

**City of Elsberry
Regular Session
April 12, 2022
Elsberry City Hall**

The Board of Aldermen of the City of Elsberry met on the evening of the above date at Elsberry City Hall, 6:30pm. Mayor Short presided over the meeting. Present were Alderman Wilch, Alderman Harper, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, City Attorney Rob Guinness, City Clerk Rachel Reed, City Collector Tashua Chiodini, City Treasurer Lisa Grumich and Police Chief Randy Davis. Also present were Justin Reaves and Brian Pieper of Alliance Water Resources.

Mayor Short called the meeting to order. The pledge of Allegiance was said and roll call deemed a quorum present.

Reading and acting are unapproved minutes from previous meetings

Alderman Harper made motion to approve the unapproved minutes.

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Reading of unpaid bills approval to pay report

Alderman Wilch made a motion to pay unpaid bills.

Alderman Taylor seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Presentation of Certified Election Results

City Clerk Rachel Reed read the results.

Mayor

Michael Short 151 votes

Chris Heatherly 39 votes

Robert Harrison 73 votes

Alderman Ward Two

Terrie Harper 39 votes

Alderman Ward Two

Crystal Meyer 119 votes

Glenn Matter 24 votes

Charles Kaemmerer 4 votes

Alderman Ward Three

Terri Davis 69 votes

Camilla McMillion 1 vote

Swearing in of new officials/oath of office

City Clerk Rachel Reed swore in Mayor Short, Alderman Harper, Alderman Meyer, and Alderman Davis

Mayor Short thanked Scott Miller for his service as Alderman.

Appointment of City Clerk

Alderman Rockwell made a motion to appoint Rachel Reed

Alderman Harper seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Meyer, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Appointment of City Collector, City Treasurer, and Court Clerk

Mayor Short would like to appoint Tashua Chiodini.

Alderman Harper made a motion to approve this appointment

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Mayor Short would like to appoint Lisa Grumich as City Treasurer.

Alderman Davis made a motion to approve this appointment.

Alderman Harper seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Mayor Short would like to appoint Joan Cherry as Court Clerk.
Alderman Harper made a motion to approve this appointment.
Alderman Wilch seconded the motion.
AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Appointment of City Attorney and Police Chief

Mayor Short would like to appoint Robert Guinness as City.
Alderman Taylor made a motion to approve this appointment.
Alderman Rockwell seconded the motion.
AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Mayor Short would like to appoint Randy Davis as police chief.
Alderman Harper made a motion to approve this appointment.
Alderman Taylor seconded the motion.
AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Appointment of Judge

Mayor Short would like to appoint Steve Hilleman as the Municipal Court Judge.
Alderman Taylor made a motion to approve this appointment.
Alderman Harper seconded the motion.
AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Appointment of Building Inspector

Mayor Short would like to appoint Phillip Orth as building inspector.

Alderman Harper made a motion to approve this appointment.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Alderman Davis made a motion to amend the agenda to add appointment of Emergency Management Director.

Alderman Harper seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Appointment of Emergency Management Director

Mayor Short would like to appoint Paul Mueller as the Emergency Management Director.

Alderman Harper made a motion to approve this appointment.

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Appointment of Mayor Pro Tem

Alderman Rockwell made a motion to appoint Alderman Wilch as Mayor Pro Tem.

Alderman Taylor seconded the motion.

AYES- Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Abstain Alderman Wilch

Motion Carried.

Committee Appointments

Emergency Services

Mayor Short would like Alderman Rockwell, Alderman Wilch and Alderman Taylor to be on the emergency services committee.

Alderman Harper made a motion to approve this committee

Alderman Meyer seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Infrastructure

Mayor Short would like Alderman Wilch, Alderman Taylor, Alderman Meyer to be on the infrastructure committee.

Alderman Harper made a motion to approve this committee.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Cemetery/Parks

Mayor Short would like Alderman Harper, Alderman Davis, and Alderman Meyer to be on the Cemetery/Parks committee.

Alderman Davis made a motion to approve this committee.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Economic Development

Mayor Short would like Alderman Davis, Alderman Harper, and Alderman Rockwell on the Economic Development committee.

Alderman Meyer made a motion to approve this committee.

Alderman Taylor seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Planning and Zoning

Mayor Short would like to have Conrad Cheatham, Justin Reaves, Adam Dreisward, Michael Short, Alderman Wilch, Alderman Davis, and Glenn Matter on the Planning and Zoning committee.

Alderman Taylor made a motion to approve this committee.

Alderman Harper seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Library Representative

Mayor Short would like Alderman Rockwell to be the library representative.

Alderman Rockwell made a motion to approve this appointment.

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Page Branch Park Committee

Mayor Short would like Sarah Hunt, Amy Lowe, Jo Ann Cordsiemon, Mike Short, Curtissa Kerr-Hunter, Angie Toland, and Crystal Meyer to the Page Branch Park committee.

Alderman Davis made a motion to approve this committee.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper
NAYES-0
Motion Carried.

Board of Adjustments

Mayor Short would like to have Kathy Crank, Dawn Mooney, Susan Miller, Brian Gnade, and Brant Heitgard on the Board of Adjustments.

Alderman Davis made a motion to approve this committee.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Tree Board

Mayor Short would like Mike Talbot, Carolyn Lovelace, and Terri Harper to be on the Tree Board committee.

Alderman Harper made a motion to approve.

Alderman Meyer seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Project updates

Boonslick Regional Planning- nothing new to report

USDA- nothing new to report

PETITIONS, REMONSTRANCES, COMPLAINTS AND REQUESTS AND THE HEARING OF ANY PERSON OR GROUP DESIRING TO ADDRESS THE BOARD, EACH OF WHOM HAVE FILED PRIOR REQUESTS TO BE PLACED ON THE AGENDA IN COMPLIANCE WITH CITY CODE 24.105

Helen Gunn payment plan for water bill after leak-

Mrs. Gunn had a water leak and would like to pay an extra \$200 per month until the bill is caught up. The bill will be paid within 6 months.

Alderman Harper made a motion to agree to the payment plan of and extra \$200 per month until the bill is caught up.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

PUBLIC HEARING A REQUIRED BY LAW OR ORDINANCE

No Public Hearings

ACTING ON UNFINISHED BUSINESS

Requests for Engineers

Mayor Short asked Rob Guinness to go over the next steps in the process.

Mr. Guinness said that the board needs to go through the qualifications and pick the Engineer that want to speak to first. They can then discuss cost. If the board doesn't like the cost they can then contact the 2nd engineer and discuss pricing with them.

Mayor Short invited a representative from Cochran Engineering to give an overview of the information they sent in.

Eric Kirchner gave a short presentation to the Board covering the proposal Cochran sent in.

Alderman Wilch made a motion to take the next step with Cochran engineering.

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell

NAYES-Alderman Harper

Motion Carried.

NEW BUSINESS

Purchasing Cold Patch to repair potholes

Justin would like to purchase 20 tons of cold patch for \$2625. He would also like approval to purchase 3 load of cold patch a year.

Alderman Rockwell made a motion to approve the purchase of cold patch and allowing 3 loads to be purchased a year.

Alderman Meyers seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Purchase of Mower

Justin said that he has found a mower that meets all the specifications that they need and it's on a state bid. It's a 61' Grasshopper with a diesel engine. The price is \$14951.25.

Alderman Taylor made a motion to purchase the mower.

Alderman Rockwell seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Purchasing Culvert pipe for New Hope Rd

Justin said that the culvert pipe at New Hope Rd and Sanderson needs to be replaced. He would need 2 ft sections at \$810 total.

Alderman Rockwell made a motion to approve purchasing culvert

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Discuss Old Tollgate Rd

Alderman Wilch would like the board's approval to approach the Elsberry Special Road district about taking over the maintenance of Old Tollgate Road.

Alderman Rockwell made a motion to let Alderman to approach the Elsberry Special Road district to discuss Old Tollgate Rd

Alderman Davis seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Placing Dumpster in the Alley between

City Clerk Rachel Reed said that the owner of 314 and 316 Broadway would like a dumpster but there is no where to put the dumpster other than in the alley between 312 and 314 Broadway.

This would block the alley. The owner is asking permission to have the dumpster block the alley.

Alderman Wilch made a motion to let them block the alley with the dumpster.

Alderman Taylor seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Including 318 Broadway in the Structural Inspection

Rob Guinness said that we are getting the building at 314 and 316 inspected for structural integrity. He would like to add 318 to this inspection due to a wall caving in. This would save the City money by not having to pay the engineer to come back 2nd time.

Alderman Harper made a motion to add 318 Broadway to the inspection.

Alderman Taylor seconded the motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Purchasing Mobile Printers

Chief Davis would like to purchase new mobile printers for the Police cars. The current printers are not working. The total for the printers is \$1005.00. This is not a budgeted item. The budget will have to be amended before we can purchase the printers.

Alderman Rockwell made a motion to approve buying the printers.

Alderman Harper seconded the motion.

AYES- Alderman Taylor, Alderman Miller, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-Alderman Wilch

Motion Carried.

READING OF BILLS REQUIRING ONLY A FINAL READING FOR PASSAGE

None

INTRODUCTION AND READING OF BILLS FOR PASSAGE

The board considered Bill 2022-04-001

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO AUTHORIZE THE MAYOR TO ENTER INTO, AND TO EXECUTE, ON BEHALF OF THE CITY, A LEASE WITH RONALD E. FLYNN AND BETTY L. FLYNN FOR A POLICE STATION AT 106 NORTH THIRD STREET, ELSBERRY, MISSOURI 63343.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, MISSOURI, AS FOLLOWS:

SECTION 1. The Mayor of the City of Elsberry is authorized to enter into, and to execute, a lease with Ronald E. Flynn and Betty L. Flynn on behalf of the City of Elsberry for a police station at 106 North Third Street, Elsberry, Missouri 63343. The Mayor is also authorized to carry out and perform the terms of this agreement on behalf of the City, including executing all necessary authorizations and other documents required to carry out the terms of the agreement. The terms of the Lease are attached to this Ordinance.

SECTION 2. Effective Upon Passage

Alderman Davis made a motion to read bill 2022-04-001 2 times by title only.

Alderman Harper seconded the motion.

Roll Call Vote

Alderman Wilch-yes, Alderman Taylor-yes, Alderman Harper-yes, Alderman Meyer-yes
Alderman Davis-yes, Alderman Rockwell-yes

Motion carried.

City Attorney Robert Guinness read bill 2022-04-001 twice by title only.

Alderman Davis made a motion to adopt Bill 2022-04-001

Alderman Meyer seconded the motion.

Roll Call Vote

Alderman Taylor-yes, Alderman Harper-yes, Alderman Meyer-yes, Alderman Wilch-yes,
Alderman Davis-yes, Alderman Rockwell -yes

Motion carried.

Bill 2022-04-002

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO PROVIDE FOR THE CREATION OF CITIZENS ADVISORY COMMITTEES, PROVIDE FOR THE APPOINTMENT AND REMOVAL OF THE COMMITTEES' MEMBERS, AND PROVIDE FOR THEIR DUTIES AND RESPONSIBILITIES, BY ADOPTING A NEW CHAPTER 37 TO THE CITY MUNICIPAL CODE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, MISSOURI AS FOLLOWS:

SECTION 1. The Elsberry City Municipal Code is amended to adopt a new Chapter 37 as follows:

“ **CHAPTER 37 – CITY ADVISORY COMMITTEES**

§37.010. ESTABLISHMENT OF CITY ADVISORY COMMITTEES.

The Mayor, or a Majority of the Elected Aldermen, may propose the establishment a one or more citizen advisory committees. Such Committees may consist of citizens residing within the City limits, or within the boundaries of the Elsberry R-II School District, or who own businesses within those limits and boundaries..

§37.020. PURPOSES.

1. An citizens advisory committee may be created for a specific purpose, or it may have a general scope. The purpose of such committees is to share information between the residents of Elsberry on matters of public concern and to assist the City in fulfilling the City of Elsberry’s mission statement. At the request of the Mayor or the Board of Aldermen, a citizen advisory committee may review and provide a recommendation on a topic or issue.
2. Nothing contained in this Chapter shall give a citizen advisory committee any power, either directly or indirectly, to exercise any authority, direction or control over City property, monies or any employee thereof.
3. Nothing contained in this Chapter shall give a citizen advisory committee the authority to make any changes to any ordinances, policies, practices or procedures of the City.

§37.030. MEMBERSHIP.

1. The number of members, and their qualifications, for an Elsberry citizen advisory committee shall be established by executive order of the Mayor, or by separate Ordinance, upon the creation of the citizen advisory committee.
2. The Mayor, or the Mayor's designee from time to time, shall be an ex officio member of each such citizens advisory committee and shall be entitled to be present, vote, and participate in all meetings of each such citizens advisory committee.

§37.040. TERMS AND APPOINTMENTS..

1. The length of the terms of each member of an Elsberry citizen advisory committee shall be established by executive order of the Mayor, or by separate Ordinance, upon the creation of the citizen advisory committee.

2. Members will be appointed by the Mayor, subject to the confirmation of the Board of Aldermen.
3. After the initial appointment of committee members, appointments shall be made annually at the first regular meeting of the Board of Aldermen after the annual Municipal Election, or as soon thereafter as practicable. .
4. Whenever a vacancy in membership occurs, the City Clerk shall notify the Mayor and the Board of Aldermen of the vacant position, and the vacancy may be filled for the unexpired term by appointment. The Mayor or the Board of Aldermen may remove any member by a majority vote of the Board of Aldermen.

§37.050. Conduct of Meetings.1. The committee will be guided by Robert's Rules of Order, 10th Edition, as revised, and the Missouri Open Meetings and Records Law, as amended.

2. Meetings may be called by the Mayor, a majority of the Board of Aldermen, or the City Clerk.
3. The agenda for meetings shall be established by the Mayor, a majority of the Board of Aldermen, or the City Clerk.
4. A majority of the members appointed to citizen advisory committee shall constitute a quorum.
5. The Mayor may assign staff members, or City contractor personnel, to attend meetings of a citizen advisory committee.
6. Meetings of a citizen advisory committee shall be noticed and conducted in accordance with Chapter 610, RSMo. All meetings of a citizen advisory committee shall be open to the public unless otherwise authorized by law
7. Each citizen advisory committee shall designate one (1) of the citizen members of the committee as its Chairman. The Chairman shall be appointed for a term of one (1) year to expire at the first regular meeting of the Board of Aldermen after the annual Municipal Election or until a successor is appointed and duly qualified. The Chairman shall preside at all meetings of the citizen advisory committee.
8. Each such citizen advisory committee shall be responsible for keeping complete and accurate minutes of its meetings and shall provide the City Clerk with a timely copy of those minutes.

§37.060. MEMBERS SHALL SERVE AS VOLUNTEERS ON VARIOUS COMMITTEES.

Each member of a citizen advisory committee shall serve without compensation, and without reimbursement of expenses, except for expenses specifically approved by the Board of Aldermen in advance of the expense being incurred.

SECTION 3. SEVERABILITY.

The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in

accordance with the legislative intent.

SECTION 3: EFFECTIVE UPON PASSAGE

This ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: INCORPORATION INTO THE MUNICIPAL CODE

The City Clerk shall incorporate the terms of this Ordinance into the official City of Elsberry Municipal Code with all due dispatch.

Alderman Wilch made a motion to read Bill 2022-04-002 2 times by title only.

Alderman Harper seconded the motion.

Roll Call Vote

Alderman Rockwell-yes, Alderman Meyer-Yes, Alderman-Taylor, Alderman Wilch-yes, Alderman Davis-yes, Alderman Harper-yes

Motion Carried.

City Attorney Robert Guinness Read Bill 2022-04-002 twice by title only.

Alderman Rockwell made a motion to adopt.

Alderman Harper seconded the motion.

Roll Call

Alderman Meyer-yes, Alderman Davis-yes, Alderman Rockwell-yes, Alderman Wilch-yes, Alderman Taylor-yes, Alderman Harper-yes

Motion carried.

RESOLUTIONS WHICH REQUIRE ACTION OF THE BOARD

REPORTS OF SPECIAL BOARDS AND COMMITTEES

Library- nothing to report

Cemetery/Parks- nothing to report

Infrastructure- nothing to report

Emergency Services- nothing to report

Page Branch Park- nothing to report

Tree Board- nothing to report

REPORTS OF ALDERMAN AND MAYOR

Mayor Short- Mayor Short would like to have committee meetings every month.

Alderman Wilch- Alderman Wilch welcomed Alderman Meyer to the board.

Alderman Taylor- nothing to report

Alderman Harper- Alderman Harper asked about the street sweeper and why it wasn't being used. Justin explained that it was broke down but now it is fixed.

Alderman Meyer- nothing to report

Alderman Davis- Alderman Davis asked why the police officers come out of 3rd street the wrong way? Chief Davis said that sometimes when they are going to an important call that will go that way. Alderman Davis also asked about the demolition project. City Clerk Rachel Reed said that Boonslick is just waiting on final approval to go out for bids.

Alderman Rockwell- nothing to report

REPORTS OF CITY DEPARTMENTS AND OFFICERS

City Attorney Robert Guinness- nothing to report

Alliance Manager Justin Reaves- Justin said that the filter media has been changed out and everything went well.

Police Chief Randy Davis- Chief Davis went over his report.

City Clerk Rachel Reed- nothing to report.

City Collector Tashua Chiodini- nothing to report

City Treasurer Lisa Grumich-nothing to report

MISCELLANEOUS BUSINESS

None

PUBLIC COMMENT BY ANY PERSON OR GROUP DESIRING TO ADDRESS THE BOARD WHO HAS NOT FILED A PRIOR REQUEST TO BE PLACED ON THE AGENDA IN COMPLIANCE WITH CITY CODE 24.105

No public comments.

ADJOURNMENT

Alderman Harper made a motion to adjourn.

Alderman Davis seconded that motion.

AYES- Alderman Wilch, Alderman Taylor, Alderman Meyer, Alderman Davis, Alderman Rockwell, Alderman Harper

NAYES-0

Motion Carried.

Open session meeting was adjourned at 7:43 P.M.

