

**Regular Board Meeting Minutes – August 14, 2006 – 7:00 pm.**

Present: Mayor James A. Watson, Eastward Aldermen – Russ Chittum and John Dennis, Westward Alderman – L.C. Turner, City Clerk/Economic Development Director – Cindy Bowman, Superintendent of Utilities – Butch Pantaleo, Police Chief John Quinley

Absent: Westward Alderman Kenny Hoffman

Guests: Heidi Dimmitt, Genelee Beckley, Stephen VanHouten, Pam Mettes, Dennis Fessler – MoDOT, Brian Haeffner – MoDOT, Dennis Stith – SKW, Staci McClelland, Bill Hall, Kathy Chinn, Nelda Stine

Mayor Watson called the meeting to order at 7:00 pm.

Alderman Chittum moved to approve the minutes from the July 10, 2006 regular meeting as corrected and the July 24, 2006 special board meeting. Alderman Dennis seconded the motion. Aldermen Dennis and Chittum voted aye. Alderman Turner voted nay. Motion carried.

Alderman Chittum moved to approve the agenda. Alderman Dennis seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Alderman Turner moved to pay the bills excluding the bill for D&B and Gerald Perrin. Alderman Dennis seconded the motion. Aldermen Dennis and Turner voted aye. Alderman Chittum voted nay. Motion carried.

Alderman Turner moved to pay the D&B bill. Alderman Dennis seconded the motion. Aldermen Dennis and Turner voted aye. Alderman Chittum abstained. Motion carried.

City Clerk Bowman gave the following treasurer's report:

Balance Brought Forward: \$712,030.16  
Deposits: \$82,751.22  
Checks: \$85,738.09  
Ending Balance: \$709,043.29

Alderman Chittum moved to accept the treasurer's report. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Pam Mettes asked for clarification on who was to pay for what on the installation of her water service. City Superintendent Pantaleo pointed out that the Code Book states that the City "shall charge a fee at least equal to the cost ... for said connection ..., but said fee shall in no event be less than one hundred fifty dollars." Pam would be responsible for the installation from the meter to the house.

Genelee Beckley asked the Board if any sewer work would be done on Highway 151 near her home. The Board stated that no work was to be done in her area at this time. Mrs. Beckley also inquired into the possibility of the demolition of certain homes. It was stated that there are no plans for such at this time.

Alderman Turner moved to set the new tax rates at the highest level that the state will allow us to set them at, due to not having the paperwork from the state yet. Alderman Chittum seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Brian Haeffner, MoDOT Project Engineer, presented the Missouri Highways and Transportation Commission Cost participation Agreement, Road Relinquishment Agreement and Voluntary Annexation Petition for the US 36 expansion and interchange

projects. Alderman Chittum moved to approve the agreements as presented. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1125, an ordinance authorizing the Mayor and City Clerk to sign and execute the cost participation agreement, road relinquishment agreement and the voluntary annexation petition, was read by title. Alderman Chittum moved to approve the first reading of Bill No. 1125. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1125, an ordinance amending authorizing the Mayor and City Clerk to sign and execute the cost participation agreement, road relinquishment agreement and the voluntary annexation petition, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1125. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried. Bill No. 1125 was assigned Ordinance No. 482.

Dennis Stith presented cost estimates for the sewer project with his recommendations for repair or replacement. Dennis's estimate for the project was \$873,515.00. Dennis also estimated the costs for the utility relocations for the 36 expansion project at approximately \$280,000.00. The next step would be to finish the narrative and send the preliminary engineering report to Robin Fitzgerald with Mark Twain Regional Council of Governments to proceed with the CDBG grant application.

Dennis also commented on the possibility of providing sanitary sewer service on Vine Street east of Hwy 151. Street elevations are a concern in the area.

City Clerk Bowman stated that she had investigated the balance of the monies from the sale of the old City Lake and determined the balance to be \$47,473.22. City Clerk Bowman suggested that this money be moved from the Water Fund to either a separate fund or as a division of the General Fund. Alderman Chittum moved to transfer both the balance to a separate cash account and all income and expenses associated with the lake to the General Fund from the Water Fund. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Alderman Turner inquired regarding the balance of the POST monies. City Clerk Bowman stated that she had discussed this with the auditor and that he recommended that balance be calculated from July 1999 where the computer records begin. City Clerk Bowman calculated the balance to be \$4,131.66. Alderman Chittum moved to transfer this money from the General Fund Operating Cash account to a separate cash account. Alderman Dennis seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1127, an ordinance amending the tall grass and weed ordinance, was not available from City Attorney McConnell, so it was moved to the September agenda. Discussion was held regarding the procedures enforcing the current ordinance. Alderman Chittum directed Police Chief Quinley to begin handling the whole procedure from writing the warning notice to calling James McCormick to abate the nuisances.

Under new business, Stephen VanHouten addressed the Board regarding the policies and procedures of the hiring of the new utility employee. City Clerk Bowman stated the City Attorney McConnell had expressed that in his opinion, the City Code had been followed. City Clerk Bowman then read the following excerpt from the Code Book. *"Hiring will be done by the Mayor and the Board of Aldermen. However, the Mayor may designate certain persons to be responsible for the hiring of certain departments. All employees in a supervisory position must be hired with the consent of the Board of Aldermen."* Alderman Chittum moved to answer Mr. VanHouten's concerns that it was the opinion of the City Attorney that the Board had followed the

Code Book when hiring Gerald Perrin. Alderman Dennis seconded the motion. Aldermen Dennis and Chittum voted aye. Alderman Turner voted nay. Motion carried.

Mr. VanHouten then questioned the wages set for Mr. Perrin. Alderman Dennis stated that it had been the consensus of the Board that Mr. Perrin begin at the same wage as Willie Hendricks had been hired at. This item had been discussed during the process for passing the 2006-07 budget. Mr. VanHouten stated that he still did not believe the Board had followed proper procedures in hiring.

Alderman Chittum moved to approve paying Gerald Perrin at the starting wage of \$8.00. Alderman Dennis seconded the motion. Aldermen Dennis and Chittum voted aye. Alderman Turner voted nay. Motion carried.

The next item on the agenda was the lawsuit by the City of Shelbina regarding the TIF. City Attorney McConnell had sent a letter and response to the lawsuit. Attorney McConnell stated that should the City choose to take a different position than the County, there would be an appearance of a conflict of interest form himself. Alderman Dennis moved to authorize the Mayor to sign Answer to Plaintiff's Second Amended Position. Alderman Chittum seconded the motion. Aldermen Dennis and Chittum voted aye. Alderman Turner voted nay. Motion carried.

Bill No. 1126, an ordinance to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials, was read by title. Alderman Chittum moved to approve the first reading of Bill No. 1126. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1126, an ordinance to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1126. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried. Bill No. 1126 was assigned Ordinance No. 483.

City Superintendent Pantaleo's report was reviewed. Mayor Watson requested trees be trimmed on Beech Street before school starts. Alderman Dennis stated that other streets needed tree trimming also. It was decided to hire John Aldridge to trim trees.

City Superintendent Pantaleo was questioned regarding the repairs to the John Deere tractor. It was decided that a more accurate log should be kept on all maintenance on all the equipment should be kept. Alderman Turner stated that there was a State Bid for a 5130 tractor and that Sydenstricker Farm & Lawn had given a quote of \$12,131.87 less \$2,000.00 trade-in value for the current tractor. Should the City accept the quote, there would be no charge for lease tractor and hauling. Alderman Turner moved to purchase the 5130 John Deere tractor on the state bid from Sydenstricker Farm & Lawn providing the price was verified for \$10,131.87 with no additional charges for the rental tractor and the work done on the current tractor. Alderman Chittum seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Police Chief Quinley presented his report.

City Clerk / Economic Development Director Bowman was questioned regarding the purchasing of the properties for the Premium Ag project. She stated that City Attorney McConnell was proceeding with obtaining the title insurance.

Emergency Management Director Stine reported that Police Chief Quinley, Mayor Watson and Alderman Turner, along with herself, would be attending a class on Agri-Terrorism in Shelbina on August 15, 2006.

Fire Chief Hall reported that the strobe lights had been purchased and installed. He stated that one of the lights on the new fire truck needed to be replaced as it was damaged when a tree limb caught it. Emergency Management Director Stine and Chief Hall are working so set up a Hazardous Awareness class in January.

Under miscellaneous business, two letters from Earl Walker were discussed. It was decided to send a letter to Wayne Knapp regarding the issue with skirting on the new double-wide. The Board also requested a response by the September 11 meeting.

Police Chief Quinley was directed to handle the issue with Russell Bode regarding the incomplete permit.

Alderman Chittum moved to adjourn the meeting. Alderman Dennis seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

The meeting adjourned at 9:50 pm.

Respectfully submitted,

Cindy Bowman  
City Clerk

*Approved 9/11/06*