

2025.05.19 MTG R May City Council City of Horseshoe Bend - ai generated

2025.05.19 MTG R May 2025

Transcript

<https://otter.ai/u/hZD4gQ0WZ7uViaMOjGmgr3ojE3w?view=summary>

The meeting began with a roll call and the approval of previous meeting minutes. Key discussions included a millage approval for classroom expansion, procedural issues at the zoning committee, and the mayor's authority in committee votes. The council debated the hiring of Dan Robinson as Parks Superintendent and Alan Bathwick as Golf Course Superintendent, which failed. Ordinances were discussed, including one to limit the mayor's spending, another to require committee meetings in the council chambers, and several to remove members from various committees. The meeting concluded with public comments and a motion to commend Raul Johnston for upholding zoning laws.

Action Items

- [] Provide written confirmation to the mayor that the city is unable to create a new Facebook page for the city.
- [] Invite the engineer who contacted the planning committee to the next city council meeting to present their findings.
- [] Correct the agenda to properly reflect the order of the ordinances related to removing individuals from committees.

Outline

Roll Call and Pledge

- Unknown Speaker calls the meeting to order and conducts a roll call, confirming the presence of Alderman Nancy, Alderman Miller, Alderwoman Hooker, Alderman Booth, Alderman Draper, and Mayor Delair.
- Mayor Delair leads the Pledge of Allegiance and a prayer for healing and unity for the city.
- RT Vanderpas reads the minutes from the previous city council meetings on April 28 and March 24, 2025, including motions to accept minutes and treasurer's reports.
- Public comments include Superintendent Fred Walker discussing a millage approval for classroom expansion and Raul Johnson raising procedural issues at the zoning committee meetings.

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Committee Reports and Public Comments

- RT Vanderpas reports on committee reports, including motions to accept them and a discussion on procedural issues at the zoning committee meetings.
- Gail Fuller speaks about her support for the mayor and her contributions to the planning committee.
- Carol Spencer writes a letter opposing several proposed ordinances.
- Attorney Brad Sipe asks for direction on pursuing the Box Hall Marina lawsuit, and a motion is made to allow him to obtain documentation.

Ordinances and Motions

- Ordinances and old business include a discussion on the tipping fee being charged on water bills and a motion to cease charging and credit customers back.
- A motion is made to provide \$5,000 from Parks and Recreation to provide pods on Crown Lake as a two-year trial.
- Discussions on stocking the pro shop at Turkey Mountain and funds in the park funds account lead to motions and approvals.
- A presentation on sprinkler heads at the golf course leads to a motion to approve payment for replacement sprinkler heads.

New Business and Resolutions

- Resolution 2025-23 is read, giving permission for the planning committee to pursue a bike trail 8020 grant, and a motion is made to approve it.
- Ordinance 2025-03 is read, directing the mayor to give the city Facebook credentials to the recorded treasurer, and a motion to suspend the rules and read it by title only is made.
- Ordinance 2025-04 regarding water fee mitigation is read, and a motion to approve the resolution changing the payment schedule for council members is made.
- Ordinance 2025-06 is read, involving granting purchase authority of up to \$5,000 within budget for the Parks and Recreation Director, and a motion to suspend the rules and read it by title only is made.

Veto and Citizen Statements

- Mayor Delair vetoes Ordinance 2025-03, stating that the city can create a new Facebook page without changing the live feed setup.
- RT Vanderpas responds to the veto, explaining the difficulties in creating a new Facebook page.
- Mayor Delair vetoes Ordinance 2025-06, stating that the temporary Parks and Recreation Director should not have the ability to spend money without direct supervision.

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- Citizen statements include Mitzi Ballman supporting Eric Gratz and Gail Fuller on the planning committee and Ceil Shorr opposing the city council's agenda.

Finance Report and Committee Reports

- RT Vanderpas discusses the finance report, highlighting concerns about revenue versus expenses and a hidden \$159,000 insurance check.
- Committee reports include animal control, public library, public works, recycling, building committee, code enforcement, fire department, and airport.
- A motion is made to accept the committee reports, and it is approved by voice vote.
- Discussions on the need for a new Facebook page and the challenges faced in creating one continue.

Ordinances and Motions (Continued)

- Ordinance 2025-04 regarding water fee mitigation is read again, and a motion to approve it is made.
- Ordinance 2025-08 is read, involving library security and access control, and a motion to approve it is made.
- Ordinance 2025-09 is read, limiting the spending of the mayor, and a motion to approve it is made.
- Ordinance 2025-16 is read, requiring all city committees to hold their meetings in the council chambers, and a motion to approve it is made.

New Business and Resolutions (Continued)

- Motions are made to hire Dan Robinson as the parks superintendent and Alan Bathwick as the golf course superintendent, but both fail to pass.
- Ordinance 2025-11 is read, directing the mayor that he is not a voting member on city committees, and a motion to approve it is made.
- Ordinance 2025-12 and 2025-13 are read, removing Eric Gratz and Gail Fuller from the planning committee, and motions to approve them are made.
- Ordinance 2025-14 and 2025-15 are read, removing Rick Broderick from the building committee and the zoning adjustments committee, and motions to approve them are made.

Public Comments and Closing

- Gail Fuller announces a community event at Veterans Park on June 14, inviting everyone to attend.
- Cindy Parson questions the council about the financials and the removal of volunteers from committees.

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- Raul Johnston addresses the council regarding his integrity and the decision on a variance request, requesting commendation for upholding the law.
- The meeting is adjourned after a motion to approve the minutes and a discussion on the procurement process.

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MON, May 19, 2025

SUMMARY KEYWORDS

Roll call, meeting minutes, committee reports, public comments, ordinances, vetoes, water fees, library security, spending limits, zoning adjustments, planning committee, finance committee, city council, action items.

SPEAKERS

Johnston, Raoul, Ceil Shorr, Cindy P, Sipe, B, Mayor, Delair, Vickers, Gail Fuller, Brian Miller, RT Vanderpas, Mitzi Ballman

22:15

We do a roll call?

22:19

Alderman Nancy, Alderman Miller here, Alderwoman hooker here, almond booth,

22:19

alderman, Nancy, Alma, Miller. Er. Here, all women. Okay folks, I'm going to call the meeting to order.

22:19

alderman, Nancy, Alma mill. Okay folks, I'm going to call the meeting to order.

RT Vanderpas 22:19

alderman, Nancy.

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22:27

almond Raines, almond Vickers,

22:31

almond Dawson, Alderman Draper here,

22:35

mayor here, here,

Mayor, Delair 22:41

okay, on the stand for the pledge, I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all the

23:03

dear Lord,

Mayor, Delair 23:05

heal our hearts, our minds and our souls. Let us go forward into a bright future without hatred and anger and so many of the problems this city has faced for years. Amen. You.

RT Vanderpas 23:30

Meeting Minutes from the city council meeting, April 28 2025 Mayor Delair called the meeting to order at 6:01pm roll call was taken. All council members were present. The mayor, recorded treasurer and the city attorney were also present. All stood for the Pledge of Allegiance and Ruben Rangel reformed, performed the invocation, prayer the meeting. Minutes from the city council meeting from March 24 2025 were read by recorded treasurer, vanderpass. Motion to accept the minutes was made by Alderman Miller and seconded by Alderman Draper. Minutes were approved by voice vote. Motion to accept Treasury's report was made by Alderman Miller and

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seconded by Alderman Raines. The report was approved on voice vote. Committee reports, motion to accept committee reports was made by Alderman Dawson and seconded by Alderman Yancey. The report was approved on voice vote. Public comments, Superintendent for ICC Fred Walker spoke about a millage approval on the ballot for the May 13 election involves curricular classroom expansion. If the measure is approved, the school district will receive 40% match from the state. Individual property taxes will not go up. Raul Johnson spoke about procedural issues at the zoning committee meetings. A discussion ensued as to whether the mayor was authorized to vote at committee meetings other than finance, according to the Municipal League per Brad CIPP, the mayor is not authorized to vote at these committees. Pat Gill spoke as a supporter of the mayor and asked that the community try harder to get along. Gail fuller spoke at length about what she has done helping the mayor with the assessments still owed. She also spoke about the planning committee accomplishments thus far. Carol Spencer wrote a letter about her opposition to many of the proposed. to call the meeting to order. Ordinances, old business attorney Brad Sipe asked the Council for some direction in pursuing the box Hall Marina lawsuit. He stated that he had not received any documentation from the attorneys of record. A motion allowing mister SIPE to obtain documentation on the lawsuit in order to possibly join the suit was made by Alderman Miller, seconded by Alderman Draper. The measure passed on a roll call vote. Alderman booth abstained. There was a discussion on the tipping fee being charged on water bill, after advice from the city attorney, a motion was made by Alderman Miller, seconded by Alderman Draper, to have water department cease charging the tipping fee and credit customers back. Motion passed by voice vote. A motion was made by Alderman Miller, seconded by Alderman booth, to provide \$5,000 from Parks and Recreation to provide pods on Crown lake as a two year trial motion passed by voice vote. There was a lengthy discussion about stocking the pro shop at Turkey mountain. Director Dan Robinson spoke about obstacles and purchase minimums, a motion to amend the pro shop budget from 4000 to 15,000 with a required itemized list submitted before purchase was made by Alderman Miller and seconded by Alderman Vickers. Motion passed unanimously by roll call vote. There was a discussion about funds in the park funds account, a motion was made by Alderman Miller and seconded by Alderman Dawson to allow use of all but \$100 of these funds for needed improvements at veterans park, measure passed by voice vote. There was a discussion about approving payment for replacement sprinkler heads at golf course, Interim Superintendent Alan brathwa did a presentation on the sprinkler heads. The mayor said he would sign the check after the name of the building was changed from Mr. Id to city of Horseshoe Bend, new business resolution 2025 dash 23 was read by recorded treasurer. It gives permission for the planning committee to pursue a bike trail. 8020 grant. A motion was made by Alderman Miller, seconded by Alderman Dawson to approve motion passed by voice vote. Ordinance 20 2503 was read by the recorded treasurer. It directs the mayor to give the city Facebook credentials to the recorded treasurer. There was some discussion as to why this was important. Recorded treasurer, vanderpass stated that there had been three attempts to start new Facebook pages, and all three were suspended immediately. A motion to suspend the rules and read the ordinance by title only was made by Alderman Miller, seconded by Alderman Vickers,

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motion passed by roll call vote, Alderman booth voted no. The ordinance was read by title only by the recorded treasurer. A motion to suspend the rules and read the ordinance by title only was made by Alderman Miller, seconded by Alderman Draper, motion passed by roll call vote, Alderman booth voted no. The ordinance was read by title only by the recorded treasurer. A motion to approve the ordinance was made by Alderman Vickers, seconded by Alder Miller. The motion passed by roll call vote. Alderman booth voted no ordinance. 20 2504 regarding water fee mitigation, was read for the first time. The recorded treasurer explained that this ordinance was written with written with collaboration from the water department. Resolution 2025 24 was read by the recorded treasury. Proposed changing the payment schedule for council members from semi yearly to quarterly. A motion to approve the resolution was made by Alderman Miller, seconded by Alderman Dawson. Motion passed by voice vote. Ordinance 2025 dash oh six was read by the recorded treasurer for the first time, involves granting purchase authority of up to \$5,000 within budget the Parks and Recreation Director, there was discussion about the need for this ordinance. Comparisons were made to other city departments. A motion to suspend the rules and read the ordinance by title only was made by Alderman Miller, seconded by Alderman Draper, motion passed by roll call, vote. Alderman booth voted no. The ordinance was read by title only by the recorded treasurer. A motion to suspend the rules and read the ordinance by title only was made by Alderman Miller, seconded by Alderwoman hillicker. Motion passed by roll call vote. Alderman booth voted no. The ordinance was read by title only by the recorded treasurer. A motion to approve the ordinance was made by Alderman vicar, seconded by Alderman Miller. The motion passed by roll call vote. Alderman booth voted no. Ordinance 20, 2507 was read by the recorded treasurer for the first time. It directs the city attorney to attend finance committee meetings. There was much discussion, objection by Mister SIPE. Alderman Miller eventually made a motion to withdraw the ordinance, seconded by Alderman hillicker. The motion passed by voice vote, ordinance 20 2508 was read by the recorded treasurer for the first time. It gives control of the library keys and meeting room to the library board. Mitzi Bauman spoke at length about the history of the library and claimed that no abuse of privilege is taking place. Alderman Draper and others in the audience had contrary opinions during the heated discussions. Alderman booth excused himself for the meeting 9:05pm, ordinance 2025, 16 was read by the recorded treasurer for the first time. It requires that all committee meetings be held in council chambers. There's much this much discussion and debate. Ordinance 2020, 519, was read by the recorder, treasurer for the first time, involves a stricter limit on spending by the mayor. There was much discussion. The mayor asked when he had misled his misused his spending authority. Alderman Miller recorded treasurer passed. Cited some examples. A motion was made by Alderman Vickers and seconded by Alderwoman Hilliker to push the remaining agenda items to the next council meeting motion passed by voice vote. A motion to adjourn was made by Alderwoman hilliker, seconded by Alderman Raines. Motion passed by voice vote. Meeting adjourned at 9:58pm,

29:53

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okay, any corrections or additions to the minutes? I.

Brian Miller 30:00

Okay, I have one. I believe it's on page two in the top says there was discussion about funds in the veterans park fund account, not the park funds account. Was actually called Park funds,

RT Vanderpas 30:15

the veterans park but it is the veterans part. It's the veterans part on our park funds. I'm sorry, that's what it's called on our in our budget, well, it was always called the veterans park before. I think you should add that in there. Okay, any other additions or corrections changes?

Mayor, Delair 30:33

Okay? And we have a voice vote to approve the minutes. As read all those in favor, please signify by saying, I need a motion. We need to have somebody make a motion.

30:44

Make a motion. Good correction.

30:48

Jeanette mixed with corrections. Second.

30:52

Sean, second on

30:55

all those in favor, signify by saying, aye, aye. All those opposed say the same

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31:02

the minutes are approved meeting.

31:12

Minutes

RT Vanderpas 31:21

from the special meeting of city council, May 8, 2025, Mayor Delair called the meeting toward at 7:43pm, a roll call vote was taken by the recorded treasurer, present, alderman, Yancey, Alderman Miller, Alderwoman, hillicker, alderman, Booth, alderman, rains, alderman, vicar, alderman, Dawson and Alderman Draper also present. Mayor Delair and recorded treasurer, Bill Vander press, absent, City Attorney, Brad site. Mayor Delair went on. Proposed contracts for persons being interviewed were not made available to an hour and a half before finance meeting. Armen Miller opened with a statement saying that was not the intent for the position in question to be a department head, and based on information recently received from the city attorney, the title was changed from director to Superintendent a motion to hire Dan Robinson and Superintendent of Parks and Recreation, reporting to Chris bigness, was made by Alderman Miller, seconded by Alderman Draper. Mayor asked if anyone had checked Dan's background. The motion failed. Alderpersons, hillicker booth rains and Dawson abstained. Alderman Vickers voted no. The mayor stated that, according to Charlie McDaniel, the booster pump addressed in the finance meeting had been repaired a year earlier, a motion was made by Alderman Dawson and seconded by Alderman Vickers to approve the purchase and installation of replacement booster pump. Motion passed unanimously by roll call vote. Motion to adjourn was made by Alderman booth and seconded by Alderman Miller. Motion was approved by voice vote. Meeting adjourned at 8:54pm

32:35

Okay, any suggestions, changes, corrections,

32:40

I have one that

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Brian Miller 32:43

last paragraph of the page where it says the mayor stated that, according to Charlie McDaniels, the Bucha pump address, the finance meeting, had been repaired a year earlier. I don't think that's what you said, Mayor. I thought you said that Washington pump had checked it out. Said it was okay. I don't remember you mentioning any repair.

Mayor, Delair 33:02

I don't know whether they repaired it or not. I know they had worked on it. Yeah, that's all Charlie has said. So just try to make sure the records right. I don't think you ever said it'd been repaired. You said that it'd been checked out. Yeah, Washington pump had checked it out. I don't know whether they were having a problem or not. You. I can't have any problem with changing that to No. That's a more correct statement. What do you wanted to say? He said that it had been checked out by Washington pump,

Brian Miller 33:32

and they said the pump was okay at that time. I believe if you go back and review the video, they used it for the whole summer, that's what okay we'll say it.

33:44

Any other corrections or additions,

33:48

motion to accept the minutes. Make a motion correction.

33:53

Second, Brian, seconds. All those in favor, please signify by saying aye, aye. Aye. All those opposed are the same.

Mayor, Delair 34:05

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Okay. Minutes are approved.

34:12

Treasurer's Report.

RT Vanderpas 34:19

Okay, so just renewing what I said at finance committee meeting, what I look at first, very first thing I look at every time I look at a finance report is how we do revenue versus expenses. And if you look at this month or last month, whatever the revenue was \$92,000 and some change and expenses were 215,000

34:39

and so change. And that just sounds horrible, obviously, but it's mitigated by the fact that 215 included a an

34:47

airport commission expense that had been previously deposited the month before. And so it probably made the month before look really good, but it made this month look really bad. So after I would adjust for that amount, it's still Rev.

35:00

Know, still it was less than expenses, but only by about \$19,000 and that's still a concern. It's been a concern I kind of pointed out probably last month, and maybe it was the month before that, our numbers at the end of the last year looked way better than they should have, because we had a hidden \$159,000

RT Vanderpas 35:17

insurance check in there that should not have been included in revenue. So at the end of the year, when it looked like we had we're 20,000 ahead, we were really 140,000 in a hole. So that

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that's a major concern. Now I know we did put some money aside, so it's not like 140,000 total was 140,000

35:33

minus, I think we put 100,000 aside, so it was really 40,000 in a hole. But that add on to that the fact that now we're putting money into parks and rec at a rate of about 20,000 a month, and that's cause for concern, because I don't think we have it. So

35:49

that's my comments. Where did you put the

35:53

11,500

35:55

it goes into parks and recs automatically, I know, but it doesn't show it on a special line item? Well, it wouldn't be on a special item. For one thing, it happened after the end of the last month, so we wouldn't see it yet. I got the, I think about a week after you mentioned it. I got, I got an email confirming it. So somewhere in between there, I don't know how you knew about it before I did, but I didn't know about it. I hadn't been emailed yet, but you're right. It was 11,000 some

36:22

change, right? It's an automatic transfer. It happens automatically,

36:26

okay, of what month

36:29

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it wasn't, it wasn't.

36:34

Oh, so he may have initiated the transaction, but didn't happen until May. So I

36:48

did we lose Jeanette? I

37:05

Good.

37:07

All right, any other questions or additions to the Finance Report?

37:16

Got a motion to approve the finance report.

37:20

I'll make motion second.

37:28

Okay, all those in favor, please signify by saying aye. Aye. All those opposed, please say the same

37:37

Finance Report has been approved. You.

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37:55

So I'm

38:05

committees.

38:21

Okay committee Reports,

38:27

Animal Control,

38:32

Public Library, applause,

38:43

a public works activity,

38:47

recycling,

38:55

building committee,

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38:58

code enforcement, fire

39:02

department,

39:07

airport,

39:12

and that's it.

39:15

Has everybody had a chance to look at the committee reports?

39:21

Yes, any corrections, additions, deletions to the committee reports?

39:28

Okay, do I have a motion planning? Planning Committee itself, its report

39:34

in the minutes, there's

39:38

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mention of an engineer he contacted layout, sewer and water, roads for Greenbrier,

39:46

I like, like to see we couldn't encourage that committee to bring that before the whole city and city council meeting. I think they're going to do that Tuesday night, right? Yes, at the community senator,

39:58

yep.

40:02

Okay,

40:08

still would like to invite him to city council meeting, also

40:12

go tomorrow night

40:15

and invite him. Will do i

40:20

is

Mayor, Delair 40:24

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the engineer going to be there tomorrow night? Mitzi, do you know? No, I didn't think so.

40:33

All right, anyways, yeah, the planning committee has a meeting tomorrow night, the community

40:38

Town Hall at the

40:40

community center. Yes, all right, everybody's invited.

40:45

Okay, back to the committee reports.

40:52

Any other changes?

40:54

Problems with the committee? Reports? I

41:00

I

41:03

have a motion and accept the committee reports

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41:08

a second.

41:10

Okay, all those in favor of accepting the committee reports, please signify by saying, aye.

41:16

All those opposed say the same

41:20

committee reports are accepted. All

41:33

right, so,

41:37

all right under old business, I

41:43

Yeah, so we have

41:45

vetoed and citizen statements. So

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41:51

of the two vetoes that are appropriate,

41:56

I believe three

42:02

and six.

42:10

Okay, the veto for ordinance 20, 2503

Mayor, Delair 42:15

we do not need a law to correct the Facebook page. The city can create a new Facebook page. This is simpler than changing the live feed setup. The live feeds wired through my office and is an administrative function of the mayor's office. Statements that we can't set this up simply as a push button thing are completely incorrect. It really is a pain in the butt to do this. There's about eight different steps to actually get this live feed up and actually get it running. So it's not as simple as everybody thinks it is, and it is a public service as I intended to provide it for the citizens. And for these reasons, I vetoed the ordinance. Please put in writing that you are unable to create a new city Facebook page account with mister vanderpass As the administrator, with less work, and I can get a computer person to create a new page for you or for Victoria as the administrators in probably about 10 minutes, that gal that's actually doing Our Website, she can produce that she's tried, huh? She's tried, she's had the same result. Well, there's, to my knowledge, there's at least four city Facebook pages out there, all with different people, you know, running them and and whatever. I don't think it's that big of a deal, but if it is, and she can't do it, then I'll turn this page over and we'll run the live feed through the mayor site. And that's a good idea. I don't have a problem with it. Anyways, that's the veto for 20 2503

43:57

so I need to respond to that, because you asked me to write a letter, so I did

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RT Vanderpas 44:00

so to city council and mayor Delair city of free school the city Facebook page was started in May of 2019 it has been managed by various personnel, but it has been managed by Denise Broderick since I took office. When Miss Broderick's position was eliminated, she promised to give the log in credentials to me through the mayor. To date, both she and the mayor have refused to provide this information. This Facebook page is very important to the city. It is a means for posting important information for the residents about city government, safety information, polling locations, emergency shelter locations, as well as live streaming and recording of important council meetings. Some of the postings can eventually be on the city website, but many people expect to see them on the Facebook page. City ordinances dictate that social media and advertising be managed by the recorded treasurer. I contacted mister Sipe about the situation. He suggested that maybe we should start a new page. So I got some advice on how to create a Facebook page for an organization. I created one. About five seconds later, the page was suspended by Facebook. I thought maybe the page had been red flag because of the.gov So I tried again with a new email address, with the same results. I had someone who had created several Facebook pages in the past try. She got a page up and running for a half day before it was suspended. Sign, sign myself. And I also say I have built computers from scratch. I am a computer expert, and if I can do it, nobody can do it, and it's nothing to do with me. It's Facebook is suspending it immediately, probably because the names are similar. I really don't know, but we're stuck in the water. We can't do anything without this page. And it's been it was started by the recorded treasurer six years ago. It belongs to the staff of the recorded treasurer. I don't know why you can't give it back. I don't understand it seems Anyway,

Mayor, Delair 45:45

okay, I guess we need to work to get that back. I certainly will do that. Alright. So moving on to the next veto ordinance 20, 2506

45:59

ordinance on Parks and Recreation Director. This was written by Bill vanderpass. This ordinance with a full time director would be acceptable,

46:11

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still subject to the oversight of the mayor. However, in this distance, you have a temporary person in a job that you say is actually a contract 1099, employee. So he's not an employee of the city, then he shouldn't have the ability, without direct supervision, to spend the kind of money that he's spending.

46:32

He especially shouldn't submit, or should submit purchase orders on any money that he spent. If he's a contracted employee, then he's an independent employee and not even a city employee.

46:44

Mr. Vanderpass has assumed supervision, not only over parks and rec, but also over the golf superintendent. Neither have provided purchase orders prior to ordering items. In fact, I never received a list of the new employees hired several who are making 1415, and \$17 an hour, that's never been told to the people, that's never been brought to the finance that's never been brought to this committee. Who are these people who hired these people, and why are they working there? And I ask for their resumes too. I have not received those. I'd like to see their employment applications of who they are and who hired these people. There's what, 1215, people up there working.

47:33

Okay, yeah, go ahead. Sorry, that's okay.

47:39

This is inappropriate, and I do not agree that this transaction should be taking place. How is it? Golf Course employees start at a higher salary than some of our city sewer and water department people. Our starting salary is 1250, for 90 days. Here were all the positions advertised and because of the improper the way it was done, that's why I decided to veto up.

48:11

And again, I've asked for a list of who these people are and a list of who actually hired these people.

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48:20

I think that should be brought forward. I think the people have a right to know when somebody's hired at 15, \$17 an hour, who are these people and who made the decision to actually hire them? So the next thing I was, well, it's,

48:36

I mean, we could really talk about this. Now it was under new business, but it's actually old business. When Charlie and I set Parks and Recreation up, it was conceived as two separate departments with two department heads. The idea of hiring one person to be responsible for all that doesn't make sense at all, because the golf course needs someone who is a golfer and someone that knows the turf and someone that knows the chemicals to be responsible for it, that's a total different skill set than someone who's going to be responsible for the lakes, the dams, the fish and the parks. And that's why we split those two piece of people apart. That's why the people we hired had two different skill sets in that particular area. And I think that's how Parks and Rec should be set up. And if you're going to run parks, so to speak, and do the lakes and the parks, then you should be hiring people that work on the lakes and the park. And if you're going to be responsible for the golf course, then we need to hire people that have knowledge about turf and caring for the golf course, and have a skill set that makes sense with that. So that's how this structure was originally set up. That's why we created the two contracts, and we set them up, really, as separate areas. And I know we hadn't got that totally worked out, but.

50:00

Something that we're all going to have to do. This is something that was never done before. Mr. Id had it set up and it was structured one way. I think we need to take our time when we structure this and find out what works and what doesn't work, but having one person over top of all of it, I don't think that worked before, and I don't think it will work now. Mean, that's my particular opinion, and I think that the aldermen should think about how you want to structure this to get the most out of what goes on.

50:34

Being the golfers are going to want someone with knowledge about golfing and greens and chemicals. That's an important skill set that's not the same as someone that's going to be responsible for our lakes and mowing veterans parks and putting ball diamonds in

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50:50

and the other thing I want to make clear too, when Charlie and I conceived even the director of Parks and Rec that is a working job like Chris bigness, that is not a sit behind the desk, hire people, see what goes on, that's go out, fix park benches, mow if you have to

51:09

put petitions up, pick up garbage on the lake, whatever you have to do. It's a working position, and that's how it was set up. It wasn't set up to sit in your butt and just do nothing. I

51:21

think you ought to think about that too, and the idea of putting it under Chris bigness, I talked with Chris, and he's really not interested in doing anything like that. The problem is he doesn't want to get caught in the middle of World War Three here either.

51:36

But then the next thing that we should talk about too. And I don't have the handouts, but I do have them,

51:43

Brian, you don't get to go around and negotiate with people as you're running this city as an alderman, you're supposed to have a separate and independent relationship with the city employees. The municipal book actually says that, and I can show you it.

51:59

We're calling companies and talking about guarantees and equipment, that's that's not your job. You're a legislator. You can sit here and pass all the laws you want to, but setting up contracts with people and arranging house things are supposed to run that that's really not the way the city's supposed to go. And I will furnish the references to that. All right, so that takes care of that part.

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52:26

Now we had the last meeting kind of got canceled in a firestorm,

52:33

so

52:35

I have things here.

52:38

All right, so

52:40

Carol Spencer wrote a letter into the record. That's a copy of her letter.

52:50

These were people that were scheduled to talk that really didn't get a chance to do that.

52:59

Missy, you had talked. Do you want to read this into the record?

53:04

If you want to read it or

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53:10

Well, this is it. That's the one. This was the other one that she did last week. This is the one she's reading now. Go ahead. I

53:23

for those of you who don't know me, I need to be quiet. Miss Woodside,

Mitzi Ballman 53:26

go ahead, Mitzi. For those of you who don't know me, my name is Mitzi Ballman. I'm a member of the planning committee. My political party is having their regularly scheduled monthly meeting tonight, and I'm usually there, but when my friends and colleagues are under attack, I have to speak out on their behalf. Eric Gratz and Gail fuller are young, talented, energetic and innovative thinkers. When we had that kind of talent on the committee. Why would we want to get rid of it? I can't think of anything but one reason, and that's because they are young, talented, energetic, innovative thinkers, who, by the way, have Horseshoe Bend's best interest at mind. They are a vital part of our committee, and we don't want to lose them. Please tell your council representatives to leave our committee alone. Tonight's council meeting was hastily called a week early because they wanted to remove these two members from our planning committee before our town hall meeting, you can join us at 6pm tomorrow at the community center, and we're going to have some very interesting guest speakers.

RT Vanderpas 54:52

Thank you this. This meeting was called in January already. I'm sorry for it was the second resolution of the year. Set the schedule, and it was scheduled. For this day because we knew a memorial day was next Monday. It's recorded. You can check it if you want. Okay, it's absolutely true, right? So you're an error. Okay, right, right, right. She's saying it to me. What am I can't respond.

Mayor, Delair 55:17

Well, you guys don't Okay, folks, we've got a lot of stuff to get through. I really want to move on Ceil. You want to read your sin. This is a cop. How are people on the agenda when we didn't put them on the agenda? How does this happen? They're on the agenda because you never

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produced the agenda until three o'clock in the afternoon on Friday. That's when they're always yours were out on Mondays. Well,

RT Vanderpas 55:38

that's what they've always been out. We send them out on Monday. You have the whole weekend to look at them, and you have until noon on Friday to put anybody on the agenda. And you didn't, well, I put a number of counseling. Needs to decide we let these people on the agenda. Then there's why even do it? Why why even schedule anything? Let's just have anarchy. See, we have enough to do with you. Have a right to speak. Go ahead.

Ceil Shorr 55:57

And yes, this is, this was a letter that I had written to Mayor Delair for the January 28 meeting. So I'll just put it well, it kind of fits for this meeting. Also, I am totally in opposition of the city council's agenda. In fact, the changes being made since January are totally out of line with a group who ran to unify the city with transparency and fairness. What has happened is getting rid of people they do not wish to work with such smugness, anger only concern themselves. They care about the golf course. They care about their golf buddies, and they support growth at Crown Point resort.

56:54

Seems that be nice, huh? Be nice for a change. We don't have to let you talk. There's no reason we have to sit up here and listen to you. Yes, you do be nice. I'm running this meeting, but she does have a right to talk

57:12

now that this meeting alright?

57:15

Everybody wants to support.

57:18

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Everybody wants to run around. You don't want to listen to anybody in opposition to you. You want to just stop everybody from speaking their truth motion on the floor. They have betrayed the citizens of Horseshoe Bend. And we need to stop the waste of money as much as possible. This woman, sincerely,

Ceil Shorr 57:42

and you are very you. You're very, very smug, and you have lied to my face, Brian, you have lied to my face three times. I lied to you. Seal. What's the point of being here? You told me about what the guy,

57:55

Charlie, can we let the woman just finish reading what you have to say another time, and that

58:03

will alright. So she's done

58:08

okay. I had I had Doctor Clary come to me after our last our after our court date.

58:22

Every

58:29

here it does need to stop. Call me names, and I look forward to the time. Did you read what you had to read? All right, then you're finished. Kim, do you want to talk? Mr.

58:41

Ciph, I want to do it right. I'm not on the

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RT Vanderpas 58:47

agenda. These are things that were on the other agenda that didn't get carried forward. They were citizen statements on the agenda. Mayor, don't lie. They were not on the agenda. Absolutely, they were not. I wrote the agenda. I know they weren't on it. Why do you sit here and lie to us? I can add to the agenda. Why did and these citizens, you added three and they talked. You added Mitzi. You added Carol. Actually, you didn't even put her on the agenda. You added her at the last minute. Well, Carol and you Yeah, and we were all put on the agenda appropriately, because you got to it in time. Anything after that doesn't count. That's why we have it on. Everybody this doesn't we've got to move on.

Sipe, B 59:29

Has made it pretty clear that they do not want to hear anything. It's not on the agenda, right? They have that right. Agree with it. Don't agree with it. They have the right. I've told Donnie that you don't have to get law enforcement involved if you have to to get control of this meeting. Thank you. Thank you. Brett,

59:48

okay, so then that should be it. So then the next thing is ordinance 20, 2504

59:54

water fees. You.

RT Vanderpas 1:00:00

This is the second reading of ordinance 2520

1:00:04

2504

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RT Vanderpas 1:00:05

ordinance authorizing water fee mitigation, whereas the city of Horseshoe Bend has the right and responsibility to regulate water fees charged under unusual or unfortunate circumstances, and whereas it is in the best interest of the residents for the city to provide a safety net to help during these catastrophic events, and whereas no two events are ever exactly the same. Now therefore it be ordained that the city council, the city of Horseshoe Bend, Arkansas, grants full authority to the water department at their discretion to offer a cap, a deferral or a waiver of excess charges, the department head for the water department shall have final authority which follow, but should follow these guidelines, one waivers are limited to one time lifetime per address. Caps are minimum 1000 limited to max one per year, \$1,000 I'm sorry, three deferral payments limited to a maximum two year payoff. The water department should consider factors such as, was the customer notified in advance of a smaller leak? Was the customer given notice of a large over consumption. Was a customer negligent leaving their property for an extended period of time without shutting off the water, especially in winter? Is there a history on the count of weight payments and lastly, no mitigation is allowed for events prior to 2025

Mayor, Delair 1:01:19

okay, is this supposed to be just the second reading, second reading, second reading, okay, so then the next one you're going to read is the library security, yes,

RT Vanderpas 1:01:29

okay, second reading of ordinance 20, 2508 ordinance to place decisions about the use of the library building with the Iser County Library Board, whereas the library collection, literary content of The Horseshoe Bend library belongs to the White River Regional Library System. And whereas the Horseshoe Bend library staff is employed to the Izzard County Library Board, which is part of the White River Regional Library System, and whereas the library building is owned and maintained by the city of Horseshoe Bend, and whereas the library building library meeting room have been used without the advanced permission of the Horseshoe Bend library staff and outside of normal library operating hours. And whereas there are multiple keys to the library building and the library meeting room that have been issued without the permission and knowledge of the Horseshoe Bend library staff, and whereas isard county library board needs to have access control over the library to protect the Horseshoe Bend library staff, the library collection, literary content and the library physical assets, and whereas the Izzard County Library Board is expected to use the library building and meeting room in line with the policies, the Arkansas State Library Board annotated 13, 2205, and annotated 13 2207,

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Mayor, Delair 1:02:34

therefore be it ordained by the city council. The city of Horseshoe Bend, Arkansas, section one, the city council directs the change of all entry locks as soon as possible to allow access control over the library to the desert County Library Board. Duplication of keys and distribution is hereby unauthorized. Section two, the city council directs all who wish to use the library meeting room to submit their request to the desert County Library Board through their Horseshoe Bend library staff no less than one week in advance of the meeting room need. In section three, the city council orders all Horseshoe Bend elected officials and committee commissioners abide by these restrictions, Mr. Mayor, there are several items in that that are in error. What are they? Well, first of all, members, y'all

Sipe, B 1:03:22

sorry, but this, this is, I respect you. I do promise I don't want to have to do this. But technically, the city council's made it clear that they don't want any, they don't want any y'all want any input. I do not pass something that's not it's just the second reading. Is this the second reading? Yes. And they are not going to pass anything tonight. It's the second reading. It's the only, it is the only second reading. And there's not enough. I don't even think there's two thirds here to suspend the rules, correct? Yeah. So it's not going to happen tonight. So now I'm taking,

RT Vanderpas 1:04:00

okay, next ordinance 20, 2509 ordinance to limit the spending of the mayor. Of course, you've been whereas Arkansas annotated 1444 108 states, the mayor shall perform all duties required by ordinance of the city. And whereas Arkansas annotated 1443 502, b1 the council shall have the management and control of finances and of all the real and personal property belonging to the corporation. And whereas the City Council has oversight on budget and expenditures, and whereas only Council can amend the budget, now therefore be it ordained by the city council, the city of Horseshoe Bend, Arkansas, section one the mayor shall not spend more than \$1,000 without prior city council approval within the constraints of the city's annual budget. And the mayor shall not spend more than \$300 outside the constraints of the outside the constraints of the city's annual judge budget, section two of the mayor must notify the Council at the next council meeting of the deviation from the budget and section one and give the reason for the deviation. I

1:04:57

just want to make a little comment on that. This was.

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1:05:00

Not an ordinance or that we were looking at to get at anybody. It was actually something recommended to me at Municipal League conference in the winter, because there's been a common misconception among a lot of cities, again, according to the lawyer at Municipal League, as to what the spending limits have to that most cities have on their mayors. The mayor is not allowed ever to change the budget, and if you spend money that was not in the budget, you're actually violating statutes. And so being that our our budget, when you figure out a budget, typically what you do is you take last year's budget and say, Alright, how do we do on it? Do we need more? Do we need less? Do we have some special expenditures? You try to figure out, and you're trying to get that number pretty close. You know, you're not trying to put a bunch of fluff in there so that something that you hadn't anticipated gets spent. So being that we do that, I'm pretty sure we do that there isn't really a lot of fluff. There certainly isn't \$5,000 at any budget item that just discretionary for the mayor to spend. So that's the reason for this, really, more or less, to hammer that idea home, because most people don't get that. Most people think, Oh, \$5,000 I can just go buy something for \$5,000 No, it has to be within budget. So that's the reason for it.

1:06:10

Call me a lawyer if you want. But that's, that's the reason. So

Mayor, Delair 1:06:15

all I can say is, I've never spent \$5,000 I spend more of my own money than I ever have this city's money. Is this the second reading? That is the second reading of that one? Correct? Okay?

1:06:28

Ordinance 2516

Brian Miller 1:06:30

committee meeting location. Ordinance 2020, folder second. So I'd like to make a amendment to this one. All.

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1:06:40

Yeah.

Brian Miller 1:06:42

Originally, when I wrote this, I had a section underneath this that if a committee had a need for a variance, another meeting because they thought 400 people wanted to attend, we can't put 400 people in

1:07:00

here. Therefore they could arrange ahead of time with advertisement, 30 days in advance,

1:07:10

advertise it with location, the date,

1:07:14

and then that would be put out there for the people to attend a special meeting of, let's say, the planning committee having a town hall, and we think there's more people that can fit in here than they can have a meeting. But also said that meeting should be documented and recorded so those who couldn't attend could be able to see the minutes or watch the video or one thing or another, be able to get the information that was distributed in that meeting. That was the section I had added to this that was omitted.

1:07:52

So what do we do with that? What do you want to do? Brian, put it back on. I'd like to put that back in here for a second reading. They had an ordinance at the end of the year, where they admitted it twice, but they had the final vote on the third reading. So I guess with that already been done in 2024 surely we can add to this one on a second reading before we read it. Nope, nobody's saying you

1:08:14

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completely agree with you. No, okay, I don't think we just need to have a verb. No, no, I would just I was sharing. He asked what I wanted to do. Why? Oh, I thought you No, I was,

1:08:24

yeah, you can, you can do this. It's purpose of the multiple readings is to give people a chance to talk about it, think about it, tweak it, refine it, those type of things. So you'll need to read it though tonight, like, yeah, to give me something to read, dude,

1:08:41

I'll send it to you.

1:08:45

Is it got the i's dotted and the T's crossed? Maybe, I don't know. May have to spell check it. I

1:09:13

All right, I think I have, I think it already sent it to me. I just, it's not written all that well, but I can do it so the it

1:09:21

would be, I it

1:09:23

would be the first part where it says, therefore be it our day. That particular part would be section one, and now would be adding a section two. The city committees wish to hold it. If city committees wish to hold an additional meeting outside the city hall, they are to advertise such a meeting at least a month in advance and give the purpose for needing the special venue these meeting meetings need to be recorded for those who may not be able to attend.

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1:09:49

All right, so now start at the top,

1:09:52

all right, and have that added in.

1:09:55

Alright.

1:09:57

Ordinance, 2025, dash, 16 second.

RT Vanderpas 1:10:00

Reading ordinance to require all city committees to hold their meetings in the council chambers, chambers at City Hall, whereas the people of Horseshoe Bend expect committee meetings to take place in the same place, regardless of committee name, and whereas the council chambers are vacant for many hours during a typical week, and whereas the council chambers offer a large enough venue with adequate seating to encourage public attendance, therefore be it ordained. Section one, the city council the horseshoe Oh, I'm sorry. Therefore be it ordained by the City Council of the City of Horseshoe Bend, Arkansas, section one, that all committee meetings be held at properly scheduled and or announced times in the council chambers at the city hall of Horseshoe Bend. And then section two,

Brian Miller 1:10:39

if the city committees wish to hold an additional meeting outside the city hall there to advertise such a meeting at least a month in advance, and give the purpose for needing the special venue these meetings need to be recorded For those who may not be able to attend. I Okay, this is a second reading. Is if, if there's something, as you look at this addition, that you may think a month, maybe too long, you want to change it to two weeks, or whatever. We can do that in the third reading, correct? Yes, I'm just, I just saying, just because we read it this way with this new section that should have been there beginning,

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1:11:24

we can still alter it one more time before we vote on it.

Mayor, Delair 1:11:37

What's next on the agenda? New business

RT Vanderpas 1:11:42

park superintendent, golf course superintendent.

1:12:02

You

1:12:04

I don't have that in here. What do you have? I make a motion. We hire Dan Robinson as the parks superintendent.

1:12:22

Do

1:12:24

second, I'll second.

1:12:31

Roll call vote,

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Mayor, Delair 1:12:33

okay? Discussion? Actually, anybody with discussion? I

1:12:41

think they've already made up their mind.

1:12:44

Roll call vote.

RT Vanderpas 1:12:46

Alderman Yancey, yes. Alderman Miller, yes.

1:12:52

Alderman Vickers,

Vickers 1:12:54

no. Almond Dawson, yes. Alderman Draper, yes.

1:13:00

Mayor

RT Vanderpas 1:13:02

doesn't pass,

1:13:08

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okay, ordinance 2025,

1:13:10

11 golf

1:13:16

course superintendent,

1:13:21

the recreation, two separate jobs,

1:13:24

right? You got it out here, golf

1:13:28

course superintendent,

1:13:31

I'll make a motion. We hire Alan back as a golf

1:13:35

course superintendent. I

1:13:40

Mister, I didn't hear you.

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1:13:43

Can you speak

1:13:47

into your mic? Wouldn't turn on. I make a motion that we hire Alan bathrick as our golf course superintendent.

1:14:01

I second.

1:14:08

Please ask for a second. Is there a second?

1:14:16

No second. It fails.

1:14:22

2025, 2025, 11

1:14:25

mayor's authority in committees.

1:14:30

This first or first reading with this will be the first reading

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RT Vanderpas 1:14:34

ordinance. 2025, Dash 11 ordinance to direct the mayor that he is not a voting member on city committees, whereas the mayor has tried to exercise a voting privilege on a city committee by stating he is a voting member on all city committees. And whereas there are no statutes ordinances that grant the mayor this privilege, and whereas there's this is not conducive to committees of the city to make decisions without interference. And whereas the ordinance is establishing, these committees have been set to allow an odd number of members to promote this. Making now therefore be ordained by the city council, the city of Horseshoe Bend, Arkansas. Section one, the city council directs the mayor that he may observe committee meetings. However, he is not a voting member of any city committee, with the exception of the finance committee. Section two, the city council directs all committees to select their desired chairperson themselves. And section three, any decisions made by any committee utilizing the mayor as a voting member are hereby rendered invalid.

1:15:33

2025 12 ordinance, first reading of ordinance, 2025 12 ordinance to remove Eric rots from Planning Committee, whereas Arkansas annotated 1442, 109, a two, the Council of any city or incorporated town may provide by proper ordinance for the removal of any appointed Officer upon a majority vote of the council, and now therefore be it ordained by the city council, the city of Horseshoe Bend Arkansas, that Our grass be removed from Planning Committee, effective immediately

1:16:02

the

1:16:06

2025, 13 ordinance.

RT Vanderpas 1:16:09

2025. Dash 13 ordinance to remove Gail fuller from the planning committee. Whereas Arkansas annotated 1442, 109, a two states that the Council of any city or incorporated town mayor provide by proper ordinance for the removal of any appointed Officer upon a majority board of the council

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Now therefore, be it ordained by the City Council of the City of Horseshoe Bend, Arkansas, section one that Gale fuller be removed from the planning committee effective

Sipe, B 1:16:36

immediately. I feel a need to bring something up. They say it effective immediately. That's implying that there's an emergency clause. But I don't see an emergency clause. Okay, I can take that in here. I'll take it out. And good point. If it were to be passed and effective immediately, there, you'd have to have some kind of, first of all, you'd have to have a two thirds majority by the council, and you'd have to be able to show some serious, something serious, to the threat to the welfare of the people for the property. Otherwise, if you take that out, that effective immediately, out, then you don't have to pass an emergency clause, and if passed, it would take effect 31 days after

1:17:26

Thank you.

1:17:29

Okay.

1:17:30

14

RT Vanderpas 1:17:35

ordinance 2025, Dash. 14 ordinance to move Rick Broderick from building committee, whereas Arkansas annotated 1442, 109, a two, the Council of any city or incorporated town may provide by proper ordinance for the removal of any appointive officer upon a majority board of the council. Now therefore be ordained by the City Council of the City of Horseshoe Bend Arkansas, section one that Rick Broderick be removed from the building committee the

1:18:00

14.

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1:18:06

That was 1414.

1:18:10

Zoning, 14 zoning, yeah, there's two of them for Rick. I believe probably I have 15 as my zoning,

1:18:19

yeah, I just read right? So that was, that was 14,

RT Vanderpas 1:18:24

alright. For now you had to read 15. Alright. Ordinance 2025, dash, 15, ordinance to remove Rick Broderick from the zoning adjustments committee. Whereas Arkansas annotated 1442, 10982, the Council of any city or incorporated town may provide by proper ordinance for the removal of any appointed Officer upon a majority vote of the council. Now therefore, be in by the city council, the city of Horseshoe Bend, Arkansas, section one that Rick Broderick be removed from the zoning adjustments

1:18:52

committee. The agenda needs to be corrected. If those are correct titles, the agenda is backwards. You've got 14 is zoning, and I'm putting it up on the agenda. I'm sorry,

RT Vanderpas 1:19:03

that's what they're I'm reading them as they're printed out. So well, we gotta correct the agenda. That's all,

1:19:12

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alright? All the ordinances were read. Is there any ordinance that you don't want to Is there anyone else you Want to throw out?

1:19:22

I

1:19:25

Okay, public comments.

1:19:31

Sure you

Gail Fuller 1:19:43

Hi, I'm Gail Fuller, yes, they just announced that I'm going to be removed from the planning committee whatever, um, I'm still going to do this. I don't know about most of you and the citizens of of Horseshoe Bend, but where I come from, we had. Block parties all the time, and so I thought it'd be really good if I could get everybody in the city, if they have time, if it's possible to come to veterans park. And we're going to do this June 14, from two to 6pm Bring a chair because there's not enough seats there. Bring a drink because I can't provide drinks, but I will provide free hot dogs and hot dog buns, and I'm going to ask for assistance with like, paper plates, napkins, things like that. So

1:20:39

come enjoy the fun. We're going to have music. Somebody's bringing a corn hole game. I've never played that, so come and watch me throw that.

Gail Fuller 1:20:50

Bring your basketballs, your softballs, anything like that. We just want to have a city come together and enjoy the day. Any questions? No, okay, see you there,

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1:21:09

Cindy, I have that

Cindy P 1:21:17

kind of attitude. I do have one question though I'm Cindy Parson, um, there was one council person that had called and told mister McDaniels that the 50,000 was found. I'd like to know that if it was found,

1:21:35

can you

1:21:37

because you said that only 35 was found?

1:21:40

I said I couldn't account for that. It still have not done any financials. Okay? Well, dear God, are the statements that got mailed to us. That's all I've had to look at so far. Is the statements that came in mid April. Okay, well, there was a council person that called, and I won't name who it was that said that he did call and said that the 50,000 was found. I don't know about 50,000 I know what, what I'd said back in Okay, anyway, let's is that there was 240,000

RT Vanderpas 1:22:08

in February, and then what we got was 167 right? I had nothing, nothing to look at to see what was the difference? That's all I said, Because bills still had to be paid, correct? Anyway, it was basically, from my perspective, it was that things were still had to be found. It seems to me, when he had to answer to a judge, that if a council person called and said that money was found, that this council owes him an apology, 50, 50,000 was found. Again, I don't know where the 50,000 come from. What I just told you was 73,000 so but yes, I looked at the statements when I got it, and there was a lot of stuff. And I said, last meeting, I said, and there was a big one there that

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was a red flag, because it was a wire transfer. It should be a red flag. Wouldn't it be a red flag to you? You see a wire transfer. We don't know who it's going to and Charlie explained to me that that was to pay the insurance claim because he was worried the check would bounce, and I explained that the council meeting so I did not see anything. That doesn't make sense yet. I'd like to see more, but so far, I haven't seen anything. It didn't make sense. Okay, I'll see if I can't get a hold of the accounting from the judge then.

Cindy P 1:23:16

But anyway, and the other question is, why would you want to not have people to volunteer for this town and then get them off of a committee?

1:23:31

No, that was a question

1:23:33

the council. I'm not addressing I'm addressing the council.

Cindy P 1:23:41

I was not addressing you, Miss Clary,

1:23:45

they can answer that.

Cindy P 1:23:50

So why would anyone want to volunteer? Is my question, and I understand you don't have to answer that, but I volunteered for this city for many years. In the past, I wanted to volunteer again, but Okay, never mind. Thank you very much for

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RT Vanderpas 1:24:11

your Time. Raul, come on up. You.

1:24:40

Do

1:24:46

you have one? Brad, did he give you one?

1:24:50

I don't know what it is. Okay.

Johnston, Raoul 1:24:55

Do not have good evening. My name is Raul Johnston. I am. Volunteer for the city, chairman of the zoning and adjustments committee.

1:25:23

I the reason I

1:25:26

came to talk tonight is

1:25:28

there was something posted on social media that,

Johnston, Raoul 1:25:33

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in my perception, I believe my integrity, was questioned, and so I wanted to come and address that,

1:25:42

and this was in one of the mayor's veto documents. So in April 28 2025 the city council meeting minutes, it states, according to the Municipal League per bread site, the mayor is not authorized to vote at these committees. Mayor's veto of May 1, 2025,

Johnston, Raoul 1:26:04

of ordinance 2025, Dash 11. In this veto document, the mayor has indicated the following this further vengeance against Wally Mettler for his association with part on the golf course. This is solely of the mayor's opinion and not factual. As I have no vengeance towards anyone. My decisions on the zoning adjustments committee are based on the ordinance or law and what is in the city's best interest in general. The following are the ordinance or law requirements of the city zoning code,

1:26:41

chapter 10, administration, Section five, paragraph a sub paragraph one, which states to provide a means by which reasonable variances from the zoning code may be allowed. Was Mr. Mettler request for 1500 square foot detached garage reasonable based on the zoning ordinance, the code requirements. Chapter Five, section r1, paragraph B, sub paragraph G, which limits detached garages to maximum 900 square feet. Furthermore, chapter three, section two, definitions of the following subsections, the accessory structure, detached garage and sub is subordinate to and serves a principal building. The accessory structure, detached garage is subordinate in area, extent or purpose, to the principal building, and the accessory structure contributes the comfort, convenience or necessity of the occupant of principal building or principal use.

1:27:49

One question, Mr. Mettler indicated that the permit information for his new house, being a total of 1400 square feet, was correct. He was also asked if his property is currently shown to be for sale. Mr. Mettler response was the property does have a for sale sign on the property. Lastly, Mr. Mettler was asked about the necessity of a 1500 square foot detached garage, and his response was

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that he has an antique pickup truck that he like that he works on based on this information, it was of my opinion that this variance request was unreasonable as it did not conform to the zoning code requirements of a detached garage being subordinate an area of the principal structure, and the property owner could not show a necessity for a structure that did not conform to the size limitations of the law.

1:28:46

The next item I would like to address the mayor statement, in fact, one neighbor slash property owner was at the meeting and voiced her approval for the building. I'm questioning as to what neighbor the mayor was referencing. The following is from the meeting minutes. Roll call was conducted with the following members attending, Dan Robinson, Rick Broderick, Raul Johnston, de Mears and Mayor de mayor.

Johnston, Raoul 1:29:15

Guests attending were Walter Mettler, who was requesting the variance and Lee mirrors, if the mayor is referring to de Mears as neighbor, as there were no other women at the meeting, then I had the following concerns. The first is, Mrs. Mears does not live in the neighborhood in question. Secondly, if Mrs. Mears was attending to support Mr. Mettlers variance, she should have recused herself from voting, as this would be conflict of interest.

1:29:46

The last item I would like to address is mayor's following statement. For this reason, this ordinance is vetoed, is unfair, showing Raul Johnston believes his authority is above the varied neighbors that allow.

Johnston, Raoul 1:30:00

The variances to go through. This is just the mayor's opinion is not based on fact. I based my opinion on the law, which indicates that the variance request must be reasonable, The detached garage should be subordinate in size to the house, and that there is a necessity for the variance request based on the facts and laws, I believe that my decision to deny the request was in the city's best interest. By the mayor's vote to approve, he has set a precedent that may be detrimental to the city in the future, I will use the following as an example,

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1:30:38

a homeowner with 1000 square foot house applies for a variance for 5000 square foot garage.

Johnston, Raoul 1:30:46

The committee denies his request based on the variance request must be reasonable. The detached garage should be subordinate size to the house and that there is a necessity for the requested variance this high, this homeowner hires an attorney and files a discrimination lawsuit against the city, as well as every member of the committee that voted against his requested variance based on the precedent that was established by the votes of D mirrors Richard Broderick And Mayor Delair. There's a high probability that the plaintiff will be successful in court. In conclusion, I would now like to request that the city council to determine if it was, if it is of their opinion, that I have abused my authority as chairman of the zoning and adjustments committee.

1:31:44

If so, I would like for one of the aldermen to make a motion to be seconded and voted for, voted on for my resignation from the committee. If so, I will tender my resignation in writing to the mayor and recorder tomorrow morning.

1:32:05

So do I hear a motion from any members?

1:32:10

With all due respect, I'd be up to the mayor to

Mayor, Delair 1:32:14

ask for that motion? Yeah, I think I'd like to talk to you first. Raul, I know this is very well written, because you're very good at writing this. When I said there was a neighbor that was for it, she stood right in the door at the city council meeting, not at the variance Committee. She was here and she said she wasn't against it. Did you receive one variance letter that said they didn't want that garage

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Johnston, Raoul 1:32:42

one? No, the city did not. So you sent the variance letters out. Every neighbor said they don't care if that garage is 10 feet bigger than what it's supposed to be, which is what a variance is, right? If you is that a variance you ask for bigger than what it is, within reason, though. Okay, Mayor address the question, do you roll? So just a second roll. Is it not true that you have done a variance before? Yes, with no response after sending out the letters, and then after the building has started, people have come. The neighbors who are in the neighborhood have rose up and said, Wait a minute. Wait a minute. This is not right. I had to do it this way. How come you allow them because they did not respond at the time of letter does not mean there's not someone who's going to object once the construction started. So, so when variance letters mean nothing, we shouldn't even send them out. They're just one of three things.

1:33:38

No, Brian, oh, so now he's guilty, because he wants, Brian, you are correct. We did grant the variance for someone that was asking for a large garage to be built, and his reasoning was that he had a recreational vehicle, tractor and lawn equipment that he wanted to park inside of a structure. The the conditions that were put on that variance were that we would grant the variance request, but he would not be allowed to store any of those items outside. If he was in violation of those conditions, he could be ticketed, and his variance could be nullified, and he would have to remove the structure.

1:34:23

I understand. I know you gave an example of someone complaining before. I just wanted

1:34:29

to, oh no. And after that, after he built that structure, yes, I did receive some complaints about it. People said it was unsightly, it was too big. But nobody complained prior to the meeting for the variance. So unfortunately, built the garage right? Yes, he did. So do you want to send out a second set of variance letters and see if there's any neighbors that don't want that garage

1:34:57

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because the point of a variance is.

Mayor, Delair 1:35:00

The neighbors have a say in

Johnston, Raoul 1:35:03

law to approve or the city rules. There's three things you have to look at. One of them is if the if the people that next door objected immediately, no variance, but they didn't object. So now you look at, is it within the the zoning that's we have a zoning report for it, whether it meets zoning commit it doesn't, and they have the right to give it to give it to him or not give it to him. There has to be a reason. There isn't one. The when the situation was being discussed at the meeting, Dan Robinson did inquire with mister Mettler if he would be open to decreasing the size of the garage to 1400 square feet, so it was not larger than the principal structure. Well, that request was laughed off by not only Mr. Mettler, but also by the mayor that thought it was foolish to even discuss that situation. Again, this precedent, I do not think, is in the city's best interest, because it can open the city up to liability. Should someone else ask for something that's not realistic in a request, the fact that we've already done it once puts the city in a position to end up in a discrimination lawsuit. I have seen this countless times in my experience working at a municipality this letter, this letter has moved me role to make a motion. I move that the city council commends Raul for his action on this committee by upholding the law,

1:36:40

I get a second Well, I would like to thank everyone for their time and consideration this evening, and if you have any questions, I'd be more than happy to answer them.

1:36:52

Thank

1:36:54

you, Mayor. I made a motion. Thank you.

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1:36:58

I made a motion. The City Council commends him for doing his job and upholding the law. A second. Okay, commend him. I did. We need a vote.

1:37:10

Emotion a second.

1:37:14

All those in favor.

1:37:16

Aye. Aye.

1:37:17

Oh, you know what?

1:37:19

Do roll call, yeah, yeah, because I can see where this is possibly going to end up

1:37:29

spelling here, okay? Alderman Yancey, yes. Almond Miller, yes.

1:37:35

Alderman Vickers, Alderman Dawson, yes. Almond Draper, yes,

RT Vanderpas 1:37:41

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you're commended. Raoul any other business. The last thing I just this is a remnant of last meeting as well. We had presented approval for the sprinkler heads, and it was over \$5,000 and I explained that that was probably rightly so it should get approved. But the mayor said, No, I had nothing to do with it. It had this was all about. It was a the invoice was an MR. ID. So I brought a copy of his note on the check, and here it is, I refuse to sign this check. This was not authorized by me, as the mayor nor Council. Contractor employees cannot spend this kind of moneys. Where is Mr. Id mentioning that at all? I didn't see. How was I supposed to know what you was you objected to based on that note anyway, that's enough draw your own conclusions. So I told you about the Mr. ID. You didn't tell me anything. Yeah, I did, and I've talked with Victoria about it, and we've had three separate bills come through, still MRI, this was and I have called them to change that we couldn't possibly have gotten to change by then. That's this particular one. Was April 2. Well, I've always managed to call up and I just got em changed

1:38:47

the green Pro. They just changed on. Hard to do. It just takes time. And it was the second day we had the place. There's no way to get it changed that quick. So you've been changing over from Mr. Id since January.

1:38:59

Make a motion to adjourn a second

1:39:03

all those in favor say yes, yes, we're adjourned until we until we hire someone.

1:39:21

Thank you.