

**Date:11-Nov-2003**

**MINUTES**

**PARK HILLS CITY COUNCIL**

**REGULAR SESSION**

**TUESDAY, NOVEMBER 11, 2003**

The Park Hills City Council met in regular session Tuesday, November 11, 2003, at the Depot Conference Room. Mayor Clark called the meeting to order at 6:15 p.m. and roll call was as follows: Council Members Easter, McFarland, Kelly, Cunningham and Reed and Mayor Clark were present. Council Members Dickerson, Holloway and Glore were absent.

**ADJOURNMENT**

A motion was made by Councilman McFarland and seconded by Councilman Kelly to adjourn regular session and reconvene in executive session to discuss matters related to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys as authorized by Section 610.021 (1) RSMo., leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor as authorized by Section 610.021 (2) RSMo., and hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded as authorized by Section 610.021 (3) RSMo. Council Members Easter, McFarland, Kelly, Cunningham and Reed voted in favor of the motion. *No one was opposed so the motion carried and the regular session adjourned at 6:17 p.m.*

**RECONVENING**

The council adjourned executive session and reconvened in regular session at the Park Hills Council Chambers. Mayor Clark opened the meeting at 7:15 p.m. and the invocation was given by Councilman Reed. All were present on roll call except Council Members Dickerson and Holloway.

**MINUTES OF PREVIOUS MEETING(S)**

A motion was made by Councilman Glore and seconded by Councilman Cunningham to approve the minutes of the meetings held October 14 and October 28, 2003. Council Members Easter, Kelly, Glore, Cunningham, Reed and McFarland all voted in favor of the motion. No one was opposed to *the motion carried unanimously.*

**UNFINISHED BUSINESS**

**Bill #510 - An ordinance amending method of payment for firefighters**

The Public Safety Committee and the City Attorney had presented the Council opportunity to consider the amendments to Chapter 200 of the Municipal Code which would bring the city into clearer compliance with the

most recent changes to the Fair Labor Standards Act. Fire Chief Bob St. Gemme had recommended one change to the proposed ordinance. He suggested that like many other cities, Park Hills would benefit from three (3) levels of stipend rather than one at \$5.00 per call. He suggested \$15 per structure fire call, \$10 per vehicular or brush fire call, and \$5 per medical or miscellaneous call. Council Members had several questions for Mr. St. Gemme and they discussed the proposed ordinance at length. During the discussion several changes were proposed by City Attorney Ed Pultz. A motion was made by Councilman McFarland and seconded by Councilman Cunningham to approve the bill with the changes suggested by Mr. Pultz. Roll call vote was as follows: Ayes; Council Members Reed, Glore, Cunningham and McFarland. Nays; Council Members Easter and Kelly. *The motion failed.*

**Resolution setting date for public hearing - MAC Annexation - Police Corps**

A petition for annexation of the MAC Green Farm was presented to the council. A resolution concerning the annexation of the property and setting a public hearing for December 9, 2003, at 7:00 p.m. was read by Mayor Clark. A motion was made by Councilman Easter to approve the resolution as read. Councilman Cunningham made a second to the *motion* which *carried with all in favor.*

**Resolution setting date for public hearing - MAC Annexation - Green Farm**

A petition for annexation of the MAC Green Farm was presented to the council. A resolution concerning the annexation of the property and setting a public hearing for December 9, 2003, at 7:00 p.m. was read by Mayor Clark. A motion was made by Councilman Easter to approve the resolution as read. Councilman Cunningham made a second to the *motion* which *carried with all in favor.*

**Bill #511 - an ordinance to authorize transfer of a portion of Mineral Area College from the City of Leadington to the City of Park Hills**

Bill #511- An ordinance to authorize transfer of a portion of Mineral Area College from the City of Leadington to the City of park Hills was read two times by title. A motion was made by Councilman Easter and seconded by Councilman Cunningham to approve the bill as read. *The motion carried* with Council Members Reed, McFarland, Kelly, Glore, Easter and Cunningham all in favor. No one was opposed.

**Appointments to Board of Adjustment**

Mayor Clark presented two names to the council for consideration for the Park Hills Board of Adjustment. Clark recommended that Ms. Jennifer Lewis be appointed and Mr. Reggie Flowers be re-appointed to five (5) year terms. A motion was made by Councilman Reed and seconded by Councilman Kelly to approve the appointments as presented by the Mayor. *The motion carried.*

**Bill #512 - an ordinance to enter into an agreement with bond underwriter**

Staff solicited statements of qualification from several Bond Underwriting Services to Tax Increment Finance and Transportation Development Districts. Three firms submitted qualifications on or before the October 31 deadline.

The three sets of qualifications were reviewed by staff and the Budget/Investment Committee. Chairman Steve Kelly told the council that the committee was recommending the firm of Stifel, Nicolaus for the underwriting services. Mayor Clark read Bill #512 two times by title. A motion was made by Councilman Cunningham and seconded by Councilman Kelly to approve the bill as read and engage Stifel, Nicolaus for the underwriting services. *The motion carried* with Council Members Easter, Glore, McFarland, Reed, Cunningham and Kelly all in favor. No one was opposed.

**Bill #513 - an ordinance amending Chapter 100 of the Code by repealing Section 110.030 (Election of President Pro-Tempore) and enacting a new Section 110.030**

Bill #513 - an ordinance amending Chapter 100 of the City Code by repealing Section 110.030 (Election of President Pro-Tempore) and enacting a new Section 110.030 was read two times by title. A motion was made by Councilman Cunningham to approve the bill as read. *The motion* was seconded by Councilman Glore and *carried* with Council Members McFarland, Kelly, Reed, Easter, Cunningham and Glore all in favor. No one was opposed.

**CITY ADMINISTRATOR'S REPORT**

- **MoDOT Municipal Agreement** - Kennedy spoke briefly about the new MoDot Municipal Agreement which he had given to the council for review.
- **Ham or turkey for Christmas** - Kennedy asked the council if they wanted to continue the tradition of giving employees the choice of a ham or a turkey for Christmas. A motion was made by Councilman Easter and seconded by Councilman Cunningham to continue the tradition giving employees their choice of either a ham or a turkey. *The motion carried unanimously.*
- **Water projects at MAC and Black Oak Estates** - Kennedy reported on the progress of the water projects at MAC and Black Oak Estates. He told the members that the project at MAC was almost complete and the Water Department will be moving to Black Oak soon because the easements are in and its ready to start.
- **Other Issues** - Kennedy also invited everyone to attend the ribbon cutting at Parkway Drive scheduled for Thursday, November 13<sup>th</sup> at 10:00 a.m.

**CITY ATTORNEY'S REPORT**

City Attorney Ed Pultz had no report for regular session.

**MAYOR'S DISCUSSION**

Mayor Clark apologized to the council for trying to close the discussion concerning the Fire Department pay issue. He said he realized that it was important, but he felt that there were other issues on the agenda that were important and too much time was being spent on one issue. He felt that the Public Safety Committee, Fire Chief and City Administrator could work together to find a solution to bring back to the council at a later date.

### COUNCIL DISCUSSION

Councilman McFarland said he wanted to congratulate the Public Safety Committee on the work they had done on the Fire Department pay issue. He said he would like for the council to direct the City Administrator to continue working on the Fire Department SOGs. A motion was made and seconded to bring Bill #510 back to the council with suggested revisions and new SOGs in place. *The motion carried.*

o Committee Meeting Schedule

Mr. Kennedy presented the council with a proposed Committee Meeting Schedule. He asked the Committee Chairmen to contact staff if they had anything that needed to be discussed.

### ADJOURNMENT

Councilman Cunningham moved to adjourn seconded by Councilman Kelly. Council Members Easter, Gore, Kelly, McFarland, Reed and Cunningham all voted in favor. No one was opposed so *the motion carried and the meeting adjourned at 8:40 p.m.*