

City of West Buechel
Meeting Minutes of Regular Council Meeting
July 12, 2016

Mayor Richards called the meeting to order, welcomed all the guests, City Council, Police Officers, and the City Attorney, Casey McCall. Councilman Mattingly led us in prayer and Chief Sharp led us in the Pledge of Allegiance. Mayor Richards called for a moment of silence in remembrance of the fallen police officers in Dallas and all others elsewhere.

The mayor asked the clerk to take roll call; Councilwoman Mosely - present; Councilman Mattingly - present; Councilwoman Crawford - present; Councilwoman Bierbaum - present; Councilman Crawford - present; Councilman Clark - present.

POLICE DEPARTMENT REPORT

The Mayor gave Chief Sharp the floor and asked that he present his monthly report as well as current police matters. The Chief read his report, and then advised that two officers, Clark and Sherrard, had recently responded to a scene where a man was down. When they arrived, the man had no pulse and was not breathing. The officers administered life-saving measures including CPR, and were successful in resuscitating the gentleman. The officers received a round of applause for their work and success in saving the man's life. The Chief stated the officers would be receiving life-saving awards in the near future. Chief Sharp then advised that Officer Clark had saved another man's life recently, an elderly gentleman who had fallen, was unable to get up and laid without assistance for three days. Officer Clark was on the scene and made the decision to force the man's door open to check his welfare, which ultimately saved his life also.

MINUTES APPROVAL

Mayor Richards asked if the Council had any questions and/or comments on the minutes from the last meeting on June 14, 2016; there were none. Mayor Richards asked for a Motion to approve the minutes. Motion was made by Councilwoman Bierbaum and seconded by Councilwoman Mosely - Minutes approved.

CHECK REGISTER APPROVAL

Mayor Richards asked for questions and/or discussions on the check register. There were several questions/discussions presented which were answered and/or explained by the Mayor and the City Clerk. Motion was made by Councilwoamn Bierbaum to accept the check register, and seconded by Councilwoman Mosely, check register approved

SECOND READING OF CODE OF ETHICS ORDINANCE

The second reading of the Code of Ethics Ordinance introduced by Councilwoman Mosely. There was a brief discussion regarding the contents of the Ordinance. Councilwoman Bierbaum made a motion to withdraw the previous Code of Ethics Ordinance No. 150 and pass this new Ordinance. Motion seconded by Councilman Clark. The Mayor asked the clerk to take a roll call vote as follows: Councilman Clark - yea; Councilman Crawford - nay; Councilwoman Bierbaum - yea; Councilwoman Crawford - nay; Councilman Mattingly -yea; Councilwoman Mosely - yea. The vote is four to two in favor of the yeas - Ordinance passed.

SECOND READING OF ORDINANCE TO GRANT COMMUNICATIONS FRANCHISE AND AUTHORIZATION OF EXECUTION OF FRANCHISE AGREEMENT

The Ordinnce was introduced by Councilwoman Bierbaum for the City to grant a communiations franchise to Google and to authorize the Mayor to execute a franchise agreement for this purpose. The Mayor directed the city attory to read the Ordinance, which he did. Motion was made to accept and pass this Ordinance by Councilman Crawford and seconded by Councilman Clark; the Mayor asked for a roll call vote. Councilman Clark - yea; Councilman Crawford - yea; Councilwoman Bierbaum - yea; Councilwoman Crawford - yea; Councilman Mattingly -yea; Councilwoman Mosely - yea. The vote is unanimous in favor of the yeas - Ordinance passed.

NET RECEIPTS TAX

There was a brief discussion regarding the possibility of changing the net receipts tax to be a gross receipts tax. Jonathan Smith offered information to the Council on the matter to assist them in making a decision on this matter. Members of the Council brought up other issues not pertaining to this matter giving their opinions and/or comments.

Mayor Richards called for a five minute break. The meeting reconvened with a discussion on the drainage and sidewalk project.

PROPOSED 2016-2017 BUDGET

Councilwoman Bierbaum has prepared a proposed budget for the upcoming year. Councilman Mattingly made a Motion to table the proposed budget to give the member an opportunity to review it. Motion was seconded by Councilman Crawford. Mayor Richards suggested that the Council allow Councilwoman Bierbaum an opportunity to briefly go over her proposal so that they would be clear on all departments as they did their review. He asked Councilman Mattingly, who made a Motion to table, if he would allow this; he said he would not. Councilwoman Bierbaum became upset at this and stated that she had worked very hard on this and could not believe that the members would not agree to discuss it. Further, she stated that she was the only one among them who has made an effort on the budget, and feels the other members are not properly carrying out the duty of their position. She then excused herself from the meeting. The Mayor asked for a roll call vote on the Motion to table the proposed budget. Councilman Clark - yea; Councilman Crawford - yea; Councilwoman Bierbaum - absent; Councilwoman Crawford - yea; Councilman Mattingly - yea; Councilwoman Mosely - nay. The vote is four to one; the matter is tabled to the next meeting.

OPEN FLOOR FOR RESIDENTS AND GUESTS

John Campbell addressed the matter of the Mayor removing Mary Campbell from the Board of Ethics for willful neglect of her duties. Specifically, the Mayor stated that he asked Mrs. Campbell for her report on the Board's findings on a complaint filed by an employee which has gone unanswered. Mrs. Campbell has failed to submit a report or any findings on the matter, leaving this complaint completely unanswered.

Brenda Moore was given the floor. She gave an update on the drainage and sidewalk project. She also applauded the Council on passing the Ordinance granting Google a communications franchise. She pointed out that doing so was a very good thing and would ultimately provide additional revenue to the City.

Councilwoman Bierbaum returned to the meeting. She apologized to the Mayor, Council, guests and everyone in attendance for her previous outburst. She stated that she feels disrespected by others on the Board and feels that some members are not carrying out their duties properly by giving opinions/comments which are their own rather than in the best interest of the City and its residents.

CLOSING OF THE MEETING

Mayor Richards asked for a Motion to adjourn. Motion was made by Councilman Crawford and seconded by Councilwoman Crawford; meeting adjourned.

7-9-2016

Date



MAYOR RICK RICHARDS

7/9/2016

Date



KIM RICHARDS, CITY CLERK/TREASURER