

City of Pomona  
Regular City Council Meeting Minutes  
Monday January 4, 2016  
7:00 p.m., City Hall

**In attendance:** Mayor Seneca, Council: Mr. Adler, Mr. Johnson, Mr. Meador and Mr. Smith.

**Others in attendance:** Mrs. Grob, Mr. Lantis, Mr. Lemons, Mr. Nichols, Mr. Snethen, Mr. Wineinger, and Sheriff Richards.

**Meeting to order**

Called to order at 7pm.

**Pledge of Allegiance**

**Executive Session**

**Amend Agenda**

Mr. Adler made a motion to omit the Executive Session and make the changes (additions and removals) below:

*Additions*

**Consider the Renewal of the Sheriff's Contract**

**Consider Employee's Oath of Office**

**Consider SMH's Engineering Proposal**

**Disposal of Unneeded Equipment**

**Stan Lantis**

*Removal*

**Remove Considering Ranson Financial's Proposal**

**Remove Considering Jerry Huffman of WKT Communication's Proposal for Phone System**

The motion was seconded by Mr. Meador and passed 4/0.

**Consent Agenda**

Review Utility Accounts 30+ Days Delinquent

Review Employee Vacation & Discretionary Time Accruals

Minutes of previous meeting

December 7, 2015

Financial reports/Action on bills

Current bills and prepaid bills

A motion was made by Mr. Adler to accept the Consent Agenda. The motion was seconded by Jay but before the vote was called, there was discussion. Mr. Smith asked about the property tax bill for a total of \$28.72, \$18.30 was first half paid on 12/18/2015. One of the properties' address is 2007 Colorado Rd. What property is that? Instruction was given to remove it from City's property tax via tax exempt rules. Discussion revealed that the property would be south of town.

Discussion continued further. Mr. Smith inquired as to if the City Staff needs 7 lines. Discussion concluded that we do not need 7 lines, such as the City Shop.

**Amendment by Mr. Smith to Agenda:**

Figure out what property tax at 2007 Colorado Rd and 101/105 Washington are before we pay.

Limit City Hall staff access to no more than 4 lines. Report back with proposal to limit phone lines.

The amendment was seconded by Mr. Johnson and passed 4/0.

The original motion to approve the Consent Agenda was called to vote and approved 4/0.

## **Items of Business:**

### **Consider Renewing Sheriff's Contract**

Sheriff Richards brought up that there is a statute that Sheriff's Office cannot enforce city ordinances unless contract is approved by Council. Further review of the contract will bring to light statutory changes, they are changes that is suggested by County Counselor. No increase in price as the Council sees on the Contract, just changes to contract's language and dates. New contract with cleaned up wordage would be provided by the end of the week.

Mr. Meador asked about 2<sup>nd</sup> page, denotes some incorrect dates. Sheriff Richards assured the Council that these would all be corrected. Sheriff Richards also explained that the way this normally works is that the County has asked that Sheriff enter into contract, making agreement with City of Pomona, but the current State Statute asks that County Commission enter into agreement with Council and then pass resolution.

Mr. Smith made motion to authorize the Mayor to enter in agreement after revisions have been made and reviewed by City Attorney. Mr. Meador seconded the motion and it carried 4/0.

### **Consider Employee's Oath of Office**

Brandy Nichols' and Steven Lemons' Oaths of Offices were administered by Mayor Seneca.

### **Consider SMH's Engineering Proposal**

Todd Anderson began with introducing himself on behalf of SMH. On December 10<sup>th</sup> Mr. Anderson met with Mr. Nichols and Mr. Meador. At that meeting it was decided to get direction from full Council. Together, the three identified several factors and have a sense of direction where to head. Biggest questions that come from the meeting is the scope of services from SMH and the amount of design needed, which will be minimal. Mr. Anderson felt the City needs to address sub grade issues and, make smooth, level surfaces. Some locations will need minimal surveying to address the grades on the road. A couple of areas came to mind but wanted further suggestions and problematic areas pointed out. In order to provide an appropriate scope of service, need to have the areas figured out. Then inspection, to what level, and how much. Projects of this type depend on the comfort level of the City and Staff availability. Suggested amount of SMH's inspection/visits would be once a week, but Mr. Anderson reminded Council and Staff that he is always just a phone call away. If the City chooses more frequent or less frequent visits, they are able to do so. SMH can assist with further bidding, design, further inspections, and however else they can help. Measurement of quantity of grading will be the most loaded part of this project. Mr. Anderson said they will work to make sure this aspect runs smoothly. Mr. Anderson asked for feedback and stated that he works for the City and is here to serve.

Mr. Meador asked how long it will take to get the bid documents ready. Mr. Anderson indicated that something like that could be accomplished within 6 weeks. Measuring has been done in the past with Mr. Chuck Campfield. They have existing information on widths of streets. Scope of services and a contract could be provided within the week, Mr. Anderson can attend the next Council Meeting or come sooner if the Council decides to hold a Special Meeting. With this size of project, Mr. Anderson indicated that he felt there would be a lot of parties interested in placing bids.

Mr. Meador asked if SMH would send out the bid contracts to companies. Mr. Meador asked about having a Special Meeting to decide who would contact the potential bidders and other factors. Mr. Smith indicated the Council would need a proposed contract that would include the design, he included that SMH should be in charge of the entire bidding process, and should include weekly inspections and/or bi-weekly inspections. Mr. Anderson noted that in past projects they have done per visit charged inspections. Mr. Meador asked about inspections. Do they do more inspections upfront or wait until project gets going? Mr. Anderson explained that usually more is done up front but varies by project and contractor. SMH will monitor project for any mistakes and will take into consideration advice from City Staff. More problems will increase the frequency of inspections. Mr. Anderson wanted to speak with contractors to see how long this type of project would take before he gave a time estimate to the Council. Mr. Adler asked if timeframe would be included in contract. Mr. Anderson confirmed that a timeline would be included in the contract. Mr. Adler also asked about the areas where extra works need to be done. Mr. Meador named a few places that he knew off hand where extra work needed to be done. These decisions would be necessary before contract

could be drafted. Mr. Anderson wanted to meet with City Staff to identify troublesome places, he added that the lack of this decision has prevented a proposal being completed.

Mr. Smith requested that SMH provide a contract/proposal and then the Council will hold a Special Meeting to discuss this contract. Mr. Meador and Mr. Smith agreed that ideally work should begin around the middle of May 2016. Mr. Anderson stated that the timeline of this type of project is heavily dependent on the weather but should take 4-6 months. Mr. Johnson asked when the 2<sup>nd</sup> Seal is put on. Mr. Anderson preferred that the Company Expert, and his colleague, assess the project and provide an answer on this. Mr. Anderson would have some more information at the Special Council Meeting.

#### **Consider Disposal of Unneeded Equipment**

Mr. Wineinger mentioned that there are a couple pieces of equipment that aren't worth keeping around. Two trailers that are older and weathered and not worth auctioning out to Big Iron. Mr. Wineinger thought that these trailers would possibly do well on Craigslist. Previous Bucket Truck is recommended to go on Big Iron. Mr. Wineinger stated that they aren't worth much but didn't have a price. Mr. Smith indicated that this would need to be submitted in writing. Mayor Seneca requested that Mr. Wineinger provide a written request to sell the Bucket Truck, list all specs/etc. Mr. Meador mentioned that he felt that the trailers could be sold on Craigslist.

Mr. Meador moved to allow Mr. Wineinger and Mr. Nicholls to sell the trailers on Craigslist and that the Bucket Truck have a written proposal, including all specs, to be sold on Big Iron. The motion was seconded by Mr. Johnson and voted 4/0.

#### **Stan Lantis**

Mr. Lantis provided a handout to show what the Fire Department had accomplished in 2015. Handout shows how many fire calls and how many medical emergencies. Also gave a breakdown of where the calls were, showed frequency of calls in what month. Mr. Lantis' hand out also shows list of Fire Department's Staff. Mr. Lantis concluded his handout with informing Council that the last 3 months of the year saw the most medical calls.

The Council thanked Mr. Lantis and the Fire Department for their hard work and dedication.

Mr. Lantis requested that the remaining Fire Fund be transferred to The Fire Capital Improvement (Fund 12 to Fund 17). Mr. Lantis indicated that the Fire Capital Improvement would hopefully be used to build new Fire Department further down the road.

#### **Consider Amending Ordinance 507 Regarding Sale of CMB on Holidays**

Mr. Johnson asked if the amendment were really necessary and if citizens could purchase their CMB the day before. Mr. Smith indicated that he would not support amending this Ordinance and made a motion to deny the amendment. Mr. Meador seconded the motion, and then discussion ensued how to enforce. Vote to deny amending the ordinance carried 4/0.

#### **Consider Splitting Zoning and Codes Enforcement Officer's Duties**

Mr. Meador made a motion to table the item and the motion was seconded by Mr. Adler. Vote carried 4/0. Mr. Smith included that a cost be included in future proposal of splitting duties.

#### **Consider Addition to Utility Sign on Sheet, Recognizing Existing Landlord Liability for Delinquency**

Mr. Johnson stated that if landlords are having problems with tenants paying bills, then the cost should not go onto the City. The landlord should charge a deposit, but Mayor Seneca stated that legally landlords cannot charge a utility deposit. Mayor Seneca stated that this suggestion came recommended by the City Attorney, to protect the City. The Mayor recommended the Council accept the revised form and the City can do what it can to collect the money. Mr. Meador felt that if the tenant saw this liability agreement, they might be less likely to pay the utility bill knowing that the landlord would be liable. Mayor Seneca explained that this item is only changing the sign on sheet, not changing the ordinance, which lays out the landlord is liable for unpaid utilities for their tenants. Mr. Smith felt that if the Attorney recommended this, then he should come and explain this. Mayor Seneca reminded the Council of the possible agreement they could enter with surrounding cities to prevent "landlord hopping." The City can place liens on taxes with set off program.

Mr. Smith request that the attorney be present to explain suggestion. Mr. Meador made a motion to table this item until the City Attorney could be present to answer questions and explain the change. The motion was seconded by Mr. Smith and passed 4/0.

Mr. Smith requested authorization to put together a proposal on reducing utility to pass savings onto customers.

**Consider Ending Standard Probationary Period for City Clerk**

Mayor Seneca recommend that the probationary period be lifted. Explained that the City Clerk has taken great steps to learn the job. Mr. Smith asked if the City Clerk had met the required time specification. Mayor Seneca informed the Council that the City Clerk had met the time requirement.

Mr. Adler made a motion to remove probationary period for City Clerk. Mr. Johnson seconded the motion and the vote passed 4/0.

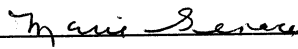
Mayor Seneca read letter from Mr. Dotson Bradbury thanking the Council for their great work to get the Street Project going.

**Meeting Adjourn**

Motion to adjourn by Mr. Adler and was seconded by Mr. Meador. The vote passed 4/0.

**Meeting was adjourned at 7:50**

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Mayor Seneca