

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI HELD ON TUESDAY, DECEMBER 13, 2011.**

The Board of Aldermen of the City of Mount Vernon, Missouri met in the regular place of meeting, City Hall, on Tuesday, December 13, 2011 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, Gary Flippin, April Mieswinkel, Barbara Rubison, Carol Millsap, Gary Albers. The following city personnel were also in attendance: City Administrator Max Springer, Attorney William Petrus, Jr., Treasurer Shari Weldy, Chief of Police Garry Earnest, Assistant Fire Chief Brad DeLay, Code Enforcement Officer Bruce Conway and City Clerk Shannon Neely.

Guests registering their attendance are listed on the sign-in sheet attached to and made part of the minutes.

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: Insert presentation from HDR Engineering, for Peak Flow Voluntary Compliance Agreement and Bypass Elimination Plan after Citizen Participation and before Planning and Zoning appointments. Remove Bullet One, Tax Abatement Discussion from City Administrator Report. Remove Item XII. Closed Session – vote to close a portion of the meeting pursuant to RSMo, Section 610.021(1) Litigation, Section 610.021(2) Real Estate, 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, November 22, 2011 were presented to the Board for approval. Alderman Hull made a motion, seconded by Alderman Phillips to approve the minutes as presented. The following voice vote was recorded:

AYES: Greene, Phillips, Hull, Flippin, Mieswinkel, Rubison, Millsap

NOES: None

ABSTAIN: Albers

ABSENT: None

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

Citizen Participation.

Rabbi Derf Eukel discussed leadership in local government.

Waste Water Treatment Plant Agreement.

Mike Pessina, HDR Engineering, presented a draft Voluntary Compliance Agreement between the city and the Department of Natural Resources. Mr. Pessina reported with installation of a plan, Department of Natural Resources would allow the city five years to improve the wastewater collection system and not be fined or penalized. An extension of five more years could be allowed if the city shows adequate progress in the upgrade. Discussion was held. Alderwoman Mieswinkel made a motion, seconded by Alderman Hull to begin process to enter into the agreement. With all present members voting in favor, Mayor Eden declared the motion approved.

Planning and Zoning Board.

Mayor Eden recommended Louis Woody and James Dennis for a three year term on the Planning and Zoning Commission. Alderman Hull made a motion, seconded by Alderman Greene to accept recommendation. With all present members voting in favor, Mayor Eden declared the motion approved.

Enhanced Enterprise Zone Board.

Mayor Eden presented recommendations to serve on the Enhanced Enterprise Zone Board. Alderwoman Mieswinkel made a motion, seconded by Alderman Phillips for the following appointments to the Board:

- Paul Brockman – R-5 School District Representative – term expire 12/31/2014
- Donna Cheek – Barry Lawrence County Library – term expire 12/31/2013
- James Dunn – Mount Vernon Benefit Special Road District – term expire 12/31/2015

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

**Department Reports.**

City Administrator.

Springer held discussion on the following items:

- Sales Tax Revenue. Reported sales tax revenue was up by 7.7% for the year.
- The MARC.
  - Hood Suppression. Presented a bid tab on the hood suppression system. Springer noted once the system is installed, the kitchen will be up to code and available to rent. Alderwoman Mieswinkel made a motion, seconded by Alderman Phillips to accept bid from Kenco Fire Equipment for \$1,842.73. With all present members voting in favor, Mayor Eden declared the motion approved.
  - Auditorium. Reported Top Nail Construction would be replacing the double doors/single door to the auditorium, which frames are rotted. Springer noted the new door frames would constructed of metal.
  - Volleyball League. Received a request from the volleyball league for permission to install a net to separate courts and a door in the concrete area of the gymnasium. Alderwoman Mieswinkel made a motion, seconded by Alderwoman Millsap to grant request. With all present members voting in favor, Mayor Eden declared the motion approved.
  - Wi-Fi. Requested permission to install a wireless internet connection to meeting rooms, with a monthly service rate of \$69.95. Springer noted several companies who wish to hold meetings in the facility have requested Wi-Fi for their presentations. After much discussion, the Board directed Springer to inquire for any free service the company may provide to the city. Alderwoman Mieswinkel made a motion, seconded by Alderman Phillips to proceed with installation of the wireless service for a monthly fee of \$69.95. With all present members in favor, Mayor Eden declared the motion approved.
  - Ribbon Cutting Crowder College. Reported approximately 75 people attended the ceremony.
  - Request paint color approval. Steve Snyder presented a color palette for the art gallery hallway. Mr. Snyder reported the Arts Council would purchase the paint. Alderman Greene made a motion, seconded by Alderman Phillips to grant approval of color palette.

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- Conferences. Requested permission from the Board to attend to MCMA conferences on January 19, 2012 in Columbia, MO and January 15, 2012 in Springfield, MO. Alderwoman Millsap made a motion, seconded by Alderwoman Mieswinkel granting permission for Springer to attend both conferences. The following voice vote was recorded:

AYES: Greene, Phillips, Hull, Mieswinkel, Rubison, Millsap, Albers

NOES: Flippin

ABSTAIN: None

ABSENT: None

- With all present members voting, Mayor Eden declared the motion approved.
- Business Tour. Reported he would be travelling to Springfield, Missouri on Tuesday, December 20, 2011, to tour the Springfield Iron and Metal. Springer noted this facility had a similar operation for grinding vehicles as is planned for Mount Vernon.
- Litigation. Reported the city received a summons for electrical damage at Casey's General Store, located at 505 East Mount Vernon Blvd. Springer reported this claim has been turned over to the insurance company.

### Treasurer.

Weldy held discussion on the following items:

- Bills. Presented the Bills Paid report and requested any discussion. None brought forth.
- Treasurer Report. Presented the November Treasurer Report. Alderwoman Millsap made a motion, seconded by Alderman Greene to approve the report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Taxi Quote. Presented a quote of \$3,020.00 from the Missouri Department of Transportation for purchase of the 2006 Chevrolet Van and requested direction from the Board. Alderwoman Mieswinkel made a motion, seconded by Alderman Greene to present a counter-offer of \$2,000.00 for purchase and if accepted, to proceed with purchase. The following voice vote was recorded:

AYES: Greene, Phillips, Hull, Flippin, Mieswinkel, Rubison, Albers

NOES: Millsap

ABSTAIN: None

ABSENT: None

- With all present members voting, Mayor Eden declared the motion approved.
- Request for SRF Reimbursements. Presented a request for reimbursement of \$2,045.08 for State Revolving Funds. Alderwoman Mieswinkel made a motion, seconded by Alderwoman Millsap directing the Mayor to sign reimbursement request. With all present members voting in favor, Mayor Eden declared the motion approved.
- Utility Write-Offs. Presented a list of utility write-offs on closed accounts, which is to be made part of the minutes, for approval from the Board. Alderwoman Millsap made a motion, seconded by Alderwoman Rubison to approve utility write-offs as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

### Break.

At this point, Mayor Eden requested a short break.

Public Works.

Stanton held discussion on the following items:

- Lease Purchase Greens Mower. Presented a lease-purchase application with PNC Equipment Finance for a TORO Greens mower at the Golf Course. Stanton noted purchase for this was included in the 2012 budget. Alderman Phillips made a motion, seconded by Alderman Greene directing Mayor to sign lease agreement and proceed with purchase process. With all present members voting in favor, Mayor Eden declared the motion approved.
- RG Utility Contract. Reported the city is currently contracted with Clean Stream Enterprises for operation of the Wastewater Treatment Facility. Stanton reported Ron Greenwood has sold a portion of the company, including the name, and presented a contract with RG Utility Contracting, for Mr. Greenwood to continue operation of the Mount Vernon facility. Stanton noted this contract would include Addendum No. 1 of the previous contract for sludge hauling. Alderman Phillips made a motion, seconded by Alderman Greene to approve contract with RG Utility Contracting. With all present members voting in favor, Mayor Eden declared the motion approved.

Planning and Zoning.

Conway held discussion on the following items:

- Permit Report. Presented the November Permit report and held discussion.
- ADU Ad-Hoc Committee. Reported the Planning and Zoning Commission had appointed the following members to serve on the Ad-hoc committee to study Accessory Dwelling Units:
  - Derf Eukel, Ad-hoc Committee Chairman
  - Norman Jones
  - Rick Thiesfield
- Zoning Change Request. Reported a zoning change request for 995 Daniel Drive has been received from Greg Westfall. Mr. Westfall wants to open a salvage yard, which is currently not allowed in M-2 zoning. Conway reported a Public Hearing is scheduled for January 3, 2012, for public input.
- Winterize Garage Bathroom. Reported the bathroom in the garage has been shut-down for the winter because of the risk of pipes freezing. Discussion was held.
- Court Summons. Requested the Board allow the Code Enforcement Officer the ability to write summons to court for individuals who do not go thru the building permit process. After much discussion, Petrus was directed to present an ordinance for the Board to consider.

Police.

Earnest held discussion on the following items:

- Department Policies. Reported he had emailed current policies for his department for the Board to review.
- Statistical Report. Presented the statistical report for November, 2011.
- Identity Theft. Discussed the threat of identity theft during the holidays.
- Traffic Issues. Reported due to several issues with golf carts, electric wheelchairs and lawn mowers used as transportation on city streets, he is researching how to address their use as the law prescribes. Earnest noted Petrus had previously written an ordinance for another city, and they are currently reviewing it.

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- Officer Commendation. Commended Corporal Shawn Cobb for providing CPR to a 29 year old female.

Fire.

DeLay held discussion on the following items:

- Calls. Reported a flu fire was the only call the department has received.
- Equipment Maintenance. Reported the Thermal Imager was sent in for repair, and requested permission to proceed with repair. DeLay reported he was not aware of what the cost for repair would be. Alderman Phillips made a motion, seconded by Alderman Albers to proceed with repair of imager. With all present members voting in favor, Mayor Eden declared the motion approved.

Committee Reports.

*Airport.* Alderman Greene presented the final draft of the Hanger/Tie-down lease agreement, Rules and Regulations, Activity Temporary Permit, Schedule of Rates and Fees, Airport Sign Regulations and the Commercial Hangar Lease Agreement. Alderman Greene made a motion, seconded by Alderwoman Mieswinkel to approve as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

*Finance.* Alderwoman Millsap reported the committee would begin meeting on a regular basis.

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

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

*Public Works/Streets.* Alderman Hull reported the committee has not met.

*Disaster Shelter.* Alderwoman Mieswinkel reported the Red Cross offered a Shelter Operations and Simulation class and requested other churches attend, along with the city. Springer reported if enough were interested, the class could be held at The MARC.

New Business.

Alderwoman Mieswinkel made a motion, seconded by Alderman Phillips to cancel the December 20, 2011 meeting due to the holiday. With all present members voting in favor, Mayor Eden declared the motion approved.

Old Business.

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

Adjournment.

Alderman Hull made a motion, seconded by Alderman Phillips to adjourn the meeting. With all present members voting in favor, Mayor Eden declared the motion approved. Meeting adjourned at 8:44 p.m.

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David W. Eden, Mayor

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Date

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Shannon Neely, City Clerk

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Date