



6:00 p.m.-Mayor Flannigan calls the meeting to order. Mark Spence, Alderman Ward I; Marsha Mills, Alderman Ward II; and Steve Aston, Alderman Ward I (participating via Zoom video) are present. Cody Quist-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 and #2-Real Estate. Marsha Mills seconds the motion. Roll call vote is as follows: Mark Spence-Aye, Marsha Mills-Aye, Steve Aston-Aye.

Executive session is held and adjourned.

6:30 p.m.-Mayor Flannigan calls the meeting back to order. Rob Hamlin, Utility Supervisor; Terry Foster, Chief of Police; Dwayne Washford, Maintenance Supervisor; and A.J. Girondo, City Engineer 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 is held.

**In re: Board of Adjustments-Public Hearing-Variance application submitted by Lincoln County Ambulance District to allow an exception to Section 46.120 G #1, which states that the front yard building setback requirement shall be not less than 50 feet in an area zoned C-3 General Commercial District. The variance being requested is to allow a reduction on the front yard building setback requirement to 15 feet at 28 Walter Court.**-Mark Spence makes a motion to open the public hearing. Marsha Mills seconds the motion. All are in favor. Mayor Flannigan states that the Lincoln County Ambulance District is applying for a variance on the setback requirement of fifty foot. They would like it reduced to fifteen feet on the west corner of the building. The ambulances need to be able to pull in and through the building, and the property is pie shaped. The variance to fifteen feet will facilitate the necessary building design and placement. Larry Walker of Bax engineering shows a color exhibit of the building layout and states that the property and surrounding property are all zoned C-3 Commercial. If the variance is granted, there will still be 77.5 feet of grass from the corner of the building to the edge of the pavement on Walter Court. Mayor Flannigan states that there is a water and sewer line that crosses this property that is also affecting the building placement. Mayor Flannigan asks if there are any questions. There are no questions. Mark Spence makes a motion to adjourn the public hearing. Marsha Mills seconds the motion. All are in favor.

**In re: Board of Adjustments-Action on variance application submitted by Lincoln County Ambulance District.**-Mark Spence makes a motion to grant the variance of fifteen feet for the front yard building setback on the west corner of the building at 28 Walter Court. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Board of Adjustments-Public Hearing-Variance application submitted by Lincoln County Fire Protection District No. 1 to allow an exception to Section 46.120 G #2, which states that the side yard requirement shall be not less than 15 feet in an area zoned C-3 General Commercial District. The variance being requested is to allow a 10 foot encroachment on the northeast side yard at 675 Hwy C.**-Mark Spence makes a motion to open the public hearing. Marsha Mills seconds the motion. All are in favor. Chief Marlo states



that there was a discrepancy regarding the site survey. To move this matter along, they have accepted the survey from Dollar General, which is different than their survey. Paul Boyer of CEDC Civil Engineering states that the previous variance that was approved was for a five foot encroachment. This new variance request is for a ten foot encroachment. This is on the side of the property that abuts commercial property. Their proposed setbacks that abut the residential areas are within the City's requirements. Their lot is long and skinny and needs to be set up so the firetrucks can pull through the building. Mark Spence asks if there has been any talk with MoDOT regarding a traffic light. Chief Marlo states that MoDOT does not like to put lights on their lettered highways, so the Fire District did not pursue that. Putting their own flashing light there wouldn't likely do more than a fire truck with lights on sitting there attempting to turn out. Mayor Flannigan asks if there are any more questions. There are no more questions. Mark Spence makes a motion to adjourn the public hearing. Marsha Mills seconds the motion. All are in favor.

**In re: Board of Adjustments-Action on- Variance application submitted by Lincoln County Fire Protection District No. 1-** Mark Spence makes a motion to grant the variance of the ten foot encroachment on the northeast side yard at 675 Hwy C. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Remarks of Visitors-**None.

**In re: Approval of Consent Agenda items-**Mark Spence makes a motion to remove the request to join the Eastern Missouri Law Enforcement Training Academy from the consent agenda for separate discussion and to approve the remaining consent agenda items which includes the minutes from the September 13<sup>th</sup> Board of Aldermen meetings; financial reports; paid bills report; bills to pay report; Payroll Monitor report for September; Bank Statement Monitor reports for July, August, and September; Department Head reports from the Court Clerk, City Clerk, Maintenance Supervisor, Utility Supervisor, and Chief of Police; outside employment approval for Officer Brian Johnson at Eagle Fork, issuance of Anthem rebate checks to the employees, and Rob Hamlin's request to purchase Computerized Maintenance Management Software from Water Resources Management for \$1,239.95. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Eastern Missouri Law Enforcement Training Academy-** Mark Spence asks if this is the membership that the City previously had that allows the City to send a recruit. Chief Foster states that the City did have it and it was dropped years ago due to funding. They are local, in Lake St. Louis. They keep track of post credits and do allow the City a free recruit through the academy. The funding is already in the budget for this. Mark Spence makes a motion to approve joining the Eastern Missouri Law Enforcement Training Academy. Marsha Mills seconds the motion. All are in favor.

**In re: Moscow Mills Bicentennial Committee update-**Mayor Flannigan states that the Tractor Show was just held over the weekend. The events left are the tree lighting and Christmas caroling, and the New Year's Eve party. The original date for the tree lighting had to be adjusted, and he believes it will now be on December 3<sup>rd</sup>. Mayor Flannigan states that the agreements with Ruby Leigh for the Bluegrass event and Jake Shafer for the Tractor Show event need to be ratified. Marsha Mills makes a motion to approve the agreements with Ruby Leigh and Jake Shafer. Mark Spence seconds the motion. Roll call



vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Updates, repairs, etc. at water and sewer treatment plants & lift stations-**Mayor Flannigan asks when the diffusers will be installed. Rob Hamlin states that the parts will be in by November 11<sup>th</sup> and then they will schedule the work. Mayor Flannigan states that lift station repairs are also in the works. He hopes that the City is at the end of any new discoveries that need repairs. After the NWWWTF sludge is hauled off the Board will need to approve filling the hole in. A.J. Girondo states that there are a few items still on the Pine Tree & Byrd Street lift station rehabilitation checklist. Once the contractor address these remaining items, they will be finished. Rob Hamlin states that he needs approval to purchase a new pump for \$16,070. There are three pumps that lift the sewerage into the CCWWTF. The one that was not working was pulled out and the quote to repair it is \$19,374.18, which is more than a new Flygt pump. The total cost to purchase the pump and option B on the quote to assist in start-up is \$16,070. This is the option he is recommending, in order to keep future pump brands with the same company that provides our contracted maintenance services. Mark Spence makes a motion to purchase the Flygt pump and startup for \$16,070 from Vandevanter Engineering and to allow the Mayor to sign to accept the proposal. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, and Mark Spence-Aye.

**In re: Well #5 project-update-**A.J. Girondo states that they are waiting on the new sight survey and depth letter from MoDNR, since the site of the well changed. Mayor Flannigan states that he has spoken to the owner of the land and he is willing to sell the City a portion on the northeast corner for the new well.

**In re: Siren grant update-**Mayor Flannigan states this should be going out for bids this month. He has spoken to Cuivre River Electric regarding two of the poles, but is still waiting for a call back from Ameren UE on the other pole.

**In re: Update on emergency fresh water connection-**Mayor Flannigan states that this connection is not going to move forward. Brian Lourance, the operator at City of Troy stated that Troy was not interested. Since then, Brian has retired. Mayor Flannigan states that he brought this up to Ron Sconce, Mayor of Troy, and he stated that Troy has enough water and was not interested. Mark Spence asks that since Brian has retired, does that mean our backup operator is gone now too. Mayor Flannigan states that our current agreement is with Troy. Rob Hamlin states that he will speak with the new operator for Troy. Mayor Flannigan states that he would like to speak with Brian as well, to see if he is interested in continuing to be our backup. Rob Hamlin states that he will speak with him as well.

**In re: Lincoln County Fire Protection District #1-Inspection fees and water/sewer service-**Mayor Flannigan states that the City will not be charging the Fire Department any tap fees, because there is already water and sewer on the property. A vote will be needed regarding the Fire Department inspector doing the inspection work and submitting reports to the City's engineer, rather than having the extra expense of the City's inspector. A vote is also needed regarding their monthly water and sewer billing. In his research, well over fifty percent of the water companies do not charge their fire



departments. They meter the water so use can be tracked, but nothing is charged. Currently, the City does not charge the Fire Department, but the current building is not manned and the new one will be. The tankers will continue to fill from the fire hydrants, which has always been free. Chief Marlo states that the Fire Department would also like to extend the use of their physical fitness area in the new building to the City's Police Department, and possible use of some office space if needed. Mayor Flannigan states that if or when the City builds a new building the Fire Department will give the City the same consideration regarding the inspections and fees. Mark Spence makes a motion to allow the Fire Department to do their own inspections and submit reports to the City's engineer for review. Marsha Mills seconds the motion. All are in favor. Marsha Mills makes a motion to allow the Fire Department to hook up to the City's water and sewer with no monthly charge, but they will have to purchase the 2" meter from the City for water use tracking. Mark Spence seconds the motion. All are in favor.

**In re: Resolution #971-Amending Policy Chapter 45-Certain Expenses-Mayor** Flannigan states that the current policy doesn't allow the City to purchase the employees a meal if they are on duty for an emergency. The amendment he is proposing will allow for this. Cindy Davenport reads the title of Resolution #971. Mark Spence makes a motion to approve Resolution #971. Marsha Mills seconds the motion. All are in favor.

**In re: Ordinance #972-Vacating certain public rights-of-ways-Cindy Davenport** states that she is recommending the City take action to vacate, rather than waiting for the property owners to petition for this. This is the alley that runs from Hwy C to Vest Street, a portion of Vest Street, and a portion of Fifth Street. Mark Spence asks if there are utilities across any property being vacated. Cindy Davenport states that she is unsure, but easements have been reserved. Mayor Flannigan asks who gets the half of Fifth Street being vacated that is adjacent to Mary Street. Cindy Davenport states that it would be the property owner at 525 Mary Street, unless the Board wants to change the exhibit. Cindy Davenport reads the title of Ordinance #972 in full two times. Mark Spence makes a motion to approve Ordinance #972. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Mo LAGERS-45 day public display started 8/9/2021, was up on 9/23/2021-** Mayor Flannigan states that he recommends taking no action on this issue until further notice. He would like to see what happens with the concrete plant. The Board is in agreement.

**In re: Department of Social Services Pledge Program-Linda Haynes** states that the City doesn't currently accept pledges from any other organization, and the program will pay the participant directly if the City does not want to participate. Mayor Flannigan asks if anyone would like to make a motion to have the City participate in the program with Missouri Department of Social Services. There is no motion.

**In re: Disconnects-Mayor Flannigan** states that the City's telephone service provider, Communications Technologies Inc (CTI), offers the same type of phone call reminder



service that the Lions Club uses. He would like to start using this service to notify people with unpaid water bills on the business day before disconnects that they owe a balance. The cost is \$10 per month and \$.07 per call. On average there is around 150 people the day before shutoffs that would receive a call, so the monthly total would be around \$22. The reminder call would go out at about 10:00 a.m. the business day before shutoffs. After some further discussion Mayor Flannigan states that there may be some details that need to be worked out when this is up and running. The system could be used for notifying residents of boil orders too. Mark Spence makes a motion to purchase the Metasphere Mass Announcement Service through CTI and allow the Mayor to sign any necessary paperwork for the purchase. Marsha Mills seconds the motion. All are in favor.

**In re: Proposed language to amend building code and put on public display-**Linda Haynes states that it has been determined that the building code is correct. The Commercial accessory building section says  $\leq 120$  square foot doesn't require a building permit and the Residential accessory building section says  $\leq 200$  square feet doesn't require a building permit. In both of these instances, a placement only permit would be required. What needs to be changed is the fee schedule in Chapter 49. She will consult with the engineer and draft the amendment for presentation at the November meeting.

**In re: Resolution #973-Amendment to Employee Handbook-Victim Economic Safety and Security Act-**Cindy Davenport states that the VESSA regulations apply when the employer has 20 employees or more. The City will be at that 20 employee threshold soon, so she is recommending the passage of this for the employee handbook. Cindy Davenport reads the title of Resolution #973. Mark Spence makes a motion to approve Resolution #973. Marsha Mills seconds the motion. All are in favor.

**In re: Ordinance #974-Amend section 114.010 Lead Ban in Public and Private Drinking Water-**Mayor Flannigan states that in the recent water inspection MoDNR recommended that the City update its current lead ban policy. Cindy Davenport reads the title of Ordinance #974 in full two times. Mark Spence makes a motion to approve Ordinance #974. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.

**In re: Ordinance #975-Accepting dedication of Plats 2, 3, 4, 6, & 7 of Austin Oaks-**Mayor Flannigan states that legal counsel was consulted and the original complaint brought by the adjacent property owner has had no action since it was brought up over a year ago. If it is brought back up, their issue is with CMS Homes, not the City. So there is no reason to hold off on accepting dedication. All items on all punch lists have been satisfied. Cindy Davenport reads the title of Ordinance #975 in full two times. Mark Spence makes a motion to approve Ordinance #975. Marsha Mills seconds the motion. Roll call vote is as follows: Steve Aston-Aye, Marsha Mills-Aye, Mark Spence-Aye.



**In re: Set date for third quarter budget review, 2022 budget rough draft, and review of pay scales-**After some discussion, the budget meeting is set for October 25<sup>th</sup> at 6:00 p.m.

Mark Spence makes a motion to amend the agenda to speak about the City's salt supply. Marsha Mills seconds the motion. All are in favor.

**In re: Salt supply-**Mark Spence states that the City has more streets to plow and treat this year. Is the supply of salt on hand enough, and if not, is there some on order? Dwayne Washford states that he has about 50 tons on hand and is currently putting in an order for 100 more tons. There is discussion regarding bidding the salt purchase. Mayor Flannigan states that starting next year it will be bid or purchased under someone else's bid contract.

Mayor Flannigan mentions that the three police cars that have been on order are finally in.

Mayor Flannigan states that a second executive session is not needed this evening.

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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Patrick Flannigan, Mayor