

Regular City Council Meeting; January 12, 2021-The Garfield City Council met in the Alderman Terry Warren room, for the Regular City Council Meeting. Mayor Blackburn prior to opening the meeting; started with a Prayer and then the Pledge of Allegiance.

Called to Order- Mayor Blackburn called the meeting to order at 6:00 p.m.

Roll Call- Recorder-Treasurer Teresa Vining called roll; Council Members Barry Kitterman, Jim Teeselink, Robert Vining and Scott Wassman all present. Mayor Gary Blackburn, Recorder-Treasurer Teresa Vining and City attorney Mike Bearden present also.

Agenda Item 1 December 8th, 2020 Council Meeting Minutes

Mayor Blackburn presented with the December Regular City Council meeting minutes. Council member Kitterman moved, seconded by Council Member Vining, to approve the Regular December 8th, 2020 Council Meeting minutes. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Guest Speakers

Agenda Item 6-Mahnaz Wilson, lives in Ashmore Creek Subdivision in Garfield, came to speak concerning vicious dogs in her neighborhood. She requested that City Attorney Mike Bearden speak on her behalf. Mr. Bearden stated that Ms. Wilson had an incident that happened while walking in her neighborhood, where there were dogs that would not leave her alone and one even bit her coat and would not let go. Attorney Bearden said the dog did not bite her however, after the owner pulled the dog off, the dog turned right around and bit her coat again, and again until finally the owner was able to get the dog away from her. Ms. Wilson signed an affidavit to press criminal charges against the owners, concerning the incident. However, Ms. Wilson doesn't want the dogs to be euthanized, and would prefer to not press charges. Mr. Bearden said that Ms. Wilson will not press charges, if the owners will comply with City Ordinance #188, build a fence to keep the dogs contained in, and keep their dogs leashed when out of the fence.

Agenda Item 6-Mr. Bobby Vaughn came to speak concerning the vicious dogs, which was his dogs and he wanted to apologize to Ms. Wilson concerning the situation. He said they will comply with City Ordinance #188, build a fence to keep them in, and keep them on a leash, not allowing them to run loose anymore, to keep this from happening again.

Introduction of the new 2021 City Council

Each Council member as well as the Recorder-Treasurer introduced their selves to the citizens.

COVID19 meeting restrictions on attendance numbers- Mayor Blackburn stated due to the new COVID19 restrictions in place concerning no more than (10) 10 can be in attendance for the meeting, the citizens could still participate by calling in on his city cell phone at 479-330-0009.

Agenda Item 2 Committee Reports

Planning Commission- Chairman Keith Kingston, contacted City Hall and said there was no Planning report for the month and their next meeting will be January 28th at 6pm.

Water Department- Mayor Blackburn reported on the Water system totals reports presented in the Council packets, the water loss for the month was at 36%.

Code Enforcement- Mayor Blackburn stated he will report more on Code enforcement, under Agenda Item 3 and 6.

Vote of approval for Committee Reports: Council member Scott Wassman moved, seconded by Council member Teeselink to approve the committee reports as presented. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Unfinished Business:

Agenda Item 3- Mobile Home Placement-Mayor Blackburn presented with the Bonifacio Najera Mobile Home Placement Packet. The Planning Commission passed this application with conditions. Code Enforcement Officer Mayor Blackburn went to inspect that they had completed everything on the condition's checklist, inspection completed and all required conditions had been met by the Bonifacio's. Mayor Blackburn opened discussion; Council Member Kitterman moved, seconded by Council Member Teeselink to make the final vote of approval, approving the Mobile Home Placement. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

New Business:

Agenda Item 4- Planning Commission Vacancy- Mayor Blackburn presented with Dan Greisen and John Nuernberger's applications of recommendations for the two vacancies on the Planning Commission, then opened the applicants up for discussion. Council Member Kitterman moved, seconded by Council Member Vining to accept applicants Dan Greisen and John Nuernberger, as the two new Planning Commissioners. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Agenda Item 5- Appointing 2021 City Attorney Resolution- Mayor Blackburn said only one Applicant presented for appointment, that being the current City Attorney; Mike Bearden, he said he would like to be reappointed under his current terms, that being \$175.00 an hour, no mileage for coming to the Council Meetings monthly. Mayor Blackburn presented with Mr. Bearden's resume and opened it for discussion. Then the Resolution was presented for approval; The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor Resolution to appoint Attorney Bearden for the year 2021 passed.

Agenda Item 6- Animal Control Ordinance #188- Mayor Blackburn presented with the Ordinance, then opened it for discussion concerning the decided the fence was the way to address the vicious dog situation, as well as when they dogs are not in the fence, if out they must be kept on a leash. The requested the dog owners have the fence built within a month, weather permitting.

Agenda Item 7- National Day of Racial Healing Proclamation- Mayor Blackburn presented with the National Day of Racial Healing Proclamation, and stated the Nation is in a state of unrest like he has never seen in his life-time; asking for the Councils support of this NDORH, and allow the Recorder Treasurer Teresa Vining to submit the Proclamation to the League for the City's name to be read showing their support, during the live press conference to be held on January 19th, 2021. Council Member Kitterman moved, seconded by Council Member Wassman, to support the proclamation. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Agenda Item 8- Resolution for Councils Code of Conduct for 2021- Mayor Blackburn presented with the Resolution; Council Member Wassman moved, seconded by Council Member Vining to pass the Resolution for the Council Code of Conduct written for 2021. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor Resolution passed.

Agenda Item 9- Resolution for Structure of Council and their Meetings- Mayor Blackburn presented with the Resolution for the Structure of the City Council and their meetings for 2021. Opened for discussion; Council Member Teeselink moved, seconded by Council Member Kitterman to approve and pass the Resolution of the Council Structure and their Meetings for 2021. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor Resolution passed.

Agenda Item 10- Quarterly reconciliations for 2020 General, Water, Street and the ½% Sales Tax Funds- Mayor Blackburn presented with the Reconciled budgets; then opened them for discussion. Council Member Wassman moved, seconded by Council Member Vining, to approve the reconciled budget for 2020. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Agenda Item 11- Posting Public Financials- Just for informational purposes, Recorder-Treasurer Vining presented a Packet concerning the reason the City posts publicly all the Financials each year for the entire year.

Agenda Item 12- Resolution for adopting the 12-month Budgets for all four (4) funds for the year 2021; that the Council passed at the December 2020 Council Meeting- Mayor Blackburn opened the Resolution for discussion, Council Member Wassman moved, seconded by Council Member Vining to pass the Resolution adopting the 2021 Budget for all four funds. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor Resolution passed.

Agenda 13- Review of the December financials for the General, Water, ½% Sales Tax and Street- Mayor Blackburn presented with the packets; then opened for discussions. Council Member Teeselink moved; seconded by Council Member Wassman to approve the December financials for all four (4) funds. The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Adjournment- Council Member Wassman moved, seconded by Council Member Vining to adjourn the meeting at 7:16 p.m., The roll being called, vote was as follows; Council Member Kitterman yay, Council Member Teeselink yay, Council Member Vining yay, Council Member Wassman yay, all in favor motion passed.

Passed and approved this 9th day of Feb 2021

Gary Blackburn; 1/22/2021
Approved, Mayor Gary Blackburn
GARY BLACKBURN

Teresa D. Vining; 1/22/2021
Attested, Recorder-Treasurer Teresa Vining
Teresa D. Vining