

April 10, 2017-Regular Board Meeting-Moscow Mills City Hall-6:00 p.m.

6:00 p.m.-Mayor Clynch calls the meeting to order. Matt Meyer, Alderman Ward I; Mark Spence, Alderman Ward I; Marsha Mills, Alderman Ward II; and Pat Flannigan, Alderman Ward II are present. Also in attendance is Linda Haynes, City Clerk and Cindy Davenport, City Attorney.

In re: Swear in new officials-Linda Haynes states that the re-elected officials cannot be sworn in yet. She has not received the certified election results from the Lincoln County Clerk yet. The officials will be contacted later this week to be sworn in.

Pat Flannigan makes a motion to adjourn to executive session per RSMo. 610.021 #1-Legal. Matt Meyer seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

Executive session is held and adjourned. A short break is held to allow the public to enter.

6:30 p.m.-Mayor Clynch calls the meeting back to order. Donny Hopkins, Maintenance Superintendent and Chief Terry Foster are present. There are nine guests in attendance.

In re: Pledge of Allegiance & Moment of Silence-Mayor Clynch leads the Pledge of Allegiance and then a moment of silence is held.

In re: Public hearing-Special Use Permit-MO Network Utility Transport, LLC-For the placement of a 75' tall utility pole within in the public right-of-way in an area zoned I-1 Light Industrial.-Mark Spence makes a motion to open the public hearing. Marsha Mills seconds the motion. All are in favor. Mayor Clynch states that the applicant wants to place a 75' utility pole with a wireless antenna within the public right-of-way, which is in an area zoned I-1 Light Industrial. Matt Ament is present representing the applicant. He states that this project is being rolled out across the country. Its purpose is to augment the data services. They are getting ready for 5G. Matt states that MoNUT is a subsidiary of Mobilitie. Cindy Davenport asks if they have received the letter dated March 15, 2017 stating the deficiencies regarding the application and a copy of the proposed resolution. Matt states that they have and they agree to all conditions. They are currently working on the survey to verify that the location of the proposed pole is within the public right-of-way and will move their location to be in the right-of-way if necessary. Erin Seele states one of the items required is a right-of-way agreement which will satisfy the landowner consent requirement of state law. Matt states that his people are working on it. Mayor Clynch asks if there are any questions or comments regarding the special use permit application, or any objections. There being none, Mark Spence makes a motion to adjourn the public hearing. Marsha Mills seconds the motion. All are in favor.

In re: Public hearing-Proposed changes to Zoning Code and Subdivision Regulations-Display Plats-Matt Meyer makes a motion to open the public hearing. Mark Spence seconds the motion. All are in favor. Mayor Clynch states that the proposed changes adds a section to the appendix in Chapter 46 that will allow for a developer to apply for a display plat during the preliminary plat process. Mayor Clynch asks if there are any questions or comments. There being none, Mark Spence makes a motion to close the public hearing. Matt Meyer seconds the motion. All are in favor.

In re: Remarks of Visitors-Mark Schuette states that he has spoken to Mayor Clynych before, but would like to bring up the junk cars in town, especially around the Bertels home. Mayor Clynych states that he is aware of it and they are working on it.

In re: Approval of Consent Agenda items-Pat Flannigan makes a motion to remove from the consent agenda for further discussion items 1-3 of the Maintenance Department's requests and to approve the remaining consent agenda items which include the Board of Aldermen minutes from March 13th, financial reports; paid bills report; bills to pay report; Payroll Monitor report; Bank Statement Monitor report; Planning and Zoning minutes from March 6th; Pat Flynn's training request for the Mo Municipal & Associate Circuit Judges May 24th to 26th at the Lodge of the Four Seasons; Deb Freise's training request for the Professional Development Conference May 22nd to 26th at Tan-Tar-A; Terry Foster and Ryan Ringeisen training requests for the Active Shooter Instructor training April 17th to 21st at Harrisonville, MO; Terry Foster and Jason Graham training requests for Police Records Training May 1st to 4th in Jefferson City, MO; Terry Foster's training request for the Mo. Police Chief's Law Enforcement Combined Conference June 25th to 29th at Tan-Tar-A; and the request to increase Dwayne Washford's pay by \$1.00 per hour for passing the State Wastewater Plant Operator examination. Matt Meyer seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye. Pat Flannigan asks the engineer when the City will be issuing bonds, because the City has paid a lot in engineering fees that will be getting reimbursed when the bonds are issued. Doug Bjornstad states the bonds will be issued once they get all costs in for the engineering and construction of the project.

In re: Maintenance Department equipment purchases-The bids that Donny Hopkins has obtained to purchase a paver, tack oiler, and plate compactor are discussed. Donny states that the paver is covered under the state bid process. The tack oiler falls into the category that it would need to be put out through the formal bid process, secured by advertisement in the newspaper. The Board has the option to waive the process under section VIII of the purchasing policy. Donny states that he has obtained three written bids on the plate compactor, but he didn't include them in his information to the Board. Pat Flannigan requests that Cindy Davenport review the City's purchasing policy. After reviewing the code Cindy Davenport states yes, the City can waive the bid processes stated if the purchase needs to be made expeditiously. Donny Hopkins states that the tack oiler he is recommending is not the cheapest but is a better tack oiler. He goes over the capabilities of Maulden tack oiler over the others. Pat Flannigan makes a motion to waive the procurement process for the tack oiler. Marsha Mills seconds the motion. Roll call vote is as follows: Matt Meyer-Nay, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye. There is discussion on when the equipment is expected to be received and when the maintenance department will start paving this year. Mark Spence makes a motion to purchase the Weiler paver for \$174,380, Maulden tack oiler for \$26,912, and the plate compactor for \$1,500. Marsha Mills seconds the motion. All are in favor.

In re: Maintenance/mowing of property at 160 W. Third Street (church next to Post Office)-Marsha Mills states that the front yard has still not been mowed. Cindy Davenport states to give Mr. Headrick a few days. If the yard doesn't get mowed then the city shouldn't write tickets in this situation due to the ownership question. If the nuisance is not abated the City can abate it and file a lien on the property.

In re: City Public Information Officer-Chief Foster states that a public information officer is mentioned in the revised police manual. If the issue being addressed is not a police issue it defers to the Public Information Officer Policy. Mayor Clynch states that he is willing to be the general public information officer, and Chief Foster would be the police public information officer. Mayor Clynch states that he and Chief Foster will get something together to present at the next meeting.

In re: Financing options-CMS Homes, LLC and Tom Anderson Development LLC development agreement-Linda Haynes states that there were three questions that were asked of Dale Black. Two have not been answered. They did provide some information on one of the questions. From what was provided it looks like only about \$10,000 to \$15,000 of the costs under the development agreement related to the water system. The rest were sewer costs. Steve Goehl was inquiring with Mo DNR through the SRF program to see if financing to pay off this agreement could be obtained through them. Two separate SRF programs are involved, one for water, one for sewer. It may be easier for the City to pay from the City's funds the amount that is water and only seek SRF money for the sewer costs.

In re: Update regarding requested pending dedications-Linda Haynes states that she has not received any update from Donny Hopkins on the condition of these dedications. Donny Hopkins states that generally nothing has been done since 2008. Mayor Clynch asks if the City is out of luck if there is no one to go back on. Cindy Davenport states that the Board said to do inspections, in the end they may or may not take the dedication. She will not recommend taking them just because there is no one to go back on. Donny Hopkins states that he will have this information by the next meeting.

In re: Ordinance #771-Amending section 75.451-Weapons and 75.470-Concealed Firearms in City Buildings-Linda Haynes reads the title of Ordinance #771 in full two times. Cindy Davenport states that this ordinance was requested by Chief Foster, and it brings the City Code up to compliance with State law. Pat Flannigan makes a motion to approve Ordinance #771. Mark Spence seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

In re: Resolution #772-Approving a Special Use Permit Application for MO Network Utility Transport, LLC to install a communication pole-Linda Haynes reads the title of Resolution #772. Mayor Clynch states that the applicant has several conditions that still have not been met. Erin Seele states that the resolution has the conditions stated within it, which such conditions are based on general code compliance and the March 15, 2017 deficient notice provided to applicant. The City has at least 120 days to act on this matter. It's up to the Board if they want to pass the resolution now or wait until a future meeting. Pat Flannigan makes a motion to postpone action on Resolution #772 until the May 8th meeting so the survey and other conditions can be addressed. Mark Spence seconds the motion. All are in favor.

In re: Ordinance #773-Amending Chapter 46-Zoning Code & Subdivision Regulations-Appendix "A" to include a Display Plats process-Linda Haynes reads the title of Ordinance #773 in full two times. Matt Meyer makes a motion to approve Ordinance #773. Mark Spence seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

In re: Ordinance #774-Amending Chapter 49-Development Fee Schedule-Linda

Haynes reads the title of Ordinance #774 in full two times. Marsha Mills asks if this fee for a display plat will apply to Houston Homes. Mayor Clynch states that since they have not applied yet, yes. Mark Spence makes a motion to approve Ordinance #774. Matt Meyer seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

In re: Bids and purchases for 995 Main Street-parking lot sealing and paint markings, termite inspection, police entrance repair/replace, door and hardware for Mayor's office, asbestos abatement under floor-Pat Flannigan discusses the sealing and handicap marking for the parking lot, need for a termite inspection, repairs to the back entrance to the Police Department, installation of the door and hardware for the Mayor's office area, abatement of the asbestos that is around the old steam pipes under the floor in the Mayor's office area, and possibility of asbestos in the floor tile. He is only requesting testing for asbestos at this time which will cost around \$300, not the actual abatement. He would like approval to get bids for the abatement. Mayor Clynch states that he would like to remove the concession stand and use the concrete pad for the trash dumpster. Pat Flannigan states that even after the expense of these items he feels the City will still be within the limit set for a minimum balance in general revenue. Mark Spence makes a motion to approve the sealing and handicap marking of the parking lot, termite inspection, obtaining bids to repair the back entrance of the Police Department, cost to finish the door install for the Mayor's office area, asbestos testing, obtaining bids for the asbestos abatement and removal of the old concession stand. Matt Meyer seconds the motion. All are in favor.

In re: Appoint President of the Board, Payroll Monitor, Bank Statement Monitor, Budget Officer, and Board of Aldermen member for P&Z-Matt Meyer makes a motion to appoint Mark Spence as the Payroll Monitor. Pat Flannigan seconds the motion. Roll call vote is as follows: Mark Spence-Abstains, Matt Meyer-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

Matt Meyer makes a motion to appoint Pat Flannigan as Bank Statement Monitor. Mark Spence seconds the motion. Roll call vote is as follows: Mark Spence-Aye, Matt Meyer-Aye, Marsha Mills-Aye, Pat Flannigan-Abstains.

Matt Meyer makes a motion to appoint Pat Flannigan as Budget Officer. Marsha Mills seconds the motion. Roll call vote is as follows: Mark Spence-Aye, Matt Meyer-Aye, Marsha Mills-Aye, Pat Flannigan-Abstains.

Pat Flannigan makes a motion to appoint Matt Meyer as President of the Board. Marsha Mills seconds the motion. Roll call vote is as follows: Mark Spence-Aye, Matt Meyer-Abstains, Marsha Mills-Aye, Pat Flannigan-Aye.

Matt Meyer makes a motion to appoint Pat Flannigan as the Board of Aldermen member for the P&Z Commission. Mark Spence seconds the motion. Roll call vote is as follows: Mark Spence-Aye, Matt Meyer-Aye, Marsha Mills-Aye, Pat Flannigan-Abstains.

In re: Annual list of bills that are okay to pay without Board of Aldermen approval-Linda Haynes explains the changes from last year's list, then the list is passed around for signing.

In re: MML-Elected Officials Training-anyone to attend?-Linda Haynes states that

the budget includes two people attending. The training is on June 8th and 9th. Mark Spence states that he cannot attend. Mayor Clynch states that he may attend. Linda Haynes states that she will check with the Board again at the budget meeting later this month.

In re: Apply for grant funding for replacement and expansion of storm siren system-Mayor Clynch states that he would like to apply for grant funding for three new storm warning sirens in the fall. Two to replace the current sirens that are at least 14 years old, and one for the area of Highway U. He would like permission to proceed with the application. Marsha Mills makes a motion to allow the Mayor to proceed with the grant application for storm sirens. Mark Spence seconds the motion. All are in favor.

In re: Resolution #775-Policy regarding applying for grant funding-Linda Haynes reads the title of Resolution #775. Mark Spence makes a motion to approve Resolution #775. Pat Flannigan seconds the motion. All are in favor.

In re: Discussion of certain expenses related to food/drink/etc. for meetings and City hosted training-The list submitted by Mayor Clynch is discussed. Mayor Clynch states that he would like permission to spend \$40 on a coffee pot to be used at meetings and training events. He would also like permission to spend \$100 to purchase food for the Mayor's meeting he is hosting in Moscow Mills this month. A policy can be drafted and brought to the Board at next month's meeting. The State Auditor was asked about these types of expenses and they wouldn't offer a specific opinion but said that if the City thinks the cost is a reasonable expense to the public it should be okay. Linda Haynes states that if anyone thinks of other items to add to the Mayor's list please let her know prior to the May meeting. Mark Spence makes a motion to approve the purchase of a coffee pot up to \$40 and \$100 for food for the Mayor's meeting. Marsha Mills seconds the motion. All are in favor.

In re: Set date for 1st quarter budget review-After some discussion, the budget meeting is set for April 24th at 6:00 p.m.

Marsha Mills makes a motion to adjourn the open section of the meeting. Mark Spence seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

Mayor Clynch suggest taking a short break to allow the audience to exit before executive session.

Mark Spence makes a motion to open the executive session per RSMo.610.021 #1 Legal. Matt Meyer seconds the motion. Roll call vote is as follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye.

Executive session is held and adjourned. Mayor Clynch states that there were no decisions made in executive session that can be released at this time.

Matt Meyer makes a motion to adjourn. Marsha Mills seconds the motion. All are in favor.

Respectfully Submitted:

Linda Haynes, City Clerk

Michael Clynch, Mayor