

June 12, 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 Terry Foster, Chief of Police. Cindy Davenport, City Attorney arrives a few minutes into the meeting.

Mark Spence makes a motion to adjourn to executive session per RSMo. 610.021 #1-Legal and #2-Real Estate. 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 is present. There are six 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-RSBR Investments, LLC-Set zoning as C-3 General Commercial District-a 1.69 acre tract being part of Outlot 20 located along Highway C**-Mayor Clynch states that the P&Z Commission has recommended that the zoning be set as C-3 on this property. Rodney Parrott of Overland Engineering LLC states that there will be a vinyl fence at the rear of the property. Storm water issues are discussed. Janet Smith of 315 W. Fourth asks why they wouldn't use the building where the old dollar store was. Mayor Clynch states that this is different owners and business. David Smith states that the area already floods during a good rain. Rodney states that they will be preparing a storm water report that will be to the City's standards. They hope to make the situation a little better, but no worse. David Smith asks where the entrance will be. Rodney states that the entrance will be off of Hwy C, where it is currently located. Mayor Clynch states that he has requested that MoDOT install flashing yellow lights to alert drivers of the intersection. Beverly Swan asks what this change in zoning district would mean to her property. Mayor Clynch states that her property is still zoned Special Old Town District. Anything in that district must go to the P&Z Commission for approval. There being no further comments, Mark Spence makes a motion to close the public hearing. Marsha Mills seconds the motion. All are in favor.

**In re: Remarks of Visitors**-No one is signed up for remarks.

**In re: Approval of Consent Agenda items**-Pat Flannigan makes a motion to approve the consent agenda items which include the May 15<sup>th</sup> Board of Aldermen minutes; financial reports; paid bills; payment of bills; report from Payroll Monitor; report from Bank Statement Monitor; Planning & Zoning minutes from May 1<sup>st</sup>; a request for Donny Hopkins to attend the MIRMA annual meeting in Branson from July 26<sup>th</sup> to July 28<sup>th</sup> ; Steve Davis and Ryan Ringeisen to attend criminal investigation training in Jefferson City from July 17<sup>th</sup> to July 21<sup>st</sup>; Terry Foster to attend defensive tactics/Krav Maga instructor certification in Columbia from August 14<sup>th</sup> to August 18<sup>th</sup>, and Terry Foster to attend emergency operations planning training in Chillicothe on July 11<sup>th</sup>. Matt Meyer seconds the motion. All are in favor.

**In re: Steve Goehl-DA Davidson-Financing options-CMS Homes, LLC and Tom Anderson Development LLC development agreement and SRF funding**-Mayor Clynch asks if it is okay to have two or three different sources of funding. Steve Goehl states that it is common for CDBG funding to work with the SRF program. Steve asks if the City has received an invitation letter to apply for the CDBG funding. Mayor Clynch states yes, he believes so. Steve states that he will get with Chad at Boonslick Regional Planning to get it.

Linda Haynes states that the lagoon project is scheduled to be bid out in August of this year. Mayor Clynch explains that George Butler Associates recently increased the project cost for the lagoon elimination project, due to land acquisition costs. After he discussed this with them they lowered it some. Cindy Davenport states that she has handled the easement acquisition process with the engineer on past projects. Steve Goehl states that before the City can go out for bids the land needs to be acquired. The engineer recommends one of the bids, and then the City approves it contingent on financing. The State has to approve it also. Linda Haynes asks if the City is on target with SRF to meet the schedule in the AOC with EPA. Steve states that he will check with Shawn at Mo DNR. Regarding paying off the redevelopment agreement, it is going to be difficult if not at all possible to do that with SRF funding. The developer was responsible for getting the engineering and subcontractors. All was approved through them. SRF funding requires that the engineer be selected through a process, such as the City did to choose the engineer on the lagoon elimination project. The developer did not do this. The construction would have had to meet the SRF requirements and prevailing wage requirements. Mayor Clynch states that the Pine Tree lift station project has been added to the project eliminating the lagoon. He expects to use CDBG funding for that portion. Steve states that the SRF interest rate is currently around 1.9%, and private funding is around 3.5%. The difference is, there is no hoops to jump through for private funding. If the City already has the letter of commitment from CDBG it should not slow the SRF process down. The City is likely going to have to do private financing for the redevelopment agreement payoff. He would suggest waiting until the City receives the bids on the lagoon elimination project. The City doesn't want to short themselves on that project, because there is only so much bonding capacity available. Steve states that he will get with the Mayor to sign a new questionnaire.

**In re: Resolution #772-Approving a Special Use Permit Application for MO Network Utility Transport, LLC to install a communication pole**-Matt Ament states that the right-of-way agreement is on its way, but he understands if the Board wants to wait to pass the resolution. Cindy Davenport states that she and Erin recommend that it be postponed to the July meeting. Pat Flannigan makes a motion to postpone action on Resolution #772 to the July meeting. Matt Meyer seconds the motion. All are in favor.

**In re: Resolution #778-Accepting dedication of certain streets, water mains, sewer mains, and lift stations**-Linda Haynes states she had hoped to have something ready on this, but does not. Pat Flannigan makes a motion to postpone this item to the July meeting. Mark Spence seconds the motion. All are in favor.

**In re: Resolution #779-Appointing Public Information Officers**-Linda Haynes reads the title of Resolution #779. Mark Spence makes a motion to approve Resolution #779. Marsha Mills seconds the motion. All are in favor.

**In re: Resolution #780-Maintenance Department Work Boot Policy**-Linda Haynes reads the title of Resolution #780. The matter of reimbursing temporary employees is discussed, and the Board decides to not include temporary employees in the reimbursement portion. Matt Meyer makes a motion to approve Resolution #780 as presented. Pat Flannigan seconds the motion. All are in favor.

**In re: Resolution #781-Strategic Plan & Mission Statement**-Linda Haynes reads the title of Resolution #781. Pat Flannigan makes a motion to approve Resolution #781. Mark Spence seconds the motion. All are in favor.

**In re: Use Tax**-Cindy Davenport states that she e-mailed everyone a packet with her notes on the seminar she attended. If the Board wants to pursue the use tax it must be placed on the election ballot. This tax would apply to mail order, telephone orders, things bought from

infomercials, and internet purchases. Mayor Clynch states that the City has the public hearing in August to set the personal property and real estate tax rates, therefore he'd like to wait. Pat Flannigan asks if there is a deadline. Cindy Davenport states no. Pat Flannigan states that he agrees, he would like to wait.

**In re: Board of Aldermen attendance at MML Annual Conference**-Matt Meyer and Pat Flannigan state that they would like to attend. The rest of the Board and Mayor cannot attend. Linda Haynes states that she will get with Pat and Matt later to get them registered.

**In re: City Hall-Termite inspection bids, police entrance concrete**-Pat Flannigan states that Pesky Critters gave a bid of \$3,000 and they were going to treat for termites. Pestshield Services did two inspections and said there were no active termites. Pesky wanted to treat based on the one termite tube found in the basement. He tore it apart and there were no live termites present. Pestshield Services has now provided a bid to do quarterly pest services and termite monitoring at City Hall, the Community Building, and the old maintenance office area. That cost for 995 Main is \$185 per quarter and a \$300 activation and installation of monitors fee. The cost to add the old maintenance office and Community Building is \$100 per quarter with a \$50 activation fee. Pesky Critters offered nothing on termite monitoring. Pestshield Services will also place bait stations around the building. Pat Flannigan makes a motion to go with Pestshield Services for the quarterly pest services of all City buildings and the termite monitoring at 995 Main Street. Marsha Mills seconds the motion. All are in favor. Linda Haynes states that she will inform Pesky Critters to discontinue spraying for the City.

Pat Flannigan states that there were three bids presented last month. One was a lot higher than the rest, one wanted 50% down. The City ended up choosing the second lowest bid. That contractor was notified that they were chosen and provided the contract. He then notified the City that due to having to provide the proof of workers compensation he was backing out. We now have a new bid from Modern Concrete Services. They would rebar into the existing concrete and elevate it by pouring over the existing concrete and steps. It would be sloped out for drainage. If they didn't use the old concrete that area would need to be filled and compacted. Marsha Mills asks if the area is covered. Mayor Clynch states no. Matt Meyer asks if there is anything in writing about the specific work they are doing. Pat Flannigan states no, but it can be included in the contract. Pat Flannigan makes a motion to award the bid to Modern Concrete Services for \$4,300 and to detail the work to be done in the contract. Matt Meyer seconds the motion. All are in favor.

Pat Flannigan states that due to splitting of the room that was the Mayor's office area, the HVAC system will need some work so that it performs correctly for both rooms. He has also gotten a bid from Grand Oaks. The bids are within \$100 of each other. There is discussion regarding a warranty on the work. Matt Meyer makes a motion to go with Menne Heating & Cooling for \$2,550 with them providing a two year labor and one year parts warranty. Marsha Mills seconds the motion. All are in favor. Pat Flannigan states that he will contact Menne about the warranty.

**In re: Highway MM and Railroad Street turn-grain trucks**-Pat Flannigan states that he and the Mayor were going to meet with the owner of the grain elevator, but they realized that what they were going to propose was not going to work. There is still going to be an issue with the grain trucks in the fall. If the City is going to demand that they keep Main Street open then there is going to need to be changes at Hwy MM and Railroad Street to widen the turn and move the utility pole. The question is does the City try to accommodate the grain elevator by offering a solution or be a not so good neighbor and just tell them to keep the trucks off Main Street. After more discussion, Matt Meyer makes a motion to have GBA put together the design and cost estimate that would be necessary for the Hwy MM

and Railroad intersection. Marsha Mills seconds the motion. All are in favor.

**In re: Ordinance #782-To Amend Chapter 46-RSBR Investments, LLC-Set zoning as C-3 General Commercial District-a 1.69 acre tract being part of Outlot 20 located along Highway C-**Linda Haynes reads the title of Ordinance #782 in full two times. Matt Meyer makes a motion to approve Ordinance #782. 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 #783-Approval of Plat 2-Austin Oaks-**Linda Haynes reads the title of Ordinance #783 in full two times. Pat Flannigan mentions a storm water issue in the southwest corner of the property. He is concerned about the City being held liable for the storm water runoff onto adjoining property. There is discussion that the development, infrastructure, and etc. was all approved prior to the enactment of the new zoning codes. Mayor Clynch suggests having GBA look at the situation. Linda Haynes states that GBA did review what is being presented tonight as Plat 2, but they probably didn't look at storm water issues. Donny Hopkins states that he watched it go in, and it was installed okay, but he is not an engineer. Cindy Davenport states that during the plat approval is not the time to address this. It should be addressed when a building permit is submitted or when it was installed. Cindy Davenport asks if this issue was discussed at the P&Z meeting. Mayor Clynch states no, he had a call into the engineer at that time. Cindy Davenport states that the City doesn't have a legal reason to not approve the plat. This approval involves lot sizes, how they are laid out, etc. Not storm water issues. Mayor Clynch state he can go speak with Dale and see if something like hay bales or a silt fence could work, or request them to do something. Pat Flannigan states that he wants to know if what is there is in compliance with the rules, and that it is going to be addressed somewhere. Cindy Davenport suggests approving the plat, then making a motion that no building permits should be issued for lots 67 or 68 until the matter is addressed. Pat Flannigan states that he doesn't want undue animosity with the developer if the storm water issue is okay. He'd rather approve the plat and then have GBA look at the situation. Pat Flannigan makes a motion to approve Ordinance #783. 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: 911 Dispatching-** Matt Meyer makes a motion for the City of Moscow Mills to leave the services of Lincoln County 911 dispatch as of August 1, 2017 and seek other options for dispatching services. Marsha Mills seconded the motion. Roll call vote is a follows: Matt Meyer-Aye, Mark Spence-Aye, Marsha Mills-Aye, Pat Flannigan-Aye. Mayor Clynch states that he will send a letter to the County Clerk tomorrow.

**In re: Discuss revision of gift policy-**Mayor Clynch states that the current city code states that nothing over \$5 can be accepted. He feels that this is unreasonable. His suggestion is to raise that amount to \$25. Mark Spence makes a motion to present an ordinance amendment at the July meeting addressing this issue. Marsha Mills seconds the motion. All are in favor.

Mark Spence makes a motion to adjourn the open section of the meeting. Matt Meyer 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 and #3 Personnel. Matt Meyer seconds the motion. Roll call vote is as follows: Matt

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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.

Mayor Clynch states that he would like to ask the Board to address Linda's salary and bring it up to what the other department heads are making. Pat Flannigan states that he would like to get the charts done with Gina first. Cindy Davenport states that any increase given can be made retroactive.

Pat Flannigan makes a motion to amend the agenda to include hiring of Cooper Management & Training for additional hours, appointing a person for the City Clerk to report to, and Engineering cost. Matt Meyer seconds the motion. All are in favor.

**In re: Cooper Management & Training**-Pat Flannigan makes a motion to hire Gina Cooper to assist the City in moving forward with the performance appraisals, organizational chart, and pay scales. Mark Spence seconds the motion. All are in favor.

**In re: Person the City Clerk reports to**-Pat Flannigan makes a motion to appoint the one person the City Clerk reports to as the Board of Aldermen President. Mark Spence seconds the motion. All are in favor. Pat Flannigan states that an organizational chart will be passed later as a policy.

**In re: Engineering costs**-Pat Flannigan states that he had Linda put together a list of the payments to the engineer over the past 16 months. That report was e-mailed to the Board. Based on that report, it seems that subcontracting versus an internal employee is about a wash due to the initial outlay that would be required by the City. This item can be analyzed again in the future.

Mark Spence makes a motion to adjourn. Marsha Mills seconds the motion. All are in favor.

Respectfully Submitted:

Linda Haynes, City Clerk

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Michael Clynch, Mayor