

MINUTES  
CITY COUNCIL MEETING  
FREDERICKTOWN, MISSOURI  
DAY/DATE: MONDAY, JANUARY 11, 2010  
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, Alderman Brown, Alderman Merriman, 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 December 28, 2009. A motion was made by Merriman with a second by Polete to approve the minutes as presented. Motion carried.

**C. APPROVAL OF AGENDA**

- 1) Additions or deletions.  
Delete: New Business Item #6.
- 2) A motion was made by Polete with a second by Brown 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.**
- 2) **Municipal Court docket – December**
- 3) **Municipal Court statistics – December**
- 4) **Building Inspector report – December**
- 5) **City Marshal report - December**

**H. OLD BUSINESS**

- 1) None

**I. NEW BUSINESS**

- 1) **Ordinance authorizing a special deed of burdensome property from the City to Pense Brothers Drilling.** A motion was made by Brown with a second by Walts 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 a Special Deed of Burdensome Property from City to Pense Brothers Drilling. . ." A motion was made by Merriman with a second by Wright to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-01 duly adopted.**
- 2) **Ordinance authorizing a special deed of burdensome property from the City to Ronald L. Pense, Trustee of the Ronald L. Pense revocable trust dated November 27, 1992.** 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 a Special Deed of Burdensome Property from City to Ronald L. Pense. . .” A motion was made by Brown with a second by Polete to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-02 duly adopted.**

3) **Ordinance approving and authorizing Change Order No. 1 to contract between City and Lappe Cement Finishing Inc. relative to Commercial Drive.** 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 approving and authorizing Change Order No. 1 to contract between City and Lappe Cement Finishing Inc. relative to Commercial Drive. . .” A motion was made by Polete with a second by Brown to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-03 duly adopted.**

4) **Ordinance authorizing the Mayor to execute a third agreement to the agreement for solid waste hauling and disposal with CWI of Missouri, Inc.** A motion was made by Brown 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 third agreement for solid waste hauling and disposal with CWI of Missouri, Inc. . .” A motion was made by Brown with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-04 duly adopted.**

5) **Ordinance authorizing the Mayor to execute an agreement between City and Bucher, Willis & Ratliff Corp. (BWR) relative to professional services for projects at Fredericktown Regional Airport.** 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 an agreement between City and Bucher, Willis & Ratliff (BWR) relative to professional services for projects at the Fredericktown Regional Airport. . .” A motion was made by Merriman with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-05 duly adopted.**

**J. ADDITIONAL BUSINESS**

1) **Accounts payable I.** A motion was made by Merriman with a second by Thomas 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) Alderman Brown stated to council “we should be held to a higher level of accountability . . . here and in closed session. We should keep what is discussed in closed session to ourselves. Talking outside of closed session is not the appropriate thing to do”.

**O. ADJOURNMENT. Motion 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

MINUTES  
CITY COUNCIL WORK SESSION  
FREDERICKTOWN, MISSOURI  
JANUARY 11, 2010  
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, Alderman Brown, Alderman Walts, 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 work session meeting of December 28, 2009.** A motion was made by Merriman 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 business: Discussion concerning the Battle of Fredericktown event in 2011 and one (1) personnel item to closed session.

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

**D. WORK SESSION BUSINESS**

1) **Update on the fire districts. (Thomas)** Thomas began the discussion by asking Moore where we were with updating the fire districts. Clerk Stevens distributed information provided by Fire Chief Clark on the fire districts surrounding Fredericktown. A discussion ensued on what would be the best solution for fire calls handled outside the city limits. A fire tag was suggested in the amount of \$35 per resident. Each property owner would sign an agreement with the city for fire service. Moore said this type of solution would be voluntary only as the city has no jurisdiction outside the city limits. Moore suggested a consensual agreement. Moore also said the city could place a fire district issue on the ballot for approval. Council agreed to try the tag system first, then progress to the ballot. Moore will look over the sample agreement from the city of Ste. Genevieve and adopt it for the city's use. Moore will have something to present to council for the next meeting.

2) **Discussion concerning the Battle of Fredericktown event scheduled for 2011. (Brown)** Brown distributed copies of the activities requiring city approval. Brown, who is also on the committee for the event, indicated the sponsoring group would like the city's permission to shoot firearms (blanks) along with cannon fire (blank). In order to qualify for the insurance coverage under a blanket policy the city would need to make this exception. A motion was then made by Walts with a second by Wright to allow the event to shoot blank firearms and cannons. Motion carried.

**E. CLOSED SESSION** (As authorized by RSMo Section 610.021). Motion was made by Brown 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. A motion was made by Merriman with a second by Brown to accept the resignation of Police Captain Ken Tomlinson. Motion carried with all six members voting aye.

- 2) Personnel matter. After a brief discussion, a motion was made by Brown with a second by Walts to place Sargent Jason Gordon as interim police captain for ninety (90) days, then re-visit the appointment at that time. Motion carried with all six members voting aye.
- 3) Personnel matter. After a brief discussion, a motion was made by Brown with a second by Thomas to hire reserve officer Lacey Ramirez as a full time police officer. Motion carried with all six members voting aye.
- 4) Personnel matter. Discussion only, no voting actions on the personnel matter necessary. However, in a related matter a motion was made by Walts with a second by Brown to amend the Personnel Rules & Regulations to allow any employee leaving the city's employment who is re-hired within a twelve (12) month period be allowed to reinstate their vacation years of service and unused sick time at the time of their leaving. Motion carried with all six members voting aye.
- 5) Personnel matter. A motion was made by Walts with a second by Thomas to hire Todd Mueller as the part time prisoner guard. Motion carried with all six members voting aye.
- 6) Personnel matter. Discussion only, no voting actions taken.

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

**F. ADJOURNMENT**

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

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Danny E. Kemp, Mayor

ATTEST:

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Barbara Stevens, City Clerk