

**DUQUESNE BOARD OF ALDERMEN
NOVEMBER 18, 2019 MEETING MINUTES**

CALL TO ORDER The regular meeting for the Duquesne Board of Aldermen was called to order at 7:00 p.m. by Mayor Gary Heilbrun.

ROLL CALL Answering Roll Call were Aldermen Jane Baine, Barbara Welch, Adam Hogan, Chris Ellsworth and Gary Heilbrun. Also in attendance was City Attorney Mike Talley and 15 Guests.

PLEDGE OF ALLEGIANCE to the United State of America was led by Mayor Gary Heilbrun.

INVOCATION was read by City Clerk Melody Cundiff.

MOMENT OF SILENCE was given in memory of Doug Crane who was the city custodian since 2006 and passed away November 2019.

AGENDA Motion made by Barbara Welch, second by Jane Baine to approve the amended agenda to include adding Bill #19-28 after Bill #19-26 and adding Storm water Project under Old Business. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

PUBLIC HEARINGS

Rezoning Application for 1910 S. Duquesne from C-1 to C-2:

Opened at 7:03pm

Public Comments: Paul Shaffer, Rick Powers and Tom & Suzi Powell were present. They told the Board that they have a no buyout clause – they have signed the lease for 3 years. If they don't get the original license, they will be putting another retail business in the building. Jane Baine asked them about security. Mr. Shaffer said that at all times while they were open there would be a designated guard on duty at the entrance. His only purpose will be to ask if they have a patient prescription. They told her that they plan on setting up a panic button throughout the building. Attorney Mike Talley asked them to clarify that at this time they were only applying for rezoning and not applying for a business license to open up a marijuana dispensary. The rezoning will not be seen as indorsement for the dispensary.

Public Hearing closed at 7:09pm

MINUTES Motion made by Barbara Welch, second by Jane Baine to approve the October 14th regular meeting minutes as presented. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

Motion made by Barbara Welch, second by Jane Baine to approve the November 11th meeting minutes as presented. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

DQPD ACTIVITIES COMMITTEE UPDATE Becca White, Vice President spoke on behalf of the committee. She presented to the Board a resignation letter from Flo Dempsey. She told the Board that the committee is more than willing to be compliant with whatever they Board wants. She stated that the request and approval process will be placed in all minutes from now on. City Attorney Mike Talley asked if the use of the debit card was for the use of anyone on the committee and Becca replied that yes it was. That the process is that the card is to be checked out through Melody and then turned back into her with the receipt. When the subject of requesting donations came up, Attorney Mike Talley stated that municipalities can't give away items once they have been given to the city account. Mike went on to say that if it is considered a waste item then that is a different issue. Chief Tommy Kitch spoke up and stated

that it was his call to donate to the other municipalities so that it would help their officers on Halloween. He went on to say that they tried to return the unused merchandise but the stores were unable to refund.

Becca White then addressed the Board about putting Christmas lights on the front of City Hall. Attorney Mike Talley asked for clarification that this would be a non-religious display. Becca was able to reply with a response of yes. It is was then asked if the purchase of lights is appropriate based on what the donations were originally given for. Becca replied by saying she felt it was, the donations were originally given for trunk or treat but they understood that it could be used for future events as well by the committee.

The Mayor asked for a motion to accept Flo's resignation letter from the DQPD Activities Committee. Motion made by Adam Hogan, second by Barbara Welch to accept the resignation letter as presented. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

TERRACE GREEN FINAL SITE PLAN REVIEW/APPROVAL Received letter on 11/4/2019 stating all things were compliant. Attorney Mike Talley stated that no further action is required because they have complied with everything that had been asked of them as stated in the letter.

SPIRE ROAD CUTS Ryan Conley with Spire spoke to the Board stating that they have begun moving down Duquesne. That the first two phases all services have been tied over. One crew is back doing clean up on phase one. 3 cuts have not been repaired and he believes that they are up to date on all permitting issues. Barbara Welch asked about the work that is still going on at Katherine, Ryan replied by stating that area is one of the tie in points when they introduce the gas into the new system. Jane Baine stated that the crews are littering around their work areas again. Chris is curious on the amount of digging and Ryan stated that is because they are having to use a bigger pipe which requires a larger hole. Ryan assured them that everything will be restored to the same or better when they leave. Chris asked them how they were going to repair the side of the roads where the backhoes have torn it up. Ryan stated that they would repair it with the same manner that they do the roads. Gary asked if they were going to repair all signs that they disturbed. Ryan says they will be repaired to like they were before they began their work.

GERRITT WITH HSTCC-GRANT OPPORTUNITIES Gerritt stated that he met with the Park Committee about providing grant management to help the city with grant functions. The Trails grant will be an 80/20 grant to help with the sidewalks and the Land and Water grant is a 50/50 grant that will help with park equipment and such. He said that the lowest amount for this grant is 10,000 with a cap of 250,000. He went on to say that there are several other smaller grants that they can apply for that would help toward the match and these can be done at the same time. Application process opens December 16th and the deadline is in May of 2020. Once funding is granted, the day to day management with contractors and such would be handled by them. The cost for them would be around 4% of the project amount coming out of the grant. Motion made by Chris Ellsworth, second by Barbara Welch to authorize preparing of contract by HSTCC. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried. The actual contract will be presented at the December meeting.

GERRITT WITH HSTCC-CDBG UPDATE Gerritt has been working with James Robnett for the remaining amount. James is in the process of retiring. The program was due to close out the end of December 2019 but that is not feasible and the remaining amount needs to be used but must find a qualified buyer. Therefore this has been extended into 2020.

FINANCIAL REPORT & BUDGET SUMMARY Approved and filed for Audit

BILL SUMMARY Motion made by Barbara Welch, second by Adam Hogan to approve payment of the bills as presented. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

COURT REPORT October Court Report was presented. Board approved report and filed for audit.

POLICE DEPARTMENT MONTHLY REPORT Police Chief Kitch presented to the Board of Aldermen. He asked the Board about selling the Dodge as it is now out of service. Motion made by Chris Ellsworth, second by Barbara Welch to take bids to sell the Dodge as is without equipment. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

Motion made by Chris Ellsworth, second by Adam Hogan to approve up to \$2,000 for the body repairs on 811. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

BILL 19-24: REZONING 1910 S. DUQUESNE FROM C-1 TO C-2

Motion made by Jane Baine, seconded by Barbara Welch, to place Bill 19-24 on first reading by title only. Chris Ellsworth stated that the P & Z Commission voted to approve this 6-1 to recommend this rezoning. Motion made by Jane Baine, seconded by Barbara Welch to place Bill 19-24 on second reading by title only.

Motion made by Jane Baine, seconded by Adam Hogan, to accept the second and final reading of Bill 19-24 and assign Ordinance #415. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

BILL 19-26: EMPIRE DISTRICT FRANCHISE AGREEMENT

Motion made by Jane Baine, seconded by Barbara Welch, to place Bill 19-26 on first reading by title only. Motion made by Jane Baine, seconded by Barbara Welch to place Bill 19-26 on second reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth, to accept the second and final reading of Bill 19-26 and assign Ordinance #416. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

BILL 19-28: AMENDING CHAPTER 605: SECTION 605.030 SCHEDULE OF LICENSE FEES

Motion made by Jane Baine, seconded by Chris Ellsworth, to place Bill 19-28 on first reading by title only. Alderman Chris Ellsworth stated that this was being done because it was missed during our codification process.

Motion made by Jane Baine, seconded by Barbara Welch to place Bill 19-28 on second reading by title only.

Motion made by Jane Baine, seconded by Barbara Welch, to accept the second and final reading of Bill 19-28 and assign Ordinance #417. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

NEW BUSINESS LICENSES Motion made by Jane Baine, second by Adam Hogan to approve the new Business Licenses. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

UPDATE OF CITY MATTERS Mayor Gary Heilbrun announced that the Joplin Sewer Rate increases meeting will be Tuesday 11/19/2019 at 5:30 p.m. on the 5th floor of Joplin City Hall. Barbara Welch requested that the sewer rates breakdown that was mailed to the city be included with the minutes that are to be posted on the website. Attorney Mike Talley stated that this will require us to amend our ordinance to reflect the rate changes.

Mayor Gary Heilbrun also announced that the codification revision ended the Fair Housing Committee and we are now to reference the State Human Rights Committee. The recodification eliminated that section of the code.

Mayor Gary Heilbrun also announced that there have been some concerns on the Mayors pay. There has been a new Bill written up stating the changes that would become effect April 2021 which it is up to the Board on when they would like to approve that. Alderman Barbara Welch stated that by state statue we cannot change the pay until the next election which will be April of 2021.

Mayor also shared with the Board that there are still some issues with the Storm water Project fees. It have been announced that Webb City, Duquesne and Joplin will be getting the grant funds. However the application process may need the city to spend approximately \$2,000 to get application finished for additional information from our engineers. Motion made by Chris Ellsworth, second by Barbara Welch to allow the city to spend up to \$2,000 for additional engineering fees for the Storm water Project grant. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

ALDERMAN INTERACTION Nothing at this time.

PUBLIC COMMENTS Bill Sherman, 825 S. Duquesne asked that some of the duties have been falling away after the last employee left who was in charge of nuisances and inspections. He suggested that things be reviewed on how these matters are handled.

Mickey Sherman, 825 S. Duquesne stated to the Board that the Trunk or Treat was a success and wanted to thank the Board for allowing the city to have the event.

NEW BUSINESS Resolution 19-04: Appoint Representative to the HSTCC Board of Directors. Motion made by Barbara Welch, second by Chris Ellsworth to approve the resolution. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

UPDATE OF COMMISSIONS AND COMMITTEES Barbara Welch talked about the Park Committee and stated that they have received over \$2,400 in donations and pledges so far. She went on to share that Donny Allen started on the Committee today as a new member and will be a big help in getting some donations for the Park. She stated that she is researching for a large banner type sign to place on the property to promote the park. She will let the Board know at the December meeting what she finds out. Alderman Chris Ellsworth suggested that we get a 4 x 4 real estate type signs instead of a banner.

OLD BUSINESS The Mayor decided to freeze the committee due to a number of issues that the mayor feels have not been resolved. He is looking for a set of rules or guidelines for the committee but has not be successful about this yet. This brought about a round of discussion. Motion made by Chris Ellsworth, seconded by Barbara Welch, to override the Mayors' freeze on the committee. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

TWO SIGNATURES ON ACTIVITY FUND CHECKS Motion made by Barbara Welch, seconded by Jane Baine, to have two signatures required on all checks that come from the DQPD Activities Fund account. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

ACTIVITIES COMMITTEE USE OF A DEBIT CARD Motion made by Barbara Welch, seconded by Adam Hogan, to have a everyone sign out and sign back in the Debit card when used through the City Clerk and return the receipt to the City Clerk when returning the card. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

HOLIDAY LIGHTS Motion made by Barbara Welch, seconded by Chris Ellsworth, to move forward with the plan for the holiday lights on the city hall building. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

CUSTODIAN FOR CITY HALL Discussion was brought up about a replacement for Doug Crane. Mayor Gary Heilbrun stated that the city had someone interested and wanted to know what the Board thought. The Board asked that this person fill out an application and the Board would review it at the December meeting. Until that time the Mayor has the authority to approve her cleaning as needed.

PRESENT RATES FOR CDs Motion made by Chris Ellsworth, seconded by Jane Baine, to place \$50,000 in a CD for 12 months with Pinnacle Bank at their current rate. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried.

RENEW MEMBERS IN P&Z THAT WILL BE EXPIRING IN DECEMBER – ELLSWORTH & JOHNSTON Mayor appointed Chris Ellsworth and Tom Johnston to another 4 year term ending 12/31/2023. Motion made by Adam Hogan, seconded by Barbara Welch, to accept the appointment to P & Z for Chris Ellsworth and Tom Johnston for another 4 year term ending 12/31/2023. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried

ACCEPT APPLICATIONS TO THE DQPD ACTIVITIES FUND COMMITTEE Mayor Gary Heilbrun appointed Mickey Sherman and William Sherman to the DQPD Activities Fund Committee for a term ending 4/12/2021. Motion made by Chris Ellsworth, seconded by Barbara Welch, to accept the appointment and term limitations. Voting in favor were Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried

There was no further business, a motion was made by Barbara Welch, second by Adam Hogan to adjourn the meeting. Voting in favor was Baine, Welch, Hogan and Ellsworth. Nays: None. Motion carried. Meeting adjourned at 9:57 p.m.