

City Council for City of Duquesne met in Regular Session at 7:00 p.m. on Monday, November 11, 2013, at City Hall.

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 and 34 visitors were also present.

Agenda: Motion made by Dale Daniels, seconded by Roger Bone, to approve agenda. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Minutes from October 14 Regular Meeting with Closed Session. Regular and Closed minutes were approved as presented.

Financial report for October was presented. As there were no changes or corrections, report was approved and filed for audit.

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

As it was not time for advertised Public Hearing, motion made by Dale Daniels, seconded by Frank Herron, to proceed with agenda until 7:15 PM. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Home Sweet Home USA: Company had previously asked for Board's approval to apply for CDBG funds to construct houses in Duquesne. Doug Wickstrom, President and Co-Founder, wanted to explain Home Sweet Home is non-profit 501-3C company that builds homes for elderly and wounded warriors; has only one paid employee; administrative fee is part of FHA loan amount with equity converge; and was within CDBG scope. David Weaver stated same problems still exist that existed first time he addressed Board and David was told by representative at Harry S Truman Coordinating Council (HSTCC) that they did not meet loan requirements. David was to contact HSTCC offices for confirmation and inform Mr. Wickstrom of results.

Public Hearing for Annexation of 20th Street East of City Limits to Kenser Road: at 7:17 PM, Mayor opened public hearing. Lisa Daugherty wanted to know why annexation was needed. Mayor explained student safety by ability to monitor school traffic and improve City's position for possible road improvement grants. Mayor also stated Planning & Zoning Commission held its public hearing on October 7 and recommended Board proceed with annexation.

Cinda Sweet, 3711 E 13th, commented on dangerous situation for pedestrians due to lack of road width and verified current city limits was at Amie Lane.

Diana Willard, 4210 Belle Locke, asked about plans to widen 20th, as well as Duquesne Road. Allgeier Martin has estimated project, including necessary land acquisition and utility relocation, at \$11 million.

Gary Heilbrun, 4015 E 25th, asked about loaded dump trucks on 20th Street from Plaza Apartments project. Mayor stated temporary permission was granted. He also inquired about dog wand for police department. As there were no other comments, public hearing was closed at 7:40 PM.

Motion made by Dale Daniels, seconded by Frank Herron, to approve annexation petition. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried. Matter must sit for at least 14 days before any further action.

Bill 13-14 Cobble Excavating Agreement to Do Street Cut Repairs 2013 – 2014: Motion made by Lisa Daugherty, seconded by Dale Daniels, to read Bill 13-14 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-14 was read by title only. No discussion necessary. Motion made by Lisa Daugherty, seconded by Dale Daniels, to approve first reading by title only of Bill 13-14 and move to second and final reading of Bill 13-14 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-14 was read second and final time by title only. Motion made by Lisa Daugherty, seconded by Roger Bone, to accept second and final reading of Bill 13-14 by title only and adopt as Ordinance 225. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-15 Circumvention of Court Ordered Interlock Ignition Device: Motion made by Lisa Daugherty, seconded by Dale Daniels, to read Bill 13-15 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-15 was read by title only. Ordinance was requested by Chief during October meeting. Motion made by Lisa Daugherty, seconded by Roger Bone, to approve first reading by title only of Bill 13-15 and move to second and final reading of Bill 13-15 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-15 was read second and final time by title only. Motion made by Lisa Daugherty, seconded by Dale Daniels, to accept second and final reading of Bill 13-15 by title only and adopt as Ordinance 226. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-16 Rezone Request for Northwest Corner of 27th & Duquesne Road from Undeveloped to C2 Commercial: Motion made by Lisa Daugherty, seconded by Frank Herron, to read Bill 13-16 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-16 was read by title only. C-2 Commercial Zone allowed any use of land from single family residential to retail commercial Rezoning would be consistent with Comprehensive Plan which has future use for Duquesne Road as commercial. Motion made by Dale

Daniels, seconded by Lisa Daugherty, to approve first reading by title only of Bill 13-16 and move to second and final reading of Bill 13-16 by title only. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill 13-16 was read second and final time by title only. Motion made by Lisa Daugherty, seconded by Dale Daniels, to accept second and final reading of Bill 13-16 by title only and adopt as Ordinance 227. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Business License: Unique Precision Bullets at 4202 E 25th St (home-based) tabled from October meeting. Business does not make full-component bullets. No gun powder is stored on-site. Application listed business as manufacturing and, as such, was not included in list of permissible home-based business. Applicant, Weerayuth Juneweeranong, could apply for special use permit (application fee is \$250) if he wanted to pursue obtaining business license. Permit would require public hearing before P&Z Commission and Board, with notifications sent to landowners within 185' of his property. City Attorney also pointed out to Board inaccurate section reference within special permit section that needed to be corrected, but he recommended it be included with another public hearing for economic reasons.

Public Comments: Steve Reece, 1101 Van Winkle, asked about licensing of dog grooming and/or boarding home-based businesses, as these were not on permitted list. Gentle Touch on 13th and Stylish Pets on Belle Locke have been licensed for years. Alderman Daugherty asked legality of dog training business (Jenn's Formal Dog Training on Belle Locke) that had been approved by Board earlier this year. Board will review these licenses at renewal.

Cinda Sweet, 3711 E 13th, complained about trash trucks leaking fluids when compacting loads and residue left behind. Police Department is to monitor situation and respond accordingly.

Gary Heilbrun, 4015 E 25th, commented on P&Z recommendation to increase lot frontage width from 80' to 85'. He asked Board to consider increasing it to at least 90' because there are 25 lots from Freeport west to Duquesne Road that could still be split with 85' minimum.

Old Business: Van Winkle Waterline: Bids were opened earlier and reviewed by Allgeier Martin with lowest bid of \$81,547.02. Residents in area already have water with ¾" private line. Motion made by Dale Daniels, seconded by Frank Herron, to table project until reserves build back up. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Planning & Zoning Commission Lot Size Recommendation: Commission recommended 85' minimum frontage. City Attorney stated any change in minimum lot size would require public hearings before P&Z and Council. He also recommended 3-tier amendment if Board decided to pursue minimum to requirement for lots before initial P&Z minimum requirements; lots created after but before any change; and lots after any change in footage requirements to build on created lot. Alderman Daugherty would like study on how many lots change would affect. Subject was tabled.

Joplin MAPS Rate Increase Proposal: Tabled from October meeting, increase would be implemented over 4-year period at 50¢ each year until current subsidized \$1 rate maxed at \$3 per ride. Motion made by Dale Daniels, seconded by Frank Herron, to discontinue program for now. Ayes: Aldermen Daniels, Herron,, Bone. Nays: none. Abstain: Alderman Daugherty. Motion carried.

“Concerned Citizen” Letter: Mayor requested David Weaver investigate origin of letter mailed out with possible link to Shining Star Ministries, 501-C Non-Profit Organization, for possible misuse by being used to mail political subject matter.

New Business: Police Department Monthly Report: Chief gave report. Mayor ordered Chief to park 813 until possible tie rod problem was resolved. Chief stated he was waiting for brakes to come in so both repairs could be made at same time. MSSU has agreed to \$1,000 fee for 40 hours of training for 5 officers again this year. He plans to apply for LEST grant for 2 radios, 2 cameras for cars. Motion made by Lisa Daugherty, seconded by Roger Bone, to authorize purchase of 2 Motorola radios (state bid of \$3,266.75 each), 1 car camera (about \$5,000) and LIDAR radar upgrade \$1,495). Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Bill Summary: October outstanding bills of \$11,240.45; and \$197.76 for Sewer and Wastewater Fund were presented. Motion made by Dale Daniels, seconded by Frank Herron, to pay outstanding bills. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

P&Z has also recommended Board authorize Allgeier Martin to perform ditch study. Several ditches were filled in and culverts removed since tornado. Board declined recommendation.

Donated Lots: Similar lots in same area have sold for \$10,000 to \$11, 000. Motion made by Dales Daniels, seconded by Frank Herron, to contact Nick Knacus with Pro100 for valuation of lots as two separate lots versus value if sold as one larger lot and have Pro100 list lot(s) as he recommends. Ayes: Aldermen Daniels, Herron, Daugherty, Bone. Nays: none. Motion carried.

Other Business: Repayment of Sewer Bonds: David Weaver presented Board with numbers that given current reserves and additional monthly revenues, City would be able to meet its obligations. Approximately \$33, 000 had already been paid to principal.

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 9:55 p.m. meeting adjourned.

Terry Ingram, City Clerk