

Minutes Approved August 28, 2012

MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI HELD ON TUESDAY, AUGUST 14, 2012.

The Board of Aldermen of the City of Mount Vernon, Missouri met in the regular place of meeting, City Hall, on Tuesday, August 14, 2012 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, Craig Nelson, John Hull, Lowell Phillips, Edward Kimbler, Gary Albers, Barbara Rubison. Absent: Carol Millsap. The following city personnel were also in attendance: City Administrator Max Springer, City Attorney William Petrus, Jr., Director of Public Works Gene Stanton, Treasurer Shari Weldy, Chief of Police Garry Earnest, Code Enforcement Officer Bruce Conway, Chairman of Planning and Zoning Commission Luis Woody, Fireman Rick Richardson and City Clerk Shannon Neely.

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

Agenda.

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

- Item No. XIV. Remove Section 610.021(1) litigation and Section 610.021(3) Personnel Issues.

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

Minutes.

Minutes from the meeting held on Tuesday, July 24, 2012 meeting were presented to the Board for approval. Alderman Greene made a motion, seconded by Alderman Phillips to approve the minutes as presented. With all present members voting in favor, Mayor Eden declared the motion approved.

Citizen Participation.

Mayor Eden reported this portion of the meeting is set aside for participation from the public and requested any discussion to be brought to the floor. None brought forth.

Ordinances.

Bill No. 2012-08 re: An ordinance annexing portions of the right of way of State Highway 39 north of Mount Vernon into the city limits of the City of Mount Vernon was read twice, by title only, with the following roll call vote recorded:

First Reading:

AYES: Greene, Nelson, Hull, Phillips, Kimbler, Albers, Rubison

NOES: None

ABSTAIN: None

ABSENT: Millsap

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Second Reading:

AYES: Greene, Nelson, Hull, Phillips, Kimbler, Albers, Rubison

NOES: None

ABSTAIN: None

ABSENT: Millsap

Bill No. 2012-08 was declared passed and sent to the Mayor for signature. Bill No. 2012-08 thus became Ordinance No. 1.259.

Bill No. 2012-09 re: An ordinance annexing portions of the right of way State highway 39 south and east of Mount Vernon into the city limits of the City of Mount Vernon was read twice, by title only, with the following roll call vote recorded:

First Reading:

AYES: Greene, Nelson, Hull, Phillips, Kimbler, Albers, Rubison

NOES: None

ABSTAIN: None

ABSENT: Millsap

Second Reading:

AYES: Greene, Nelson, Hull, Phillips, Kimbler, Albers, Rubison

NOES: None

ABSTAIN: None

ABSENT: Millsap

Bill No. 2012-09 was declared passed and sent to the Mayor for signature. Bill No. 2012-09 thus became Ordinance No. 1.260.

Bill No. 2012-10 re: An ordinance imposing a city use tax in Mount Vernon, Missouri and providing for such ordinance to be submitted to the qualified voters of the city was read twice, by title only, with the following roll call vote recorded:

First Reading:

AYES: Greene, Nelson, Hull, Phillips, Albers, Rubison

NOES: Kimbler

ABSTAIN: None

ABSENT: Millsap

Second Reading:

AYES: Greene, Nelson, Hull, Phillips, Albers, Rubison

NOES: Kimbler

ABSTAIN: None

ABSENT: Millsap

Bill No. 2012-10 was declared passed and sent to the Mayor for signature. Bill No. 2012-10 thus became Ordinance No. 5.162.

Department Reports.

City Administrator.

Springer held discussion on the following items:

- Sales Tax. Reported the sales tax revenue showed an increase of 18.268% over the previous month.
- Airport Hangar. Reported the bottom rail to the door on Hangar #4 has rotted out, causing the door to drop on occupant's plane resulting in some damage. Springer presented an estimate of repair from M & R Door Installation of Eldorado Springs, Missouri for \$9,088.22, which includes the price of a custom-made door, lift system with safety equipment, installation and wiring. Alderman Greene made a motion, seconded by Alderman Kimbler to proceed with replacement of door with M & R Door Installation. With all present members voting in favor, Mayor Eden declared the motion approved.
- Lease. Presented a letter of request from the Church on the Loop for an extension to their lease, allowing them to remain until April 30, 2013. Springer noted their current lease had been previously been extended by the council and would expire on January 31, 2013. Alderman Greene made a motion, seconded by Alderman Hull to extend current lease from January 30, 2013 until April 30, 2013 with rental set at \$500.00 per month. With all present members voting in favor, Mayor Eden declared the motion approved.
- Use Tax. Presented a letter of response from Governor Jeremiah W. Nixon in response to City of Mount Vernon Resolution Number (R)2012-016 regarding House Bill 1329.
- Millsap and Ben Franklin Buildings. Presented a report from SDA Architects evaluating the Millsap and Ben Franklin buildings on the city square. Springer noted this evaluation was at no cost to the city.
- FERC Intervention. Received invoices from the City of Monett for consultation work for both the EDE Transmission Formula Rate Case and the review of the 2012 Generation Formula Rate. Springer noted the costs would be split between the City of Monett, Mount Vernon, Lockwood and Chetopa, Kansas, with our proportionate share of the invoice being \$5,397.07.
- Meeting with Congressman Long. Meeting scheduled with Congressman Long on September 24, 2012 to discuss his proposed relocation of the Veteran's Clinic and other issues that may affect the city.
- Change Order #2 and #3. Presented a request for approval of Change Order Number 2 and 3, from HDR Engineering for the wastewater conveyance system rehabilitation. Springer noted change order number 2 was for a decrease in the contract amount for \$1,988.60 and change order number 3 was an increase in contract amount for \$36.40. Alderman Greene made a motion, seconded by Alderman Kimbler authorizing the Mayor to sign change orders as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Primary Open House. Reported a "meet and greet" was scheduled for Saturday, August 18, 2012 from 2:30 p.m. to 3:30 p.m. for primary winners to meet with the public at The MARC. Springer noted this would include winners from the state government level.
- FYI. Springer would be in Chicago, Illinois from August 23 thru August 27, to do missionary work. Springer noted he would still be available should anyone need to contact him by telephone.

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Treasurer.

Weldy held discussion on the following items:

- Bills. Presented the Bills Paid report and requested any discussion. None brought forth.
- July Treasurer Report. Presented the July report and requested any discussion. Alderman Greene made a motion, seconded by Alderman Phillips to approve the report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- SRF Request. Presented a request for payment to Insituform Technologies USA for \$279,111.78 from the SRF Reimbursement fund. Alderman Greene made a motion, seconded by Alderwoman Rubison authorizing the Mayor to sign request and authorizing payment of. With all present members voting in favor, Mayor Eden declared the motion approved.

Public Works.

Stanton held discussion on the following items:

- Codification Text Change. Presented proposed text change to city code Section 705.010 regarding 60 amp residential services. Discussion was held.

Planning and Zoning.

Woody held discussion on the following items:

- Comprehensive Plan. Reported the commission met on Tuesday, August 7, 2012 and continued reviewing the Comprehensive Plan.

Code Enforcement.

Conway held discussion on the following items:

- Permit Report. Presented the report and requested any discussion. None brought forth.
- Re-zone Request. Reported Ken Hamilton Construction had begun the process to have 34 acres in the Meadowview subdivision rezoned so he could build multi-family units, but residents in the area complained to the company, which then withdrew the request to rezone.

Police.

Earnest held discussion on the following items:

- Statistic Report. Presented the statistic report for July.
- National Night Out. Reported the event was held on Tuesday, August 7, 2012, with approximately 200 people attending for free hot dogs, drinks and swim at the pool.
- Annexation. Reported he was researching if the annexation of Highway 39 South includes the over-pass.
- D.A.R.E. Reported Detective Jason lacey had received the D.A.R. E. Officer of the year by the Missouri D.A.R.E. Association.
- Vacancy. Reported the department had completed interviews for vacancy and recommended Josh Sanker to fill the position. Alderman Hull made a motion, seconded by Alderman Kimbler to accept recommendation for hire. With all present members voting in favor, Mayor Eden declared the motion approved.

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Fire.

Richardson held discussion on the following items:

- Equipment/Vehicle Maintenance. Reported maintenance had been performed on all vehicles and equipment.
- Calls. Reported the department had received one call at 810 Oak Lane for a report of gas odor.
- Inspection. Conducted a facility inspection at the Lawrence County Manor on August 10, 2012.
- Boot Drive. Reported the first Saturday of the annual Boot Drive was held on August 11, 2012.
- Mutual Aid. Reported the department received a call for mutual aide in Republic, Missouri. Richardson thanked Summer Fresh Grocery Store for donating cases of bottled water.

Committee Reports.

Airport. Alderman Greene reported the committee has not met.

Finance. With the absence of Alderwoman Millsap, Alderman Greene reported the budget scheduled has been posted, with the first meeting scheduled for Monday, August 20, 2012 at 10:00 a.m.

Parks. Alderman Hull reported the committee has not met but would be scheduling a meeting for the committee to meet.

Personnel. Alderman Albers requested a meeting scheduled for Thursday, August 16, 2012 at 1:00 p.m.

Public Works/Streets. Alderman Phillips reported the committee has not met.

The MARC/Community Center. With the absence of Alderwoman Millsap, no report was submitted.

New Business.

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

Alderman Phillips reported he had received a request from Lieutenant Grant Wheeler, with the Lawrence County Sheriff Department for use of the Airport parking lot for DWI enforcement on Friday, August 17, 19, 2012 during Ernte Fest. Consensus of the Board was to allow use.

Springer requested to add Section 610.021(3) Personnel Issues to the Closed Session so the Board could discuss a personnel issue.

Old Business.

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

Closed Session.

Alderman Albers made a motion, seconded by Alderman Phillips to close a portion of the meeting, pursuant to RSMo, Section 610.021(2) Real Estate Issues and Section 610.021(3) Personnel Issues. The following roll call vote was recorded:

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AYES: Greene, Nelson, Hull, Phillips, Kimbler, Albers, Rubison

NOES: None

ABSTAIN: None

ABSENT: Millsap

With all present members voting in favor, Mayor Eden declared the motion approved. Meeting adjourned to closed session at 8:20 p.m.

Reconvene.

Meeting reconvened from Closed Session at 8:30 p.m. Mayor Eden requested any other discussion. None brought forth.

Adjourn.

Alderman Kimbler made a motion, seconded by Alderman Greene to adjourn meeting. With all present members voting in favor, Mayor Eden declared the motion approved. Meeting adjourned at 8:30 p.m.

David W. Eden, Mayor

Date

Shannon Neely, City Clerk

Date