

**City Council Meeting
March 14, 2018
City Hall Meeting Room**

The meeting was called to order by Mayor Winford Gilliam on March 14, 2018 at 5:30 p.m. Alderman Fast, Alderman Alexander, Alderwoman Kavanaugh and Alderman Trospen answered roll call. City Administrator Jean Van Iperen, City Clerk Debra Davis and City Attorney Robert Cowherd were in attendance.

Alderwoman Kavanaugh made a motion to approve the agenda. Alderman Alexander seconded the motion. Vote: Fast – aye, Kavanaugh – aye, Alexander – aye, and Trospen- aye

Alderwoman Kavanaugh made a motion to approve the bills for February 2018 as presented. Alderman Fast seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Alderman Alexander made a motion to approve February 14, 2018 Council Meeting minutes. Alderwoman Kavanaugh seconded the motion. Vote: Kavanaugh – aye, Alexander – aye, Fast – aye, Trospen – aye

Alderwoman Kavanaugh made a motion to amend the January 10, 2018 minutes correcting the Title of Ordinance No. 1666. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Public Participation – Tim Leader spoke to the Council regarding his 188,000 gallon water leak/bill. He asked the Council for forgiveness on half of the bill or charge him what it cost the City for water. Much discussion back and forth about tenant/Landlord responsibility. Keith Gilbert asked why the City isn't pursuing the tenant before going after the Landlord. City Clerk Debra Davis stated if the customer leaves a forwarding address, the bill will be sent. However, if it is still not paid then it will be forwarded to the Landlord. The City Clerk further stated the City is not obligated to incur legal costs to pursue a tenant. City Attorney said the City needs to adopt a written policy to waive sewer charges, if the water did not go down the sewer, but charge fully for the water, and set up payment arrangements when warranted. Alderman Trospen made a motion to waive the sewer charges, but not to discount the water and let Mr. Leader make payments. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

The Council continued discussing and considering a vote for/against following State Statute 250.140- water and sewer services shall be deemed to be furnished to both the occupant and the owner of the premises receiving such service. City Attorney Robert Cowherd advised the Council they can vote however they like; though a vote not to uphold State Statute is a violation of the law and the oath they took when they were sworn into office. Keith Gilbert stated this issue was discussed and tabled twice for discussion again and it was never put back on the agenda. The Council made no decision and will have Statute 250.140 on the agenda for April. Tim Leader is now on hold for paying the bill, which is not related to this Statute as the tenant did pay his bill but not the leak, until the Council meets in April and decides if they are going to uphold State Statute 250.140.

Police Department –Chief Locke was absent, Sergeant Cox gave the report for February 2018. Sergeant Cox brought to the Council for consideration the Police Department trading the car, with a lease purchase option, for an Explorer. He went on to describe how this would work, the benefits of this program and the three bids the department received. Due to the cost of a new vehicle, City Attorney

Cowherd said an ad needed to be placed in the paper and the department required three formal bids. He advised the City should look at the government option, they would not be obligated to publish an ad and the City would own the vehicle. To be discussed further at the April Council meeting.

Public Works Dept Report – City Administrator gave the report.

People Service Report – City Administrator presented the monthly report.

City Administrators Report –

- a. Budget – Working on a budget for the new Fiscal Year with Department Heads. The Water Treatment Plant submitted a four page prioritized list of items that need attention at the plant.**
- b. Reservoir Water Levels – The water level is 42.5” below the spillway. Voluntary water conservation is still in effect. Jean will continue to monitor the levels and keep the Council apprised of the situation.**
- c. Update On South Davis Leak – Inserta valves were installed on both sides of the highway. The pipe was partially cut out but the contractor ran into a problem by the storm drain on the east side of the highway. Jean spoke with Cary Sayre at Allstate to see if there would be any issues with shutting water down through the pipe since it was one of many loops in the City. Cary state the line could be shut down with no notable difference in pressure. Currently the line is shut down and will be replaced in the next phase of the water project.**
- d. Street Bond Update – Sam McDonald with McLiney & Co. is waiting on one bank to get back with him. The other banks that were approached for the funding have not responded to date. The City cannot start the street project until financing is in place. Mr. Luther inquired about the company the bid was awarded to, saying they did a terrible job the last time and there was no oversight. The City Administrator told Mr. Luther this project has specifications and engineering completed and will be closely overseen.**
- e. Back Flow Preventers – Resident John Pulley contends since the City installed back flow preventers, the City is responsible for the maintenance and he would like his cleaned out. City Attorney Cowherd said since it is sewer line related, the City could be responsible for their maintenance. City Administrator Van Iperen said there were approximately twelve put in place by the City. Council asked her to get a cost for clean out. The preventers will be addressed again at the April meeting.**

Radio Read Meter Discussion – The City Administrator and the Mayor attended a PWSD3 meeting in Braymer where the Smart Meter Co. made a presentation and the Representative said one of their clients saw a 25% increase in water revenue in the first year. The City received two bids and financing is available at an approximate cost of \$23,000.00 yearly for ten years. At the ten year mark, meters will need to start being replaced and the replacement will happen on a continual basis about every ten years. In looking at other cities with the smart meters, the system basically pays for itself due to the increase in efficiency. Jean stated City meters are now functioning at a 70% efficiency rate and would like the Council to consider the Smart Meters for the upcoming budget year. Cindy Fickess with the Caldwell County News asked if there had been a study of the health effects of these radio read meters on individuals’ health. There was no answer forthcoming.

Approve Updated Police Policies-Response to Resistance, Police Vehicle Operations, Weapons Qualifications – Alderman Trosper made a motion to approve the updated policies as presented to the

Council. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Award Bid for Hay Ground – The City received two bids:

- **Hosman Auto and Lawn bid \$620.00 per year**
- **Pete Eivins bid \$300.00 per year**

Alderman Alexander made a motion to award the hay ground contract to Hosman Auto and Lawn for \$620.00 per year. Alderman Trospen seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Mayor Gilliam presented Bill Number 0314181/ Ordinance Number 1671 – An Ordinance Authorizing The City Of Hamilton To Enter Into A Lease Agreement With The Friends Of Justice Of The 43rd Judicial Circuit, Inc. Alderwoman Kavanaugh read Bill Number 0314181/ Ordinance Number 1671 for the first time. Alderman Alexander read Bill Number 0314181/ Ordinance Number 1671 for the second time. Alderman Trospen made a motion to approve Bill Number 0314181/ Ordinance Number 1671. Alderwoman Kavanaugh seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Mayor Gilliam presented Bill Number 0314182/ Ordinance Number 1672 – An Ordinance Authorizing The City Of Hamilton To Enter Into An Addendum To Lease Agreement. Alderman Trospen read Bill Number 0314182/ Ordinance Number 1672 for the first time. Alderman Alexander read Bill Number 0314182/ Ordinance Number 1672 for the second time. Alderman Trospen made a motion to approve Bill Number 0314182/ Ordinance Number 1672. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Mayor Gilliam presented Bill Number 0314183/ Ordinance Number 1673 – An Ordinance Amending Chapter 91.600 Of The City Code Relating To Disconnection Of Water Service, And Setting Effective Date. Alderman Alexander read Bill Number 0314183/ Ordinance Number 1673 for the first time. Alderman Trospen read Bill Number 0314183/ Ordinance Number 1673 for the second time. Alderman Trospen made a motion to approve Bill Number 0314183/ Ordinance Number 1673. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Mayor Gilliam presented Bill Number 0314184/ Ordinance Number 1674 – An Ordinance Repealing Chapter 82 Of The City Code Relating To Motor Vehicle Licenses. Alderman Alexander read Bill Number 0314184/ Ordinance Number 1674 for the first time. Alderman Trospen read Bill Number 0314184/ Ordinance Number 1674 for the second time. Alderman Trospen made a motion to approve Bill Number 0314184/ Ordinance Number 1674. Alderman Alexander seconded the motion. Vote: Kavanaugh – aye, Fast – aye, Alexander– aye, Trospen– aye

Alderman Fast made a motion to go into closed session at 7:28pm. Alderman Trospen seconded the motion.

**Roll Call Vote: Kavanaugh –aye
Fast – aye
Alexander – aye
Trospen – aye**

**Debra Davis
City Clerk**