

**AGENDA SUMMARY – MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING – 314 EDMOND ROAD NORTHWEST
Monday, November 26, 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 17 citizens in the audience.
3. **FLAG SALUTE** – Led by Mayor Pro Tem Larry Gage.
4. **INVOCATION** - Led by Ken Rickard
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 October 22, 2012.
 - b. Approval of Minute for the Special City Council Meeting on November 5, 2012.
 - c. Approval of Audio Sound System for Civic Center.
 - d. Approval of Purchase of 800Mhz Radios for Police Department.
 - e. Recognition/Approval of Purchase Order/Disbursements for the City
 - f. Recognition/Approval of October Financial Statements.

Councilman Vernon Woods asked for items b,c,e to be pulled.

Councilman Donnie Robinson made a motion to approve items a,d,f. It was **seconded** by Councilman Charles Coffman.

The Vote was:

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

NAYE: None

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

Item b – Minutes for the Special City Council Meeting on November 5, 2012. Councilman Vernon Woods commented that he was not present for the meeting and the minutes reflect that he was present.

Councilman Vernon Woods made a motion to approve City Council Meeting Minutes from November 5, 2012 for correction. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None

Item c – Approval of Audio Sound System for Civic Center.

Councilman Vernon Woods asked several questions, where other companies contacted and what are we buying do not understand the break down, describe what we are getting.

Councilman Donnie Woods explained that he shopped several companies and this one was the best for the system we are purchasing, also they have experience with working with the City of Piedmont.

The proposal is for 9 wired microphones; they will be mounted and plugged into the tables, also providing one for the podium. System will come with a security box mounted, complete audio system, speakers, annual maintenance and training for staff.

Councilman Vernon Woods made a motion to approve purchase of Audio Sound System for Civic Center. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

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

NAYE: None

Item e – Recognition/Approval of October Financial Statements.

Councilman Vernon Woods asked about check written to Baker and Taylor.

City Treasurer Jennifer Smith explained that check was written for software for Library e-reader system.

Councilman Vernon Woods asked about payment to Laserfiche?

City Treasurer Jennifer Smith explained \$10,926.97 is the total amount for system, she also explained that the Police department uses Laserfiche and that the software appears in the check register several times through out the year.

Councilman Vernon Woods asked about multiple departments having Banker Bank.

Jennifer Smith explained that the Banker Bank is charge cards that Department heads can use to purchase items as needed.

Councilman Vernon Woods about check for \$295.00 for Movie Licensing USA.

Jennifer Smith explained that is the Library fund.

Councilman Vernon Woods asked check written to Jordan Contractors for the School Sewer Project. When will the City be billing the School back for the work done?

City Manager Jim Crosby explained that the School has already been invoiced for \$106,000.

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

The Vote was:

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

NAYE: None

7. HEARING OF CITIZEN - Topics to include those items not listed in the agenda.

None

8. BUSINESS ITEMS –

- a. **DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 581 AMENDING THE CITY OF PIEDMONT CODE OF ORDINANCES BY AMENDING SECTIONS 5-801 THROUGH 5-803 AND ADDING SECTIONS 5-804 THROUGH 5-819 TO PROVIDE FOR REGULATION OF PLACEMENT, CONSTRUCTION AND MODIFICATION OF MINI WIND ENERGY CONVERSION SYSTEMS AND SMALL WIND ENERGY CONVERSION SYSTEMS; DETERMINING PROPER ZONING; RESTRICTING TOWER HEIGHT; REQUIRING A PERMIT AND APPLICATION PROCESS; REQUIRING LIABILITY INSURANCE; PROVIDING A PROCESS FOR REMOVAL AND IMPOSING A PENALTY FOR VIOLATIONS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

Councilman Charles Coffman made a motion to discuss item 8a. It was **seconded** Mayor Pro Tem Larry Gage.

Attorney Mike Segler provided an explanation of the new ordinance and all of the work the Planning Commission has done on it. He feels it is a well thought out Ordinance with great attention to detail.

Councilman Vernon Woods questioned why there is no maximum height requirements feel there needs to be a maximum height. Put 160 feet in ordinance and then there will be no question about what type of windmill can be put in.

Questioned why is there a limit on Kilowatts, why is an output of these windmills an issue. Hates to see us tie ourselves down to a certain type of output.

Chairman Richard Felton explained that if the windmill is over 100

kilowatts is consider Commercial grade windmills at this time residence windmills do not get close to 100 kilowatts.

Community Development Director Wade Harden explained detail of the ordinance. Making it clear that the Ordinance is written on a conditional use permit. All windmills would have to be review by staff before an installation could occur.

Discussion continued among the Council about Kilowatts, height requirements, roof mount. Mayor Pro Tem Larry Gage asked for changes to get written into the ordinance and then look at the completed ordinance. Would like to see all changes in print before that items go to vote. The following changes need to be added into the ordinance.

- Staff recommendation be written into Ordinance.
- Principal structure – add definition – what does it mean? Consider changing to one windmill per property or per lot.
- Add 160 foot maximum
- No limits on Kilowatts
- 5-802 word “zoning” removed through out and add “Agricultural use”.
- 5-805 word “visible” modification taken out “any” modification
- 5-806 “exempt” what does it mean, clarify
- 5-817 time limit needs to be added for removal

Planning Commission Chairman Richard Felton spoke and provided some explanations on the kilowatt limits avg house using 20 kilowatts, roof mounts and blade clearance, ag use 80 feet or less you can skip the permit, all others require permit on the windmill.

Councilman Charles Coffman made a motion to table item 8a and send it back to Planning Commission for more review. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

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

NAYE: None

- b. **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 AND WATERLOO ROAD.**

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

Councilman Donnie Robinson explained that the project is to repair one mile of Waterloo road and 164th street. The section on Waterloo Rd that is the worst of the 3 miles is the middle mile. He is suggesting that repairs be made to the first mile and the second mile.

Mayor Pro Tem Larry Gage commented that he would like to see any road repaired with a permanent fix this proposal does not met those standards.

Councilman Donnie Robinson agreed that he would like the roads to be repaired at a higher standard however the roads are in such need of repair that this proposal would give the road about 8 years of good life.

Mayor Pro Tem Larry Gage commented that the City has hired an engineering firm and they recommend a different type of solution. Would like to see us go with what the engineering firm has recommended. Also would like to see Waterloo and 164th repairs as separate items and not together.

Councilman Vernon Woods does not want to spend money on a road unless it is repaired up to the engineering firms' standards.

City Engineer Joe Davis offered a solution of working in a combination of base repair in the soft spots in the base and a thin overlay. With this type of repair road would last 5 years. Councilman need to keep in mind that traffic patterns will continue to change and increase with activities at the school and new development.

Discussion continued among the Council about the pros and cons about fixing the road now or waiting for the bond issue to pass. Fixing some roads now may help get the bond passed. Council may need to consider showing the community that the Council can get some of the roads repaired for going out the community with a Bond issue. Also, waiting and fixing the roads properly may help with the bond.

City Engineer Joe Davis recommended going ahead and doing soil stabilization portion of the project. This process is consistent with both type of roads and would be not be a waste of money. Then a better road can be built on top of the base later. Traffic is changing rapidly on 164th street.

Consideration of fixing the road bed correctly and then topping off with 2 layers of surface, combine total is \$142,073. This does cause the project to go over budget. Would have to consider taking additional money out of Capital Improvement fund.

Mayor Pro Tem Larry Gage asked that staff provide recommendation in writing before the Council considered voting on anything.

Councilman Vernon Woods asked to see the actually how much money is available in the "rainy day" fund.

City Manager Jim Crosby offered to go get the funds number form the Capital Improvement fund.

Mayor Valerie Thomerson called the meeting for a 10 minute break at 8:07 pm.

Meeting called back to order at 8:19 pm

City Manager Jim Crosby explained that the Budgeted Emergency Contingency fund is \$111,694.00. Will have \$106,000 coming back into the account next month due to paying the sewer bill. Presently, \$91,000 funds available. In the Impact fee fund presently there is \$132,264.54 money is not budgeted, can only be used on streets, sewer or water.

Currently CIP fund is \$767,165.12 account will be reimbursed \$106,000 next month from the sewage project.

Councilman Donnie Robison commented. We need to move on 164th and Waterloo we have currently responsibility to the community now.

Mayor Pro Tem Larry Gage does not like to spend money on a temporary fix. Wants the road fix right, if we can spend part of the money now to fix the base and then use again in the next road project.

City Engineer Joe Davis explained that with the plan of fixing the base and adding the two layers of chip and seal all of these steps can be used in the future for a better road.

City Manger Jim Crosby offered to bring back to next City Council meeting a new proposal from Woods & Sons Paving so the Council can see the numbers and know actually what the repairs will be.

Councilman Vernon Woods asked to see numbers of how many Piedmont residence live off of Waterloo between Morgan and Piedmont Rd. Residence on the north side of the road do not count. They do not play into Piedmonts tax base.

Councilman Donnie Robinson made a motion to table item until the December 17, 2012 Council meeting. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

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

NAYE: None

c. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE HIRING OF A LOBBYIST FOR THE CITY PIEDMONT.

City Manager Jim Crosby explained that he contact ACOG and OML they provided names and we reached out to them for interest in applying. 3 proposals are provided in the meeting packet.

Councilman Donnie Robinson asked if advertisements where run.

City Manager Jim Crosby explained that we did not advertise.

Discuss began by concerns that the proposals need to go out to the media, also is it possible to have a lobbyist who covers Federal and State levels.

Councilman Vernon Woods requested to meet with the lobbyist before moving forward on a decision.

Councilman Donnie Robinson made a motion to table item until it can be advertised and meeting scheduled. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

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

NAYE: None

d. CONSIDERATION AND POSSIBLE ACTION OF MEETING WITH THE PIEDMONT SCHOOL DISTRICT SUPERINTENDENT AND SELECTION OF REPRESENTATIVES.

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

Councilman Donnie Robinson commented that he did not like the format of having one or two Councilman meet with the School Board. All Councilmen need should be present and have the opportunity to ask questions and speak their minds.

Mayor Pro Tem Larry Gage suggested sending a letter to the School Board inviting them a meeting so that all items can be discussed openly.

Councilman Vernon Woods would like a meeting to talk about communication with the School Board, feel like they are not getting the Councils true intentions. Would like a new letter open to each individual School Board member to attend a meeting and talk openly.

City Attorney Mike Segler confirmed that there would still need to be an agenda item and an agenda posted but can write it generally enough so that conversations can flow freely.

City Manager Jim Crosby and Councilman Vernon Woods will draft the letter and have it ready by the December 17, 2012 Council meeting.

Councilman Donnie Robinson made a motion to table item to next City Council meeting. It was **seconded** by Councilman Charles Coffman.

The Vote was:

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

NAYE: None

9. NEW BUSINESS –

a. Unplanned Items – Requires 4/5ths Majority to Declare “New Business.”

None

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Councilman Donnie Robinson made a motion to recess City Council meeting and open Piedmont Municipal Authority meeting at 8:59. It was **seconded** by Mayor Pro Tem Larry Gage.

The Vote was:

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

NAYE: None

10. PIEDMONT MUNICIPAL AUTHORITY

Councilman Albert Gliemann made a motion to reconvene City Council meeting and open Piedmont Municipal Authority meeting at 9:01. It was **seconded** by Councilman Charles Coffman.

The Vote was:

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

NAYE: None

11. COUNCILMEMBER COMMENTS-

Mayor Pro Tem Larry Gage no comments.

Councilman Vernon Woods no comments.

Councilman Charles Coffman asked when speaker system would be installed. City Manager Jim Crosby explained that he will double check on the date.

Councilman Albert Gleichmann asked about a citizen that would like to have commercial windmills on his property, does the citizen need to de -annex from the city.

City Attorney Mike Segler explained that the citizen will need to file a petition with the City Clerk.

Councilman Donnie Robinson appreciative of all the work each Councilman does and is honored to serve with them.

12. ADJOURN – 9:07pm

Mayor Pro Tem Larry Gage made a motion to adjourn City Council Meeting at 9:07pm. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None



Mayor, Valerie Thomerson



Secretary, Mary Ramsey