

HASKELL CITY COUNCIL MINUTES

October 14, 2019

The regular meeting of the Haskell City Council was held at 7:00 p.m. at the Haskell City Hall on Monday October 14, 2019.

Mayor Roy Carman called the meeting to order at 7:00pm.

Mayor Roy Carman led the Pledge of Allegiance; prayer was given by Jeff Harrison.

ROLL CALL: Council Members present were, Warren Kuhn, Adam Ricketts, Jacob Warner, Jeff Harrison, James Scroggins, Rhonda Terry, Dallas Wright, and Brad Cotten.

Mayor Carman declared a quorum present. (8/8)

Others in attendance: Mayor Roy Carman, Recorder/Treasurer Jennifer Hill, Public Works Director Casey Caudle, Police Chief Mike Watson, City Attorney Sam Gibson and Fire Chief Brian Cotton.

Citizens in attendance: Kelly Kennedy, Rose Marie Wilkinson, Logan Terry, Chris Day, Katy Hill, Andy Kelloms, Aaron Rasburry, Jerry and Emaline Stroud, Jeff and Cindy Holloway, Julie Myrick, Jimmy Henshaw, Quinn Best, Linda Robinson, Randy and Brandy Beaty, Dana Poindexter, Jeff Arey, David Allen, Stephanie Newton, and Barbara Rieben.

Brad Cotten made the motion to accept the September 9, 2019 meeting minutes. Jacob Warner seconded motion. Motion passed unanimously by yea vote.

DEPARTMENTAL REPORTS:

WATER/SEWER: Report was given by Public Works Director Casey Caudle, a copy of which is filed with these minutes. He informed council that the Water/Sewer system mapping is complete.

STREETS: Report was given by Casey Caudle. He explained that the inmates have been used to clear brush and limbs from over the roadways.

FIRE & RESCUE: The report was given by Chief Brian Cotten, a copy of which is filed with these minutes. Chief Cotten explained that the new Jaws of Life machine purchase was put to use recently. Chief Cotten informed the Council of the updates on the letter written to the ambulance service at Saline Memorial Hospital, in that the response was insufficient staffing.

POLICE: Report given by Chief Mike Watson, a copy of which is filed with these minutes.

CODE ENFORCEMENT: A copy of the list of red tags given is filed with these minutes.

PLANNING: Rhonda Terry made a motion to approve the October 8, 2019 meeting minutes. Warren Kuhn seconded motion. Motion passed unanimously by yea vote.

PARKS: Warren Kuhn made a motion to approve the September 16, 2019 Parks Committee minutes. Brad Cotten seconded motion. Motion passed unanimously by yea vote.

UNFINISHED BUSINESS:

1. Ordinance 10-2019

- An Ordinance not allowing parking on a City Street
- Ordinance was tabled from the September meeting.
- Public Comments were taken before discussion began.
 - Dana Poindexter who lives in Hickory Grove subdivision believes the Ordinance is over legislating the issue. That the issue of parking needs to be looked at on a case by case basis. She has contacted both the Fire & Police Chiefs and no issues have been reported.
 - Julie Myrick who lives in Timberlake subdivision provided pictures of her yard flooding after it rains. Stating she would not be able to park in her yard to keep from parking on the street.
 - Chris Day who lives in Hickory Grove subdivision states that the building setbacks and street requirements need to be updated/improved to allow for more parking.
 - David Allen who lives in Timberlake subdivision states that his yard is “swampy” after it rains not allowing him to park in yard. He asks if a common parking area for guests might be a solution.
 - Stephanie Newton who lives in Timberlake subdivision states the same as above. After it rains, it is impossible to park in her yard. Most families can’t afford to construct an extension to their driveway. She feels as though there are other solutions possible.
- After lengthy discussion, Brad Cotten made a motion to table Ordinance 10-2019 indefinitely and allow the Police Department to handle any issues on a case by case basis. James Scroggins seconded motion. Roll call vote was taken. Motion passed unanimously by yea vote. Ordinance 10-2019 does NOT pass and is REPEALED.

2. Ordinance 11-2019

- An Ordinance not allowing basketball goals to hang over the street.
- Ordinance was tabled from September 2019 meeting.

- Rhonda Terry made a motion to have the first reading heading only. Warren Kuhn seconded motion. Roll call vote was taken. Motion passed unanimously by yeas vote.
- C/R/T Jennifer Hill read the heading only of Ordinance 11-2019.
- Rhonda Terry made a motion to suspend the rules and waive the second and third readings. Jeff Harrison seconded motion. Roll call vote was taken. Motion passed unanimously by yeas vote.
- Jeff Harrison made a motion to accept/approve Ordinance 11-2019. Brad Cotten seconded motion. Roll call vote was taken. Motion passed with 7 yeas and 1 nay.
- Jeff Harrison made a motion to pass the Emergency Clause of Ordinance 11-2019. James Scroggins seconded motion. Roll call vote was taken. Motion passed unanimously by yeas vote.

NEW BUSINESS:

1. Monthly Income & Expense Statements

- With no comments or questions. Jacob Warner made a motion to accept the Monthly Income & Expense statements. Rhonda Terry seconded motion. Motion passed unanimously by yeas vote.

2. Determination of City Street-Henshaw St.

- Brandy and Randy Beaty along with their surveyor Aaron Rasburry are on the agenda for a clear determination that Henshaw St. is a city street.
- At the September 2019 Planning Commission meeting the Beaty's platt for subdivision of land on Henshaw St. was tabled due to Mr. Henshaw stating that he owned Henshaw St. With no evidence of dedication to the City for Henshaw, Madison, Price, and Petray streets, legal counsel was sought and advised for City to remain neutral and let the civil matter resolve itself. Both parties were advised of this. All future meetings/hearings were cancelled.
- At the October 8, 2019 Planning Commission meeting the Beatys were under the impression the Public Hearing was still on the books. After a lengthy heated discussion, the Planning Commission denied the submittal of the preliminary Platt at this time.
- Ordinance 04-2014 placed the above streets on the City of Haskell Master Street list
- A brief Public Comments period was held
 - County Surveyor Aaron Rasburry states that the Planning Commission denied the Platt for unlawful reasons. He states he has read all our regulations and no civil suits have been filed. He wants the City Council to overturn the Planning Commission's decision and accept the final Platt.
 - City Attorney Sam Gibson informed the council of the options in determining Henshaw Street to be a City Street.

- Quinn Best asked the Mayor if he has spent any taxpayer money on any of said streets. The Mayor replied that 2 bags of asphalt filler have been used on those roads. Mr. Best states that he is a State Trooper and a Property owner/developer in the City of Haskell and doesn't want City tax revenue to go to Private streets.
 - County Judge Jeff Arey states that said streets are in fact City Streets. He repaired them when he was Mayor of Haskell and that it does not require dedication of a road for it to be a city street. They can become city streets by prescriptive easement.
 - After a lengthy heated discussion, City Attorney Sam Gibson made a recommendation to the Council to make a motion to either AFFIRM or OPPOSE the Planning Commission's decision to table issue due to the civil dispute of access from Henshaw St. With the argument of Mr. Raspburry that the council would legally need to either agree or oppose the Planning Commission's decision and accept said plats.
 - Jeff Harrison made a motion to a OPPOSE (overturn) the Planning Commission's decision/ruling at the October 8, 2019 meeting denying platt submittal at this time and to accept the Preliminary and Final Plats. Adam Ricketts seconded motion. Roll call vote was taken. Motion passed with 7 yea votes and 1 nay vote.
3. Resolution 08-2019
- A Resolution amending Res. 01-2019, to adjust the mailing of city council packets timeframe.
 - With no discussion, Rhonda Terry made a motion to accept/approve Resolution 08-2019. James Scroggins seconded motion. Roll call vote was taken. Motion passed unanimously by yea vote.

ANNOUNCEMENTS:

- Haskell Christmas Parade- December 5, 2019 at 6pm.
- C/R/T Jennifer Hill informed the council that the proposed 2020 budget would be presented at next month's meeting.

PUBLIC COMMENTS:

There being no further comments or questions, James Scroggins made the motion to adjourn. Brad Cotten seconded motion. Motion to adjourn passed unanimously by yea vote.

Respectfully Submitted,

Jennifer Hill, Clerk/Recorder/Treasurer

Roy Carman, Mayor

