

Regular Board Meeting Minutes – September 11, 2006 – 7:00 pm.

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

Guests: Dennis Stith – SKW, Staci McClelland, Bill Hall, Nelda Stine, Shawn Dandoy, Fred Leslie, Jerry Boling and Lyn Heying – MECO Engineering

Mayor Watson asked for a moment's silence in remembrance of 911 tragedy.

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

Alderman Chittum moved to approve the minutes from the August 14, 2006 regular meeting and the August 14, 2006 Tax Rate Hearing. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

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

Alderman Turner moved to pay the bills excluding the bill for D&B. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis and Turner voted aye. No nay votes. Alderman Chittum abstained. Motion carried.

Alderman Turner moved to pay the D&B bill. Alderman Dennis seconded the motion. Aldermen Hoffman, Dennis and Turner voted aye. No nay votes. Alderman Chittum abstained. Motion carried.

City Clerk Bowman gave the following treasurer's report:

Balance Brought Forward: \$709,043.29

Deposits: \$63,692.92

Checks: \$59,998.86

A transfer from a Reserve Account to Operating Funds: \$80,075.00

Ending Balance: \$796,812.35

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

Fred Leslie addressed the Board concerning his water and sewer bill. Mr. Leslie stated that since there apparently was a problem with the sewer at his residence, he should not be billed for sewer since he was apparently not using the service. It was decided the Police Chief Quinley should issue a nuisance violation to the owner of the property addressing the correction of the problems with the sewer service connection.

Dennis Stith stated that the preliminary engineering report was complete and that he would be meeting the Robin Fitzgerald with Mark Twain Regional Council of Governments, City Superintendent Pantaleo and City Clerk Bowman to proceed with the CDBG grant application.

Dennis also stated that the report on the sewer main relocations had been submitted to MoDOT for approval.

Lyn Heying, MECO Engineering, reported on the progress of the sidewalk project. Discussion was held regarding whether the sidewalk along Hwy 151 should be on the east or west side. Mr. Heying discussed the reasons that switching to the east side had been considered and stated that he wished to go on record that the Board had been advised of the possible problems with the

water main and the extra costs of removing several large trees on the west side of the street. Alderman Turner moved to replace the sidewalk on the west side of Hwy 151 as originally planned as far as the grant money would allow. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Mr. Heying stated that the plans would be forwarded on to MoDOT for approval shortly. Alderman Dennis moved to approve to solicit bids pending the approval of the plans by MoDOT. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1127, an ordinance amending the tall grass and weed ordinance, was presented by City Attorney McConnell. This version included an additional paragraph concerning penalties for failure to comply. Alderman Turner moved to approve the first reading of Bill No. 1127, including the penalty paragraph. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Bill No. 1127, an ordinance amending the tall grass and weed ordinance, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1127. Alderman Dennis seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried. Bill No. 1127 was assigned Ordinance No. 484.

Alderman Turner then questioned City Attorney McConnell regarding the procedure used to hire the latest utility employee. City Attorney McConnell stated that in his opinion no laws had been broken in the hiring of the latest employee. Alderman Turner also questioned the correctness of the use of the words "an employee" used in the minutes of an executive session rather than the employee's name. City Clerk Bowman stated that the official minutes did include the employee's name. Alderman Turner then expressed his displeasure with the fact that after the Board had voted to accept the bid from Sydenstricker, Alderman Hoffman had asked City Clerk Bowman to make some calls to receive bids from other dealerships. City Clerk Bowman stated that she had felt that this was a way to verify the amount of the state bid for the tractor since only the bid from Sydenstricker had been reviewed. Alderman Chittum also expressed that, if by making a couple of phone calls, the City could have saved money, what harm had been done.

Bill No. 1128, an ordinance to provide that the Board of Aldermen be elected at-large, was read by title. Alderman Turner moved to approve the first reading of Bill No. 1128. Alderman Chittum seconded the motion. Aldermen Turner and Chittum voted aye. Aldermen Hoffman and Dennis voted nay. Mayor Watson voted aye to break the tie. Motion carried.

Bill No. 1128, an ordinance to provide that the Board of Aldermen be elected at-large, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1128. Alderman Turner seconded the motion. Aldermen Turner and Chittum voted aye. Aldermen Hoffman and Dennis voted nay. Mayor Watson voted aye to break the tie. Motion carried. Bill No. 1128 was assigned Ordinance No. 485.

Mayor Watson called for a short break at 7:55 pm. The meeting resumed at 8:04 pm. Alderman Hoffman did not return at this time due to the conflict of interest with the next agenda item.

Bill No. 1129, an ordinance to purchase land from Kenneth Hoffman, was presented. Discussion then followed regarding the removal of an out building from the property. City Clerk Bowman stated that during the negotiations, it had been discussed that since Premium Ag, for whom the property was ultimately being purchased, had no interest in the buildings, Mr. Hoffman could take the building with him. However, this fact had not been stated in the option agreement. Alderman Hoffman was asked to return to the meeting. After discussing the situation with Alderman Hoffman, he offered to reduce the purchase price by \$1,000.00, the amount he had received for the building. Alderman Chittum moved to amend the purchase price in Bill No. 1129 to read twenty-nine thousand (\$29,000.00) dollars. Alderman Turner seconded the motion. Aldermen

Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried. *** (Note: The option to purchase this property had been obtained before Mr. Hoffman was elected to the Board.)*

Bill No. 1129, an ordinance to purchase land from Kenneth Hoffman, was then read by title with the amended purchase price. Alderman Chittum moved to approve the first reading of Bill No. 1129 as amended. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried.

Bill No. 1129, an ordinance to purchase land from Kenneth Hoffman, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1129. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried. Bill No. 1129 was assigned Ordinance No. 486.

Bill No. 1130, an ordinance to purchase land from Judy Irons, was read by title. Alderman Chittum move to approve the first reading of Bill No. 1130. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried.

Bill No. 1130, an ordinance to purchase land from Judy Irons, was read by title a second time. Alderman Turner moved to approve the second reading of Bill No. 1130. Alderman Chittum seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried. Bill No. 1130 was assigned Ordinance No. 487.

Bill No. 1131, an ordinance to purchase land from Norman and Phylis Stevens, was presented. The original option included all of block 17 of John W. Glahn's Forest Park Addition. When the option to purchase was extended, Mr. Steven had stated that he wished to withdraw the portion of land where the house sat with the purchase price remaining the same. The extension of the option to purchase stated the exception of lots six (6) and seven (7). Once the notice to exercise the option to purchase was sent, Mr. Stevens had presented measurements of 235 feet from the center of Sixth Street and 187 feet from the center of Apple Street as the measurements of the parcel that he wished to retain. Since the original option included the entire block, Alderman Dennis moved to table Bill No. 1131 until further negotiations could be made with Mr. Stevens. Alderman Chittum seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried.

Alderman Dennis moved to have Alderman Hoffman speak with Mr. Stevens regarding a solution to the purchase of the land. Alderman Chittum seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried. Alderman Hoffman then left the meeting to meet with Mr. Stevens.

City Superintendent Pantaleo's report was reviewed. The Board questioned Superintendent Pantaleo about the pressure reducing valve for the water tower. It was decided to ask David Waller of Macon County Public Water Supply District No. 1 to attend the October meeting to address questions regarding the valve.

Alderman Hoffman returned to the meeting. After discussion of the negotiations with Norman Stevens, Alderman Chittum moved to approve the first reading of Bill No. 1131, an ordinance to purchase land from Norman and Phylis Stevens, with the exception in Block 17 amended to Lots six (6) and seven (7) only. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried.

Bill No. 1131, an ordinance to purchase land from Norman and Phylis Stevens, was read by title a second time. Alderman Chittum moved to approve the second reading of Bill No. 1131. Alderman Turner seconded the motion. Aldermen Dennis, Turner and Chittum voted aye. Alderman Hoffman abstained due to conflict of interest. No nay votes. Motion carried. Bill No. 1131 was assigned Ordinance No. 488.

Police Chief Quinley presented his report.

Emergency Management Director Stine stated that she was working with the Fire Department to complete the required NIMS certifications.

Fire Chief Hall stated that he had completed the inspection at the school. Alderman Turner questioned Chief Hall regarding the house fire at Hazel Street and Business 36.

Mayor Watson read a letter from Theresa Cross stating that she would be retiring in 2007 with her last day to work being June 1, 2007. Alderman Turner moved to interview candidates for the position at the March 2007 meeting to begin April 1, 2007. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried. City Clerk Bowman was instructed to advertise and begin taking applications in January 2007.

Alderman Turner moved that City Hall employees obtain a copy of the driver's license of applicants for utility services. The motion died for lack of a second.

Mayor Watson reported that the Shelby County Economic Development Interim Board would be meeting September 20th in Shelbyville. Alderman Hoffman moved to appoint Shawn Dandoy as the City's representative to the board. Alderman Chittum seconded the motion. During discussion it was explained that Mayor Watson was willing to continue to represent the City. Alderman Hoffman then withdrew his motion.

Alderman Chittum moved to have Mayor James A. Watson serve as the City's representative on the SCEDIB. Alderman Hoffman seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

Alderman Turner asked if Gerald Perrin had obtained his Missouri Class F drivers license. City Superintendent Pantaleo stated that he had not yet. It was decided the Mr. Perrin should obtain this by the October meeting.

City Clerk Bowman stated that the Cancer Support Group had requested use of the bandstand and park on October 14th for a bake and garage sale. It was decided to give approval for this.

Fire Chief Hall stated that the Firemen's Wives had requested to hold a fried chicken dinner at the Fire Station on September 24th. Alderman Tuner moved to approve this request. Alderman Dennis seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

City Clerk Bowman stated that the October meeting was scheduled for October 9 which is Columbus Day and that City Hall would be closed that day. Alderman Hoffman moved to change the October meeting to October 10th. The motion died for lack of a second. It was decided to leave the meeting as scheduled.

Alderman Hoffman moved to go into closed session pursuant to RSMo 610.021 subsection 3 – Hiring, Firing, Disciplining or Promoting of particular employees by a public governmental body. Alderman Turner seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

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The purpose of the closed session was for the annual salary increases. After much discussion, Alderman Hoffman moved to have individual evaluations in closed session at the October meeting. Alderman Turner seconded the motion. No nay votes. Motion carried.

Alderman Hoffman moved to come out of closed session pursuant to RSMo 610.021 subsection 3 – Hiring, Firing, Disciplining or Promoting of particular employees by a public governmental body. Alderman Dennis seconded the motion. Aldermen Hoffman, Dennis, Turner and Chittum voted aye. No nay votes. Motion carried.

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

The meeting adjourned at 9:40 pm.

Respectfully submitted,

Cindy Bowman
City Clerk

Approved 10/09/06