

Board of Aldermen opened Regular Session at 7:00PM on Monday, December 14, 2015. 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 Tommy Kitch and approximately 14 guests.

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

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

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

Motion made by Alderman Welch, seconded by Alderman Heilbrun to approve December 1st Special Meeting Minutes. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

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

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

- Terry Slinkard: Vehicle Taxes
5325 E. 24th St.

Mr. Slinkard read a letter that he wrote to the council. It discussed that Beacon was used by the Jasper County Assessor's Office to determine the residency for tax purposes for Jasper County. Mr. Slinkard stated that Beacon is a third party for profit entity and our local government should not rely on them to determine tax status. He asked the board to make a motion to determine, legally define, and record the current Duquesne corporate city limits. There was a discussion that the area that Mr. Slinkard lives in is not in the city limits because the city cannot find any record of the area being annexed in. The city clerk will be writing a letter to the Assessor's Office to let them know that Mr. Slinkard's residence is not within the city limits of Duquesne.

- Bill 15-24: An Ordinance Amending the Municipal Code of the City of Duquesne, Missouri, By Amending Title VI: Business and Occupation, Chapter 610: Miscellaneous Business Regulations, By Adding New Article III. Aggressive Solicitation, to Regulate and Punish Violations of the Act of Aggressive Solicitation Within the City of Duquesne, Missouri.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to have 1st reading of Bill No. 15-24 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. 15-24 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Bone, seconded by Alderman Welch to approve Bill 15-24 and to accept as Ord # 276. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Bill No. 15-25: An Ordinance Approving a Property Access Agreement Between the City of Duquesne, Missouri and Simpson, Simpson and Sterrett, Inc., Granting Access to Simpson, Simpson and Sterrett, Inc., and Their Contractors to Install One Additional Shallow Groundwater Monitoring Well to Collect Soil and Groundwater Samples from the Monitoring Well East of 3929 E. 7th Street, Joplin, Missouri, Within the Road Right-of-Way on Duquesne Road; Providing the Terms and Conditions Thereof; and, Authorizing the Mayor to Execute Said Agreement for and on Behalf of the City of Duquesne, Missouri.

Motion made by Alderman Bone, seconded by Alderman Welch to have 1st reading of Bill No. 15-25 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Welch, seconded by Alderman Bone to have 2nd reading of Bill No. 15-25 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 15-25 and to accept as Ord # 277. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Old Business:

- Update on City Matters

David Weaver stated that FEMA denied our 2nd appeal on the CCTB, although there is another side of the community disaster loan of which the city is eligible for \$220,000. We are going to be reimbursed for all of the engineering fees, legal expenses will be reimbursed up to August 15, 2011. At the moment we are up to \$66,000 in reimbursement expense back from FEMA.

- Update on Purchase Resolution 15-03

There was a discussion about why we need the purchase resolution. Alderman Welch stated that there is no state or federal law that requires a purchase resolution. She stated that we are a small enough operation that there should not be a problem with invoices and tracking purchases. The city clerk stated that it is something that would help with coding and the tracking of purchases. The clerk also stated that KPM has recommended that we have a purchase resolution. Mrs. Welch stated that it is an accounting process and it would require more work on part of the city clerk. After more discussion it was decided that it was not needed. As for coding it was decided that when miscellaneous purchases are made and email should be sent to the city clerk stating what was bought and which department ordered it.

- Alderman Interaction

Alderman Heilbrun and city employee Cris Gurubel worked on the zoning maps. What they came across was a lot of zoning may have been done by a hand shake. Mr. Heilbrun stated that several areas are zoned wrong, he cannot find any ordinances that state zoning of certain areas. City Attorney Mike Talley stated that the city did not zone before 2008, so if the areas were built before that time then there would not be an ordinance stating what the area is zoned. The 2008 zoning map should be correct unless there is an ordinance after 2008 changes the zoning status.

Public comments:

- Bill Sherman 825 S. Duquesne Rd.

Mr. Sherman would like notification before the roads start getting fixed. The paving will not start until spring and will let him know.

- Rick Gamboa 4005 E.20th

Mr. Gamboa wanted to know if there was a decision on the purchase resolution. The answer yes the board came to an agreement that we would not be doing the purchase resolution.

New Business

- Overtime Policy

Alderman Welch stated that there is a perception that employees are getting too much time off. She proposes to take away comp time, and the employees will get paid overtime instead. She also stated that this is for the office employees only, it excludes the police department. Mayor Daugherty stated that by allowing comp time the city is saving money that would otherwise be paid out as time in a half for overtime.

Motion made by Alderman Welch, seconded by Alderman Heilbrun to take away comp time for office employees. Ayes: Aldermen Welch and Heilbrun. Nays: Aldermen Ellsworth and Bone. Mayor Daugherty voted nay to break the tie. Motion failed.

Alderman Welch stated that both the court clerk and the city clerk were gone on a Friday and wanted to know why. The answer was that they were sent to a seminar about file retention in hopes to receive grant money. The reason both clerks needed to be there to receive the grant for both departments (court and city).

Alderman Welch also had concerns about work logs. She stated that if one employee needed to do then the other employees did to.

Motion made by Alderman Welch, seconded by Alderman Heilbrun to get rid of the work logs. Ayes: Aldermen Ellsworth, Welch and Heilbrun. Nays: Aldermen Bone. Motion carried.

- Amend 2016 Budget

Alderman Welch asks to change the training amounts for admin and court. She suggested that the training amounts should be \$250 for both court and admin, anything over that amount needs to be approved by the board. Mayor Daugherty stated the court and admin employees need trained just like the police officers. Alderman Welch turned in a new mileage log to be used by the court clerk Stephanie Ayres. She also stated that if the form was not used then she would vote to not pay the mileage invoice.

Motion made by Alderman Ellsworth, seconded by Alderman Bone to approve amended budget for 2016. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Business License Renewal
 - Matheson Tri-Gas Inc.
 - Festival Mexican Restaurant

Motion made by Alderman Ellsworth, seconded by Alderman Welch to approve Matheson Tri-Gas Inc. business license renewal for 2016. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Ellsworth, seconded by Alderman Welch to approve Festival Mexican Restaurant business license renewal for 2016. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- PD Report-presented by Chief Kitch

Vehicle status:

811 – Current mileage is 45,352. No anticipated repairs.

812 – Current mileage is 63,000 +/- . The vehicle was involved in a collision with a barrier responding to a burglary call. There was undercarriage damage.

Damage repair estimate is 2,767.34. This will be an insurance issue. MPR notified.

There are items such as tax on the estimate which will need to be adjusted.

Mayor Daugherty stated that she finds it unacceptable that she was not notified about the car accident.

813 – Current mileage is 89,420. Vehicle was taken to Ford for service. Ford indicated it was an oil pan leak instead of the transmission lines leaking.

Suggestion was to monitor the leakage to determine if a repair is warranted.

814 – Current mileage is 20,254. No anticipated repairs.

Departmental Issues:

- Coordinated the effort with the city clerk and Jasper County LEST coordinator for reimbursement of monies expended for the LEST Grant this year (28K +/-).
- Missouri Southern State University has changed the training program for the upcoming year. This makes the training program feasible and cost effective. The Police Department received 1,458.56 for training this year from the state. Cost of the program for six (6) seats is 1,800.00.

Motion made by Alderman Welch, seconded by Alderman Bone to approve training at MSSU for the police department. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- The State of Missouri is changing the training parameters for officer training. The hours of mandatory training are being increased. Special emphasis is being placed on mental health, cultural diversity and other areas deemed necessary.

Car Stops	200	All Arrests	18
Citations	115	Reports Taken	29
Warnings	108	Call for Service	396

Bill Summary

Mayor Daugherty asked why is the city still taking cars to Carthage for oil changes. She would like to know why we cannot do it local, to drive to Carthage we are taking 2 employees out of the city for close to 1 hour and putting about 60 miles on the vehicles round trip. Chief Kitch stated that the dealerships are certified and Carthage understands police work.

Motion made by Alderman Ellsworth, seconded by Alderman Heilbrun 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 did a lot split at their meeting.

Motion made by Alderman Bone, and seconded by Alderman Ellsworth 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 10:38 PM.

Board reconvened Regular Meeting at 11:20 PM.

No votes were taken during closed session.

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 11:21 PM, meeting adjourned.

Gina Taylor
Duquesne City Clerk