

MINUTES
CITY COUNCIL REGULAR MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, JANUARY 28, 2008
CITY HALL
6:30 PM

A. CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order and led the Pledge of Allegiance. Those present on roll call were: Alderman Tripp, Alderman Polete, Alderman Hale, and Alderman Fritch. Absent was Alderman Shrum. Also present were: City Administrator O’Gara, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the rescheduled regular meeting of January 17, 2008. Alderman Hale indicated Item 6 under New Business should note he abstained from the vote due to a conflict of interest with the prospective economic developer candidate. A motion was then made by Hale with a second by Fritch to approve the minutes as amended. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions.
Delete: the word “airport” under New Business Item 7
- 2) A motion was made by Hale with a second by Polete to approve the agenda as amended. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) None.

F. REPORTS OF OFFICERS

- 1) Mayor’s report.
 - a) Recommendation and appointments to the Ad-Hoc Advisory Committee for Public Projects Priorities for Disabled Access. The Mayor explained the purpose of this committee was to appoint a group to get together to discuss ADA issues relating to transportation tax projects. They will have no decision making authority. The following appointees were named: Mark Tripp, Paul Fritch, Lauren Boland, Clyde Clifton, and Steve Lord.
 - b) Appointment and oath of office of the Municipal Court Clerk. Mayor Yates gave the Oath of Office to Erica D. Settle appointing her to another term as Municipal Court Clerk.

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) Administrator’s report.
 - a) Finished training staff on the new accounting software, met with auditor, attended Town Square Enhancement project meeting, Mayor’s Visioning Committee on January 10th, potential events meeting, opening of Friends of Mingo, pre-construction meeting, Madison County Environmental Roundtable, and met with Dennis Siders and Becky Hunt regarding a community partnership application.
 - b) Announced the tremendous rate decrease in the City’s workers comp rating from 1.2% to .92%.

H. OLD BUSINESS

- 1) None.

I. NEW BUSINESS

- 1) Little rock wall bathroom cost updates. (McDowell) McDowell turned the discussion over to Park Board member Dave Ward who, in turn, distributed recommendations for the bathrooms. He discussed the various options and costs involved in building the bathrooms. He indicated he had volunteers to assist along with the City's help in getting this done before the ball season began. Ward's proposal was for \$12,500. A discussion ensued over the type of building material . . . block versus stick versus concrete versus metal. Mayor Yates asked about funding the project. Hale suggested the possibility of using the revenue from the settlement of one of the telephone licensing issues. O'Gara indicated that was a possibility. A motion was then made by Hale with a second by Tripp to approve the proposal with the funds coming from the telephone settlement. Motion carried.
- 2) Ordinance authorizing the Mayor to execute an agreement between City and Crawford, Murphy, & Tilly, Inc. relative to appointing an airport consultant to execute the airport Plan. A motion was made by Tripp with a second by Fritch that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute an agreement between City and Crawford, Murphy & Tilly, Inc. relative to professional services for a project at the Fredericktown Regional Airport . . ." A motion was made by Fritch with a second by Hale to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-08 duly adopted.**
- 3) Ordinance authorizing the Mayor to execute a settlement agreement between City and Kathleen Bullock. A motion was made by Hale with a second by Fritch that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute a settlement agreement and release all claims by and between City and Kathleen Bullock relating to employment claims. . ." A motion was made by Fritch with a second by Polete to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-09 duly adopted.**
- 4) Ordinance amending and modifying Ordinance No. 06-02 dated December 11, 2006, relative to political activities. A motion was made by Tripp with a second by Hale that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance amending and modifying ordinance relating to the Personnel Rules and Regulations." A motion was made by Polete with a second by Fritch to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-10 duly adopted.**
- 5) Ordinance calling for a ballot proposition on the Municipal Election Date of Tuesday, April 8, 2008 on the question whether the City Collector shall be appointed. A motion was made by Tripp with a second by Fritch that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance calling for a ballot proposition for the City on the Municipal Election date of Tuesday, April 8, 2008 on the question of whether the City Collector shall be appointed . . ." A motion was made by Fritch with a second by Polete to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-11 duly adopted.**

Ordinance calling for a ballot proposition on the Municipal Election Date of Tuesday, April 8, 2008 on the question whether the Chief of Police shall be appointed. A motion was made by Hale with a second by Tripp that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance calling for a ballot proposition for the City on the Municipal Election date of Tuesday, April 8, 2008 on the question of whether the Chief of Police shall be appointed . . ." A motion was made by Tripp with a second by Hale to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-12 duly adopted.**

- 6) Ordinance approving a settlement agreement with Sprint Spectrum, L.P. A motion was made by Polete with a second by Fritch that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance approving a settlement agreement with Sprint Spectrum, L.P. . ." A motion was made by Tripp with a second by Hale to read the ordinance the second time by title only. Moore read the ordinance. **Ordinance 08-13 duly adopted.**

- 7) Supplementary appropriation for General Fund engineering in the amount of \$1000.00. Mayor Yates explained this appropriation was for the earlier discussion in closed session of a City Hall engineering/architectural study. A motion was made by Fritch with a second by Hale to approve the supplementary appropriation. Motion carried.

J. ADDITIONAL BUSINESS

- 1) Accounts payable. After some brief questions, a motion was made by Fritch with a second by Hale to approve the payables. Motion carried.

K. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

- 1) Alderman Polete asked if the inmate labor could be used to clean the Lincoln Drive "swamp" area. McDowell said the last discussion he heard was the project was on hold until someone could contact Senator Bond for some assistance for the area. Council agreed the City should move forward with doing something themselves. McDowell said he would begin as soon as possible using the inmate labor.
- 2) Alderman Tripp reminded everyone of the upcoming Presidential primaries and encouraged everyone to vote. He also noted the change in voting places due to the remodeling of the Armory. Tripp also wished Alderman Shrum his best during her recovery.
- 3) Alderman Fritch announced February 16th was an important basketball/homecoming game at MAC versus Three Rivers.

L. REMARKS FROM GENERAL PUBLIC

- 1) Water Department manager Shell thanked various city departments for their assistance with the water project around the Court Square.
- 2) Mayor Yates encouraged everyone to slow down in the construction zones.

M. CLOSED SESSION BUSINESS (As authorized RSMo Section 610.021) Motion was made by Fritch with a second by Tripp to go into Closed Session. Roll call vote resulted in four ayes, zero nays, and one absent. The account of the Closed Session is exempt from the public record and is on file in the office of the City Clerk pursuant to RSMo 610.024. The following motions and votes were taken in Closed Session:

- 1) One (1) contract matter. After a lengthy discussion, a motion was made by Tripp with a second by Fritch to agree to submit a revised contract to Black River Electric as a cash payment purchase. Motion carried with the following vote: Polete, Fritch, Tripp all voting aye; Hale voted nay and there was one absent.

Motion was made by Polete with a second by Fritch to return to Open Session.

N. ANY OTHER BUSINESS

- 1) None

O. ADJOURNMENT. Motion by Fritch to adjourn.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
January 28, 2008
5:30 PM

A. CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order. Those present on roll call were: Alderman Tripp, Alderman Fritch, Alderman Hale and Alderman Polete. Absent was Alderman Shrum. Also present were: City Administrator O'Gara, City Attorney Moore, City Clerk Stevens, City Engineer Baer, department heads and visitors.

B. APPROVAL OF MINUTES

1) Minutes of the work session meeting of January 17, 2008. A motion was made by Fritch with a second by Tripp to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

1) Additions or deletions.

Delete: Closed Session personnel matter.

Add: Work Session Business – Discussion of the city administrator's residency requirement.

2) Approval of agenda (as amended). A motion was made by Fritch with a second by Hale to approve the agenda as amended. Motion carried.

D. WORK SESSION BUSINESS

1) Comparison and discussion of third class city versus fourth class city. (Moore) Moore referred Council to the information included in their packets comparing the two types of city government. He went over the similarities versus differences and how they would relate to Fredericktown. Moore explained a third class city would have four wards instead of our present three ward system. Moore indicated this type of government change was "unchartered territory" for attorneys. He went on to say the city could achieve some of the same changes by opting to place on the April election ballot proposals to make both the chief of police and collector positions appointed instead of elected. He also said the cost of implementing the class of city change would be far greater than placing the two proposals on the ballot. Council concurred.

2) Discussion and approval of airport plan. (O'Gara) O'Gara referred Council to the packet of airport information included in the packets. He explained project consultants Crawford, Murphy & Tilly have one year left on a five year bid to act as consultants for our airport grants. O'Gara then proceeded to review the projects that will be taking place in 2008. A motion was then made by Fritch with a second by Tripp to approve the 2008 airport capital projects as presented. Motion carried.

3) Discussion of the city administrator's residency requirement. O'Gara explained to council the purpose of his request to change the residency requirement. He indicated the lack of suitable land inside the city limits was making it difficult for him to purchase land. O'Gara also said the new police captain might have the same problem. The Mayor expressed her agreement with the lack of property available, as this was one of the determining factors in running for re-election in April. The Mayor recommended the Council mull over the request and re-visit the request at another Council meeting.

4) Ordinances for review:

At this time, a motion was made by Hale with a second by Tripp to table discussion of the ordinances for review to the regular council meeting following this meeting.

- a) An Ordinance authorizing the Mayor to execute an agreement between City and Crawford, Murphy & Tilly, Inc. relative to appointing an airport consultant to execute the airport plan.
- b) An Ordinance calling for a ballot proposition for the City of Fredericktown on the municipal election date of Tuesday, April 8, 2008.
- c) An Ordinance amending and modifying Personnel Rules and Regs Ordinance No. 06-62 dated December 11, 2006, as it relates to political activities.

5) Closed Session (As authorized by RSMo Section 610.021) Motion was made by Tripp with a second by Fritch to go into Closed Session. Roll call vote resulted in four ayes, zero nays, and one absent. The account of the Closed Session is exempt from the public record and is on file in the office of the City Clerk pursuant to RSMo 610.024. The following motions and votes were taken in Closed Session:

- a) Contract matter. Discussion only. No voting action necessary at this time.

A motion was made by Tripp with a second by Hale to return to Open Session. Motion carried.

E. ANY OTHER BUSINESS

- 1) None.

F. ADJOURNMENT

- 1) Motion was made by Fritch to adjourn. Motion carried.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk