

Board of Aldermen opened Regular Session at 7:00PM on Monday, November 09, 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 33 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 3737 E. 7th St. from R-1 Single Family Residential to C-2 Retail Commercial.

Public comments:

Kim Woodard 231 S. Woodmont

Ms. Woodard is the owner of the property and stated that they have a sale pending. Most of the properties around this property are zoned commercial. The planning and zoning commission is 100% behind the rezoning of this property.

1st Hearing closed at 7:09 PM

- Public Hearing 2
 - Rezoning of property located between 27th St. and 29th St. west of Duquesne Rd. from R-1 Single Family Residential to R-2 Two-Family Residential.

Public Comments:

Scott Marshall 2317 S. Willard

Mr. Marshall is the owner of the property. He would like to get the lot cleaned up and put in 12 duplexes over a 3 year period. The planning and zoning commission would like to see the lot cleaned up but has 1 member that is concerned about increased traffic. Planning and zoning voted 4 to 1 to approve the rezoning.

Close 2nd hearing at 7:14 PM

- Public Hearing 3
 - Rezoning of 3502 E. 7th St. from C-1 Non-Retail Commercial to C-2 Retail Commercial.

Public Comments:

Dan Wohnoutka 3500 E. 7th

Mr. Wohnoutka stated that there was some discussion as to whether the property should be rezoned to M-1 or C-2. After several discussions the conclusion was made that the property should be C-2. The planning and zoning commission approved the rezoning of this property.

Close 3rd hearing at 7:17 PM

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

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

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

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

- Albert Jenkins: Continuing work on Southwest Corner of 13th St. and Katherine St.

Clarence Wimans 19610 Holt Rd, Joplin

Mr. Wimans represents Sprouls Construction out of Lamar, which is doing the work on Albert Jenkins property. Alderman Welch had pictures of the property and had noticed that the property had been stripped of all trees and had big trucks coming and going from the property. There is also several piles of gravel located on the property. Mr. Wimans stated that Mr. Jenkins was concerned that the property looked like it had a lot of dumping going on. The construction company is trying raising and grading the area to drain the property so that it can be mowed and maintained. They do have a permit from the DNR to do this work. Alderman Welch's concern is that when there is a large rain the gravel travels down the road to other people's property and drainage. She wants to know what they will do to prevent that from happening again. The company can remove the gravel and place a silk sock to prevent erosion. Alderman Welch then asked if they could put berms around the area? Mr. Wimans stated that they currently have straw bales placed around the area now. Alderman Welch wants them to change the

driveway so that the water will run into the drainage instead of the road. Mr. Wimans will check with Mr. Jenkins to see what he would like to do.

- Terry Slinkard: City Limit Inquiry

Alderman Heilbrun that there is no city ordinances that put Mr. Slinkard's property in the city limits. Mr. Slinkard gave an invoice to the city for the taxes that he was charged. City Attorney Mike Talley stated that the assessor has the information wrong and that this is not a city issue. Mr. Talley also stated that there is a procedure with the assessor's office to follow to allow him to get a refund.

- Daniel Stehly: Sewer Billing

Mr. Stehly stated that he received a sewer bill from the City of Joplin. He was told by Joplin that it needed paid or they would put a lien on his home and it would affect his credit rating. Joplin also stated that someone from Duquesne instructed them to bill the addresses. Mayor Daugherty stated that Hannah Brown sent David Weaver an email with several addresses on it. Mr. Weaver instructed Ms. Brown to go ahead and bill the addresses. Mayor Daugherty stated that he should never have received a bill and she was sorry for this happening. She also stated that Joplin needs a resolution to make the city clerk the main contact with Joplin. Once Joplin knows who the main contact is they will let us know what the next step is.

Motion made by Alderman Bone, seconded by Alderman Welch to have the city clerk be the main contact with the City of Joplin regarding the sewer. Ayes: Aldermen Ellsworth, Welch, Bone. Nays: Alderman Heilbrun. Motion carried.

- Bill 15-21: 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 3737 E. 7th Street, Jasper County, Missouri, as More Fully Described in the Body of this Ordinance, from R-1 Single Family Residential to C-2 Retail Commercial.

Motion made by Alderman Bone, seconded by Alderman Ellsworth to have 1st reading of Bill No. 15-21 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Bone, seconded by Alderman Welch to have 2nd reading of Bill No. 15-21 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 15-21 and to accept as Ord # 273. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Bill No. 15-22: 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 Property Located Between 27th Street and 29th Street, West of Duquesne Road, Jasper County, Missouri, as More Fully Described in the Body of this Ordinance, from R-1 Single Family Residential to R-2 Two-Family Residential.

Motion made by Alderman Ellsworth, seconded by Alderman Bone to have 1st reading of Bill No. 15-22 by title only. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Motion made by Alderman Bone, seconded by Alderman Welch to have 2nd reading of Bill No. 15-22 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 15-22 and to accept as Ord # 274. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Bill No. 15-23: 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 3502 E. 7th Street, Jasper County, Missouri, as More Fully Described in the Body of this Ordinance, from C-1 Non-Retail Commercial to C-2 Retail Commercial.

Motion made by Alderman Ellsworth, seconded by Alderman Welch to have 1st reading of Bill No. 15-23 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. 15-23 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 15-23 and to accept as Ord # 275. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Old Business:

- Update on Roads

Mayor Daugherty emailed all of the alderman about where the city is on this project. Belle Locke has been added to the list of streets to get repaired. Stephens Blvd was donated to the Joplin Chamber of Commerce. The Mayor has instructed Mike Atkinson to write up a legal to get the Chamber to possibly give to Duquesne. Johnson Dr. has been deeded over to the city and will be part of the grant. Any private roads would need to be donated to the city to get paved under the grant.

- Memorial Park

Alderman Ellsworth asked if the city would need to put a fence between the public and private property around the park. There was a discussion about fencing and is something that they are looking into. Although a conclusion was made that a fence is not required. The alderman are in agreement that the park is a go and everyone is excited about it. The city will start looking for funding.

- Work Logs

Mayor Daugherty stated that no one has been emailed work logs. All alderman would like to receive the work logs except for Alderman Welch.

- Surveillance Policy

Mayor Daugherty talked about the policy that is in the employee manual. She also stated that the city clerk should be the one in charge of the DVR because she is the records keeper. City Attorney Talley stated that it depends on what the recording are for as for who should be in charge of the DVR. After lots of discussion it was decided to disconnect the DVR.

Motion made by Alderman Bone, seconded by Alderman Welch to disconnect all surveillance at city hall. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Sewer Billing

City Attorney Mike Talley stated that the city is not ready to take over the billing on December 1st. Joplin will not give up their part of the billing, which has become the reason for the impasse. Mayor Daugherty stated that we are nowhere near ready to do our own sewer billing.

Motion made by Alderman Ellsworth, seconded by Alderman Welch to send a letter to Joplin to let them know that we are not ready to take over the sewer billing. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

- Planning and Zoning Update

Alderman Ellsworth stated that the P&Z is going to take on the task to get the zoning map up to date. Alderman Heilbrun offered to also help with the map.

Public comments:

- Steve Doss 3305 E. 13th

Mr. Doss would like to an ordinance to prohibit homeless people from holding signs and panhandling. He states that there has been an influx of homeless living in abandon areas around the city. He also mentioned that there has been several break ins in his neighborhood.

- Rick Gamboa 4005 E.20th

Mr. Gamboa had several questions.

1. He wanted to know why the ordinances were not laid out on the counter before the meeting. The answer was that the city clerk forgot to lay them out. The ordinances will be laid on the counter prior to meetings.
2. Why are the draft minutes not laid out for the public to read over before meetings? The city clerk did not know that minutes were supposed to be available for the public before they were approved by the council. The minutes will also now be laid out on the counter for the public to look over.
3. How many lawsuits have been against the city in the last 2 years? The city clerk stated that she would have to look into that information.
4. How much was the software for the sewer billing? Again this is something that the city clerk will need to look into.
5. What was the purpose of buying the TV? How much did the TV cost? The TV has been used for court during trials and has been very useful in that aspect. It has not worked out as well for council meetings. As for the cost the city clerk will need to look that information up.
6. Why does P&Z not use the TV? Answer was that they can use it, they just need to ask.
7. Why does P&Z not have access to a copier? Answer is that the copier is in the city offices, which close at 5pm.

Paula Bone 2501 Freeport Dr.

Mrs. Bone gave kudos to whoever it was that took care of all of the mowing this summer. Mayor Daugherty stated that it was Cris Gurubel and Flo Dempsey that took care of the mowing issues. Mrs. Bone also stated that is has been nice to see the council take on more of the work load for the city. She then discussed whether the city needed to look into more security measures for court and council meetings. There have been a lot of issues with other cities around MO of people getting shot or shooting themselves during meetings. The council then directed City Attorney Mike Talley to look into the law, to see if the can ask people to leave meetings if they are carrying a weapon.

New Business

- KPM Audit

Motion made by Alderman Ellsworth, seconded by Alderman Bone to have KPM do our 2015 audit. Ayes: Aldermen Ellsworth, Welch, Bone, Heilbrun. Nays: none. Motion carried.

Alderman Heilbrun asked if a memo from January 2013 written by City Attorney Mike Talley to then Mayor Denny White could be made available to the council? Mr. Talley stated that it was public record and that the city clerk would email it to everyone.

- PD Report-presented by Chief Kitch

Vehicle status:

811-Current mileage is 43,604. The vehicle needs 2 tires. The tires will be replaced within the month with a set of Firestone Tires for a wear comparison.

812-Current mileage is 62,000. The vehicle went in for maintenance and has been out of service for the last 10 days due to a major engine issue. The number 3 cylinder lifter was lodged and destroyed the cam shaft. The vehicle was returned for 1 day and was returned for further repair due to an anti-freeze leak. The vehicle should be returned to service within the next week.

813-Current mileage is 88,108. Light bar has been installed. The vehicle will need 2 tires. Transmission lines are leaking and will be replaced at the next vehicle service.

814-Current mileage is 17,707. The vehicle needs 2 tires.

Two of the vehicles were in for detailing. The other 2 will be detailed soon. There was a biohazard incident.

Departmental issues:

Overall, the department is settling back into a "normal" routine. There are no anomalies in traffic stops. Arrests are increasing with the number of stops. Property crimes are remaining constant.

Mayor Daugherty asked for a monthly report that lists the number of stops for the month. The mayor also presented the chief with a copy of the employee policy, stating that all officers should be dressed before they clock in for work.

Alderman Ellsworth thanked the chief for the positive media coverage.

Bill Summary

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

Reports of Special Boards, Committees & City Officers

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 10:38 PM, meeting adjourned.

Gina Taylor
Duquesne City Clerk