

Regular Council Meeting  
of the City of Greenville  
on Tuesday, July 12, 2016

**Call to Order:**

The regular meeting of the Greenville City Council was called to order on Tuesday, July 12, 2016 at 7:32 p.m. by Mayor Pro Tem Roger Sanders.

**Roll Call:**

Present: Mayor Pro Tem Sanders, Councilman John Gillard, and Councilman Mike Heath. Mayor Alan Gaffner attended via remote participation.

Absent: Councilman Jes Adam

Also Present: City Attorney Patrick Schaufelberger, City Manager Dave Willey and City Clerk Sue Ann Nelson.

**Remote Attendance:**

Mayor Gaffner was unable to attend the meeting in person due to being out of town for work. With a quorum being confirmed, motion made by Heath, seconded by Sanders, to allow remote participation by Mayor Gaffner. Since Mayor Gaffner is not physically present, Councilman Sanders served as Mayor Pro Tem and chaired the meeting.

Ayes: Heath, Sanders, Gillard

Nays: None

Absent: Adam

Motion carried.

The Pledge of allegiance to the United States flag was recited.

**Citizen Input:**

Lavern Willeford addressed the council wanting clarification regarding zoning designation of his property. City Manager Willey indicated that staff continues to work on uses within zoning designations with plans to present changes to the council in the future. With no further comments, citizen input was closed.

**CONSENT AGENDA:**

- Approval of minutes of the June 14, 2016 Regular Council Meeting;
- Financial Statements for June 2016;
- Approval of Accounts Payable totaling \$529,340.27;
- Approval of minutes from June 24, 2016 Board of Adjustment Meeting, June 23, 2016 Tourism Committee Meeting, June 28, 2016 Board of Adjustment Meeting, July

5, 2016 Band Board Meeting;

- Approval of Administrative Reports of the Police Department, Public Works, Sewer and Water Departments, Building Permits, Code Enforcement and Greenville Public Library Annual Report.

**Ordinance 3096 –  
Variance to Exceed  
Maximum Outbuilding  
Size - Durbin:**

Request from David Durbin for a variance to exceed the maximum outbuilding size for a detached garage at 504 W Franklin Avenue. Board of Adjustment unanimously recommended approval for a variance to exceed the maximum outbuilding size for a detached garage at 504 W Franklin and that the construction of the garage be constructed within all mandated setback requirements of the UDO and constructed of comparable materials so that it closely matches the existing house construction consistent with the aesthetic requirements of the UDO (see ordinance on file for full text).

**Ordinance 3097 – Rear  
and Side Setback  
Variance - Dothager:**

Request from Kolin and Brianna Dothager for a side and rear yard setback variance to place a storage shed at 1511 Ballyvaughn Court. Board of Adjustment unanimously recommended variance for a side yard setback of 10 feet and a rear yard setback of 5 feet with the condition that the shed not encroach nor be placed upon any recorded easement (see ordinance on file for full text).

**Water Plant Proposal  
for Hach Service  
Agreement:**

Annual service agreement with Hach for quarterly cleaning, inspecting calibrating and certification of turbidimeters, controllers and existing spectrophotometer, and desktop turbidimeters in the amount of \$5,533. EPA requires quarterly calibrations and certifications.

**Municipal Charge  
Card:**

Request for Municipal credit card with \$10,000 limit through Bradford National Bank for Bill Walker for travel and expenses associated with his duties as the new Economic Development Coordinator.

**Anson Williams Day  
Proclamation:**

Affirmation of proclamation Mayor Gaffner presented on June 18, 2016 proclaiming Anson Williams day in the City of Greenville.

**Don Most Day  
Proclamation:**

Affirmation of proclamation Mayor Gaffner presented on June 18, 2016 proclaiming Don Most day in the City of Greenville.

**Erin Moran Day  
Proclamation:**

Affirmation of proclamation Mayor Gaffner presented on June 18, 2016 proclaiming Erin Moran day in the City of Greenville.

**Approval of Consent  
Agenda:**

Councilman Gillard expressed the desire to remove the request for municipal credit card for Economic Development Coordinator from the consent agenda. Motion by Heath, seconded by Gillard, to remove the Municipal Charge Card and approve the remaining consent agenda as presented.

Ayes: Heath, Gillard, Sanders, Gaffner

Nays: None

Absent: Adam

Motion carried.

Councilman Gillard expressed the desire to discuss the topic further, with Mayor Gaffner indicating that as a personnel issue it would be appropriate to discuss at a later time in Executive Session.

**NewWave Franchise  
Agreement Extension :**

NewWave rejected the revised franchise agreement proposed by the City to include data and telecommunication services. Given differences that exist regarding the new contract, a twelve-month extension is proposed to allow additional time to work on a combined agreement or look for alternatives. Motion by Gillard, seconded by Sanders, to approve extension of NewWave CATV agreement until July 31, 2017.

Ayes: Gillard, Sanders, Heath, Gaffner

Nays: None

Absent: Adam

Motion carried.

**August Regular Council  
Meeting :**

The August regular council meeting is scheduled on the same night at the parade at the Bond County Fair. In order not to create a conflict and allow everyone to enjoy the annual event the council desires to reschedule the meeting. Rescheduling the August regular meeting postponed until special council meeting to be held later in July.

**Ordinance 3098 -  
Amend Unified  
Development Code Use  
Matrix Table for Bars,  
Taverns and  
Nightclubs:**

Last month the Plan Commission recommendation to amend the Use Matrix table was discussed by the council and set to be brought back at the July meeting. Original request was made from the City to change permitted and conditional use in the Use Matrix table for bars, taverns and nightclubs. Plan Commission unanimously recommended to change the Use Matrix table for bars, taverns and nightclubs to a

conditional use in Commercial Neighborhood (CN), Commercial general (CG), and Commercial Large-Scale (CL) zones and remove the permitted use in the Downtown zone. Councilman Gillard commented that eliminating the permitted use in the Downtown zone and changing to Conditional use in the Commercial zones is a compromise of the variety of opinions and comments that would allow bar establishments, while ensuring bars and taverns cannot be in the Downtown area. Motion by Gillard, seconded by Heath to approve Plan Commission recommendation and change the category of bars, taverns and nightclubs to remove permitted use in the Downtown zone and conditional use only in the Commercial Neighborhood (CN), Commercial general (CG), and Commercial Large-Scale (CL) zoning designations (see ordinance on file for full text).

Ayes: Gillard, Heath, Sanders

Nays: Gaffner

Absent: Adam

Motion passed 3-1.

Mayor Gaffner commented that he agreed with the sentiments of Councilman Gillard and that his no vote kept his original commitment to the community to not allow bars and taverns.

**Ordinance 3099 -  
Amend Liquor License  
Classifications:**

Following approval of the changes to the bar, taverns and nightclubs uses in the Use Matrix table, the city now needs to amend the Liquor Control Ordinance and establish a bar or tavern liquor license category. City Manager Willey explained last month that Willie's Place and the VFW had expressed interest in annexing into the City in order to get city sewer connection. Before they would be interested in annexing, the City would need to add bar or tavern liquor license classification.

In addition, following a earlier request for a special event liquor license to cater an event, the council expressed interest in the addition of a caterer license. Staff is proposing a caterer liquor license for incidental alcohol with food service on a contract basis, consistent with the state caterer classification.

Retailers have also requested that the Sunday alcohol selling times be amended to accommodate consumers wanting to purchase alcohol on Sundays earlier than the current noon sales time. Staff has proposed amending Sunday sales to the same start time as the other days of the

week.

Motion by Heath, seconded by Sanders to approve ordinance to amend Liquor Control Code to add Class I, bar and tavern liquor license, a Class J caterer liquor license and amend the Sunday selling times to 6:00 a.m. to 12:00 midnight consistent with the remainder of the week (see ordinance on file for full text).

Ayes: Heath, Sanders, Gillard

Nays: Gaffner

Absent: Adam

Motion passed 3-1.

**Proposal for Asphalt Striping:**

At last month's council meeting asphalt paving was awarded to Rooters, but did not include any striping. Change order presented for thermoplastic striping totaling \$14,985. Motion by Gillard, seconded by Heath, to approve addition of thermoplastic striping from Rooters for asphalt project for \$14,985.

Ayes: Gillard, Heath, Sanders, Gaffner

Nays: None

Absent: Adam

Motion carried.

**Ordinance 3100 –  
Modify Agreement with  
Greenville Chamber of  
Commerce:**

The City has an agreement with the Greenville Chamber of Commerce for an independent tourism promotion program, with the City matching one-half of the salary for the Tourism Director. With the hiring of a new Chamber Executive Director and Tourism Director, ordinance will specify that whenever the Tourism/Chamber position salary is adjusted, the City Manager is authorized to reimburse the Chamber for one-half of the pay approved by the Chamber Board plus payroll taxes and/or benefits. Motion by Sanders, seconded by Heath, to approve ordinance to modify agreement with Greenville Chamber of Commerce (see ordinance on file for full text).

Ayes: Sanders, Heath, Gillard, Gaffner

Nays: None

Absent: Adam

Motion carried.

**Purchase of Public  
Works Dump Truck:**

Fiscal year 2017 budget includes the purchase of a new Public Works dump truck, replacing a 2000 Chevy one-ton truck and 1989 Ford 2-

ton dump truck. Proposal from Morrow Brothers is the state bid and includes snow plow and salt spreader. Motion by Gaffner, seconded by Heath, to approve proposal from Morrow Brothers for \$71,356 to purchase new F550 dump truck, snow plow and spreader.

Ayes: Gaffner, Heath, Gillard, Sanders

Nays: None

Absent: Adam

Motion carried.

**Ordinance 3101– Add  
Class G Special Event  
Liquor License:**

In accordance with the Liquor Control Ordinance; special event retail liquor licenses are simultaneously cancelled at the end of the special event. As such, prior to approval of a special event application, the council is required to approve to increase the special event licenses from zero to one. Application has been submitted for a special event license that cannot be approved without increasing the number of special event liquor licenses. Motion made by Sanders, seconded by Heath, to approve ordinance to increase the special event, Class G, liquor licenses from zero to one (see ordinance on file for full text).

Ayes: Sanders, Heath, Gillard, Gaffner

Nays: None

Absent: Adam

Motion carried.

**Class G Special Event  
Liquor License  
Application – Bond  
County VFW:**

In accordance with the Liquor Control Ordinance, request for special event retail liquor licenses require council approval to increase the number of special event liquor licenses and approval of the application. Special event liquor license application has been received from VFW Post 1377 for liquor sales at the Bond County Fair, August 4<sup>th</sup> through August 10<sup>th</sup>, 2016. The application has been reviewed, proof of current insurance has been provided, and a satisfactory police background check has been performed. Motion made by Gillard, seconded by Gaffner, to approve Class G Liquor License for VFW Post 1377 for liquor sales at the Bond County Fair, August 4<sup>th</sup> through August 10<sup>th</sup>, 2016.

Ayes: Gillard, Gaffner, Heath, Sanders

Nays: None

Absent: Adam

Motion carried.

**Appointment to Boards**

**and Commissions:**

None.

**Old Business:**

City Manager Willey reported that a special council meeting will be necessary later in July for the engineering proposals for water plant upgrades. July 21, 2016 at 7:00 p.m. was set as a tentative date and time, pending confirmation with all council members.

Councilman Heath inquired about the status of the animal control shelter. City Manager Willey reported that quotes had been received for roof repairs and fencing, but the City is waiting on electric and plumbing. Once received, the City Manager will contact the Bond County Board about options to proceed.

**New Business:**

In light of the recent police shootings in Dallas, Texas, Mayor Gaffner offered his appreciation to law enforcement and first responders, but specifically the Greenville Police Department for the job they perform.

City Manager Willey reported that he attended the Fourth Fest meeting just prior to the July council meeting, and they are planning on shooting off the fireworks in conjunction with another event after the postponement of the Fourth of July fireworks due to inclement weather. City Manager reported that there should be no additional need for funding above the amount already budgeted.

Councilman Gillard remarked that he had been approached about an odor in the water. City Manager Willey explained that currently City crews are flushing hydrants. When hydrants are flushed the water plant uses free chlorine rather than chloramine in the water, which produces a slightly different smell to the water. Once the hydrant flushing is completed, chloramine will again be used.

**Adjournment:**

Motion by Gillard, seconded by Heath to adjourn the regular July meeting of the Greenville City Council at 8:18 p.m.

Ayes: Gillard, Heath, Sanders, Gaffner

Nays: None

Absent: Adam

Motion carried.

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City Clerk