

MINUTES
CITY COUNCIL REGULAR MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, JULY 14, 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 Wright, Alderman Merriman, Alderman Hale, Alderman Fritch, and Alderman Tripp. Also present were: City Clerk Stevens, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the regular meeting of June 23, 2008. A motion was made by Fritch with a second by Merriman to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

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

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) None.

F. REPORTS OF OFFICERS

- 1) **Mayor's report.**
 - a) Will be taking two weeks vacation starting July 15th.
 - b) Announced Pickin' on the Square was going strong each Friday and proved very successful.
 - c) July 4th fireworks display turned out good and hoped to have an all day event next year.
 - d) Thanked everyone for all their cards, flowers and prayers during the recent death of his mother, Lena Kemp.
 - e) Referred discussion of a wood to energy project to Jim Dismuke. Dismuke explained the process would turn wood into energy through gasification. The synthetic gas could run internal combustion engines. The company is considering Fredericktown for one of its sites. There will be a meeting to discuss the matter further on Thursday, July 17th at City Hall.

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Marshal's monthly report - June.**
- 2) **Police Department report – June 6th through July 2, 2008.**
- 3) **Municipal Court docket report – June**
- 4) **Municipal Court receivable report - June**

H. OLD BUSINESS

- 1) None.

I. NEW BUSINESS

- 1) **An Ordinance amending provisions of Chapter 335 Schedule II and Schedule XV relating to replacing a yield sign with a stop sign.** A motion was made by Polete 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. Stevens read: "An Ordinance amending the provisions of Chapter 335 Schedule II and Schedule XV . . . by replacing the yield sign with a stop sign to traffic moving west on the courthouse square . . ." A motion was made by Polete with a second by Fritch to read the ordinance the second time by title only. Motion carried. Stevens read the ordinance. **Ordinance 08-34 duly adopted.**
- 2) **An Ordinance authorizing the Mayor to execute a contract between City and the Law Office of Kim Moore LLC relative to legal services.** A motion was made by Polete 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. Stevens read: "An Ordinance authorizing the Mayor to execute a contract between City and the Law Office of Kim Moore LLC relative to professional legal services . . ." A motion was made by Fritch with a second by Hale to read the ordinance the second time by title only. Motion carried. Stevens read the ordinance. **Ordinance 08-35 duly adopted.**
- 3) **An Ordinance authorizing the Mayor to execute a First Amendment to the agreement between City and James R. Dismuke relative to providing professional services.** 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. Stevens read: "An Ordinance authorizing the Mayor . . . to execute a first amendment to consultant agreement between City and James R. Dismuke relative to providing professional services . . ." A motion was made by Polete with a second by Tripp to read the ordinance the second time by title only. Motion carried. Stevens read the ordinance. **Ordinance 08-36 duly adopted.**
- 4) **An Ordinance amending Sections 605.020, 605.030, 605.060, 605.085, 605.090, 605.100, 605.105 and 605.110 and enacting new section 605.101, 605.106 and 605.107 of Chapter 605 relating to licenses for sale of intoxicating and non-intoxicating liquors.** Council had several questions concerning this ordinance. As the City Attorney was unavailable at the reading of the ordinance a motion was made by Tripp with a second by Hale to table further discussion to the next meeting. Motion carried.
- 5) **Resolution establishing authorizing signatures at Ozarks Federal Savings and Loan for certificates of deposit.** A motion was made by Fritch with a second by Tripp to read the resolution in full. Motion carried. Stevens read: "A Resolution establishing the depository of funds for the City of Fredericktown, Missouri, and authorizing the signatures for the accounts. **Resolution 2008-09 duly adopted.**"
- 6) **Discussion concerning re-establishing the Planning, Development and Ordinance Committee (PDO) and the Budget, Finance, and Personnel Committee (BFP).** Tripp said he felt it would be beneficial to re-establish these committees. Alderman Fritch indicated he would prefer to serve on the Planning, Development and Ordinance Committee. The remaining aldermen would decide which committee at the next council meeting. A motion was then made by Tripp with a second by Fritch to

proceed with re-establishing the Planning, development and Ordinance Committee (PDO) and the Budget, Finance, and Personnel Committee (BFP). Motion carried.

- 7) **Discussion concerning hiring of additional police officers.** Mayor Kemp said he met with the City's finance director to review the financial numbers. He said the money just isn't there yet to justify additional police staff. Mayor Kemp felt the city should wait awhile until the revenues in the police department increase. Marshal Wright said he felt additional officers were needed when staff were either sick or on vacation. Tripp agreed with Mayor Kemp. Polete suggested taking up the discussion again once revenues had increased.

J. ADDITIONAL BUSINESS

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

K. REMARKS FROM GENERAL PUBLIC

- 1) A city resident expressed concern with the large numbers of rabbits and squirrels destroying her lawn and garden areas. After some discussion, Mayor Kemp said he would contact the Missouri Department of Conservation for their input.

L. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

- 1) Alderman Tripp – thanked Kenny McDowell and staff for their work on the “swamp”; expressed condolences to Mayor Kemp in the loss of his mother; updated briefly the Electric Ad Hoc Committee meeting with MJMEUC representative Duncan Kincheloe; reminded the public there were plenty of recycling bags available.
- 2) Alderman Polete – thanked the volunteers working on the rock wall restrooms.
- 3) Alderman Hale – expressed condolences to Mayor Kemp in the loss of his mother; encouraged the public to attend the Pickin’ on the Square on Friday nights; commented on the downtown business owners and their reconditioning of their buildings; announced papers had been filed regarding the “swamp” land on Lincoln Drive; thanked the Alderman for filling in during his recent vacation.

Note: It was at this time City Attorney Moore arrived for the meeting.

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 six 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) Contract matter. After a lengthy discussion, it was decided to re-visit at the next council meeting once financial numbers were put together.
- 2) Contract matter. Discussion only, no voting actions necessary.
- 3) Contract matter. After some discussion, a motion was made by Tripp with a second by Hale to have Ray Blakely review the City's electric system and transformer need before selling any more of the Cap A substation equipment. Motion carried with the following vote: voting aye: Merriman, Wright, Tripp, Hale, Polete and Fritch. There were no nay votes.
- 4) Personnel matter. After some discussion, a motion was made by Tripp with a second by Wright to eliminate the part time position of code enforcement/building inspector.

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

- 5) Personnel matter. Discussion only. No voting actions necessary.
- 6) Personnel matter. Discussion only. No voting actions necessary.
- 7) Potential litigation matter. Discussion only. No voting actions necessary.

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

N. ANY OTHER BUSINESS

- 1) Alderman Polete discussed some concerns with the dug outs being built at the little rock wall park. He said he spoke to Robert Sullivan regarding the stability of the structures. Sullivan indicated they would need to be up to code which requires more stability. It was noted Dr. Guy Walker had donated the money for the structures. Sullivan will work with the volunteers to make sure all is well. It was also noted Dr. Walker is mowing the fields without the permission of the City. Clerk Stevens will send a letter to Dr. Walker along with a hold harmless agreement for him to sign.
- 2) Mayor Kemp announced the resignation of Water Plant Operator Tom Dickinson effective in two weeks.

O. ADJOURNMENT. Motion by Tripp with a second by Hale to adjourn.

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk