

MINUTES  
CITY COUNCIL MEETING  
FREDERICKTOWN, MISSOURI  
DAY/DATE: MONDAY, DECEMBER 14, 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 Walts, Alderman Thomas, and Alderman Merriman. Absent were: Alderman Brown and Alderman Wright. 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 November 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: One real estate item tabled from Work Session 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) None.

**F. REPORTS OF OFFICERS**

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

**G. REPORT FROM SPECIAL COMMITTEES AND STAFF**

- 1) **City Administrator's report.** Dismuke began by asking council to approve the following purchases: water dept. – valve aerator \$2900 estimate; electric 49 cross arms \$3670; wastewater – ultraviolet work \$2000 each approx.; wastewater – affluent pump for north interceptor- no amt given; street - \$1200 computer; fire department – air compressor \$30,500. In addition, Dismuke referenced the 10% portion of the Horner & Shifrin water plant improvement grant the city would have to fund; lighting for the Cap A parking lot - \$5548, additional set for Cap A parking lot - \$2700 and street lighting for Cap A Drive \$15,000. Dismuke said the city was getting ready to apply to MAMU for additional funding and will include some of these purchases as well. A discussion ensued over the justification of the Cap A lighting projects. Council felt the cost id not justify the precedence it would set as this would be on personal property not city owned property. Mayor Kemp suggested going with the necessities until Shinn could be consulted on the availability of funds for the Cap A project. A motion was then made by Thomas with a second by Polete to approve all the purchases for water, electric cross arms, sewer, but not any of the Cap A lighting requests. Motion carried.
- 2) **City Marshal's report - November**
- 3) **Municipal Court docket – November**
- 4) **Municipal Court statistics - November**
- 5) **Building Inspector report – November**
- 6) **County Tax Collector's report - November**

**H. OLD BUSINESS**

1) **Ordinance approving plat for Emerald Bluff Minor Subdivision.** 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 approving the plat for Emerald Bluff Minor Subdivision. . ." A motion was made by Polete with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 09-69 duly adopted.**

**I. NEW BUSINESS**

1) **Ordinance authorizing the Mayor to execute a release agreement between City and K&K Trucking relative to a release of claims related to damages to city property** 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 authorizing the Mayor to execute a release agreement between City and K&K Trucking relative to a release of claims related to damages to city property. . ." A motion was made by Polete with a second by Walts to read the ordinance the second time by title only. Motion carried. **Ordinance 09-70 duly adopted.**

2) **Ordinance amending Chapter 600 relative to alcoholic beverages.** 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 amending Sections 600.010, 600.020, 600.030, 600.040, 600.060, 600.070 relative to alcoholic beverages. . ." A motion was made by Polete with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 09-71 duly adopted.**

Note: It was at this time Alderman Thomas had to leave the meeting. A motion was made by Merriman with a second by Walts to table approval of remaining items under New Business until the December 28<sup>th</sup> meeting. Motion carried. Before Alderman Thomas left, Council proceeded to approve the accounts payables before adjourning the meeting.

**J. ADDITIONAL BUSINESS**

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

2) **Accounts payable II.** A motion was made by Merriman with a second by Walts to approve the bills. Motion carried with Thomas abstaining.

**K. REMARKS FROM GENERAL PUBLIC**

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

**M. CLOSED SESSION BUSINESS** (As authorized RSMo Section 610.021) None

**N. ANY OTHER BUSINESS**

1) None.

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

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk

MINUTES  
CITY COUNCIL WORK SESSION  
FREDERICKTOWN, MISSOURI  
DECEMBER 14, 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 Thomas, and Alderman Walts. Absent was: Alderman Wright and Alderman Brown. 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 November 23, 2009.** A motion was made by Polete with a second by Walts to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

1) **Additions or deletions.**

Add: One additional work session item: Discussion of the water drainage issue at the Sonderman Building basement and to Closed Session: one legal matter.

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

**D. WORK SESSION BUSINESS**

1) **Discussion and recommendation of the "Statement of Qualifications and Electric Rate Study" proposal received.** Dismuke indicated the city only received one proposal on the rate study – BHMG. He said the original request included a lot of additional components for a rate study, which would have been nice, but not needed at this time. The base price for the rate study without the additional components was \$17,500. A motion was made by Merriman with a second by Thomas to approve the proposal and proceed with preparing a contract. Motion carried.

2) **Discussion concerning the electric utility deposit requirements. (Polete)** Polete began by stating he had received several phone calls from local landlords expressing concern with how the city calculates electric deposits. The ordinance says the deposit is two months of the average yearly bill with a minimum of \$75.00. A discussion ensued on the pros/cons of how to set electric deposits. Members agreed a flat rate was the best solution and recommended \$150 for residential electric deposits and \$25 water. The water deposit now is \$50. Moore will have an ordinance ready for approval at the next council meeting this month.

3) **Request by Public Works Director McDowell to have the landfill logged for downed trees from the May 8<sup>th</sup> storm. (McDowell).** After a brief discussion, a motion was made by Merriman with a second by Walts to approve the request to have the landfill logged. Motion carried.

4) **Discussion concerning the drainage issue in the basement of the Sonderman Building. (Polete)** Polete said he had been contacted by property owner Bill Sonderman on the status of the drainage problem. Polete went on to explain Alderman Walts, along with Tim Baer and himself had looked at the problem several months ago. Sonderman felt the problem was the concrete/grass work related to the court square improvement project. Baer said he had determined the problem was the building itself having honey-combed foundation allowing the water seepage. Polete said someone needed to contact Sonderman and let him know our findings.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). Motion was made by Polete with a second by Walts to go into Closed Session. Roll call vote resulted in four ayes, zero nays and two 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) One (1) legal matter. Discussion only, no voting actions necessary.
- 2) One (1) personnel matter. Discussion only, no voting actions taken.

Motion was made by Merriman with a second by Walts to return to Open Session and table discussion of the remaining closed session real estate item to the council meeting. Motion carried with all in attendance voting aye.

F. **ADJOURNMENT**

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

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk