

**MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BULIDING – 314 EDMOND ROAD NORTHWEST
Monday, October 22, 2012 6:30pm**

MEMBERS PRESENT:

Mayor Valerie Thomerson, Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage

ABSENT:

None

STAFF PRESENT:

City Manager Jim Crosby, City Clerk/Treasurer Jennifer Smith, Attorney Mike Segler, Community Development Director Wade Harden, City Engineer Joe Davis, Secretary Mary Ramsey

1. **CALL TO ORDER**- Mayor Valerie Thomerson called the City Council meeting to order at 6:30pm.
2. **ROLL CALL** – City Clerk/ Treasurer Jennifer Smith called roll. There was a quorum present. There were approximately 15 citizens in the audience.
3. **FLAG SALUTE** – Led by Bobby Williamson
4. **INVOCATION** - Led by Steve Morris
5. **CONSENT AGENDA** – **All items on the consent agenda are non – controversial and may be approved by one motion for items.**
 - a. Approval of Minutes for the City Council Meeting on September 24, 2012.
 - b. Approval of Meeting dates of the City of Piedmont’s City Council/PMA for the 2013 calendar.
 - c. Approval of Police Vehicles to be listed as surplus and disposed of by sale or auction.
 - d. Approval of Purchase Order/Disbursements for the City.
 - e. Receipt of September Financial Statements.

Mayor Valerie Thomerson asked for item D to be pulled.
Councilman Vernon Woods asked for item E to be pulled.
Councilman Charles Coffman asked for item A to be pulled.

Mayor Pro Tem Larry Gage made a motion to approve items B and C. It was **seconded** by Councilman Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

Item 5a.

Councilman Charles Coffman asked for a correction City Council Meeting Minutes on September 24, 2012. Page 13, 2nd to last paragraph, last sentence "is" should read "if".

Councilman Charles Coffman made a motion to approve item a City Council Meeting Minutes on September 24, 2012. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

Item 5d

Mayor Valerie Thomerson asked about page 1 & 2. Are they duplicates?

City Clerk Jennifer Smith explained they are duplicates.

Councilman Vernon Woods asked for the wording on the Agenda to be changed from Approval of Purchase Order/Disbursements for the City (Claim List) be changed to Recognition of Purchase Order/ Disbursements for the City (Claim List). Stating that the Council is not approving the purchases because the checks have already been written, Council is recognizing that the purchases were made.

Councilman Vernon Woods asked about checks written to Walker, Ferguson & Ferguson wanting to know why the expense does not also appear in the PMA statements?

City Clerk Jennifer Smith explained that since both of the amounts were smaller and both were invoice from the law suites she did not charge them to PMA.

Councilman Vernon Woods asked about Office Depot expense on page 3, he wants to make sure staff is checking with the State furniture program to ensure we are getting the least expensive price on office supplies and furniture.

City Manager Jim Crosby explained that he did double check with Nancy Armstrong and she explained that she checks all pricing and works to purchase the best price available.

Councilman Vernon Woods asked about check to Mike Segler how many months does the invoice cover?

City Attorney Mike Segler explained it is for July, August and September.

Councilman Vernon Woods asked about check written to Yukon Police for "Catch up".

City Clerk Jennifer Smith explained that the expense is for a contract that was already approved but no one notified Cindy of the rate change. The amount shown is for a months worth plus additional amount to bring the account current. Expense is for dispatching.

Councilman Vernon Woods asked about check written for \$28,841.84 to Security Solutions. He recalls the Council passing a resolution to keep the Police Department expenses to 1.5 million dollars, he asked how the City was doing at staying on budget.

City Manager Jim Crosby explained that to the best of his knowledge the City is still under budget. A lot of these items are items that could not be finished last year and are carrying over into the current year. City Manager will run a tab and get back with Councilman Vernon Woods on where we are currently with the budget.

City Clerk Jennifer Smith explained that she did provide information on this expenses in the detail.

Mayor Valerie Thomerson asked about item Vance Brothers on page 4 description item 480G?

City Clerk Jennifer Smith explained she was not sure it was an expense of Buddy's.

Mayor Valerie Thomerson asked for better descriptions if possible.

Councilman Donnie Robinson made a motion to approve item 5d. It was **seconded** by Councilman Albert Gleichmann.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

Item 5e.

Councilman Vernon Woods referred to page 4 CIF, noticed there is no month to date activity for sales tax revenue.

City Clerk Jennifer Smith explained it is missing a month, it did not get transferred until the 1st of October, there are 2 deposits as of today each deposit was around \$31,000 roughly for September and October.

Councilman Vernon Woods asked for a status of the CIF, how much money is in the fund.

City Manager Jim Crosby explained that to date the CIF account has \$933,747.21 with no outstanding invoices. Cash in the bank free in clear to his knowledge.

Councilman Vernon Woods asked for a statement of condition report.

Councilman Donnie Robinson asked about page 5 Fire Department noticed they have gone over budget.

City Clerk Jennifer Smith explained that Workers Comp is what has made the department go over budget. In the past they have not paid Workers Comps and this year they will be making payments out of their budgets towards Workers Comp expenses. This line item will remain over budget and at the end of the year an adjustment will be made.

Councilman Charles Coffman made a motion to approve item 5e Receipt of September Financial Statement. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

7. HEARING OF CITIZENS – Topics to include those items not listed in the agenda.

Kent Dougherty with Apex Energy gave an update on the Windmill Project being considered for the City of Piedmont area.

The boundary has been revised and number of turbines being considered for the City of Piedmont limits is down from 26 turbines to 16 turbines. Also by creating this new

boundary we feel we have addressed concerns of residence expressed during the last Planning Commission meeting. Provided maps of new boundaries.

8. **BUSINESS ITEMS**

a. **CONSIDERATION AND POSSIBLE ACTION ON CONTRACT WITH EST, INC. FOR ENGINEERING SERVICES.**

Councilman Donnie Robinson made a motion to discuss item 8a – Consideration and Possible Action on Contract with EST, INC for engineering services. It was **seconded** by Councilman Charles Coffman.

City Manager Jim Crosby explained that EST had provided an initial contract and he did not like the not to exceed amount in the first contract. They have reduced their proposal to not to exceed amount to \$23,500. They do not believe they will exceed but wanted to make sure the structural damage did not exceed the proposal. This proposal is to inspect the project and watch over the work. Recommended approving the contract not to exceed the \$23,500, if they do not like it they can reject the contract.

Councilman Donnie Robinson made a motion to approve contract with EST upon review of contract by City Attorney Mike Segler, and not to exceed \$23,500. It was **seconded** by Mayor Pro Tem Larry Gage.

Discussion continued among the Council.

Councilman Vernon Woods asked the City Attorney Mike Segler to make sure the insurance limits are appropriate, they seem low.

Councilman Charles Coffman has concerns with the cost of inspection. \$17,500 seems high for an inspector. Up the insurance lower the cost for the inspector.

City Engineer Joe Davis explained that there is a great deal of exposure to the City when you are dealing with paint repair projects. There can be structural damage while working on the tank, hazardous materials such as lead paint when removing the paint and over spray while painting. The inspector monitors the conditions of the day and what the contractor is doing. If there are legal proceedings against the City at least it will be firmly documented by the inspector.

This is a reimbursement grant and it is the understanding of the City Manager from FEMA to move forward with the project. FEMA will pay 75% of the project. City must guarantee payment of contract it can not be depended upon FEMA payment. FEMA does not have any concerns at this time but, Director of Community Development with double check with FEMA before project begins.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

b. CONSIDERATION AND POSSIBLE ACTION ON AWARDING THE BID FOR THE PIEDMONT WATER STORAGE TANK REPAIR PROJECT.

Councilman Vernon Woods made a motion to discuss item 8b. It was **seconded** by Councilman Donnie Robinson.

Councilman Vernon Woods asked what is FEMA approval process and should we wait?

Director of Community Developments recommendation is to proceed with repair. FEMA has asked for some minor changes to the verbiage show that the City of Piedmont will secure the funds regardless of the FEMA funds. This is a reimbursement grant. Funds will be fronted out of the CIF account; project is estimated to take 45 days.

Councilman Vernon Woods would like for FEMA to ensure that they will reimburse before proceeding with project. What to make sure they are not going to back out after we have approved both contracts.

Discussion was that you can not get 100% guarantees from FEMA. FEMA is needed and would be helpful but it may not happen.

Mayor Pro Tem Larry Gage made a motion to approve H2O bid for repair of Piedmont Water Storage Tank. It was **seconded** by Councilman Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Charles Coffman, Councilman Vernon Woods, Councilman Al Gleichmann and Mayor Pro Tem Larry Gage.

NAYE: None

Mayor Valerie Thomerson called for a 5 minute break 7:17pm.

c. CONSIDERATION AND POSSIBLE ACTION ON PROPOSED CHANGES TO INTERLOCAL AGREEMENT BY PIEDMONT PUBLIC SCHOOLS.

Mayor Pro Tem Larry Gage made a motion to discuss item 8c. It was **seconded** by Councilman Donnie Robinson.

City Manager Jim Crosby an update on item, provided information on current City drainage standards, also noting that it is was the recommendation of the Schools engineers to turn the water to the east. His recommendation is to deny what the school has sent before the Council.

Councilman Charles Coffman explained that he attended the last School Board meeting, this item was on the agenda. There where 2 questions asked by a School Board member. First question was had this item been approved by the City Council and they were told No. That is incorrect; it was approved before we sent it over to the School Board.

Second question was had this design been approved by an engineer and were the school's engineers involved. They were told No. The School Board received two pieces of incorrect information about this proposal. I do not know this for sure but if the School Board knew for sure that this was the result of an engineer study, and it did come from the City Council as an approve item, and with the information the City Manager provided about the ordinances they would have a better conversation. Councilman Coffman recommended rejecting proposal.

Discussion occurred among the Council about the details of the design, recent rain amounts and the damage occurring to the road in front of the school. City Engineer Joe Davis answered questions about the design of the plan.

Mayor Pro Tem Larry Gage spoke about the contingency on the Schools occupancy permit. Stating it would be irresponsible of the City to remove the contingency of the occupancy permit to the tax payer. Asking when does the occupancy permit expire? Asked to extend the date or consisted a 90 day extension but before renewing again the School needs to understand that the drainage problem needs to be resolved.

Mayor Valerie Thomerson suggested having the Councilman attend the next School Board meeting. Make a request that Councilman Charles Coffman represent the Council and ask questions or provide information.

Councilman Vernon Woods suggested a face to face meeting with the School Board and engineers to work out details. The proposal keeps getting turned down.

Mayor Pro Tem Larry Gage made a motion to deny Superintendent James White proposal. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

d. CONSIDERATION AND POSSIBLE ACTION ON ACCEPTANCE OF CONTRACT WITH BREWER CONSTRUCTION FOR THE REPAIR OF THE PIEDMONT INTERMEDIATE SCHOOL DRAINAGE ISSUE.

Councilman Charles Coffman made a motion to discuss item 8d. It was **seconded** by Councilman Donnie Robinson.

Councilman Charles Coffman stated is it the desire of the City to fix the road, but the drainage issue needs to be dealt with first.

Discussion occurred among the Council. Discussion of the design of the ditch, the amount the school would pay \$3,025, a meeting with the School Board, completion of project. Ditch needs to be fixed before repairing road.

Councilman Vernon Woods made a motion to not accept the bid. It was **seconded** by Councilman Albert Gleichmann.

The Vote was:

AYE: Councilman Albert Gleichmann, Councilman Vernon Woods

NAYE: Councilman Donnie Robinson, Councilman Charles Coffman, Mayor Pro Tem Larry Gage

Motion fails

Councilman Donnie Robison made a motion to approve Brewer Contract. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Charles Coffman, and Mayor Pro Tem Larry Gage.

NAYE: Councilman Vernon Woods and Councilman Albert Gleichmann,

e. CONSIDERATION AND POSSIBLE ACTION ON ACCEPTANCE OF PROPOSAL FROM WOODS & SONS PAVING, INC. FOR ROAD WORK ON WASHINGTON AVE W BETWEEN PIEDMONT ROAD AND CEMETERY ROAD.

Councilman Donnie Robinson made a motion to discuss item 8e. **No** seconded on motion. Motion fails.

f. CONSIDERATION AND POSSIBLE ACTION TO SOLICIT REQUEST FOR QUALIFICATION TO EMPLOY A LOBBIST FOR THE CITY OF PIEDMONT.

Councilman Donnie Robinson explained that once the election passes money will start to free up for grants. Lobbyist can get the City of Piedmonts name out there for grants on the federal level.

Councilman Vernon Woods made a motion to discuss item 8f. It was **seconded** by Councilman Charles Coffman.

Mayor Pro Tem Larry Gage asked about cost, Councilman Donnie Robinson did not have cost information but is working on getting the information to the City Manager. The City Manager will send out cost information once it is available.

Councilman Vernon Woods made a motion to approve item 8f. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

9. NEW BUSINESS –

a. unplanned Items – Requires 4/5th Majority to Declare “New Business”

Councilman Vernon Woods asked to discuss a requested for joint meeting with School Board.

All agreed.

Councilman Vernon Woods made a motion to request a meeting with School Board to discuss drainage issues. It was **seconded** Councilman Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Councilman Charles Coffman made a motion to recess to Piedmont Municipal Authority meeting. It was **seconded** by Councilman Albert Gleichmann.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None

10. PIEDMONT MUNICIPAL AUTHORITY

MOTION TO ADJOURN TO RECONVENE TO REGULAR CITY COUNCIL MEETING.

11. COUNCILMAN COMMENTS

Councilman Charles Coffman commented that he would like to see 164th fixed, does want to see what the School Board does; maybe we can get some of the money back from them. I am not holding out for it but would like to wait and see what happens. He is willing to bring item back to agenda.

Councilman Albert Gleichmann, no comments.

Councilman Donnie Robinson commented he walks 164th street 3 or 4 times a week. Once road is repaired he would like to see speed limits go back up. Sooner we can fix the drainage issue the better. Once the bed of the road goes the expenses will go up.

Councilman Vernon Woods commented that he has been working with City Manager Jim Crosby on getting a tank for a Dura Patch oil and emulsions. It will be soon time before we have the numbers, but if we do it right we can sell this to people around us and make some money. The Dura Patch is the way to go.

We still need bars up on the hole in the drainage ditch at the school. Still an issue and hope it does not become a told you so situation. The hole belongs to the school.

Mayor Pro Tem Larry Gage commented on fixing 164th street. He believes the road needs to be repaired but the drainage situation needs to be fixed first. Want the road fixed properly, do not want to spend money twice.

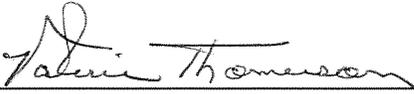
12. ADJOURN – 8:19

Councilman Albert Gleichman made a motion to adjourn City Council meeting. It was **seconded** by Councilman Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods and Mayor Pro Tem Larry Gage.

NAYE: None



Mayor, Valerie Thomerson



Secretary, Mary Ramsey