

**MINUTES**  
**CITY OF DIAMOND BOARD OF ALDERMEN MEETING**  
**October 8, 2012 - 7:00 P.M.**

**MAYOR SHANE HUNTER CALLED THE MEETING TO ORDER AT 7:01 P.M.**

**OPENING PRAYER:** Nancy Lewis

**PLEDGE OF ALLIANCE:** Mayor Hunter led the group in the pledge of allegiance.

**ROLL CALL:** City Clerk called roll. Mayor Shane Hunter, present. Aldermen present were Lisa Mitchell, Brian Navarro, Billie Jo Hardy and Nancy Lewis.

**Also in attendance:** JoAnn Ohlhausen, Vicki Wright, Duane Linch, Jesse Gibson, Jason Writer, Mike Jones, and Alisha Bryant, John Allan, Bill Grube .

The Minutes of the July 9, 2012, September 10, 2012, September 24, 2012 and September 28, 2012 were put before the board for approval and reading of the minutes was waived. No corrections were made to Minutes. Billie Jo Hardy made a Motion to accept the Minutes of July 9, 2012, September 10, 2012, September 24, 2012 and September 28, 2012. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Mayor Hunter opened the floor to John Allan. Mr. Allan addressed the board about the tractor-trailer rigs using their Jake Brake at the city limits and throughout the city causing an extremely loud noise at all hours of the day and night. He told the board that other cities near us have a specific ordinance against using the Jake Brake. Mayor Hunter asked JoAnn Ohlhausen to look into the issue and see if can create an ordinance to address the issue. It will be returned to the agenda for the November session.

Next, Mayor Hunter recognized Bill Grube. Mr. Grube explained to the board that his neighbor, Ron Riediger, who is complaining about Mr. Grube burning wood to heat his home. He complains that the smoke from Mr. Grube's chimney is penetrating his home and causing them to have to go sleep at the church. Mr. Riediger is threatening to sue him. Mr. Grube asked the board for suggestions. He stated the old semi trailers in front of Mr. Riediger's house is creating a kind of whirlwind situation trapping the smoke instead of allowing it to just pass by. Billie Jo Hardy asked about having Mr. Riediger move the trailers. Mr. Riediger holds a business license for auto sales and salvage, therefore he is not violating any ordinances. He has many cars and trailers on his property. Mayor Hunter did not know of any assistance the council could provide. He suggested Mr. Grube continue to research the issue through the county or his attorney.

Next Mayor Hunter presented Bill Number 10052012 for consideration. Having been previously posted the bill was read by title. Nancy Lewis made a Motion to approve Bill Number 10052012 and create Ordinance 370, An Ordinance Amending Section 115.050 Officers' Oath-Bond. Brian Navarro seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Next, Mayor Hunter presented Bill Number 10052012A for consideration. Having been previously posted the bill was read by title. Billie Jo Hardy made a Motion to approve Bill Number 10052012A and create Ordinance 371, An Ordinance Amending Section 115.100 Treasurer Duty-Bond. Nancy Lewis seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

JoAnn Ohlhausen requested the council approve \$240.00 for subscription to the Newton County GIS Web Site. She explained some of the benefits of the system. Police will be able to utilize property information as well as the collector and clerk. In the future the system has the capabilities to be used to diagram water and sewer lines. Nancy Lewis made a Motion to allow the \$240.00 expenditure. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

JoAnn Ohlhausen presented Wastewater project pay requests and change order 4 for Southard Construction. Pay requests were reviewed and JoAnn explained that the sewer line was 10 inches lower than expected so additional

material was needed to bring the manhole up to grade. Billie Jo Hardy made a Motion to approve the contractors' pay requests and change order 4 in the amount of \$1,200.00. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Next Mayor Hunter presented Bill Number 10082012 to create Ordinance Number 372, An Ordinance Amending Ordinance 365 Water Use Charge Rate. Mayor Hunter read the proposed Ordinance and asked for comments or questions. JoAnn Ohlhausen indicated that Ordinance 365 needed to be amended due to an error she made stating the rate for per 1,000 for customers outside the city. Mayor Hunter then read the proposed Ordinance again and asked for comments. Have no additional comments, Lisa Mitchell made a Motion to approve Bill Number 10082012 and create Ordinance Number 372. Brian Navarro seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Next Mayor Hunter turned to Officers' reports. Mike Jones submitted a written report and asked for questions. Brian asked about a van that had been sitting on Shepherd Street. Mike stated that he had ran the tags and got no return of warrants. The van was finally moved. Nancy asked about the mention of log items on his report. Mike explained that it is a way of creating a record of calls. If he calls in an event of check on something he is creating a kind of history log.

Next the City Collector/City Clerk filed written reports. There was a discussion about a resident who had passed, Mr. Bateman. His son came in after his death and paid his water bill. After that additional billing in the amount of \$92.00 has been billed. With no response, she instructed the meter be removed. To date no payments have been made on this bill. Mike stated he felt the property would be foreclosed on by the bank. Council decided to wait and see the outcome, hoping the bill would be paid by property sell. Discussion was brought to Vicki's request to use an online bill pay service for court and city utilities. She explained that other cities were using the system with good results. Questions were raised about the safety on the company and Vicki explained that other court systems had approved it and are using it currently. There would be no fees to the City and all costs for the service would be passed along to the consumer. Currently we are paying approximately \$2,025.60 per year in credit card fees. Vicki was asked to obtain a contract for services and additional information and return it to the agenda in November. The Operation report was in two parts this month due to the CUSI system. Vicki explained the system was very date sensitive, and it was causing problems. BJ asked about the accounts that were over due. It had been discussed at last meeting to allow those having a hard time paying the high summer bills to make payments to get caught up. This practice will continue.

Next the Park Board was represented by Alisha Bryant who supplied a written report. Currently the Park Board are gathering bids for multiple projects. Signs, bridges, trash cans, bike rack and an additional shelter. She will submit bids at November meeting. She stated that the pavilion was coming along nicely and would soon be finished.

Next Duane spoke for the Water and Wastewater Departments. We have both pumps back at the lagoon, but one of them is still making noise. They will work on it Wednesday. Also reviewed were Charlie Writer's written report and Jesse Gibson's written report. Duane reported that the City needs to look at a replacement schedule for aging water lines. He stated that Department of Natural Resources and Rural Water District may be able to help make a replacement schedule and do some testing at a reasonable rate. Mayor Hunter asked him to contact them for more information and costs.

Mayor Hunter reported that the issues with the Diamond Fire District had all been resolved. He does want to move ahead with putting a question on the ballot in April to become part of the Diamond Area Fire District. Lisa asked if he planned to hold more town hall meetings to inform residents. He indicated he would hold meeting in November, December and February. Nancy asked about our ISO rating and he stated that it should be posted by November or December. Our rating should go up from 9 to 6-7.

Next the council turned their attention to bills payable. They approved all billing to be paid and bills already paid by Lisa Mitchell making a Motion to approve payment for bills to be paid and those already paid. Billie Jo Hardy seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro and Billie Jo Hardy. All opposed, none.

**Adjourn:** All business having been presented, Lisa Mitchell made a Motion to Adjourn. Brian Navarro seconded. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none. Meeting adjourned at 8:16 p.m.

**Note:** *This document is a draft. It will not become an official record of proceedings until approved by the Board of Aldermen and signed by the Mayor and City Clerk.*

Minutes approved \_\_\_\_\_, 2012

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JoAnn Ohlhausen, City Clerk

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Shane Hunter, Mayor