

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, JUNE 8, 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 Thomas, Alderman Walts, and Alderman Merriman. Absent was: Alderman Brown. Also present were: City Administrator Dismuke, City Attorney Moore, City Engineer Baer, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the public hearing of May 26, 2009. A motion was made by Merriman with a second by Thomas to approve the minutes as presented. Motion carried.
- 2) Minutes of the regular council meeting of May 26, 2009. A motion was made by Walts with a second by Wright to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions.
Add: To New Business – Notification of precautionary boil water order. (Walts)
- 2) A motion was made by Polete with a second by Merriman 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.** Mayor Kemp said he had been contacted by the Health Department requesting a street closure for a Health Fair from 8:00 am 'til noon. A motion was then made by Merriman with a second by Walts to approve street closure of North Main Street from Court Square to Police Station. Motion carried. Further discussion ensued, then a motion was made by Polete with a second by Merriman to revise the street closure from LaChance Street to Church Street instead. Motion carried. Mayor Kemp suggested that a tour of the storm damage areas of the City be made so that interested Aldermen could review the damages and clean up progress. Mayor Kemp then read his recommendations to various committees: Parks and Recreation Board: Billy Flanagan, Dave Ward, Paul Fritch and Shea Davis. A motion was then made by Merriman with a second by Wright to approve the recommendations. Motion carried. Transportation Tax Commission: Keith Settle, Ward II. A motion was made by Walts with a second by Wright to approve the recommendation. Motion carried.

G. REORT FROM SPECIAL COMMITTEES AND STAFF

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

- 5) **Municipal court statistics – May**
- 6) **Building inspectors report - May**

H. OLD BUSINESS

- 1) None

I. NEW BUSINESS

1) **Consideration of a request by Lana Stephens (owner of the former ‘Ole Times Country Café) for a liquor license for relocated business at 603 N. Mine La Motte.** A motion was made by Merriman with a second by Walts to approve the liquor license. Motion carried.

2) **Ordinance authorizing the Mayor to execute a lease agreement between City and Lisa Bradford relative to Jaycee Park concession stand.** A 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 authorizing the Mayor to execute a lease agreement between City and Lisa Bradford relative to Jaycee Ball Park concession stand . . .” A motion was made by Merriman with a second by Polete to read the ordinance the second time by title only. Motion carried. **Ordinance 09-19 duly adopted.**

3) **Ordinance authorizing the Mayor to execute a contract between City and SEMO Regional Planning relative to an annexation study.** A motion was made by Merriman 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 authorizing the Mayor to execute a contract between City and Southeast Missouri Regional Planning and Economic Development Commission relative to an annexation study. . .” A motion was made by Merriman with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 09-20 duly adopted.**

4) **Ordinance authorizing the acceptance of a utility easement deed from Patrick J. O’Brien relative to the water/sewer relocation project for the Highway 72 by-pass.** A motion was made by Merriman 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 authorizing the acceptance of a utility easement deed from Patrick J. O’Brien relative to the water/sewer relocation project for the Highway 72 by-pass. . .” A motion was made by Merriman with a second by Polete to read the ordinance the second time by title only. Motion carried. **Ordinance 09-21 duly adopted.**

5) **Ordinance authorizing the acceptance of a utility easement deed from Harry F. Eichler relative to the water/sewer relocation project for the Highway 72 by-pass.** A 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 authorizing the acceptance of a utility easement deed from Harry F. Eichler relative to the water/sewer relocation project for the Highway 72 by-pass. . .” A motion was made by Merriman with a second by Wright to read the ordinance the second time by title only. Motion carried. **Ordinance 09-22 duly adopted.**

6) **Ordinance authorizing the acceptance of a utility easement deed from Kevin Dodd relative to the water/sewer relocation project for the Highway 72 by-pass.** A motion was made by Merriman 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 authorizing the acceptance of a utility easement deed from Kevin Dodd relative to the water/sewer relocation project for the Highway 72 by-pass. . .” A motion was made by Polete with a second by Wright to read the ordinance the second time by title only. Motion carried. **Ordinance 09-23 duly adopted.**

7) **Ordinance approving the rezoning from R-1 single family residential to R-2 general residential.** A motion was made by Merriman with a second by Walts to table the ordinance until more information could be obtained from the developer. Motion carried.

8) **Ordinance amending Title II, Chapter 225 (disorderly conduct revision)** A motion was made by Walts with a second by Merriman to table this ordinance. Motion carried.

9) **Discussion concerning precautionary boil water order. (Walts)** Walts began by stating he heard about the order when he tuned into KTJJ. He went on to say he didn't believe this is an adequate means of notification. He suggested a website or Channel 12 (KFVS Cape) Wright said the aldermen need to know this kind of information as soon as possible. Water Plant Manager Junior Shell did notify some, but not all. Polete said it is a challenge to get such a notice out. Some residents said they looked for something in the window of City Hall, but there wasn't anything there. Shell said he notified City Hall to call two radio stations and TV. He went on to say this is the past procedure. Various solutions were discussed including signage similar to that used during the storm for curfew notification and that a notice should definitely be posted on the City Hall door. Shell said the last boil water was done through door knockers. Polete went on to say the City needs to be prepared and have a plan in place. It was suggested that a committee to include interested citizens meet to discuss possible methods for such notices. Council concurred.

10) Dismuke informed the Board of damage to the City utility system by a private contractor that failed to contact Dig Rite prior to excavation. The bill for the damage will be sent to the contractor.

J. ADDITIONAL BUSINESS

1) **Accounts payable.** Motion was made by Merriman with a second by Walts to approve the bills. Motion carried with four ayes and one abstention (Thomas).

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 Walts with a second by Merriman to go into Closed Session. Roll call vote resulted in five 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 of Larry Hoyt for the recycling laborer at a starting salary of \$18,000. Motion carried with five ayes and one absent.

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

N. ANY OTHER BUSINESS

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

Danny E. Kemp, Mayor

ATTEST:

Kim Moore, Acting Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
JUNE 8, 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 Merriman, Alderman Walts, Alderman Thomas, and Alderman Wright. Alderman Polete joined the meeting after the roll call. Absent was: Alderman Brown. Also present were: City Administrator Dismuke, City Attorney Moore, City Engineer Baer, department heads and visitors.

B. APPROVAL OF MINUTES

1) **Minutes of the work session meeting of May 26, 2009.** A motion was made by Walts with a second by Merriman to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

1) **Additions or deletions.** None

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

D. WORK SESSION BUSINESS

1) **Discussion concerning storm debris disposal and rescheduled tire disposal. (McDowell)** McDowell asked council when they anticipated ending debris pickup. He went on to say his crew has now been able to hit all the streets yet due to lack of manpower. Council felt the city needed to continue their efforts until we are declared a disaster by FEMA. McDowell then addressed the rescheduled tire disposal project. He stated the trailer will be available on June 19th. He requested a notice be placed in the paper notifying the public. Council concurred. McDowell requested the purchase of 200 trash carts, replacing those damaged during the storm. McDowell estimated that more than 100 carts may have been lost or damaged. Cost would be \$12,500. A discussion ensued. A motion was then made by Merriman with a second by Walts to approve the purchase of 200 trash carts for a total of \$12,500. Motion carried.

2) **Consideration of bids for roof repair to swimming pool bath house and City Hall (lower level).** Council referred to the information included in their packets explaining the bids received. After a discussion noting previous issues that the City had with Benz Roofing, the failure to submit insurance as required by the bid request and other qualification issues with low bidder Benz Roofing, a motion was made by Walts with a second by Merriman to award the bid for both the swimming pool bath house and City Hall to Finch Construction LLC as the lowest qualified bidder. Motion carried.

3) **Consideration of bids for concrete steps at Jaycee Park near the concession stand.** Alderman Merriman stated he would like Jordan Concrete to include a handrail in the bid amount. A motion was made by Merriman with a second by Walts to table the approval until Jordan Concrete provides the cost of including a handrail. Motion carried.

4) **Discussion concerning moving the collection of City taxes (personal/real) to the County for collection purposes only.** Dismuke began by stating he has approached the County Collector with the proposal of collecting the annual city real/personal property taxes through the County for a three percent processing fee. City residents would receive only one tax bill each year which including both City and County taxes, which would be paid at one location . . . the courthouse. Dismuke felt this would be a win/win situation for both parties. A motion was then made by Merriman with a second by Walts to direct Dismuke to continue the discussion with the County Collector to reach an agreement. Motion carried.

5) **Review of the revised disorderly conduct ordinance.** After a brief discussion, a motion was made by Walts with a second by Merriman to table further discussion until the council members could review the legal memorandum prepared by the City Attorney. Motion carried.

6) **Request by Theodore Brown to address Council regarding his property located on Buford Blvd. near Kelley Street.** Brown addressed Council stating he has mulch and logs on the property, but states he has not hauled in anything new since he received notice to cease operation. He also stated the logs would be gone by winter. He stated the Army Corps of Engineers has shut down anything on the lower part of the lot. He stated that he intended to move the logs by the first of the year. He stated that

he had requested that the Building Inspector Richard Macke be here but he was not present? No voting actions taken.

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

F. **ADJOURNMENT**

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

Danny E. Kemp, Mayor

ATTEST:

Kim Moore, Acting Clerk