

# DRAFT ONLY

## BOARD OF ALDERMEN MINUTES July 22, 2010

The Board of Aldermen of the City of Marshfield, Missouri, met in regular session on Thursday, July 22, 2010, in Council Chambers at Marshfield City Hall.

**CALL TO ORDER** – Mayor C. R. Clark called the meeting to order at 6:00 p.m.

**ROLL CALL** - Answering roll call were Mayor Clark, East Ward Aldermen Tom Owen and Bill Tierney, and West Ward Alderman Ed Noland. West Ward Alderman Jim Downing was absent.

Staff members present were City Administrator Dan McMillan, Public Works Superintendent Sam Rost, City Clerk Terri Taylor, WWTP Supervisor John Cooper, City Building Inspector Larry McCormack, Attorney David C. Replogle, and Police Chief Doug Fannen.

**MINUTES** – Alderman Owen made a motion to approve the minutes of July 8, 2010. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**EXPENDITURES** – A motion to approve expenditures as presented was made by Alderman Tierney and was seconded by Alderman Noland . The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**PUBLIC COMMENTS** – Laura Bitting asked for clarification on Bill 38.

### **OLD BUSINESS**

**BILL NO. 2010-29– REPLAT FOR B.P. & C. PROPERTIES AND RONALD & DALENA SCHMALZ** – The bill had been posted. The item was tabled for two weeks.

**BILL NO. 2010-31– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.060 of the Municipal Code to add Dance, Gymnastic, and Karate Instruction Centers. The bill had been posted.

Alderman Owen made a motion to approve the first reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Noland made a motion to approve the second reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-32– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.060 of the Municipal Code to add Dog Groomers. The bill had been posted.

Alderman Tierney made a motion to approve the first reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Noland made a motion to approve the second reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-33– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.060 of the Municipal Code to add Fitness Centers. The bill had been posted.

Alderman Noland made a motion to approve the first reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Tierney made a motion to approve the second reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-34– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.060 of the Municipal Code to add Pawn and Gun Shops. The bill had been posted.

Alderman Owen made a motion to approve the first reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Noland made a motion to approve the second reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-35– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.070 of the Municipal Code to add Car Washes. The bill had been posted.

Alderman Tierney made a motion to approve the first reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Owen made a motion to approve the second reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-36– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.070 of the Municipal Code to add Lumber Yards. The bill had been posted.

Alderman Noland made a motion to approve the first reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Owen made a motion to approve the second reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-37– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.090 of the Municipal Code to add Heating and HVAC businesses. The bill had been posted.

Alderman Noland made a motion to approve the first reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Owen made a motion to approve the second reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-38– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.100 of the Municipal Code to add Propane Storage. The bill had been posted.

Alderman Owen made a motion to approve the first reading of the proposed ordinance. Alderman Noland seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Noland made a motion to approve the second reading of the proposed ordinance. Alderman Owen seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-39– AMEND ZONING CODE** – Attorney Replogle read two times by title a proposed ordinance authorizing an amendment to Section 405.100 of the Municipal Code to add Towing companies. The bill had been posted.

Alderman Owen made a motion to approve the first reading of the proposed ordinance. Alderman Noland seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Tierney made a motion to approve the second reading of the proposed ordinance. Alderman Noland seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**PROPOSED PURCHASING POLICY** – Dan McMillan presented the policy that was proposed at the last meeting. Alderman Owen made a motion to adopt the policy on a trial basis for a 90 day period, and staff will report comments back to the Board at

that time. Alderman Noland seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**SAFE ROOM UPDATE** – Dan McMillan presented proposed changes and said costs will be available at next meeting.

**RENOVATION OF ROCK PAVILION (SHEEP SHED) AT FAIRGROUNDS** – Deana Fishel presented plans for repair of building. Some changes need to be made, and then it could go out for bids. Alderman Owen made a motion to postpone for 2 weeks. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**ENHANCEMENT II GRANT – CONTRACT MODIFICATION** – Deana Fishel submitted an amendment to the contract with Mathews and Associates for the Enhancement II grant. Alderman Noland made a motion to approve the amendment. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**BILL NO. 2010-40– AUTHORIZE MAYOR TO SIGN CONTRACT AMENDMENT WITH MATHEWS AND ASSOCIATES** – Attorney Replogle read two times by title a proposed ordinance authorizing the Mayor to sign a contract agreement with Mathews and Associates for the Enhancement II grant. The bill had been posted.

Alderman Noland made a motion to approve the first reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

Alderman Tierney made a motion to approve the second reading of the proposed ordinance. Alderman Noland seconded the motion. The motion passed in a roll call vote with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**PROPOSED INTERGOVERNMENTAL AGREEMENT FOR STORM WATER PROJECT ON THE SQUARE** – Dan McMillan presented a proposed Intergovernmental Agreement between the City and Webster County for engineering on the storm water project at the Square. Attorney Replogle suggested changing item two on the agreement from \$40,000 to “not to exceed” \$40,000 as clarification. Alderman Owen wanted assurance that the engineers would use as much of our existing infrastructure as possible in the design. Sam Rost had not been able to get a meeting set up with the engineers yet. Alderman Owen made a motion to postpone until McMillan and Rost could meet with the County and the engineers to discuss our issues. Alderman Noland seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

## **NEW BUSINESS**

**RICHARD ROBERTSON-PARKVIEW APARTMENT-SEWER BILL REDUCTION** – Richard Robertson requested a reduction because he had a leak outside that did not go into the sewer. Dan McMillan said no permit had been requested for the repair, and no inspection had been done. Alderman Tierney made a motion to table until the City can investigate and report back. Alderman Owen seconded the motion. In discussion, Alderman Owen said the code book has a process for staff to make the adjustment, and also wanted staff to determine gallons of usage for the proposed

reduction. Alderman Owen amended the motion staff resolve the issue, and if they could not, it would come back to the Board. Amended motion died for lack of a second. Original motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**SURPLUS OF OLD METRO BUS** – Dan McMillan said the City has a new metro bus, and we still have two old buses. He requested the City surplus the old Bus #1, which was decided as the one having fewer problems than the other bus. Alderman Owen made a motion to surplus Bus #1. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**PERSONNEL POLICY CHANGE – APPEAL PROCESS** – Dan McMillan presented a change to the Personnel Policy to add paragraphs relating to the appeal process for Police Officers and Appointed Officials. The current appeal process contradicted Municipal Code for those categories. Alderman Tierney made a motion to accept the Personnel Policy change. Alderman Noland seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**CITY BUS USE FOR SENIOR CITIZENS** – Chuck Picard had provided a request to allow senior citizens to ride the metro bus at no charge to them. Picard said the Senior Citizens Fund could possibly reimburse the City for those costs. Picard also requested that the City bus be allowed to take senior citizens outside of the City to the Food Pantry. Dan McMillan and Terri Taylor reported that currently the Sheltered Workshop pays the City for their employees. Taylor also reported that the City has an agreement with Oats on limits of transportation routes which would have to be modified to go outside the City limits, and any routes offered have to be offered to all citizens according to the grant requirements. Alderman Noland did not want to single out a group of people from other citizens, and wanted staff to look at having the Fund provide reimbursement, and talk to Oats on the route. Alderman Noland made a motion to table for two weeks. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: None.

**FUTURE AGENDA ITEMS**– None.

**ADJOURN** – With no other business appearing before the Board of Aldermen, Mayor Clark declared the meeting adjourned at 6:42 p.m.

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C. R. Clark, Mayor

ATTEST:

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Terri Taylor, City Clerk