

REGULAR MEETING OF STINNETT CITY COUNCIL

MINUTES

JANUARY 12, 2016

6:30 PM

609 MACKENZIE

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| CALLED TO ORDER | COLIN LOCKE, MAYOR @ 6:39 pm |
| PRESENT | COLIN LOCKE, Mayor; RUSTY SIMS, Alderman PL-1; JUSTIN HART, Alderman PL-3; JEFF IRVIN, Alderman PL-5 |
| ABSENT | APRIL COUCH, Alderman PL-2; CHAR KERR, Alderman PL-4; ALAN WELLS, Fire Chief |
| STAFF | DURK DOWNS, City Administrator; LYNETTE SLOAN, City Secretary; KLETE WAGNER, Police Chief; LOGAN GARRARD, Maintenance Supervisor; MICHELLE AHLERS, EMS Director; NANETTE LEWIS, City Advisor; CARLOS RAMON, ACO/Code Enforcement |
| GUESTS | Brice Manasco, Dewayne Lunday, Loren Tooley, Tania Poole, Amanda Simpler, Barbara Penfold, Chad & Amber Francis, Susan Reed, Gena Wells |
| INVOCATION & PLEDGE | COLIN LOCKE |

Agenda

ITEM 2 PUBLIC COMMENT

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| DISCUSSION | Brice Manasco is upset about utility rate increase. He inquired about new equipment purchases. COLIN LOCKE confirmed the city purchased equipment. He noted the city must meet its obligation to pay the bills. Loren Tooley requested the animal ordinance be modified to include enforcement for the significant stray cat issue. He noted that one cannot drive down the street without needing to dodge a stray cat. DURK DOWNS noted the city animal control and shelter is not set up to deal with cats. COLIN LOCKE stated the council will take the matter under advisement. |
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ITEM 3 HELEN'S KIDS 2015 SUSAN REED & AMBER FRANCIS

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| DISCUSSION | Helen's Kids 2015 was very successful and helped 60 kids. Susan Reed stated they would like to move the money out of the city so that it is less hassle for everyone. She stated their financial advisor, Michelle Griffin, told them that a 501c3 was not needed for the money to be transferred out of the city's bank account to Helen's Kids. When Helen started years ago it was not a non-profit. She helped kids in need and others donated to help her efforts. People were not doing it for tax relief benefit. The group does not want to spend \$600.00 of the donated money to set up the 501c3 especially when they are being advised it is not necessary to move forward. COLIN LOCKE advised the council had discussed the matter previously and are anxious for them [Helen's Kids] to get their money back so the city does not have to mess with it. However, he is most concerned from a legal standpoint that the funds are transferred properly. The city attorney will be consulted prior to any action. He noted that as soon as an answer is obtained, DURK DOWNS has the authority to transfer the funds. The Mayor thanked the ladies for the success of Helen's Kids 2015. |
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ITEM 4 BUSINESS GRANT PENFOLD

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| DISCUSSION | Mrs. Penfold stated she has checked around and other businesses have received money for handicap ramps. COLIN LOCKE advised the CDC must reestablish a board before consideration of a business grant. He also noted requirements for a grant; written performance agreement including a schedule of additional payroll, for jobs to be created or retained; another stipulation lists the capital investment of the project; finally terms of repayment should the business fail. But first the city must decide if they are going to reestablish the CDC board or abolish it. Considerable research is still needed before the city can proceed. Most importantly, we need to know if the CDC is a Type B entity. Mrs. Penfold stated she presented a business plan to the previous CDC board. The Mayor stated that Logan had checked and our portion of the street is in good shape. He regrets having to put Mrs. Penfold off, but the council has decisions to make. He stated his opinion of wanting to abolish the CDC so those tax dollars could go to street maintenance. If a CDC board reestablishes, they will be instructed to contact Mrs. Penfold. A discussion ensued regarding a pothole being in the city or state right of way. The city has previously filled this hole, but it is in the state right of way. Logan will check it again. |
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ITEM 5 REVIEW DECEMBER 2015 TRANSACTIONS

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| DISCUSSION | Expense in 5-25130 is the Physio Control annual maintenance agreement for the Life-Packs. The last EMS subsidy is from July 2015. Expense in 5-65211 is the Excavator. It is more cost effective to leave the pool phone on vacation rather than pay the reconnect and disconnect fees each season. Expense in 5-18131 is for the HUMVEE batteries and labor. The expense in 5-19212 is 18 refurbished dumpsters. |
| ACTION | Motion to APPROVE – JEFF IRVIN; Second – JUSTIN HART; VOTE: YEAS – 3 NAYS – 0 |

ITEM 6 DEPARTMENT REPORTS REPRESENTATIVES LISTED ABOVE

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| DISCUSSION | CDC – None. |
| EMS – Presented monthly report, noting 18 calls; 19 run; the variance was used 11 times; Fire standby on big fire North of Stinnett; and 9 patient refusals. The fire department helped clean bays for inspection. Station looks great. All previous HIPAA violations are now behind a locked door. Need a HIPAA room. The Director suggested converting the current storage room for HIPAA document compliance. A more adequate storage room could be built. The building is having some electrical problems that are fire hazards. Regarding upcoming courses, the Director will be attending the following: 12-lead [8 CE], PEPP [16 CE], Control Bleeding Instructor [3 CE], & SPEMS Conference [6 CE]. The EMT classes begin Feb 29 th thru Jun 16 th with 2 CPR classes. State course # is needed, but is delayed due to problems with the state computer. 11 have confirmed to attend the course. The Fire 501c3 is covering the individual cost of the EMT class, \$265 per student. The CPR classes will be offered at \$5 per person. It will be good PR with the community. JUSTIN HART suggested that the city pay the \$5 for any city employee taking the class. 638 expired non-narcotic vials have been disposed of properly. The expired narcotics are still in process, but will be | |

gone in 2 weeks. The state license; CLIA; and DEA status are all in good standing. Need new mutual aid agreements with all surrounding communities. The Director has determined it is more cost effective to keep vials of epinephrine instead of epi-pens which cost \$400 each. JEFF IRVIN inquired if any of the previous volunteers have contacted us. Michelle Ahlers stated she has not heard from anyone. Their pagers and radios need to be returned. During the station clean up, 9 Icon radios were found new still in the box. Alan Wells believes he can program them. We will just need new chargers. Alderman Irvin asked if this dissolves the EMS 501c3. It should have no effect on the non-profit. However, they did set up their non-profit organization with the name of Stinnett EMS. Items of a questionable nature were turned over to Durk Downs.

FIRE – Gena Wells presented update. Unit 5-replaced tire and rim; Unit 4-down w/ pump carburetor problems; Unit 1- good. Continuing work on meeting room. COLIN LOCKE mentioned a letter regarding the Kathy Ryan Rural Fire Grant. Mrs. Wells has received same notification and is pursuing the grant.

PD – Presented monthly report. Noting 33 contacts and 54 calls for service. JEFF IRVIN asked about the vehicles. Unit 2 needed battery replacement. COLIN LOCKE asked if the radio situation is any better. No.

ACO/CODE ENFORCEMENT – Presented monthly report, noting 9 dog calls; 3 in shelter; 3 dead animal calls; & issued 2 citations. 1 new CE case; 2 courtesy letters; 3 certified letters; 2 individuals are complying; 4 in non-compliance. COLIN LOCKE noted things are going good.

MAINT – Presented monthly report, noting 83 utility calls; 3 sewer calls; & 1 trash. JEFF IRVIN asked about the sewer line project. The Stroud gas extension starts tomorrow. Will wait on the Spring for the water. JUSTIN HART noted a large amount of water west of town. This is the concrete return line. There is another significant leak behind Char Kerr's house. Well #1 may need to be pulled. Hydrotex came out to investigate a significant vibration. They found nothing and the well is running fine at this time, but this may be indication of problems to come. COLIN LOCKE asked about the red water situation with well #3. Logan stated that the well has been flushed and it is possible that it will be turned into the system soon. Wells #1 & #2 run in 24 hour shifts. Mr. Manasco spoke up and stated the guys are doing a good job in repairing water leak.

ADMIN – COLIN LOCKE inquired who is Seth Lujan noted on the memo from Craig Jones. He is not bar certified, but is assisting Craig Jones on our inquiries. He is doing the research and Mr. Jones is signing off on it. Durk Downs noted he believes Mr. Lujan may take on the city when he finishes the bar. Regarding the lawyer's response about terminating the CDC, the entity can be terminated when a petition is submitted for an election and the majority vote to terminate. The Mayor said it also matters when the CDC was incorporated. Nanette Lewis noted the CDC was incorporated 3/3/2000 according to the Comptrollers office. The City Administrator continued with the lawyer's response noting the assets in the CDC if terminated would return to the city. The Mayor asked if everything regarding Happy State Bank was complete. Durk Downs stated that it was still with Craig Jones and weekly phone calls are being made to pursue answers to all outstanding legal questions. He stated that he and Lynette would be meeting with Happy State Bank as soon as possible to get everything transferred over. The Mayor inquired about the Hotel/Motel tax issue. Lynette Sloan explained that the issue is resolved, but the ordinance needs amended to handle the proper documentation of exempt entities. Mr. Downs finished his report noting the court collections contract had been adjusted and returned to Purdue for approval. Lynette Sloan advised the upcoming audit has been moved to the 19th of January. Regarding the General Election in May, the time to file for a place on the ballot is January 20th to February 19th, between 7:30 & 4:30 each business day. The Order to hold a General Election will be an agenda item in February. She also stated all adjusting journal entries necessary are complete except for the depreciation expense. She said everything is being processed timely with accurate coding which makes the bank reconciliations go smoothly. This is a marked improvement and she complemented the ladies responsible for the data processing.

ITEM 7 STERICYCLE CONTRACT MICHELLE AHLERS

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| DISCUSSION | This is a medical waste disposal contract first signed in 1999. Tonia Eberhardt signed an additional contract with 5 year terms for pharmaceutical waste disposal. To cancel both contracts will cost \$5200.98. The company has offered to cancel the medical waste contract with no penalty if the city will agree to keep the pharmaceutical disposal contract. Chris with Stericycle has offered to reduce the contract terms to 3 years at \$41.40 per month for non-narcotic pharmaceutical waste. Total cost \$1490.40. COLIN LOCKE noted the company needs to be notified that only Michelle Ahlers or Durk Downs have the authority to make changes to the account. |
| ACTION | Motion to APPROVE – JEFF IRVIN; Second – JUSTIN HART; VOTE: YEAS – 3 NAYS – 0 |

ITEM 8 ORDINANCE 231-D PROPERTY CLEANUP

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| DISCUSSION | This amended ordinance changes section 13 to add fine amounts and change the offense charge to \$500.00 per occurrence. Adding to section 10 A, subsection 3 providing for authority to file a complaint with the Municipal Judge. Additionally the definition of premises added parameters for the property boundaries and owners responsibility. JEFF IRVIN asked about the timeline allowed in the ordinance. 7 days. RUSTY SIMS asked about RVs parked in the right of way on Main St near the Gas Gathering Specialist property. He inquired if he needed to file a complaint. Durk Downs advised he speak with the Chief of Police as this ordinance does not cover the issue. JEFF IRVIN noted the RV blocks the line of vision COLIN LOCKE mentioned that the definition in this ordinance for 'open storage' would cover the RV. Nanette Lewis noted that ordinance 189-B covers parking on Hwy 152 and could be easily adapted to cover Hwy 136. There was no objection to the amended ordinance and the Mayor read it into public record. Before the vote, Mr. Manasco spoke up and asked the council what was going to be done about the 'swamp' in the alley near City Hall. JEFF IRVIN advised that the matter was discussed at the last meeting. The action on this matter then proceeded. |
| ACTION | Motion to APPROVE – JUSTIN HART; Second – JEFF IRVIN; VOTE: YEAS – 3 NAYS – 0 |

ITEM 9 DEFER 10% PENALTY & UTILITY CUT-OFF FOR BILLS DUE 2/1/16

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| DISCUSSION | Lynette Sloan explained that the change of billing cycle is progressing. She requested the Council consider deferring the 10% penalty for late bills and utility cut off for non-payment during this prorated billing cycle. This will help with the transition and customer's budget adjustments. It was noted this is a one-time deal. |
| ACTION | Motion to APPROVE – JUSTIN HART; Second – JEFF IRVIN; VOTE: YEAS – 3 NAYS – 0 |

ITEM 10

REVIEW MINUTES – DECEMBER 2015 MEETINGS

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| DISCUSSION | COLIN LOCKE noted that the word 'raises' in item 16 was misspelled on the 12/15/2015 minutes. Lynette Sloan advised the copy of the minutes provided for approval did not have the guests listed. She discovered this after their packets went out, so she made the adjustment to the official copy. The minutes from 12/21/2015 special meeting had no errors. |
| ACTION | Motion to APPROVE – JEFF IRVIN; Second – JUSTIN HART; VOTE: YEAS – 3 NAYS – 0 |

ITEM 11

REDUCE EMS BILL

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| DISCUSSION | COLIN LOCKE stated the city is not interested in reducing the bill per the patient's lawyer's request. If necessary someone from the city will gladly attend any court proceedings. |
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ITEM 12

STRUCK OFF PROPERTY LOT 5, BLOCK 1, HH2

110 MACKENZIE

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| DISCUSSION | Jonathan Sharp offered \$2300.00 for this property that has been on the struck off list since 5/31/15. This property has been before the council on a previous occasion, but from a different individual. The offer is denied and a counter offer of the property's appraised value, \$2800.00 will be submitted. |
| ACTION | Motion to APPROVE – JEFF IRVIN; Second – RUSTY SIMS; VOTE: YEAS – 3 NAYS – 0 |

ITEM 13

EXECUTIVE SESSION

[TGC; 551.074. 551.072]

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| DISCUSSION | The council determined there was no need to move into a closed door session. |
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ITEM 14

APPROPRIATE ACTION FROM EXECUTIVE SESSION AS REQUIRED

[TGC; 551.102]

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| DISCUSSION | None. |
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ITEM 15

ADJOURN

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| DISCUSSION | None. |
| ACTION | Motion to APPROVE – JEFF IRVIN; Second – RUSTY SIMS; VOTE: YEAS – 3 NAYS – 0 |

MEETING ADJOURNED @ 8:26 PM

APPROVED



COLIN LOCKE
MAYOR

ATTEST



LYNETTE SLOAN
CITY SECRETARY