

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI, HELD ON TUESDAY, JANUARY 26, 2010.**

The Board of Aldermen of the City of Mount Vernon, Missouri met in the regular place of meeting, City Hall, on Tuesday, January 26, 2010 at 7:07 p.m. The meeting was called to order by Mayor David W. Eden, with the following roll call recorded: J.N. Greene, Chet Hunter, John Hull, Mike Tebow, April Canchola, Max Springer, Carol Millsap and Gary Albers. The following personnel were also in attendance: City Administrator John Rice, City Attorney William Petrus, Director of Public Works Gene Stanton, Chief of Police Garry Earnest, Code Enforcement Officer Bruce Conway, Treasurer Shari Weldy and City Clerk Shannon Neely.

Agenda.

Mayor Eden presented the agenda for approval. Alderman Hull made a motion, seconded by Alderwoman Canchola to approve agenda with the removal of Item Number XV, Closed Session. Motion approved.

Minutes.

Minutes of the last meeting, which was held on Tuesday, January 12, 2010 were presented to the Board for approval. Alderwoman Canchola made a motion, seconded by Alderman Springer to approve the minutes as presented. Motion carried.

Comments of Visitors.

Mayor Eden requested any comments from visitors. None brought forth.

Resident Protest for Re-zoning – 1221 S. Market Street.

Conway reported a Public Hearing had been held at the Planning and Zoning meeting, Tuesday, January 5, 2010, in which a request from Dick Healey was presented for re-zoning of 1221 South Market Street, from R-1 to R-2. Mr. Healey explained that in 2006, a duplex located at this address was destroyed by fire, but R-1 zoning would prohibit building another duplex at this location. Conway reported the Planning and Zoning Commission approved the request and recommended the request be forwarded to the Board of Aldermen for consideration. Conway noted he had received ten responses against the re-zoning request, out of seventeen petitions, which is more than the 30% requirement per city codes. Keith Simmons, a resident of the neighborhood, spoke against the re-zoning, stating he is afraid it would set precedence for future requests to spot-zone. Alderwoman Canchola reported she had spoken to a resident of the neighborhood, and was unsure if the resident understood what the petition was for. Alderwoman Canchola made a motion, seconded by Alderman Hull to consider the application be approved. The following roll call vote was recorded:

AYES: Hunter, Tebow, Canchola, Albers

NOES: Greene, Hull, Springer, Millsap

ABSTAIN: None

ABSENT: None

Motion failed by not receiving required two-thirds of the majority vote.

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Alderman Springer made a motion, seconded by Alderwoman Millsap to return the request for change of zoning from R-1 to R-2 back to the Planning and Zoning Commission for consideration of neighboring homeowners. The following roll call vote was recorded:

AYES: Greene, Hunter, Hull, Tebow, Canchola, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

Motion approved.

#### Department Reports.

City Administrator.

Rice held discussion on the following items:

- Empire District Electric Company Contract. Requested a Finance Committee meeting be scheduled for Thursday, January 28, 2010 at 12:00 p.m., noon, to discuss proposed contract changes.
- Business Expo. Reported the Mount Vernon Business Expo would be held on Saturday, January 30, 2010 at the Assembly of God Church.
- Employee Retirement. Reported Electric Department employee Gary Garoutte's final day for employment is Friday, January 29, 2010, with an appreciation dinner at noon, at City Hall.
- Gym Memberships. Reported thirteen gym membership assistance was requested by employees.
- Wastewater Treatment Facility. Requested permission to use \$31,261.00 from the State Revolving Funds to repair a leak in the lagoon at the Wastewater Treatment Center. Alderman Springer made a motion, seconded by Alderman Tebow to approve spending of \$31,261.00 from the State Revolving Funds, to fix leak in lagoon. Motion carried.
- Budget Meetings. Reported staff was gathering information for upcoming budget meetings, which will begin in April.
- Personnel Meeting. Requested a personnel meeting. Alderwoman Canchola scheduled a meeting on Thursday, February 11, 2010 at 5:30 p.m.
- Public Works Meeting. Requested a Public Works/Streets Committee meeting. Alderman Hull scheduled a committee meeting on Thursday, February 4, 2010 at noon.
- Fair Tax. Held discussion on the proposed Missouri Fair Tax and how it could affect the City's current tax of two percent.

#### Treasurer Report.

Weldy held discussion on the following items:

- Bills. Presented bills to be paid. Alderman Springer made a motion, seconded by Alderman Tebow to approve bills to be paid. Motion carried.
- Investments. Presented a bid tab for investment. Weldy noted the following funds were available for investing: \$116,000.00 from Edward Jones Certificate of Deposit and \$7,647.81, Edward Jones Money Market. Alderman Springer made a motion, seconded by Alderwoman Millsap to invest \$123,600.00 at Great Southern Bank CDARS Light Fund account at 1.77% for one year. Motion approved.

Public Works.

Stanton held discussion on the following items:

- Dump Truck Purchase. Reported the new 2010 dump truck has been delivered.
- Water Line Easement. Presented a dedication and easement from the Mount Vernon R-5 School District to the City for maintenance of a water line at the High and Intermediate Schools. Alderwoman Canchola made a motion, seconded by Alderman Springer to accept easement and dedication as presented. Motion carried.

Planning and Zoning.

Conway held discussion on the following item:

- Activity Report. Presented the Permit Activity report for December, 2009.

Police.

Earnest held discussion on the following items:

- Grant Seminar. Reported Assistant Chief of Police David Hubert and he attended a state grant writing seminar in Jefferson City, Missouri on January 14, 2010.
- Employee Probation. Reported Officers Holli McKenzie and Rob Mobley had completed their six-month probation. Alderman Tebow made a motion, seconded by Alderman Greene to end the probation and move the two officers to full-time status. Motion approved.
- Under-age Drinking Enforcement. Reported officers conducted an under-age drinking compliance check at various locations, with one hundred percent compliance of businesses.

Committee Reports.

*Airport.* Alderman Greene reported the committee has not met.

*Finance.* Alderman Springer noted the committee would meet on Tuesday, January 28, 2010.

*Parks.* Alderman Tebow reported the committee has not met.

*Personnel.* Alderwoman Canchola reported the committee would meet on Thursday, February 11, 2010.

*Public Works/Streets.* Alderman Hull reported the committee would meet on Thursday, February 4, 2010.

Old Business.

The following subjects were discussed:

**Stop Sign at Intersection of Cherry Street and South East Street.** Mayor Eden requested if Stanton and Earnest had reviewed the safety concerns of the stop signs. Stanton noted the trees located on Jack Turner's property are causing a vision problem, but with the trees located on private property, the city would not be able to cut them without permission from Mr. Turner. Stanton recommended signs remain. Earnest also reported his recommendation was for signs to remain in position. Alderman Springer recommended a policy should be instituted for any future re-location of stop signs. Alderman Hull requested Public Works Committee and Council have final approval of any re-locations of stop signs.

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**No Parking Guidelines.** Alderman Albers requested discussion of a policy for No Parking Guidelines. Alderman Albers noted this policy would include designated snow removal routes Alderman Hull requested the guideline discussion be added to the Public Works Committee agenda.

**Fireworks Sales.** Petrus requested Aldermen to review the memo for fireworks sales inside the city limits and hold discussion at the next council meeting.

New Business.

Mayor Eden requested any new business be brought to the floor for discussion. None brought forth.

Adjournment.

Alderman Hull made a motion, seconded by Alderman Tebow to adjourn meeting. Motion approved. Meeting adjourned at 8:30 p.m.

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Shannon Neely, City Clerk