

MINUTES OF A REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF MOUNT VERNON, MISSOURI ON TUESDAY, APRIL 12, 2016.

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, April 12, 2016 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, Jason Haymes, Lowell Phillips, Edward Kimbler, Kathy Fairchild, Sandy Martin and Sue Lee. The following city personnel was also in attendance: City Administrator Max Springer, Attorney William Petrus, Jr., Treasurer Shari Weldy, Director of Public Works Gene Stanton, Code Enforcement Officer Bruce Conway, Chief of Police David Hubert, Assistant Fire Chief Grant Wheeler 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 Kimbler made a motion, seconded by Alderman Phillips to approve the agenda with the following amendments:

- Move reading of Bill No. 2016-006 to follow reading of Bill No. 2016-008.
- City Administrator Report.
 - Add Request to consider approving an Erosion Control Plan, SWPP & Land Disturbance Permit for 995 Daniel Drive
 - Request from Lawrence County Commissioners regarding Flood Plain Management Services and City of Miller consultant services for code enforcement and inspections.

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

Presentation of Minutes.

Mayor Eden presented the minutes from the March 22, 2016 City Council meeting to the Board for approval. Alderman Kimbler 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.

American Cancer Society – Request to use city square for festival

Courtney Furgerson, representative of the American Cancer Society requested the Board consider exempting vendors from the Temporary Vendor fee for this festival, such as done for Apple Butter Making Days. Ms. Furgerson noted when vendors were informed of the permit fee, most did not want to participate. Mayor Eden reported the Planning and Zoning Commission did discuss creating an umbrella permit for festivals. Discussion was held. Alderman Haymes made a motion, seconded by Alderman Kimbler to waive the fee for Temporary Vendor permit to vendors for this event and vendors must provide proof of sales tax certification for collection of sales tax. With all present members voting in favor, Mayor Eden declared the motion approved.

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Citizen Participation.

Mayor Eden announced this portion of the meeting was used to receive input from the public and requested any. None brought to the floor.

Resolutions.

Bill No. (R)2016-002 re: A resolution repealing the existing tax and securities law compliance procedure and authorizing a tax and disclosure compliance procedure for financial obligations of the City of Mount Vernon was read once, by title only, with the following roll call vote recorded:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. (R)2016-002 was declared passed and sent to the Mayor for signature. Bill No. (R)2016-002 thus became Resolution Number (R)2016-002.

Bill No. (R)2016-003 re: A resolution of the Board of Aldermen of the City of Mount Vernon, Missouri authorizing the Mayor to sign a real estate purchase agreement with Hill Valley Properties, LLC, a Missouri limited liability company, for sale of real property described therein was read once, by title only, with the following roll call vote recorded:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. (R)2016-003 was declared passed and sent to the Mayor for signature. Bill No. (R)2016-003 thus became Resolution Number (R)2016-003.

Ordinances.

Bill No. 2016-007 re: An ordinance authorizing the City of Mount Vernon, Missouri to enter into a lease purchase transaction, the proceeds of which will be used to pay the costs of refunding a series of outstanding certificates of participation of the City and exercising a purchase option under an outstanding equipment lease purchase transaction; and to approve the execution of certain documents in connection therewith was read twice, by title only, with the following roll call votes recorded:

First Reading:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Second Reading:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

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Bill No. 2016-007 was declared passed and sent to the Mayor for signature. Bill No. 2016-007 thus became Ordinance Number 11.84.

Bill No. 2016-008 re: An ordinance declaring the results of the election held in the City of Mount Vernon, Missouri on April 5, 2016 regarding city use tax and proposal to discontinue application and collection of local sales tax on titling of motor vehicles, trailers, boats and outboard motors purchased from a source other than a licensed Missouri dealer was read twice, by title only, with the following roll call vote recorded:

First Reading:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Second Reading:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. 2016-008 was declared passed and sent to the Mayor for signature. Bill No. 2016-008 thus became Ordinance Number 5.174.

Bill No. 2016-006 re: An ordinance declaring the results of the election on April 5, 2016 for Mayor and members of the Board of Aldermen held in the City of Mount Vernon, Missouri was read twice, by title only, with the following roll call vote recorded:

First Reading:

AYES: Greene, Nelson, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: None

ABSTAIN: None

ABSENT: None

Bill No. 2016-006 was declared passed and sent to the Mayor for signature. Bill No. 2016-006 thus became Ordinance Number 5.175.

Adjourn Sine Die.

With all old business conducted, Mayor Eden declared meeting adjourned Sine Die. Meeting adjourned Sine Die at 7:32 p.m.

Oath of Office.

City Clerk Neely conducted the Oath of Office to the following:

- Mayor (two year term).....David W. Eden
- Alderman Ward One (two year term)Craig Nelson
- Alderwoman Ward Two (two year term).....Sue Lee
- Alderwoman Ward Three (two year term).....Kathy Fairchild
- Alderwoman Ward Three (one year term).....Sandy Martin

- Alderman Ward Four (two year term).....Lowell Phillips

Reconvene Meeting.

Mayor Eden called the meeting to order at 7:37 p.m. with the following roll recorded: J.N. Greene, Craig Nelson, Jason Haymes, Lowell Phillips, Edward Kimbler, Kathy Fairchild, Sandy Martin and Sue Lee.

Department Reports.

City Administrator.

Springer held discussion on the following items:

- Sales Tax. Springer reported sales tax revenue remained steady.
- Bid Award Hickory Street Phase II. Springer presented a bid tab from the bid opening on April 6, 2016 from Anderson Engineering for the Hickory Street Sidewalk Improvements, Phase II project. Springer noted five bids were received for consideration. Springer presented a recommendation from Anderson Engineering to accept bid from AT Urban Development, Inc., for \$242,850.80. Springer noted Alternate Bid #1 adds solar powered flashing beacon signal with foundation and recommended the Board include \$19,517.60 in the total bid, which city cost-share would be \$6,074.40. Discussion was held. Alderwoman Fairchild made a motion, seconded by Alderwoman Lee to award bid, Alternate Bid #1 for \$245,754.40 to AT Urban Development, Inc. for Hickory Street Phase II project. With all present members voting in favor, Mayor Eden declared the motion approved.
- Environmental Assessment Phase II – 600 N. Main St. Springer presented a proposal from Environmental Works for a Limited Phase II Environmental Site Assessment (ESA) at 600 N. Main St. with the primary objective to confirm the absence of subsurface releases to soil and groundwater related to ASTM-defined Recognized Environmental Conditions (RECs) which were identified from the March 2016 Phase I ESA performed at the site. Springer noted the cost for the work proposed would be \$21,700.00. Discussion was held. Alderman Greene made a motion, seconded by Alderwoman Lee to proceed with Limited Phase II ESA as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Airport Grant. Springer reported MoDot has awarded the maintenance grant for the airport project to HW Lochner. Springer noted due to timing, work will most likely begin in spring of 2017. Discussion was held.
- Dispatch Services. Springer presented proposals from City of Monett and City of Aurora for dispatch services. A lengthy discussion was held. Alderwoman Fairchild made a motion, seconded by Alderman Kimbler to proceed with agreement with City of Monett for dispatch services for one year, at which time city will review services and decide to continue for three year agreement. The following voice vote was recorded:

AYES: Greene, Haymes, Phillips, Kimbler, Fairchild, Martin, Lee

NOES: Nelson

ABSTAIN: None

ABSENT: None

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

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- Summer Park Employees. Springer presented a list of applicants for summer youth employment. Alderwoman Fairchild made a motion, seconded by Alderwoman Martin approving applicants as presented for summer youth employment. With all present members voting in favor, Mayor Eden declared the motion approved.
- Land Clearing. Springer presented a Work Authorization Agreement for an Erosion Control Plan, SWPPP and Land Disturbance Permit for property south of interstate so process of clearing land could proceed. Springer noted cost of agreement is \$1,850.00. Alderman Greene made a motion, seconded by Alderman Phillips to proceed with Erosion Control Plan, Storm-water Pollution Prevention Plan and Land Disturbance permit as requested. With all present members voting in favor, Mayor Eden declared the motion approved.
- Other Items of Discussion. Springer presented a request from the Lawrence County Commissioners for the city to allow Conway to perform Floodplain Management duties for them, which would include putting together a floodplain map. Springer noted the City of Miller has also requested the city to allow Conway to assist them with zoning codes and enforcement. Discussion was held. Mayor Eden requested Petrus to research if this would be allowable.

Treasurer.

Weldy held discussion on the following items:

- Bills Paid. Weldy presented the bills paid report and requested discussion. None brought forth.
- Treasurer Report. Weldy presented the February and March Treasurer report for approval. Alderman Greene made a motion, seconded by Alderman Kimbler to approve the February and March Treasurer report as presented. With all present members voting in favor, Mayor Eden declared the motion approved.
- Request to Hire Part-time Taxi Driver. Weldy recommended the Board hire Dale Kennedy for part-time taxi driver. Alderwoman Fairchild made a motion, seconded by Alderman Phillips to hire Dale Kennedy for part-time taxi driver. With all present members voting in favor, Mayor Eden declared the motion approved.

Public Works.

Stanton held discussion on the following items:

- Request to repair equipment. Stanton reported the clutch on the 2002 790 John Deere tractor is in need of replacement. Discussion was held on replacement of the tractor versus repair of the clutch. Alderman Haymes made a motion, seconded by Alderwoman Lee authorizing funds up to \$3,800.00 for repair of the clutch. With all present members voting in favor, Mayor Eden declared the motion approved.
- Stanton thanked the Board for approving of the paving project and that he has heard many positive comments.

Code Enforcement.

Conway held discussion on the following items:

- Statistical Report. Conway presented the March statistical report and requested any discussion. None brought forth.

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- Planning and Zoning Update. Conway reported the following items from the Planning and Zoning Commission meeting, held on Tuesday, April 5, 2016.
 - Conway reported a Public Hearing for a request to rezone the White property from M-1 to R-3 was held with the Commission making a recommendation to the Board for approval, which will be presented to the Board on April 26, 2016.
 - Conway reported he has received an application to rezone 105 and 107 W. Sloan Avenue from R-1 to R-3 and the Commission will hold a Public Hearing on Tuesday, May 3, 2016 for review.
 - Conway noted the Commission continues review of the Comprehensive Plan.

Police.

Hubert held discussion on the following items:

- Statistical Report. Hubert presented the March statistical report and requested discussion. None brought forth.
- Permission to Install Stop Signs. Hubert reported he has received complaints regarding the intersection of Alice Street and McCause Street and after lengthy study of the intersection, determined additional signage would enhance the current stop sign located on Alice Street, making this a three-way stop intersection. Discussion was held. Alderwoman Lee made a motion, seconded by Alderwoman Lee directing installation of two additional stop-signs and identifying such intersection in city code. With all present members voting in favor, Mayor Eden declared the motion approved.
- Medication Drop-off. Hubert reported twelve boxes of medication was transported to General Dynamics, located in Carthage, Missouri for incineration. Discussion was held.

Fire.

Wheeler held discussion on the following items:

- Calls. Wheeler reported the department has received seven calls since last report.
- Equipment/Vehicles Maintenance. Wheeler reported on March 28, 2016 the annual pump testing and service was conducted in which all trucks passed the pump test and all trucks completed the annual service. Wheeler noted truck E2 was sent for AC repairs in Springfield. Discussion was held.
- Training. Wheeler reported the department attended Propane Emergency training on April 2, 2016 in Stotts City, Missouri.
- Community Activities. Wheeler reported the department participated in the Safety Fair at Wal-Mart on April 9, 2016 and would be participating on the panel board for Smoke Detector safety at KY-3 on April 12, 2016. Discussion was held.
- Miscellaneous. Wheeler reported staff installed smoke detectors in two local residences.

Committee Reports.

Personnel Committee.

Alderwoman Fairchild reported the Personnel Committee met on April 12, 2015 at 5:30 p.m. to discuss personnel policy Section 117.110 and 117.120 regarding work week and overtime policy. Alderwoman Fairchild reported the committee recommended the following policy change:

Section 117.110

The normal work week shall be defined as eight (8) hours per day and forty (40) work week for all non-exempt employees. The 8/40 work week is defined that time worked over eight (8) hours or when an employee is called back to work after completing their regular eight (8) hour shift would be paid overtime pay.

Section 117.120 Overtime (Fair Labor Standards Act)

The City's overtime pay policy shall equal to or greater than the provisions of the Federal Fair Labor Standards Act and all non-exempt employees will be paid one and one half (1 1/2) times their regular rate of pay for approved hours worked over eight (8) hours in regularly scheduled work day and one and one half (1 1/2) times their regular rate of pay for all approved hours worked over forty (40) hours.

Discussion was held. Mayor Eden accepted the recommendation of the Personnel Committee as a motion and a second, and requested the Board vote on the issue. The following voice vote was recorded:

AYES: Greene, Nelson, Haymes, Phillips, Fairchild, Martin, Lee

NOES: Kimbler

ABSTAIN: None

ABSENT: None

With all present members voting, Mayor Eden declared the motion approved and policy to be added to the Employee Personnel Manual.

New Business.

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

Old Business.

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

- Alderman Greene requested discussion on single-service waste franchise. Petrus advised the city would be required to provide a two-ear notice. Discussion was held.
- Alderwoman Lee reported the Veterans' Way committee is now a 501c and can accept donations which would be tax deductible.
- Alderman Haymes reported a constituent had inquired how the streets were chosen for the paving project and why Market Street was not included. Stanton reported the Public Works Committee had conducted an earlier study and had recommended some of the streets. Discussion was held regarding Market Street and how it would need to be addressed differently than other streets as it would need to be re-engineered to address storm water and other problems.

Adjournment.

Mayor Eden announced there being no further business listed on the agenda to come before the Board, the meeting was adjourned. Meeting adjourned at 8:39 p.m.

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David W. Eden, Mayor

Date

Shannon K. Neely, City Clerk

Date