

May 14, 2018-Regular Board Meeting-Moscow Mills City Hall-6:00 p.m.

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

Mark Spence makes a motion to adjourn to executive session per RSMo. 610.021 #1-Legal. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

Executive session is held and adjourned.

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

**In re: Pledge of Allegiance & Moment of Silence**-Mayor Flannigan leads the Pledge of Allegiance and then a moment of silence.

**In re: Ordinance #798-Keith Meyer-Annexation-Part of lot 3 and all of lots 4, 5, and 6-Guinn Subdivision**-Linda Haynes reads the title of Ordinance #798 in full two times. Mark Spence makes a motion to approve Ordinance #798. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Public Hearing-Keith Meyer-Zoning for newly annexed territory as R-1(A) Single Family Residential-Part of lot 3 and all of lots 4, 5, and 6-Guinn Subdivision**-Mark Spence makes a motion to open the public hearing. Steve Aston seconds the motion. All are in favor. Mayor Flannigan asks if there are any comments or questions from the public regarding the annexation. There are none. Mark Spence makes a motion to adjourn the public hearing. Marsha Mills seconds the motion. All are in favor.

**In re: Ordinance #800-Plat approval-Hampel commercial-SJH Enterprises, LLC-Steve Parisi**-Cindy Davenport advises that since there was no Planning and Zoning Commission quorum for the May 7<sup>th</sup> meeting the Board of Aldermen can proceed without their recommendation. Linda Haynes reads the title of Ordinance #800 in full two times. Mark Spence makes a motion to approve Ordinance #800. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Public Hearing-SJH Enterprises, LLC-Zoning change from R-1(A) Single Family Residential District to C-3 General Commercial District-A 24.89 acre, more or less, tract of land situated in fractional Section 8, Township 48 North, Range 1 East of the Fifth Principal Meridian**-Steve Aston makes a motion to open the public hearing. Mark Spence seconds the motion. All are in favor. Cindy Davenport advises that the public hearing was held on May 7<sup>th</sup>, but since the P&Z Commission didn't have a quorum no recommendation was made by the P&Z Commission. No public showed up to the May 7<sup>th</sup> public hearing. Mayor Flannigan asks if there are any comments or questions from the public regarding the re-zoning. There are none. Steve Aston makes a motion to close the public hearing. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Remarks of Visitors**-No visitors are signed up for remarks.

**In re: Approval of Consent Agenda items**-Mark Spence makes a motion to approve the consent agenda items which include the Board of Aldermen minutes from April 9<sup>th</sup>, 26<sup>th</sup>, and 30<sup>th</sup>; financial reports; paid bills report; bills to pay report; Payroll Monitor report; Bank Statement Monitor report; and purchases by the Police Department to include eight flash lights \$812.80, eight active shooter kits \$2,399.60, six road flares \$293.70, and five collapsible safety cones \$694.75, all of which will be reimbursed by LLEBG funds. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: 2015 International Building Code adoption update**-A.J. Girondo states that the books have arrived. After Cindy Davenport completes her review, the codes and amendments can be put on 90 day display prior to passage. Cindy Davenport states that she is about half way through the review.

**In re: Bid Health, Dental, Life Insurance-Update**-Linda Haynes states that she just received the renewal rates for the current health insurance coverage. The increase is 22% for the low plan and 29.6% for the high plan. J.W. Terrill states that they are shopping the coverage for the City and should have something to present soon.

**In re: NCLS warranty program**-Len Zell, the representative for the NCLS program, makes a presentation regarding the program they offer for the water and sewer lines that are not maintained by the City. The program is of no cost to the City. It is a voluntary program that the homeowner pays a monthly fee for the coverage and can opt in or out at any time. The City is only required to pass a resolution in support of the program. Letters will then be sent to the residents around May regarding the sewer program, and in the fall for the water program. Once the homeowner receives the letter, the coverage can start 30 days after they qualify. NCLS does all of the billing and takes all of the phone calls. Local contractors will be used to perform any work that is done, when available. There is no deductible when work is done. Their contractors must be licensed and bonded. The City's step sewer system in Old Town is discussed. Len Zell states that no effluent pumps, grinder pumps, or septic tanks would be covered under the NCLS program. The line from the home to the step system, and out of the step system to the main would be all that would be covered in areas using that system. The water program covers water lines, and a well, if there is one present. Reseeding of yards is covered, but sod would not be. They would also replace things like a side walk that needed to be torn up to make repairs. Landlords versus renters is discussed. Len Zell states that the letters will initially go to the property owners. The landlords can give permission for their tenants to sign up and pay for this program themselves. Their response time is one hour or less. Within that hour the program participant will be at least contacted and informed when the contractor can be there. All of their call centers are owned by them and based in the United States. They are able to address calls in over 300 languages. The rates stated can only increase by fifty cents. The current rates have been the same for eleven years. They do a study each year to ensure that the program is self-sufficient. Marsha Mills makes a motion to authorize the City to enter into an agreement to communicate the National League of Cities Service Line Program to all residents as a voluntary program, at no cost to the City, using no city tax dollars, and to allow the Mayor to sign the Marketing Agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Fireworks Fanatics, LLC-Ann McNelly/Rob Modglin-new location-**Linda Haynes explains that a previous Board had said that once a Fireworks Permit was approved it didn't need to come back to the Board for re-approval each year if all was the same as the previous year. Fireworks Fanatics has had a permit in previous years, but will be moving their location for Hwy C Plaza to beside Moscow Springs Plaza. Rob Modglin states that parking will be in the grass, and there is some on street parking along Walter Court. Mark Spence makes a motion to approve the permit application for Fireworks Fanatics at the new location. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Gravel-Alley between Third Street and Fourth Street-**Mayor Flannigan states that the City does not currently maintain alleys. The City has received a request from a property owner to put gravel on the adjoining alley. Mayor Flannigan presents photos of the alleyway and how it is currently being used by the property owner as a driveway that circles around. He told the property owner that he'd ask the Board if the City was going to rock and blade the alley. Mayor Flannigan asks if anyone will make a motion to rock and blade the alley. No motion is made. Mayor Flannigan states that he will communicate the Boards decision to the property owner.

**In re: Ordinance #799-To Amend Chapter 46-Keith Meyer-Set zoning as R-1(A) Single Family Residential-Part of lot 3 and all of lots 4, 5, and 6-Guinn Subdivision-**Linda Haynes reads the title of Ordinance #799 in full two times. Mark Spence makes a motion to approve Ordinance #799. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Ordinance #801-To Amend Chapter 46-SJH Enterprises, LLC-Zoning change from R-1(A) Single Family Residential District to C-3 General Commercial District-A 24.89 acre, more or less, tract of land-**Cindy Davenport advises that since there was no Planning and Zoning Commission quorum for the May 7<sup>th</sup> meeting the Board of Aldermen can proceed without their recommendation. Linda Haynes reads the title of Ordinance #801 in full two times. Mark Spence makes a motion to approve Ordinance #801. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Ordinance #802-Road relinquishment agreement-Hampel Road-**Cindy Davenport states that she has reviewed this document and recommends passage. Linda Haynes reads the title of Ordinance #802 in full two times. Mark Spence makes a motion to approve Ordinance #802. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Resolution #803-Appointing authorized representative-Mo Dept. of Natural Resources-State Revolving Fund Program-**Linda Haynes states that the State Revolving Fund Program requires this resolution to be passed each time the Mayor changes. Linda Haynes reads the title of Resolution #803. Mike Eilers makes a motion to approve Resolution #803. Mark Spence seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Ordinance #804-Amend the 2018 Budget-**Linda Haynes states that these are the changes that were discussed at the budget review meeting. Linda Haynes reads the title of Ordinance #804 in full two times. Marsha Mills makes a motion to approve

Ordinance #804. Mark Spence seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Ordinance #805-Amend section 50.070-Liquor license fees-**Linda Haynes reads the title of Ordinance #805 in full two times. Steve Aston makes a motion to approve Ordinance #805. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

**In re: Moscow Mills Bicentennial-**Mayor Flannigan states that the City's bicentennial is two and a half years away. He would like to see this item put back on the next meeting agenda for further discussion.

**In re: Missouri Department of Conservation-canoe access-**Mayor Flannigan states that as a Board member he was led to believe this access was going to be concrete. The costs are split 75% paid by Missouri Dept. of Conservation and 25% paid by the City. The project cost is \$20,000. Any maintenance after this is installed would be at the City's cost, and he recently found out that the access is not concrete, but basically a pathway. Cindy Davenport states that the City had not agreed to pay the 25% of the costs, only to maintain it after it was completed. Mayor Flannigan states that they are now stating that the project cost is going to be \$60,000, due to erosion concerns, and they will be looking for a different location. He informed them he'd talk to the Board about this project since it is a lot of tax money and would basically only be a foot path. Cindy Davenport states that there were other parties involved in this project. The Lincoln County Coalition was supposed to provide the 25%. Cindy Davenport recommends the agreements that were entered into be researched before a decision is made. Mayor Flannigan states that he will put this item back on the next meeting agenda for further discussion.

**In re: MML Annual Conference-Branson, MO-attendees-**After some discussion it is decided that Mayor Flannigan and Alderman Spence will be attending the MML Annual Conference in Branson, MO.

**In re: Cooper Management Training & Consulting, Inc-Pay scales-**Mayor Flannigan states that he would like to the Board to authorize him to contract with Cooper Management to continue work on the pay scales and to get the review processes going. There is currently \$1,000 in the budget for this purpose. Mark Spence makes a motion to allow the Mayor to contract with Cooper Management for this purpose, for up to \$1,000. Marsha Mills seconds the motion. All are in favor.

**In re: Fix animal code-**Changes to the City's Animal code are discussed. It is decided that the kennel license provision will not be put back in. The leash requirements will be put back in. The number of animals allowed will be four. Any person who currently has more than four will be grandfathered. There may be a need for a provision for animals who have litters, and how long they can be kept. The showing of the current rabies vaccination to purchase a pet tag will be put back in. Cats are discussed. There are issues with determining who the cats actually belong to. Cindy Davenport suggests starting with the mentioned changes, and cats can be considered later.

**In re: July meeting date-** Due to scheduling conflicts, it is decided to hold the July meeting on Tuesday, July 24<sup>th</sup>. The Board is in agreement to have the City Clerk e-mail the July bills for payment approval, so it doesn't have to wait until July 24<sup>th</sup>.

**In re: Blattel Development, LLC-Request to inspect and accept dedication of improvements at Chestnut Ridge Subdivision-**It is discussed that the City Codes states that the escrow will be held for two years following acceptance of the dedication. Donny Hopkins states that he needs to do the inspection and those findings need to be communicated to the developer. Anything the City requests to be fixed needs to be addressed. After all items pass City inspection the two years starts. Marsha Mills makes a motion to start the process of doing the inspections and informing the developer of the deficiencies. Mike Eilers seconds the motion. All are in favor.

**In re: City Hall sign and pole at Hwy MM and Main Street-**Mayor Flannigan states that the current sign on Main Street at Hwy MM that references the direction to City Hall is in the visual path of motorists pulling off of Main Street onto Hwy MM or crossing Hwy MM. Mayor Flannigan shows photos of the area and the sign. He would like to take the old sign down and put signs on both sides of Main Street using black decorative poles and banners indicating the way to City Hall. The cost would be from \$1,600 to \$1,800. Marsha Mills makes a motion to allow the Mayor to proceed with purchasing the poles and banners for a cost of up to \$1,800. Mark Spence seconds the motion. All are in favor.

**In re: City Policy-Chapter 21-Hiring Practices-**Mayor Flannigan states that the City's current policy states that available positions must be advertised in the Lincoln County Journal and Troy Free Press. He feels that people are no longer looking in the newspaper for job openings. He would like to see the requirement of advertising in the newspaper eliminated, and to begin to use other options. Mark Spence makes a motion to have Mayor Flannigan draft a change to the hiring practices policy to be brought back to the Board at the next meeting for consideration. Marsha Mills seconds the motion. All are in favor. Cindy Davenport will review the draft policy prior to presentation.

Mark Spence makes a motion to adjourn the open section of the meeting. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

Mayor Flannigan suggests 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. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Marsha Mills-Aye, Mike Eilers-Aye.

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

Steve Aston makes a motion to adjourn. Marsha Mills Eilers seconds the motion. All are in favor.

Respectfully Submitted:

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Patrick Flannigan, Mayor

Linda Haynes, City Clerk