

**City of Elsberry
Regular Session
August 11th, 2020
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 Taylor, Alderman Davis, Alderman Harper, Alderman Rockwell, City Attorney Rob Guinness, City Clerk Rachel Reed, City Treasurer Tammy Sharpe, City Collector Nicole Castleberry and Chief Randy Davis. Also present were Justin Reaves, Josh Turner and Ron Smith of Alliance Water Resources and Jim Bensman with MECO Engineering.

Mayor Short called the meeting to order and led in the pledge to the flag.
Roll call deemed a quorum present.

Mayor Short asked to amend the agenda to include Meridian Waste

Alderman Rockwell made motion to amend the agenda to include Meridian Waste.

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis
NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Reading and acting are unapproved minutes from previous meetings

Alderman Harper made motion to approve

Alderman Davis seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis
NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Reading of unpaid bills

Alderman Taylor made a motion to pay unpaid bills

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis
NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Project updates

Boonslick Regional

Chad Eggan called earlier in the day and did not have anything new to report

USDA

Mayor Short received an email from Michael Hartman going over a few things that we need to do, and Rob Guinness had the information to get those things done.

MECO Engineering

Jim Benson from MECO Engineering addressed the board and stated that most of the items on Michael Hartman's list have already been provided by MECO.

- 1) Service area map- He believes that it has already been submitted but if not, they can have it done in couple days.
- 2) Updated cost estimate- The current cost estimate is still accurate
- 3) Right of way map- Has been submitted to Rob. Rob Guinness stated that it was very unspecific as to where the water line was going along the road east of 79. Jim Benson does not copy with him tonight but will give Rob a call tomorrow to go over it.
- 4) Construction documents EJCBC C520 and C700 have both been executed and approved
- 5) DNR construction permit- We do not have it yet. They are following up on a few things with DNR. With everyone working from home it seems to be slowing things down. Hoping to have approval soon.

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

Simmons request for payment plan

City Clerk Rachel Reed stated the Simmons would like a payment plan for the bill that is owed at 308 S 5th. There is \$1178.19 due at the property. I explained to her earlier in the day that we usually only do 6-month payment plans which would be \$196.37/month and she acted like that would be too much on top of the monthly water bill. I broke it down over 9 months and it would be \$130.91/month plus monthly utility bill. Alderman Rockwell asks if they have had payment plans with us before and if they stuck with them. I explained they have stuck to previous agreements. Alderman Davis asked if we have gone farther than 6 months with all people. I explained that we have with customer with larger balances.

Alderman Harper made a motion to approve payment agreement for 9 months

Alderman Rockwell seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

PUBLIC HEARING A REQUIRED BY LAW OR ORDINANCE

No Public Hearings

ACTING ON UNFINISHED BUSINESS

Cochran Engineering for the Dangerous building order for 314, 316, and 318 Broadway

Rob Guinness spoke with Cochran and they were going to send someone out from Jefferson City. Rob thinks this will be busting the \$1000 limit the board set for the inspections. Rob called George Butler and Associates who do inspections for Moscow Mills and some other cities. Rob is waiting to hear back from them to see if they can give a better price. If it's under the \$1000 he will have them go ahead and have them do the work.

Rob contacted Mr. Evans about voluntarily taking down 314 and 316 and he hasn't returned Rob's call yet.

I spoke with Kelly Shaffer and she scheduled an occupancy inspection and it passed. They now have an occupancy permit. Mayor Short would like to investigate this because he doesn't feel that it should have passed.

Jim Benson offered MECO services to inspect properties. Rob asked for him to send him prices tomorrow.

List of address from Alderman in each ward on tall grass violations

Mayor Short asked to remove this from future agendas because it is going to be an ongoing process.

Response from Dollar General construction company requesting turning lane, 4-way read flashing light or traffic signal, vegetation removal towards Mr. Holley's home and responsibility of payment to be handled by Dollar General.

Rob Guinness stated that we gave Dollar General a list of things that we would like done. They said no to all of them except for removing vegetation. Rob had contacted to engineer who was working with Dollar General and given them our usual design standards and asked him to provide us with some information. That email only went out yesterday so Rob does not think he has had time to respond to it. He did state that he met the Ashto standards? But Rob has some questions about that. Their survey doesn't meet the actual profile of Brownsmill Rd. Rob asked if the board would like to take up their application tonight or give them some additional time to give us some backup. Mayor Short would like to move this to infrastructure if the board agrees.

NEW BUSINESS

Moving water line along 5th St at Page Branch for the new bridge

Mayor Short states that last week we had a meeting about where the new Page Branch bridge is going to go. The concern is that widening the bridge and straightening out the road, it was going to be very close to our water main and the wing walls could possibly be on our water main.

Eric Tapley superintendent with the Lincoln county Highway department addresses the board. He attended meeting last week with the engineer for the project. The engineer did some checking some things that were brought up at the meeting. Funding for the bridge is through the BOR program from MODOT. It's money that the county earns through deficient bridges, to use to replace new bridges. The 5th St bridge qualified. They did some checking with MODOT. The water line is within the city's right of way and the money can't be used to move it. The engineer was able to make some changes and get the wing walls 2 ft from the water main. This would not interfere with installing to bridge. It was more of the city's concern to have at least 4 ft between the wing wall and the water line. Eric and the engineer agree the best course of action would be to pothole the water line on either side of the bridge to see exactly where the water line is. It could be far enough away and might not be an issue. Currently the bridge is about 10 ft from the water main and there is a retaining wall about 3 ft from our water main. The retaining wall will be gone but the new bridge would be closer because they are widening the bridge. Justin Reaves hasn't been able to get guys out here yet to look at it. Mick Mehler will be here tomorrow to look at it. Josh Turner contacted Orf Construction and they are in the process of coming. They have also spoken with Hartley, and he will be here by the end of the week to look at it. They also contacted another company and they just said they were too busy. Mayor Short asked about the process of potholing the line to see where it is. Justin said it would be a matter of calling in locates, and they would have to dig it up and take measurements and mark it so they know exactly where it is at. Alderman Rockwell asked if this was something they could do in house. Justin said yes. Josh Turner said we can't get to where they are putting to wing walls because we don't have the machinery to do so. He could get to within 5 or 10 ft. Eric said they could find to spots on either side and get a line to see where it is. Eric Tapley recommends budgeting down the road the move the water line if not able to do it now. Mayor Short asks the board if they would like to let the project move forward and look into the possibility of moving it later down the road and budget for it. Or go through the process of trying to locate where the line is and hold up the project. Alderman Rockwell agrees with Eric Tapley to find out where the line it and to find out what the cost would be to get the line moved. Mayor Short says we can get a cost do we know who much and we have a little time to work with.

Alderman Rockwell made a bid to locate water line and get bids for moving water line.

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

New Roof for City Hall

-City Clerk Rachel Reed

The roof has started leaking in the front hallway by the bulletin board. The bulletin board is moldy from where the water has been coming in. The budget does include monies for a new roof. Alderman Taylor would like to go ahead and take care of it since it is in the budget. Mayor Short said that we have gone out for bids and then there was confusion with the other roofs that were done at time and it never got done.

Alderman Rockwell made a motion to go out for bids

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Rob Guinness explains that the problem was the scope of work. They were not sure what needed to be done. Rob asked Justin if he knew what need to be done. Justin has not been on top of the roof.

Rob asked what they would like to contractors to bid on? Mayor Short says they did the scope of work in the infrastructure committee, but the bids were not done properly. We should already have a scope of work. Steve Wilch added that we had people bidding on the repair of the roof. The contractors wanted to know if we just wanted to fix the leaks or waterproof the whole roof. There is a system to seal the whole roof. Alderman Taylor asked what was budgeted. Mayor Short said there is a little over \$8500 in the budget. The roof budget included several roofs, and the bids were not done properly, and the board decided to not do the City Hall roof at that time. Alderman Harper asked if we should have someone come and look to see what needs to be done. She would like to have some contractors come and look at the roof and see what needs to be done. Alderman Taylor would like to investigate the coating of the roof.

Alderman Taylor made a motion to go out for proposals to inspect and repair the roof

Alderman Harper seconds the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Renting a roll off dumpster and fencing in storage containers for the City's property on S 4th St.

Mayor Short and Chief Davis have been discussing having an area where if people wanted to drop off trash or if we had people wanted to do community service, where would we be able to put it. The thought was we could have a dumpster/roll off and it could be picked up every so often. Mayor Short asked the City Clerk to get pricing from Meridian. I informed the board that there would no delivery fee no pickup fee. They would charge \$300 each time they picked it up for 4 tons and anything over 4 tons would be \$40 per ton. Alderman Rockwell asked if they wanted to fence in just around the dumpster or the whole property. Mayor Short said the whole property and we could use it to store equipment. Mayor Short believes that a roll would fit perfectly between the 2 storage containers that are on the property. Alderman Taylor asked in the storage containers were locked? Mayor Short said yes. They are holding some Page Branch Park stuff, police stuff, Christmas lights and some of Alliance's stuff. Alderman Rockwell would like to get a bid on fencing and have the infrastructure committee discuss it.

Natalie Denando from Meridian addressed the board and wanted to thank the City for renewing the contract. She also wanted to let the board now that they value and appreciate the City's business. She wanted to congratulate City Clerk Rachel Reed and her new position. She also

has her boss Mary O'Brien with her. Mayor Short asks the board if they have anything that they need to ask Natalie? Alderman Taylor asked why we have had so many problems for recycle lately. There was a big section of town that was missed. Things have been better the last couple weeks. Natalie will look into this. A lot of drivers were out due to COVID and Drivers were on different unfamiliar routes. Mary O'Brien addresses the board and asks the board to call her directly to make sure things happen quicker. Alderman Harper wanted to thank them for taking care of a matter and Taylor Terrace.

Community service for Municipal court

Mayor Short asked Chief Davis and Justin Reaves to address the board about their ideas on community service. Chief Davis says the idea was that people who are not able to pay off fine would have a way to help the City. They could pick up trash and cut down weeds. The idea with the dumpster would give them somewhere to put the trash they clean up. We could ask people if they would be ok with us picking up junk and putting it in the dumpster to help clean things up. He spoke with Justin about getting some inmates from Lincoln County Jail to help with the Cemetery with weed eating. The inmates come with an officer to supervise so it would not be a strain on the Police department and Alliance. Justin said it would just be a matter of scheduling and they would not mind having the help. Alderman Taylor asked Chief Davis if he has been in contact with the incoming sheriff to make sure he is ok with community service. Mayor Short asked Rob what we would need to do. Alderman Taylor asked it would just be through Elsberry's Municipal Court. Chief said it would be a combination of the both. Alderman Taylor asked who would need to be there to supervise? Rob Guinness said it would be up to our insurance provider. He also encouraged any member of the board to come to Municipal court to see who potential volunteers would be and whether you would trust them to do the work. City Clerk Rachel Reed will check into the insurance. Judge Hilleman is very agreeable with community service

Plexiglass for City Hall Employees

City Clerk Rachel Reed said with COVID the girls in the office have discussed making the plexiglass barriers for our desk. Bryan Reed (Rachel's husband) will donate his time and lumber to make the base. We would like to ask the city to purchase the plexiglass. For 3 30x36 sheets it would be \$67.50.

Alderman Rockwell made a motion to purchase plexiglass

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

New Plow Truck

Mayor Short said that Justin came to him a few weeks ago to talk to him about the condition of one of the plow trucks. The truck will barely make it up a hill. Justin has found a truck that could replace it. Mayor Short asked Justin to get some numbers on budget items that have not

been used yet and asked Rachel to find out where we are currently budget wise. Mayor Short asked Justin to talk about the truck. Justin said the truck is a 2006 GMC with 69000 original miles. It has new tires on it, it comes with a dump bed and a newer 10ft Meyer Snowplow. It has a stainless Salt Dog spreader and will hold more salt than what we have now. It has a heavy-duty transmission. It also has the tarp that covers the bed to cover the load. It is not diesel but is a heavy-duty truck and is 4-wheel drive. Justin thinks truck is a particularly good deal. Truck could last a long time if taken care of. Alderman Rockwell asked what the truck is being used for now? Justin said it was a back up to their other trucks. They looked at the frame and it looks good other than service rust and they could undercoat it to take care of that. They are asking \$17000 for the truck. There are a few things that have not been purchased yet for the tractor and some tires and other things along those lines. They are things that they need but they can be put off for now. The plow truck to more of a necessity for this winter to push snow. Justin has come up with \$5125 that they can put towards this. Mayor Short was looking at the budget and we have a few areas where we have budgeted in General Revenue. Parks \$5000 and 911 Dispatch. Mayor Short asked City Clerk Rachel to figure up the difference from the Raises that were given. That amount is under \$4000. There \$4300 in codification that we are not going to use. Alderman Rockwell asked if we have the remaining \$11900? Mayor Short said we have the \$22000 for dispatching and \$5000 in parks. We discussed using a portion of that for raises. We do also have the \$4300 for codification. The codification will cover the salaries increases and that leaves all the 911 Dispatching plus \$5000 for parks.

Alderman Rockwell made a motion to buy the truck

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis
NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Mayor Short asked Rob Guinness if we need to budget transfer? Rob said yes and it is done before the money is spent. Alderman Taylor asked what they wanted to do with the old truck? Justin said the truck is in ruff shape. It might be good to haul brush or asphalt because asphalt is nasty, they would not have to worry about tearing up the newer vehicles. Alderman Rockwell asked what the truck would sell for? Josh turner said he would not give \$500 for it. Alderman Rockwell does not want to maintain a truck that is not worth anything. Justin will do some research on what to do with it. They will bring it to infrastructure.

Mayor Short asked in the board would like to amend the agenda to include a budget transfer out of General Revenue

Alderman Taylor made a motion to amend the agenda to include a budget transfer out of General Revenue.

Alderman Rockwell seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis
NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

The board would like to split the \$17000 payment for the truck over water, sewer, streets, and cemetery.

Alderman Rockwell made a motion to split the payment of the truck over water, sewer, streets, and cemetery.

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

READING OF BILLS REQUIRING ONLY A FINAL READING FOR PASSAGE

None

INTRODUCTION AND READING OF BILLS FOR PASSAGE

-Bill No. 2020-07-007 AN ORDINANCE ELIMINATING THE REQUIREMENT FOR PROTECTIVE HEADGEAR FOR THE OPERATOR OR PASSENGER OF A MOTORCYCLE OR MOTORTRICYCLE TO COMPLY WITH RECENT STATE LEGISLATION BY REPEALING SUBSECTION 3 OF SECTION 76.645 OF THE ELSBERRY MUNICIPAL CODE

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

SECTION 1: The Elsberry City Code is amended by deleting subsection 3 of section 76.645 of the Elsberry Municipal Code to eliminate the protective headgear requirement on the operator or passenger of a motorcycle or motorcycle, effective August 28, 2020. This repeal is required by the enactment of HB1963 of the Missouri General Assembly's 2020 Regular Session.

SECTION 2. 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 on August 28, 2020.

SECTION 4: No Effect on Prior Enforcement.

No suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued (collectively referred to as “Enforcements”) under any ordinance previous to the enactment of this ordinance shall in any way be affected, released or discharged; but such prior Enforcements may be prosecuted, enjoyed, and recovered as fully as if such prior ordinance or provisions had continued in force.

SECTION 5: 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.

Rob Guinness said that the Missouri has changed legislation to allow certain motorcycle riders to not wear a helmet, and they have taken away the power of cities to regulate helmet wearing by motorcyclists. The ordinance needs to be changed to comply with the law.

Alderman Rockwell makes a motion to read two times by title only.

Alderman Harper seconded the motion

Alderman Taylor- yes Alderman Harper-yes, Alderman Rockwell-yes, Alderman Davis-yes
Alderman Miller-absent, Alderman Robinson-absent

Motion Carried

City Attorney Rob Guinness Reads the Bills 2 times by title only

Alderman Rockwell made a motion to adopt

Alderman Davis seconded the motion

Alderman Harper-yes, Alderman Davis-yes, Alderman Rockwell-yes, Alderman Taylor-yes,
Alderman Miller-absent, Alderman Robinson-absent.

Motion Carried

RESOLUTIONS WHICH REQUIRE ACTION OF THE BOARD

None

REPORTS OF SPECIAL BOARDS AND COMMITTEES

Library- nothing to report

Cemetery-nothing to report

Mayor Short asked to have the committee schedule a meeting soon.

Infrastructure- nothing to report

Mayor Short asked to have the committee schedule a meeting soon.

Emergency Services- nothing to report

Page Branch Park- nothing to report

Old Glory Jubilee- nothing to report

Tree Board- nothing to report

REPORTS OF ALDERMAN AND MAYOR

Mayor Short- Please make sure we are following purchase order procedures.

Alderman Miller- absent

Alderman Taylor- wishes to compliment Alliance on the cemetery and Chief Davis on enforcing ordinances. He has had some complaints on potholes.

Alderman Harper-would like to continue to look into the animal control

Alderman Robinson-absent

Alderman Davis-nothing to report

Alderman Rockwell-nothing to report

REPORTS OF CITY DEPARTMENTS AND OFFICERS

City Attorney Robert Guinness- nothing to report

Alliance Manager Justin Reaves- C and C pumps come out and replaced the packing on the pumps. Said that the pumps looked good. They also brought out the oil for the high service pumps, and they have gone through and serviced one of the pumps and are in the process of doing the same to the other one. Troy Matlock is a new Alliance employee and has a Class B license for water and is a good addition to the team. Other employees are working on getting the

license. Mayor Short brought up the storm drain bids from Orf Construction and asked the infrastructure committee to have a look at them. Mehler's is also going to give a bid and break it down by per 100ft. Alderman Taylor asked what was blocking the storm drain. Justin said it was several things. It took them several days to get as far as they did.

Police Chief Randy Davis- requested trail on software, they tried it the do not like it so they are not interested in buying it. 99 Straight St was blown up is a meth lab explosion and the owner is no longer there. The property has changed hands there is not water or sewer service currently at the property. People are still driving to the property from the cemetery and rutting up the cemetery. The chief asking if we could put up some cheap fencing to keep people from going through the cemetery. Mayor Short asked to get some fencing information. Alderman thanked Chief Davis for cleaning up a neighboring property. Alderman Taylor asked about the earth contact home on Straight street. The owner is planning on tearing it down.

City Clerk Rachel Reed- we are going have a special meeting to approve our tax rates on August 31st.

City Treasurer Tammy Sharpe- would like to thank the board for the raise

City Collector Nicole Castleberry- 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

-There was no public comment

VOTE TO TAKE UP BUSINESS TO BE CONDUCTED IN CLOSED SESSION

-There was nothing for closed session

ADJOURNMENT

Alderman Harper made a motion to adjourn.

Alderman Davis seconded that motion.

AYES – Alderman Taylor, Alderman Harper, Alderman Rockwell, Alderman Davis

NAYS – 0 ABSENT – Alderman Robinson & Alderman Miller Motion carried

Open session meeting was adjourned at 7:48

