

MINUTES  
CITY COUNCIL MEETING  
FREDERICKTOWN, MISSOURI  
DAY/DATE: MONDAY, APRIL 13, 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 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 March 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. None
- 2) A motion was made by Tripp with a second by Merriman to approve the agenda as presented. Motion carried.

**D. SPECIAL BUSINESS**

- 1) **Resolution verifying the election results from the general election held on April 7, 2009.** 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 09-01 duly passed.**
- 2) **Oaths of Office for the offices of Alderman Ward I (one year term), Alderman Ward I (two year term), Alderman Ward II, and Alderman Ward III.** Mayor Kemp gave the Oaths of Office to the newly elected officials of Harold Thomas-Alderman Ward I (one year term), Paul Brown-Alderman Ward I (two year term), Rick Polete-Alderman Ward II, and Richard Walts-Alderman Ward III.
- 3) **Election of the President of the Board.** A motion was made by Alderman Merriman to nominate Alderman Rick Polete with a second by Alderman Brown. Motion carried.
- 4) **Recommendation and Oath of Office for the City Clerk and Deputy City Clerk.** A motion was made by Alderman Merriman with a second by Alderman Wright to appoint Barbara Stevens as City Clerk and Theresa Harbison as Deputy City Clerk. Motion carried. The Mayor then proceeded to give the Oaths of Office to both.

**E. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS**

- 1) **Christina Mattingly (The Chamber) regarding July 4<sup>th</sup> activities.** Mattingly requested the use of JayCee Park and Wanda Priest Park for the July 4<sup>th</sup> activities from 2-3:00 pm. In addition, Mattingly requested the use of the Rotary Soccer Park for fireworks that evening. She stated the Chamber's liability policy will cover the event as well as the fireworks event. The Chamber asked for council's approval to close Buford Blvd. along JayCee/Rotary Parks. A motion was then made by Alderman Brown with a second by Alderman Polete to allow the event and street closure. Motion carried.

**F. PRESENTATIONS**

- 1) None.

**G. REPORTS OF OFFICERS**

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

## H. REPORTS FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Administrator's report.** Announced a legislative orientation for Saturday, April 18<sup>th</sup> at 8:30 to 3:00 pm. Dismuke then set the committee members for the Planning, Development and Ordinance Committee –Wright, Merriman, Walts and the Budget, Finance and Personnel Committee – Polete, Thomas, Brown.
- 2) **City Marshal report-March.** Council agreed to allow Jason Leask additional schooling for methamphetamine lab clean up training with the understanding he would be required to sign a two year employment commitment contract. Attorney Moore will prepare a contract with input from the PDO Committee.
- 3) **Building inspector report-February.**

## I. OLD BUSINESS

- 1) None.

## J. NEW BUSINESS

- 1) **Review and recommendation of bids for the water/sewer relocation project funded under the MoDOT Hwy 72 by-pass project. (Baer)** Baer addressed council explaining the purpose of the bid. He went on to say after reviewing the nine bids received he recommended the low bidder-CE Contracting, Inc. A motion was made by Merriman with a second by Polete to approve the recommendation. Motion carried.
- 2) **Recommendation from the Planning and Zoning Commission to approve the Special Use Permits renewals for 2009.** A motion was made by Polete with a second by Merriman to approve the special use permit recommendations. Motion carried. Then, a second motion was made by Polete with a second by Thomas to approve the Special Use Permit for Project Happy Feet Thrift Store pending an ordinance. Motion carried.
- 3) **Recommendation to approve the minor subdivision plat of Gabe Swinford located at High and Lindell Streets.** Alderman Walts expressed concern over the exceptions to the set back rules. It was noted by the building inspector Richard Macke, the city code allows for the exception based upon how the other homes on the street are set back. Macke indicated the Planning and Zoning Committee reviewed the exception and had no concerns. Attorney Moore indicated minutes of the P&Z meeting would have been helpful in reviewing this recommendation. He also indicated the city engineer and attorney should review before presenting to council. A motion was then made by Thomas with a second by Polete to approve the minor subdivision plat as presented. Motion carried with five ayes and one nay (Walts).
- 4) **An Ordinance amending Title I, Chapter 125, Section 125.020(A) relative to city Parks and Recreation Board.** Motion was made by Merriman 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 Title I, Chapter 125, Section 125.020(a), relative to City Parks and Recreation Areas by amending Section 125.020(a) . . ." Motion was made by Polete with a second by Thomas to read the ordinance the second time by title only. Motion carried. Ordinance 09-12 duly adopted.
- 5) **An Ordinance to adopt Policy Number 09-02 entitled "Immigration Laws" establishing the policy to carry out the statutory obligations of members of the Fredericktown Police Department.** Motion was made by Polete with a second by Wright 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 to adopt Policy Number 09-02 entitled "Immigration Laws" establishing the policy to carry out the statutory obligations of members of the Fredericktown Police Department . . ." Motion was made by Polete with a second by Thomas to read the ordinance the second time by title only. Motion carried. Ordinance 09-13 duly adopted.
- 6) **Discussion concerning the airport courtesy car.** Dismuke explained to council the need to consider eliminating the airport courtesy car. Merriman said the car has the city emblem and city license plate. After a brief discussion, it was decided to have Dismuke meet with Tina Varnum (airport personnel) to discuss options and bring back recommendations to council.

**K. ADDITIONAL BUSINESS**

- 1) **Accounts payable I.** A motion was made by Merriman with a second by Walts to approve the bills. Motion carried.
- 2) **Accounts payable II.** A motion was made by Walts with a second by Merriman to approve the bills. Motion carried with five ayes and one abstention (Thomas).

**L. REMARKS FROM GENERAL PUBLIC**

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

**N. CLOSED SESSION BUSINESS** (As authorized RSMo Section 610.021) Motion was made by Merriman with a second by Thomas 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) Personnel matter. After a brief discussion, a motion was made by Thomas with a second by Brown to approve the recommendation to hire Ashley Baudendistal as utility billing clerk at \$18,000 annually. Motion carried with all voting aye.

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

**O. ANY OTHER BUSINESS**

**P. ADJOURNMENT.** Motion by Polete with a second by Walts to adjourn. Motion carried.

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk