

FINAL
Regular Meeting

January 14, 2019

City Council met in Regular Session at 7:00 PM on Monday, January 14, 2019. Mayor Gary Heilbrun called meeting to order. David Weaver gave invocation.

Roll call was taken. Present were Aldermen Jane Baine, Barbara Welch, Adam Hogan, Chris Ellsworth, and Mayor Gary Heilbrun. Absent: none. Also present were City Attorney Mike Talley, David Weaver and approximately 2 guests.

Agenda: Motion made by Jane Baine, seconded by Barbara Welch, to approve the agenda as presented. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: None. Motion carried.

Minutes: December 10th Regular Meeting: Motion made by Barbara Welch, seconded by Jane Baine, to approve minutes as presented. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: None. Motion carried.

Financial Report and Budget Summary: Approved and filed for audit.

Bill Summary: Motion made by Chris Ellsworth, seconded by Adam Hogan, to pay bills as presented. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: None. Motion carried.

Court: December Court Report was presented. Board approved report and filed for audit.

PD Monthly Report: Chief Kitch presented. Chief reported that the final draft of the Police Manual should be done by March. Chief asked for a speed limit change on 13th Street to Waggoner from 35 to 25 to help drivers slow down in hopes to decrease the number of accidents happening at the stop light and 13th and Rex. This request will need to be done by an ordinance to change it. Alderman Chris Ellsworth asked Chief Kitch if there had been any issues arise at Ocean Adventures and the Chief replied that there had been none.

Business License Renewals: Mayor Gary Heilbrun asked for a motion to approve the Business License renewals as listed on the agenda. Motion made by Jane Baine, seconded by Adam Hogan, to approve the sixty-one Business License renewals as listed on the agenda. Ayes: Aldermen Baine, Welch, Hogan and Ellsworth. Nays: none. Motion carried.

Piper Glen 1, 2 & 3: Mayor Gary Heilbrun stated to the Council that there is an ongoing problem with the retention pond on Piper Glen 1 as it was not built correctly. We have continued to ask for an additional copy of Piper Glen #1 Plat and we were told that we

would have to pay for an additional copy if we want it. We have asked County for a copy of the signed Piper Glen Plat 1. Jane Baine stated that she would look to see if she had a photocopy of Piper Glen Plat #1. Mayor was also told that we were charging too much for our engineers. Schuber Mitchell was wanting to use their engineers, Anderson Engineers to put the sewer in the ground and we can't do that because the two retention ponds that they have already were done by Anderson and they are not correct. Jane Baine stated her concern about the retention pond by Soaring Heights and she is concerned for the safety of the children attending that school. Jane Baine asked if Schuber Mitchell has communicated anything to the city about the retention ponds. Mayor Gary Heilbrun replied that Schuber Mitchell has stated they plan to redo them to get them corrected. All these things came from one phone call from one person who stated that they are being required to do too many things that they should not have to do. That all of this may have something to do with the issue of having a Piper Glen IV. Alderman Barbara Welch replied well who said we would even be interested in a Piper Glen IV. She went on to say that if they are going to be this much trouble to work with then she is sorry that the city even agreed to do Piper Glen 2 and 3. The Mayor did say that this is the first call he has received like this. Alderman Baine then asked the Mayor if we were expecting another call from Schuber Mitchell. The Mayor responded that not that he knows of but he was not expecting this first call. The Mayor did add the there are several things on a list that we are requiring before we can issue any more building permits. Alderman Welch asked if they County has a copy of the first Plat, the Mayor said that there should be one over there and we are looking into this further.

Recreational Trails/Land & Water Conservation Grants: Alderman Welch spoke to the Council saying that City Clerk, Melody Cundiff took part in the webinars for the Recreational Trails grant and the Land and Water Conservation grant. Barbara Welch then stated to the Council that after reading all the requirements for the grants on the applications such as how much the labor is going to be, how much the materials are going to be, that she does not know where to begin to answer all of the questions that are required. Barbara then stated that she is now thinking that we could maybe use the use tax revenues to build our own trails. Barbara then stated that she thinks she will contact Allgeier Martin to get an idea of cost for a trail and what all Stormwater would take. Chris Ellsworth suggested maybe talking with Joplin to see if they would tell us what they paid for theirs. Alderman Ellsworth thinks we would not need a Stormwater because we are not changing the lay of the land. Alderman Welch also brought up the idea of putting a 1/4 cent sales tax issue on the ballot to cover revenue for Parks and Stormwater. Barbara said that if we would decide to put something like that on the ballot, that she would like to have it on the April ballot. Alderman Welch thinks that the best time to put an issue on the ballot like this would be the April ballot just like we did with the Use Sales Tax issue. City Attorney Mike Talley stated that the Council would need to pass an ordinance to get

the issue placed on the ballot. Mike Talley asked for some direction as to the ordinance that would need to be written up. There is a Missouri statute stating the limitation on sales tax but everyone was unsure of that amount at the time. Mayor Heilbrun asked the Council if an ordinance would pass a vote before we go to the time and effort of working something up. Rick Gamboa asked what the total sales tax was that is collected which David Weaver responded that it is 7.825%. Rick Gamboa responded stating that the state average after local tax is 7.81%. Alderman Welch said that she was in favor that the worst thing that can happen is that it does not pass and Jane Baine replied that it would not hurt but there was no other response from the rest of the Council. Rick Gamboa stated that if you raise it $\frac{1}{4}$ cent that the total would then be 8.07% then do we want to put the total on the ballot and City Attorney Mike Talley stated that he did not believe that we had to put the total of the sales tax on the ballot. Alderman Welch added that she believes that the sales tax is only on there for a certain amount of years. Alderman Chris Ellsworth stated that he thinks we should wait and consider putting it on the November 2019 or even the April 2020 ballot. Alderman Baine stated that she thought it would be best to allow City Attorney Mike Talley to do some research on the issue and put it on the ballot at a later time like November 2019 or April of 2020. Alderman Welch asked Mike Talley to do the research and work something up so that we could get it on the ballot for April 2020. Alderman Ellsworth stated that to back up Rick Gamboa's point if we did an $\frac{1}{8}$ of a cent sales tax that would be under 8%.

Old Business:

Update on City Matters: Nothing

Aldermen Interaction: Alderman Ellsworth asked about the stop sign at Ocean Adventures because it is down and needs to be replaced before it causing an accident. Alderman Hogan stated that next month are Parent Teacher Conferences so he may be a little late to the meeting. Mayor Gary Heilbrun announced to the Council that Gary Reeder who was on the Board of Adjustments passed away last Thursday and his Memorial Service will be January 15th at 2pm.

Public Comment: Nothing.

New Business:

Update on Commissions and Committees: Chris Ellsworth stated that the P & Z Commission meeting elected Ray Brown as President, Steven Williams as Vice Chairman, and Kenan Klein as Secretary.

Audit: Mayor Gary Heilbrun asked if there was any questions or concerns about the Audit. Alderman Baine asked for explanation on the comment of no breakdown on CDBG funds and David Weaver explained that there was actually a breakdown and it was set up and approved by Gene Mense. On the publication issue, David Weaver said that our new City Clerk is still learning some of this. Mayor Gary Heilbrun asked the City Clerk about the status of this and City Clerk, Melody Cundiff replied that she was already working on this. Mayor Gary Heilbrun stated that he went back 3 years into the previous audits to do a comparison and Alderman Jane Baine asked him if he thought it was a good audit and the Mayor then asked the Assistant to the Board David Weaver his opinion. Mr. Weaver replied that the only difference in the audits that is done by Mense and the audits done by KPM is one sentence stating that we comply as well as the \$2,500 difference. Mayor Gary Heilbrun stated that if you go back two to three years most of the wording is the same.

Setting date for Work Session for Codification: The Council decided to meet on Thursday January 17th from 6pm – 8pm with a 2 hour limit.

Other Business Deemed Necessary: Nothing

As there was no further business, motion made by Jane Baine, seconded by Barbara Welch, to adjourn. Ayes: Aldermen Baine, Welch, Hogan and Ellsworth. Nays: none. Motion carried. At 8:35 PM, meeting adjourned.