



CITY OF CHARLESTON

City Council Meeting

October 8, 2024

Meeting Minutes

Call to Order: The meeting was called to order at 6:30PM by Mayor Rick Toon. Councilwoman Monica Goodin, Councilman Jason Oliver, Councilman Trent Lane, Councilman Jackie Whiteside, City Manager Greg Luehmann, City Attorney Tabatha Graham, City Clerk Ali Morris, Public Works Director, David Harris, Chief of the Department of Public Safety, Robert Hearn Jr., Public Safety Officer, Percy Owens, Public Safety Officer Wesley McDermott, Public Safety Officer, Austin Henson, and Public Safety Officer, Brooks Brockmire, and Department of Public Safety Captain, Anthony Moody were present.

Consideration of Prior Meeting Minutes: A motion was made by Councilman Oliver to approve and accept the prior meeting minutes from the September 10, 2024, meeting. Councilwoman Goodin seconded the motion. All were in favor. None were opposed. The motion carried and the minutes were approved.

Report of City Business: Mr. Greg Luehmann began his monthly report by explained that he had met with Chief Hearn Jr., Captain Moody, and Kevin Lewis from Banner Fire to discuss the purchase of a new Freightliner Fire truck, and that will be discussed further on the agenda.

Luehmann said he met with Lester Gillespie and Luehmann agreed to serve on the coalition board of C-2000.

The city manager said he and David Harris discussed the completion of the dog kennel and the final step was to install security cameras. Luehmann encouraged the council members to take a tour of the kennel whenever possible.

A response was received from DNR regarding the application for funds for the wastewater collection and treatment system. The response was reviewed with Rich Cochran with Waters Engineering. We unfortunately did not receive any ARPA funding and will have to find another way to fund the project. Mayor Toon asked how much we need. David Harris said it would be about 8-9 million and most grants are 50/50. It is a lengthy process. Harris said we are supposed to have already made some improvements as we are technically out of compliance with DNR.

Luehmann said he discussed housing redevelopment with Andrew Boling and reached out to a representative from Love's Truckstop to provide a letter of support for the project.

Luehmann mentioned he spoke with Hudson Byrd about watering trees at AD Simpson and Rolwing Park.

The city manager then mentioned that he reviewed the new flood map of Mississippi County, and that Whipple Park is still the only property within the city that is within the flood zone.

Luehmann said he spoke with a group about the possibility of opening a dispensary in Charleston, but the plans have been put on hold and they have since chosen to go with a more metropolitan area at this time.

It was mentioned that the Exit 12 work has been completed and the repair of the Mississippi River bridge is now complete. Luehmann said hopefully sales on the sales tax and diesel fuel tax will both increase as the work is now complete.

Mr. Luehmann said a meeting was held to discuss the iWorQ software implementation and all existing cases have been uploaded and eighty letters have been sent out to property owners for. Luehmann reminded everyone that the city received a \$200,000 donation to aid in cleaning up condemned properties. It was asked what the protocol for "abandoned vehicles" is. Members of the council explained that vehicles cannot be parked on the street or on a property without current license tags. Councilman Lane asked about vehicles that are just being stored and the owner does not want to license or insure them. It was explained that the "junk cars" are the ones that are typically addressed first and that most of them are on abandoned or condemned properties that are also in violation of other ordinances.

In conclusion, the city manager explained that he met with Chief Hearnese to discuss the possibility of introducing new technology for public safety, such as cameras for the officers. They are looking into grant options. It was mentioned that additional manpower would be necessary to help implement the software, and it seems that all public safety departments are short-handed at this time.

Councilman Whiteside made reference to the printouts from the new iWorQ software for code enforcement regarding the nuisances and said they are "very impressive".

Councilwoman Goodin asked about the public works report and wanted to know what the service calls were in reference to. Public Works Director, David Harris explained those are listed in the report every month and they are in reference to how many calls were made to shut water on and off, sewer issue calls, etc. Harris said the locates are in reference to the Dig-Rite calls to locate lines.

Old Business: The only item of old business was an update on the projected vacant property registration ordinance. The city manager explained that the ordinance is still in process, and he just wanted to let everyone know it had not been forgotten. Fees will not begin to be collected until next year anyway, but the ordinance is still being worked out.

New Business: The first item of new business was Bill NO. 3961 / Ordinance NO. 3102- An Ordinance Accepting the Proposal from Insituform Technologies, LLC. Public Works Director David Harris explained that the permit that the city holds requires so much work be done per year on the sewer lining. This began in 2016. The city budgeted \$100,000 for sewer lining for

the current fiscal year. Harris explained that the EPA requires that every ten years, you must go through the system all over again. This is a never-ending process that is required. Harris explained that Insituform Technologies is a great company that the city has used in the past. A motion was made by Councilman Whiteside to approve Bill NO. 3961 / Ordinance NO. 3102- An Ordinance Accepting the Proposal from Insituform Technologies, LLC. Councilman Oliver seconded the motion. All were in favor. None were opposed. The motion carried and the ordinance was approved.

Next on the agenda was Bill NO. 3962 / Ordinance NO. 3103- An Ordinance Amending and Establishing Water, Sewer, and Trash Rates. It was mentioned that the city of Charleston does not meter their residential water, and the increases are necessary to help fund updates needed to the water and sewer plants. Councilwoman Goodin made a motion to approve Bill NO. 3962 / Ordinance NO. 3103 which was re-read by title by Mayor Toon. Councilman Oliver seconded the motion. All were in favor. None were opposed. The motion carried and Bill NO. 3962/ Ordinance NO. 3103 passed.

The next item of business was to appoint a city council member to the Housing Authority Board as the replacement of Councilwoman Polk, who recently resigned. Councilwoman Goodin was appointed by Mayor Toon to the Housing Authority Board. It was noted that the position will have to be reappointed in April if Goodin does not re-run for council or is not re-elected. All were in favor of the appointment. None were opposed.

Next on the agenda was to discuss fire apparatus and the potential purchase of a new fire truck. Chief Hearnese explained that one of the fire trucks is 38 years old and the other is 28 years old. We would be replacing the 28-year-old truck with a more modern version. We would keep the other truck as a spare to help with rural fires. A salesman from Banner Fire, Kevin Lewis, was in attendance at the meeting to address any technical questions. Councilman Lane mentioned they may want to look into possible grants from the Department of Conservation as they have helped fund wildfire fire equipment. Mr. Luehmann referred to a spreadsheet he put together as part of the council packet that detailed the Capital Improvements Fund and what the payment schedule would look like on a new truck. The first payment would not be until 2026-2027. A motion was made by Councilman Whiteside to approve the purchase of the new fire truck. Councilwoman Goodin seconded the motion. All were in favor. None were opposed. The motion passed to move forward with the purchase. Kevin Lewis stood and addressed the council. Mr. Luehmann thanked him for coming. Lewis said he wanted to commend Chief Hearnese and his guys. He said he had brought information on a \$900,000 fire truck here, not knowing the city's needs. He said the Public Safety officers expressed their actual needs so that he was able to find the best fit. Lewis explained the next step would be for Mr. Luehmann to sign the letter of intent in order to hold the truck. There is a ten-year bumper-to-bumper warranty.

The last item of new business was to discuss the possibility of amending the current city ordinance regarding keeping livestock in the city. Councilwoman Goodin explained that many cities are opening the option of having chickens back up and she would like to reintroduce chickens back into Charleston. Goodin said there would be cages, a run, limited number, so many square feet, and other various regulations involved. The chickens would be for the homeowners, and not for them to sell or make money off of the chickens/eggs. Goodin said that

it would be complex and that she does not believe the city would be bombarded with people wanting to have chickens. Councilman Lane spoke up and suggested that before we open that door- to check with other cities who allow chickens and see what issues they are experiencing with them. Councilman Whiteside suggested that they table the topic for now. Councilwoman Goodin said that roosters would not be allowed, the chicken coops would have to be on a concrete pad so many feet away from other structures, the area would have to be inspected, and a permit would be required. The city manager asked that they give him a month to look into it. It was mentioned that a Facebook poll could be posted just to get a feel of citizens' opinions on the subject.

Introduction of Visitors: Todd Clodfelter, Michael Owens, Cal Coleman, Hudson Byrd, Raymond Ivy, Barbara Cleaves, Talisha Mays, and Kevin Lewis were present.

Mayor Toon reminded everyone that the format was changed last month and that visitors are now given three minutes to speak, only if they turn in the meeting participation form by 8AM on the day of the meeting. Toon also asked that in the future, the forms be a little clearer as both topics that were submitted this go around are both wide topics and not specific enough.

Mayor Toon said the first participant who turned in the form was Cal Coleman, and he wanted to discuss "Public Safety". Coleman mentioned that he had met with the mayor to discuss public safety issues and never heard back from him. Coleman then said that appreciated how far the council has come as he couldn't even follow the meetings when he first started attending them, but that he is still having a hard time following. Coleman asked that since there is to be no public comment or open discussion on the agenda, when exactly are they supposed to comment on something? Coleman said none of the council are his neighbors so they're not going to knock on his door to ask him what he thinks.

Talisha Mays also turned in the form to speak at the meeting. The topic to discuss was "administrative officials and their decisions". Mays referred to the new ordinance that was passed last month and said she wanted to know why, the ones that voted yay, why are they changing things now, as far as having to write something up in order to speak. Mays also said the council needs to discuss everything, explain everything to the people about why they are changing the city ordinances and why they feel what they feel and let the citizens talk back. Mays referred to the ordinance of changing the meeting structure and said it should be addressed again as it "was not passed correctly" and asked again why things have to be written down and authorized to talk about. Mays said these are things she wants to know because it's about the city interacting with the community.

Councilman Lane spoke at this point and said that he spoke with the city manager and discussed the need for an open door for the community for there to be space to build relationships and a place to talk about a few things without confrontation. Lane said there will probably be some things that he does not have the answers to but said that they owe it to the citizens to listen to concerns and address them if they can and if they can't, they try to come up with the best possible solution.

Councilwoman Goodin responded and said that she was elected to the position for a two-year term and as it is a voluntary position, the councilpersons do not get paid, but they hired the city

manager to handle these types of circumstances, and that Mr. Luehmann is "more than qualified to do so. Goodin said that she understood that this is not a platform for everyone to come to the city council meetings and speak as they could go on forever. Goodin said that there has to be protocols and that concerns should first be taken to the city manager, just as she sent her idea about changing the city ordinance against chickens in an email to the city manager. Goodin said she has had citizens contact her about wanting things and she has directed them to the city manager, told them to do their research and they will look it over, but the council meetings are not a platform to let the meetings go on and on. Goodin said the form was designed to keep the meetings at bay and a lot of other cities are using the same. Goodin said that it's not that they don't want to listen to the citizens, but that there does need to be a platform for that but that she doesn't know if the council should be the place as they have a lot of important stuff to go through.

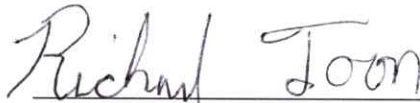
Councilman Lane said maybe he said this the wrong way, that he was not talking about this platform. He said Mr. Luehmann was doing a wonderful job but there has to be a platform for citizens to be able to talk, to voice their opinions and there are other organizations in Charleston that could open up for citizens to air what they feel and then the council can look at the items of concern to see if they can be addressed. Councilman Whiteside agreed that they should have a place to express their opinions, but they cannot be blindsided without being able to research the concerns. Whiteside said that is why it is set up the way it is-the citizens speak, they listen and turn it over to the city manager, him research the ordinances and then go to the council, if necessary, by putting it on the agenda and then they approve or disapprove of whatever he presents to the council.

At this time, Cal Coleman asked if he could say something, and Chief Robert Hearnese Jr. said no. Coleman said he was asking the chair. Hearnese said the comment section was over and Coleman told Hearnese that his job was to sit there. Coleman continued to speak over Hearnese as he attempted to explain his job. Hearnese then told Coleman "Let's go" and Coleman continued to say, "don't touch me". Hearnese told Coleman to get up and leave or he would be placed under arrest. Coleman said, "for what" and Hearnese said, "you're not going to disrupt the meeting". Coleman said, "I was asking him a question". Hearnese referred to the other officers in the room and said "pick him up" before the city manager and mayor asked him to stand down and said for Coleman to let the council finish talking. Coleman continued to speak out over the Chief and mayor and said he was asking a specific question. Hearnese said, "you're not supposed to ask questions". Coleman said to the mayor "all you had to do was say no and then I would have been quiet, and all of this could have been avoided" and continued to speak over him and said, "all of this is exactly what I'm talking about when I say I want to talk about public safety".

Councilman Lane said he agreed that they need to stick to an agenda and that the agenda is to keep outbursts like that from happening and that he was just trying to speak to the council in general to try to lay out something for the public. Lane said he could speak to the councilmembers individually as he did with Greg and if they agree to work on something, great. Lane said he has no issue with this format for the meetings, but that there could be something else that may not even include the city hall, for them to just listen.

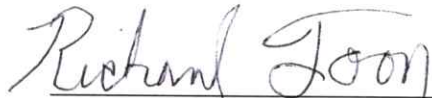
Mayor Toon asked Councilman Oliver if he had anything to say. Oliver said he agreed that there should be a platform, and he was unsure of exactly what that should be, but it is definitely not the council meetings. Oliver said it was now 8:11 and they had already discussed everything they were supposed to but they're still talking. Oliver suggested they research if this is an issue in other cities and how they solve and handle things. Mayor Toon asked Councilman Oliver and Councilman Lane to research this, and they would talk about it next month.

Adjournment: A motion was made by Councilman Whiteside to adjourn the meeting. Councilman Lane seconded the motion. All were in favor and the meeting was adjourned.


Presiding Officer

ATTEST:


City Clerk


Mayor


City Clerk