

**Stanford City Council
Regular Meeting
Thursday August 3, 2017
6:30 p.m. Stanford L& N Depot**

Council member Sara Givens opened meeting with prayer. Mayor Carter led the Pledge

Roll Call

Council member present; Ronnie Deatherage, Peggy Hester, Scottie Ernst, John Sallee, Sara Givens.

Council member Dr. Naren James was absent

Others present; City Attorney Chris Reed, City Clerk Dana Taylor, Police Chief Zach Middleton, Fire Chief Scott Maples, P&Z commissioners Ward Hart and Jim Jarrett, Tom Moser, Heather Mullins, Amy Hazlett, Jaime Mingo, Rosemary Hazlett, Tim Estes, Abigail Whitehouse Interior Journal Editor. Police officers Jeremy Garrison, Joe Gilliland, John Williams, Ray Sayre were also present.

Mayor Carter declared a quorum.

Recognize Jack and Wanda Withrow for their service to the city

Jack and Wanda did not attend meeting

Recognize Dean Speaks and Andrea Miller for donation of 4 picnic tables for Depot Park

Mayor Carter recognized Dean Speaks with American Woodsman Insurance Company for donation of four picnic tables for Depot Park. Mayor also recognized Andrea Miller for her work to get the donation.

Approval of minutes:

July 6, 2017 regular meeting

Council member Hester asked the first name of Toby Jenkins on page 8 under council member business be changed to Coby Jenkins.

Mayor Carter asked for approval if there were no other corrections, deletions or problem with missed spelled words.

There being no other corrections Council member Hester made motion to accept as amended on spelling of the word. Council member Givens 2nd the motion. All voted aye in favor.

Council member Givens informed Mayor Carter she appreciated street sign on Martin Luther King Street being up.

July 20, 2017 special meeting:

Mayor Carter asked for any deletions.

Council member Deatherage asked about the wording for Attorney Reed. Council member Deatherage said in the original minutes it has "at the beginning" and revised minutes does not have that. Council member Deatherage said this takes away and gives a different meaning to

the sentence. Mayor Carter responded he would like to listen to the tape to make sure that is exactly what was said. Mayor Carter asked council if that was okay with them.

Council member Hester asked what the difference was. Mayor Carter responded the first one she came to me with said what it says here and she changed it. City Clerk responded change was made at Mayors direction.

Council member Deatherage asked why it was changed. City Clerk Taylor responded Mayor Carter asked me to remove "at the beginning" and that is what I did. Mayor Carter responded no, the first time you gave it to me it was in there. City Clerk responded the first one I presented to you said "in the beginning" and you had me to revise and remove that. Mayor Carter asked Council member Deatherage to come and listen to the tape.

Council member Ernst informed council the minutes for this meeting can't be approved. Mayor Carter said it needs to be correct and if this is what is on the tape that's what it will be.

City Clerk Taylor informed council she listened to the tape three times to be sure she did not misquote Attorney Reed.

Mayor Carter responded I want to listen to the tape, I have a right to this it is public record. City Clerk Taylor agreed Mayor Carter has right to listen to tape, but reminded him this is on my personal devise that I paid for with her own money.

Council member Ernst made motion to table minutes until next council meeting for approval, Council member Hester 2nd motion. All voted aye in favor.

July 27, 2017 Emergency meeting;

Mayor Carter asked Attorney Reed how the minutes needed to be addressed. Mayor Carter asked council if they had any problems with the minutes. Council member Hester said she had issue with how the meeting was called in the newspaper. ~~Council member Hester said she had nothing to do with calling that particular meeting and asked this be inserted into the minutes.~~ There being no further discussion Council member Hester made motion to amend minutes to read city council did not call the emergency meeting held July 27, 2017. Council member Givens 2nd the motion. All voted aye in favor.

*Amended 9/7/2017 to show
Council member Hester said she not council did not
call the emergency meeting held July 27, 2017
Motion amended for permanent record*

Planning and Zoning;

Update on July 26, 2017 training

Mayor Carter asked for input from Ward Hart, Jim Jarrett and Joe Gilliland about the training. Ward informed council Kentucky League of Cities provided a good training last Wednesday. All Planning and Zoning members and Council member Sallee attended. Ward informed council session was very informative, KLC is a great organization and David Pike who did the training was excellent.

Ward gave P&Z update

1. Green Houses are starting to coming along

2. Dollar Store Building is coming along good
3. Old Food Lion Building parking lot has been redone
4. David Pike with KLC said most sign ordinance may be outdated. The Supreme Court ruled in 2016 signs cannot prohibit freedom of speech.

Attorney Reed advised informed council he anticipated this. A ordinance has been drafted to update sign ordinances.

Council member Hester informed council ARB is up to date.

Council member Deatherage asked if Kirk Correll attended the training. Ward responded no he had

Council member Deatherage asked if Code Enforcement Officer Jeff Knouse attended the training. Ward responded no.

Mayor Carter asked Ward if he thought training was beneficial. Ward responded yes it was basically stuff we went over before.

Council member Deatherage asked if the training will be offered again anytime soon. Ward responded another one will be at the end of August. Ward informed council David Pike with KLC suggested Board of Adjustment members need to go. Council member Deatherage said he thought Jeff Knouse should attend this one. Council member Givens asked if anyone could attend. Ward responded yes. Council member Deatherage said he thought it would be good for council to attend.

Mayor said he would try to get Jeff, Board of Adjustment members and any city council member who want to go to attend the meeting.

Council member Hester asked Ward if he would stay and address questions from Eugene Shearer.

Mayor Carter suggested having Ward on radio again to educate people about permits.

Attorney Reed informed council an ordinance has been drafted to update signs ordinances.

Abigail Whitehouse asked Mayor Carter to use microphone so people hear.

Old Business:

Update business license ordinance to exempt 501c 3 non-profit businesses from paying a license fee

Attorney Reed explained the original license fee ordinance applied to everyone equally.

Attorney Reed said it was the opinion of the council non-profit businesses do more good for the community than the \$100 fee collected for both businesses. Attorney Reed informed council churches are exempt as well as Goodwill and Salvation Army. Attorney Reed asked council for any discussion.

Council member Deatherage made motion to amend business license ordinance to include non-profits, Council member Sallee 2nd the motion. All voted aye in favor.

Attorney Reed read the ordinance.

New Business;

1 Set property and personal tax rate 2017

Mayor asked council if they had looked this over. Mayor explained real property tax is up approximately \$2.5 million from last year, personal property is up approximately \$5.5 million. Mayor said if we take the compensating rate this will actually lower our property taxes. Mayor said if he is reading this right if we take the 4% rate it will still be lower than last year. Mayor explained if council want to take the 4% a hearing will have to be held. By taking this, it will a little more than last year. Mayor explained real estate and personal values have gone up and taking the 4% will be lower than last year.

Council member Ernst asked if this will not be a tax increase on the citizens. Mayor responded no either way. Mayor Carter asked it be noted in the minutes he made a mistake, some property taxes would go up if PVA assessed property value up.

Council member Givens made motion to go with 4% rate on real and personal property for 2017, Council member Sallee 2nd the motion. All voted in favor of, motion carried.

Mayor Carter informed council a hearing will need to be held next week.

Attorney Reed advised council the has to be done by August 28.

Attorney Reed read the 1st reading of the ordinance setting the tax rate for real and property for 2017.

Citizens comments about proposed tax rate;

Barthenia Brown said she would go with what is less tax for me to pay

Tim Estes if 4% is not taken you will never recoup what you don't take. If it isn't going to cost more take the 4%

Jim Jarett take the 4%

Joe Gilliland take the 4%

Jaime Mingo said she was in favor of taking the 4% as long as there is an understanding that her tax payer dollars are spent the best way they can be.

2. Approval to declare two city vehicles surplus property;

Mayor Carter informed council there are two vehicles we need to surplus for the city. One being a 2003 Chevy Trailblazer, the other a 2005 Ford Explorer. Mayor informed council both vehicles has a lot of miles and mechanical issues. Attorney Reed advised Mayor this is also for other cities. Mayor Carter responded he checked with Crab Orchard and Hustonville and they did not want either one. Mayor Carter asked Attorney Reed if it was okay to put out for bids. Council member Sallee made motion to declare the two vehicles surplus for the city and advertise for sealed bids. Council member Ernst 2nd the motion. All voted aye in favor, motion carried.

Attorney Reed read the resolution per KRS 82.08

Council member business;

Council member Deatherage asked about three- way stop sign at Edgewood Dr. and Metker Trail. Council member Deatherage said people on Metker Trail are not stopping because there is no sign. Council member Deatherage said he would like a three-way sign on Metker Trail. Mayor Carter responded we will try to get one ordered.

Council member Deatherage said sidewalks are in terrible shape in front of the bank. Mayor Carter responded this is city responsiblites and this has been fixed. Council member Deatherage asked about area in front of the Judicial Center. Mayor responded this is the counties responsibility. They are working on this.

Council member Deatherage asked since the Comprehensive Plan is not being done by Bluegrass ADD can we start reviewing ordinances. Mayor responded he hadn't had time to talk to them about this. Mayor added this may need to be done by an expert. Council member Deatherage asked Mayor to report back next month. Mayor said he would.

Council member Hester asked about water meter covers on Herndon. Mayor Carter informed council he met with the water commission and was told Dustin Harmon is to take care of this. Mayor Carter informed council he met with Ben Harmon and he is suppose to blacktop basketball court.

Council member Hester asked the minutes to reflect dead end sign on Powers Court. She asked if this has been taken care of.

Council member Hester asked minutes reflect problem in front of Coby Jenkins on Anderson Heights. Mayor Carter responded he, Police Chief Zach Middleton and Code Enforcement met with his wife yesterday. Mayor said we had a good conversion about traffic coming onto private property. Mayor questioned whether we can block this off legally. Mayor Carter informed council the state has donated a guardrail and poles. Mayor said we are looking at this and maybe speed bump. Mayor informed council we will do what we can legally.

Council member Hester said she didn't think speed bumps would solve the problem. She said prior to this there was a guardrail that prohibited traffic. She asked it if can be put back. Mayor added a gate was also there.

Police Chief Middleton informed council we couldn't do anything about this same problem back in 2015. Police Chief Middleton informed council property in now under different owners and Attorney Reed is looking into what we can do legally about access off Somerset Street. Mayor Carter said we know we can put up a speed bump but the best solution legally would be a guardrail. Mayor said we can go with the largest guardrail we can get. This will help some. Chief Middleton said he spoke to Fire Chief Maples and there maybe issue with fire truck going there. Chief Middleton advised council this is something we need to look into. Mayor Carter asked can we block private property from coming into the street.

Council member Deatherage addressed pot hole at end of Dogwood and Elm Street that needs to be filled.

Council member Ernst said at last meeting swimming pools were discussed. He asked if an ordinance for swimming pools has been addressed.

Mayor Carter asked Ward Hart to address this.

Ward informed council swimming pool issue was brought up by Scott Maples at Planning and Zoning meeting two months ago. Ward said Scott had observed pools being put in that we have no control over. Ward informed council there is ordinance that basically addresses safety issues making sure they are secure. Ward informed council current ordinance address whether pools needs ladder. Ward informed council a building permit is required for a deck but not a pool.

Council member Ernst asked about the \$25 permit fee. Ward responded this is a fee for a normal building permit. Council member Ernst said so there is no ordinance fee for this.

Council member Hester asked if this needs to be addressed by an ordinance. Ward responded he has sample ordinances from other cities. Ward said most insurance companies require pools be fenced in or have a ladder for safety issue.

Council member Ernst asked if Code Enforcement was checking pools. Scott Maples responded this is a Planning and Zoning issue.

Mayor Carter asked if an ordinance needs to be drawn up by Planning and Zoning and presented to the council. Ward responded yes if this is route you want to go. Mayor asked council if they wanted to go that direction. Council member Ernst asked if a pool put in just for summer needs to be addressed differently than a permanent pool. Ward responded there is an ordinance that has specifications about which pools are exempt based on size.

Council member Hester said new ordinance should consider in ground pools as permanent structures. Council member Hester added she didn't see it being practical to enforce a pool that is three feet deep if this can be done. Council member Ernst suggested this is something Planning and Zoning needs to address. Council member Ernst said its more of an issue where pools are being located to close to property lines.

Mayor asked Ward to come up with something in the next few months to present to the council.

Council member Ernst asked about handicap parking in from of Colemans and Bluebird. Mayor responded we have signs and poles and will probably have those in first of next week. Council member Ernst asked Mayor if we went with poles he suggested that go with others downtown. Mayor responded he hadn't checked on those. Mayor Carter said these can be changed out of we can find some.

Council member Ernst asked about sidewalk on Miller Street. Mayor Carter responded this hasn't been addressed. Attorney Reed informed council we are working on getting right of way. Council member Reed advised council properties are to be surveyed and we are waiting for property owners to give easements.

Council member Ernst said last Friday it was brought to his attention three people came to city hall to get business license and Jill could not adequately help them. City Clerk Taylor responded she is working with her on this. City Clerk Taylor said this has been covered at least three times and will continue to work on this.

Council member Ernst asked City Clerk if she worked with people if they want to look or make copies of records. Council member Ernst asked do you all allow them to do this. City Clerk Taylor responded to this by addressing response to Mayor Carter. City Clerk said she has respect for Mayor and understands she can be terminated at any time for any reason regardless. City Clerk said to Mayor she did not like the implication you stated this morning there was something improper going on between me and Mr. Jarrett "people are talking". City Clerk Taylor present documentation to council members for request from Mr. Jarrett to revive records. She informed Mayor request was what was being done. Mayor Carter responded I understand that. City Clerk said to the Mayor she resented the implication you made that he and I were doing something improper. Mayor Carter responded I said it didn't look good he needs to be at a separate table. City Clerk Taylor responded you said to send him to the backroom. City Clerk Taylor advised Mayor she was not there because something looks good, I'm there because of what the law says. City Clerk said Mayor suggested he go back into the other room. City Clerk informed the Mayor the reason I didn't do this was because I am the keeper of the records and I cannot send them to another room with records. City Clerk asked what if he walks out with them.

Mayor Carter said he wanted a table put in the room by itself. City Clerk asked where he would put it. Mayor responded it doesn't have to be a big table.

Citizen asked Mayor Carter why he was concerned with him looking at records. Mayor responded it needs to be separate. Citizen said you make implication something was going on. Mayor responded he did not. Mayor informed citizen he is her boss I want a table to the side. I have that right.

Jim Jarrett said at the time I started out at the little desk while she was at her desk. Mayor responded at one time you were sitting right next to her. Jim responded that is not true. Mayor Carter informed Jim from now on anybody that wants to review records there will be a table over to the side, that includes you. Jim said he only wants access to records, we can do this in your office. Mayor responded "no you are not doing this in my office". Mayor Carter informed Mr. Jarrett he has the right to this, it will be at a separate table, not by her main desk. Mr. Jarrett said if he hears anymore reports you are telling people that something was improper. Mayor responded he did not say it was improper he said it didn't look good. Mr. Jarrett asked why. Mayor responded it just doesn't look good your sitting right beside her going through records. Mr. Jarrett responded he was not right beside her. Mayor said you were I'm going to argue anymore. Mr. Jarrett informed Mayor this foolishness has got to stop.

Council member Givens asked Mayor Carter to calm down, we don't want screaming match.
Council member Givens asked everyone to calm down, do in decency and in order.

Code Enforcement Officer discussion;

Council member Ernst said code enforcement officer collected \$1800 in June and \$2370 in July.
Council member Ernst asked if any violation fee had been brought to the city. City Clerk Taylor responded this is solely for business license. Council member Ernst said his opinion he is doing adequate job and needs to be full time.

Council member Hester said he is doing an exceptional job collecting \$2370 between July 1 and July 28.

Council member Deatherage said there are businesses in town who have never had a business license that now have a license. Council member Deatherage said he is now insuring that this is happening. Council member Deatherage added he is doing an admiral job which has lessened work load on Scott Maples. Council member Deatherage said if he is full time that would free him from that.

Council member Sallee said he is doing a good job.

Council member Ernst made motion to make code enforcement officer full time so he can receive benefits of full time employee. Council member Deatherage 2nd the motion.

Mayor asked Attorney Reed if this passed do we have to amend the budget. Attorney Reed responded yes, we will have to amend the budget.

Mayor Carter informed the council when you go full time you pay health insurance, approximately 12 days of vacation and retirement. City Clerk reminded Mayor vacation is accumulated after one year. Mayor informed council what he personally thought with this being such a new program he thought we needed to take time to see how it worked out after six months. Mayor said Council member Dr. James said we could re-evaluate after six months. Mayor said he is not against doing this somewhere down the road. Mayor said he wanted to see how it was going to work. Mayor informed the council it is so easy to make a mistake. We almost made one with Sara and another with another property in town. Mayor said that's why he thought it should be part time and less as we go. Mayor informed council we hired extra police officer we needed and he is doing a great job.

Council member Sallee asked how long he has been doing this. Mayor responded a litter over a month under HB422. Council member Sallee said he thought we should give him more part time.

Council member Deatherage said at the time we were talking about HB422 it was full time and then became part time. Council member Deatherage said he agreed with Council member Ernst he be make him full time.

Council member Ernst asked for roll call vote.

Council member Givens asked citizens how the felt about this.

Jim Jarrett said full time. Jim said Scott Maples came to council in 2015 because he did not have the time to do this. Jim said he thought it would be best for the town if is full time. Jim said no one has informed building permits or codes. Jim said he is on Planning and Zoning and he wants P&Z to be the same for everyone and city ordinance and P&Z to follow state statue.

Tom Moser asked if Code Enforcement Officer enforced license. Tom said if what was due was collected taxes wouldn't have to be raised. Tom said for every real estate sign there is the potential for three licenses to be attached to that. Tom asked if contractors at Pizza Hut bought license. Attorney Reed responded Jeff collected.

Jaime Mingo said she hiring him full time is a good use of my tax dollars. She added anything he does to take care of the issue we have increases my and everybody else property values.

Kaye Estes said Scott was tremendous in getting problem on Logan Avenue taken care of. He is doing a fabulous job.

Council member Hester said according to the report he made sixty-one runs which brought in \$2370 to the city. Council member Hester said everyone she has talked to says this is a very good addition. Council member Hester added he is supporting himself and she believes this month alone justifies having him full time.

Council member Hester said she has problem with abandoned properties in the city limits.

Council member Hester added she could name sixty blighted, abandoned properties in the city that need to be addressed in a timely manner. Council member Hester said he has justified full time based on the report.

Council member Deatherage said he works Monday, Tuesday and Wednesday and if someone wanted to take care of write up from those days they can't do that. Council member Deatherage added having him in the office five days a week will help. Council member Deatherage said he wished Dana was there on Fridays so things can get accomplished.

Council member Sallee asked if we can afford to put him on full time. Mayor responded yes we can money will come out of the contingency fund.

Council member Givens informed the citizens in attendance she appreciated their comments.

Council member Givens said this helped her with vote.

There being no further discussion Mayor asked for roll call vote to make Code Enforcement Officer full time.

Motion was made at beginning of decision by Council member Ernst to make code enforcement officer full time so he can receive benefits of full time employee. Council member Deatherage 2nd the motion:

Roll call vote

Council member Deatherage Yes

Council member Hester Yes, on behalf of the citizens of Stanford

Council member Ernst Yes, whole heartily

Council member Sallee Yes

Council member Givens Yes, after listening to the people of Stanford

Council member Dr. James was absent

Motion carried

Council member Hester spoke about property at 224 Whitley Avenue. She said there has been Facebook posting about the property. Council member Hester said property is owned by a Vietnam Veteran who is not physically able to care for the house which at this point needs to be torn down. Council member Hester said a page has been setup to help take care of the property. Council member Hester said as a veteran he put his life on the line for us and with him being unable to help she will volunteer time to help. Council member Hester said this is one of those issues we addressed in HB422. Council member Hester added we owe them they don't owe us and she encouraged as good neighbors anyone with free time to help.

Council member Ernst said at this time citation needs to be mailed but no further action taken. Mayor Carter said he would give some money to help.

Council member Ernst asked if street department has a tractor and where is it stored. Mayor responded yes and it is being used at the Fort now. Mayor Carter informed council tractor is being kept in his garage because we have no room in open garage. Mayor informed council he talked to Ward and he said insurance is good. Council member Ernst asked can Aaron use it. Mayor responded yes anytime he wants

Council member Ernst asked if the city has a lift. Mayor responded yes we just had it worked on. Council member Ernst asked if it could be used for the lights. Mayor responded yes.

Council member Ernst said he understood Mayor hired Johnny Williams. Mayor responded yes he will be taking care of the islands, putting down mulch on Logan Avenue and cleaning the parking garage. Mayor informed council Jon Hester wanted to take care of the islands but this is our responsibility.

Council member Hester asked if we still have access to inmates. She asked Jailor Wilson to explain protocol with this and how many will you let city use.

Jailor Wilson explained we have levels of inmate custody. Jailor Wilson said he had been letting Aaron use multiple inmates in the past but for now he is allowed one inmate. Jailor Wilson informed council he made it very clear to Aaron and Mayor Carter that as long as inmate is used in a legal and ethical way he will continue to supply inmates. Jailor Wilson informed council his concern is the jail and the inmates. If inmates are doing something in the city and council member or citizen considers wrong they don't call Eddie they call me. Jailor Wilson said if he gets a call about something that appears to be wrong he will look into it. Jailor Wilson said he had a call about an issue and he investigated it himself. Jailor Wilson said he did not want inmate put into a position they have to go to court and testify they were doing something they should not have done. Jailor Wilson stated he was sure this was looked into and the council will do their job. Jailor Wilson informed council his job is to protect the jail.

Jailer Wilson informed council he will continue to provide inmate as long as city needs them, this helps the city save money. Jailer Wilson added if someone else is hired he will supply inmate.

Council member Ernst asked if training is needed. Jailer Wilson responded a 1 hour training is needed to be certified. Jailer Wilson informed council Scott Maples and most of the fire department is certified.

Council member Ernst asked if Aaron is responsible to watch inmate as to what inmate does. Jailer Wilson responded yes if it's a county inmate he has to be within eye shot of inmate.

Council member Ernst asked if inmate runs away is the city liable. Jailer Wilson responded no. Council member Hester asked if Johnny Williams would be afforded an inmate. Jailer Wilson responded we can train whole department with our guidelines.

Council member Givens asked if inmates know the rules. Jailer Wilson responded rules are so specific technically inmates are not to smoke.

Jailer Wilson informed council inmate will not be a felon. Most are 30,60 to 90 days that are misdemeanors not felons. Council member Ernst asked if we had ever had issue with drug testing. Jailer Wilson responded yes with drugs a continuing problem we rotate inmates so they don't get into a routine. Jailer Wilson said Aaron is learning, Johnny would have no issue. Mayor Carter said the ones we have had that made parole have gone on to be productive members of society. Jailer Wilson suggested Mayor meet with him privately to discuss this.

Jailer Wilson informed council inmates can be used to help with dilapidated properties once process is done.

Council member Ernst asked if there was anything inmates cannot do.

Jailer Wilson responded inmates can no longer shovel snow in the city because there was a slip and fall and the city threw me into a lawsuit. Jailer Wilson said city ordinance says property that butts up to your home or business by law is owners' responsibility, I can't not help with home or private business. Council member Ernst asked if he could not clean sidewalks around the courthouse. Council member Hester asked who is responsible. Jailer Wilson responded the property owner is responsible for the sidewalk.

Attorney Reed reminded council there is pending lawsuit we are asking who is responsible. Attorney Reed suggested this be tabled.

Council member Ernst asked Mayor with Johnny being part time will this be 30 hours. Mayor responded no only when we need him on Logan Avenue. Mayor informed council he will be cleaning the Chevrolet garage couple times a week.

Johnny informed council by law he can't work over \$600 in labor per year. Johnny said to benefit the community he and Mayor had a discussion he would work for \$10 per hour. John said would this not only benefits the city but also give him extra cash. Johnny informed council he agreed to do Logan Avenue and pressure wash the garage.

Council member Ernst said he appreciates what Johnny is doing but asked does Aaron need part-time help. Johnny informed council he would be willing to work as seasonal in spring and summer for 20 hours a week or less if needed. Mayor said he would like John doing this if it can be worked out because he is such a good worker. Mayor informed council we have money in budget.

Council member Ernst asked if Aaron sprays weed and will he need to be trained and have license to do this or do we need to hire someone like B-Green to spray the curbs. Council member Ernst said past Mayor had Guardian contracted to do this. Council member Ernst said at that time we had to do this because state law told us he had to be licensed. Council member Ernst asked if Aaron needs license or let B-Green take care of spraying weeds on Main Street, off streets and islands. Mayor Carter responded he would check with Aaron about his license. Mayor informed council he is pretty sure he had training on this at some point but may need to update. Mayor Carter informed council he will get with Dani Rice if Aaron can't. Council member Hester asked if city pays for the pesticide involved in spraying. Mayor responded yes. Council member Hester if it would be more economical for the city if B-Green was used since they supply everything needed. Mayor responded he will check into this.

Council member Ernst asked if Aaron has good adequate equipment to do the job. Mayor responded he has good equipment has zero turn mower, all kinds of chainsaws, all kinds of clippers to get tall limbs. Mayor informed council snow plow situation will be updated. Council member Ernst said this is what the citizens want; they want streets paved, street signs replaced, good fire and police protection, good water and sewer services and they want their money spent wisely.

Council member Hester said she thinks we all know there has been some problematic behavior the last few weeks. Council member Hester said this is to be expected when people have different ideas about how things should be done. Council member Hester said she thought we are all mature enough to understand everybody deserves a 2nd chance, without 2nd chances she would not be seated here. Council member Hester said she would return to just the minimum of decorum in our meetings and stay that way. Council member Hester suggested bringing problems to the table, discussing it and moving forward with city business. Council member Hester said we are adults, we know why we are here and what we are suppose to address. Council member Hester finished by saying we are to be held to a higher standing than in the last few meetings. We owe it to the people that voted us to these seats to show respect as we speak at these meetings. Council member Ernst responded this goes both ways.

Minutes amended 9/7/2017 to include Council Member Hester said it goes all way.

Citizens Comments:

Kaye Estes address council about the islands on Logan Avenue;

Kaye thanked City Clerk Taylor with insight with the process of getting information to the council. Kaye thanked Mayor and Council for listening.

Kaye said there are items she wanted to make sure are in the minutes.

Kaye addressed the many years of not addressing neglect of the islands until it becomes a problem. Kaye said to control weeds mulch must be put down. Kaye said there are areas other than Logan's Avenue that need to be addressed. Kaye said there is debris in creek area.

Kaye addressed the need to fix and take care of storm drains.

Kaye said she is concerned there is underlying issues causing brick in sidewalks to deteriorate and fall.

Kaye asked that we be a team and be proactive so this issue doesn't have to be addressed in the future. Kaye said we are fortunate to have what we have in this town. She asked we be ambassadors for what we have and take care of it.

Mayor Carter said he thought water meters are the main issue. When they were put in it was tough to get sidewalk pavers level. Mayor informed council these have been taken care of.

Kaye said she appreciated that but to stay on this so in 10 years we don't have to come back and talk about this again. Kaye suggested to take care of this address this quarterly.

Mayor Carter said he thought Johnny will do a good job on Logan Avenue and in the garage.

Mayor added hopefully this will work out because he is such a good worker.

Council member Ernst said all the streets in town have to be taken care of.

Council member Deatherage said we have to be proactive. Council member Ernst responded we have not been proactive with the problems we have.

Council member Deatherage said a year and half ago we knew about the trees on Logan Avenue that needed to be trimmed, about the weeds and mulch because we brought these up.

Mayor responded John Hester volunteered to do this. Council member Deatherage responded those are city property we take care of. Citizens should not have to come to city council and address this at all.

Kaye said the as a community we have to work together for the greater good so we have something for our children. Kaye added there is stuff in our town that people are passionate about.

Ella Mae Curtis said she the minutes doesn't show accurate record of what goes on in the meetings and she would like to see more of what people say in the minutes. City Clerk responded the reason you may not see peoples' comments is because they do not stand and state their name. City Clerk said she does not put those comments in without knowing their name. Ella suggested Mayor could require people to state their name. Mayor Carter responded moving forward we will try to get people to stand up and state their name.

Eugene Shearer address council about letter he received in the mail. He asked what has changed since he was granted a conditional use permit and business license to work on lawn mowers. Mayor Carter asked Ward Hart to come forward and explain.

Eugene asked why this was not known when he did this. Eugene said he received harassment letter two weeks after he got this. Ward responded the letter is developer stating subdivision restrictions for Forest Hills. Ward explained restrictions are still the same as they were twenty years ago. Council member Hester said Eugene paid his fee for a license. Ward responded deed restrictions doesn't allow for commercial use in a subdivision.

Council member Ernst asked if Planning and Zoning needed to study this more. Council member Hester asked was he issued a conditional use permit when is license paid up to.

Eugene said he paid for license in September. Council member Hester asked if he paid up for a year? Eugene responded he was told by code enforcement officer they are due in January.

Mayor Carter responded there was a failure to communicate.

Jim Jarret said he filed an appeal because business was in a R-1 and sent him a certified letter. Jim informed council he took restriction to his attorney and was told state law on restriction in subdivision trumps everything including conditional use permit. Mayor Carter asked Ward if he needs to go back to the attorney. Mayor Carter informed Ward we will get attorney to help you address this.

Attorney Reed reminded council we are not getting attorney for Mr. Shearer.

Attorney Reed advised council the city cannot do anything about property restrictions or anything that is in a deed.

Mayor Carter asked Ward if an attorney is needed to advise Board of Adjustments we will get one. Ward responded we will probably need one. Ward added he thought this was cut and dry issue, deed restriction says no to conditional use permit.

Council member Deatherage said this is why we need to review our ordinances. This way when an ordinance is passed everybody is abiding by the same ordinance. Council member Deatherage said if it is not legal for Mr. Shearer it's not legal for me. Council member Deatherage added if rules are on the books they are there for everybody. Deed restriction says no commercial business in that neighborhood.

Council member Hester said he should have never been granted license after he paid the fee.

Council member Ernst said he should be reimbursed for fees.

Ward asked if it is our responsibility or theirs to know what is in the deed. Council member Hester said know the rules and address as they happen, it is not up to the council to go out and check. Attorney Reed reminded everyone what deed says can be found in title opinion.

Council member Ernst said the problem is he has been in business for eight years and this just came to light. Council member Ernst said this is where code enforcement comes in.

Mac McCormack asked who owns old hospital on Portman Avenue. Mayor responded he thought First Southern Bank bought it, Tommy Owens sold it. Mr. McCormack said someone should talk to him about cleaning up limbs that have been in driveway for over three years.

Mayor Carter responded he would turn it in to Code Enforcement Officer. Mayor offered a apology he thought Mr. McCormack was talking about old hospital on Main Street.

Council member Ernst asked if code enforcement officer will start Monday. Mayor responded that is what he plans to do.

Mayor Carter asked Attorney Reed if budget will have to be amended at some point. Attorney Reed responded yes it will need to be amended.

Jamie Mingo asked if we can see what the lease was. Mayor responded it's at city hall if you would like to come and look at it. Council member Ernst asked if Jaime could get a copy. Mayor responded yes.

Council member Deatherage asked if it can be put in the July 20 minutes as an attachment when we come back to approve. Mayor responded Scottie made motion and it was voted on that it be public record. Council member Ernst said the minute were tabled. Mayor Carter responded it is what was said in the public record.

Tom Moser said five years ago council voted to put public parking sign in the parking lot. This has never been done. Mayor Carter responded we had it ordered will probably do that next week.

Tom asked if Mayor wrote letter to district about Herndon Avenue. Mayor responded Doug Gooch and he had meet with state officials two months ago. Mayor said Council member Deatherage has also talked to them. Mayor said we are pushing forward as much as we can. Mayor said state are suppose to fix this. Council member Deatherage explained they are going to grade up sixty feet to fix it. Council member Deatherage said he talked to David Faulkner and David Meade and state officials and he thinks the holdup will be the water lines going through. Council member Deatherage said they don't want to do this and have to blacktop again once water lines are in. Council member Deatherage explained the state came in and released funds otherwise it would have taken all \$77,000 if state funds to fix this one project. Council member Deatherage said he understands all of Lancaster Street will be resurfaced. Mayor Carter added county will also put in new sidewalk.

Adjournment;

Mayor Carter asked if there was no further business a motion by made to adjourn.

Attorney Reed reminded council a public hearing will have to be advertised in the paper and then a public hearing, have a 2nd reading and ordinance to be put in newspaper by the 28th.

Attorney Reed informed council to prepare time for public hearing. He needs to know by Monday.

Council member Ernst made motion to adjourn, Council member Deatherage 2nd. All voted aye in favor.

TIME: 9:15 P.M.

Eddie Carter

Eddie Carter, Mayor

Dana Taylor

Dana Taylor, City Clerk