

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI, HELD ON TUESDAY, NOVEMBER 9, 2010.**

The Board of Aldermen of the City of Mount Vernon, Missouri met in the regular place of meeting, City Hall, on Tuesday, November 9, 2010 at 7:00 p.m. The meeting was called to order by Mayor David W. Eden with the following roll call recorded: J.N. Greene, Lowell Phillips, John Hull, Mike Tebow, April Mieswinkel, Max Springer, Carol Millsap, Gary Albers. The following City personnel were also in attendance: City Administrator John Rice, Attorney William Petrus, Director of Public Works Gene Stanton, Code Enforcement Officer Bruce Conway, Chief of Police Garry Earnest, Treasurer Shari Weldy, Fireman Grant Wheeler and City Clerk Shannon Neely.

Public Hearing – Missouri Department of Transportation Grant Section 5311 Assistance

Mayor Eden opened the hearing at 7:00 p.m. Weldy reported the amount budgeted for grant is as follows: Federal Funds - \$53,241.17; Local Match - \$48,771.28; Fares - \$7,000.00; with total amount budgeted \$109,012.45. Mayor Eden requested any public comment be brought to the floor. None brought forth. Mayor Eden announced public hearing closed at 7:04 p.m.

Agenda.

Mayor Eden presented the agenda to the Board for approval. Alderwoman Mieswinkel made a motion, seconded by Alderman Hull to approve the agenda with the following amendments:

- Remove Item No. IX. Lawrence County Emergency Response Discussion – Chet Hunter
- Move Item No. XIV. City Administrator Report to come before Item No. XIII. Bill No. 2010-0024
- Item No. XXIII. Closed Session, remove Section 610.021(1) Litigation and Section 610.021(3) Personnel Issues.

With all present members voting in favor, Mayor Eden declared the motion approved.

Minutes.

Minutes of the last meeting, which was held on Tuesday, October 26, 2010 were presented to the Board for approval. Alderman Tebow made a motion, seconded by Alderman Hull to approve the minutes as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

Request for Signage.

Trish Bramer requested the city apply and purchase signage, which will be placed at the city limits, recognizing the 2010 Lady Mountaineer Class Three State Basketball Champions. Bramer noted the cost would be \$520.00 per sign, with the Missouri Transportation Department providing, installing and maintaining the signs for ten years. Alderwoman Millsap made a motion, seconded by Alderwoman Mieswinkel to purchase three signs, one on each city limits of Mount Vernon Boulevard and one on Highway 174 city limits by the Golf Course, for a total amount of \$1,560.00. With all present members voting in favor, Mayor Eden declared the motion approved.

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Fire Chief.

Erik Snow held discussion on the benefits of a full-time Fire Chief.

2011 Budget.

Rice presented the 2011 budget to the council for review. Mr. Rice noted he would be available for any questions and that it would be presented at the December 14, 2010 meeting for approval.

Ordinances.

**Bill No. 2010-0022 re:** An ordinance to authorize the Mayor to apply for federal financial assistance on behalf of the City of Mount Vernon and the Missouri Highways and Transportation Commission providing for capital, operating and/or marketing assistance, comprised of federal funds to be expended for commission approved transit projects was read twice by title only, with the following roll call vote recorded:

1<sup>st</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

2<sup>nd</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. 2010-0022 was declared passed and sent to the Mayor for signature. Bill No. 2010-0022 thus became Ordinance No. 14.221.

**Bill No. 2010-0023 re:** An ordinance calling for a general election in the City of Mount Vernon, Missouri for the purpose of electing one alderman from each of the four wards, each for a term of two years was read twice by title only, with the following roll call vote recorded:

1<sup>st</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

2<sup>nd</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. 2010-0023 was declared passed and sent to the Mayor for signature. Bill No. 2010-0023 thus became Ordinance No. 5.158.

City Administrator Report.

Rice held discussion on the following items:

- P.I.L.O.T. Rice reported he has researched P.I.L.O.T., (Payments In Lieu of Taxes) which would address the transferring of funds from the Electric Fund to the General Fund. Rice noted state audit ten years ago criticized the practice, but that it was not improper to transfer funds. Rice reported due to the lawsuit with the City of Hermann for this same practice, the city could face a similar lawsuit or if the lawsuit wins, would face major cutbacks, which would be devastating. Rice noted several cities are charging their utilities a franchise fee, which would bring in approximately the same amount to the General Fund.
- Tasers. Rice requested the city purchase the tasers in this budget year instead of 2011 as originally passed. Alderwoman Millsap made a motion, seconded by Alderman Springer to proceed with purchase of four tasers in the 2010 budget. With all present members voting in favor, Mayor Eden declared the motion approved.
- Budget. Rice reminded the Aldermen to direct any questions to the Budget to him before the December 14, 2010 council meeting.

**Bill No. 2010-0024 re:** An ordinance amending the municipal code of the City of Mount Vernon, Missouri by adding Section 705.070 regarding payments in lieu of taxes for city utilities was read twice by title only with the following roll call vote recorded:

1<sup>st</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: none

ABSTAIN: None

ABSENT: None

2<sup>nd</sup> reading:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. 2010-0024 was declared passed and sent to the Mayor for signature. Bill No. 2010-0024 thus became Ordinance No. 13.84.

**Department Reports.**

Treasurer.

Weldy held discussion on the following items:

- Bills. Presented a report of bills that have been paid.
- October Treasurer Report. Presented the Treasurer report for October. Alderwoman Mieswinkel made a motion, seconded by Alderman Springer to approve the report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- McClanahan Invoice. Presented an invoice from McClanahan Construction for \$167,611.50, which with payment will reduce the retainage from 5% to 1%. Alderman Springer made a motion, seconded by Alderman Hull directing payment of invoice. With all present members voting in favor, Mayor Eden declared the motion approved.

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- Budget Amendments. Presented a list of budget amendment items to be included with the official copy of minutes. Alderman Springer made a motion, seconded by Alderwoman Millsap to approve amendments as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Federal Loan Bonds. Reported the final amount of bonds deposited in Great Southern Bank totaled \$442,825.00.

### Public Works.

Stanton held discussion on the following items:

- Digger Truck. Reported the digger truck was purchased for \$5,000.00 less than amount approved by the Aldermen.
- Number Five Well. Reported the one year old pump motor failed, but is still under warranty and will be rebuilt. Stanton asked for permission to have the well's pump rebuilt at a cost of \$21,000.00, which would be paid from the Rehabilitation and Replacement Fund set up for such emergencies. Aldermen agreed to proceed with repair.
- Street Paving. Reported Blevins Asphalt Construction Company had presented a quote for street paving which reflects 2009 pricing. Stanton requested direction from the Council as to bid out or remain with Blevins. Mayor Eden directed this discussion to be revisited at the December 14, 2010 meeting.

### Planning and Zoning.

Conway held discussion on the following items:

- October Statistic Report. Presented the October report.
- Kum & Go. Reported Kum & Go planned to open by November 19, 2010.

### Police.

Earnest held discussion on the following items:

- Presented the October Statistic Report.
- Reported had received positive feedback concerning the new web site.
- Reported that he was conducting his annual review on policies and procedures and how to improve on what is in place. Earnest noted he was also reviewing taser policies to be added.
- Reported had assigned supervisors to begin employee evaluations, and would also be conducting evaluations on Supervisors.
- Reported the department was setting a record of least amount of accidents, but have surpassed the totals for juvenile calls.

### Fire.

Wheeler held discussion on the following items:

- Calls. Reported the department worked a vehicle accident.
- Equipment. Reported the department had an air bottle serviced
- Reported the department had held emergency management training for natural disasters at the Assembly of God Church on October 30, 2010.
- Wheeler reported the department would conduct a fire safety class for the Mount Vernon Kindergarten classes on November 11, 2010.

### Committee Reports.

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

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*Finance.* Alderman Springer reported the committee submitted report earlier in meeting regarding the 2011 budget.

*Parks.* Alderman Tebow reported the committee has met with discussion on Golf rates. Alderman Tebow reported the committee recommended the follow rate increases to golf course fees:

Cart Storage	increase fees by \$10.00
Gas	\$135.00
Electric	\$150.00
Gas OHD	\$150.00
Electric OHD	\$170.00
Daily Green Fees – add weekend charges	
9 holes	\$12.00
18-hole	\$17.00
Trail Fees	add to include riding on a member's cart
Member	\$3.00/9 holes
	\$4.00/18 holes
Non-member	\$5.00/9 holes
	\$7.00/18 holes

Alderman Tebow made a motion, seconded by Alderman Hull to approve rate increase as requested. With all present members voting in favor, Mayor Eden declared the motion approved.

*Personnel.* Alderwoman Mieswinkel reported the committee has not met.

*Public Works/Streets.* Alderman Hull reported the committee has met and discussed the following items:

- Re-striping of the square. Alderman Hull reported the committee was waiting for input from citizens as the Lawrence County Record's article requested.
- Stanton reported during the Wastewater Treatment Facility Upgrade a larger generator was installed. Stanton reported the City of Crane was interested in purchasing the 1992 generator and requested direction from the council. After much discussion, Alderman Springer directed Stanton to advertise for bids, with a reserve of \$10,000.00.

New Business.

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

Old Business.

Mayor Eden requested discussion and opinions on keeping chickens. Alderman Springer reported that he had brought the subject to council earlier in the year and all had agreed not to allow. After much discussion, Alderwoman Millsap made a motion, seconded by Alderman Phillips to leave ordinance as is prohibiting the keeping of fowl inside city limits. With all present members voting in favor, Mayor Eden declared the motion approved.

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Closed Session.

Alderman Mieswinkel made a motion, seconded by Alderman Hull to close a portion of the meeting, pursuant to RSMo, Section 610.021(2) Real Estate Issues. The following roll call vote was recorded:

AYES: Greene, Phillips, Hull, Tebow, Mieswinkel, Springer, Millsap, Albers

NOES: None

ABSTAIN: None

ABSENT: None.

With all present members voting in favor, Mayor Eden declared the motion approved. Meeting adjourned to Closed Session at 8:05 p.m.

Reconvene.

Meeting reconvened from Closed Session at 8:36 p.m. Mayor Eden requested any other business to be brought to the floor. None brought forth.

Adjournment.

Alderman Hull made a motion, seconded by Alderman Tebow to adjourn meeting. With all present members voting in favor, Mayor Eden declared the motion approved. Meeting adjourned at 8:36 p.m.

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David W. Eden, Mayor

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Date

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Shannon Neely, City Clerk

\_\_\_\_\_  
Date