

Council Meeting Minutes

February 19, 2019

The regularly scheduled meeting of the City Council of Audubon Park was held on Tuesday, February 19, 2019 at 3340 Robin Road, with the following present: Mayor Tony Williams and Councilors Brittney Gorter, Madeline Bozeman, Austin Schwenker, Stephanie George, Andrew Klump and Jennifer Kleier arriving late. Also present were Chief of Police Mike Minniear, and City Clerk Janette Mercer.

Call to Order

Mayor Williams called the meeting to order at 7 PM. The Mayor opened the floor for public comment.

Opening Public Comments

Leah Netherland, 1141 Dove Rd – Ms. Netherland expressed her concerns with sidewalk repairs and the damage to trees if not executed carefully.

Baron Miller, 1203 Falcon – Mr. Miller discussed his family getting a golf cart street legal and wanted to hear feedback from the residents.

Ray Niemann, 3112 Sora Ave – Mr. Niemann wanted to address the construction of a 2-story garage that is being built with plumbing. He stated that it was his understanding of the ordinances, does not allow for 2-story garage with plumbing which gives the appearance of an upstairs apartment.

Daniel Stephen, 3106 Meadowlark – Mr. Stephen wanted to give kudos to all the improvements that the new administration has completed.

Financial Report

The Mayor noted the written report and opened the floor for discussion. Madeline Bozeman made a motion approve the financial report. Austin Schwenker seconded, and the motion passed unanimously with 4 in favor. (Austin Schwenker, Brittney Gorter, Madeline Bozeman and Stephanie George in favor) (Andrew Klump and Jennifer Kleier not present for vote)

Public Safety

The Mayor noted the written report and opened the floor to Chief Minniear for discussion. Austin Schwenker wanted to voice that he has noticed more police presences and appreciates the efforts.

Forest Board Report

The Mayor noted the written report and opened the floor to Leah Netherland for discussion. Mayor Williams informed the city that we have ordered an 8-yard dumpster to replace the current 6-yard container which should help with the clean-up of storm damage. There were discussions about replacement of trees and permits to remove trees.

Parks and Recreation Board Report

The Mayor noted the written report and opened the floor for discussion. Mayor announced the Dogwood Festival will be Saturday, April 27, 2019 from 4PM to 10PM.

New Business Part 1

Mayor Williams asked if there were any objections to moving up the presentation of the Inducement Bond Resolution with Spalding University. Hearing no objections, he introduced Mike Herrington from Stites & Harbison PLLC for the presentation. Mr. Herrington explained the bond process and how it worked.

Unfinished Business

Mayor Williams presented the January 22, 2019 meeting minutes for approval and ask for a motion to approve. Brittney Gorter made a motion to approve. Stephanie George seconded, and the motion passed unanimously. (Jennifer Kleier not present to vote)

The February 4, 2019 minutes were presented for approval. Austin Schwenker made a motion to approve. Madeline Bozeman seconded, and the motion passed unanimously. (Jennifer Kleier not present to vote)

Mayor Williams mentioned there was no previous formal vote taken on Municipal Order 2 designating members of the Parks and Recreation Board, and Municipal Order 3 designating members of the Ethics Board. He asked for a motion to approve Municipal Order 2 designating the Parks and Recreation Board. Stephanie George made a motion to approve Municipal Order 2. Brittney Gorter seconded, and the motion passed unanimously. (Jennifer Kleier not present to vote). The Mayor asked for a motion to approve Municipal Order 3 designating the Ethics Board. Madeline Bozeman made a motion to approve Municipal Order 3. Brittney Gorter seconded, and the motion passed unanimously. (Jennifer Kleier not present to vote)

New Business Part 2

Mayor Williams presented Keith Larson as a candidate for the position of City Attorney. He asked for a motion to confirm Mr. Larson's appointment. Austin Schwenker made a motion to confirm the appointment. Madeline Bozeman seconded the motion and that opened the floor for discussion. Andrew Klump offered a written and verbal disclosure in accordance with the Code of Ethics Charter of the City of Audubon Park Section 5 and 6. The written disclosure is included as part of these minutes. The motion passed unanimously to confirm Mr. Larson. (Austin Schwenker, Brittney Gorter, Madeline Bozeman and Stephanie George in favor) (Andrew Klump abstained) (Jennifer Kleier not present to vote) The Mayor administered the Oath of Office with Mr. Larson.

The Mayor presented Otto Mock as a candidate for a part-time Code Enforcement Officer. The Mayor asked the Chief to give a brief synopsis on Mr. Mock. The Mayor asked for a motion to confirm this appointment and to adopt the Municipal Order 5 designating a Code Enforcement Officer. Madeline Bozeman made a motion to confirm the appointment and to adopt the Municipal Order. Austin Schwenker seconded and that opened the floor for discussion. Andrew Klump expressed that he wasn't sure where in the budget this employee's salary is budgeted and based on that wasn't comfortable confirming this appointment. There were discussions about the necessity of the position being filled now or in the next budget. Austin Schwenker call the motion to question. Madeline Bozeman seconded the motion. The motion to question passed with 5 in favor. (Austin Schwenker, Brittney Gorter, Madeline Bozeman, Stephanie George and Jennifer Kleier in favor) (Andrew Klump opposed). The Mayor asked for a vote to adopt Municipal Order 5 designating the Code Enforcement Officer, with the attached job description. The motion passed with 5 in favor (Austin Schwenker, Brittney Gorter, Madeline Bozeman, Stephanie George and Jennifer Kleier in favor) 1 opposed (Andrew Klump opposed) The Mayor administered the Oath of Office.

The Mayor offered Andrew Cox and Pete Becker as candidates for the Code Enforcement Board, with the terms to end January 1, 2021. The Mayor asked for a motion to confirm these appointments. Brittney Gorter made a motion to confirm the appointments. Madeline Bozeman seconded, the motion

passed with 4 in favor and 2 opposed. There was some confusion on the vote. The Mayor call for a division of the house. The Mayor asked for another motion to confirm the appointments. Brittney Gorter made a motion to confirm the appointments. Madeline Bozeman seconded, and the motion passed unanimously. The Mayor administered the Oath of Office.

The Mayor introduced Ellen Call, with Spectrum. Ms. Call was there to explain and answer questions about franchise agreements. There were questions and comments. She presented two options either collect directly from the companies or stay in the telecom tax. Ms. Call wanted to express that the agreement is about to expire. She further explained that if the city wanted to renew with the telecom tax agreement then later, decide to have a direct agreement with the individual companies, that she will be able to work with us at any point.

Mayor Williams introduced Brittany Bovee from Precision Concrete Cutting. She brought the survey that her company completed on Audubon Park. Ms. Bovee explained her companies process for leveling the sidewalks. There were several questions and comments in reference to liability to the city and if there could be a long-term payment plan.

The Mayor present the Insurance Business Tax and gave the floor to Andrew Klump. Andrew Klump made a motion for the first reading of the Insurance Business Tax. Madeline Bozeman seconded, and that opened the floor for discussion. The Mayor asked the city clerk for the first reading of the ordinance. The clerk executed the first reading.

The Mayor asked for the first reading of the Supplemental Budget Amendment ordinance. The city clerk executed the first reading. Brittney Gorter made a motion to adopt this ordinance. Andrew Klump seconded, and the floor was opened for discussion. There were comments about the contingency fund and other funds.

Mayor Williams presented Municipal Order 7, designating a Social Media & Privacy Policy, Website Disclaimer, and Use of City Seal. Brittney Gorter made a motion to approve. Austin Schwenker seconded, and the floor opened for discussion. There were discussions of when it should go into effect. Andrew Klump made a motion to table the approval for a special meeting on March 4, 2019 at 6:30. Jennifer Kleier seconded, and motion passed unanimously.

Austin Schwenker wanted a clarification from the resident on the use of golf carts on the city streets. Mr. Miller explained again his desire for the golf cart. There were lengthy conversations about the use of golf carts on city streets.

Mayor's Report

Mayor Williams discussed drains in the parks and the time that Jason works on the drains. There were several comments on the recodification of the codes. Stephanie George started the conversation about the speed humps and speed bumps. Andrew Klump continued his conversation about his dismay with the issue.

The Mayor gave the update on the dog waste station and the garbage cans in the parks. Mayor Williams discussed there was no new updates on the entrance lights.

Brittney Gorter questioned the building of the 2-story garage. Mayor stated an updated building permit application should solve this problem in future .

Closing Public Comments

Laura Kelty, 3242 Cross Bill – Ms. Kelty suggested of a \$1,000.00 hold on any job and if everything is as the permit issued the check would go back to the builder or owner. If the city is not satisfied and the city keep the \$1,000.00. The Mayor questioned if the money must be escrowed and what other issues with

the \$1,000.00. She continued the conversation about the speed humps, bumps and cleaning of drains. Ms. Kelty discussed kids riding bikes on Falcon. She started her discussion about Insurance Business Tax.

Darrell Shelton, 919 Audubon Parkway – Mr. Shelton asked if the sidewalk repair company could give a group rate if so, many residents signed up by a certain time. This would help with the city's liability. He expressed his feeling on the Insurance Business Taxes. There were continued conversations about the Insurance Business Tax. He expressed his feeling about the 2-story garage.

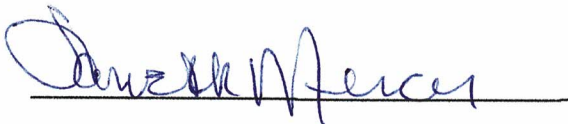
Gil Zinner, 3315 Wren Rd – Mr. Zinner told a story about a tree in his yard that was taken down and opinions on dead trees. He asked if there was going to be a survey distributed about city services to give the residents a chance to voice their opinions. Mr. Zinner stated that there hasn't been a code enforcement officer for years and wanted to clarify that citations that were issued previously will they be enforced now. The Mayor replied he didn't think that the city could retroactively enforce old citations, new citations will be issued.

Andrew Klump, 900 Audubon Pkwy #3 – Mr. Klump expressed his concern with rushing through the code enforcement officer.

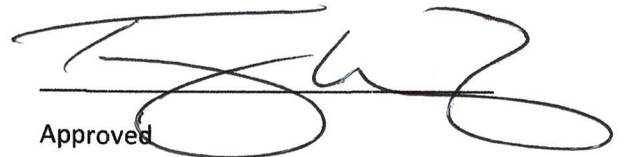
Madeline Bozeman made a motion to adjourn. Jennifer Kleier seconded, and the motion passed unanimously.

The meeting adjourned at 10:25 PM.

The next scheduled meeting is set for March 4, 2019.

A handwritten signature in blue ink, appearing to read "Jennifer Kleier", written over a horizontal line.

Attested

A large, stylized handwritten signature in blue ink, written over a horizontal line.

Approved