

MINUTES
CITY COUNCIL MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, FEBRUARY 8, 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 Brown, Alderman Merriman, and Alderman Thomas. Absent were: Alderman Wright and 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 January 25, 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 Polete with a second by Brown to approve the agenda as presented. 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) **First Quarter Accountability Report from Chamber Executive Director.**
- 3) **City Marshal report - January.**
- 4) **Municipal Court docket – January.**
- 5) **Municipal Court statistics – January.**
- 6) **Building Inspector report – January.**

H. OLD BUSINESS

- 1) None

I. NEW BUSINESS

- 1) **Ordinance authorizing the mayor to execute a release agreement between City and Central Refrigerated Service Inc. relative to damages to city property.** 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. Ordinance read. A motion was made by Brown with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-12 duly adopted.**
- 2) **Ordinance adopting Policy Number 10-01 entitled "Rural Fire Protection Service Policy".** 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.

Ordinance read. A motion was made by Brown with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-13 duly adopted.**

3) **Ordinance authorizing the Mayor to execute a contract between City and Levart's Sawmill and Logging.** A motion was made by Merriman 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. Ordinance read. A motion was made by Brown with a second by Thomas to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-14 duly adopted.**

4) **Ordinance authorizing the Mayor to execute a contract between City and Utility Equipment Leasing Corp. relative to a two month lease for electric digger truck.** A motion was made by Merriman 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. 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 2010-15 duly adopted.**

5) **Ordinance amending Personnel Rules and Regs relative to rehire former employees.** A motion was made by Brown 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. Ordinance read. A motion was made by Brown with a second by Merriman to read the ordinance the second time by title only. Motion carried. **Ordinance 2010-16 duly adopted.**

J. ADDITIONAL BUSINESS

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

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

O. ADJOURNMENT. Motion by Brown to adjourn. Motion carried.

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
FEBRUARY 8, 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, and Alderman Thomas, Absent were: 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 January 25, 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.**

Add: One additional work session item: Request to purchase electrical poles for the swimming pool area damaged in the May 8th storm. (Wasson)

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

D. WORK SESSION BUSINESS

1) **Request for additional repairs to CAT crawler. (McDowell)** McDowell explained the CAT was being repaired as authorized by the council; however, during the process additional problems were discovered to the cost of \$4572.16. McDowell indicated even with the additional repairs the cost would still remain under the budgeted amount of \$28,000. A motion was then made by Merriman with a second by Thomas to approve the additional repairs. Motion carried.

2) **Re-visit the discussion concerning the financial responsibility of the transformer purchase for the new McDonalds. (Mayor Kemp)** Mayor Kemp said he wanted to re-visit the vote from the last meeting regarding the financial responsibility of the McDonald's transformer. Several of the councilman indicated they felt they had made the right decision. A discussion ensued on the pros and cons of the financial responsibility of such large utility items like transformers, water meter bases/connections, etc. A suggestion was made to establish a policy or some type of contract agreement . . . something that would be fair to both commercial and residential customers. Wasson said under former city administrator O'Gara the city would allow a 50/50 purchase. Council agreed to check into setting a policy for future use.

3) **Discussion concerning monthly utility bill information. (Mayor Kemp)** Mayor Kemp distributed an information sheet provided by the utility department explaining why utility bill amounts are not available until the first business day of the month. Kemp and several aldermen had received some complaints from residents who would like to have their billing information in advance.

4) **Update on the Brown Shoe property donation.** Dismuke said he and the mayor have set an advisory committee on the use and/or marketing of the buildings. Appointed to the committee are: Aldermen Thomas, Walts and Polete, plus several from the IDA Commission. Both the Mayor and Dismuke will serve on the committee.

5) **Review of minutes of the Budget, Finance and Personnel Committee from February 2, 2010 covering various items of discussion.** The board began to review the items: Alderman Merriman began by stating the purchase of Kris' Korner had already been discussed, but the issue still remained with the underground storage tanks. Merriman asked if the cost had been

determined. Dismuke stated he was working on that. The next topic: the apartment rental of the old city hall building. Dismuke referred to Clerk Stevens as she had contacted the city insurance company MIRMA for their input. Stevens said MIRMA indicated the only way it could be rented as an apartment would be if it met the BOCA building code. Council felt that would too expensive a venture. Merriman proceeded to ask about the Sargent Construction contract relating to the Brown Shoe building. Dismuke explained the background of the contract. He also said the IDA would be reimbursed the funds when the Brown building was sold. Dismuke then discussed the drainage issues near the Dollar General, old Wal Mart building and Cherokee Trails apartment sites. Engineer Baer felt the detention pond would be the best solution. Dismuke then talked about several issues regarding Gabe Swinford property. Swinford would like to purchase the now vacant 319 Anthony lot but the city has demolition charges attached to the property. Swinford would like the council to consider reducing those charges. After some discussion, it was suggested Swinford negotiate directly with property owner for reduced demolition fee. The other Swinford issue related to piping an area behind several lots on East Marvin where Swinford is building new homes. Engineer Baer distributed a map indicating the area in question. After a brief discussion a motion was made by Merriman with a second by Thomas to approve the suggestion to proceed with piping the area. Motion carried.

6) **Review of ordinance for changes to the Personnel Rules & Reg Manual regarding employee rehiring.** Moore reviewed the changes initially noting some area that he forgot to correct. A motion was made by Merriman with a second by Brown to table further discussion until Moore brought back a corrected ordinance. Motion carried. Moore then said after further reading he discovered the ordinance had the correct wording. A motion was then made by Brown with a second by Merriman to take the ordinance to full council for approval. Motion carried.

7) **Request to purchase electrical poles for the swimming pool area damaged in the May 8th storm. (Wasson)** Council referred to the sheet distributed by Wasson covering the cost of damaged poles at the Memorial Park pool. Wasson explained only two of the poles would have to be completed replaced due to the storm; however, the remaining four poles did not work as well. Replacement parts were unavailable due to the age of the equipment. Alderman Brown asked if the project was bid. Wasson stated only Cape Electric provided a bid. He could not find any others who would consider bidding the project. A motion was then made by Merriman with a second by Polete to approve the purchase. Motion carried.

E. **CLOSED SESSION** (As authorized by RSMo Section 610.021). Motion was made by Brown with a second by Merriman 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) Litigation matter – Discussion only, no voting actions necessary.

Motion was made by Polete with a second by Brown 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