

**LAKEVIEW CITY COUNCIL
REGULAR MEETING
July 20, 2010**

I Call to Order

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

II Responding to the roll call were Bill Svehla, Bea Crites, Ken Fortier, Joe Gies and Wayne Meyers.

A. Mayor Behling announced the City had received a Four Star Municipality Award from the Municipal League for excellence in loss control.

II.A Mayor Behling announced City Council to retire to Executive Session under 25-19-(C)(1) to consider appointment of an Alderman for Ward I Position 2 to replace Rev. Mark Norris who had retired on June 15, 2010.

A. The two candidates for consideration were Chuck Birmes and Lindley Reubin.

III APPROVAL –

June Council Meeting Minutes

A. Ald. Crites moved to accept Minutes as presented.

B. Ald. Fortier 2nd the motion.

C. Motion carried

June Financials

A. Ald. Gies moved to accept the records as presented.

B. Motion seconded by Ald. Svehla

C. Motion carried.

IV. Police Report

A. Mayor Behling asked if there were any questions concerning the report, none asked. The Mayor stated that report would be available to the public.

V. Building Inspector Report

A. Mayor Behling asked if there were any questions concerning the report, none asked. The Mayor stated that report would be available to the public.

VI. OLD BUSINESS:

A. Ordinance 10-06- Planning & Zoning Committee- 3rd Reading

1. Ald. Svehla made a motion to suspend the rules and to read the Ordinance by Title only.

2. Ald. Crites seconded the motion

3. Motion carried with a unanimous vote.

4. Mayor Behling read the Title of Ordinance 10-06.

5. Mayor Behling asked for a motion to adopt the Ordinance.

a. Ald. Gies made a motion that the City adopt Ordinance 10-6, Ald. Meyers 2nd the motion, motion carried with 5 yeas and 0 nays.

B. Housing Agreement Baxter County – re: Jail Fees

1. Mayor Behling referred Council to the contract that Baxter County Sheriff, John Montgomery, had submitted to the City of Lakeview which charged an annual fee for all jail fees incurred during a fiscal year.

a. Mayor Behling stated that after conferring with the Municipal League and with the Recorder/Treasurer regarding the difference in pre-sentencing incarceration and post-sentencing incarceration and the legal attachments

- to same, he did not feel that the City should enter into an agreement with Baxter County regarding the jail fees.
- b. He did present this information to Council to determine if they had any differing opinions, if so, did they want to enter into contract with the Baxter County Sheriff's Office.
 - c. Council was in unanimous concurrence with Mayor Behling's assessment.
- C. Resolution 10-03 – Facilities Rental Fees
1. Mayor Behling read Resolution 10-3, involving charges for use of City Park/Pavilion and the Civic Center by non-residents.
 2. Ald. Joe Gies moved that we approve Resolution 10-03 with a correction stating that charges were per day, Ald. Crites 2nd the motion, Resolution 10-03 approved with 5 yeas, 0 nays.

V.A. EXECUTIVE SESSION

- A. To consider replacement for Alderman Mark Norris
1. Prior to retiring into Executive Session at 7:18 PM, Mayor Behling asked each candidate why they had applied for the position.
 - a. Chuck Birmes stated that he had moved here in January 2005, attends Council Meeting currently because he has an interest in the community and wanted to be involved and help.
 - b. Lindley Reubin stated that he moved to Lakeview in January 2009 since he had retired, but had been visiting the community since 1961 and wanted to offer his services to the community.

VII. NEW BUSINESS:

- A. Reconvene to Open Session at 7:33 PM re Appointment
1. Mayor Behling asked for a motion for appointment of Chuck Birmes
 - a. Ald. Gies made the motion that Chuck Birmes be appointed to the Ward 1 Position 2 post vacated by Rev. Norris, Ald. Fortier 2nd the motion.
 - b. By Roll Call: Ald. Crites, yea, Ald. Fortier, yea, Ald. Gies, yea, Ald. Meyers, yea and Ald. Svehla, yea.
- B. Swearing in of Appointee, Chuck Birmes, by Justice Gary Smith
- C. New Vehicle for Maintenance Crew
1. Mayor Behling stated that the current 1996 truck being used by the City was a used vehicle that was beginning to "nickel and dime" us to death.
 2. Chester did the research and found a 2008 F250 with 31,000 miles on it, so it is still under new vehicle warranty, the price being \$21,500. A new model would be \$48,000.00. The vehicle is being held without a down payment until Council had been presented with figures and information and approved the purchase.
 - a. Ald. Meyers requested that we check with local suppliers prior to committing to this vehicle. Chief Manley also reminded the Council that a State contract may be available similar to what was done with the squad cars.
 3. Ald. Gies made a motion to approve the purchase of a replacement vehicle, Ald. Svehla 2nd the motion, motion approved with 6 yeas.
 4. Resolution 10-04 was presented to make an adjustment to the current budget in Streets to read \$42,500 for new equipment. Only a portion of the monies allocated previously had been used, so it was not necessary to add the full price of the truck to the budget adjustment in addition to the allocated funds.
 5. Ald. Gies made a motion to accept Resolution 10-04 to adjust the 2010 Budget, Ald. Crites 2nd the motion, motion approved for Resolution 10-04 with 6 yeas.

D. Ordinance 10-09 – Procurement Procedure

1. Ald. Meyers made a motion that Ordinance 10-09 be presented to Council with a first reading, Ald. Fortier 2nd the motion, Council approved with 6 years.

VIII. Items from the Floor

None

IX. Adjourn

- A. Ald. Crites motion to adjourn
- B. Ald. Svehla Seconded
- C. Motion carried
- D. Meeting adjourned at 7:48 PM

Recorder/Treasurer

Mayor