

**BOARD OF ALDERMEN  
MINUTES  
FEBRUARY 25, 2010**

The Board of Aldermen of the City of Marshfield, Missouri, met in regular session on Thursday, February 25, 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, West Ward Alderman Jim Downing, and West Ward Alderwoman Barbara Carroll.

Staff members present were City Administrator Dan McMillan, Assistant City Administrator Deana Fishel, City Clerk Terri Taylor, Public Works Superintendent Sam Rost, WWTP Supervisor John Cooper, City Building Inspector Larry McCormack, Attorney David C. Repogle, Fire Chief Michael Taylor, Accountant Renee Lawson, Officer Dallas Knight, and Police Chief Doug Fannen.

**MINUTES** – Alderman Owen made a motion to approve the minutes of February 11, 2010. Alderwoman Carroll seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

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

**OLD BUSINESS**

**SQUARE IMPROVEMENTS PROPOSAL BETWEEN CITY AND WEBSTER COUNTY**

– King Coltrain of Great River Associates presented the breakdown of costs and which costs would be allocated to the County and to the City. Alderman Downing asked the County representative how much money the County would help with. Commissioner Paul Ipock said the County had to fix the drainage problem either way and is leaving it up to the City on whether they want to pave or not. Alderman Downing said it may not be a matter of what we want to do, but what we can afford to do. Alderwoman Carroll said the City could not decide on this until we know how much the FEMA grant for the safe room is going to cost us as that money will come out of the reserve fund. She then asked if there was any way to do this work in sections. Coltrain said there is always a way, but it would not look pretty until it was done. He said there is a sequence and you would start at the downhill end and work up. Alderwoman Carroll recommended that we not do any paving until we get drainage done and we should delay the issue until the FEMA safe room is done and we relook at the budget. Sam Rost said if they tie into the drains the way they are, he doesn't think they will hold it. Alderwoman Carroll asked if there were any grants available and Coltrain said he did not know of any at this time. Mayor Clark stated that we will hold under consideration until we have better figures.

**STORM SHELTER** – Dan McMillan presented cost figures for construction only and said he still needed to put some more numbers together and will need two weeks to review. Deana Fishel said with those figures coming back in two weeks, we can go ahead and authorize bidding. Alderman Owen made a motion to table until next meeting. Alderwoman Carroll seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**BILL NO 07-AMEND AGREEMENT WITH WEBSTER COUNTY COLLECTOR** – Attorney Replogle read two times by title a proposed ordinance authorizing signing the amended agreement with Webster County. The bill had been posted.

Alderman Downing 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 four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

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

**READRESS OF GRIEVANCE-SIGN ORDINANCE ADDRESSING PREVIOUS COMMENTS OF THE MAYOR** – Steve Gullett spoke about various grievances he had against the Mayor.

**SIGN ORDINANCE** – Mayor Clark announced that Scotty Mitchell had notified the City prior to the meeting that he wished to withdraw his request.

### **NEW BUSINESS**

**READRESS OF GRIEVANCESUNSHINE LAW VIOLATION, MY CHALLENGE TO THE CITY** – Steve Gullett spoke about grievances against the City regarding Sunshine Law.

**APPROVE BID: 2010 SPRING CLEAN-UP** – Deana Fishel presented bids for Spring Clean-up and recommended WCA. She stated that bids were based on last years' tonnage and actual costs will vary depending on tonnage this year. Alderman Owen made a motion to accept Fishel's recommendation. Alderman Downing seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**APPROVE BID: 2010 SPORTS UNIFORMS** – Deana Fishel stated she had received seven uniform bids based on what was purchased last year. Absolute Screen Printing and Nelson's Sportswear were just over \$100 apart and both met specifications. She is recommending the second lowest bid of Absolute Screen Printing. The reasons are that Absolute has embroidered visors and Nelson's are screen printed and Absolute is local which makes it easier to order extras or make returns quickly. Alderman Downing made a motion to accept Fishel's recommendation of Absolute Screen Printing. Alderwoman Carroll seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**SURPLUS OLD LADDER TRUCK** – Dan McMillan said the Fire Department's ladder truck has been stripped and is ready to surplus. Alderman Owen made a motion to surplus the truck. Alderman Tierney seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**READRESS OF GRIEVANCE-SUGGEST TERM LIMITS FOR ALDERMEN AND MAYOR** – Steve Gullett spoke about a desire to set term limits for Aldermen and the Mayor. Attorney Replogle stated that State Statute 79.050 RsMO is an enabling statute and a source of authority, and it does not grant authority for fourth class cities to set term limits. Gullett did not agree with the statute and requested authority to take his research to the city attorney's office. Mayor Clark asked Board for any comments and there were none. Issue remains status quo for lack of a motion.

**APPROVE TRANSPORTATION CHAPTER OF COMPREHENSIVE PLAN** – Deana Fishel said the Planning and Zoning Commission had approved the Chapter unanimously on February 23, 2010 and needs the Board to grant permission to draft an ordinance. Alderman Owen made a motion to approve the Chapter and draft an ordinance. Alderman Downing seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**MARSHFIELD SENIOR HOUSING WATER BILL** – Dan McMillan said there are two meters at the complex and they had a bill for \$843 last month and the City could not find a water leak or a meter problem. Stan Whitehurst representing the Senior Housing Board said it was the brick duplex and they could not find a reason for the spike. There are two meters and only one had a problem. They have recently checked usage and it has dropped back down. Alderwoman Carroll made a motion to have the City change the meter, continue to check readings once a week and to look at adjusting bill in a month. Alderman Downing seconded the motion. Alderwoman Carroll amended her motion to include withholding the late penalty. Amended motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None. Original motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**MUTUAL AID AGREEMENT-FIRE DEPARTMENT** – Jerry Jarrett spoke about a mutual aid call that Marshfield Fire Department did not respond to. Fire Chief Michael Taylor said that it is a Rural Fire District issue and not a Marshfield Fire Department issue. Taylor also said sometimes during the day they do not have the manpower to respond. Jarrett said they need to get more firefighters. Taylor agreed and said the recruitment signs were out.

**REPORT FROM PLANNING & ZONING – REPLAT OREWEB PROPERTIES, 1220 & 1228 W. WASHINGTON** – Dennis Amsinger said this parcel of land was being subdivided and platted into three lots which are owned by two different owners, but they all met city requirements. Larry McCormack said Planning and Zoning had approved the replat at their last meeting. Alderwoman Carroll made a motion to approve the replat application. Alderman Downing seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**CLOSED SESSION** – A motion was made by Alderman Downing to enter closed session pursuant to Section 610.021 (1) of the Revised Statutes of the State of

Missouri pertaining to legal actions or causes of litigation-Attorney/Client Communications at 7:10 p.m. The motion was seconded by Alderman Owen. Motion passed in a roll call vote with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

A motion was made by Alderman Downing to re-enter open session at 7:29 p.m. The motion was seconded by Alderman Tierney. Motion passed in a roll call vote with four ayes. Voting aye: Owen, Tierney, Downing and Carroll. Nay: None.

**FUTURE AGENDA ITEMS** – Alderwoman Carroll said she would like to set a price on the three lots on White Oak and put a for sale sign on them. She would also like to see budget items looked at and decide on a reserve fund amount. Bruce Hively of the USDA office in Springfield presented program brochures to the Board for consideration in funding of the water chlorination project and other funding opportunities in the future.

**ADJOURN** – With no other business appearing before the Board of Aldermen, Mayor Clark declared the meeting adjourned at 7:38 p.m.

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C. R. Clark, Mayor

ATTEST:

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Terri Taylor, City Clerk