

Banks Council returns to nuisance abatement, park maintenance

Nuisance abatement, the park maintenance agreement, and the impact of PERS on city funding were the main items at the Banks City Council meeting April 8.

Nuisance Abatement

Last month, apartments located at 263 and 265 Wilkes St. were declared in violation of the city nuisance ordinance. The property owner was sent a letter requiring compliance by late March, according to city attorney Jim Lucas. Police Chief Daryl Crandall showed council photos of the property from last month and this month that clearly indicate the condition of the property has continued to degrade.

In a phone conversation, Lucas said, the property owner seems anxious to clean up the property, but claims that the cars and garbage in question belong to a renter. Councilor Kirk Andrews said that half of the building has two year old fire damage, and wondered if this would meet the city's attractive nuisance ordinance. Council directed Crandall to draft another letter detailing requirements and granted the homeowner until May 13, the next city council meeting, to comply.

Park Maintenance Pact

David Valdez, secretary treasurer of the Arbor Village Homeowners Association (AVHA), brought an AVHA proposal to council in February, outlining a process for the city

to take over maintenance of Greenville Park. The cost for maintaining the park is currently included in AVHA member fees, though the park is owned by the city. Valdez told council that this creates tension and that AVHA was looking for an equitable and responsible solution.

The plan proposed by AVHA has an 18-month take-over time to allow the city and AVHA to secure funding for continued maintenance of the park. Beginning July 1, 2003, the plan calls for the city to take over responsibility for irrigation of the park. The association pays approximately \$9,000 annually to irrigate. Because the city sells water at the same amount it costs to produce clean water, city irrigation expense would be the same, according to Mayor Bob Orłowski. The AVHA plan would further have the city take over the entire cost, approximately \$30,000, at the beginning of the 2004-2005 fiscal year.

According to Valdez, AVHA members don't anticipate any reduction in the amount they pay for park maintenance. Using the example of a park levy, which would assess fees based on property values, Valdez said it could result in higher costs for many homeowners, but that it is more equitable to spread the cost throughout the city, since all city residents use the park.

Responding to a question from Andrews about how much would have to be raised to cover park maintenance costs, Valdez said that an additional

\$5 fee on the water bills would cover current costs. Orłowski noted that the city's water rates are currently among the highest, compared to thirty other cities. Councilor Pete Edison added that all cities pay for their parks.

Speaking from the audience, Franklin Smith asked why council could not simply sell the land for more houses in order to increase income for the city. Orłowski explained that deeding the park to the city was part of the land use approval that allowed the development to be built. The city can use the land for a park, only, not for any other purpose, Orłowski said.

The city's general fund will be reduced in the next fiscal year because of the loss of tobacco settlement money, Orłowski explained, and because the city has very few buildable lots remaining, there will not be much income from building fees. Orłowski explained further that a levy can be put on the ballot, either by the council or through the initiative process, and reminded council that they have already placed a police department levy on the ballot this year.

The discussion ended when Valdez said that AVHA has received a verbal opinion from their attorney that the city has "legal exposure." Council will continue the discussion in executive session next month, after the city attorney has an opportunity to speak with representatives of AVHA and their attorney.

PERS Increase

When a public employee accrues more than 600 hours in a calendar year, Mayor Orłowski told the council, Public Employees Retirement System (PERS) benefits are triggered. Two library employees have met this threshold and the city will be required to pay PERS benefits for them. Orłowski complimented the library staff for including both this increased expenditure and building a beginning fund balance to cover the possibility of the library levy failing (which it did). However, Orłowski told council that he does not want the city to get in a position of having increasing, uncontrollable expenses, such as mandated PERS benefits, when revenues are stable or falling.

Orłowski asked council to consider setting a policy that no city employee could work more than 600 hours without council approval. Further, he asked that council direct the library to roll back the hours of the two positions that have qualified for PERS benefits to less than the 600 hour threshold so that those positions could be removed from the PERS roll.

Library commissioner Ed Ohlman told council that it will be difficult to attract qualified people to work at greatly reduced hours. The current positions are held by two half-time employees, and would have to be filled by four employees to stay under the 600 hour limit.

Councilor Ryan Birr asked if it would be possible to draft a policy that no city position could expand the number of hours worked to the point that retirement benefits were triggered.

Discussion ended when Lucas suggested that the item should be included on the regular agenda in order to ensure that those affected received adequate notice. The discussion will be continued in May.

Other Business

- Mayor Orłowski informed council that the city's insurance carrier is looking for a less expensive alternative for employee health insurance.

- Brock Banks told council that the parks committee would be re-bidding the landscaping contract for a three-year period in order to reduce expense.

- Appointed Jeannette Garnsey, Brian Biehl, Dee Coffey, Robert Murdoch, Gary Coffey, John Deegan and Jim Branstire to the budget committee.

- Approved the budget calendar. Presentation of the budget message will be at the first meeting on April 23 at 7:00 p.m. The budget committee will also meet April 30, with additional meetings scheduled for May 7 and 14, if needed. A budget hearing will be held May 21 and the budget will be adopted at the June 10 council meeting.

I have long been of the opinion that if work were such a splendid thing the rich would have kept more of it for themselves.

The Observer, London, May 22, 1988

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