

Board of Aldermen opened Regular Session at 7:00PM on Monday, February 08, 2016. Mayor Lisa Daugherty called meeting to order.

Roll Call: Present were Aldermen Chris Ellsworth, Gary Heilbrun, Barbara Welch, and Roger Bone. Absent: None. Also present were Mayor Lisa Daugherty, City Attorney Mike Talley, Chief Kitch and approximately 24 guests.

Motion made by Alderman Bone, seconded by Alderman Welch to approve amended agenda. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Public Hearing:

- Public Hearing 1 at 7:05
 - Rezoning of 3857 E. 20th St. from R-1 Single Family Residential to C-2 Commercial Retail.

Public comments:

Phil Harrison, 3857 E. 20th

Mr. Harrison has owned the property for 30 years and would like to sell it. He has a buyer and would like to get it rezoned to sell. Fastnell is looking to purchase.

Alderman Ellsworth stated that the P&Z voted 5-0 to rezone it to commercial.

1st Public Hearing Closed

- Public Hearing 2
 - Vacating of the old 10th Street right-of-way at the property located at 931 Katherine.

Public comments:

Ron Born, 808 E. 40th

Mr. Born stated that he would like to sell his lot. He would like to get the 40ft section of the old 10th Street vacated by the city. Mr. Born stated that by vacating the street it will square off the property. Alderman Ellsworth stated that the P&Z voted 5-0 to vacate the street.

2nd Public Hearing Closed

Motion made by Alderman Welch, seconded by Alderman Ellsworth to approve January Regular Meeting Minutes. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Welch, seconded by Alderman Ellsworth to approve both January 11th Closed Meeting Minutes. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Welch, seconded by Alderman Ellsworth to approve January 27th Closed Meeting Minutes. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Welch, seconded by Alderman Ellsworth to approve January 27th Special Meeting Minutes. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Alderman Welch asked how the audit went. Mayor Daugherty stated that it went well.

Financial Report & Budget Summary: January financial report was presented. As there were no changes or corrections, report was approved and filed for audit.

Court Report: January court report was presented. As there were no changes or corrections, report was approved and filed for audit.

- Bill No. 16-01: An Ordinance Amending the Zoning District Map Adopted by the Board of Aldermen of the City of Duquesne, Missouri, by Ordinance No. 106 on the 21st Day of July, 2008, as Amended, to Rezone 3857 E. 20th Street, Jasper County, Missouri, as More Fully Described in the Body of this Ordinance, from R-1 Single Family Residential to C-2 Commercial Retail.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to have 1st reading of Bill No. 16-01 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to have 2nd reading of Bill No. 16-01 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Ellsworth, seconded by Alderman Welch to approve Bill 16-01 and to accept as Ord # 278. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Bill No. 16-02: An Ordinance Vacating the Old 10th Street Right-Of-Way for 200 Feet by 40 Feet Wide Along the South Line of Lot 12 in Leckie's Subdivision in the NE ¼ of S7, T27, R32, More Fully Described in the Body of this Ordinance, in the Coty of Duquesne, Jasper County, Missouri.

Motion made by Alderman Bone, seconded by Alderman Welch to have 1st reading of Bill No. 16-02 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Welch, seconded by Alderman Heilbrun to have 2nd reading of Bill No. 16-02 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Ellsworth, seconded by Alderman Bone to approve Bill 16-02 and to accept as Ord # 279. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Jasper Products: Aaron Watson

Aaron Watson is the contractor that will be working on the expansion project for Jasper Products. They are wanting to add on to an existing building and add another tank. Mayor Daugherty asked if the tank would be covered or open to the elements because of the odor that comes off of the tanks in the summer time. The answer was that the tank would be open but by adding the extra tank the hope is to run more efficient to help keep the odor down. The extra tank will allow the system to be better balance and will help the system to work more effectively. Mayor Daugherty would like to see them use a covered tank. Jasper Products stated that the type of system that they have works with an open tank, cover tanks are used with a different kind of system. The city will be turning the plans over to Allgeier, Martin for review.

Old Business:

- Update on City Matters

Mayor Daugherty stated that the auditor was here the week of January 18th.

David Weaver stated that with FEMA we are up to \$80,000 of reimbursement. The CCTB is in its final stages so far we are at \$60,000 that is approved.

- Consider Recommendation from Allgeier, Martin and Associates pertaining to Street Bids

Mayor Daugherty stated that on February 2nd the sealed street bids were opened. Blevins Asphalt was the low bidder and Allgeier Martin recommends them to do the work. Allgeier Martin was very pleased with the bids that came in.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to accept the bid from Blevins Asphalt for the street work. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Bill No. 16-03: An Ordinance Providing "Fair Housing" for the City of Duquesne, Missouri. Defines Discriminatory Housing Practices, and Creates a Fair Housing Committee.

Motion made by Alderman Welch, seconded by Alderman Ellsworth to have 1st reading of Bill No. 16-03 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Ellsworth, seconded by Alderman Bone to have 2nd reading of Bill No. 16-03 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to approve Bill 16-03 and to accept as Ord # 280. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Resolution No. 16-01: Excessive Force Resolution

Motion made by Alderman Ellsworth, seconded by Alderman Welch to adopt resolution No. 16-01. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Amendment #1: Allgeier Martin and Associates

Motion made by Alderman Ellsworth, seconded by Alderman Welch to approve amendment #1. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Resolution No. 16-02: A Resolution Approving Amendment No. 1 to the City of Duquesne Employee Handbook to Add Good Friday, the Day After Thanksgiving Day and Christmas Eve Day as Holidays, and to Limit Accumulated Compensatory Time Off For Overtime to Forty (40) Hours.

Motion made by Alderman Welch, seconded by Alderman Ellsworth to adopt resolution No. 16-02. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Aldermen Interactions:

Alderman Heilbrun brought up the contract for the Joplin Humane Society. There was a discussion about the contract and whether or not the city would get charged if a resident dropped off an animal. Alderman Heilbrun stated that he had a discussion with the Humane Society and they stated that the city would not get charged if residents dropped off animals. The city will only be charged when the city drops off an animal. The actual contract is very vague in describing this and the contract was not

signed before because of the way it is stated. The alderman discussed letting the city maintenance worker and any officer being able to take animals to the Humane Society. There was also discussion about whether or not to purchase a cage to transport the animals. City Attorney Mike Talley is asked to look over the contract and let the city know what he thinks of it.

Alderman Heilbrun stated that he wants the memorandum about city vehicles thrown out. He stated that he does not see a problem with an employee driving a city vehicle to lunch. Mayor Daugherty stated that she believes that city vehicles should not be driven when the employee is off the clock. This is due to questions from residents that ask why the city vehicle is somewhere other than in the city. She also stated that if we allow one employee to use the city vehicle for personal use then we will need to allow all employees to use the city vehicle on their personal time. Alderman Welch stated that she does not think it is a problem to take a vehicle to lunch. Mayor Daugherty stated that she has had several complaints. Mayor Daugherty asked City Attorney Mike Talley to state what the Mayor's duties are. He stated that the Mayor was in charge of the day to day operations of the city. He also stated that the alderman can make a motion to create new policy. There was a discussion amongst the alderman about whether or not employees should be able to use city vehicles for personal use.

Motion made by Alderman Heilbrun, seconded by Alderman Ellsworth to allow employees to take the city vehicle to lunch within a 5 mile radius. Ayes: Aldermen Ellsworth, Welch, Heilbrun. Nays: Bone. Motion carried.

Public comments:

Fred Ferrer, 114470 E. 26th St.

Mr. Ferrer wanted to know how the engineers planned on making the connection between the drive ways and the street. The answer was that the engineers would do their best to taper within an inch of matching the paving with the driveways.

Cinda Sweet, 3711 E. 13th St.

Ms. Sweet stated that the city had some leverage on Jasper Products because they need the city to approve a building permit for them. She believes that Jasper Products was very vague on whether or not their project was going to fix the smell. Ms. Sweet thinks that the board needs to stand up for the community and get a guarantee from Jasper Products that they will fix the smell. Ms. Sweet also stated that it breaks her heart to see the board fight and bicker. The board needs to try to get along for the sake of the community.

Bill Sherman, 825 S. Duquesne Rd

Mr. Sherman stated that he believes that Jasper Products is trying to work with our community. He believes that they have to be vague because there is no way to completely guarantee that this projects will fix all of the smell. Mr. Sherman also stated

that Jasper Products stated that by making a new tank, it will help spread the wastewater and hopefully get the smell under control.

Mr. Sherman also asked the board about how do you get on the fair housing board? The answer was submit a letter stating interest and that the city could make up an application.

- Business License Renewal

Motion made by Alderman Bone, seconded by Alderman Welch to approve 2016 business license renewals. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

New Business License

- Paltech Enterprises of Arkansas

Motion made by Alderman Welch, seconded by Alderman Bone to approve Paltech Enterprises of Arkansas business license. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- PD Report-presented by Chief Kitch

Vehicle status:

811-Current mileage is 49,000+/- . No anticipated repairs.

812-Current mileage is 65,276. No anticipated repairs.

813-Current mileage is 92,413. Vehicle is going to be taken from service.

814-Current mileage is 20,840. Molding on the passenger side was repaired.

Personnel Issues:

- Officer training will be starting in February.
- Officer White is due to start on February 11, 2016.

Departmental Issues:

- Received \$8076 from the LEST Grant. Sixteen hundred (+/-) is allotted for new vehicle (Ford) equipment. After approval of grant by the County Commission the equipment will be ordered.
- Items on the grant were mostly for evidence tracking. There was a computer which is to be used for this purpose and more shelving to store items. The software will also afford an ability to inventory city property.
- Ordered a push bumper and expect the Ford to be in service, hopefully, by mid-month or the first part of March.

Bill Summary

Motion made by Alderman Ellsworth, seconded by Alderman Welch to approve to pay the bills. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Reports of Special Boards, Committees & City Officers

Planning and Zoning

P&Z will have a work session in 2 weeks on February 23rd at 7:00. The next monthly meeting will be the 2nd Thursday of March, which will be March 10th. Cathy Hudson missed the last P&Z meeting due to strep throat and the members decided that she should be excused from missing that meeting.

Gym Membership for Employees

The gym membership would be \$9.70 per month, per employee. The city will have to sign a contract for 1 year. The \$9.70 is for a basic membership, equipment use only, no classes and no tanning. If the employee would like to upgrade it will cost the employee \$19.00 per month. The membership will be a taxable benefit to the employee. The city currently has 5 employees that are interested. David Weaver suggests that the city need to continue to look for a better fit.

Motion made by Alderman Bone, and seconded by Alderman Welch to go into closed session 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.

A roll call vote was taken by City Clerk Gina Taylor: Alderman Welch, Heilbrun, Bone and Ellsworth Nays: none. Motion carried.

Board moved to closed session at 9:29 PM.

Board reconvened Regular Meeting at 11:13 PM.

As there was no further business, motion was made by Alderman Bone, seconded by Alderman Ellsworth to adjourn. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

At 11:14 PM, meeting adjourned.

Gina Taylor
Duquesne City Clerk