

FINAL  
Regular Meeting

April 9, 2018

City Council met in Regular Session at 7:00 PM on Monday, April 9, 2018. 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 7 guests.

**Agenda:** City Clerk, Brandi Miller, stated need to add Ozark Crane and Surelock Seals to New Business Licenses. Motion made by Chris Ellsworth, seconded by Jane Baine, to approve agenda as amended. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

**Minutes:** March 12 Regular Meeting: Brandi Miller stated need to change "he" to Chris Ellsworth at the top of page 2. Motion made by Jane Baine, seconded by Chris Ellsworth, to approve minutes as amended. 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:** March Court Report was presented. Board approved report and filed for audit.

**PD Monthly Report:** Chief Kitch presented. He stated video systems have expired warranty since last October. Systems purchased in 2013 and 2014. To extend warranties will be \$1,425.00. To replace will be \$4,500 to \$5,000. Motion made by Barbara Welch, Seconded by Chris Ellsworth, to approve \$1,425.00 to extend Watch Guard warranties. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

**New Business Licenses:** Thirteen new business license applications were considered. Motion made by Jane Baine, seconded by Barbara Welch, to approve all thirteen new business license applications. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

**Business License Renewals:** Motion made by Chris Ellsworth, seconded by Adam Hogan, to approve the Business License renewals. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Bill 18-04** Rezoning 611 Walnut Ridge from R-1 to C-2. Mike Talley stated emailed agreement that afternoon with one small change. Terms were consistent with Board's wishes. He suggest we table both bills until next month. Motion made by Barbara Welch, seconded by Adam Hogan, to table Bill 18-04 and Bill 18-05 until next month. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

Brandi Miller stated code provision of 120 days to pass rezoning. Alderman Ellsworth questioned if penalties were spelled out in agreement. Alderman Welch questioned section 1B of the agreement. Mike Talley stated section 1B meant to avoid having persistent vacancy, but can be left out. Aldermen requested penalties in agreement.

**Bill 18-05** Rezoning 615 Walnut Ridge from R-1 to C-2. Tabled.

**Old Business:** CDBG Housing Project Update – David Weaver stated second downpayment assistance home closing this week. Derek Smith home finished within a week. Beaver home on 27<sup>th</sup> Street will be about 3 months. Alderman Baine asked about the Radon test results, David stated needs to ask State.

MAPS Contract: Alderman Welch stated received front-page publicity, only one city has a contract so far. They have given us \$1 and \$3 ride option with open-ended contract. Board of Aldermen approved \$200 limit in November 2017. Alderman Ellsworth we should not pay without a contract. Mike Talley stated not improper to pay with Board approval. David Weaver stated Carl Junction has verbal commitment, wanted to know how we got singled out. Mike added that he recently drafted an Ordinance for Carl Junction's contract with additional terms. He questioned who was negotiating with Joplin. Mayor Heilbrun and David Weaver met with Robert Lolley and David Hertzberg, they will continue to communicate with Joplin. The Board agreed to sign contract with the following provisions: detailed accounting (originating address and date), termination provisions, service doesn't stop when we hit cap, and \$1 rides with \$200 cap.

Copy Machines: Brandi Miller went over options on copy machines. Recommended cancelling maintenance contract on the Court machine. No action taken.

Codification Project: Brandi Miller stated Board of Aldermen has completed the Editorial and Code Analysis. Board of Aldermen added speed limit of 20 MPH for the Piper Glen Subdivision streets and made changes to the suggested order of the Board of Aldermen meeting agendas. Motion made by Jane Baine, seconded by Chris Ellsworth, to approve the Editorial and Code Analysis as amended and submit to General Code. Ayes: Aldermen Baine, Welch, Ellsworth. Nays: none. Motion carried.

**Abandoned Cars:** David Weaver asked if covered in recodification. Mike Talley stated yes. No further discussion needed.

**Update on City Matters:** Brandi Miller stated City received question about individuals outside City setting up on property inside City for the Rummage Sale. Board of Aldermen stated property owners have right to let others sell on their property. Barbara Welch asked David Weaver about the Sewer Bond. Balance Sheet in financial reports shows balance. We are about halfway through the note which matures in 2028.

**Approve Certified Election Results:** City Clerk read certified results. The following were declared winners: Ward I – Barbara Welch  
Ward II – Jane Baine  
Use Tax Question – Passed

Motion made by Chris Ellsworth, seconded by Barbara Welch, to approve certified results. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

**Sine Die (Old Board Steps Down):** Old board members stepped down.

**Administer Oaths of Office:** City Clerk administered oaths.

**Elect Board President:** Barbara Welch nominated Chris Ellsworth for President. As there were no other nominations, motion made by Barbara Welch, seconded by Chris Ellsworth, to elect Chris Ellsworth as President of the Board of Aldermen. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

**Aldermen Interaction:** Alderman Baine stated glad Codification project is almost done. Alderman Welch thanked Mike Talley and Brandi Miller for their work on the project. Adam Hogan stated Next Door app has had several posts about Rummage Sale. Alderman Welch stated was also posted on Facebook page.

**Public Comment:** Rick Gamboa, 4005 E. 20<sup>th</sup> Street, spoke about fire hydrants, Piper Glen culverts, fiscal year revenue. David Weaver stated we will take pictures of culverts.

Mayor Heilbrun stated we have laxed on Robert's Rules over the past two years. We are going to try to reintroduce to curb wandering of discussions.

**New Business:** Appoint Board of Adjustment: Mayor Heilbrun appointed Kerry Divine, Gary Reeder, Rick Gamboa, Jane Baine and Barbara Welch. Motion made by Chris Ellsworth, seconded by Adam Hogan, to approve the Mayor's appointments to the Board of Adjustment. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried. Mayor Heilbrun assigned terms as follows 1-yr: Kerry Divine, 2-yr: Gary

Reeder, 3-yr: Rick Gamboa, 4-yr: Jane Baine, 5-yr: Barbara Welch. Motion made by Chris Ellsworth, seconded by Adam Hogan, to approve the terms. Ayes: Aldermen Baine, Welch, Hogan, Ellsworth. Nays: none. Motion carried.

Update on Commissions and Committees – none.

**Other Business Deemed Necessary:** David Weaver stated Jasper Products requesting 1-year variance on paving codes, want to put down base rock and double chip/seal coat that will keep dust down. Barbara Welch questioned if property needs to be rezoned to M-1. Mike Talley stated Section 404.030 provides that all parking spaces must be within 300' of the building. Rezoning to M1 would allow parking trucks without the 300' restriction. Barbara Welch stated we have no official plans from Jasper Products yet. Mayor Heilbrun stated plans were passed around at P&Z. No action taken.

As there was no further business, motion made by Barbara Welch, seconded by Jane Baine, to adjourn. Ayes: Aldermen Baine, Welch, Hogan and Ellsworth. Nays: none. Motion carried. At 10:20 PM, meeting adjourned.