

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, OCTOBER 26, 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 Brown, and Alderman Merriman. Absent was: Alderman Walts. Also present were: City Administrator Dismuke, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the regular council meeting of October 12, 2009. A motion was made by Merriman with a second by Wright to approve the minutes as presented. Motion carried.
- 2) Minutes of the special council meeting of October 20, 2009. A motion was made by Polete with a second by Thomas to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions.
 - Add: To New Business Request by the Beautification Committee for their annual Christmas light pole decorating contest.
 - Add: To Closed Session: one legal matter
 - Delete: New Business Item #3: Ordinance approving plat for Emerald Bluff Minor Subdivision.
- 2) A motion was made by Merriman with a second by Wright to approve the agenda as amended. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) **Recommendation and Oath of Office to the Interim City Collector.** Mayor Kemp said he would like to recommend Erica Johnson to the position of Interim Collector. A motion was made by Merriman with a second by Wright to approve the recommendation. Motion carried. Mayor Kemp gave the Oath of Office.
- 2) **Financial Report – September (Shinn)**

F. REPORTS OF OFFICERS

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

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Administrator's report.**

- 2) **Police Captain's report.** After Police Captain Tomlinson reviewed his report he asked council for permission to go ahead and proceed with leasing the new police vehicles included in the new budget. A discussion ensued over the number of cars to lease. Thomas said he was concerned with the City's finances and would feel more comfortable with allowing four (4) new leases instead of the seven budgeted. Polete concurred. A motion was then made by Thomas with a second by Polete to lease four vehicles. Motion carried with four aye votes and one nay (Merriman).

H. OLD BUSINESS

- 1) None.

I. NEW BUSINESS

- 1) **Ordinance authorizing the Mayor to execute an agreement between City and Anthem BlueCross BlueShield relative to providing city employee health insurance.** A motion was 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. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute an agreement between City and Anthem BlueCross BlueShield relative to providing city employee health insurance. . . ." A motion was made by Brown with a second by Wright to read the ordinance the second time by title only. Motion carried. **Ordinance 09-61 duly adopted.**
- 2) **Ordinance amending Chapter 700, Section 705.020 titled "Billing Procedures" relative to utility bills.** A 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 amending Subsection 2c of Section 705.020 Chapter 705 by deleting said subsection and enacting a new subsection 2c . . ." A motion was made by Polete with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 09-62 duly adopted.**
- 3) **Discussion concerning the unpaid balance of debris removal invoice from Young's General Contracting, Inc.** Clerk Stevens explained this amount represents an amount over and above the originally approved second phase debris removal contract. She noted the overage had been turned into FEMA for reimbursement but as yet we have not received any notification of payment. A motion was made by Brown with a second by Merriman to approve paying the balance of the invoice. Motion carried.
- 4) **Recommendation from BFP regarding delinquent utility bills.** Shinn addressed council with the recommendation from BFP to have the council approve writing off the \$281,000 in unpaid "final" bills. Shinn noted these bills represented individuals who were no longer on our service. The City will still have past due bills which they will attempt to collect. Shinn noted even though the bills will be written off the city's books they will be turned over to our collection agency for follow-up. A motion was then made by Brown with a second by Thomas to approve the recommendation to write off the final bills. Motion carried.
- 5) **Request by the Beautification Committee for permission to have their annual Christmas light pole decorating contest.** A motion was made by Polete with a second by Brown to approve the request. Motion carried.

J. ADDITIONAL BUSINESS

1) **Accounts payable I.** A motion was made by Merriman with a second by Wright 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 five ayes, zero nays and one 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) Contract matter – Discussion only, no voting action necessary.
- 2) Legal matter – After a brief discussion, a motion was made by Thomas with a second by Brown to approve the offer of half the invoiced amount or \$2671.11. Motion carried with all members present voting aye.
- 3) Real estate matter – Discussion only, no voting action necessary.
- 4) Real estate matter – Discussion only, no voting action necessary.

A motion was made by Merriman with a second by Brown to return to open session. Motion carried.

N. ANY OTHER BUSINESS

1) None.

O. ADJOURNMENT. Motion by Merriman with a second by Thomas to adjourn. Motion carried.

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
OCTOBER 26, 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 Wright, Alderman Thomas, and Alderman Brown. Absent was: Alderman Walts. Also present were: City Administrator Dismuke, City Attorney Moore, City Engineer Baer, City Clerk Stevens, department heads and visitors.

B. APPROVAL OF MINUTES

1) **Minutes of the work session meeting of October 12, 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.** Item 3: Follow-up on the Highland Mfg. site and Item 5: Recommendation from PDO regarding soil samples at the area on Lincoln Drive move to Closed Session.

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

D. WORK SESSION BUSINESS

1) **Request by the American Legion and VFW to name the new Hwy 72 By-Pass road Veterans Drive in honor of all the veterans past and present from Madison County.** The Mayor and Council felt this was an excellent idea. Attorney Moore said the City's ordinance requires any street naming be referred to the Planning and Zoning Commission for approval and recommendation to council. A motion was then made by Brown with a second by Wright to recommend to Planning and Zoning the review of the street name for the Hwy 72 By-Pass. Motion carried. A discussion followed regarding street name versus honorary street similar to the John Paul Skaggs situation on North Main. Using the street name "Veteran's Memorial Drive" was also suggested.

2) **Consideration of bids for May 8th storm damage to various city properties.** Clerk Stevens reviewed the memo of record of the bids received. Council suggested contacting MIRMA to see if they would consider changing their original damage assessment of roof repairs to Water and Wastewater Plants to include replacement roofs. A motion was then made by Merriman with a second by Wright to table approval until MIRMA was contacted. Motion carried.

3) **Recommendation from BFP regarding uniform allowance for electric department relative to Fire Retardant Clothing (FRC).** Financial Officer Shinn addressed council with the recommendation from BFP. Shinn explained the money for the FRC uniforms was already designated in the budget with part in administration and part in electric. Shinn explained the uniforms would be supplied by a company who would clean and replace them on a weekly basis. Shinn also said the electric department would like the meter reader to be included even though his uniform requirements do not include fire retardant clothing. He does, however, need 100 percent cotton uniforms. Shinn went on to say the electric department had asked the committee to allow them to purchase their electric boots with uniform allowance funds; however, Shinn indicated there was no additional money included in the budget for the boots. A motion was then made by Thomas with a second by Brown to approve the FRC uniform allowances budgeted plus the meter reader's uniform requirements for 100 percent cotton. Motion carried.

4) **Recommendation from BFP regarding utility billing procedures (copy of proposed ordinance*)** Moore referred council to the ordinance included in the packet. The change would set the due date for utility billing for the 10th with no additional extensions if the 10th falls on a holiday or weekend. Shinn suggested setting a time of day deadline. After a brief discussion the cut off time was set at “close of business on the 10th”. A motion was then made by Brown with a second by Merriman to take the ordinance to full council. Motion carried.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). Motion was made by Merriman with a second by Wright to go into Closed Session. Roll call vote resulted in five ayes, zero nays and one 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) Real estate matter – Discussion only, no voting action necessary.
- 2) Real estate matter – After a brief discussion, a motion was made by Merriman with a second by Thomas to pursue the lead soil samples. Motion carried with all members voting aye.

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

F. **ADJOURNMENT**

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

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk