

CITY OF LOGAN
PUBLIC HEARING AND COUNCIL MEETING
CITY HALL, 108 W. 4TH STREET
MAY 21, 2012

At 7:00 P.M. Mayor Fetter called the regular city council meeting to order. Those present were Council Members Greve and Crum. Clark was present via phone. Johnson and Lefeber were absent.

Mayor Fetter asked if there were any additions or deletions to the agenda. He stated that with the length of time Council Member Clark was able to be present by phone, the council would only be able to take action on items 1 – 7. Motion was made by Greve and seconded by Crum to approve the agenda. 3 ayes.

Next on the agenda was the Public Hearing to approve amending the FY 2011/2012 budget. Mayor Fetter opened the public hearing and asked if there were any comments for or against amending the FY 11/12 budget. There were none.

Item 5 on the agenda was to adjourn the Public Hearing. Motion was made by Crum and seconded by Greve to adjourn the Public Hearing. 3 ayes.

Agenda item 6 was to approve Resolution 12-6: A resolution amending the FY 11/12 budget. Motion was made by Crum and seconded by Greve to approve Resolution 12-6: A resolution amending the FY 11/12 budget. 3 ayes.

Next on the agenda was to approve the consent agenda which consisted of approval of the minutes of the 5-7-12 and 4-23-12 regular city council meetings, set a date of Monday, June 4th 2012 for a regular council meeting and Tuesday, May 29th for a special council meeting, approve the Claims Register, and approve building permits for Robert Bradshaw, 1021 Skyline Dr., fence; Jenna Spencer, 218 N Maple Ave., 20'x10' deck; Scott Bonham, 1010 Skyline Dr., 16'x20' shed with porch; Cindy Wright, 512 N. 4th Ave., concrete sidewalk and patio; Kevin Fitzgibbon, 420 N. Park Ave., 10'x10' deck and privacy fence; Deborah Hoffmeier, 214 E. 4th St., sidewalk A request was made by Lefeber to amend the 5-7-12 minutes and include more of the letter from the city attorney with his responses to the citizen complaint letter turned over to the State Ombudsman. The City Clerk stated that she did not hear from anyone on what to change in the 4-23-12 minutes so they are as previously submitted. Motion was made by Crum and seconded by Greve to approve the consent agenda with changes to the 5-7-12 minutes. 3 ayes.

Council Member Clark ended her call. Items 8 – 16 could not be approved due lack of quorum.

Item 17 on the agenda was the Park Board to update the council on the new park pavilion in City Park. Gary Nordby reported that the pavilion is up, the roof is on and Mike Johnson is working on the wiring. The City Clerk reported that all of the bills that she has received to date add up to \$10,574. There will be another bill for a little more cedar. In the budget amendment, the City Clerk included \$3500 more in the equipment budget for the park to account for the donations. Approximately \$2700 has been committed in donations so far. The original plan was that the

electricity might not be done by the 4th of July, but it looks like it will be completed by then. The City Clerk reported that on May 11th the City got a phone call from OSHA claiming that a concerned citizen had placed an anonymous call to report that G & M Refrigeration had left an electrical breaker box uncovered, exposing employees to live electrical parts during construction of the new shelter. Chief Smith went to the park to check it out and took pictures of everything. He sent the pictures to OSHA and called them and explained that volunteers are building the shelter. OSHA explained to Chief Smith that volunteers don't fall under OSHA guidelines. The City Clerk stated she had tried to find out the name of the person that had called OSHA so that she could let them know that there wasn't an issue because the wires weren't hooked up and therefore couldn't harm anyone. OSHA would not give out the name of the caller.

Citizen's questions/comments: Chris Hartwig stated that the Council set the date for the public hearing and the council meeting and there were not enough council members here at the meeting to take care of the agenda items. He stated that he has been on the council, and there are items on the agenda that are pretty important and need to be taken care of. Now there has to be a special meeting so it's going to cost the City more money. He also stated that he didn't know the reasons the council members were not at the meeting, but he thought they could have made a phone call or something to make changes before the publication in the paper. Hartwig also stated to the Park Board that the pavilion looks very nice, and it's a good asset to the City Park. He said he applauds the Park Board for all of the volunteers that have spent a lot of time getting it done. Bill DeWitt asked if there is a limit of time in which the minutes are supposed to be published in the newspaper. He stated in the last couple of months he knows some of them have not made it in time. He asked if there are some now that aren't making it in time. The Clerk stated that except for one set of minutes, they have been published in the newspaper on time but not always approved by the council. DeWitt asked if there are any ramifications of minutes not being published in time. The Clerk stated that she could be charged with a misdemeanor per State Code. The State Auditor advised her to attach the supporting documents for why minutes were not published in a timely manner to her minutes to alleviate being written up. Mike Johnson stated that the Clerk is responsible to have the minutes published in two weeks. He asked if the Council doesn't like the minutes, does the Clerk have to amend them. The Clerk stated that they are amended but they don't have to be republished. Then they would be approved at a council meeting on the consent agenda with a description of the amendment. Don Blackford asked if the city council raises have already been approved. The City Clerk asked if he meant the city council or city employees. He stated that it was 3%. The City Clerk verified that it was for city employees, and it was approved at the last council meeting. Bob Dean asked at what point would there have been public comment on raises. The City Clerk stated that it was on the agenda at the last council meeting and the one before that. Mr. Dean stated that it was voted on before the citizen's had a chance to comment. He said basically you brought it up, you voted on it and approved it, and the public was never given the opportunity to make any comments. The City Clerk stated that raises are discussed beginning in January and February in the budget work sessions, which are open to the public. In April or May the percentage is decided by the council. The Clerk stated that it could have been discussed anytime in there. Mayor Fetter stated that it should have been discussed when it was on the agenda the first time. Mr. Dean stated that they didn't know what the percentage was until the last meeting, and it was decided and voted on before the citizens had a chance to put their two cents in. He stated that there are several people in this room that haven't seen a raise in years. Whether this is a small raise or not, it doesn't matter. He personally works

for the government too, and he hasn't seen a raise in going on two years. He knows there are probably other people that haven't seen a raise. He also stated that with the economy the way it's going, shouldn't we be trying to reserve every dime that we can to keep in the city coffers before we start spending. He stated that he doesn't think the employees do a bad job, but he doesn't feel he does a poor job or half of the people in this community don't do a poor job. Financially, he has a hard time swallowing giving raises out when the rest of the community doesn't have that luxury. At no point did he see in a public hearing or forum like this the ability to have the public make a comment. The City Clerk stated that every time it has been on the agenda, the Council has had the figures in front of them. Mr. Dean stated that he had not been to every single meeting. Mike Johnson stated that a resolution has not been passed so any comments would be acceptable now. Bill DeWitt stated that he was surprised that we didn't hear anything about what our neighboring communities are with regard to raises. The City Clerk and Mayor Fetter both stated that we had talked about what the County and other area cities are giving for raises. The Clerk also stated that she thinks the one thing that helped is the fact that our property taxes went down so substantially. They went down over two dollars (of the city tax levy). Mayor Fetter reminded the citizens that this decrease in taxes is for the next budget year.

John Espenmiller spoke in reference to the cleanup at the park. At the last meeting it was discussed by the citizens and council members that some trees may have been removed that weren't marked by the state forester. Mr. Espenmiller went to the park and verified that any trees that were removed had been marked. He stated that a great many trees that were marked have not been removed yet. Another statement made at the last meeting was that the people that cleaned at the park created a road. Mr. Espenmiller visited with some residents of Logan that have lived here for a long time, and they said that from where the old boy scout shelter used to be and down that hill that spills out into the park, there was a road. The City took a road grader up there over fifty years ago and flattened it all out so the kids would have a place to sleigh ride. He stated that if it gives the appearance of a road, it was the City that created it, not the people who were cleaning up the park. Gary Nordby had mowed a wide path to help with the removal of the trees and brush that were taken out. Mr. Espenmiller stated that he could not imagine in any circumstance that Mr. Nordby would continue to mow a twenty foot wide path through the park. He stated that a four to six foot wide path is going to be sufficient for a walking trail. Nikki Allen stated that the Park Board is raising money for the survey at Milliman Park. They will be done soon.

Chamber update: Chris Hartwig stated that the Chamber is working hard on the 4th of July celebration. The firework display will be on the 3rd, and the carnival will be set up from June 30th through the 4th.

Clerk/Administrator comments: The Clerk talked to Chris Hartwig about the Senior Center using the Logan Community Foundation as a possible fund manager for the donated Barnhart funds. He is researching if this is possible.

CLAIMS

3 E ELECTRICAL ENGINEERING	REPAIR GENERATOR SEWER	\$878.44
ACCO	POOL SUPPLIES	\$13.18
AFLAC	INSURANCE	\$70.52
AGRILAND FS	FUEL/CHEMICALS	\$1,206.57
FIRST NATIONAL BANK	PAYROLL TAXES	\$2,492.90

GARY NORDBY	LAWN CARE/PARK/COMM CTR	\$545.00
GERHOLD CONCRETE CO	CEMENT/PARK SHELTER	\$2,062.35
LOIS HALL	CONTRACT SERVICE	\$459.74
HARRISON CO LANDFILL	TIPPING FEES	\$45.00
HARRISON CO. R.E.C.	UTILITIES	\$191.40
STATE HYGIENIC LAB	WATER TESTS	\$40.00
JOHN ENGLER, PH.D.	MMPI	\$300.00
SALVO,DEREN,SCHENCK,	LEGAL FEES	\$754.45
LOGAN WATER DEPARTMENT	DEPOSIT REFUNDS	\$200.00
MOORES PLUMBING	CAP WATER LINE	\$190.00
POSTMASTER	POSTAGE	\$282.00
PRINCIPAL LIFE	INSURANCE	\$149.15
SAMS CLUB	MEMBERSHIPS	\$70.00
SCHWERTLEY BROS. LLC	REPAIR MOWER DECK	\$50.00
S.E. SMITH & SONS	SUPPLIES/PARK SHELTER	\$3,218.48
STETSON BUILDING PROD	SUPPLIES/PARK SHELTER	\$135.17
SWIM OUTLET	CAPS/WHISTLES	\$98.20
TRUE NORTH	INSURANCE	<u>\$2,851.17</u>
	TOTAL	\$16,303.72
	PAYROLL THRU 5/21/2012	<u>\$9,098.56</u>
	PAID TOTAL	\$25,402.28
FUND SUMMARY	GENERAL FUND	\$13,051.67
	LIBRARY	\$1,274.44
	ROAD USE	\$2,553.78
	TRUST AGENCY	\$1,528.02
	WATER	\$4,502.23
	SEWER	<u>\$2,492.14</u>
		\$25,402.28

The meeting ended at 7:33 P.M. There was not enough council members present for a motion to adjourn.

Angela Winther, City Clerk/Administrator

Attest: Randy Fetter, Mayor