

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, APRIL 27, 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 Walts, Alderman Thomas, Alderman Brown, 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 April 13, 2009. A motion was made by Merriman with a second by Polete to approve the minutes as presented. Motion carried.
- 2) Minutes of the special council meeting of April 21, 2009. A motion was made by Polete with second by Thomas. Motion carried.

C. APPROVAL OF AGENDA

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

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) **Financial report – March (Shinn).**
- 2) **Oath of Office to Ken Tomlinson as Police Captain.** Mayor Kemp gave the Oath of Office to newly appointed Police Captain Ken Tomlinson.

F. REPORTS OF OFFICERS

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

G. REORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Administrator's report.**
- 2) **Police Captain's report.**
- 3) **Municipal court statistics – March.**
- 4) **Municipal court docket – March.**

H. OLD BUSINESS

- 1) **Update on tire recycling project (Ken McDowell)** McDowell recommended the week of May 18th be set for the recycling drop off program. The program is limited to the public only, no retail tire suppliers will be accepted. Both City and County can participate. An ad will be run for two weeks to notify the public.

I. NEW BUSINESS

1) **Recommendation from the Planning and Zoning Commission to rezone property owned by BKC Properties from R-1 to R-2.** Building Inspector Macke was not present for this discussion. P&Z Council representative Merriman explained to council Warren Reagan is requesting the zoning change from R-1 to R-2 to build an eight unit apartment building. The rent will run from \$450-\$550 per month. A motion was made by Walts with a second by Thomas to approve the recommendation and set the public hearing for May 26th at 6:15 pm. Motion carried.

2) **Ordinance adopting the minor subdivision plat of Gabe Swinford located at High and Lindell Streets.** Motion was made by Polete 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 approving the minor subdivision plat of Linhigh . . ." Motion was made by Polete with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 09-14 duly adopted.**

3) **Ordinance authorizing the Mayor to execute an agreement with BWR (Bucher, Willis & Ratliff) for professional services relative to the five-year contract as airport consultant.** Motion was made by Merriman 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. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute an agreement between City and Burcher, Willis & Ratliff Corporation (BWR) relative to providing professional service for projects related to the City's airport facility and aviation services . . ." Motion was made by Brown with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 09-15 duly adopted.**

4) **Ordinance authorizing the Mayor to execute an agreement between City and CE Contracting, Inc. relative to the water and sewer relocation project.** Motion was made by Polete with a second by Brown 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 CE Contracting, Inc. relative to the water and sewer line relocation project for the Highway 72 By-Pass. . ." Motion was made by Merriman with a second by Walts to read the ordinance the second time by title only. Motion carried. **Ordinance 09-16 duly adopted.**

5) **Resolution concerning acceptance and compliance with various requirements to obtain financial assistance from the USDA.** A motion was made by Polete with a second by Merriman to read the resolution in full. Motion carried. Moore read: "A Resolution concerning acceptance and compliance with various requirements to obtain financial assistance from the USDA . . ." Voting resulted in all ayes. **Resolution 2009-62 approved.**

J. ADDITIONAL BUSINESS

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

K. REMARKS FROM GENERAL PUBLIC

L. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

M. CLOSED SESSION BUSINESS (As authorized RSMo Section 610.021) Motion was made by Polete with a second by Walts 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 Merriman with a second by Walts to approve the recommendation to hire Logan Stevens as water plant operator trainee 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.

N. **ANY OTHER BUSINESS**

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

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
APRIL 27, 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 Walts, Alderman Thomas, Alderman Brown and Alderman Wright. 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 work session 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.**

Add additional item to work session business: Tree removal proposal for the Commercial Drive access road area.

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) **Request by Donna Gillespie for a 12-hour Rock-A-Thon on Friday, May 8th on the Court Square.** Mayor Kemp noted there was no one in attendance representing this request; however, Police Captain Tomlinson did provide a memo stating the police had no problem with the request as long as the group stays in their designated area and provides adequate adult supervision.

2) **Request by VISTA volunteers for a volunteer judge for the Azalea Festival Parade on Wheels event.** Alderman Polete volunteered to act as judge for the event.

3) **Review and recommendation of an application for honorary street in the name of John Paul Skaggs.** Alderman Merriman suggested council proceed with approving the recommendation with any change in fee discussion to follow. A motion was made by Merriman with a second by Walts to approve the application for honorary street in the name of John Paul Skaggs. Motion carried. As stated in the street naming policy, a resolution will be adopted at the next council meeting.

4) **Discussion concerning re-setting the fees for the Honorary Street Naming Policy 09-01.** Council referred to the fee breakdown included in the packet indicating the costs were going to be higher than originally thought. The fee had originally been set at \$100. A motion was then made by Brown with a second by Merriman to change the fee to \$250 (exempting the Skaggs' sign) for all future requests. Motion carried.

5) **Update on EPA compliance (Tim Baer).** Baer gave an update on the EPA Order of Consent signed in 2007. He went on to explain the city was entering the end of the reporting phase. The plan would set long term goals. Baer referred to the plan recommendation included in the packet. If council was happy with that recommendation, he would then submit it to the EPA. Council can re-visit the proposal each budget year in case modifications need to be made. Baer noted the 2009/2010 year's numbers were covered by a grant the city already has in place. A motion was then made by Polete with a second by Walts to approve the plan and send it on to the EPA. Motion carried.

6) **Update on downtown substation upgrade (Wasson).** Wasson said the concrete was in place, forms gone and the city is waiting for the concrete to cure. Blakely was still planning to have this job completed before extensive air conditioning use was needed.

7) **Discussion and recommendations regarding plan review fees.** Council referred to the sheet of recommendations provided by building inspector Macke (who was not in attendance). Attorney Moore said he also has some information which might prove helpful in setting our fees. Engineer Baer said with all the bigger projects coming he recommended someone be on site frequently with the purpose of inspecting the water, sewer and street infrastructure. Polete suggested Macke work with Moore to come up with some recommendations, then bring them back to council.

8) **Request by Kenny McDowell to cut hay on city owned property.** McDowell explained what had been done in the past regarding hay on city owned property. McDowell said he would provide the necessary insurance as he did last year. A motion was made by Polete with a second by Thomas to handle the hay the same as in the past.

9) **Discussion concerning the city providing incentives for downtown building projects. (Dismuke)** Dismuke explained to council there were several downtown projects in the works such as the old livery stable and the purchase of the old Rocky Bottom Opry building. In addition, Dismuke said he was interested in doing something about the buildings owned by Vernon Edmonds and wife as they were in a sorry state of disrepair. Dismuke suggested the possibility of the city offering incentives to property owners and/or buyers assisting them in cleaning up their property. Dismuke said the IDA was not interested in the project. Dismuke said he would like council to consider either enforcing existing building codes causing the owners to repair their properties or offering the incentives. He went on to say the city was close to receiving the Historic District nod from the state. With that distinction, those in the area would be eligible for 45% in income tax credits for improvements. Dismuke went on to say maybe some investors would be interested. It was also suggested the work release program could be used to help cleanup both inside and outside the buildings. Dismuke also said he would approach the IDA to pay for the disposal part of the cleanup. Soliciting proposals for redevelopment was also suggested. Mayor Kemp asked Dismuke what his plan was. He replied to talk to some investors, contact the downtown redevelopment and see what some of the options are. It was also noted any use of the prisoner work release program would require additional supervisor staffing and an additional vehicle.

10) **Discussion concerning a sound system for use during city meetings. (Dismuke)** Dismuke said Wastewater Plant Manager Grieshaber does DJ type work and has been checking into the cost of a sound system for the city to use during city meetings. As more information is obtained he will notify council.

11) **Discussion concerning tree removal proposal for the Commercial Drive access road area.** McDowell referred council to the handout prepared by the City Clerk. There will be about ten large trees involved which are located near a home and electric lines. In reviewing the two proposals received it was noted Townsend Tree Service, Fredericktown was slightly higher but did maintain commercial liability and workers comp insurance while the other company did not. A motion was then made by Walts with a second by Brown to approve Townsend Tree Service as they were able to present the correct insurance and they were a local company as well. Motion carried.

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

F. **ADJOURNMENT**

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

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk