

MINUTES
CITY COUNCIL REGULAR MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, FEBRUARY 25, 2008
CITY HALL
6:30 PM

A. CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order and led the Pledge of Allegiance. Those present on roll call were: Alderman Tripp, Alderman Polete, Alderman Hale, and Alderman Fritch. Absent was: Alderman Shrum. Also present were: City Administrator O'Gara, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the regular meeting of January 28, 2008. A motion was made by Tripp with a second by Hale to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

- 1) Additions or deletions.
Add: Alderman Tripp added one (1) personnel item to close session. It was noted by Mayor Yates stated only emergency situations are added to the agenda and she did not feel this was an emergency situation.
- 2) A motion was made by Fritch with a second by Hale to approve the agenda as amended. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) Mineral Area College presentation regarding the April bond issue on the election ballot. MAC representative, Rusty Straughn, distributed pamphlets to the council on the April bond issue. He explained the purpose was to fund a new vo-tech building to be located on the MAC campus in Park Hills to replace the present one located in Bonne Terre. The college would like the City's endorsement of the issue. Mayor Yates indicated a resolution of support would be placed on the next council meeting agenda.

F. REPORTS OF OFFICERS

- 1) Mayor's report.
 - a) Updates, recommendations and appointments to the Heritage and Landmarks Commission. Mayor Yates asked Council to review the recommendations as listed in the packet. A motion was then made by Fritch with a second by Hale to approve the Mayor's recommendations. Motion carried.
 - b) Spoke of the concerns she had received on the court square project and how the City could fund such a project if they were "broke". The Mayor explained this project was approved in 1996 and, with a few minor changes in the scope, was approved to be funded by an ISTE A grant paying for 69% of the project. The City has their portion budgeted and the funds are in place. She went on to say any parking issues are only temporary as the project should be completed in about three months. She asked the public to be patient. She also thanked Ruth Ann Skaggs for the recent article in the newspaper supporting the project.

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) Administrator's report.
 - a) Attended the following meetings: BREC and Tom Steska, spoke at the Chamber banquet, two meetings with MOPEP pool and met with the new executive director of the Chamber.

- b) Said code enforcement officer, Robert Sullivan, was 100% compliant with our city code on all new commercial buildings, 100% compliant on all new housing, and is working diligently to be 100% compliant on occupancy inspections. These are still a “work in progress”. Tripp stated at this point, the city should be reviewing its occupancy ordinance. He was disappointed in the code enforcement and asked for public comment. He requested the public contact city hall and let them know their thoughts. He suggested reviewing these at the next council meeting. Council concurred.
- 2) Finance Director’s report. Wienecke reviewed the finance numbers included in the packets. No questions or concerns.

H. OLD BUSINESS

- 1) Residency requirement for senior exempt City employees. Tripp said the calls and comments he received from his Ward expressed their concern with allowing senior exempt city employees to live outside the city limits. Aldermen Fritch, Hale and Polete all dittoed the same. Council concurred the residency requirement remains the same.

I. NEW BUSINESS

- 1) Consideration of selling memorial plaques for Town Square benches. (Mayor Yates) Yates said she had been approached about offering memorial benches around the court square in which those desiring to purchase a memorial bench would have a plaque placed on the bench. Council agreed in principal to the suggestion but requested some guidelines be initiated.
- 2) Approval of a letter of commitment for Midwest Assistance program regarding CARE program. O’Gara said he met with Dennis Siders, and Becky Hunt from the Health Department. The City and Health Department would be banding together to benefit the community on environmental issues under this grant program. A motion was then made by Fritch with a second by Polete to approve the letter of commitment. Motion carried.
- 3) Appointment of engineer for CDBG project – access road to Business Park. (O’Gara) After a brief discussion a motion was made by Hale with a second by Tripp that given the change in project scope for the Business Park access road, the time elapsed since project conception, and the proven experience of the City Engineer in street construction work for the City, that the City Engineer, Baer Engineering, be appointed project engineer for the CDBG project. Motion carried.
- 4) Capital transfer request from Fire Department re: Conservation Grant. After a brief explanation, a motion was made by Fritch with a second by Hale to approve the capital transfer request. Motion carried.
- 5) Ordinance approving and authorizing a financial assistance agreement between the Southeast Missouri Solid Waste Management District and the City relative to the purchase of a shredder and recyclable collection bags. A motion was made by Tripp with a second by Polete that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: “An Ordinance approving and authorizing financial assistance agreement between City and Solid Waste Management District relative to the purchase of a shredder and recyclable collection bags . . .” A motion was made by Fritch with a second by Hale to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-14 duly adopted.**
- 6) Ordinance amending Chapter 100, Section 105.110 entitled “Order of Business”. A motion was made by Hale with a second by Tripp that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: “An Ordinance amending Chapter 100, Section 105.110 entitled “Order of Business. . .” A motion was made by Polete with a second by Tripp to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-15 duly adopted.**
- 7) Ordinance authorizing the Mayor to execute an agreement by and between City and State of Missouri, Department of Natural Resources, Division of State Parks, State Historic Preservation Office relative to a National Register of Historic Places Nomination for the Fredericktown Courthouse Square Historic District. A motion was made by Hale with a second by Tripp to table this ordinance until attachments could be reviewed. Motion carried.

- 8) Ordinance approving and authorizing Change Order No. 1 to a contract between City and Fronabarger Concreters, Inc. relative to the Town Square Enhancement Project No. STP-9900(031). A motion was made by Polete with a second by Hale that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance approving and authorizing the Change Order No. 1 to contract between City and Fronabarger Concreters, Inc. relative to the Town Square Enhancement Project. . ." A motion was made by Polete with a second by Hale to read the ordinance the second time by title only. Motion carried. Moore read the ordinance. **Ordinance 08-16 duly adopted.**
- 9) Ordinance authorizing the Mayor to execute an agreement by and between City and Black River Electric Cooperative relative to the sale of the electric utility. Yates said this agreement was the first step of a long process. She went on to give some background to the agreement. Hale noted no electric feasibility study was done on the actual value of the utility. A lengthy discussion ensued. A motion was then made by Tripp with a second by Fritch that as the ordinance was made available prior to the meeting it can be read the first time by title only. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute an agreement between City and Black River Electric Cooperative relative to the sale of the City of Fredericktown electric utility . . ." A motion was made by Polete with a second by Fritch to read the ordinance the second time by title only. Motion carried. **Ordinance 08-17 duly adopted.**
- 10) Ordinance amending various sections of Chapter 200 relative to the Police, Ordinance amending Section 200.110 relative to the position of "Police Captain", Ordinance amending Section 200.020 relative to the duties of the City Marshal. A motion was made by Fritch with a second by Hale to table these three ordinances as all the aldermen had not had the chance to review them. Motion carried.

J. ADDITIONAL BUSINESS

- 1) Accounts payable. (Two different sets) A motion was made by Tripp with a second by Fritch to approve the payables. Motion carried.

K. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

- 1) Alderman Tripp indicated he was glad the new executive director of the Chamber was on board. He also thanked the City's road crews during the recent inclement weather.
- 2) Alderman Fritch apologized to the public for not being prepared due to health issues with his son.

L. REMARKS FROM GENERAL PUBLIC

- 1) Public Works Director Ken McDowell acknowledged the retirement of city worker Ed Banes after 28 years of service in the street department.

M. CLOSED SESSION BUSINESS (As authorized RSMo Section 610.021) Motion was made by Fritch with a second by Polete to go into Closed Session. Roll call vote resulted in four ayes, zero nays, and one absent. The account of the Closed Session is exempt from the public record and is on file in the office of the City Clerk pursuant to RSMo 610.024. The following motions and votes were taken in Closed Session:

- 1) One (1) personnel matter. After the interview process, a motion was made by Fritch with a second by Polete to hire Barry Gregg as the Police Captain. Motion carried with the following vote: voting aye: Fritch, Hale, Polete and Tripp. There were no nay votes and there was one absent.

Note: Alderman Fritch had to leave the meeting at this time.

- 2) One (1) potential litigation matter. Presentation only. No voting actions necessary at this time.
- 3) One (1) personnel matter. Discussion only.

Motion was made by Polete with a second by Tripp to return to Open Session.

N. ANY OTHER BUSINESS

1) None

O. ADJOURNMENT. Motion by Polete to adjourn.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk

MINUTES
CITY COUNCIL WORK SESSION
FREDERICKTOWN, MISSOURI
February 25, 2008
5:30 PM

A. CALL TO ORDER AND ROLL CALL

Mayor Yates called the meeting to order. Those present on roll call were: Alderman Tripp, Alderman Fritch, Alderman Hale and Alderman Polete. Absent was: Alderman Shrum. Also present were: City Administrator O’Gara, City Attorney Moore, City Clerk Stevens, City Engineer Baer, department heads and visitors.

B. APPROVAL OF MINUTES

1) Minutes of the work session meeting of January 28, 2008. A motion was made by Tripp with a second by Polete to approve the minutes as presented. Motion carried.

C. APPROVAL OF AGENDA

1) Additions or deletions. None

2) Approval of agenda (as amended). A motion was made by Polete with a second by Hale to approve the agenda as presented. Motion carried.

D. WORK SESSION BUSINESS

1) Tara Hale, President of the Parks and Recreation Board, to discuss: (1) Park utility bills and (2) the Rotary Park. Hale referred Council to the information included in their packets regarding the donation of 22 acres known as Rotary Park. Hale indicated the donation was approved by the Parks and Recreation Board pending approval from the City’s insurance carrier, MIRMA. She went on to say the area still has to be named. Yates said MIRMA’s main concerns were the field did not meet competitive standards and was not level. Council requested MIRMA’s agreement in writing to accept the field. Hale also stated the Park and Recreation Board agreed to pay for transferring the deed. (2) Hale then asked Council to consider paying for the water fill at the pool. Finance Director Wienecke stated the estimated cost of the water would be \$2100. Water Department head Shell indicated fixing the leaks in the pool base should decrease water usage substantially. O’Gara said Council needed to come up with the \$2100 from their budget out of General Fund to pay for the additional costs. Yates suggested O’Gara review budget to come up with options. Tripp asked for a comparison over the last 2-3 years cost vs revenues of the pool. O’Gara will have his transfer numbers ready for next Council.

2) Ordinances for review:

a) An Ordinance approving and authorizing a financial assistance agreement between the Southeast Missouri Solid Waste Management District and the City relative to the purchase of a shredder and recyclable collection bags. O’Gara explained the City applied and was awarded this grant . . . \$16,725 designated for the shredder with \$5600 in City matching funds, and \$1544 designated for the recycle bags with \$481 in City matching funds. Yates said this grant will help reduced landfill waste thus decreasing landfill costs.

b) An Ordinance amending Chapter 100, Section 105.110 entitled “Order of Business”. Yates explained the ordinance is basically changing the old ordinance to match what the city is already doing. No questions or concerns.

c) An Ordinance authorizing the Mayor to execute an agreement by and between City and State of Missouri, Department of Natural Resources, Division of State parks,

State Historic Preservation Office relative to a National Register of Historic Places Nomination for the Fredericktown Courthouse Square Historic District. The City's portion of this project would be \$1500 and \$1000 would be funded by the Madison County Historic Foundation plus in-kind work. Economic Developer Dismuke explained how the district would actually work. Hale then referred to the attachments referenced in the agreement as some were not included, particularly attachment "c". Council agreed to table further discussion until all the attachments were made available for review.

d) Ordinance approving and authorizing Change Order No. 1 to a contract between City and Fronabarger Concreters, Inc. relative to the Town Square Enhancement Project No. STP-9900(031). Baer explained the purpose of the change order indicating there would be no change in price just material.

It was at this time a motion was made by Polete with a second by Fritch to table the remaining ordinances for review to the regular council meeting following this meeting. Motion carried.

3) Closed Session (As authorized by RSMo Section 610.021). None

E. ANY OTHER BUSINESS

1) None.

F. ADJOURNMENT

1) Motion was made by Tripp to adjourn. Motion carried.

Karen A. Yates, Mayor

ATTEST:

Barbara Stevens, City Clerk