

Date:10-Apr-2007

MINUTES
PARK HILLS CITY COUNCIL
REGULAR MEETING
APRIL 10, 2007

The Park Hills City Council met in regular session Tuesday, April 10, 2007, at the Park Hills Depot Conference Room. In the absence of Mayor Clark, President Pro-Tem Mike Glore called the meeting to order at 6:05 p.m. and roll call was as follows: Council Members Barnett, Cunningham, Dickerson, Easter, Glore, House and Reed. Councilman Holloway and Mayor Clark were absent.

ADJOURNMENT

A motion was made by Councilman Cunningham and seconded by Councilman Barnett 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. Roll call vote was as follows: Ayes; Council Members Barnett, Cunningham, Dickerson, Easter, Glore, House and Reed. Nays; None. ***The motion carried and the meeting adjourned at 6:33 p.m.***

RECONVENING

Immediately following executive session, the Park Hills City Council reconvened in regular session at the Park Hills Council Chambers. Mayor Clark opened the meeting at 7:08 p.m. and the invocation was given by Councilman Reed. Roll call was as follows: Council Members Barnett, Cunningham, Dickerson, Easter, Glore, House and Reed and Mayor Clark were present. Councilman Holloway was absent.

Presentations by Mayor Clark

Mayor Clark presented picture plaques to Greg Rattini of Rattini's on Main Street and Paul Bauman of River Mart Station for their improvements to buildings on Main Street.

VISITORS AND DELEGATIONS

No one registered to address the council.

MINUTES OF PREVIOUS MEETING(S)

A motion was made by Councilwoman House and seconded by Councilwoman Dickerson to approve the minutes of the meetings held March 13 and March 27, 2007. *The motion carried with all in favor.*

UNFINISHED BUSINESS

Bill # 744 - An Ordinance Amending Chapter 660 of the Municipal Code by Repealing Certain Sections and Adopting New Sections Related to the Tax on Gross Receipts for Telephone Services

Chapter 660 of the Municipal Code was amended in 2006 to comply with legislation approved by the Missouri legislature relating to gross receipts taxes on telephone services. Due to legal challenges to that legislation, portions of the amendments adopted by the City contained provisions that would declare those new sections invalid if the legislation was declared unconstitutional by the Missouri Supreme Court. On August 8, 2006, the Supreme Court did declare HB 209 unconstitutional resulting in the invalidation of portions of Chapter 660.

Bill #744 will repeal the sections of Chapter 660 that are no longer valid and will reinforce existing sections relating to utility gross receipts taxes. Mayor Clark read Bill #744 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* on the following roll call vote: Ayes; Council Members Barnett, Cunningham, Dickerson, Easter, Glore, House and Reed. Nays; None.

Approval of Certification of Election Results

Mayor Clark read the Certification of Election Results provided by County Clerk Mark Hedrick. A motion was made by Councilman Easter and seconded by Councilwoman House to approve the Certification as read. *The motion carried with all in favor.*

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 Council Members, after which everyone took their respective places at the dais.

NEW BUSINESS

Call new business year to order

Mayor Clark called the new business year to order and all were present on roll call.

Election of President Pro Tem

Mayor Clark opened the floor for nominations for City Council President Pro-Tem. Councilwoman

Dickerson nominated Mike Glore. Councilwoman House seconded the nomination and **Mr. Glore was elected by unanimous vote.**

Proclamation - April is Fair Housing Month

A Proclamation stating that April is Fair Housing Month was ready by Mayor Clark. A motion was made by Councilman Glore and seconded by Councilman Cunningham to approve the proclamation as presented. **The motion carried unanimously on voice vote.**

Delinquent Taxes - Authorization to collect as per Chapter 94 RSMo

City Clerk Carla Johnson told the council that the amount of delinquent taxes was less this year since the county was collecting them for the city. After a brief discussion, a motion was made by Councilman Cunningham, seconded by Councilman Glore, to approve the Land and Lots Delinquent List as submitted. **The motion carried unanimously** on the following roll call vote: Ayes; Council Members Barnett, Cunningham, Glore, Reed, Dickerson, Easter, House and Kelly. Nays; None.

Street Maintenance Bids

City Administrator John Kennedy reminded the council that they had approved a partial list of street maintenance projects for 2007 with additional projects to be determined later in the year when there would be more accurate information regarding the amount of money and time remaining for street maintenance work. Bids were solicited through advertisement and direct mail and responses were received from five local contractors for the projects that have been approved. The bids were opened on March 30th and the apparent low bid was from Vern Bauman Contracting of Ste. Genevieve with a total bid of \$174,451.50. When asked if the city may have had any experience with Bauman Contracting, Kennedy replied that the only experience was a contract for the demolition of the old church building on Field Street and the project was started in September and was just completed today. Councilman Kelly asked why only part of Hovis Farm Road was planned for paving and Kennedy answered that there was only enough money to do a portion of the street with plans to do the remainder next year. After a lengthy discussion among the council members and Mr. John Kelly (a member of the audience who resides on Hovis Farm Road), a motion was made by Councilman Cunningham and seconded by Councilman Reed to approve the list of streets as presented and to accept the bid from Lead Belt Materials in the amount of \$177,442.95 (due to a positive past experience with Leadbelt and poor past experience with Bauman). Roll call vote was as follows:

Ayes; Council Members Cunningham, Dickerson, House and Reed. Nays; Council Members Kelly, Glore, Easter and Barnett. **There being a tie, Mayor Clark cast a vote against the motion causing it to fail.**

A motion was then made by Councilman Kelly and seconded by Councilman Glore to accept the bid from Leadbelt Materials and to approve the list of streets as presented with the deletion of Hovis Farm Road with the understanding that the funds appropriated for that portion of Hovis Farm Road will be re-appropriated for another project at a later date. **The motion carried** on the following roll call vote: Ayes; Council Members Kelly, Glore, Dickerson, Cunningham and Barnett. Nays; Council Members Easter, House and Reed.

Chamber Requests

The Park Hills-Leadington Chamber of Commerce submitted a request for City assistance and permission for a variety of events that the Chamber hosts within the City on an annual basis (see attached list). A motion was made by Councilwoman Dickerson and seconded by Councilman Easter to approve the list as presented. *The motion carried with all in favor on voice vote.*

Resolution #71 - Authorizing the City Administrator and City Clerk to prepare a Transportation Enhancement application with MODOT to fund pedestrian bridge construction for a Flat River crossing

Resolution #72 authorizing the City Administrator and City Clerk to prepare a Transportation Enhancement application with MODOT to fund pedestrian bridge construction for a Flat River crossing was read by Mayor Clark. A motion was made by Councilman Reed, seconded by Councilman Glore, to approve the Resolution as read. *The motion carried with all in favor.*

Resolution #72 - Authorizing the City Administrator and Economic Development Coordinator to prepare a grant application with AMEREN CDC to fund the establishment of a new Industrial Park

Resolution #72 authorizing the City Administrator and Economic Development Coordinator to prepare a grant application with Ameren CDC to fund the establishment of a new Industrial Park was read by Mayor Clark. A motion was made by Councilman Easter and seconded by Councilman Glore to approve the resolution as presented. *The motion carried with all in favor.*

Resolution #73 - Authorizing the City Administrator and Economic Development Coordinator to prepare a grant application with the U.S. Department of Homeland Security to obtain funds from the Assistance for Firefighters Grant (AFG) Program

Resolution #73 authorizing the City Administrator and Economic Development Coordinator to prepare a grant application with the U.S. Department of Homeland Security to obtain funds from the Assistance for Firefighters Grant was read by Mayor Clark. A motion was made by Councilwoman House and seconded by Councilman Easter to approve the resolution as presented. *The motion carried with all in favor.*

CITY ADMINISTRATOR'S REPORT

Bass Street stop sign request

Kennedy said that this request had been presented at a work session and he had contacted the police department about the situation. The recommendation from that department was to leave the sign configuration as it is.

Recognition letter from Brad Robinson

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Kennedy also mentioned the letter that was received from Brad Robinson. He said he wanted to share it with the city council and he thought it was nice that Mr. Robinson had noticed that there was an improvement to our downtown area.

Firehouse Committee Report

Mr. Kennedy said that the Firehouse Committee had met concerning the construction of a new firehouse. He said that there were ten responses to the request for architectural qualifications and, after review, staff had narrowed those down to the top candidates which they reviewed with the committee. It was decided that the three top candidates would be invited to the May work session to give their presentations to the council.

Code Book updates

Kennedy reminded everyone to bring their code books in to be updated. He also gave information to everyone about the Newly Elected Officials Conference in June and encouraged everyone to attend.

MAYOR'S DISCUSSION

Mayor Clark congratulated all the council members who had recently been elected. He also asked if the downtown area could be re-seeded.

Appointment of Council Member to Planning and Zoning

Mayor Clark told the council that he would like to appoint Councilwoman Linda Dickerson to the Planning and Zoning Commission and asked if they would approve his appointment. A motion was made by Councilman Gore and seconded by Councilman Easter to approve the appointment of Ms. Dickerson to the Planning and Zoning Commission. *The motion carried unanimously on voice vote.*

CITY ATTORNEY'S REPORT

City Attorney Ed Pultz had not report for regular session.

COUNCIL DISCUSSION

Councilwoman Dickerson said that one of her constituents had asked if the ditches along Adams Street could be cleaned. Mr. Kennedy said the city crews were working on cleaning ditches and sweeping streets all over town.

Councilman Cunningham wanted to compliment the Street Department on doing such a good job in his area. Kennedy explained that the inmate work crews were going to be brought in on Fridays to do the back-fill work in Ward 1.

Councilman Kelly asked if the corner of the island at Science/Rinke/East Main Streets could be trimmed because there are black marks on the curbs from vehicles running over it.

ADJOURNMENT

A motion was made by Councilwoman Dickerson and seconded by Councilman Easter to adjourn 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. Roll call vote was as follows: Ayes; Council Members Barnett, Cunningham, Dickerson, Easter, Glore, Kelly, House and Reed. Nays; None. ***The motion carried and the meeting adjourned at 8:15 p.m.***

RECONVENING/ADJOURNMENT

The council reconvened in regular session immediately following executive session. There being no further business to conduct, a motion was made by Councilman Glore and seconded by Councilman Barnett to adjourn. ***The motion carried and the meeting adjourned at 8:50 p.m.***