# CALL TO ORDER: The regular meeting for the Duquesne Board of Aldermen was called to order at 6:00 PM by Mayor Bill Sherman.

# ROLL CALL: Answer roll call were Aldermen Jane Baine, Myra Gonzalez, Becca White, Chris Ellsworth and Mayor Bill Sherman. Also present were city attorney, city clerk and 8 guests.

**PLEDGE OF ALLEGIANCE & INVOCATION:** The Pledge of Allegiance to the United States of America was led by Mayor Bill Sherman followed by invocation prayer given by Mayor Bill Sherman.

**Agenda:** Mayor Sherman requested the following change to agenda: Add “Vote to Go into Closed Session pursuant to RSMo 610.021(3) relating to hiring, firing, disciplining or promoting of particular employees by a public government body when personal information about the employee is discussed or recorded.” before Vote to Go into Closed Session Pursuant to RSMo 610.021(1). Motion made by Becca, seconded by Myra, to approve agenda as amended. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried. Motion made to add: 24-hour notice was not possible because necessity for closed session was not known until today. Motion made by Jane, seconded by Chris. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Approve November 14 Regular Meeting Minutes:** Motion made by Becca, seconded by Jane, to approve minutes. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Approve November 14 Closed Meeting Minutes:** Becca requested correction of motion made to remove Gonzalez, who was absent from meeting, and replace with White. Motion made by Becca, seconded by Chris, to approve minutes as amended. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Financial Report for October & November:** Two $100,000 CDs purchased at Guaranty Bank with General Funds and ARPA funds needed to be added and then filed for audit.

**Amended Bill Summary:** Allgeier Martin & Associates submitted bill for $26,817.44 for engineering fees. Amended summary had been provided that included Allgeier Martin invoice. Motion made by Chris, seconded by Becca, to approve amended Bill Summary. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Court Report:** Jane asked what E/R meant. Excess Revenue as part of Macks Creek law that if court revenue was more than 20% of city’s revenue, excess must be refunded to state. Approved and filed for audit.

**Police Report:** Chief White presented report. Damage to 815 has been repaired and graphics were being applied.

**Bill 22-15 LAGERS:** Approve participation in LAGERS. Motion made by Jane, seconded by Becca, to move Bill 22-15 to first reading, by title only. Bill 22-15 was read by title only. Mayor called for discussion. As there was no discussion, motion made by Jane, seconded by Becca, to accept first reading of Bill 22-15, by title only, and move to second and final reading, by title only. Bill 22-15 was read second and final time by title only. Motion made by Jane, seconded by Chris, to accept second and final reading, by title only and assign Ordinance #498. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 22-18 Adopt Stormwater Management Plan (SWMP) 2021-2026:** Motion made by Jane, seconded by Becca, to move Bill 22-18 to first reading, by title only. Bill 22-18 was read by title only. Mayor called for discussion. As there was no discussion, motion made by Jane, seconded by Becca, to accept first reading of Bill 22-18, by title only, and move to second and final reading, by title only. Bill 22-18 was read second and final time by title only. Motion made by Jane, seconded by Chris, to accept second and final reading, by title only and assign Ordinance #499. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Resolution 22-04 Amendment #10 to Employee Handbook: Benefits for Part-Time Employees:** Amendment to grant vacation, holiday, sick and bereavement leave pay to part-time employees after 1st year employed and 1,000 hours. Motion made by Becca, seconded by Chris, to approve Resolution 22-04. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Resolution 22-05 Amendment #11 to Employee Handbook: Grant Rehired Employees Credit for Prior Years of Service on Case-by-Case Bases:** Amendment provided Board option to give rehired employees who left in good-standing and followed city’s separation policy credit for part or all of prior service when calculating benefits. Discussion over “case-by-case” wording. Motion made by Jane, seconded by Chris, to accept Resolution 22-05 as written. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Resolution 22-06 Amendment #12 to Employee Handbook: Change Retirement from 457 Deduction with Employer Match to LAGERS:** City would no longer participate in 457 Plan with employer match. Amendment would adopt to LAGERS program. Motion made by Jane, seconded by Chris, to approve Resolution 22-06. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Business License:** New: Fluent Solar LLC and R-Squared Construction LLC. Renewal: Houk Mini-Storage, DH Pace Co, Lowe’s Home Centers, Ed’s Electric, Backyard Storage Solutions, ADB Co. Motion made by Becca, seconded by Myra, to approve licenses. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Old Business:** City needs 10 risers and manholes. Quote from Waste H20 Solutions for $9,400 was provided. Company could start when materials were available and weather permitted.

**Public Comments:** Request to move Public Comments to after Aldermen Interaction per city code of ordinance. It was so moved.

**Aldermen Interaction:** Jane said she had checked holes mentioned by Lisa Daugherty in December meeting. Mayor said there was 1879 law that stated municipalities cannot regulate right-of-way usage by telecommunications providers.

Lisa Daugherty said someone did more digging at 24th & Reinmiller. The open trench has pipe laid in it, but no protective barriers. Hole at 25th & Reinmiller was filled. City Attorney said city passed ordinance in 2020 (Ordinance 420) that reserved city’s ability to regulate right-of-ways.

**Public Comments:** Kerry Divine (314 Morgan Court) asked about stormwater inspections. Developers provide plan that is reviewed by Allgeier Martin. Developers pay for engineering review fees and inspections.

Gary Heilbrun (4015 E 25th St) said AT&T would take over easement, even if not their poles. City codes called for any boring under roadway to be deep enough to keep from damaging road.

Lisa Daugherty (4230 E 24th) asked if property owner could not be held liable for damage to sewer risers and manholes and asked about traffic light at 13th & Duquesne on flashing. Mayor said light equipment was too old for Joplin Industrial to work on. System was set to go to flashing if system failed. However, resent key no longer worked. She asked about Amazon purchases by previous employee. Mayor stated issue was being addressed. She showed updated pictures of hole at 24th & Reinmiller made by Mediacom.

Sara Ellsworth (1004 S Duquesne Rd) stated she preferred flashing red traffic lights at 13th & Duquesne Road. 4-way stop helped control speeders, made it safer and better traffic flow.

**Update of Commissions & Committees:** Ray Brown and Gary Jackson’s P&Z terms have expired, but both would like to remain for another 4-year term. Motion made by Chris, seconded by Becca, to reappoint Brown and Jackson to another 4-year term to expire in December 2026. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

Rick Gamboa: Parks Committee was still wanting on official letter about grant. No meeting was required until that happens.

Board of Adjustments: Currently board has 2 extra members. City Attorney did not recommended too many members also be members of P&Z. Board already allowed for 5 members plus 3 alternates. Extra members could serve as alternates.

Bid Results on City Truck: City received 5 bids. Highest bid was $1,500 by Juana Hernandez. She has already paid city for truck.

**Vote to Go into Closed Session Pursuant to RSMo 610.021(3) Followed by Closed Session Pursuant to RSMo 610.021(1):** Motion made by Becca, seconded by Jane, to go into closed session pursuant to RSMO 610.021(3) relating to hiring, firing, disciplining or promoting of particular employees by a public government body when personal information about the employee is discussed or recorded and RSMo 610.021(1) relating to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. By roll call: Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried. At 7:50 PM, Board, Mayor, City Attorney Talley, Police Chief Jonathan White and City Clerk went into closed session.

Mayor reconvened open session at 9:14 PM and announced Board met in closed session and no formal action was taken nor vote taken.

**Other Business Deemed Necessary:** Next Council Regular Meeting is January 9 at 6 PM.

As there was no further business, motion made by Jane, seconded by Chris, to adjourn. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried. Meeting adjourned at 9:16 PM.