

Regular Meeting of the
Board of Mayor and Council
December 11, 2007

The Board of Mayor and Council met in regular session on December 11, 2007 at 7:00p.m. in the Municipal Building.

Present and presiding: Mayor Gary Norwood.

Council present: Steve Allen, Tommy Nicholson, Rick Johnson, Carol Macha, and Chris LaCrosse.

Council absent: Dwayne Noe.

Others present: Tamara Murphy, Allon Murphy, Wade A. Reed, Tony Young, Mary Glasgow, Greg Edrington, CJ Groulx, Zach McCarver, Paul R. Gupton, Anita Justice, Marc Coulon, Chuck Walker, Michael Armstrong, Chris Cherry, Tom Salter, Jennifer Ne, Myrla Sproat, and Phyllis Schaeffer.

A motion was made by Johnson, seconded by Macha, to approve both sets of minutes from the regular meeting in November and the Special Called Meeting on November 26, 2007 with 2 typographical errors corrected. Motion passed unanimously by voice vote.

Public Forum:

Tamara Murphy – 113 Patton Ct. advised the Council that her water had been turned off and she thought she had until the 15th to pay and requested the Council to turn the water back on and she would come in this Friday and pay the entire balance. A motion was made by Johnson, seconded by LaCrosse, to turn the water back on and this would be paid on the 15th. Motion passed unanimously by voice vote.

Mayor Norwood asked Ms. Murphy if she wanted it turned on tonight or tomorrow morning stating there was a \$75. Reconnection fee at night and only \$30. During normal business hours. Ms. Murphy said that she would pay the \$30. In the morning if we would turn it on then.

Attorney:

Ms. Noe said she just real quickly would like to discuss the package store liquors. Ms. Noe said she has been in touch with A.B.C. and they are playing phone tag. Mr. LaCrosse asked what the process is. Ms. Noe said she looked at the statute and said the people would have to come to the city for some documentation but that the bulk of it was done through the A.B.C. Again, she was trying to get someone to talk with the Council by next meeting. Ms. Noe said she would like for the Council to be thinking about if they are going to limit the number of stores and if they do limit it how many they would choose. Mayor said this was generally done by population. Mayor asked Ms. Noe if she still wanted Laurie Cooper to come speak to the Council. Ms. Noe said if she can't get someone from the A.B.C. that would be fine. The minimum would be 2-3 months to get things done. Realistically you are looking at March. Mr. Johnson asked how many people had called about liquor stores. Ms. Schaeffer said there were 15-16 people that had inquired about the procedure. Then Ms. Noe was asked if you limit the number who picks; if say you choose 2 who picks who gets it us or the A.B.C. Ms. Noe replied she thinks we have very little say. They will have criteria to meet, they can't have a criminal record, she thinks the A.B.C. would choose. Ms. Macha said we choose how many and then they choose who. Ms. Noe replied she thinks that is correct. Mayor said we can't support all of them it would be survival of the fittest. The Mayor thanked Ms. Noe.

Old Business:

Mayor Norwood said he spoke with Mod Space on the police building. We can purchase it outright for \$44,500 we know we have at least 5 years to be in it and that would pay for itself at that rate. After more discussion a motion was made by Macha, seconded by LaCrosse, to approve the purchase of the police building for \$44,500. Motion passed with a roll call vote of: Macha-yes, LaCrosse-yes, Allen-yes, Nicholson-yes, Johnson-yes, and Mayor-yes.

New Business:

R.A.C. update.

Myrla Sproat informed the Council that the committee would be having a meeting tomorrow morning at 11:30 a.m. at Merriman's and invited the Council. Ms. Sproat talked with Chris Camp in reference to the groundbreaking. Mayor Norwood said a pre-construction meeting and groundbreaking has been set for January 3, 2008 at 3:00 p.m. Construction is not always pretty and we have to keep the line of communication open. Mayor Norwood also said there would be a meeting also on the 3rd with the property owners. Hopefully the owners and business operators will be happy. Mr. Johnson said the site manager or someone can stay in contact with the owners. Mr. Cherry said they are looking at the possibility of having Doug Boyd. Mayor said he is very competent.

Chief Coulon asked where are they going to park, that is the question he is being asked. Mayor Norwood replied whenever you have construction it's a problem. They can park behind City Hall and maybe we can talk to Mr. Lewis about his parking lot. This will have to be addressed in the pre-construction meeting.

Ms. Noe spoke to the Council on the new state statute having weapons on city park property. She has spoken with Randy Cromer and has tried to contact Larry Nash. Ms. Noe said we do not have any signs displayed the Council needs to A. put up a sign or B. pass a resolution to not have a sign. Without a sign they are allowed on the property. Mr. Young said there was a sign at Eagle Pass that says no firearms and at marks Creek the sign says the animals and plants are protected. Mr. Johnson said if they are just going through he thinks they should be allowed, you have to make exceptions for the hunters. Ms. Noe said it was a criminal offense and read statute 39-17-1311. Ms. Noe said she thinks we need a sign stating it is a misdemeanor except for unloaded weapons for traversing property to hunt. State law says we have to do something. Mr. Nicholson said he spoke with Larry and they are not going to do a safety zone. Also, when talking with Mr. Nash, he said the boat ramp was made with grant funds and we can't keep hunters from using it. Mr. Young said he didn't want signs. Ms. Macha said she wants it posted with the restrictions. Ms. Noe said the maximum penalty is 11/29, and a \$2,500 fine. Mr. Nicholson said he thinks the weapons should be unloaded and cased. Ms. Noe said this needs to be applicable to every park. When talking with Mr. Cromer he said there is a safety zone by Robinhood Rd. but it is ok to hunt behind Java Jack's. Anyone with a proper license can hunt on Corp. property. Mr. Nicholson said there used to be safety zone signs at Bull Run Park. Mr. Young said they aren't there anymore. Ms. Noe said she would get with Tommy and do proper wording. Mayor asked if there is a liability on the city. Ms. Noe said with the sign we've covered our bases. We are very limited concerning Corp. property.

Chief Walker spoke to the Council about City Hall in reference to the placing bids on a roof, ADA compliance issues, and other modifications. A motion was made by Johnson, seconded by Nicholson, to approve putting City Hall requests out to bid.

Chief Walker said on the sleeping quarters he doesn't think the renovation will cost \$5,000 they are going to do all the demolition work and most of the construction work. He has spoken to Mr. Steve Hamblin who said he could help and would charge a fee per day.

Mr. Armstrong had gotten the figures for the ADA work and he also has spoken to Mr. Hamblin. When this is bid we will need to have specifications. Mr. Johnson said Michael you have the code books, we need to write specs. And what we want according to ADA requirements. Chief Walker and Mr. Armstrong will write the specs for the bids.

Motion passed unanimously by voice vote.

Ms. Justice is going to look into getting a grant to help with the cost of a metal detector for court.

A motion was made by LaCrosse, seconded by Johnson, to pay Lose & Associates pay request in the amount of \$5,136.26 Motion passed with a roll call vote of: LaCrosse-yes, Johnson-yes, Macha-yes, Allen-yes, Nicholson-yes, and Mayor-yes.

A motion was made by Johnson, seconded by LaCrosse, to approve pay request #24 to W & O Construction in the amount of \$18,660.55 Mr. Cherry said liquidated damages are \$42,000 and Rodney Wilson has given them 45 days to finish the project or we would finish it using the retainage. We are waiting for a reply. The \$42,000 comes out of their pocket not the retainage. Motion passed with a roll call vote of: Johnson-yes, LaCrosse-yes, Nicholson-yes, Allen-yes, Macha-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Macha, to approve the Higher's and Koonce pay request in the amount of \$3,750. Motion passed with a roll call vote of: Johnson-yes, Macha-yes, Allen-yes, Nicholson-yes, LaCrosse-yes, and Mayor-yes.

Mr. LaCrosse asked the Mayor if they had talked about a contract on item A.

Mayor said they would be having a meeting with Chris Camp, on Friday with CEMC and Jennifer Noe he would find out about it then.

Mayor Norwood asked the Council if there was anything else to discuss.

Mr. Allen said this is the same issue as before receiving calls about parking. Employees parking on Main St. not leaving any room for the customers. Mayor Norwood said we could not tell people who can park there and we can't tell them where to have their employee's park. A discussion of parking meters came up and this will be discussed at the next meeting.

A motion was made by Johnson, seconded by Nicholson, to pay the bills. Motion passed with a roll call vote of: Johnson-yes, Nicholson-yes, Allen-yes, LaCrosse-yes, Macha-yes, and Mayor-yes.

A motion was made by Johnson, seconded by Macha, to adjourn. Motion passed unanimously by voice vote. Meeting adjourned a 7:59 p.m.