

City Council for City of Duquesne met at 7:00 p.m. on Monday, July 15, 2013, at City Hall for Regular Session continued from July 8.

Mayor Denny White called meeting to order. David Weaver gave invocation.

Roll call was taken. Mayor Denny White, Aldermen Dale Daniels, Frank Herron, Lisa Daugherty, Roger Bone were present. Absent: none. City Attorney Mike Talley, Police Chief Kitch, David Weaver and 40 visitors were also present.

Agenda: Mayor requested US Kustoms LLC be added to Business Licenses under consideration. Motion made by Roger Bone, seconded by Lisa Daugherty, to approve agenda as modified. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Minutes from June 10 Regular and May 13 and June 10 Closed Meetings for real estate matter were presented to entire Board. No changes or corrections, minutes were approved as presented. May 13 Closed Meeting minutes for litigation matter were presented to only Board members present: Acting President Daniels and Aldermen Herron and Bone. No changes or corrections, Acting President Daniels approved minutes as presented. Closed minutes were gathered by Clerk.

Financial report for June was presented. As there were no changes or corrections, report was approved and filed for audit. Motion made by Lisa Daugherty, seconded by Roger Bone, to grant access to Board to timesheets. Ayes: Alderman Daugherty, Bone. Nays: Alderman Daniels, Herron. Mayor broke tie and voted nay. Motion denied.

Budget Summary: 9-month summary was presented to Board for its review.

Court report for June was presented. As there were no changes or corrections, report was approved.

Business License: 4 State Satellite (3702 E 7th), Iris Styling Salon (4012 E 25th) and US Kustoms LLC (#730 E 20th) were presented to Board for approval. Motion made by Dale Daniels, seconded by Lisa Daugherty, to approve application. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Public Comments: none.

Old Business: Lisa Daugherty asked Board to consider expanding length of time fireworks can be sold. Currently, its from July 1 through July 4. Mayor asked City Attorney Talley to review state statutes and report back at August meeting.

Update on City Matters: David Weaver stated City has passed first round of approval for 50% Grant for sewer expansion with matching 2% low interest loan. David has been in contact with Sallie Hemenway, Director of Missouri Department of Economic Development to try for funding assistance for road repairs.

Waterline down Van Winkle: David stated Allgeier Martin & Associates have bid documents ready for bid and should advertise project shortly.

City Attorney Talley advised Board of information he received at recent conference. Office of State Court Administration (OSCA) has stated local municipal courts must begin collecting \$3 for county sheriffs retirement fund as part of court fees beginning August 28. Funds and report will be submitted on monthly basis. This fee has been in place for sometime, but current Attorney General has recently determined it also applies at municipal level. This subject will be examined further before his recommendation is made.

Also, City Attorney was informed that current legislation passed which could change Mack Creek rule to apply to all city streets. If so, this legislation would provide that City fines cannot exceed 20% of city's revenue and periodic reports would have to be submitted to show exactly what percentage of revenue was generated by traffic fines. If all this is true, City of Duquesne would be impacted. However, City Attorney has not actually seen or read this legislation yet. He will review actual legislation and report back with further information.

Lisa Daugherty asked about \$500 paid to Arnold Terry to clean out culvert when Board recently told Mr. Sherman that it's landowner's responsibility to maintain ditches and culvert in front of property. Mayor explained culvert Mr. Terry cleaned out was under roadway and it prevented City from necessity of cutting road to repair.

Randy Blaukat, 3820 E 10th: He recently purchased property and was told it was not connected to City sewer system. There would be \$500 connection fee. He asked Board to consider waiving connection fee. Mayor stated property was also subject to penalty for not being connected in timely manner and recommended Board waive penalty, but charge connection fee. Motion made by Dale Daniels, seconded by Frank Herron, to waive penalty fee, but charge connection fee. Ayes: Aldermen Daniels, Herron. Nays: Aldermen Daugherty, Bone. Mayor broke tie and voted aye. Motion carried.

Other Matters: Roger Bone presented Board with application from Barbara Welch for Planning & Zoning Commission. Roger Sapp had also submitted application. Bryan Low had recently submitted his resignation from Commission. Mayor, who appoints Commission members with Board's consent, appointed Ms. Welch and asked Board for its consent. Motion made by Dale Daniels, seconded by Lisa Daugherty, to approve appointment. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried. Motion made by Lisa Daugherty, seconded by Roger Bone, to have ordinance drafted to amend member selection to allow Mayor and/or Board

to appoint Commission members. Ayes: Alderman Daugherty, Bone. Nays: Alderman Daniels, Herron. Mayor broke tie and voted nay. Motion denied.

Consider Vote to Go into Closed Session Pursuant to RSMo 610.021(2) Real Estate: Motion made by Lisa Daugherty, seconded by Roger Bone, to move closed session to end of meeting. Ayes: Aldermen Daugherty, Bone. Nays: Alderman Daniels, Herron. Mayor broke tie and voted nay. Motion denied. Motion made by Dale Daniels, seconded by Frank Herron, to go into Closed Session to discuss real estate matter. Roll call taken: Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried. At 7:55 p.m., Board went into Closed Session.

At 8:05 p.m., Board returned to open session. Mayor stated Board had discussed possible land purchase. No formal action or vote taken during Closed Session.

Police Department Report: Chief Kitch presented report. Chief reported video system in #813 (Tahoe) was failing. System already repaired once for about \$700. Current system in operation since 2007. New system estimated cost \$3,500 to \$4,500. Mayor instructed Chief to have it repaired again. Board could consider replacing in next year's budget.

Officer Johnson scheduled to return to light duty this week after breaking hand in pursuit. He might deploy to Middle East in August or September, providing hand will permit. Chief requested approval to assign him and Cris Gurubel, outside maintenance employee, to sewer connection detail. Mayor approved request.

Chief and Board discussed pursuing civil action against Linda Deslatte. Her property continues to be weed and trash nuisance. Board instructed Mike Talley to file necessary paperwork.

Chief reported Department will begin posting weed nuisance violations soon.

Planning & Zoning Commission: Mayor wanted City Attorney to be available for next meeting. Due to attorney's scheduling, Mayor changed meeting to 6 PM, Monday, August 12. Clerk will notify Commission members.

As there was no further business, motion was made by Dale Daniels, seconded by Frank Herron, to adjourn meeting. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried. At 8:25 p.m. meeting adjourned.

Terry Ingram, City Clerk