

MINUTES
CITY COUNCIL REGULAR MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, MARCH 10, 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, Alderman Shrum and Alderman Fritch. 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 regular meeting of February 25, 2008. A motion was made by Polete with a second by Fritch to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions. None
- 2) A motion was made by Hale with a second by Tripp to approve the agenda as presented. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) **John Clark representing the Ambulance District Committee regarding the ballot issue proposal.** Clark referred Council to the information included in their packets. He proceeded to explain the importance of passing this ballot issue as failure would mean no ambulance service available in Madison County. Mayor Yates indicated a Resolution of support would follow later in this meeting.

E. PRESENTATIONS

- 1) None.

F. REPORTS OF OFFICERS

- 1) **Mayor’s report.**
 - a) Thanked everyone who participated in the public hearing prior to this meeting. She went on to say Council appreciated the comments and general participation.

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **Administrator’s report.**
 - a) O’Gara explained any meetings attended would be available at the next council meeting.
- 2) **Finance Director’s report.** Wienecke reviewed the finance numbers included in the packets.

H. OLD BUSINESS

- 1) **Approval of the grant funding for the agreement between the City and State of Missouri, Department of Natural Resources, Division of State Parks, State Historic Preservation Office relative to a National Register of Historic Places Nomination for the Fredericktown Courthouse Square Historic District.** Dismuke explained the purpose of the grant and how it would work to benefit those choosing to utilize it. After some discussion, a motion was made by Tripp with a second by Shrum to approve the application for grant funding as stated in the agreement. Motion carried with four (4) ayes and one (1)-Hale nay, who indicated his vote was based on the fact the program offered no “opt-out”. It was noted the City’s contribution would be \$1500 as there would be others contributing funds and in-kind services.

- 2) **Ordinance amending various sections of Chapter 200 relative to the Police.** A discussion ensued on various sections of the ordinance. It was decided Section 6 needed revising before approval could be made. A motion was then made by Fritch with a second by Hale to table approval pending the revision for next council meeting. Motion carried.
- 3) **Ordinance amending Section 200.110 relative to the position of "Police Captain".** Hale asked why the city residency requirement was not included in the ordinance. O'Gara explained as the police captain's offer of employment listed the residency requirement it was not necessary to include it in the ordinance. A motion was then made by Shrum with a second by Polete that as the ordinance was made available prior to the meeting it be read the first time by title only. Motion carried. Moore read: "An Ordinance amending Section 200.110 relative to the position of "Police Captain" . . . A motion was made by Polete with a second by Fritch to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-18 duly adopted.**
- 4) **Ordinance amending Section 200.020 relative to the duties of the City Marshal.** A motion was made by Tripp with a second by Shrum that as the ordinance was made available prior to the meeting it be read the first time by title only. Motion carried. Moore read: "An Ordinance amending Section 200.020 relative to the duties of the City Marshal" . . . A motion was made by Polete with a second by Hale to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-19 duly adopted.**
- 5) **Discussion of an agreement between City and Parks and Recreation Board relative to providing fill water for the Memorial Park pool for 2008.** A motion was made by Fritch with a second by Hale to approve the agreement. Motion carried.

I. **NEW BUSINESS**

- 1) **Setting Spring clean-up week.** The recommendation from Public Works Director Ken McDowell was to have residents register at City Hall and pay a \$10.00 fee for pickup service. After some discussion, a motion was made by Fritch with a second by Shrum to set the week of March 31st to April 5th as clean up week with the registration/fee requirement. Motion carried with five (5) ayes. Hale asked it be noted in the minutes he does not think the registration/fee is fair to city residents as they should not be penalized for the counties' misuse of our clean-up week.
- 2) **Resolution of support and commitment to the passage of the bond issue for construction of the Area Vocational Technical School (AVTS) on the campus of Mineral Area College.** A motion was made by Tripp with a second by Polete to read the resolution in full. Motion carried. Moore read the resolution in full. Voting resulted in four (4) ayes, zero (0) nays, and one (1) abstention-Fritch as he teaches at Mineral Area College. **Resolution 2008-01 duly adopted.**
- 3) **Resolution of support and commitment to the passage of a Madison County Ambulance District Ballot Proposal.** A motion was made by Tripp with a second by Polete to read the resolution in full. Motion carried. Moore read the resolution in full. **Resolution 2008-03 duly adopted.**
- 4) **Resolution establishing the depository of funds for the account titled "City of Fredericktown Local Law Enforcement Block Grant Fund".** A motion was made by Polete with a second by Fritch to read the resolution in full. Motion carried. Moore read the resolution in full. **Resolution 2008-02 duly adopted.**
- 5) **Discussion concerning the purchase of a copier under the State contract.** O'Gara indicated the money was already available for this purchase. A motion was made by Fritch with second by Hale to approve the copier purchase. Motion carried.
- 6) **Consideration/approval for staff to develop plans for a residential subdivision on a portion of the 216 acres owned by the City, such plans to be presented for further consideration by the Board of Aldermen.** O'Gara referred council to the memo and map included in the packet. He went on to explain this type of development could help meet the suitable housing shortage. Polete asked about the 26 acres the City donated to the Parks Department for a sports complex in 2003. O'Gara said that donated area will have to be taken into consideration when final plans are drawn up. Tripp said he would need more time

to talk to constituents and get their feedback. Hale indicated he did not support residential use of business park acreage. Polete concurred. Further discussion tabled.

- 7) **Consideration of application to apply for a grant from the USDA relative to a preliminary engineering study for a wastewater plant holding basin and other projects.** After a brief explanation by O’Gara, a motion was made by Tripp with a second by Fritch to approve the application. Motion carried.
- 8) **Ordinance authorizing the Mayor to execute an agreement between City and Baer Engineering LLC relative to providing preliminary engineering services for Wastewater Plant holding basin, etc. under a USDA grant.** 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 Baer Engineering LLC relative to providing preliminary engineering services for a wastewater plant holding basin. . .” A motion was made by Polete with a second by Tripp to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-20 duly adopted.**

J. ADDITIONAL BUSINESS

- 1) **Accounts payable.** A motion was made by Shrum with a second by Polete to approve the payables. Motion carried.

K. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

- 1) Alderman Polete asked the status of the Rock Wall restrooms. He said he had heard there were issues with the building inspector’s requirements for the project. Hale stated the project needed to move forward. Both Yates and O’Gara stated the building inspector will just be involved to assist and advise during the project. Project is scheduled to begin this Saturday.
- 2) Alderman Hale stated he was glad to see Alderman Shrum back after a long absence. He also thanked McDowell and his crew for all their efforts in cleaning the “swamp” area.
- 3) Alderman Fritch thanked Alderman Hale for picking up the slack during the time when he was unavailable.
- 4) Alderman Tripp expressed the importance for passing the ambulance district ballot issue, as he could attest to personally being alive thanks to their service during his automobile accident.
- 5) Alderman Shrum thanked the Mayor, Council and staff for the fruit basket, flowers, and many cards during her recent illness.
- 6) Mayor Yates stated she had received numerous calls and comments regarding the ballot issue on the marshal and collector positions appointed versus elected. She explained the importance of passing this issue in order for the city to run more efficiently.

L. REMARKS FROM GENERAL PUBLIC

- 1) Junior Shell reminded residents of the annual spring hydrant flushing during the next few weeks.
- 2) Danny Kemp said the hospital had some unused metal from recent construction they would donate to the Parks Department for use in the Rock Wall bathrooms.
- 3) Fire Chief Clark thanked the Council for their attendance and support during the firehouse dedication on March 1st. He also reminded everyone the city would be having their ISO survey done in September. The rating would influence homeowner insurance policy ratings.

M. CLOSED SESSION BUSINESS (As authorized RSMo Section 610.021) Motion was made by Tripp with a second by Polete to go into Closed Session. Roll call vote resulted in five ayes, zero nays, and zero 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) Personnel matter. After some discussion, a motion was made by Tripp with a second by Hale to establish the position of lieutenant in the police department and appoint John Ashby to the

position. Motion carried with the following vote: voting aye: Shrum, Fritch, Hale, Tripp and Polete. There were no nay votes.

- 2) Personnel matter. After some discussion, a motion was made by Tripp with a second by Fritch to restore the animal control officer to a part-time position and create a part-time code enforcement officer. Motion carried with the following vote: voting aye: Shrum, Fritch, Hale, Tripp and Polete. There were no nay votes.

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

N. **ANY OTHER BUSINESS**

- 1) None

O. **ADJOURNMENT.** Motion by Polete to adjourn.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
PUBLIC HEARING
CITY COUNCIL
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Mayor Yates declared the Public Hearing open at 5:30 pm. Yates stated the purpose of the public hearing was to hear input related to the City Occupancy Permits. Mayor Yates then proceeded to announce any citizens wishing to address the Council on the occupancy issue would have 2-3 minutes to present their comments, questions or concerns. The Mayor and Council then proceeded to listen to various landlords and homeowners explain their problems, suggestions and in some cases, praises, for the occupancy requirement. Mayor Yates closed the public hearing at 6:30 pm.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk