

**City of Elsberry
Regular Session
October 13, 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 Miller, Alderman Robinson, 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 and Ron Smith of Alliance Water Resources

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

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 Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Reading of unpaid bills approval to pay report

Alderman Davis made a motion to pay unpaid bills

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Project updates

There were no updates 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

Trisha Fabing

City Clerk Rachel Reed explained that Ms. Fabing had a water leak that was not in her home. The leak has been fixed and Ms. Fabing would like to request an abatement. The total that would be removed from her bill is \$351.69.

Alderman Miller made a motion to abate the bill \$351.69

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Mayor Short asked to amend the agenda to include the Omingo Contract

Alderman Taylor made a motion to amend the agenda to include the Omnigo Contract

Alderman Harper seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Mayor Short also asked to amend the agenda to include Ring Central

Alderman Harper made a motion to amend the agenda to include Ring Central

Alderman Robinson seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Mayor Short asked to amend the closed session agenda for number 3) Hiring, firing, disciplining, or promoting of particular employees of a public governmental body.

Alderman Harper made a motion to amend the closed session agenda to include 3) Hiring, firing, disciplining, or promoting of particular employees of a public governmental body.

Alderman Davis seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

PUBLIC HEARING A REQUIRED BY LAW OR ORDINANCE

No Public Hearings

ACTING ON UNFINISHED BUSINESS

Animal Control

Alderman Harper called Pesky critters and they told her that they do not handle any kind of animal control. They gave her the name and number of a young man that handles ground hogs and other animals of that nature but does not pick cats or dogs. Alderman Harper asked him about feral cats and he told her that he would think about it. When she called him back, he told her that he would not be able to take cats because there is no place to take them. She also heard about a place where you can take cats where they try to adopt them out. There would be a \$20 fee per cat. Alderman Harper will look into other options

Cell phones for department heads

City Clerk Rachel Reed stated that she has called a few other cities and they do have cell phone allowances for department heads. The range was between and \$25-\$45. Mayor Short recommended to bring this up at the budget meetings. City Clerk Rachel Reed asked what should be done with the unauthorized cell phone. Alderman Miller asked about what we currently have. Chief Davis explains that the 2 phones are only used as hotspots so we are paying double for something that we do not need. Mayor Short recommends that we table this to Emergency Services committee meeting.

Alderman Miller made a motion to table to the Emergency Services Committee

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Omingo Contract

Chief Davis went over the benefits of switching to a new software called Agisent. The price difference is about \$33. Attorney Robert Guinness brought up that the City Court system will be switching to Show Me Courts and they have sent us some recommendations of software to use. Agisent is not one of those software's. Mayor Short mentions that the Omingo bill needs to be paid November 1st, but we do not know if this will work with Show Me Courts.

Alderman Harper made a motion to have a special meeting to get more information

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Ring Central phone system for the police department

Chief Davis would like to switch to Ring Central because it is an easier system to use. Ring Central will cost \$83.97. 8x8 cost \$85/month.

Alderman Harper made a motion to switch to Ring Central

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

NEW BUSINESS

Liquor License for Family Dollar

City Clerk Rachel Reed said that the liquor license for Family Dollar previously approved had been changed and this needed to be approved again.

Alderman Harper made a motion to approve the Liquor License for Family Dollar

Alderman Davis seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Changing Water Rates

Mayor Short would like to discuss this when we get to the ordinance.

ECGA request to lease the community garden

City Clerk Rachel Reed said that ECGA would like to lease the community garden, but there has been another issue that has been brought up because of this. Rachel Reed spoke with Sam Byers and they are willing to swap the area with the storage containers for the community garden. They would like the City to put up a privacy fence to hide the containers. They will be moving the stage to the other side of the property and feel that the containers are unsightly.

The storage containers are on property that the ECGA has leased from the City. If we do not put up a fence, they would like us to move them. Justin said that there is room by the water plant to

put them if we need to move them. He can call Jackson's Automotive to see if they can move them. Mayor Short asked Chief Davis to find out what is in the storage units that we can get rid of. Rob Guinness said that he has photos of all the evidence that is being stored and he can work with the Chief to catalog and decide what needs to be destroyed.

Alderman Harper made a motion to table this until we get more information

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Location of the storage units

Discussed in the minutes above

Court Clerk/City Treasurer Position

Mayor Short stated that we have received a letter from Tammy Sharpe informing the Board of her retirement as of December 31st, 2020. Mayor Short asked Rob Guinness if we need to accept her letter now or at the end of the year. Rob Said that we could do either. Scott Miller asked Tammy if she was sure that she was going to retire. Tammy said yes.

Alderman Taylor made a motion to accept the letter.

Alderman Davis seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Mayor Short has already done a couple interviews. One of them has said that they are no longer interested. He is still waiting to hear on the other one. He would like to go out for applications.

Alderman Harper made a motion to go out for applications due by November 2, 2020

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

City Inspector Position

Mayor Short said that Don Slaughter informed him that he would be retiring at the end of the year. Mayor Short would like to discuss the job description because there needs to be some changes made. Mayor Short would like to discuss this in an infrastructure committee

Alderman Miller made a motion to move to Infrastructure Committee

Alderman Taylor seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Alderman Harper made a motion to go out for applications for City Inspector

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Tree Removal from Cemetery/private property

Mayor Short asked Justin to put together a list of trees that are dead or blocking streets signs and streets on private property and in the cemetery and park. Justin said that some on the trees are so big that they would not be able to take them down. They would likely have to hire someone to get them down. Alderman Taylor said that they tree around 203 N 5th needs to come down. It is extremely dangerous.

Alderman Taylor made a motion to get bids for tree removal in the City Park and Cemetery

Alderman Robinson seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Water complaints on Lincoln

Alderman Taylor received a phone call from Rebecca Moore at 818 Lincoln St informing him that she was dissatisfied with the condition of her water. She claims that she has frequent colored water. Alderman Taylor said that he spoke with the residents on either side and they are not having problems with the water. They believe that 818 is on a different water line because it was empty when they ran the new line a few years ago. Justin said that he has made weekly work orders for the next 6 months to flush her line. Alderman Taylor would like to look into putting this house on the newer water line. Justin said that he can work with the guys and get a map worked up showing the water lines.

Alderman Taylor made a motion to send this to the infrastructure committee

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Yearly Renewal for spectrophotometer

Justin explained this a piece of equipment that is needed at the water plant to tests samples. This fee is for a yearly inspection to maintain the machine. It will be \$770.

Alderman Miller made a motion to approve the yearly renewal for the spectrophotometer.

Alderman Davis seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

READING OF BILLS REQUIRING ONLY A FINAL READING FOR PASSAGE

None

INTRODUCTION AND READING OF BILLS FOR PASSAGE

Bill No. 2020-10-001

AN ORDINANCE TO CONFORM THE MUNICIPAL CODE CONCERNING THE MUNICIPAL COURT TO THE COURT’S CURRENT OPERATIONS AND ADMINISTRATIVE ORDERS BY AMENDING §72.040 (4) AND DELETING §72.180 (3 -5), §72.185. (3 - 4), AND §72.300 OF THE ELSBERRY CITY CODE.

City Attorney Robert Guinness explained that due to Senate Bill 572 we need to make a few changes in our Municipal code to remove some obsolete codes. This will bring our ordinances in line with the States.

Alderman Taylor made a motion to read 2 times by title only

Alderman Harper seconded the motion

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

Motion carried

Rob Guinness read Bill 2020-10-001 2 times by title only.

Alderman Harper made a motion to adopt

Alderman Taylor seconded the motion

Mayor Short said that the bill Rob just read does not match what he has. There were some

numbers missing. Mayor Short just wanted to make sure he was reading the right bill. Rob Guinness said that he read to correct one but he did not send the updated on to the board.

Rob Guinness read the bill 2020-10-001 2 times by title only again as the board received it.

Alderman Harper made a motion to pass the amended bill to delete 72.250 subparagraph 6 and 72.175 subparagraph 2.

Alderman Davis seconded the motion

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

Motion carried

Bill No. 2020-10-002

AN ORDINANCE TO REGULATE THE HOURS AND LENGTH OF BURIAL SERVICES AT THE CITY CEMETERY AND TO SET EXTENDED TIME FEES BY ADDING A NEW SECTION 35.460 TO THE ELSBERRY CITY CODE

Alderman Harper made a motion to read 2 times by title only

Alderman Taylor seconded the motion

Harper-yes, Miller-yes, Davis-yes, Robinson-yes, Taylor-yes, Rockwell-Absent

Motion Carried

Rob Guinness read bill 2020-10-002

Alderman Harper made a motion to adopt Bill 2020-10-002

Alderman Davis seconded the motion

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

Motion Carried

Bill No. 2020-10-003

AN ORDINANCE TO AMEND THE ELSBERRY CITY CODE TO CHANGE THE UNITS USED TO MEASURE CITY SEWER AND WATER SERVICE BY DELETING CITY CODE §110.230.1, §110.230.2, §110.350.1, AND §110.350.2: AND SUBSTITUTING NEW

City Clerk Rachel Reed said that water should be around \$1.15 per 100 gallons of water and \$.30 for per 100 gallons of sewer after the first 1000 gallons.

Alderman Taylor made a motion to table this to the infrastructure committee

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

RESOLUTIONS WHICH REQUIRE ACTION OF THE BOARD

None

REPORTS OF SPECIAL BOARDS AND COMMITTEES

Library- nothing to report

Cemetery-nothing to report

Infrastructure- nothing to report

Emergency Services- nothing to report

Page Branch Park- Mayor Short said that we have received the FEMA Monday and are working on getting that project completed

Old Glory Jubilee- nothing to report

Tree Board- nothing to report

REPORTS OF ALDERMAN AND MAYOR

Mayor Short- would to set committee budget meetings for infrastructure 10-19-20 at 6pm, Emergency services 10-26-20 at 6pm, and Cemetery/Parks for 10-29-20 at 6pm

Alderman Miller- nothing to report

Alderman Taylor- would like to do something about the trees blocking the intersections. He also asked about the demolition project.

Alderman Harper- nothing to report

Alderman Robinson-nothing to report

Alderman Davis-nothing to report

Alderman Rockwell-absent

REPORTS OF CITY DEPARTMENTS AND OFFICERS

City Attorney Robert Guinness- nothing for open session but will have some reports in closed session

Alliance Manager Justin Reaves- Justin brought some pictures from the aerator at the water plant. Justin has found a company that can help replace any parts that need to be replaced. He is going to try to clean it but is not sure if they will damage it in doing so. He just wanted to make the board aware and it could be something that they need to budget for in the future.

Police Chief Randy Davis- nothing to report

City Clerk Rachel Reed- there is going to be a 5% increase in rates for health insurance this year

City Treasurer Tammy Sharpe- nothing to report

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

Steve Keiser asked the board if there is a planning zoning board who controls what businesses come into town. He said that there are currently 11 businesses that serve food. He is concerned that too many restaurants will hurt the current businesses.

VOTE TO TAKE UP BUSINESS TO BE CONDUCTED IN CLOSED SESSION

Alderman Taylor made a motion to go into closed session pursuant to RSMo section 610.021(1) Legal actions, causes of action, litigation, or confidential or privileged communications with it's attorney's (3) Hiring, firing, discipling or promoting of particular employees by a pubic governmental body when personal information about the employee is discussed or recorded.

Alderman Harper seconded the motion

Davis-yes, Robinson-yes, Taylor-yes, Harper-yes Miller-yes

Absent-Rockwell

Motion Carried

Closed Session started at 8:05 P.M.

Resume Open session

Mayor Short resumed open session at 8:54 P.M.

Alderman Taylor made a motion to get bids for tree removal of the trees on Justin's list

Alderman Miller seconded the motion

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

ADJOURNMENT

Alderman Harper made a motion to adjourn.

Alderman Taylor seconded that motion.

AYES – Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Robinson

NAYS – 0 ABSENT – Alderman Rockwell Motion carried

Open session meeting was adjourned at 8:55 P.M.