

Minutes approved June 26, 2012

MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI HELD ON TUESDAY, JUNE 12, 2012.

The Board of Aldermen of the City of Mount Vernon, Missouri met in the regular place of meeting, City Hall, on Tuesday, June 12, 2012 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, Craig Nelson, Lowell Phillips, Gary Albers, Barbara Rubison, Carol Millsap. Absent: John Hull. The following city personnel were also in attendance: City Administrator Max Springer, City Attorney William Petrus, Jr., Director of Public Works Gene Stanton, Treasurer Shari Weldy, Chief of Police Garry Earnest, Code Enforcement Officer Bruce Conway, Assistant Fire Chief Brad DeLay, Planning and Zoning Chairman Luis Woody and City Clerk Shannon Neely.

Agenda.

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

- Change Item VI. Mayor Appointments to read as follows: Personnel Committee and name chairman, Planning and Zoning Commission for two vacant seats, Ward II Board of Alderman and Oath of office to appointed Ward II Alderman.
- Item XIII. Remove Section 610.021(1) Litigation.

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

Minutes.

Minutes of the last regular scheduled meeting, which was held on May 22, 2012 were presented to the Board for approval. Alderwoman Millsap made a motion, seconded by Alderman Phillips to approve minutes as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

Minutes of a special meeting, which was held on Friday, May 25, 2012 were presented to the Board for approval. Alderman Phillips made a motion, seconded by Alderwoman Rubison to approve minutes as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

Citizen Participation.

Mayor Eden reported this portion of the meeting is set aside for participation from the public and requested any discussion to be brought to the floor. David Padilla, who resides at 603 W. Highway 174, requested permission from the Mayor to approach the podium. Mr. Padilla reported re-occurring dog problems in his neighborhood. Discussion was held.

Mayor Appointments.

- Mayor Eden reported with resignation of Mieswinkel, there is currently a vacancy on the Personnel Committee. Mayor Eden appointed Alderman Albers to fill the vacancy and to act as Chairman of the committee. Alderman Albers agreed to the appointment.
- Mayor Eden recommended the following appointments to fill vacancies on Planning and Zoning Commission:
 - David Wright – term to end December, 2012.
 - D.C. Wright – term to end December 2014.

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Alderwoman Millsap made a motion, seconded by Alderman Greene to accept Mayor's recommendation for appointments. With all present members voting in favor, Mayor Eden declared the motion approved.

- Mayor Eden recommended to appoint Edward Kimbler to fill Ward II vacancy until April 2013 election. Alderman Phillips made a motion, seconded by Alderwoman Rubison to accept Mayor's recommendation for appointment. With all present members voting in favor, Mayor Eden declared the motion approved.
- Oath of Office. Neely administered the Oath of Office to Edward Kimbler for Ward II.

Resolutions.

Bill No. (R)2012-016 re: A resolution of the Board of Aldermen of the City of Mount Vernon, Missouri in support of House Bill 1329 regarding sales tax on vehicle purchases was read once, by title only, with the following roll call vote:

AYES: Greene, Nelson, Phillips, Albers, Rubison, Kimbler, Millsap

NOES: None

ABSTAIN: None

ABSENT: Hull

Bill No. (R)2012-016 was declared passed and sent to the Mayor for signature. Bill No. (R)2012-016 thus became Resolution No. (R)2012-016.

Bill No. (R)2012-017 re: A resolution of the Board of Aldermen of the City of Mount Vernon, Missouri to join the Southwest Missouri Joint Municipal Water Utility Commission and appoint members thereto was read once by title only, with the following roll call vote recorded:

AYES: Greene, Nelso, Phillips, Albers, Rubison, Kimbler, Millsap

NOES: None

ABSTAIN: None

ABSENT: Hull

Bill NO. (R)2012-017 was declared passed and sent to the Mayor for signature. Bill No. (R)2012-017 thus became Resolution No. (R)2012-017.

Department Reports.

City Administrator.

Springer held discussion on the following items:

- Sales Tax Revenue. Reported the revenue has increased by 20% from the previous month.
- Public Hearings. Scheduled the following public hearings:
 - Flood Plain Management. A public hearing to receive public input regarding the city passing an ordinance which will adopt the new county-wide flood insurance rate maps, which will become effective August 2, 2012. Springer scheduled the hearing for Tuesday, July 10, 2012
 - Annexation. A public hearing to receive public input regarding annexing of the Highway 39 right-of-way from the North city limits to approximately 200' north of Lawrence

County Farm Road 2100 and south, from the South City limits, which is approximately at Interchange 46 of I-44 to Farm Road 2130. Springer scheduled the hearing for Tuesday, June 26, 2012 at 6:30 p.m.

- Electric Rate Protest. Reported the intervention and protest for electric rate increase has been filed with FERC (Federal Energy Regulatory Commission). The estimated share of cost for the city will be approximately 22.06%, of a possible \$40,000.00 cost of the intervention.
- Employee. Recommended for hiring the following individuals for summer youth employment:

Holli Winn and Liz Glazer – Lifeguards

Bridgett Schmutz, James Ledford and Chad Rodgers - Park Program

Alderwoman Millsap made a motion, seconded by Alderman Phillips to accept recommendation and proceed with hiring procedures for employment screening. With all present members voting in favor, Mayor Eden declared the motion approved.

- Workshop. Requested permission to use traveling expenses to attend Missouri Main Street Connection meeting in St. Louis, Missouri July 25-26. Consensus of the Board was for Springer to attend the meeting.
- RFP. Reported Request for Proposals would be sent out for Workers' Compensation on Wednesday, June 13, 2012.
- Incode Software. Requested permission to pay balance off early for Incode Software, with total owed amount \$6,110.27. Springer noted this will save the city money on any future finance charges or penalties. Alderman Phillips made a motion, seconded by Alderwoman Millsap to proceed with request. The following voice vote was recorded:

AYES: Greene, Nelson, Phillips, Albers, Rubison, Millsap

NOES: None

ABSTAIN: Kimbler

ABSENT: Hull

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

At this point, 7:30 p.m., Alderman Hull arrived to the meeting.

- Missouri Municipal League Annual Conference. Reported the Missouri Municipal League would hold their annual conference on September 16th thru the 19th and noted Tan-Tar-A was currently reserving rooms for interested attendees. Springer requested any Alderman to contact him if they wish to attend.
- Red, White and Boom. Reminded the Board the event is scheduled for Friday, June 29, 2012, with a rain-date set for Saturday, June 30, 2012.
- Intern. Introduced James Case, a student from MSSU, who is interning for the city and currently researching Backyard Cottages for the Planning and Zoning Commission.

Treasurer.

Weldy held discussion on the following items:

- Red, White and Boom. Requested additional information for the event from Alderwoman Millsap so that she may post the information on the city's website.
- Bills. Presented the Bills Paid report and requested any discussion. None brought forth.

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- Treasurer Report. Presented the May Report for approval. Alderwoman Millsap made a motion, seconded by Alderman Phillips to approve the report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- State Revolving Funds Request. Requested the Board to direct the Mayor to sign-off on a request for payment to Missouri Department of Natural Resources, Water Construction Program, Construction Fund Reimbursement for 2008 State Revolving Fund for \$7,727.52. Alderman Phillips made a motion, seconded by Alderman Hull granting request. With all present members voting in favor, Mayor Eden declared the motion approved.
- Accounts Status. Reported she had received an opinion from auditors at Davis, Lynn and Moots to not delete accounts that have not had activity, i.e., Ice Storm Account, but to make them inactive on the financial system, so that all records are accessible for any future requests.

Public Works.

Stanton held discussion on the following items:

- Change Order Number 1. Presented a request for approval of Change Order Number 1, for Wastewater Conveyance System Rehabilitation with Insituform Technologies, USA. Stanton reported the change order would save the city approximately \$2,566.80 from the original contract price. Alderman Greene made a motion, seconded by Alderman Albers directing the Mayor to sign-off on Change Order Number 1. With all present members voting in favor, Mayor Eden declared the motion approved.
- Roof Replacement The MARC. Reported he had posted the bid on the Dodge Report and had received several interested parties. Stanton reported he has scheduled a pre-bid meeting for June 19, 2012 at 9:00 a.m. at City Hall. Stanton noted this meeting is posted as mandatory to attend for interested contractors.

Planning and Zoning.

Woody held discussion on the following items:

- Temporary Signs. Reported the Commission has held discussion regarding current ordinance.
- Backyard Cottages. Reported the committee has reported the Commission that they will have several more meetings before they issue a final report to the Board.
- Comprehensive Plan. Reported the Commission is still in the review stage of the Plan.

Code Enforcement.

Conway held discussion on the following items:

- Permit Statistic Report. Presented the May, 2012 report to the Board for review.
- Backyard Cottages. Reported Mr. Case, intern for the city, is currently researching information to present to the committee. Conway reported the committee will meet a few more times before submitting any recommendations.
- Temporary Signs. Reported he had met with the EDC (Economic Development Corporation) for their opinion on enforcement of temporary signs. Conway reported they recommended to not enforce the current code and proceed with text change to delete any restrictions on temporary signage. Conway reported he would be meeting with Springer,

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Stanton and Petrus to continue research and to determine what action would be for the good of the city.

- 608 Seneker. Reported the structure has been demolished and city crews are working to clean up the lot.

Police.

Earnest held discussion on the following items:

- May Statistic Report. Presented the May 2012 report and held discussion on activity.
- Grant. Reported the city did not receive the grant which was applied for to assist in the purchase of narrow-band compliant radios.
- Click-it or Ticket. Reported the campaign had begun on May 21, 2012 and ran thru June 3, 2012. Earnest reported 272 vehicles were stopped, with 36 seat belt violations, 1 child restraint violation, 1 DWI arrest and three felony arrests.
- Training. Reported the department had held in-service training on proper maintenance and care of M-16 weapons and held shooting qualifications, with all officers passing.
- Enforcement Participation. Reported due to participation with the Missouri State Highway Department enforcement campaigns, the department received an award, which has not been received as of yet.

Fire.

DeLay held discussion on the following items:

- Calls. Reported the department had received three calls since last report.
- Plane Crash. Reported the rural department had received a call for a plane crash on Tuesday, June 12, 2012. DeLay noted no deaths were related to this incident.

Committee Reports.

- *Airport.* Alderman Greene scheduled a meeting for Wednesday, June 20, 2012 at 6:00 p.m.
- *Finance.* Alderwoman Millsap reported the committee met on June 8, 2012 and discussed the FERC filing.
- *Parks.* Alderman Hull reported the committee has not met.
- *Personnel.* Alderman Albers reported the committee met on June 7, 2012 at 11:00 a.m. to discuss personnel issues, which would be discussed during closed session with the Board later in the meeting.
- *Public Works/Streets.* Alderman Phillips reported the committee has not met.
- *The MARC/Community Center.* Alderwoman Millsap reported the committee has a meeting scheduled for Monday, June 18, 2012 at 2:00 p.m. Alderwoman Millsap reported the committee has been researching signage for the Center. Alderman Hull presented a drawing of proposed lighted signs, which will include an LED screen for messages. Discussion was held.

New Business.

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

Old Business.

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

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Closed Session.

Alderman Phillips made a motion, seconded by Alderman Hull to close a portion of the meeting, pursuant to RSMo, Section 610.021(2) real estate and Section 610.021(3) Personnel Issues. The following roll call vote was recorded:

AYES: Greene, Nelson, Hull, Phillips, Millsap, Rubison, Kimbler, 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 8:07 p.m.

Reconvene.

Meeting reconvened from Closed Session at 8:44 p.m. Mayor Eden requested any other item to be brought to the floor for discussion. Springer reported no one with the city had been aware that David Biellier had moved his plane from the Municipal Airport, where he has been renting a hangar. Springer noted that the new leases that were issued earlier in the year required all planes to hold liability insurance and to be flyable, and that the city had no disagreement with Mr. Biellier. Discussion was held.

Adjournment.

Alderman Hull made a motion, seconded by Alderman Phillips to adjourn meeting. With all present members voting in favor, Mayor declared the motion approved. Meeting adjourned at 8:47 p.m.

David W. Eden, Mayor

Date

Shannon Neely, City Clerk

Date