

**WEST FRANKFORT REGULAR COUNCIL MEETING**  
**TUESDAY, DECEMBER 8, 2015**

1. MAYOR JORDAN CALLED THE MEETING TO ORDER AT 7:00 P.M. REQUESTING A ROLL CALL. ALL COMMISSIONERS WERE IN ATTENDANCE, ALONG WITH THE CITY ATTORNEY AND CITY CLERK.
2. MAYOR JORDAN ASKED FOR APPROVAL OF THE MINUTES FROM THE REGULAR COUNCIL MEETING OF NOVEMBER 24, 2015. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
3. MAYOR JORDAN NEXT ASKED FOR APPROVAL TO PAY CITY BILLS AND PAYROLL IN THE AMOUNT OF \$225,844.89. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
4. THE NEXT ITEM WAS APPROVAL OF THE CONTINUED COVERAGE OF ARTHUR J. GALLAGHER & CO. INSURANCE FOR THE CITY OF WEST FRANKFORT, EFFECTIVE DECEMBER, 2015 TO DECEMBER, 2016, REGARDING PROPERTY, LIABILITY AND WORKERS' COMPENSATION INSURANCE FOR A TOTAL PREMIUM OF \$299,639.00. THE MAYOR STATED THIS IS THE SAME COMPANY WE HAVE HAD; THIS WILL BE OUR FOURTH YEAR WITH THEM. THERE IS A SLIGHT INCREASE IN THE POLICY. THIS COVERS WORKERS COMPENSATION, GENERAL LIABILITY, LAW ENFORCEMENT LIABILITY, PUBLIC OFFICIAL LIABILITY AND ALL OF OUR VEHICLES. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
5. THE NEXT ITEM WAS DISCUSSION, WITH POSSIBLE ACTION, REGARDING PURCHASE OF A KONICA MINOLTA BIZHUB PRINTER FOR THE FIRE DEPARTMENT. THE CITY CLERK STATED THIS IS FOR THE PURCHASE OF TWO PRINTERS. ONE IS FOR THE CHIEF AND ONE IS FOR THE GUYS. CHIEF ALLEN STATED THIS IS THE SAME COMPANY THAT CITY HALL AND THE POLICE DEPARTMENT USE. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO

APPROVE. MOTION CARRIED.

6. THE NEXT ITEM WAS DISCUSSION, WITH POSSIBLE ACTION, REGARDING THE PURCHASE OF GARAGE DOORS FOR THE FIRE DEPARTMENT BAY. CHIEF ALLEN STATED WE HAVE HAD SEVERAL PROBLEMS WITH THESE DOORS. THEY ARE UNREPAIRABLE; WE HAVE ONE THAT IS CURRENTLY NOT OPERATING, WE HAVE TO MANUALLY LIFT IT. AND ONE THAT WAS RECENTLY HIT. I WOULD LIKE TO START REPLACING THEM. THE MAYOR STATED THEY HAVE TWO BIDS ONE FROM THE DOOR DOCTOR AND ONE FROM ANDERSON OVERHEAD DOORS. CHIEF ALLEN STATED THAT ANDERSON DOORS HAVE SOME HIDDEN THINGS IN THE BID THAT ARE NOT NEEDED. THE DOOR DOCTOR HAS BEEN DOING WORK FOR US, THEY COME ANYTIME WE CALL. COMMISSIONER SIMPSON ASKED FOR THE ESTIMATE TO BE EXPLAINED TO HIM. COMMISSIONER HARKINS STATED THE ESTIMATE FROM THE DOOR DOCTOR IS A TOTAL OF \$2925 PER DOOR; THIS IS FOR ONE DOOR (OUR MAIN DOOR). THE MAYOR STATED THE BUILDING WAS BUILT IN 1979. THESE ARE THE ORIGINAL DOORS AND OPENERS; THEY HAVE BEEN HAVING TROUBLE WITH THE CONTROLS ON THE WALL AS WELL. CHIEF ALLEN STATED THAT WHEN THEY LEAVE IN THE ENGINE THE DOOR STAYS OPEN WITH THE HEAT ON UNTIL THEY GET BACK. THESE DOORS ARE SIMILAR TO WHAT WE HAVE NOW. THE MOTION IS TO GET ONE NEW DOOR AND TWO OPENERS FROM THE DOOR DOCTOR. COMMISSIONER BLADES MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
  
7. THE NEXT ITEM WAS DISCUSSION, WITH POSSIBLE ACTION, REGARDING REVOLVING LOAN APPLICATIONS. THE MAYOR STATED HE SPENT THIS MORNING TALKING TO OUR LOAN COMMITTEE FOR OUR REVOLVING LOAN FUND. THIS IS A LOAN APPLICATION FROM MILLENNIUM 2000 FOODS INC. WHICH IS ALSO KNOWN AS THE DAIRY QUEEN. THEY HAVE REQUESTED A \$20,000.00 LOAN FROM OUR REVOLVING LOAN FUND. THEY HAVE BEEN IN BUSINESS SINCE 2000 AND VERY LOYAL TO THE CITY OF WEST FRANKFORT AND RUN A GOOD BUSINESS. IT'S A RECOMMENDATION FROM THE LOAN COMMITTEE THAT WE APPROVE THIS LOAN. I ALSO BELIEVE THIS IS SOMETHING WE SHOULD DO FOR MR. SANDERS WHO HAS OPERATED A GREAT BUSINESS HERE IN OUR COMMUNITY FOR FIFTEEN YEARS. WE HAVE THREE YEARS OF TAX RETURNS FOR THE BUSINESS AND HIS OWN PERSONAL TAX RETURNS.

THE COLLATERAL FOR THE LOAN WILL BE A SECOND MORTGAGE ON THE PROPERTY. WE WILL ALSO HAVE THE CORPORATION GUARANTEE AND HIS PERSONAL GUARANTEE. AND THEY ALSO MADE THE EQUIPMENT AVAILABLE IF WE WOULD LIKE TO PUT A LIEN ON IT. COMMISSIONER SIMPSON ASKED IF THIS WAS TO UPDATE THE DAIRY QUEEN. THE MAYOR STATED YES IT IS FOR UPDATES HE HAS BEEN MAKING SOME REPAIRS AND NEEDS SOME EXTRA CASH TO DO UPGRADES. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

8. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM FREDCO (FRANKLIN COUNTY REGIONAL ECONOMIC DEVELOPMENT CORPORATION) IN THE AMOUNT OF \$15,000.00 REGARDING 2016 MEMBERSHIP DUES. THE MAYOR STATED THIS IS THE AMOUNT OF MONEY WE OWE FOR OUR DUES. WE PAID \$11,000.00 LAST YEAR. THERE IS A LETTER THAT GOES ALONG WITH THE INVOICE REQUESTING ADDITIONAL REVENUE. THEY HAVE A NEW DIRECTOR HE HAS A BACKGROUND IN ADVERTISING AND HE HAS A DRONE. HE PROVIDED US WITH SOME OVERFLIGHT OF THE WEST FRANKFORT OUTLET MALL PROPERTY AND THE INCUBATOR. SO THEY ARE REQUESTING THAT OUR MEMBERSHIP DUES BE RAISED TO \$15,000.00 A ONE TIME FEE PER YEAR. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.
9. THE NEXT ITEM WAS APPROVAL FOR PAYMENT ON AN INVOICE FROM BROWN & ROBERTS AS A PARTIAL INVOICE FOR THE ACCESS JUSTIFICATION REPORT IN THE AMOUNT OF \$13,000.00. THE MAYOR STATED WE HAVE BEEN WORKING ON THIS FOR A WHILE. THIS IS OUR SAFETY REPORT WE HAVE SOME PROBLEMS ON THE INTERSTATE WE ARE TRYING TO GET AN EXCHANGE THAT WILL GIVE US TWO ACCESS POINTS ON/OFF THE INTERSTATE. THIS IS OUR INITIAL ACCESS JUSTIFICATION REPORT. WE WENT THROUGH SOME MODIFICATIONS BECAUSE THE DEPARTMENT OF TRANSPORTATION RECOMMENDED SOME CHANGES, AND THIS REPRESENTS US ADDRESSING THESE CHANGES. THIS IS THE COST TO GO BACK TO THE REPORT AND MAKE THE MODIFICATIONS THAT WERE REQUESTED. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY

COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

10. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM BROWN & ROBERTS FOR PRELIMINARY AND SUPERVISORY ENGINEERING WORK FOR THE 2015 MOTOR FUEL TAX PROGRAM IN THE AMOUNT OF \$14,246.82. COMMISSIONER CHAMBERS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER BLADES. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

11. THE NEXT ITEM WAS APPROVAL FOR PAYMENT OF AN INVOICE FROM MARION GLASS & MIRROR FOR THE WEST FRANKFORT BUSINESS INCUBATOR IN THE AMOUNT OF \$1,650.00. THE MAYOR STATED THIS IS THE COST TO REPLACE ONE OF THE WINDOWS IN THE BUSINESS INCUBATOR THAT WAS CRACKED. DON SAID HE ISNT SURE IF IT WAS HIT BY SOMETHING MAYBE A BIRD FLEW INTO IT. WE NEED TO GET THAT REPLACED. COMMISSIONER SIMPSON MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER HARKINS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

12. OFFICER'S REPORTS:

CHIEF ALLEN READ THE FIRE DEPARTMENT'S REPORT.

CHIEF TALLUTO READ THE POLICE DEPARTMENT'S REPORT.

CODES OFFICER, ED HAMMONDS, READ THE CODES REPORT.

13. BUILDING AND SIGN PERMITS:

THE CODES OFFICER HAS A REQUEST FOR FOUR BUILDING PERMITS.

THE FIRST REQUEST IS FOR BONNIE FILKINS AT 607 S. MONROE. SHE IS REQUESTING TO BUILD A 25 X 26 SMALL HOUSE BUILT. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

THE NEXT REQUEST IS FOR ROGER STANLEY HE IS REQUESTING TO CANCEL HIS PERMIT #1514 THAT WAS APPROVED EARLIER IN THE YEAR FOR THE LOT HE HAD PURCHASED FROM THE CITY. HE WANTS TO BUILD A POLE BARN ON HIS LOT AT 210 N JACKSON ST INSTEAD.

COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

THE NEXT REQUEST IS A REQUEST FROM THE WEST FRANKFORT FIRE DEPARTMENT. THE REQUEST IS TO PUT UP A UTILITY BUILDING ON WALNUT STREET BY THE WATER TOWER IT IS FOR AN AC UNIT. THEY NEED AN 8 X 8 SHED UP THERE ON A CONCRETE SLAB. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER CHAMBERS. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

THE NEXT REQUEST IS FOR EARL BONNER HAS PURCHASED AT A LOT AT 403 S. MULBERRY STREET. HE WOULD LIKE TO BUILD A GARAGE 30 X 50 ABOUT 1500SQ FEET. COMMISSIONER BLADES MADE A MOTION TO APPROVE, SECONDED BY COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS AND MAYOR JORDAN VOTED TO APPROVE. MOTION CARRIED.

#### 14. MAYOR'S REPORT:

I HAD THE PLEASURE OF ATTENDING THE ILLINOIS MUNICIPAL LEAGUE MEETING IN CHICAGO THIS PAST WEEKEND. THE BOARD MET SATURDAY MORNING. WE HAD THE PLEASURE OF HEARING THE SPEAKER OF THE HOUSE MICHAEL MADAGAN SPEAK. I FELT REASSURED THAT THINGS ARE ABOUT THE SAME. IT'S AN HONOR TO SERVE ON THE ILLINOIS MUNICIPAL LEAGUE. IT'S A GROUP OF 42 MAYORS THAT REPRESENT THE STATE. WE ARE A GROUP THAT SPEAKS OUT AND DEFENDS THE MUNICIPALITIES OF OUR STATE. SOME OF THE THINGS THAT WE TALK ABOUT IS LOCAL GOVERNMENT DISBURSEMENT FUND WHICH IS PART OF THE INCOME TAX. WE ALSO TALK ABOUT THE PENSION LEGISLATIONS THAT ARE BEFORE THE HOUSE AND SENATE. IT'S AN HONOR TO BE A REPRESENTATIVE FOR WEST FRANKFORT. I SAT BY A REPRESENTATIVE FROM CHICAGO THERE WERE A LOT OF THINGS DIFFERENT BUT ALSO A LOT OF THINGS SIMILAR. I JUST WANT TO THANK THE CITY FOR THE OPPORTUNITY TO ALLOW ME TO BE ON THE BOARD AND TO TRAVEL UP THERE.

#### 15. COMMISSIONER'S REPORTS:

COMMISSIONER HARKINS STATED HE WANTS TO THANK YOU GUYS FOR ALLOWING THE FIRE DEPARTMENT TO GET A NEW DOOR. THE GUYS AT THE FIRE STATION HAVE BEEN PUTTING A LOT OF MAN HOURS IN

GETTING THAT BAY CLEANED UP AND PAINTED AND THE LIGHTS REPLACED. IT IS LOOKING VERY NICE BACK THERE. GETTING THESE DOORS CHANGED OUT IS GOING TO BE A BIG HELP. LEAVING THE DOORS OPEN IT GETS PRETTY COLD IN THERE. THE POLICE DEPARTMENT IS DOING JUST FINE. OUR CHIEFS ARE DOING A GOOD JOB. EVERYTHING SEEMS TO BE MOVING FORWARD. WE GOT A NEW DISPATCHER LINDSEY AND SHE IS DOING A GOOD JOB.

COMMISSIONER CHAMBERS STATED SHE HAS HAD A LOT OF PEOPLE QUESTION ME ABOUT THE POSSIBILITY OF REVERSING THE ONE WAY DIRECTION AT SOUTH ANNA STREET. IT WAS KIND OF A PROBLEM WHEN THERE WAS THE TAVERN THERE AND SOME OTHER BUSINESSES ON SUCH A NARROW ROAD. THAT IS NOW A CLEAR SPACE FOR US TO DEVELOP ON AND WE STILL HAVE IT AS A ONE WAY ROAD. SOME PEOPLE SEE THAT AS A HINDRANCE TO PUTTING A BUSINESS THERE. I HAVE BEEN ASKED BY SOME OF THE PEOPLE WHO ARE INTERESTED IN DEVELOPING ON THAT SPACE IF THERE WAS ANY HOPE OF THAT BECOMING A TWO WAY STREET. THERE HAS ALSO BEEN INTEREST IN US REVERSING IT AND MAKING IT A TWO WAY FROM THE VETERANS DEPOT AND ALSO FROM THE GENERAL PUBLIC. I THINK THIS WOULD BE A GOOD OPPORTUNITY TO MAKE THESE CHANGES I DON'T HAVE A PROBLEM WITH IT. THE MAYOR ASKED WHY THIS IS A ONE WAY STREET. CHIEF TALLUTO STATED IT HAS ALWAYS BEEN THAT WAY AND THERE IS NO REAL REASON FOR IT. EVERY PERSON WHO HAS SHOWED INTEREST IN THAT LOCATION HAS STATED THEY DO NOT WANT TO BE ON A ONE WAY ROAD. IT IS A DETERRENT FOR DEVELOPMENT. THE MAYOR STATED WE WILL HAVE CHIEF TALLUTO LOOK INTO IT AND SEE WHAT PROS AND CONS WILL COME ALONG WITH MAKING THE CHANGES. THE FANTASY LIGHTS PARADE THIS YEAR WAS ONE OF THE BEST PARADES OUR TOWN HAS EVER HAD. IT WAS THE MOST WELL ATTENDED PARADE I HAVE EVER BEEN TO. THE ROADS WERE SO FULL IN SOME AREAS THE POLICE HAD TO PUSH PEOPLE BACK TO MAKE ROOM FOR THE FLOATS TO COME THROUGH. THERE WERE SO MANY PEOPLE WHO STAYED IN THE COLD FOR THE TREE LIGHTING. THIS IS THE START OF SOMETHING THAT IS GOING TO BE REALLY NEAT FOR OUR TOWN.

#### 16. AUDIENCE QUESTIONS OR COMMENTS:

DON STATED THE PARADE WAS BEAUTIFUL. IT WAS SO NICE TO SEE PEOPLE DOWNTOWN. AND THE NEXT MORNING THE STREETS WERE REALLY CLEAN THERE WAS NONE.

STACY TURNER STATED THAT THE CITY SEWER BACKED UP INTO MY BASEMENT ABOUT 3 FOOT. THE CITY HAD THE SEWER DEPARTMENT COME AND BLOW THE SEWER LINE OUT AND THE WATER THEN RECEDED SHORTLY AFTER THE LINE WAS BLOWN OUT. THE CITY'S INSURANCE CONTACTED AN OUTSIDE ADJUSTER WHO SENT ME A LETTER ON NOVEMBER 16, 2015. THE LETTER STATED THAT THE CITY OF WEST FRANKFORT WAS AT FAULT FOR THE SEWER THAT BACKED UP IN MY BASEMENT. ABOUT A WEEK AFTER THAT I RECEIVED A LETTER FROM TRIDENT THE CITY'S INSURANCE PROVIDER SAYING THAT THEY ARE DENYING THE CLAIM. I HAVE TRIED ON SEVERAL OCCASIONS TO SPEAK WITH MR. JORDAN AND WAS TOLD I WAS NOT ABLE TO TALK TO HIM. THE MAYOR STATED HE DID SPEAK WITH STACY TURNER ON THE PHONE. STACY TURNER STATED SHE SPOKE WITH HIM FOR A FEW SECONDS THEN WAS PUT ON HOLD AND DIRECTED BACK TO THE CITY CLERK. I LIVE AT 216 W. 7<sup>TH</sup> STREET I HAVE COME IN AND CALLED SEVERAL TIMES TO SPEAK WITH YOU AND WAS DENIED. I WAS TOLD FROM THE LETTER FROM THE ADJUSTER THAT THE CITY WAS AT FAULT. WE HAD A CLEAN UP SERVICE COME OUT AND CLEAN UP MY BASEMENT AND REMOVE EVERYTHING THAT WAS DAMAGED AND NOW I AM BEING TOLD THAT THE INSURANCE COMPANY FEELS YOU HAVE A SYSTEM IN PLACE TO PREVENT THIS FROM HAPPENING THEREFORE YOU ARE NOT AT FAULT. IF THERE IS A SYSTEM IN PLACE TO PREVENT THIS FROM HAPPENING SUCH AS BLOWING THE LINES OUT ONCE A YEAR. OBVIOUSLY THERE WAS A SYSTEM BREAK DOWN BECAUSE IT STILL HAPPENED. JUST BECAUSE YOU HAVE A SYSTEM IN PLACE TO PREVENT IT FROM HAPPENING DOESN'T MEAN IT DIDN'T HAPPEN. I HAD 3 FOOT OF RAW SEWAGE IN MY BASEMENT THAT DAMAGED MY PROPERTY AND I FEEL THAT THE CITY IS RESPONSIBLE TO PAY FOR THAT. I HAVE ASKED FOR REPORTS AND HAVE NOT BEEN GIVEN THEM. MRS. BAKER HAS SAID THIS IS HAPPENED IN THE PAST. THE LETTER I RECEIVED FROM THE SEWER SUPERVISOR CHARLES HUBBLE SAYS THAT WE HAVE BEEN INFORMED FOR THE LAST 15- 20 YEARS TO INSTALL A CHECK VALVE AT THIS PROPERTY. I HAVE OWNED THE PROPERTY FOR THREE YEARS AND THERE WAS NEVER A DISCUSSION TO INSTALL A CHECK VALVE UNTIL AFTER THIS INCIDENT OCCURRED. HE WAS IN AGREEMENT THAT THE CITY WOULD HELP WITH THE COST. I JUST WANT TO KNOW WHY I'M NOT ABLE TO SPEAK WITH YOU, WHERE WE ARE AT WITH THIS, AND WHY YOU FEEL THAT YOU AREN'T RESPONSIBLE TO PAY FOR THE DAMAGES TO MY PROPERTY. I HAVE GIVEN COMPLETE ACCESS TO MY HOUSE, BASEMENT AND MY

PROPERTY. THE SEWER ELEVATION LEVELS HAVE BEEN CHECKED THEY ARE AT CODE AT 6FT. I DON'T UNDERSTAND THE PROBLEM. THE MAYOR STATED I WILL TELL YOU WHAT THE PROBLEM IS. I THINK I CAN RELATE THIS TO SOMETHING A LITTLE MORE EASILY IF YOU HAD A CAR INSURANCE POLICY. IF YOU HAD A WRECK AND I HAVE STATE FARM INSURANCE AND STATE FARM INSURANCE SAYS TO YOU THAT THEY ARENT GOING TO PAY THE CLAIM BECAUSE IT'S NOT OUR FAULT. THEN YOUR ARGUMENT IS NOT WITH ME IT IS WITH STATE FARM INSURANCE. WE HAVE TRIDNET INSURANCE THEY INSURE OUR LIABILTY FOR THE SEWER SYSTEM. THEY HAVE DONE AN INVESTIGATION THEY HAVE TALKED TO CHARLES HUBBLE AND THEY HAVE DETERMINED THAT THIS IS NOT THE CITY'S FAULT. THEREFORE THEY HAVE DENIED THE CLAIM. WE RESUBMITTED IT WE HAVE TALKED TO THEM AGAIN AND THEY HAVE STILL DENIED THE CLAIM. IT HAS BEEN DENIED ON THE FACT THAT THE CITY HAS A SEWER SYSTEM THAT IS MAINTAINED AND AS LONG AS WE MAINTAIN OUR SEWER SYSTEM THEY HAVE DETERMINED THAT WE ARE NOT RESPONSIBLE FOR THE DAMAGE IN YOUR HOUSE AND THEY ARE THE INSURANCE CARRIER. YOU CAN TALK TO ME ABOUT IT AND I SYMPATHIZE WITH YOU AND WOULD LIKE TO HELP YOU OUT. I CANNOT OVERRIDE MY INSURANCE CARRIER, THEY HAVE DENIED THE CLAIM AND SAID THAT THE PROBLEM IS ON YOUR SIDE OF THE LINE. STACY TURNER STATED THAT THEIR ADJUSTER SENT HER A LETTER STATING THAT THE CITY IS AT FAULT. THE MAYOR STATED DID YOU SPEAK WITH TRIDENT TODAY? STACY TURNER STATED NO THEY WONT SPEAK WITH HER THEY HAVE TO SPEAK WITH YOU. BILL TURNER STATED HE SPOKE WITH THEM TODAY AND THEY SAID THIS IS NOT COVERED DUE TO THE FACT THAT THE CITY DOES BLOW THEIR LINE OUT ONCE A YEAR. WE DO HAVE A COPY OF SOME SEWER CALLS; OUR CALL CAME IN ON OCTOBER 29, 2015. ON DECEMBER 8, 2014 MY NEIGHBOR HAD THE SAME PROBLEM AND HE CALLED THE CITY AND THEY BLEW OUT THE LINE. ON DECEMBER 4<sup>TH</sup>, 2014 JUST FOUR DAYS APART HE HAD THE SAME PROBLEM HE CONTACTED THE CITY AND THEY BLEW THE LINE OUT. IF THEY ARE BLOWING IT ONCE A YEAR THEN WHY IS IT THAT IS KEEPS BACKING UP. STACY TURNER STATED THAT THE REPORT THAT WAS DONE BY MR. HUBBLE THAT WAS SENT TO THE INSURANCE COMPANY IS NOT FACTUAL INFORMATION. IT STATES THAT HE RECEIVED THE CALL AND WE DID HAVE A SUMP PUMP BUT IT WAS NOT PLUGGED IN. OUR SUMP PUMP WAS PLUGGED IN THAT WAS HOW WE KNEW THERE WAS AN ISSUE. THAT WAS STATED IN THEIR DENIAL LETTER THAT WE HAD UNPLUGGEED OUR SUMP PUMP. I UNPLUGGED MY SUMP PUMP WHEN I

WENT DOWNSTAIRS BECAUSE IT WAS CONSTANTLY RUNNING. THAT WAS HOW WE KNEW THERE WAS SOMETHING WRONG. WE UNPLUGGED IT WHEN WE REALIZED IT WAS PUMPING RAW SEWAGE INTO OUR YARD. THE MAYOR STATED I'M GLAD YOU CAME TO THE COUNCIL MEETING BUT THE SITUATION IS SIMPLE. WE HAVE AN INSURANCE CARRIER, THEY HAVE DENIED THE CLAIM THEY HAVE LOOKED OVER EVERYTHING AND MADE A DETERMINATION THAT THE CITY IS NOT AT FAULT. I WOULD LIKE TO WORK THIS OUT WITH YOU BUT I AM NOT GOING TO ADMIT THAT THE CITY DID ANYTHING WRONG. YOU NEED TO BE TALKING TO TRIDENT OUR INSURANCE COMPANY. I HAD CHARLES HUBBLE IN MY OFFICE TODAY AND HERE IS WHAT HE TOLD ME. AT YOUR RESIDENCE THE PREVIOUS OWNER WAS TOLD THEY NEEDED A CHECK VALVE. HE TOLD ME HE PERSONALLY TALKED TO YOU IN THE PAST ABOUT THIS AND EVEN OFFERED TO HELP YOU PUT THIS IN. THE FORMER RESIDENCE WAS RELATIVES OF YOURS AND WERE TOLD THEY NEEDED A CHECK VALVE. THIS IS IN AN AREA WHERE THEY HAVE PROBLEMS AND YOU NEEDED A CHECK VALVE. STACY TURNER STATED THAT SHE CAN NEVER TALK TO THE MAYOR OR CHARLES. THE MAYOR STATED THE REASON YOU ARE DIRECTED TO MRS. BAKER IS BECAUSE SHE TAKES CARE OF ALL THE INSURANCE. THE MAYOR STATED STACY TURNER WAS VERY DISRESPECTFUL. YOU WERE IN CITY HALL AND I HEARD YOU TALKING WE DO NOT NEED THAT KIND OF ATTITUDE. WE NEED TO GET THIS RESOLVED. OUR INSURANCE COMPANY HAS DETERMIND WE ARE NOT AT FAULT. IF WE CAN HELP YOU OUT SOMEHOW, WE WOULD BE GLAD. BUT WE WILL NOT ACCEPT RESPONSIBILITY FOR SOMETHING THAT THE SEWER DEPARTMENT SAYS IS NOT OUR FAULT AND THE INSURANCE COMPANY SAYS IS NOT OUR FAULT. I WOULD BE GLAD TO WORK SOMETHING OUT WITH YOU. YOU CAN MAKE AN APPOINTMENT WITH ANGIE TO SPEAK WITH ME, CHARLES OR ED BLADES OUR WATER/SEWER COMMISSIONER. BILL TURNER STATED HE SPOKE WITH ANGIE TODAY AND SHE CONTACTED YOU AND YOU AGREED TO PAY THE SERVEPRO BILL. BILL TURNER STATED THAT THEY LOST VALUABLE SENTAMENTAL THINGS. THE MAYOR STATED HE IS WILLING TO HELP PAY FOR THE SERVEPRO BILL HE WILL BE GLAD TO DO THAT BUT WE ARE NOT RESPONSIBLE FOR ANY OTHER PROPERTY OR DAMAGES.

17. MAYOR JORDAN ASKED FOR APPROVAL TO GO INTO EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS, PERSONNEL, LAND ACQUISITION AND/OR PENDING LITIGATION, WITH POSSIBLE ACTION. COMMISSIONER HARKINS MADE A MOTION TO APPROVE, SECONDED BY

COMMISSIONER SIMPSON. ROLL CALL VOTE: ALL COMMISSIONERS  
ALONG WITH THE MAYOR VOTED YES. MOTION CARRIED. THE COUNCIL  
WENT INTO EXECUTIVE SESSION AT 7:53 P.M.

18. WITH NO FURTHER BUSINESS TO BE DISCUSSED, THE MEETING WAS  
ADJOURNED ON A MOTION BY COMMISSIONER HARKINS AT 8:44 P.M.

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MAYOR TOM JORDAN

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ANGIE BAKER, CITY CLERK