

MINUTES  
CITY COUNCIL MEETING  
FREDERICKTOWN, MISSOURI  
DAY/DATE: MONDAY, MARCH 9, 2009  
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 Tripp, Alderman Hale, Alderman Thomas, and Alderman Merriman. Also present were: City Administrator Dismuke, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Deputy Clerk Harbison, Department Heads and visitors.

**B. APPROVAL OF MINUTES**

- 1) Minutes of the regular council meeting of February 23, 2009. A motion was made by Merriman with a second by Thomas to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

- 1) Additions or deletions.  
Add: One (1) litigation matter to Closed Session.
- 2) A motion was made by Merriman with a second by Thomas to approve the agenda as amended. Motion carried.

**D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS**

- 1) **Request by Kate Cox (VISTA) to close West Main from Court Square to Park Drive for "Parade on Wheels" on Saturday, May 2, 2009.** Vista worker Cox addressed council asking for their consideration to close West Main on Saturday, May 2, 2009 for a "Parade on Wheels". She went on to explain the Chamber had already reserved the one block area of the street for their annual garage sale from 7:00 am to Noon that day. The parade on wheels would run from Noon to 2:00 pm along the same area (Court Square to Park Drive). She also asked if the council would agree to allow them to close the parking lot along City Hall during that time for safety reasons. A motion was then made by Hale with a second by Wright to allow the street to be closed as well as the use of the parking lot. Motion carried.

**E. PRESENTATIONS**

- 1) **None.**

**F. REPORTS OF OFFICERS**

- 1) **Mayor's report.**

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

- 1) **City Administrator report.** Dismuke asked council to consider sending two of the electric employees to a seminar in Columbia sponsored by MIRMA. The seminar covers flame retardant clothing. As the seminar would require an overnight stay, a motion was made by Tripp with a second by Hale to send Travis Buesking and Heath Stephens to the seminar. Motion carried.
- 2) **City Marshal report – February**
- 3) **Municipal Court docket – February**
- 4) **Municipal Court statistics - February**

**H. OLD BUSINESS**

- 1) **Utility board (Tripp).** Tripp said he understood the Planning, Development and Ordinance Committee were to come up with duties for this board if approved. Tripp suggested passing the creation of the Utility Board then come up with the duties later. Alderman Polete said the PDO has scheduled a meeting for Monday, March 16<sup>th</sup> and this item will be a topic of discussion. A recommendation will be forthcoming from them.

**I. NEW BUSINESS**

- 1) **Request by Bozlees LLC for a restaurant/bar license.** A motion was made by Merriman with a second by Hale to approve the request. Motion carried with five ayes and one nay (Tripp).
- 2) **An Ordinance authorizing the Mayor to execute an agreement with Blakely and Associates Consulting Engineers, Inc. relative to the City's electrical distribution system and facilities.** A motion was made by Hale with a second by Merriman 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 authorizing the Mayor to execute an agreement between City and Blakely and Associates Consulting Engineers, Inc. relative to professional services in connection with the City's electrical distribution system and facilities . . ." The vote on the ordinance resulted in six ayes. A motion was made by Polete with a second by Merriman to read the ordinance the second time by title only. Motion carried. The vote on the ordinance resulted in five ayes and one nay (Tripp). **Ordinance 09-07 duly adopted.**
- 3) **An Ordinance authorizing the City to enter into a lease-purchase transaction with the Missouri Association of Municipal Utility for certain public improvements.** (This ordinance covers the financing arrangement for the capital purchases of electric bucket truck, street dump truck and fire pumper truck) Hale asked why the financial arrangement was only for a five year period and went on to ask if the city could make the payments. Dismuke said he was not aware of this five year arrangement, but felt the city would be able to meet the payments. A discussion ensued as to the financing arrangements. Moore reminded council they had already approved the purchases and two of them were already in use. After a lengthy discussion a motion was made by Hale with a second by Tripp 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 authorizing the City to enter into a lease-purchase transaction with the Missouri Association of Municipal Utilities for certain public improvements . . ." The vote on the ordinance resulted in four ayes and two nays (Hale and Tripp). A motion was made by Merriman with a second by Tripp to read the ordinance the second time by title only. Motion carried. The vote on the ordinance resulted in four ayes and two nays (Hale and Tripp). **Ordinance 09-08 duly adopted.**
- 4) **An Ordinance authorizing the Mayor to execute an agreement with UV Doctor Systems, LLC relative to refurbishing existing UV system.** A motion was made by Alderman Tripp with a second by Alderman Hale to table this ordinance until the contract agreement could be reviewed as it was not included in the council packets. Tripp went on to say he recalled nothing being said in the past on any ultra violet repairs needed at the wastewater plant. It was noted the discussion took place at a previous council meeting in which council approved the repairs as long as it was determined this company was the sole vendor providing this service. Wastewater Plant Manager Grieshaber then spoke stating the EPA sited the uv problem in their report starting in 2004. The vote to table the ordinance failed with the following vote: voting aye to table Tripp and Hale; voting nay not to table Merriman, Thomas, Wright and Polete. A motion was then made by Polete with a second by Thomas that as the ordinance was made available prior to the meeting it be read the first time by title only including changes as noted to the agreement. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute an agreement between City and UV Doctor Systems, LLC relative to services in connection with refurbishing existing UV system at the wastewater treatment plant . . ." A motion was made by Polete with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 09-09 duly adopted.**

- 5) **Recommendation to proceed with the proposal by MOPEP to place a gas turbine generator at the Business Park.** Tripp asked how many turbines would be placed. Dismuke said one at this time but MOPEP is considering two. Then a lengthy discussion ensued over who gets the “power” generated by the turbine first if the city loses its electricity. As it was determined the issue at hand was approving the proposal, a motion was made by Thomas with a second by Hale to approve the proposal by MOPEP. Motion carried.
- 6) **Discussion concerning the annual Spring Clean-up.** A motion was made by Hale with a second by Tripp to approve the dates for the annual spring clean-up of March 20 through April 4<sup>th</sup> with pick up service provided if a \$10.00 registration fee is paid in advance. Motion carried.

**J. ADDITIONAL BUSINESS**

- 1) **Accounts payable I.** A motion was made by Tripp with a second by Hale to pay the bills. Motion carried.
- 2) **Accounts payable II.** A motion was made by Hale with a second by Tripp to pay the bills. Motion carried with five ayes and one abstention.

**K. REMARKS FROM GENERAL PUBLIC**

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

- 1) Alderman Hale announced this would be his last council meeting as Alderman for Ward I due to a residency change to the county.

**M. CLOSED SESSION BUSINESS** (As authorized RSMo Section 610.021) Motion was made by Tripp with a second by Hale 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) Litigation matter. Discussion only; no voting actions necessary.

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

**N. ANY OTHER BUSINESS**

- 1) Alderman Hale distributed some information on an energy rebate program and indicated he would like the city to continue pursuing this program.

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

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk

MINUTES  
CITY COUNCIL WORK SESSION  
FREDERICKTOWN, MISSOURI  
MARCH 9, 2009  
5:30 PM

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

Mayor Kemp called the meeting to order. Those present on roll call were: Alderman Polete, Alderman Merriman, Alderman Tripp, Alderman Thomas, Alderman Wright, and Alderman Hale. Also present were: Interim City Administrator Dismuke, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Deputy Clerk Harbison, department heads and visitors.

**B. APPROVAL OF MINUTES**

1) **Minutes of the work session meeting of February 23, 2009.** A motion was made by Merriman with a second by Thomas to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

1) **Additions or deletions.**

Add: Item #4 to work session business: asphalt Azalea concession area at JC Park.

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

**D. WORK SESSION BUSINESS**

1) **Discussion concerning SB 711 requiring each political subdivision to provide the county with an estimated property tax rate by April 8 of each year (Tripp).** Tripp began by stating this item was one of the newer provisions from the last legislative session. Moore said this would generally not apply to us since the city is basically at the mercy of the county when it comes to notifying us of our assessed values. The county rarely notifies us by the deadline and once that passes there is nothing we can do about it.

2) **Discussion concerning Section 285.530.2 RSMo regarding Missouri immigration law requires affidavits. (Tripp)** Moore said the signed affidavit must be presented before any contracts are signed. Moore went on to say the city has already added this requirement to all its contracts/agreements.

3) **Discussion concerning designating North Main Street as J.P. Skaggs Street in honor of John Paul Skaggs. This would be an honorary change and does not change the official mail or 911 designations for the street. (Tripp)** Tripp began by stating he is recommending a portion of North Main Street be named in honor of the late John Paul Skaggs. The council proceeded to review the proposed policy entitled "Honorary Street Naming Policy". Several areas of concern were brought up for discussion. Alderman Hale questioned Section B #1 regarding the Chief of Police's involvement in the decision. Moore explained the chief would not be making a decision but reviewing the area to see if it were workable. Moore went on to explain he followed the MODot rules in establishing some these guidelines. There is a 19 year life on the honorary change, then a request can be re-submitted for any extensions. The cost for the request was discussed. The amount of \$100 was suggested, which should cover the cost of two signs, poles and installation time. One sign would be placed at the beginning of the street and one at the end. There could be two lines with 19 characters each. A discussion then ensued as to setting criteria for those requesting a street memorial. It was noted an alderman would have to sponsor the request along with twenty-five signatures of support. Moore will make the necessary changes and bring back to council for review.

4) **Discussion concerning a request by the Azalea Board to asphalt half of the roadway used by the Azalea Festival concessionaires.** Public Works Director McDowell said he had been approached by the Azalea Board to ask the City's assistance in paving this road. The

Azalea Board would fund \$2000 of the cost, the Park Board \$400 and the City would pay \$2000. This should take care of the road up to the pavilion with the possibility of taking it the rest of the way next year. A motion was made by Tripp with a second by Hale to approve the request. Motion carried.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). None

F. **ADJOURNMENT**

1) Motion was made by Tripp with a second by Thomas to adjourn. Motion carried.

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk