

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, JANUARY 25, 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 Brown, Alderman Merriman, and Alderman Wright. Absent was: Alderman Thomas. 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 January 11, 2010. A motion was made by Merriman with a second by Brown to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions. None
- 2) A motion was made by Merriman with a second by Wright to approve the agenda as presented. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) **Recommendation and Oath of Office for the Municipal Court Clerk.** Mayor Kemp stated he would like to recommend Erica Johnson as Municipal Court Clerk. A motion was made by Wright with a second by Walts to approve the recommendation. Motion carried. Mayor Kemp gave the Oath of Office to Erica Johnson.
- 2) **Financial report – December.**

F. REPORTS OF OFFICERS

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

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **City Administrator's report.**
- 2) **Interim Police Captain report.**
- 3) **County Collector tax collection report – December.**

H. OLD BUSINESS

- 1) None

I. NEW BUSINESS

- 1) **Ordinance approving and authorizing an amendment to the contract between City and Lappe Cement Finishing Inc. relative to Commercial Drive.** 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. Ordinance read. A motion was made by Polete with a second by Brown to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-06 duly adopted.**
- 2) **Ordinance authorizing the Mayor to execute an agreement between City and Barnes, Henry, Meisenheimer & Gende, Inc. relative to electric rate study design services.** A motion was made by Polete 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. Ordinance read. A motion was made by Brown with a second by Polete to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-07 duly adopted.**

3) **Ordinance authorizing the Mayor to execute a contract between City and Kim Moore and Thomas Ludwig relative to the position of city attorney.** 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. Ordinance vote: four (4) ayes and one (1) nay – Wright. A motion was made by Brown with a second by Polete to read the ordinance the second time by title only. Motion carried. Ordinance vote: four (4) ayes and one (1) nay – Wright. **Ordinance 2010-08 duly adopted.**

4) **Ordinance authorizing the Mayor to execute an agreement between City and Brown Shoe Company accepting a donation of certain real and personal property** A motion was made by Polete 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. Ordinance read. A motion was made by Brown with a second by Polete to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-09 duly adopted.**

5) **Ordinance regarding certain property of Brown Shoe Company, Inc. dedicated to the City.** 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. Ordinance read. A motion was made by Polete with a second by Walts to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-10 duly adopted.**

6) **A resolution authorizing the Mayor to execute a letter acknowledging the donation of property from Brown Shoe to City.** A motion was made by Polete with a second by Brown to read the resolution in full. Motion carried. Moore read the resolution. **Resolution 2010-01 duly adopted.**

7) **Ordinance authorizing the Mayor to execute a storage lease between City and Brown Shoe.** A motion was made by Polete 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. Ordinance read. A motion was made by Brown with a second by Walts to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-11 duly adopted.**

J. ADDITIONAL BUSINESS

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

2) **Request to authorize payment of an invoice from McReynolds*Von Trapp for appraisal services for Brown Shoe building.** A motion was made by Brown with a second by Walts to approve the invoice. Motion carried.

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

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
JANUARY 25, 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 Brown, Alderman Walts, and Alderman Wright. Absent was: Alderman Thomas. 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 January 11, 2010.** 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.** None

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

D. WORK SESSION BUSINESS

1) **Consideration of bids received for logging the landfill area due to storm damage.** As only one bid was received, a motion was made by Walts with a second by Brown to approve the bid of Paul Levart for logging at the landfill. Motion carried.

2) **Consideration of a request by Ken McDowell regarding budgeted repairs to the Caterpillar Crawler 963.** Council referred to the bid sheet. A motion was then made by Merriman with a second by Brown to approve the proposal of Roland Machinery. Motion carried.

3) **Consideration of a request to purchase an electric digger truck. (Dismuke)** Dismuke said the electric department was in need of a newer digger truck. Electric Manager Wasson found one for \$34,500, which includes a \$4500 trade-in for our old digger truck. He went on to say financial officer Shinn said the cost could be added to the MAMU financing the city is preparing. Attorney Moore said the city needed to make sure they followed their recently passed Procurement Policy which states bids must be obtained. Dismuke said they did the bidding by email and phone, but there was paperwork to back up the bidding. A motion was then made by Brown with a second by Polete to proceed with leasing the truck for two months, then decide if we need to pursue the financing. Motion carried. The council all agreed the bidding documentation had to be in place and turned into the city clerk.

4) **Discussion concerning the office location of the City Marshal. (Merriman)** Merriman suggested relocating the office of the City Marshal somewhere other than the police station. Presently the marshal is using the secure office at the police station, while the police captain's area is part of the other officers. He felt it was important the police captain have the secure area. Council concurred. It was also discussed the newly elected marshal will have to sign out a police vehicle when needed and report his beginning and ending mileage. Council agreed the marshal's office should be located at City Hall in the office behind council chambers. The city will provide a computer for the marshal's use.

5) **Recommendation from Budget, Finance and Personnel regarding the hourly rate of the city attorney.** A motion was made by Merriman with a second by Walts to approve the request of an hourly increase to \$105.00 per hour. Motion carried.

6) **Discussion concerning the financial responsibility of the transformer purchase for the new McDonalds.** Dismuke began by stating most communities pay for the transformers of

businesses moving into the area, and he recommended the city do the same with the McDonald's transformer at a cost of \$7850. Council asked electric manager Wasson if this is what the city has done in the past. Wasson said, "actually no, the city has always billed the owner for the transformer". A discussion ensued on the pros and cons of the transformer issue. A motion was then made by Merriman with a second by Polete to bill McDonald's for the transformer. Motion carried with four ayes and one nay (Brown).

7) **Review and discussion of the fire district proposal. (Moore)** Moore began by reviewing a fire district proposal based on previous discussions and input from Alderman Thomas and Fire Chief Clark. The policy would set an annual fee for protection services. Moore reviewed the highlights of the agreement, which would be similar to the one Cherokee Pass has in place. All do not have to take the policy, however, if the tag fee of \$35 is not paid, the State Statute fee of \$635 for the first hour would apply. Moore then went on to say from this point the boundaries would have to be set and agreed to by Cherokee Pass Fire District. It was suggested a public forum be scheduled for the residents who would fall under this new policy (i.e Junction City, Cobalt Village, etc.) It was also suggested the fire tag fee could be added to the yearly county tax bill for collection.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). Motion was made by Polete with a second by Brown 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) Personnel matter. After a brief discussion, a motion was made by Brown with a second by Walts to promote Jason Gordon to police captain on a ninety day probationary period with a 5% increase in salary. Motion carried with all voting aye. In addition a motion was made by Brown with a second by Walts to promote Rob Nettles to Sergeant on a ninety day probationary period with a 5% increase in salary. Motion carried with all voting aye.
- 2) Legal notice – Information only, no voting actions necessary.

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

F. **ADJOURNMENT**

- 1) Motion was made by Polete to adjourn.

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk