

MINUTES
CITY COUNCIL REGULAR MEETING
FREDERICKTOWN, MISSOURI
DAY/DATE: MONDAY, DECEMBER 8, 2008
CITY HALL
6:30 PM

A. CALL TO ORDER AND ROLL CALL

Mayor Kemp called the meeting to order and led the Pledge of Allegiance. Those present on roll call were: Alderman Polete, Alderman Wright, Alderman Tripp, Alderman Thomas and Alderman Hale. Absent was: Alderman Merriman. Also present were: Interim City Administrator Dismuke, City Attorney Moore, City Engineer Baer, City Clerk Stevens, Department Heads and visitors.

B. APPROVAL OF MINUTES

- 1) Minutes of the regular meeting of November 24, 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) A motion was made by Polete with a second by Tripp to approve the agenda as presented. Motion carried.

D. PUBLIC COMMUNICATIONS AND ANNOUNCEMENTS

- 1) None.

E. PRESENTATIONS

- 1) None.

F. REPORTS OF OFFICERS

- 1) **Mayor's report.**
 - a) Announced notable events and meetings taking place in the community.

G. REPORT FROM SPECIAL COMMITTEES AND STAFF

- 1) **Interim City Administrator report.** Dismuke began by stating the City had several capital improvements in the budget. The City has already ordered a dump truck for the street department at a cost of around \$81,000. Additional items are: 2008 Ford F550 electric bucket truck for \$78,000; used patrol car \$12,500; and a new fire truck at a cost between \$350,000 - \$475,000 depending on add-ons (budgeted amount was \$350,000); meter reader vehicle \$8500; airport courtesy vehicle \$6500. Alderman Tripp wanted to caution council to "make the right decisions by not squandering any of the city's excess funds". He went on to say "it took several years to bring the city out of debt and we don't want to go back". He felt the spending should be kept to a minimal. He suggested removing the purchase of a courtesy car for the airport. Council concurred. Dismuke said the city received word through Semo Regional Planning of a potential stimulus package President elect Obama is preparing. The City submitted several projects. Dismuke then began discussing the electric upgrade issue referenced in New Business Item 6. Dismuke said based on the information he received from Ray Blakely the cost for the upgrade would be about \$50,000 utilizing city staff and contracting some areas. Dismuke went on to say he would be meeting with the Planning, Development and Ordinance committee regarding this process. Dismuke then asked council to re-consider paying the debt the electric fund owes to the transportation fund in full instead of continuing with the monthly installments. A motion was then made by Hale with a second by Tripp to pay the loan in full plus any applicable interest due. Motion carried unanimously.

- 2) **City Marshal/police reports.**
- 3) **Municipal court docket- November 2008.**

H. REMARKS FROM GENERAL PUBLIC

I. OLD BUSINESS

- 1) None.

J. NEW BUSINESS

- 1) **Ordinance authorizing the Mayor to execute a contract by and between City and Missouri Department of Corrections. (same contract with updated signatures due to change in Mayor).** A motion was made by Hale with a second by Tripp that as the ordinance was made available prior to the meeting it be read the first time by title only. Motion carried. Moore read: "An Ordinance authorizing the Mayor to execute a contract between City and the Missouri Department of Corrections, relative to a supervised institutional work release program . . ." A motion was made by Polete with a second by Tripp to read the ordinance the second time by title only. Motion carried. **Ordinance 08-62 duly adopted.**
- 2) **Ordinance relative to the adoption of a policy for detecting, preventing and mitigating identity theft in connection with utility accounts.** A motion was made by Hale with a second by Tripp that as the ordinance was made available prior to the meeting it be read the first time by title only. Motion carried. Moore read: "An Ordinance relative to the adoption of a policy for detecting, preventing and mitigating identify theft in connection with opening and maintenance of certain utility accounts . . ." A motion was made by Tripp with a second by Wright to read the ordinance the second time by title only. Motion carried. **Ordinance 08-63 duly adopted.**
- 3) **Discussion concerning personnel changes in the Sanitation Department. (McDowell)** McDowell recommended to council he be allowed to replace an open position refuse collector with his present recycling laborer and advertise for the recycling laborer position. The change in positions would not require any changes in salary. A motion was then made by Tripp with a second by Thomas to approve McDowell's recommendation. Motion carried unanimously.
- 4) **Request by GT Express for package liquor license sales-daily and Sunday.** City Clerk indicated the owners of the new business had completed the required liquor license application and had passed the required background check as required by ordinance. A motion was then made by Tripp to deny the request. Alderman Wright asked what would be the purpose of denying the request. Tripp indicated he made a point of disapproving all requests for liquor licenses as his stand against liquor. Motion died for lack of a second. A motion was then made by Hale with second by Polete to approve the liquor license. Motion carried with four voting aye and one nay (Tripp).
- 5) **Discussion concerning holidays.** Dismuke said with Christmas falling on a Thursday this year he and the Mayor asked if council might consider granting Friday as a day off in lieu of a Christmas party. A motion was then made by Tripp with a second by Polete to approve the recommendation. Motion carried. It was noted both the water and police departments would grant their employees working that day an alternative day off.
- 6) **Discussion and consideration of a plan for the design and construction upgrade project known as the Downtown Substation.** Dismuke continued his discussion made earlier in his report asking electric manager Wasson to discuss the report he repaired on city outages. Wasson indicated in his report the city had no major outages, only individual homes or trouble shooting calls since Hurricane Ike on September 14th. Dismuke suggested he (Dismuke) contact Ray Blakely to give a bid for the design and construction of the downtown sub. Moore said the city could do a bid process for proposals. Dismuke will have ready for next council.
- 7) **Discussion concerning the fire districts under the Fredericktown Fire Department jurisdiction.** Aldermen Thomas and Polete explained the fire chief's request to charge a fire

tag fee to the five fire districts the city presently serves. This would eliminate billing each district individually. Moore said there were some legal issue to be coordinated as each district operates differently. These districts represent 352 residents and 40 businesses. A motion was made by Tripp with a second by Hale to table further discussion until next meeting when Moore can have something worked up. Motion carried.

- 8) **Discussion concerning letter from the Army Corps of Engineers relative to the "swamp" issue.** Hale asked if the city received anything actually addressed to the city. Moore replied no, just the letter included in the packet. Hale also noted the letter contained several contradictions and he still felt the jurisdictional rights belonged to the City. Moore said the Corps has referred the issue to their "enforcer" which is the EPA. Moore suggested waiting to hear directly from the Corps. Council concurred.
- 9) **Discussion concerning a recommendation from the Budget, Finance and Personnel Committee regarding the City Marshal's salary.** Dismuke said he and the committee asked Chief Wright to survey other like cities as to pay scales for their police. Wright went over a few of those. Hale suggested reviewing what the past city marshal had received as compensation at the next meeting. City Clerk will have copies of the past two ordinances setting the city marshal salary ready for the next packet.

K. ADDITIONAL BUSINESS

- 1) **Accounts payable I.** A motion was made by Hale with a second by Polete to pay the bills. Motion carried with all voting aye.

L. REMARKS OF PERSONAL PRIVILEGE BY ALDERMEN

M. CLOSED SESSION BUSINESS (As authorized RSMo Section 610.021) Motion was made by Hale with a second by Tripp to go into Closed Session. Roll call vote resulted in five 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:

Note: It was at this time Alderman Polete left the meeting due to a conflict of interest issue with the contract discussion.

1) One (1) contract matter. After a lengthy discussion, a motion was made by Tripp with a second by Hale to decrease using DLB Consulting LLC for information technology services and request settlement of the unaccounted for lap tap computer. Motion carried with the following vote: voting aye: Hale, Tripp, Wright and Thomas. There were no nay votes.

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

N. ANY OTHER BUSINESS

O. ADJOURNMENT. Motion by Hale, seconded by Tripp to adjourn. Motion carried.

Danny E. Kemp, Mayor

ATTEST:

Barbara Stevens, City Clerk