

January 14, 2019-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; and Mike Eilers, Aldermen Ward II are present. Marsha Mills, Alderman Ward II is absent. 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. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-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 is present. Donny Hopkins, Maintenance Superintendent is absent. There are four guests in attendance.

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

In re: Remarks of Visitors- Dan Casey-Lincoln County Fire Protection District-Introduces himself as the new Fire Chief. Provides his background and states that he is available for questions.

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 November 29th and December 17th; financial reports; paid bills report; bills to pay report; Payroll Monitor report for December; Bank Statement Monitor reports for November and December; and Deb Freise to attend the MACA Board meeting on January 18th in Osage Beach. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Mike Eilers-Aye.

In re: Moscow Mills Bicentennial- Mayor Flannigan states he is writing a grant application for funding. He would like to postpone this item to the February agenda. Cindy Davenport states that she has a list of names to provide to him as possible recruits.

In re: Solid waste contract-senior discount and bin for fibrous materials-Mayor Flannigan states that there are two potential changes. First, the senior discount was accidentally left off of the contract, and they have agreed to put it back in. Second, the food pantry had initially said they'd be willing to take the fibrous materials for recycling. Since then it has been determined that it would be too much. Meridian has agreed to provide a bin for fibrous recycling at a charge of \$1.00 per customer per month. Or the Board can choose to only do the curbside recycling of other non-fibrous materials and stay at the current price of \$14.75. There is discussion that the fibrous recycling bin could be placed by the outdoor restrooms on the property adjoining the City Hall property. There is discussion that the Board can elect to try the fibrous recycling bin and if it isn't working out it can be cancelled in a few months. Mike Eilers makes a motion to amend the contract with Meridian to include the 50% senior discount, and the extra \$1.00 per customer for the fibrous recycle bin to be located next to City Hall, and to allow the Mayor to sign the amended contract. Mark Spence seconds the motion.

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Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Mike Eilers-Aye.

In re: Resolution #833-Accepting dedication of infrastructure in Chestnut Ridge-Blattel Development, LLC-Linda Haynes reads the title of Resolution #833. Mark Spence makes a motion to approve Resolution #833. Steve Aston seconds the motion. All are in favor.

In re: Resolution #838-Use of Municipal Meeting Space-Linda Haynes reads the title of Resolution #838. Steve Aston makes a motion to approve Resolution #838. Mike Eilers seconds the motion. All are in favor.

In re: Set for public hearing-Ordinance #844-Amending 46.455-Public Improvements Installed or Guaranteed In All Zoning Districts.-Cindy Davenport states that this draft is to replace the City's current code regarding dedication of public improvements. Cindy goes over the changes and explains that this includes the 80% the Board requested. Linda Haynes states that this, along with the fence code changes being recommended by the P&Z Commission, need to be set for public hearing if the Board wants to move forward with the changes. Mike Eilers makes a motion to set these items for public hearing. Mark Spence seconds the motion. All are in favor.

In re: Resolution #845-Accepting dedication of Elm Tree Commons storm water, public water, paved street, street lights, and sewer utilities-Mayor Flannigan states that this only includes the Elm Tree Commons Court area. Linda Haynes reads the title of Resolution #845. Mark Spence makes a motion to approve Resolution #845. Mike Eilers seconds the motion. All are in favor.

Mark Spence makes a motion to amend the agenda to consider the appointment of two new Planning and Zoning Commission members. Mike Eilers seconds the motion. All are in favor.

In re: Appointing Planning and Zoning Commission members-Andrew Pfaff and Stephanie Beger are introduced to the Board. They both provide some of their background. Mayor Flannigan requests a motion to appoint Andrew and Stephanie to the P&Z Commission. Mark Spence makes a motion to appoint Andrew Pfaff and Stephanie Beger to the P&Z Commission. Steve Aston seconds the motion. All are in favor.

In re: Waiver of TDD audit for 2018-Mike Eilers makes a motion to waive the TDD audit for 2018, per the request of David Brown of Lewis Rice. Steve Aston seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Mike Eilers-Aye.

In re: Cell phones-Mayor Flannigan presents information on staying with the type of service the City currently has versus upgrading to smart phones. The City can get 11 lines for the same price we are currently paying for seven lines with the current type of service. The extra lines would be: one for Donny Hopkins-he is currently using his own phone, one for the extra maintenance department employee who does not have one, and two more for the police depart. The police department currently has two. To upgrade to 11 smart phones would be an extra \$280 per month. The service would be unlimited data and voice and there are no contracts. Mayor Flannigan states that there

is a City ordinance prohibiting personal use of City equipment. There is discussion that using a personal phone can open that phone up to Sunshine Law requests. Mark Spence makes a motion to upgrade to the smart phones with 11 lines. Steve Aston seconds the motion. All are in favor.

In re: Ordinance #847-Amend Chapter 41-Dangerous Buildings-Cindy Davenport states that she provided this as a draft a few months ago. She wrote this to bring the City's code into compliance with Missouri Statute. Linda Haynes reads the title of Ordinance #847 in full two times. Mark Spence makes a motion to approve Ordinance #847. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Mike Eilers-Aye.

In re: Ordinance #846-Amend Chapter 39-delete Occupancy Permits-Cindy Davenport states that this amendment deletes the issuance of occupancy permits and it also ties back into the new section being considered for the Chapter 46 amendments regarding infrastructure dedications. Linda Haynes reads the title of Ordinance #846 in full two times. Steve Aston makes a motion to approve Ordinance #846. Mike Eilers seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Mark Spence-Aye, Mike Eilers-Aye.

In re: WEX fuel card payments and contract-After some discussion, Mark Spence makes a motion to allow the Mayor to sign the contract with WEX and to add this item to the list of bills that can be paid without first obtaining approval. Mike Eilers seconds the motion. All are in favor.

In re: Stray Dogs-Mayor Flannigan states that Marsha Mills had placed this on the agenda, so since she is absent it will be postponed to the February meeting.

In re: George Butler Associates-Lift Station, Force Main, and Elimination of Northwest Treatment Facility Sanitary Sewer Improvement Project-Contract amendment #2-Steve Aston makes a motion to approve and allow the Mayor to sign Contract amendment #2. Mark Spence seconds the motion. All are in favor.

In re: Outside employment forms-Mayor Flannigan states that all employees turned in the outside employment form. Only one employee was seeking approval, which is David Graves. Mark Spence makes a motion to approve the outside employment for David Graves at Lava Lounge as a bouncer. Mike Eilers seconds the motion. All are in favor.

In re: Sludge removal and land application of sludge-Mayor Flannigan explains that the Crooked Creek Wastewater Treatment Facility was built 12 years ago. The City knew at that time that sludge removal from the final stage of treatment (decant pond) would eventually need to be addressed. This sludge removal has never been done and is now at critical mass. Donny Hopkins is out on leave due to surgery on his hand. He will be out for 30 to 90 days. Donny wants the maintenance department to do the sludge removal. Mayor Flannigan states that he feels the maintenance department is already short a person and this project should be contracted out. Mayor Flannigan goes over the costs and options to have Oros & Busch do the sludge removal and land application. The Board needs to decide whether to have the maintenance department

do the work or contract it out. From here on the cost to perform this task will be budgeted annually. Regardless of who does the work, the material can be land applied at the old lagoon location behind the old city hall at 500 Hwy MM. Later the City may want to arrange with some farmers to land apply for them. It would need to be mixed with lime before applied to the land. After more discussion, Mike Eilers makes a motion to contract with Oros & Busch for the sludge removal and land application in the amount of \$68,750 for 50% of the sludge and \$30,000 for lime for the contractor to use, and allow the Mayor to sign the contract. Mark Spence seconds the motion. Roll call vote is as follows: Steve Aston-Nay, Mark Spence-Aye, Mike Eilers-Aye.

In re: Approval to contract with Croghan & Croghan for 2018 audit-Steve Aston makes a motion to approve the contract with Croghan & Croghan for 2018 and allow the Mayor to sign the engagement letter. Mark Spence seconds the motion. All are in favor.

In re: City code section 23.090 Relatives in City service-Mayor Flannigan explains that the policy needs to be updated to allow related individuals to work in the same department, as long as they are not reporting to one another. Cindy Davenport can draft new language to do that and comply with State law. Steve Aston makes a motion to have Cindy Davenport draft a new policy. Mark Spence seconds the motion. All are in favor.

In re: Copiers-Linda Haynes explains that the City recently received a letter from Yaedae stating they went out of business and to contact Da-Com, that they were taking over Yaedae's contracts. The City has three copiers through Yaedae. Da-Com was contacted when toner was needed, and at that time it was discovered that Da-Com didn't automatically take over all of Yaedae's contracts. Da-Com came out and evaluated the three copiers and are willing to offer a maintenance agreement on the court and police copiers, as they are in good shape. They are not willing to do a service agreement on the one City Hall uses. They say it is in very poor condition and would take too much money to bring up to standards. Therefore, they have submitted maintenance agreements on the two copiers, and pricing for a new or used copier through them. They have also included a color copier option. The City can lease the machine or purchase it outright. If purchasing outright a separate service agreement would also be necessary. After some discussion regarding the options presented, the Board requests that the City Clerk negotiate with Da-Com regarding the number of copies allowed under the service agreement for the City Hall copier, and bring that information to the February meeting. They will wait to take action on the two other service agreements until February as well. The Board agrees to allow Da-Com to bring the demo copier so the unit can be tried out.

In re: February 19th-Close City Clerk's office from 8:00 a.m. to noon-Mark Spence explains that the City Clerk had asked to take the week of February 18th off, but was concerned about the Deputy Clerk being able to complete payroll on the 19th with only four hours to do so. Mayor Flannigan explains that the time frame is short that week due to February 18th being a holiday, Presidents Day. Mark Spence suggests closing the office from 8:00 a.m. to noon on February 19th to allow the Deputy Clerk time to do payroll with little interruptions. Steve Aston makes a motion to close the office from 8:00 a.m. to noon on February 19th so that payroll can be done. Mike Eilers seconds the

motion. All are in favor.

In re: Fire hydrant-Lions Club-Mayor Flannigan explains the need for a fire hydrant at this location, and that it was poor planning on the City's part when this area was developed. He has received one bid, from Petry Excavating, LLC, for \$5,450 which includes labor and materials. After discussion, the Board agrees that the Mayor should attempt to get more bids.

In re: Holiday pay-Police Department-Mayor Flannigan states that other departments offer saving the officer's holiday pay until November of each year and paying it all out at once. Chief Foster has indicated that the City's officers would like to do this. Mark Spence makes a motion to have Cindy Davenport draft a policy for presentation at the February meeting regarding the banking of and one time pay out of holiday pay for the police officers. Steve Aston seconds the motion. All are in favor. Mark Spence makes a motion to bank any holidays for the police officers that occur between now and the February meeting. Mike Eilers seconds the motion. All are in favor.

In re: Salaried employees-policy on vacation, sick and safety day use-Mayor Flannigan explains the need for a policy regarding use of vacation, sick and safety days for salaried employees. Cindy Davenport states that the FLSA allows the City to dock an employee's leave time for missing a whole day. Chief Foster states that there are times in police work that a 24 hour shift is worked, would that officer have to take leave time for not coming in the next day? Mayor Flannigan states that special cases like that can be included in the policy. Cindy Davenport states that salaried employees need to be excluded from the City's ordinance requiring every employee to clock in and out. Mark Spence makes a motion to have Cindy Davenport draft a policy for presentation at the February meeting. Steve Aston seconds the motion. All are in favor.

In re: Body cameras-Chief Foster states that the department used to have body cameras, but quit using them due to storage problems. Now that cloud storage is in use he would like to use part or all of the money he had budgeted for the lockers for body cameras. He wants to make sure the Board is okay with that before he moves forward with obtaining bids. He will bring the bids back to the Board at a later date for approval. The Board is in agreement to allow Chief Foster to use the funds budgeted for lockers for body cameras.

In re: Tropicana Village Drive concrete repair-Mayor Flannigan states that the street section that needs to be repaired would use fast drying concrete. Therefore, Donny Hopkins asked to use a contractor to do these repairs. He has one bid from Orth Construction to replace the ½ slab for \$1,500. Mark Spence makes a motion to contract with Orth Construction to replace the ½ slab for \$1500 and to allow the Mayor to sign the agreement. Mike Eilers seconds the motion. All are in favor.

Mark Spence makes a motion to adjourn. Mike Eilers seconds the motion. All are in favor.

Respectfully Submitted:

Linda Haynes, City Clerk

Patrick Flannigan, Mayor