

Regular Meeting of the
Board of Mayor and Council
March 8, 2011

The Board of Mayor and Council met in a regular session on March 8, 2011 at 7:00 p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council present: Steve Allen, Alwilda Binkley, Jimmy Gill, Rick Johnson, Jim Yates, and Chris LaCrosse.

Others present: Michael Armstrong, Billy Harris, Greg Edrington, CJ Edrington, Wade A. Reed, Sierra Hamm, Connie Gourley, Bonnie Dill, Jessica Moody, Randy Walker, Les Stewart, Dick Stewart, Marc Pearson, Kenny Ray, P. Gupton, Zach McCarver, Tim Adkins, Anita Justice, Dwayne Noe, Mary Glasgow and Phyllis Schaeffer.

Mayor Norwood called the meeting to order at 7:00 p.m.

A motion was made by Yates, seconded by Gill, to approve the February minutes. Motion passed unanimously by voice vote.

Public Forum:

Mayor Norwood said if anyone had any concerns now was the time to come forward.

Jessica Moody came forward and said she lived at Hickory Hills Condos unit #63. She usually has a bill around \$40 a month she received a bill in January of \$81.15 and a bill in February for \$140.95 she requested the Council consider lowering her bill there was a leak and the homeowners association had paid to fix the leak.

Mayor Norwood said the association paid a bill of \$1300 for unit #63, and asked the Council if how they wanted to proceed. A motion was made by Johnson, seconded by Yates, to take Ms. Moody's bill to an average bill of \$40.10. Motion passed with a roll call vote of: Johnson-yes, Yates-yes, Gill-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Ms. Connie Gourley said she had a leak and her bill was 300 and something dollars and was requesting help. Mayor said she had used a consumption of 47,600 gallons of water and her bill was \$349.13 if we go with an average it would be \$78.77 and if we follow the ordinance it would be \$213.99 A motion was made by Gill, seconded by Johnson to adjust her bill to an average of \$78.77 Motion passed with a roll call vote of: Gill-yes, Johnson-yes, Yates-yes, LaCrosse-yes, Allen-yes, Binkley-yes, and Mayor-yes.

Ms. Bonnie Dill came forward and requested help with her bill as she also had a leak. Mayor told Ms. Dill we would have to pull her paper work if she didn't mind we would get back with her in a few minutes.

Attorney:

Ms. Jennifer Noe said she wanted to give a quick flood update. Ms. Noe let the Council know that she talked with Lena from Jim Coopers office there was supposed to be a letter last Friday and was informed it would be at least 2 weeks before we receive anything. We have 5-6 letters formally letting us know that these properties are in the easement zone. Ms. Noe thinks we should send a letter to FEMA

appealing their decision. She has confirmed with Larry Nash on these project worksheets and he said there was no easement that he knows of.

Old Business:

Resolution 2011-01- City fees. Mayor asked if the Council had a copy of Marc's email. After a copy was made they were handed out. Ms. Noe said she doesn't know how Marc came up with his figures. If we go more than the .15 then we have to document our charges. She found through the state that the Hwy Patrol is allowed to charge \$4.00 but that is the state. Mayor said when he read this he doesn't see how we can charge more than the .15. Ms. Noe said the safe thing to do is charge 15 cents. Marc wants 50 cents that is only a 35 cent difference if any one questioned this he would have to prove his costs. Ms. Noe recommends staying at the 15 cents. Mayor asked the Council if they wanted to address this resolution. There was no motion. Mayor Norwood said we will have it at 15 cents.

Mary gave Ms. Dill's records to the Mayor. Mayor said Ms. Bonnie you have a balance of \$287. If we stay with policy it will be \$140.10 and an average bill is \$23.70 a motion was made by Gill, seconded by Binkley to adjust Ms. Dill's bill to an average bill of \$23.70. Mr. Johnson said this needs to get repaired and asked Ms. Dill where she lived. Ms. Dill replied on Valley View and told the Council that she turns the water off at the meter unless she needs it so her bill won't be so high until she can get it fixed. Mayor said that it was not legal for her to turn the water off at the meter, could she call the water plant when she is ready to fix it and they will come turn it on for her. Motion passed with a roll call vote of: Gill-yes, Binkley-yes, Allen-yes, LaCrosse-yes, Yates-yes, Johnson-yes, and Mayor-yes.

Mayor said the next item on the agenda was Resolution 2011-03 the cafeteria plan amendment. A motion was made by Yates, seconded by Johnson, to accept Resolution 2011-03. Motion passed with a roll call vote of: Yates-yes, Johnson-yes, LaCrosse-yes, Allen-yes, Binkley-yes, Gill-yes, and Mayor-no.

The next item of business is the MCHRA agreement with the senior center. Ms. Noe made a provision to get out of the lease with a 60 day notice. The change can be found on the last page under Special Considerations. Mr. Johnson asked if Jennifer was ok with the agreement. Ms. Noe replied yes. A motion was made by Johnson, seconded by Allen to approve the agreement with MCHRA. Motion passed with a roll call vote of: Johnson-yes, Allen-yes, Binkley-yes, Gill-yes, Yates-yes, LaCrosse-yes, and Mayor-yes.

The next item is the Stantec agreement. Ms. Noe said that Marc Pearson with Stantec is also here if they had any questions. Ms. Noe said this is a professional Services agreement to help us with some of the issues with the easement language to pinpoint and dispute some of the easements with the Corp. Also, this agreement will allow Stantec to help with the 406 public assistance. Mr. Pearson said these are ongoing efforts there are additional funds out there and they will advise how to get more money for the sewer plant and public works. Mr. Pearson explained the 4 tasks this agreement would cover. Ms. Noe said she did not think we had an option that we need the help. With flood relief and the 406 we will definitely need engineering help. Mr. Gill asked if the cost was \$38,006. And asked Ms. Noe if there was anything this was going to cover. Ms. Noe said this would not cover the plans if we were to receive the funding. Mr. Pearson said this does not cover the construction plans. This proposal is to help get the funding not telling you how to spend it. Our scope in front of you is not to exceed 38,006. A motion was made by Yates, seconded by Gill, to accept the Stantec agreement. Motion passed with a roll call vote of: Yates-yes, Gill-yes, Johnson-yes, LaCrosse-yes, Binkley-yes, Allen-yes, and Mayor-yes.

Mr. Young said we received 2 bids for mowing the park. LCJW is the lowest bid. They have worked for us several years and have done a good job and he recommends that we award the bid to LCJW. A motion was made by Johnson, seconded by LaCrosse, to award the bid to the low bidder, LCJW. Motion passed with a roll call vote of: Johnson-yes, LaCrosse-yes, Yates-yes, Allen-yes, Binkley-yes, Gill-yes, and Mayor-yes.

Ms. Mary Chauvin said she lived at 103 Cumberland St. and has had a leak. She has paid a bill for \$1,300 to get all the pipes fixed at this residence. Ms. Chauvin is requesting help with her water bill. Mayor said her water bill is for \$171.43 following policy it would be \$77.37 and an average bill is \$43.63 a motion was made by Allen, seconded by Binkley, to adjust this bill to an average bill of \$43.63. Motion passed with a roll call vote of: Allen-yes, Binkley-yes, Gill-yes, Johnson-yes, Yates-yes, LaCrosse-yes, and Mayor-yes.

Mayor said that he had the job descriptions for the public works director and superintendent positions. Mr. LaCrosse asked if the adjustment had been made. Mayor replied yes. A motion was made by Gill, seconded by Johnson to approve both the job descriptions. Mayor said that they are working supervisors. Mr. Johnson asked in doing this split and changing the dept heads are we going to fill Billy's old position. Mayor said we were not going to fill Billy's position. Motion passed with a roll call vote of: Gill-yes, Johnson-yes, LaCrosse-yes, Yates-yes, Allen-yes, Binkley-yes, and Mayor-yes.

Other:

Mayor asked if the Council had anything they wanted to bring up. Mr. Gill asked about the fluoride in the water system. Mayor said that was the dept heads discretion and it has been done they are down to their last 2 barrels.

Mr. Allen asked about the survey. Mayor said yes, the Caldwell property survey. Mr. Allen said did he do this flagging on his own. Mayor said he was asked to in case we wanted to log the property but that he was dead set against logging the property. Mr. Gill said don't need to survey if we are not cutting lumber. Mayor said we had to survey as we have to use some of the property to replace the property that was used in the Bypass. Mr. Allen asked if this was bid. Mayor said no, not for professional services. Mayor said this can be deferred to the budget committee next month. Ms. Binkley asked why you would flag the property. Mayor said you wouldn't unless you were getting lumber.

Mr. Gill said as far as the water bills go if we keep going against the ordinance can't we do a motion to give Phyllis authority to take care of it instead of making them come to Council. Mayor said the front office is not in a position to grant or not grant. That is the Council's position not administration. It keeps the front office from being put in an uncomfortable position. Mr. LaCrosse said it costs more than you think to produce water. The problem is with these huge water bills can set a policy but in these rough times they need to be responsible. When someone goes off they should turn their water off. We need them to be responsible. Mr. Gill said we need to do something change the policy or something if we keep going against it. Mayor said maybe we should put this on the budget agenda.

Mr. Johnson said Chief; we had a family emergency and both your people were there, thank you.

A motion was made by LaCrosse, seconded by Johnson, to approve paying the bills. Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Yates-yes, Allen-yes, Binkley-yes, Gill-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Gill to adjourn. Motion passed unanimously by voice vote.

Meeting adjourned at 7:57 p.m.

Gary Norwood, Mayor

Phyllis Schaeffer, City Recorder