

COLDWATER CITY COUNCIL
REGULAR MEETING

Monday, September 14, 2020, at 7:00 p.m.

The governing body of the City of Coldwater met in regular session with the following present: President of the council Mike Bushnell presiding, Council members Renee Blasi, Robert Cardoza, Cleta Lampe, and Ashta Rosson, Public Works Director Danny Shaw, Lake Co-Managers Don and Debbie Dutton and City Clerk Kristal Sherman.

Visitors: Stephanie Salisbury and Gary Haulmark.

President Bushnell called the council meeting to order, City Clerk, Kristal Sherman conducted roll call. Mayor Penny Bruckner was absent. Minutes from the August meeting were approved as written, motion by Robert, seconded by Renee and all voted Yes.

President Bushnell announced anyone that was here for public comment has 5 minutes each to talk to the council and would appreciate them keeping to the 5 minute time limit.

Gary Haulmark and Stephanie Salisbury, owners of Lucy's Place restaurant, spoke with the council about the possibility of a Community Development Block Grant to help with the renovation of the former Comanche Motel. He said they have the restaurant opened and it has been very successful, and they have spent quite a few dollars renovating 6 of the motel rooms, but when they went to turn the water on, the water lines burst and now the newly renovated rooms are wet, he said "everything needs replaced if anyone is going to make a go of it." Gary also said "what profit is generated at the restaurant, can't make the motel a go, it's just too costly." Council member Cleta Lampe said she had done some research into the CDBG grant and it would be a matching grant, which the City would have to be able to budget for such a cost and doesn't even know if the City should get involved in a project like this, she said she would also need to know more about the project and the owner's financial records to be able to move forward. Gary and Stephanie thanked the council for their time and said if they needed any information to let them know.

Public Works Director Danny Shaw told the council the crew that's going to do the repairs on water well #6 just rolled into town tonight and will start on the repairs tomorrow. Danny reported on some water line improvements that may need to be done on north Central Ave., Pat Wells is complaining of his water pressure being low, he said he wants to run one line and feed everyone in that area off of it. Mike said CMS doesn't have water pressure, as well as Pat Wells who is complaining, saying their automatic sprinklers have a hard time pressuring up enough to run most of the time. Also the 2" inch steel line that runs at Leavenworth & Baltimore is corroded and needs replaced. Danny said he will get costs together and report back.

Lake Manager Debbie Dutton reported the lake had a good Labor Day holiday weekend, the hookups and cabins were full. Debbie also reported that Don is currently in the hospital here because of his blood sugar and should be out of the hospital either tomorrow or Wednesday. She said she would like to stay on and work through the month of October, the cabins are booked solid through November and middle of December. Debbie also said Don would like to work through the middle of December, then take time off through February. The council agreed to her requests.

President Bushnell said there would be no report from Police Chief Devon Duffield, he is attending his last week of training at KLETC and is set to graduate this Friday, September 18th after which he will resume his duties with the City.

City Attorney Allison Kuhns reported there is to be a zoning hearing on the property of Brena Alexanders' to amend the zoning from residential to commercial and with no one present to contest the zoning change, Allison presented Ordinance No. 2020-5 that amends the zoning of a tract of land from "R-2" Multiple Family Dwelling District to "C-3" Central Commercial District. Cleta made a

motion to approve Ordinance No 2020-5, seconded by Robert and all voted Yes. Allison then presented Resolution No. 2020-3 which adopts the amended and restated protective covenants of the Comanche Estates housing addition. Ashta made a motion to approve Resolution No. 2020-3, seconded by Robert and all voted Yes. Allison presented Resolution No 2020-4 which refers to the code enforcement complaint of Robin Keith's property, she asked the council how many days they want to give Robin to clean up his property before the City will go in and abate the property themselves. After discussion the council agreed to set the clean-up days to 15, due on September 29th. Renee made a motion to approve Resolution No. 2020-4, seconded by Ashta and all voted Yes. Allison then reported that Kristal had given her two past due water bills for houses that are now vacant and the owners are refusing to pay. She said she can put a lien on the property on the one and will probably have to file a small claims case on the other. Allison recommended to the council they start charging a water deposit when water is turned on at a residence. Allison then asked the council to go into executive session for attorney-client privilege for threatened or pending litigation, Renee made a motion the council to into executive session for 10 minutes, seconded by Cleta and all voted Yes. After returning to open session, no decisions were made. Allison also told the council it was brought to her attention she needs to correct the dogs & cats portion of the code book and she will work on those corrections as well as the paperwork for Mike Bushnell's sewer line.

Danny also told the council, just so they know, he is wanting to remove some trees that are on top of the City's water line in Steve Broussard's pasture. He did tell Steve he wanted to mow, but not until April, and as far as removing trees Steve told him as long as it is a locust tree it can be removed, but anything else he said no. Danny said he spent days spotting the line and there is a big locust tree on top of it.

President Bushnell told the council there are 3 animal permit applications before them to go through. They discussed Erin Harding's application for 3 goats to begin with. Danny told them that Erin did not go about getting her goats the right way and he felt the council should deny the application she finally handed in, *after* she got the goats.....Kristal said Erin had asked her when she was in Dollar General a few months ago what the procedure was if she wanted to get a goat. Kristal told her she needed to come to city hall, get an animal permit application, which requires signatures from her neighbors, and then it will need to be approved by the city council at their regular meeting. Kristal reported that Erin did come and get an application, but did not hand it in before it was reported that she had got a goat, then a couple weeks after that she got 2 more goats and still had not handed in the permit application. It was then reported that one of her neighbors would not sign the application, she then tried to move them to another location fairly close to her house, and the neighbors there would not sign the application either. Danny said he then wrote her a citation on August 21st since she was in violation of the zoning ordinance, she was due in court on September 8th. At court on September 8th, the judge ordered Erin to have the goats out of the city limits in 5 days. Erin took an animal permit application in to city hall on Friday, September 11th for Lot 131 on South Leavenworth St. and today, since the goats are still in the city limits and it's past the 5 day time limit, Danny said he wrote her 3 more tickets, one for each goat which is what City Attorney Allison Kuhns told him to do. The council discussed the matter at length and after discussion, Robert made a motion to deny the application for Erin Harding, seconded by Renee. Ashta, Renee, Robert and Mike all voted yes, Cleta abstained. Renee made a motion to give Erin 10 days to get the goats off the property and out of city limits, seconded by Robert. Ashta, Renee, Robert and Mike all voted yes, Cleta abstained. The animal permit application by April Lester was for 1 or 2 milk goats or 2 dwarf female goats, and is signed by her neighbors. The council discussed the fact milk goats have milk for about 3 months then need to be bred to have baby goats so their milk can continue. After a lengthy

discussion, the council tabled April's application and asked that she come to the October meeting to meet with them to tell them her intentions with the goats. The animal permit application by Max Williams is one he renews every year for 1 horse and he had his neighbor's signatures. Ashta made a motion to approve the animal permit for Max Williams with no time limit (it does not need to be renewed every year), seconded by Robert and all voted Yes.

Renee motioned that the City adopt Ordinance No. 2020-4 the 2020 Uniform Public Offense Code, seconded by Robert and all voted Yes.

Bills in the amount of \$197,270.58 were presented for payment. Robert made a motion to pay the bills as presented, seconded by Ashta and all voted Yes.

Under new business, the council discussed at length different ways and amounts to charge for water deposits, they asked Kristal to do a city clerk email to ask what other cities charge for their water deposits and tabled it for the October meeting.

With no other business presented, Renee made a motion to adjourn the meeting, seconded by Robert and all voted Yes.