

City of Auburn

Council Minutes

April 6, 2015

Mayor Stamer called the meeting to order at 7:00 PM.

Present: Barb Stamer, Chris Warwick, Tom Appelt, Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. **Absent:** Wayde Rathgeber.

Department Heads: Bruce Centko, Bill Karhliker, and Kristy Ponsler. **City Attorney:** Raylene Grischow.

I. Mayor's Comments

- a. There were several requests for road closures for upcoming events; Miles for Music 5K on 04/25/15, Crystal's Army 5K/Walk in 05/09/15, and the Carmoody Memorial Bike Ride on 6/13/15. More information is needed from the people involved with the Carmoody Memorial Bike ride because the route through Auburn was unclear. The Mayor will send an e-mail to the organizer so they can attend the next meeting to provide details.
- b. Businesses can put up awnings in front of their shops to advertise their businesses.
- c. Stamer asked for stricter enforcement of the burning ordinance. Berola reminded the council that there is a mandatory first time warning, the fine is \$75 for violation of the burning ordinance. Centko noted they do track the warnings.
- d. The Friends of the Auburn Parks (FOTAP) is interested in applying for a grant for Winter Holiday decorations that would be lighted. There are 17 outlets available for decorations; the council liked the idea of FOTAP applying for the grant.

II. City Clerk's Report – Warwick

- a. Warwick presented the meeting minutes from the city council meeting on 03/16/15. Davidson made a motion to accept the meeting minutes and destroy the recorded copy, second by Gillock. **Voice Vote: AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**

III. City Treasurer's Report - Appelt

- a. Appelt presented the Bills List from 03/17/15 to 04/06/15 for the council's approval. A motion was made by Davidson to approve the bills list, second by Gillock. **Voice Vote: AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**

IV. Attorney – Grischow

- a. Grischow reminded the council that we have a Social Media policy in place and council member should not be talking about or replying to social media post (i.e. Facebook, Twitter, or Instagram) on their personal pages. Such responses open the City up to Open Meeting Act, FOIA and records retention issues in which the City and council members would be liable to violations.
- b. Grischow presented a First Reading of Ordinance 1390-15 which makes updates to the City's Utility Ordinance. Davidson wanted to make sure that the verbiage regarding the landlord's ability to make the renter pay double deposit if the landlord requests it. The double payment is to protect the landlord from tenants from skipping town and the extra usage charges going back to the landlord. Another option was to increase the deposit fees across the board because the overall fee is much lower than surrounding towns. The feeling of the council was to raise the deposits across the board. The proposed new rate would be for Water/Sewer/Gas (\$75/\$75/\$150).
- c. Grischow presented a First Reading of Ordinance 1391-15 which makes the City's ordinance mirror the State Statute on Raffles.
- d. Grischow asked for a short Executive Session at the end of the meeting.

V. Visitors

- a. Davidson reported out for Joe Bell who was listed on the agenda as a visitor. Joe was not able to be at the meeting, his request is to add his own curb and gutter in front of his home, Bell would pay for the installation himself.
- b. Zoning Board – Kessler presented an update that Ray Landers had a petition to make changes on Clover Lane in the Meadowbrook Subdivision, the request was denied by the Zoning Board, but Landers withdrew his request so he can resubmit the request at the next meeting. No action is needed by the council.
 - i. The Zoning Board recommended that the Zoning Application Fee be raised to \$300.00. A motion was made by Kessler to approve that recommendation of a fee increase to \$300.00; second by Johnson. **AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**

VI. Department Heads

- a. Centko
 - i. Centko asked if a contractor is illegally burning, who the fine goes to. Grischow responded the homeowner would be responsible.

b. Karhliker

- i. Karhliker reported that weather permitting they will start working on improving the alleys within the next week.
- ii. Berola asked about who owned the alley way on the west end of Veterans Park, Karhliker replied that the Nursing Home owns that area but the City will fill the holes when possible. Stamer also reported a large pot hole at Washington Street and 1st Street.

c. Ponsler

- i. Ponsler is looking into a desktop computer for the Mayor's office.
- ii. Ponsler noted that the new copy machine will be in on 04/13/15 and the old copy machine will be used by Karhliker's department.
- iii. Ponsler reported that they are now testing the new online payments.

VII. Committee Reports

a. Administration – Berola

- i. Berola reported that at the last Administration Committee meeting they reviewed the Fine and Fee schedule and the Gas Differential. Our gas engineer reported that our gas differential is too low and the rate should be increased. Our current differential is \$3.60 per thousand to \$4.05 per thousand. Berola made a motion to increase the differential from \$3.60 to \$4.05 per thousand effective immediately, second Kessler. **AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**
- ii. On the Fine and Fee schedule it was found that when an ordinance was violated and the City takes action, there is still a cost to the City even if the resident abates the issue before the date on a letter. The new proposal would enforce an administrative fee on that resident to cover administration and legal fees. Berola made a motion to add that new verbiage to the Fine and Fee Schedule Appendix A, second by Kessler. **AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**
- iii. The next Administration meeting will be 04/22/15 at 6:00 PM to discuss the FY2016 Budget and TIF Funding.

b. Public Works – Johnson

- i. No Report.
- c. Public Utilities – Kessler
 - i. Kessler stated that we need to address how we fund the TIF in the upcoming fiscal year. The response was that it will be addressed at the budget meeting.
- d. Health & Safety – Gillock
 - i. No Report.
- e. Health & Housing – Stamer
 - i. Stamer reported that Robert and Sharon Roach have chickens in their garage at 115 South Harris Street. The Roach's have violated this issue before. Berola asked Grischow to send them a violation letter; Centko will hand deliver the violation.
- f. Parks – Tanner
 - i. Ben Ladage has requested the use of Trojan Field for the Men's Softball League and the Men's League would also like to donate a flagpole for center field on Trojan Field.
 - ii. The dirt has arrived for Trojan Field and Karhliker's group is working on getting it spread out.
- g. Library/Technology – Hemmerle
 - i. No Report.
 - ii. Clay Davidson announced that he will be moving to Edinburg soon and will likely be stepping down from the council within the next 2 – 4 months.

VIII. Executive Session

- a. A motion was made by Hemmerle to enter in to Executive Session to discuss a contract issue, second by Tanner. **Voice Vote -- AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**
- b. A motion was made by Davidson to exit Executive Session, second by Hemmerle. **Voice Vote -- AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**

IX. Adjournment

- a. A motion to adjourn was made by Davidson at 8:12 PM; second by Hemmerle. **Voice Vote -- AYE: Tom Berola, Clay Davidson, Matt Gillock, Larry Hemmerle, Rod Johnson, Mark Kessler, and John Tanner. NAY: None. ABSENT: Wayde Rathgeber. (7-0-1).**

Respectfully Submitted,

Christopher Warwick

City Clerk