

Board of Aldermen opened Regular Session at 7PM on Monday, April 11, 2016. Alderman Roger Bone, as Acting President of Board, called meeting to order. David Weaver gave invocation. Alderman Gary Heilbrun welcomed Terry Ingram back as City Clerk.

Roll Call: Present were Aldermen Roger Bone, Barbara Welch, Chris Ellsworth and Gary Heilbrun. Mayor Lisa Daugherty was absent and Acting President of Board Roger Bone conducted meeting. Also present were City Attorney Mike Talley, Assistant to Board of Aldermen David Weaver and 28 guests.

Agenda: Barbara Welch requested Bill 16-08 be deleted from agenda and following items be added: Closed Session (pursuant to 610.021.3 Personnel Matters) before Other Business Deemed Necessary, Vote to Hire (if needed, after Closed Session) and Elect Officers after Administer Oaths of Office. Motion made by Barbara Welch, seconded by Gary Heilbrun, to approve modified agenda. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Minutes: March Regular and Special Meeting minutes were not available. Motion made by Barbara Welch, seconded by Gary Heilbrun, to table March minutes. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

April Special Meeting minutes with Closed Session: Only closed minutes were available. Motion made by Barbara Welch, seconded by Gary Heilbrun, to approve closed minutes and table open minutes. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Financial Report & Budget for March: Reports were not available. Motion made Barbara Welch, seconded by Gary Heilbrun, to table both items. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Court Report: Report was presented and filed for audit.

Police Department Report: Chief Kitch presented report.

Vehicle status:

811 – Current mileage is 51,565. No anticipated repairs.

812 – Current mileage is 68,017. Lower control arms need replaced. Cost of the bushings is estimated at \$200 +/- . Currently, the city replaces the control arms approximately every 20K miles. Cost for the installation is not included in this estimate.

813 – Current mileage is 95,120. Vehicle is going to be taken from service. Still awaiting console for outfit new vehicle.

814 – Current mileage is 24,987.

Personnel Issues:

Officer training went as planned with three (3) officers able to attend 32 hours of training each. Two officers were full time officers and one (1) part officer. One class has been re-scheduled for April 26, 2016.

Officer Pryor has arrived and is in training. Training effort is going as planned.

Departmental Issues:

Still awaiting parts to outfit new vehicle. Ordered status was checked today with no date set for delivery. Purchased uniforms for two (2) officers. Department's back up disk for police server stopped functioning. Commonly referred to as "hard disk" crash. System has been in continual use for five (5) years.

Bill Summary: Summary was not available. Motion made by Barbara Welch, seconded by Gary Heilbrun, to table Bill Summary for Special Meeting. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. (Special Meeting date and time set later in meeting.)

Business License Renewal: Licenses were presented for renewal: Four State Erectors, College Station Donuts & Coffee, Watson Electric and Just-N-Time Bargain Barn. Motion made by Barbara Welch, seconded by Gary Heilbrun, to approve renewals. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Annual Audit: Alderman Welch pointed out there were over \$1,800 in tax penalties and its estimated to be over \$3,500 for year. Alderman Welch had asked Mayor Daugherty for exact amount, but Mayor did not know total. Motion made by Barbara Welch, seconded by Gary Heilbrun, to approve annual audit. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Old Business: Update on City Matters: David Weaver stated meeting with David Burgan with SEMA was scheduled for Tuesday, April 12, at 8AM to closeout Project Worksheets for tornado. Housing Grant had setback. Indians have requested anthropologist's review and black dirt site be certified. This caused 30 to 40-day delay before request for public comment can be published. Public has 30 days to respond. Community Disaster loan was on hold. Funding for City road projects: City needed to decline \$150,000 FEMA obligated funds but \$2 million CDBG grant would cover amount when project was completed.

Recess for Access, Passwords and Certified Election Results: Motion made by Barbara Welch, seconded by Chris Ellsworth, to grant recess to obtain computer access for City Clerk and locate certified election results. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. Board recessed from 7:35 to 7:55 PM.

Amend Agenda: Election results were not located. Motion made by Barbara Welch, seconded by Gary Heilbrun, to move election related agenda items to end of agenda. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Aldermen Interaction: Brief discussion about video camera and its access. Motion made by Gary Heilbrun, seconded by Barbara Welch, to reconnect video surveillance only (no audio) with only Police Department having access to equipment and system was to be closed system with no off campus access. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Meeting with KPM Auditor: Alderman Heilbrun stated he, Alderman Welch, David Weaver and Terry Ingram met with Andy Marmouget (KPM) to discuss audit.

Limit Spending Authorization: Mayor currently can spend up to \$1,500 without competitive bids or Board approval. Board decided further discussion was needed.

PUBLIC COMMENTS:

Jane Baine, 4250 E 13th St, Joplin, MO

She expressed concern about negative letter that was sent out just before election. When she first read it, she thought it must be a joke. City needed to determine source of letter, if possible. She asked for clarification about Mayor's authority to spend \$1,500 without Board approval.

Bill Sherman, 825 S Duquesne Rd, Joplin MO

He said City needed to concentrate on growing. Letter mailed prior to election was full of lies and fabrication. Perpetrator should be ashamed. He also asked about date for road construction. Board said construction could start end of week at 24th, 25th and Hartford.

Rick Gamboa, 4005 E 20th St, Joplin MO

He thought it was interesting that 3 letters sent just prior to last 3 elections began after Lisa Daugherty was elected. He felt Ms. Daugherty was incapable of running City. She has had issues with previous Mayor Denny White, previous Aldermen Frank Herron, Dale Daniels, Fred Frerer, George Reeve, City Clerk Terry Ingram, Court Clerk Janet Stemm, Amy Stemm, Cris Grubel, David Weaver, Chief Tommy Kitch, Ken Ansley, Alderman Chris Ellsworth (whom she appointed) and Alderman Gary Heilbrun (whom she previously supported). Personnel turnover has been like revolving door. Last election, she supported Michael Oliver, who is not Duquesne landowner, had tax lien issues (which have now been paid) but currently had \$2,266 in unpaid sewer bills. He urged Mayor Daugherty to resign.

George Reeve, 4460 E 26th St, Joplin MO

He asked if public could be allowed to comment on any ordinance up for consideration between first and second reading. Audience members had previously had such opportunity. He asked it be reinstated.

Paula Bone, 2501 Freeport Dr, Joplin MO

She asked if Duquesne was participating in 5-year tornado anniversary celebration. She said there was ad on TV about Joplin/Duquesne 5-year celebration. City was not participating.

New Business: Mediacom Contract: There was ordinance up for consideration later on agenda.

Bill 16-07 Proposition 1 Ballot Proposal for November 8, 2016, Election: Proposition 1 would continue application and collection of local sales tax on titling motor vehicles, trailers, boats and outboard motors purchased from source other than Licensed Missouri dealer. Motion made by Chris Ellsworth, seconded by Barbara Welch, to place Bill 16-07 on first reading, by title only. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Bill 16-07 was read by title only. City Attorney Talley stated if proposed ordinance was not approved and voters did not approve Proposition 1 by November 2016, City would lose revenue forever. Proposition continues tax already imposed, no tax increase. Without passage of proposition, Missouri dealers were at disadvantage over out-of-state dealers. Alderman Heilbrun asked if proposition could be placed on August ballot. City Attorney said by state statute it could not. Board asked for any public comments. George Reeve said he thought it was good idea and needed to get on ballot.

Motion made by Barbara Welch, seconded by Gary Heilbrun, to accept first reading of Bill 16-07 by title only and move to second and final reading of Bill 16-07 by title only. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. Bill 16-07 was read second and final time by title only. Motion made by Barbara Welch, seconded by Chris Ellsworth, to accept second and final reading of Bill 16-07 by title only and assign next Ordinance 284. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Bill 16-09 Three-year Business Facilities Agreement with MCC Missouri, LLC (Mediacom) for online services and business phones for \$294.65 per month. Motion made by Barbara Welch, seconded by Gary Heilbrun, to place Bill 16-09 on first reading, by title only. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Bill 16-09 was read by title only. There was no discussion by Board or audience. Motion made by Barbara Welch, seconded by Gary Heilbrun, to accept first reading of Bill 16-09 by title only and move to second and final reading of Bill 16-09 by title only. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. Bill 16-09 was read second and final time by title only. Motion made by Barbara Welch, seconded by Gary Heilbrun, to accept second and final reading of Bill 16-09 by title only and assign Ordinance 285. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Closed Session for Personnel Matters (Pursuant to RSMo 610.021.3 relating to hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded): Reason less that 24-hour notice and item added to agenda was Court Clerk's resignation was received today and court is scheduled for tomorrow. Motion made by Gary Heilbrun, seconded by Chris Ellsworth, to go into Closed Session, pursuant to RSMo 610.210.3. Roll Call vote was taken: Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. Board adjourned into Closed Session at 8:45 PM and reconvened to open session at 9:25 PM. David Weaver took closed minutes.

Board opened regular meeting. Acting President of Board of Aldermen Bone stated no motions made or votes were taken in Closed Session.

Gary Heilbrun recommended Board move to appoint Janet Stemm as Assistant Court Clerk and Assistant City Clerk at previous rate of pay and benefits. Motion made by Gary Heilbrun, seconded by Barbara Welch, appoint Janet Stemm as stated. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Board went into recess to have police officer obtain keys and passwords from Mayor Lisa Daugherty for Janet.

Other Business Deemed Necessary: Help for Court: Motion made by Gary Heilbrun, seconded by Barbara Welch, to allow Judge Elliston to bring help from Webb City court to assist with Tuesday's court at rate of pay paid to previous outside assistant, as needed. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

Approve Certified Election Results, Si-ne-di, Administer Oaths of Office and Elect Board President: Items previously moved to end of agenda pending finding certified election results. Certified election results were not located. Motion made by Barbara Welch, seconded by Chris Ellsworth, to schedule Special Meeting for Monday, April 17 at 6 PM all previously tabled items. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried.

As there was no further business, motion made by Barbara Welch, seconded by Chris Ellsworth, to adjourn. Ayes: Aldermen Bone, Welch, Ellsworth and Heilbrun. Nays: none. Motion carried. Meeting adjourned at 10 PM.

Terry Ingram
City Clerk