

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI ON TUESDAY, JULY 24, 2018.**

The Board of Aldermen of the City of Mount Vernon, Missouri met in a regularly scheduled meeting, at the regular place of meeting, City Hall, on Tuesday, July 24, 2018 at 7:00 p.m. The meeting was called to order by Mayor David W. Eden with the following roll call recorded: J.N. Greene, Jason Haymes, Lowell Phillips, Sherie Thrasher, Steve Fairchild, Sandy Martin and Sue Lee. The following city personnel were also in attendance: City Administrator Max Springer, Counselor William Petrus, Jr., Treasurer Shari Weldy, Director of Public Works Joe Kelley, Code Enforcement Officer Bruce Conway, Chief of Police David Hubert and City Clerk Shannon Neely.

Guests registering their attendance are listed on the sign-in sheet attached to and made a part of the minutes.

Approval of Agenda.

Mayor Eden presented the agenda to the Board for approval. Alderman Phillips made a motion, seconded by Alderwoman Martin to approve the agenda with the following addition:

- Director of Public Works Report – Add: Public Works vacancy

With all present members voting in favor, Mayor Eden declared the motion approved.

Presentation of Minutes.

Mayor Eden presented the minutes to the Board for approval. Alderman Phillips made a motion, seconded by Alderwoman Lee to approve the minutes as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

Mayor Appointment – Ward One Alderman

Mayor Eden recommended appointment of Deanna McElveen to fill vacancy in Ward One until the next general election on April 2, 2019. Discussion was held. Alderman Phillips made a motion, seconded by Alderman Fairchild to appoint Deanna McElveen as Alderman for Ward One until April 2, 2019 general election. With all present members voting in favor, Mayor Eden declared the motion approved.

Citizen Input.

Mayor Eden announced this portion of the meeting is set aside to receive input from those in attendance and requested if anyone wished to address the Board.

- Mount Vernon Community Friends of Feral. Cheryl Wilson and Marsha Starks reported the feral cat group has become “Facebook” official with a site called “Mount Vernon Community Friends of Ferals” which has information regarding donations, relocations and spay/neuter programs. Ms. Wilson also reported the group was utilizing traps in different locations. Alderman Haymes suggested the group put identification on the traps for the community to identify. Discussion was held.

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Nuisance Abatement Hearings.

Mayor Eden announced the opening of Nuisance Abatement hearings at 7:10 p.m. for Case Number N2018-01 and N2018-02.

**CASE NUMBER N2018-01**

**Public Nuisance – A hearing to determine if a public nuisance exists at 616 King Street.**

Petrus discussed City Code §220.010, Nuisances Affecting Health, violation per City Code §220.010(A), presented staff reports, timeframe of violations, photos and testimony. Petrus reviewed evidence which consisted of the following items:

- Notice to Mary Sheldon of Public Hearing
- All of City Code §220.010
- #01-01 photograph of location
- #01-02 photograph of items in yard
- #01-03 photograph of item in yard
- #01-04 photograph of items in yard
- #01-05 photograph of items in yard
- #01-06 photograph of items in yard next to house
- #01-07 photograph of vehicle in driveway
- #01-08 photograph of items next to front door
- #01-09 photograph of items in front of garage door
- #01-10 photograph of items next to house
- #01-11 photograph of items in front of house

Petrus reported a Notice of Alleged Nuisance was sent to Ms. Sheldon on July 12, 2018 by Chief Hubert noting that violations included accumulations, wherever they may occur, of yard waste, manure, rubbish, garbage, refuse and human and industrial, noxious or offense waste, except the normal storage of manure for agricultural purposes and all other acts, practices, conduct, business, occupation callings, trades, uses of property and all other things detrimental or certain to be detrimental to the health and inhabitants of the City of Mount Vernon. Petrus called for witness Edwin Evatt in which he was sworn in by City Clerk Neely. Petrus questioned if Mr. Evatt took the pictures on July 19, 2018 which were submitted for evidence. Mr. Evatt responded yes. Mr. Petrus questioned if Mr. Evatt has returned to the location since this date. Mr. Evatt stated he had visited the location earlier in the day on Tuesday, July 24, 2018 and although there are still items in front of the house, it was not as much as from the previous visit.

Mr. Petrus requested if Ms. Sheldon had any questions or concerns regarding the hearing. Ms. Sheldon stated she did not have any questions but requested if she could speak regarding the complaints. Ms. Sheldon noted health, summer-heat, vehicle accident, vehicle repairs, air conditioning repairs and death of pets caused a set-back in the process of cleaning the property and asked for patience from the city as she continues to work on cleaning up the yard. Mayor Eden asked Ms. Sheldon how the city could help her. Ms. Sheldon responded that she appreciated the offer but she would continue with cleanup on her own.

Petrus called Max Springer, City Administrator to the stand. City Clerk Neely swore Mr. Springer in. Petrus questioned if Mr. Springer is aware of the situation at 616 King Street and if he has received any complaints of the location. Mr. Springer replied yes to both questions.

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Ms. Sheldon requested to address the Board at this point. Ms. Sheldon noted she is trying to fix the problem and is appalled and embarrassed that it has reached this point.

Mayor Eden requested any other discussion or comments from those in attendance or the Board of Aldermen. None brought forth. Mr. Petrus noted he would present a Findings of Facts and Conclusions of Law, and Order at the August 14, 2018 Board meeting.

**CASE NUMBER N2018-02**

**Public Nuisance – A hearing to determine if a public nuisance exists at 905 Fillmore Street.**

Petrus discussed City Code §220.010 Nuisances Affecting Health, violation of City Code §220.075, presented staff reports, timeframe of violations, photos and testimony. Petrus reviewed evidence which consisted of the following items:

- Notice to Paul Severson of Public Hearing
- City Code §220.010
- City Code §220.075 Storage of Motor Vehicles
- #02-01 photograph of tarped vehicle
- #02-02 photograph of red Ford truck with camper
- #02-03 photograph of red Ford truck with camper
- #02-04 photograph of red/gray Ford truck
- #02-05 photograph of small dark vehicle next to fence
- #02-06 photograph of small dark vehicle next to fence
- #02-07 photograph of tailgate of blue Dodge and rear of white Chevrolet truck
- #02-08 photograph of tailgate of blue Dodge and rear of white Chevrolet truck
- #02-09 photograph of rear of white Chevrolet truck
- #02-10 photograph of items next to garage door front of house
- #02-11 photograph of windows next to fence
- #02-12 photograph of tarped item next to fence
- #02-13 two (2) televisions on wooden racks.

Petrus reported a Notice of Alleged Nuisance was sent to Mr. Paul Severson on July 12, 2018 by Chief David Hubert noting violations which include all vehicles or parts thereof, self-powered or non-self-powered, found upon any lot within the City limits in a dismantled, dilapidated, wrecked, abandoned or non-operative condition shall be considered a derelict vehicle thereby making it a public nuisance, detrimental to the health and safety of the public. Petrus called for witness Edwin Evatt. Petrus questioned if Mr. Evatt took the pictures on July 19, 2018 which were submitted for evidence. Mr. Evatt responded yes. Mr. Petrus questioned if Mr. Evatt has returned to the location since this date. Mr. Evatt stated he had visited the location earlier in the day on Tuesday, July 24, 2018 and although there were still items in front of the house, it was not as much as from the previous visit.

Petrus called for Paul Severson to testify. Neely swore Mr. Severson in. Petrus reviewed the evidence pictures with Mr. Severson who identified each vehicle and what work was required to get the vehicles operable. Petrus questioned Mr. Severson on items in the yard, driveway and in front of the house. Mr. Severson noted most of the items had been removed or was in the process of moving.

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Mayor Eden requested any other discussion or comments from those in attendance or the Board of Aldermen. None brought forth. Mr. Petrus noted he would present a Findings of Facts and Conclusions of Law, and Order at the August 14, 2018 Board meeting. With no further evidence or witnesses, Mayor Eden announced the end of Abatement Hearings at 7:49 p.m.

Department Reports.

City Administrator.

Springer held discussion on the following items:

- Problems on the Square. Springer reported he has received complaints of drivers passing other vehicles on the square. After much discussion, Mayor Eden declared it was the consensus of the Board to stripe the square for one-way traffic and paint directional signs onto the pavement.
- RFQ Commercial Real Estate Broker. Springer presented bid tab for a Request for Qualification (RFQ) to the Board for commercial real estate broker services. Discussion was held. Alderman Greene made a motion, seconded by Alderwoman Martin to accept proposal submitted by Clemons Real Estate for listing of 600 N. Main Street for six (6) months. With all present members voting in favor, Mayor Eden declared the motion approved.
- Enhanced Enterprise Zone Board. Springer requested the Board re-appoint Paul Brockman and Bob Walster to serve on the Enhanced Enterprise Zone Board. Alderman Fairchild made a motion, seconded by Alderman Phillips to approve appointments of Paul Brockman and Bob Walster to the Enhanced Enterprise Zone Board for a term of five (5) years.

Treasurer.

Weldy held discussion on the following items:

- Bills Paid. Weldy presented the bills paid report and requested any discussion. None brought forth.
- Bills Over \$5,000.00. Weldy presented bills over \$5,000.00 and requested permission to pay. Alderwoman Lee made a motion, seconded by Alderman Fairchild approving request. With all present members voting in favor, Mayor Eden declared the motion approved.
- June Treasurer Report. Weldy presented the June Treasurer Report to the Board for approval. Alderwoman Lee made a motion, seconded by Alderman Fairchild approving June Treasurer Report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Six-month Financial Report. Weldy reported the six-month financial report is scheduled to be published in the Wednesday, August 1, 2018 edition of the Lawrence County Record as required by City Code §110.100. Discussion was held.
- Investments. Weldy presented a bid tab for investments of matured certificate of deposits and recommended the Board approve the following be invested in the CDARS program with Old Missouri Bank for eighteen (18) months at 1.63% interest:

Special Sales Tax (Edward Jones)	\$210,516.52
<u>Add city funds</u>	<u>\$438.48</u>
<b>Total</b>	<b>\$211,000.00</b>

Water (Edward Jones)	\$210,516.52
City funds	\$829.49
<b>Total</b>	<b>\$214,000.00</b>

Alderman Greene made a motion, seconded by Alderwoman Lee to proceed with investments with Old Missouri Bank for eighteen (18) months with an interest rate of 1.63%. With all present members voting in favor, Mayor Eden declared the motion approved.

Director of Public Works.

Kelley held discussion on the following items:

- Electric Groundsman Vacancy. Kelley recommended the Board hire Steve Evatt to fill Groundsman vacancy in the Electric Department. Alderwoman Lee made a motion, seconded by Alderman Phillips to transfer Steve Evatt from Street Department to the Electric Department to fill Groundsman vacancy with hourly wages to remain the same. With all present members voting in favor, Mayor Eden declared the motion approved.
- Other Items of Discussion. Kelley held discussion on activity at the Spirit of 76 Park, which included sealing and striping of the tennis courts, adding sidewalk and a wheelchair viewing area of the courts. Discussion was held.

Code Enforcement.

Conway held discussion on the following item:

- Signage. Conway reported he was directed at the last council meeting to solicit costs for signage at apartment buildings warning that it is against the law to abandon, dump or poison cats. Conway noted the following costs solicited:

8" x 24" sign	\$50.00 (bigger sign for \$75.00)
Post/installation	\$75.00
Total cost	\$120.00

Conway also noted he has been in contact with the manager of the Fillmore Apartments and was advised by her that she did not want signs located on private property owned by the apartment company. Discussion was held. Mayor Eden requested Conway retain the signage information for future discussion.

Police.

Hubert held discussion on the following items:

- Drive Sober Safety Grant. Hubert reported the department would participate in a Drive Sober safety grant sponsored by the Missouri Highway and Transportation Department. Hubert noted the grant amount is for \$800.00. Hubert reported the campaign would run from August 17, 2018 to September 3, 2018.
- National Night Out. Hubert reported the Nation Night Out event is scheduled for Tuesday, August 7, 2018, from 4:00 p.m. until 7:00 p.m. at the Spirit of 76 Park.

New Business.

Mayor Eden requested any new business to be brought to the floor for discussion. None brought forth.

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Old Business.

Mayor Eden requested any old business to be brought to the floor for discussion.

- Petrus reported he has been in contact with an attorney in Kansas City regarding the 155 West Patterson building burnout, but have received no additional information.
- Alderman Phillips requested status of 109 North Hickory Street building. Springer noted he has been in contact with architect at Esterly & Schneider and Associates and estimates remain same as original estimate but not to exceed original amount budgeted. Discussion was held.
- Alderman Fairchild requested what is the next step for the two abatement hearings. Mr. Petrus noted he would present a Findings of Facts and Conclusions of Law, and Order at the August 14, 2018 Board meeting for the Board to consider. Discussion was held.

Adjournment.

Mayor Eden announced there being no further business listed on the agenda to come before the Board, the meeting is adjourned. Meeting adjourned at 8:19 p.m.

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David W. Eden, Mayor

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Date

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Shannon K. Neely, City Clerk

\_\_\_\_\_  
Date