

MINUTES  
CITY COUNCIL REGULAR MEETING  
FREDERICKTOWN, MISSOURI  
DAY/DATE: MONDAY, MAY 12, 2008  
CITY HALL  
6:30 PM

**A. CALL TO ORDER AND ROLL CALL**

Mayor Kemp called the meeting to order and led the Pledge of Allegiance. Those present on roll call were: Alderman Polete, Alderman Hale, Alderman Wright, Alderman Merriman, and Alderman Fritch. Absent was: Alderman Tripp. 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 April 28, 2008 public hearing relative to the USDA grant to purchase siren equipment. A motion was made by Fritch with a second by Polete to approve the minutes as presented. Motion carried.
- 2) Minutes of the April 28, 2008 public hearing relative to the USDA grant to develop a preliminary engineering report for upgrades to the sewer system. A motion was made by Polete with a second by Hale to approve the minutes as presented. Motion carried.
- 3) Minutes of the regular meeting of April 28, 2008. A motion was made by Fritch with a second by Polete to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

- 1) Additions or deletions.  
Add:
  - a) Alderman Merriman added one item to New Business: Discussion concerning the municipal court.
  - b) Alderman Hale added one item to New Business: Discussion concerning the police department as a whole.
  - c) Alderman Polete added one personnel item to Closed Session.
- 2) A motion was made by Hale with a second by Fritch 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) Presented a plaque to the city on behalf of the Civil War Museum.
  - b) Announced a new town event entitled "Pickin' on the Square" which will debut at the Courthouse Square dedication on May 30<sup>th</sup> at 6:00 pm.
  - c) Announced this was VISTA Appreciation Week and proceeded to appoint Conita Follis and Rick Polete to serve on the Vista Board. The board's purpose is to help promote downtown events.
  - d) Made the following appointments to various committees and commissions: Board of Adjustment-Collin Follis and Gerald Firebaugh, Planning and Zoning-Vince Vacca and Larry Boyer, Transportation Tax Commission-Judd Pierce, Dean Tripp, Darwin England.
  - e) Indicated he would be viewing areas of the City which needed cleaning up due to high weeds, grass and junk.

## **G. REPORT FROM SPECIAL COMMITTEES AND STAFF**

### **1) Administrator's report.**

- a) Met with the City Administrator from Farmington Greg Beavers to discuss job classifications.
  - b) Announced bids will be going out shortly on the airport project which will include repairing and sealing the runway, expansion of the apron and tie downs.
- 2) **City Marshal's monthly report-April.** Hale stated he appreciated having the report back in the Council packets.

## **H. OLD BUSINESS**

- 1) Lincoln Drive "wetland" area potential relocation sites. Hale said he would like to see this area removed totally in the future. He went on to say he found out through contacts with Rod Jetton's office three things must be in place to qualify for a wetland – water, certain type of soil and vegetation. Hale said based on his research the area is actually manmade and at one time had been baled for hay. Hale said the wetland could be moved to another location and based on a discussion with Sean Sullivan the replacement would be a one to one. Hale suggested a wetland delineation be done possibly by our engineer (Baer). Hale went on to suggest a potential area for relocation could be the track of land at City Lake (approx 40 acres). He hoped Council would move forward even though there would be some costs involved. A motion was made by Hale with a second by Merriman to proceed with an administrative appeal process first. Motion carried.

## **I. REMARKS FROM GENERAL PUBLIC**

- 1) None.

## **J. NEW BUSINESS**

- 1) **Decision on offer by GPS (Global Power Supply) to purchase the two (2) 7.5 MVA base transformers from the Cap A substation project.** O'Gara referred to the handout included in the packet and went on to say the City had received this offer through Ray Blakely who the City contracted to find buyers for the Cap A substation materials. The buyer wanted to move quickly as he has an urgent need for the transformers. A motion was made by Fritch with a second by Polete to approve the sale. Motion carried.
- 2) **Recommendation from the Planning and Zoning Commission relative to the Special Use Permit renewals for 2008.** A motion was made by Fritch with a second by Polete to approve the recommendations. Motion carried.
- 3) **Renewals of the annual liquor licenses.** A motion was made by Hale with a second by Fritch to approve the liquor licenses for 2008. Motion carried.
- 4) **Ordinance to amend provisions of Chapter 335 Schedule II relative to a stop sign in the alley between the 100 blocks of South Main and Park Drive.** A motion was made by Polete with a second by Merriman 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 to amend provisions of Chapter 335 Schedule II by providing for a stop sign on the southeast corner of alley's running perpendicular between the 100 blocks of West Main and West College and the 100 blocks of South Main and Park Drive for north bound traffic. . ." 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 08-29 duly adopted.**
- 5) **Discussion and review of the Administrator/City Council review process and schedule.** O'Gara suggested a committee be set-up so he could have a group to work with during this process. Merriman recommended Mayor Kemp and Alderman Hale. Alderman Fritch volunteered to also serve on that committee. In addition Attorney Moore would assist for any legal input. The committee will get together and set up a meeting schedule.
- 6) **Discussion concerning municipal court.** Merriman requested the court clerk request from the Municipal Court Judge a report to be given to the Mayor and Board within the first 10 days of every month as required in the Municipal Code book Chapter 205, Section 205.090. The report will include a list of all cases heard and tried during the preceding month. O'Gara will so notify the court clerk.

- 7) **Discussion concerning the police department as a whole.** Hale indicated since this item pertains to the police department and the Council has tabled all the other police department discussion until the next meeting when Alderman Tripp can be present, he would also like to recommend we do the same to this one as well. A motion was then made by Fritch with a second by Polete to table to the next meeting. Motion carried.

**K. ADDITIONAL BUSINESS**

- 1) **Accounts payable.** A motion was made by Hale with a second by Polete to pay the bills. Motion carried.

**L. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN**

- 1) Alderman Hale said he appreciated recent volunteer groups painting the city's fire hydrants. He also said he appreciated all those who participated and attended the Azalea Festival festivities.
- 2) Alderman Merriman said he really appreciated the City Marshal's report. It was detailed and very informative.

**M. CLOSED SESSION BUSINESS** (As authorized RSMo Section 610.021) Motion was made by Fritch with a second by Merriman to go into Closed Session. Roll call vote resulted in five 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) Personnel matters – Discussions only. No voting actions taken.
- 2) Potential litigation matter. Discussion only. No voting actions taken.
- 3) Potential litigation matter. Discussion only. No voting actions taken.
- 4) Real estate matter – Discussion only. No voting actions taken.

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

**N. ANY OTHER BUSINESS**

- 1) Alderman Wright said she had received calls about dogs howling and barking but only when no one was in the yard. Mayor Kemp said there was a barking dog ordinance, which labels the barking as a nuisance that could be used in a situation such as this. Alderman Wright had also received some concerns on a gutted house trailer in North Town which might be a health issue with all the vermin running around. The trailer will be checked.

**O. ADJOURNMENT.** Motion by Polete with a second by Wright to adjourn.

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk

MINUTES  
CITY COUNCIL WORK SESSION  
FREDERICKTOWN, MISSOURI  
May 12, 2008  
5:30 PM

**A. CALL TO ORDER AND ROLL CALL**

Mayor Kemp called the meeting to order. Those present on roll call were: Alderman Fritch, Alderman Hale, Alderman Polete, Alderman Merriman, and Alderman Wright. Absent was Alderman Tripp. 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 April 28, 2008.** A motion was made by Hale with a second by Fritch to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

1) **Additions or deletions.**

A motion was made by Fritch with a second by Hale to table Work Session Business Items 3 and 4 as Alderman Tripp was not present to participate in this discussion.

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

**D. WORK SESSION BUSINESS**

1) **Consideration of a revised “communication clarification” document.** Council reviewed the revised document included in the packets. Polete indicated he would still like the word “complaints” removed from the second paragraph. O’Gara explained the use of the word “complaints” is exactly how it is worded in the City’s ordinance. If the word is removed the ordinance will have to be changed. Hale indicated he agreed the word should be removed. He went on to say the City’s grievance policy as noted in the Personnel Rules and Regulations will be followed; however, anything not falling in that category can be discussed with any alderman. Moore indicated the word “complaints” could be struck in the clarification documents, so no ordinance revision will be necessary. It was noted under the section titled “Direction to Employees” the list of officers will not include the City Marshal position. A motion was then made by Polete with a second by Fritch to approve the “clarification document” with the deletion of the word “complaints”. Motion carried.

2) **Discussion concerning waiving monthly trash fees for those residents not utilizing the service.** Polete asked Public Works Director Ken McDowell to give his take on this situation. McDowell explained to Council the reason the City initiated the trash service rule. In the past the Sanitation Department employees would have stacks of documentation on residents who did not want or need trash service for a particular month or period of time. This became extremely difficult to manage and monitor. Hale asked if the option of allowing residents to opt out of the trash service once a year would work. McDowell said, that too, would be difficult. The consensus of Council was to leave the ordinance as written which requires all residents to have trash service if they have other utilities.

3) **Discussion concerning the terms and conditions for the sale of memorial bench plaques on the Court Square project.** O’Gara referred Council to the information sheet included in the packets. He went on to explain the City’s cost on the benches already ordered is \$850 per bench. The cost of adding the memorial plaques would add

approximately another \$50. A motion was made by Fritch with a second by Polete to accept the proposal. Motion carried.

4) Ordinance for review:

a) An Ordinance to amend provisions of Chapter 335 Schedule II by providing for a stop sign on the southwest corner of alley's running perpendicular between the 100 blocks of West Main. It was noted the sign will actually appear on the southwest corner not the southeast due to building obstruction. The change will be noted on the ordinance when read.

5) Closed Session (As authorized by RSMo Section 610.021). None

**E. ANY OTHER BUSINESS**

1) None.

**F. ADJOURNMENT**

1) Motion was made by Fritch with a second by Merriman to adjourn. Motion carried.

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk