

Date:12-Apr-2005

**MINUTES**  
**PARK HILLS CITY COUNCIL**  
**REGULAR MEETING**  
**APRIL 12, 2005**

The Park Hills City Council met in regular session, Tuesday, April 12, 2005, in the Depot Conference Room. Mayor Clark opened the meeting at 6:30 p.m. with roll call as follows:

Council Members Barnett, Cunningham, Dickerson, Glore, Holloway and Reed and Mayor Clark all were present. Council Members Kelly and Parish were absent.

**Adjournment**

A motion was made by Councilman Cunningham and seconded by Councilman Glore 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. ***The motion carried*** with Council Members Barnett, Cunningham, Dickerson, Glore, Holloway and Reed all in favor. No one was opposed and the meeting adjourned at 6:35 p.m.

**Adjournment/Reconvening**

Following executive session the Council reconvened in regular session at the Park Hills Council Chambers. Mayor Clark called the meeting to order at 7:15 p.m. and gave the invocation. Council Members Barnett, Cunningham, Parish, Dickerson, Glore, Holloway and Reed and Mayor Clark were present. Councilman Kelly was absent.

**Public Hearings and Action Thereon**

**A. A public hearing concerning Case Number 2005-009: Recommendation from the Planning and Zoning Commission to the City Council concerning the Plat of Scott's Re-subdivision**

A public hearing was held concerning a recommendation from the Planning and Zoning Commission to the City Council concerning the Plat of Scott's Re-subdivision. No one spoke during the hearing.

**Bill #631 - an ordinance approving and accepting the plat of Scott's Re-subdivision**

Bill #631 was read two times by title. A motion was made by Councilman Glore and seconded by Councilwoman Dickerson to approve the bill as presented. ***The motion carried*** with Council

Members Holloway, Parish, Barnett, Reed, Cunningham, Dickerson and Glore all in favor. No one was opposed.

B. A public hearing concerning an annexation request as petitioned by Dr. and Mrs. Vallabhaneni

A public hearing was held concerning an annexation request as petitioned by Dr. and Mrs. Vallabhaneni. No one spoke during the hearing.

**Visitors and Delegations - Amy McMillian, 106 Edwards Lane - concerning children playing in the street**

Amy McMillian addressed the council with concerns about children playing in the street in her subdivision. She said that children routinely play basketball in front of her home on Edwards Lane, and refuse to move for cars. City Administrator John Kennedy said that McMillian and the neighboring party have written statements and the prosecuting attorney currently is reviewing those statements for possible action.

**Minutes of previous meeting(s) - March 8<sup>th</sup>, 2005**

A motion was made by Councilman Cunningham and seconded by Councilman Glore to approve the minutes of the meeting held March 8, 2005. ***The motion carried*** with Council Members Dickerson, Barnett, Reed, Glore, Cunningham, Holloway and Parish all in favor. No one was opposed.

**UNFINISHED BUSINESS**

Bill #626 - An ordinance annexing property into the City of Park Hills as petitioned by the Missouri Department of Transportation

Bill #626 was read two times by title. A motion was made by Councilman Cunningham and seconded by Councilman Glore to approve the bill as read. ***The motion carried*** with Council Members Dickerson, Barnett, Reed, Glore, Cunningham, Holloway and Parish all in favor. No one was opposed.

Bill #627 - An ordinance annexing property into the City of Park Hills as petitioned by the Missouri Department of Transportation

Mayor Clark read Bill #627 two times by title. Councilman Cunningham made a motion to approve the bill as presented. Councilman Glore made a second to ***the motion which carried*** on the following roll call vote: Council Members Barnett, Reed, Glore, Cunningham, Holloway, Parish and Dickerson in favor of the motion; no one was opposed.

Bill #628 - An ordinance annexing property into the City of Park Hills as petitioned by the Missouri Department of Transportation

Bill #628 was twice read. Councilman Cunningham made a motion, seconded by Councilman Glore, to approve the bill as read. Council Members Parish, Holloway, Cunningham, Dickerson, Reed,

Barnett and Glore all voted in favor of the motion. No one was opposed and ***the motion carried unanimously.***

Bill #629 - An ordinance annexing property into the City of Park Hills as petitioned by the Missouri Department of Transportation

Bill #629 was read two times by Mayor Clark. Councilman Cunningham made a motion, seconded by Councilwoman Dickerson, to approve the bill as read. ***The motion carried*** on the following roll call vote: Ayes; Council Members Reed, Barnett, Glore, Cunningham, Dickerson, Holloway and Parish. Nays; None.

Bill #630 - An ordinance annexing property into the City of Park Hills as petitioned by the Bonne Terre Columbus Home Company

Bill #630 - an ordinance annexing property into the City of Park Hills as petitioned by the Bonne Terre Columbus Home Company was read two times by title. Councilwoman Dickerson made a motion, seconded by Councilman Cunningham, to approve the bill as read. Council Members Reed, Barnett, Glore, Cunningham, Dickerson, Holloway and Parish all voted in favor of the motion. No one was opposed and ***the motion carried.***

Horner and Shifrin report on water system improvement recommendations

Gene Rovak of Horner & Shifrin presented findings and recommendations concerning improvements to the water system. According to the study, the projected demands will require wider distribution and increased flow. The executive summary suggested several ways by which distribution might be widened and flow may be improved. Mr. Rovak explained that if all the needed improvements were made the cost would be in excess of five million dollars, but the first six of the high priority improvements could be financed through TIF funds and last two most likely would have to be funded through a \$1.8 million bond issue. No action was taken on the matter.

Resolution #47 - Stating Intent to enter into a Grant Agreement with Ameren UE

Resolution #47 stating intent to enter into a grant agreement with Ameren UE was read by Mayor Clark. Norm Lucas explained that several months ago the Glass Group, Inc. requested that the City refurbish the rail line which has served the Industrial Park more than twenty five years. The approximate cost of refurbishing is \$95,000. Staff prepared an application to fund all but a 16% local match amount of the estimated cost. The Chamber of Commerce agreed to pay half of the local match. Ameren representatives inspected the rail line and selected the Park Hills project for funding. The resolution will allow the use of the awarded funds for the rail line improvements. A motion was made by

Councilman Glore and seconded by Councilman Cunningham to approve the resolution as presented. ***The motion carried unanimously.***

Bill #636 - An ordinance authorizing the Mayor and City Clerk to execute a supplemental agreement for engineering design on a Main Street project

Bill #636, an ordinance authorizing the Mayor and City Clerk to execute a supplemental agreement for engineering design on a Main Street project, was duly read by Mayor Clark. Councilman Cunningham made a motion, seconded by Councilman Reed, to approve the bill as read. ***The motion carried*** with Council Members Reed, Barnett, Glore, Cunningham, Dickerson, Holloway and Parish all in favor. No one was opposed.

#### Approval of 2005 Paving Bids

City Administrator John Kennedy presented bids received from three companies for the proposed 2005 street paving. Mr. Kennedy explained that Lead Belt Materials submitted the most responsive bid with all necessary details included in the scope of work. After reviewing all bids, a motion was made by Councilman Reed and seconded by Councilman Glore to accept the bid from Lead Belt Materials in the amount of \$86,132. ***The motion carried*** with Council Members Holloway, Reed, Barnett, Cunningham, Dickerson, Glore and Parish all in favor. No one was opposed.

#### Approval of Certification of Election Results

The certified election results were read by Mayor Clark. Clark commented that the certification read "Mayor elected for a two-year term", instead of a four-year term. City Clerk Carla Johnson said it was probably a type written error on the part of the County Clerk because the ballot had correctly read "four-year term", but she would contact Mr. Hedrick and ask him to mail a corrected certification. A motion was made by Councilman Barnett and seconded by Councilman Parish to approve the election results as provided by the St. Francois County Clerk. ***The motion carried unanimously.***

#### Mayor's Recognition of Service Awards

Mayor Clark presented a plaque to Councilman Walter Parish for serving the remainder of an unexpired term in Ward 2.

#### Temporary Recess and Installation of Newly Elected Council Members

Mayor Clark called for a temporary recess and City Clerk Carla Johnson administered the oath of office to the newly elected Mayor and Council Members after which everyone took their respective places at the dais.

### **NEW BUSINESS**

#### Call new business year to order

The new business year was called to order at 8:02 p.m. and all were present on roll call except Councilman Kelly.

#### Election of President Pro Tem

Mayor Clark opened the floor for nominations for President Pro Tem. A motion was made by Councilman Glore and seconded by Councilman Holloway to elect Councilman Steve Kelly. ***The motion carried with all in favor.***

#### Resolution #48 - setting date for public hearing and accepting petition for annexation (Harrington)

Resolution #48 setting the date for a public hearing and accepting the petition for annexation was read by Mayor Clark. Councilman Cunningham made a motion, seconded by Councilman Easter, to approve the resolution as read. ***The motion carried unanimously.***

Bill #633 - an ordinance amending lease agreement with Senior Citizen Aid Association

Bill #633 amending the lease agreement with the Flat River Senior Citizen Aid Association was read two times by title. A motion was made by Councilwoman Dickerson and seconded by Councilman Barnett to approve the bill as read. Council Members Easter, Glore, Holloway, Barnett, Reed, Cunningham and Dickerson all vote in favor of the motion. No one was opposed and ***the motion carried with all in favor.***

Bill #634 - An ordinance amending Article VIII, Paragraph H of the Personnel Policy (Mileage Reimbursement)

Bill #634 amending Article VIII, Paragraph H of the Personnel Policy was twice read. Councilwoman Dickerson made a motion, seconded by Councilman Cunningham, to approve the bill as presented. ***The motion carried*** with the following roll call vote: Ayes; Council Members Glore, Reed, Holloway, Cunningham, Easter, Dickerson and Barnett. Nays; None.

Bill # 635 - An ordinance amending Schedule VI: Gross Weight Limits

Mayor Clark read Bill #635 two times by title. Councilwoman Dickerson made a motion to approve the bill as read. ***The motion*** was seconded by Councilman Barnett and ***carried*** on the following roll call vote: Council Members Reed, Glore, Cunningham, Dickerson, Holloway, Barnett and Easter all voted in favor. No opposing votes were cast.

Bill #632 - an ordinance amending Section 210.540 (1) of the City Code (Fireworks Regulations)

Bill #632 amending Section 210.540 (1) of the City Code pertaining to Fireworks Regulations was read two times by title. Councilman Cunningham pointed to the fact that there was a contradiction remaining in the section. Because that paragraph pertained only to the discharge of fireworks, not the sale, Dale Thomure explained that the council should amend that particular paragraph with another bill at a subsequent meeting. A motion was made by Councilman Cunningham and seconded by Councilman Glore to approve Bill #632 as read. ***The motion carried*** with Council Members Easter, Barnett, Dickerson, Glore, Reed, Holloway and Cunningham all voting in favor. No one was opposed.

Delinquent Taxes - Authorization to collect as per Chapter 94 RSMo

City Clerk Carla Johnson presented the council with delinquent real estate taxes from December 1994, through December 2004. A motion was made by Councilman Glore and seconded by Councilwoman Dickerson to approve the list of delinquent taxes as submitted by the city collector. ***The motion carried with all in favor.***

Proclamation Declaring April as Fair Housing Month

A Proclamation reminding the citizens of Park Hills that April is Fair Housing Month was read by Mayor Clark. A motion was made by Councilman Cunningham and seconded by Councilwoman Easter to approve the Proclamation as read. ***The motion carried unanimously.***

### **City Administrator's Report**

City Administrator John Kennedy thanked Paula Barr of the Daily Journal for recognizing two of the city's sanitation employees. He said that she had written an excellent article and he appreciated it.

Kennedy announced that the city had received an invitation from the Department of Natural Resources regarding an informational meeting at St. Joe State Park on May 7<sup>th</sup>.

He encouraged the Mayor and Council Members to attend.

He also reported that there was some interest in the sale of one of the lots adjacent to the Sports Complex.

### **Mayor's Discussion**

#### **A. Appointment of Council Member to Planning and Zoning**

Mayor Clark asked if any council member wished to volunteer to serve on the Planning and Zoning Commission. No one responded and he re-appointed Councilman Tom Reed for another term. A motion was made by Councilman Glore and seconded by Councilwoman Dickerson to approve the Mayor's appointment. ***The motion carried with all in favor.***

#### **B. Committee appointments**

Clark gave each council member an updated list of committee appointments. Councilman Reed made a motion, seconded by Councilwoman Dickerson, to approve the committee appointments as presented by Mayor Clark. ***The motion carried with all in favor.***

### **City Attorney's Report**

City Attorney Ed Pultz had no report for regular session.

### **Council Discussion**

Councilman Easter informed Carla Johnson about an error in the March 8<sup>th</sup> minutes. He thanked Ricky Gray and Walter Parish and thanked the voters in his ward for re-electing him as Councilman in Ward II. He also asked Councilman Cunningham to invite him to the next Ordinance Committee Meeting because of issues with Ordinance #456-03.

### **Adjournment**

There being no further business to discuss in regular session, a motion was made by Councilman Cunningham and seconded by Councilman Reed to adjourn. ***The motion carried and the meeting adjourned at 9:25 p.m.***