

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, JUNE 22, 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, 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 June 8, 2009. A motion was made by Merriman 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 – Consideration of bids for debris removal.
Add: One additional personnel item to Closed Session.
- 2) A motion was made by Polete with a second by Walts to approve the agenda as amended. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) **Financial reports – May (Shinn)**

F. REPORTS OF OFFICERS

- 1) **Mayor's report.** Mayor Kemp announced Madison County had officially been declared a disaster area by FEMA. He also said since would could now contract for debris removal, the city employees could end their debris removal. In addition, the Mayor announced if storm damage created a need for a variance for a property owner to build back a destroyed garage or accessory building, the variance (not the building permit) would be waived, as many of these residences were built before variances were required.

G. REORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Administrator's report.**
- 2) **Police Captain's report.**

H. OLD BUSINESS

- 1) **Ordinance approving the rezoning from R-1 single family residential to R-2 general residential district. (Please bring copy from last meeting).** A 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 approving the rezoning from R-1 single family residential to R-2 general residential district for the propert described in Exhibit A . . ." The vote on the ordinance was four ayes (Walts,Thomas, Polete,Brown) and two nay (Merriman,Wright). A discussion began. Merriman referred Council to the information

included in the packets provided by city resident Denis Moore who resides in the area in question. Walts said he felt Buford Blvd. would need to be widened to accommodate the additional traffic. He also said stormwater and sewer problems due to the additional load would need to be addressed. Present infrastructure would not be able to handle. Builder, Warren Reagan, addressed council stating "the City needed to decide if it wanted to grow or not. It didn't make any difference to him". Motion was then made by Brown with a second by Merriman to read the ordinance the second time by title only. Motion carried. Before reading the ordinance, Attorney Moore reminded council as a petition was presented to council representing 10% of the voters of the area in question, the final vote had to have five (5) aye votes to pass. Moore then read the ordinance the second time. The vote on the ordinance was: voting aye: Polete, Thomas, Brown; voting nay: Merriman, Walts, Wright. Ordinance fails to pass.

I. NEW BUSINESS

1) **Ordinance authorizing the Mayor to execute a contract between City and Finch Construction LLC relative to roof repairs to the municipal swimming pool.** A 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 a contract between City and Finch Construction LLC relative to roof repairs to the municipal swimming pool bath house . . ." Motion was made by Polete with a second by Brown to read the ordinance the second time by title only. Motion carried. **Ordinance 09-24 duly adopted.**

2) **Ordinance authorizing the Mayor to execute a contract between City and Finch Construction LLC relative to roof repairs to City Hall.** A 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 a contract between City and Finch Construction LLC relative to roof repairs to City Hall . . ." A motion was made by Polete with a second by Brown to read the ordinance the second time by title only. **Ordinance 09-25 duly adopted.**

3) **Request by Planning & Zoning Commission to rezone 124 West Buford from R-2 to C-1 and set public hearing (the Underriner House)** Motion was made by Brown with a second by Walts to approve the rezoning and set the public hearing for July 13, 2009 at 6:00 pm. Motion carried.

4) **Request by Planning & Zoning Commission to approve *Special Use Permit* for 408 West Main (Farm Bureau Agency) and set public hearing.** Motion was made by Merriman with a second by Thomas to approve the request and set the public hearing for July 13, 2009 at 6:15 pm. Motion carried.

5) **Consideration of bids for storm debris removal.** Council reviewed the bid memo presented. A motion was then made by Polete with a second by Walts to approve the bid of Young's General Contracting, Inc., Poplar Bluff MO in the amount of \$3.42 per compacted cubic yard. Motion carried.

J. ADDITIONAL BUSINESS

1) **Accounts payable.** Motion was made by Merriman with a second by Brown to approve 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 Brown with a second by Merriman 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 Walts with a second by Merriman to approve the request to hire a part time Parks laborer for three months at \$7.50 per hour. Motion carried with all six voting aye.
- 2) Personnel matter. Discussion only. No voting actions taken.

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

N. **ANY OTHER BUSINESS**

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

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
JUNE 22, 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 Wright and Alderman Brown. Alderman Thomas arrived shortly after roll call. 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 June 8, 2009.** A motion was made by Merriman with a second by Wright 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 Polete with a second by Merriman to approve the agenda as presented. Motion carried.

D. WORK SESSION BUSINESS

1) **Discussion concerning a recommendation from the Planning and Zoning Commission regarding changes to Zoning Regulations.** Attorney Moore reviewed the memo he distributed explaining the recommendations of P&Z. A motion was made by Brown with a second by Walts to table this issue until Moore can prepare an ordinance with the recommended changes for the next council meeting in July. Motion carried.

2) **Reconsideration of bids for concrete steps at Jaycee Park near the concession stand.** It was noted the original bid from Jordan Concrete included the handrail as opposed to Sargent's bid which had the handrail as an option. A motion was then made by Merriman with a second by Brown to approve the least expensive bid of Jordan Concrete in the amount of \$3850. Motion carried.

3) **Continued discussion of the disorderly conduct ordinance (Merriman).** Merriman stated there were still some things not covered in the sample ordinance. He felt the city still needed to include a public intoxication section, which we presently do not have. Merriman suggested further discussion be given to the Planning, Development & Ordinance (PDO) Committee who would then work with Captain Tomlinson and Prosecuting Attorney Ludwig for further review and discussion. Dismuke will set up.

4) **Discussion concerning purchasing radios and assigning DSN numbers to Mayor, City Administrator and Aldermen, for use in emergency situations. (Merriman)** Merriman stated after the disaster of May 8th it became evident a communication problem existed. Merriman went on to say the city might consider the purchase of additional radios and/or communication equipment in the next fiscal year budget. Council concurred.

5) **Discussion concerning the business license ordinance as proposed at the council meeting after the May 8th storm. (Merriman)** Merriman reviewed the ordinance with council discussing various fees as well as revocation requirements.

6) **Discussion relative to airport projects as they relate to a new terminal building/t-hangar replacement buildings. (Dismuke)** Dismuke began by stating he along with various airport users met with the City airport engineer, BWR, to discuss options at the airport. Dismuke went on to say the airport had already been approved for a new terminal building with this year's MODOT allocation of funds. BWR proposed several options for the t-hangar replacement which would be part of the insurance reimbursement due to the storm. Dismuke recommended the city pursue the terminal building with MoDOT Aviation, but redefine the original plans to decrease cost. Dismuke explained the City's insurance carrier, MIRMA, will reimburse for replacement of what was destroyed which is twenty t-hangars but no more than \$254,000 for each building. Polete asked for some numbers as to what will be covered by FEMA and/or MIRMA. Numbers should be available for the next meeting.

7) **Discussion relative to assistance to residents regarding debris removal (Dismuke).** It was noted the bid would be discussed and awarded at the council meeting following this work session; however, a

discussion ensued regarding removal of large stumps and trees from residents' yards. It was suggested the city hire someone to work on this removal project. We will ask FEMA their take on this request.

8) **Consideration of a request for qualifications for an environmental engineer for the Water Plant.** Dismuke explained the purpose of this request relates to the recent MoDNR report on HAA levels in the water. City Engineer Baer suggested the city have the environmental engineer develop a five year plan so the city can keep ahead of the ever-changing DNR regulations. Dismuke said the next step is to come up with a "scope of services, get a price and bring it back to the Board. The council reviewed the two proposals: Horner & Shifrin and Henry, Meisenheimer & Gende, Inc. Jeff Farmer called some of the references on each group and recommended Horner & Shifrin. A motion was then made by Walts with a second by Brown to approve the recommendation of Horner & Shifrin, proceed with developing a scope of services and costs to bring to council for approval. Motion carried.

9) **Review of the contract for city tax collection through Madison County Collector.** Council asked Attorney Moore if had the chance to review. Moore indicated he would need to make a few minor changes. A motion was made by Wright with a second by Walts to approve the contract with Moore's recommendation. Motion carried.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). A motion was made by Polete with a second by Thomas to place the remaining one (1) personnel issue on the regular council meeting. Motion carried.

F. **ADJOURNMENT**

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

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk