike Talley stated that on page 4 under court discussion that the sentence concerning the percentage of revenue from the transfer be removed from the minutes as a miss statement. Alderman Chris Ellsworth asked that on page 2 that the spelling of Schuber Mitchell be corrected. Motion made by Jane Baine, seconded by Barbara Welch, to approve amended minutes as presented with corrections as stated. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

June 11 Closed Meeting: Motion made by Barbara Welch, seconded by Jane Baine, to approve minutes as presented. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

June 15 Special Meeting: Alderman Chris Ellsworth stated that there was a small clarification on page 2 where is states about 75 foot setbacks it needs to also state that those are on 20<sup>th</sup> street and add in on Duquesne Road. Motion made by Jane Baine, seconded by Barbara Welch, to approve minutes as amended with corrections as stated. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Financial Report and Budget Summary:** Approved and filed for audit.

**Bill Summary:** Motion made by Chris Ellsworth, seconded by Jane Baine, to pay bills as presented. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Court:** June Court Report was presented. Board approved report and filed for audit.

**PD Monthly Report:** Chief Kitch presented. He asked for Officer Sullins to be moved from part-time to full-time with a pay rate of \$16.00 per hour effective 7/9/2018 with him being eligible for medical coverage after 60 days. Motion made by Chris Ellsworth, seconded by Jane Baine, to approve Officer Sullins being moved to full-time status. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

### **Parking Lot Exemptions:**

**Bud's Bait:** Mr. Shumaker presented a letter to the council stating his intent and addressed the council about the same asking for a 5 year exemption giving them time to get opened and bring in revenue so that they would be able to pay for the paving. Alderman Chris Ellsworth pointed out to the council that this property does not border any other property so there is no other residential property effected. It was suggested by City Attorney Mike Talley that the council approve for 1 year exemption with an automatic renewal unless there are nuisance reports filed against them. Motion made by Chris Ellsworth, seconded by Jane Baine to approve the Parking Lot Exemption for 1 year with automatic renewal without any nuisance issues. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Oceans Adventure:** Billy Garrigan presented a letter to the council and addressed the council asking for a 3 year exemption giving him time to get his building built, begin bringing in some revenue and time for the parking lot to get settled and packed down before putting asphalt on to eliminate cracking in the asphalt. It was suggested that the council approve for 1 year exemption with an automatic renewal unless there are nuisance reports filed against them. Motion made by Jane Baine, seconded by Chris Ellsworth to approve the Parking Lot Exemption for 1 year with automatic renewal without any nuisance issues. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**New Business Licenses:** Four new business license applications were considered. Motion made by Chris Ellsworth, seconded by Barbara Welch, to approve all four new business license applications. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Resolution No. 18-07:** Address for Oceans Adventure. Motion made by Chris Ellsworth, seconded by seconded by Jane Baine to approve Resolution 18-07 with assigned address 2630 S. Duquesne Road to Oceans Adventure property. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motin carried.

**Bill 18-28:** Adopting Amended Section 500.135 Stormwater Management Plan. Motion made by Jane Baine, seconded by Chris Ellsworth, to read Bill 18-28 by title only.

Bill 18-28 was read by title only. Motion made by Jane Baine, seconded by Chris Ellsworth, to accept first reading of Bill 18-28 and move to second and final reading by title only.

Bill 18-28 was read second and final time by title only. Motion made by Jane Baine, seconded by Chris Ellsworth, to accept second and final reading by title only of Bill 18-28 and assign Ordinance #376. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Bill 18-29:** First Amendment to Agreement – Special Assistant to Mayor. Motion made by Jane Baine, seconded by Chris Ellsworth, to read Bill 18-29 by title only.

Bill 18-29 was read by title only. Motion made by Jane Baine, seconded by Chris Ellsworth, to accept first reading of Bill 18-29 and move to second and final reading by title only.

Bill 18-29 was read second and final time by title only. Motion made by Jane Baine, seconded by Chris Ellsworth, to accept second and final reading by title only of Bill 18-29 and assign Ordinance #377. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Old Business:** CDBG Housing Project Update – Mayor Gary Heilbrun stated the last house on 27<sup>th</sup> Street is not yet finished and we have been offered some additional funds. If we get the funds we will probably go with something similar like we did before.

Copy Machines: Trent Brown with Pearson Kelly presented the council with a new copier quote for the purchase price of \$3,200.00 and \$25 a month ultimate maintenance agreement. Trent stated that in the maintenance agreement there is approximately less than a 4 hour response time on average. The maintenance agreement covers all parts, labor, preventative maintenance, drums, toners, surge suppressor, automated meter collection and no charge for toner delivery. Motion made by Barbara Welch, seconded by Jane Baine, to purchase the copier for \$3,200 with the \$25 monthly maintenance agreement. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

Update on City Matters: none.

**Aldermen Interaction:** Alderman Welch brought up the issue of fireworks in the city limits and only being shot during the designated time frame. Welch stated that we need to enforce when they are being shot off outside the stated dates. By ordinance each occurrence of firing fireworks outside designated time should include fines of \$100.00 per incident. Alderman Welch also suggested that we place notices of dates on the city board and maybe buy signs stating the date perimeters. Alderman Ellsworth stated that we need to include the banning of selling and discharging of flaming lanterns which are also sometimes called Chinese lanterns. Alderman Welch stated that we need to include bottle rockets in that as well and also mentioned that we might look into bring in an extra reserve officer to help cover the fireworks time span. It was suggested that we hand out the new changes with the purchase of business licenses next year and was also mentioned that we have them post a list of items that are banned at the location of sales. City Attorney Mike Talley will work up an ordinance to include the new requests stated and will get that to the Council.

**Public Comment:** None

**New Business:** Court Discussion – Alderman Barbara Welch brought it up before the council that she has figured that the court revenue is approximately \$120,000 per year and the court expenses are approximately \$70,000 per year. She is expecting to here from Melissa Holcomb to set up a meeting to discuss the possibility of moving the court to the county level. It was asked that how would we know if a ticket was written and if it had been taken care of. Alderman Welch said that the ticket would have our number on it and that is how it would be attached to our area. She also stated that Melissa Holcomb told her that she closes out every month at the end of the month and that we would receive our funds every month after she closes out her files. Alderman Welch stated that she plans on calling OSCA after she has her meeting with Melissa Holcomb.

Assistant to the Board of Aldermen Report – None

Update on Commissions and Committees – Planning & Zoning announced that Val has been removed as Secretary and replaced with Kenan. The work of agendas for the Planning and Zoning meetings have been given back to Ray.

**Other Business Deemed Necessary:** Mayor Gary Heilbrun mentioned that there is a new Zoning map now hanging in the Council area and that the Council and Planning and Zoning committee members will all be getting a digital copy of it.

As there was no further business, motion made by Jane Baine, seconded by Barbara Welch, to adjourn. Ayes: Aldermen Baine, Welch, and Ellsworth. Nays: none. Motion carried. At 9:13 PM, meeting adjourned.