

Date:08-Sep-2009

MINUTES
PARK HILLS CITY COUNCIL
REGULAR SESSION
SEPTEMBER 8, 2009

The Park Hills City Council met in regular session on Tuesday, September 8, 2009 in the Council Chambers. Mayor Easter called the meeting to order at 7:00 p.m. Roll call was as follows: Present; Council members Dickerson, Edgar, House, Kelly, McRaven, Reed and Mayor Easter. Absent; Councilman Barnett and Councilman Glore. Also present were City Administrator John Kennedy, City Attorney Ed Pultz, Deputy City Clerk Terri Richardson and media representatives.**Note:** Councilman Barnett entered the meeting at 7:05 p.m. The invocation was given by Councilman Edgar and the room stood to recite the Pledge of Allegiance as per the Mayor's direction.

MINUTES

Councilwoman House made a motion to approve the minutes of the August 11, 2009 regular session meeting as presented. Councilwoman Dickerson seconded the motion and the motion passed with all in favor and none opposed.

CITY ADMINISTRATOR'S REPORT

Leadington Booster

City Administrator John Kennedy addressed the Council and updated them on the Leadington booster station, stating that it was progressing well.

Annexation Utilities

He also stated that preliminary bids were received today on the utilities annexation project, publication for bids should appear next Tuesday with a bid opening date of October 15, which will allow the Council to review them at the October 20th work session.

Crawley Bottom Bridge

He reported that the Crawley Bottom bridge project was stalled due to the MoDOT contact being on vacation.

Gumbo Street Ditch

Kennedy informed the council that staff members, Dale Thomure and Donnie Akers along with Taylor Engineering were getting a cross section of the Gumbo Street ditch and will be ready to put that project out for bid shortly.

Columbia Park Trail

When updating the council on the Columbia Park Trial, Kennedy stated that this project was completed, the bridge is built, the fence is up, the larger pipe is installed, the paving is done, and the area has been seeded and strawed, bringing the total cost of this project to \$7200 which is significantly lower than expected.

Street Paving

Kennedy announced that the Public Works department had finished paving improvements on Fite and Morice Streets. Next they will move to the school, but are waiting for school officials to finish with parking lot project and for Missouri Natural Gas Company. Councilman Kelly inquired about Front Street storm drains project and Kennedy replied that the pipes were on order and the crew is ready to begin when they arrive.

MAYOR'S REPORT

Mayor Easter reported that the corrections staff made to City business license procedures has netted some 40 violators all of which have been sent proper notification. Several business owners have secured proper licensing, others have found to be out of business and the current business list is being updated.

COUNCIL DISCUSSION

Councilman Glore, who was not in attendance, sent a text to the Mayor asking him what it will take to enforce the "no large truck" ordinance pertaining to 5th Street, further stating that a large refrigerator truck has been parked behind the Conoco station and running all night for several days. City Administrator Kennedy promised to contact the Chief of Police about enforcing that ordinance and said that it had been enforced in the past.

Councilman Edgar asked about Columbia Park closing hours and said that citizens had asked about the lights that remain on during the night and whether or not they could be put on timers to save money. Kennedy told him that the lights serve to discourage vandalism in the park.

Councilwoman House stated that she had received a complaint about a streetlight that was very dim at the corner of St. Joe Drive and Lewis Street. Kennedy said that staff would report it to AmerenUE.

Councilman Kelly wanted to thank the Public Works Department for the nice repair job to a hole on Hill Street.

UNFINISHED BUSINESS

City Administrator John Kennedy directed the Council to Bills #873, #874, #875 and #876 referring to voluntary annexations, the location, and the benefits of installing sewer making it desirable for sewer extensions to other adjacent areas. He also stated that Planning and Zoning recommends approval.

Bill # 873 – An Ordinance Annexing Certain Adjacent Territory into the City of Park Hills – Field Construction

Mayor Easter read Bill #873 two times by title. Councilman Reed made a motion to approve Bill #873 as presented. The motion was seconded by Councilman Barnett and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Bill # 874 – An Ordinance Annexing Certain Adjacent Territory into the City of Park Hills – Gibson

Mayor Easter read Bill #874 two times by title. Councilwoman House made a motion to approve Bill #874 as presented. The motion was seconded by Councilman Kelly and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Bill # 875 – An Ordinance Annexing Certain Adjacent Territory into the City of Park Hills – Spane

Mayor Easter read Bill #875 two times by title. Councilwoman Dickerson made a motion to approve Bill #875 as presented. The motion was seconded by Councilwoman House and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Bill # 876 – An Ordinance Annexing Certain Adjacent Territory into the City of Park Hills – New Heights Church

Mayor Easter read Bill #876 two times by title. Councilwoman Dickerson made a motion to approve Bill #876 as presented. The motion was seconded by Councilwoman House and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Bill # 878 – An Ordinance authorizing the Mayor and City Clerk to execute a contract with Bowen Engineering – Pedestrian Trail Project.

City Administrator Kennedy directed the council to review Bill #878 and a contract with Bowen Engineering, specifically pointing out the compensation portion of the contract which states that design and construction inspection is not to exceed \$16,723.30. Mayor Easter read Bill #878 two times by title. City Attorney Ed Pultz recommended a change to Bill #878 by inserting in Section 1 between the words "directed" and "to" be as follows: *,upon the City's receipt from Bowen Engineering and Surveying, Inc. of the sworn affidavit and documentation required by § 285.530.2, RSMo.* After some discussion, Councilwoman Dickerson made a motion to approve Bill #878 as amended. The motion was seconded by Councilman Reed and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

NEW BUSINESS

Downtown Park Hills Association Request

Administrator Kennedy told the Council that he had a request from the Downtown Association to use the municipal parking lot on West Main next to All Occasions Banquet Hall to hold the 4th annual Trunk 'N Treat event on October 31st between 5:30 p.m. and 6:30 p.m. for merchants to distribute treats to children from their vehicles. This request includes the need to clear the lot of parked vehicles and traffic for the duration of the event. Councilwoman House made a motion to approve the request as presented. The

motion was seconded by Councilman Reed and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, McRaven, and Reed. Councilman Kelly abstained. Nays; None. *Motion passed.*

Bill # 877 – An Ordinance amending Chapter 300, Schedule II

Administrator Kennedy informed the Council that he had received a request from the residents of Black Oak Estates for a stop sign to be installed at Fox Crossing and Hovis Farm to assist in traffic control and provide safer access to Hovis Farm Road. This action would require amending Chapter 300, Schedule II of the Municipal Code. Councilman Kelly made a motion to approve Bill # 877 as presented. The motion was seconded by Councilman Barnett and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Review of RFP for new financing

City Administrator John Kennedy asked the Council to consider allowing the city to request proposals from commercial finance institutions who will be asked to propose a two-year term to help with the purchase of a new trash truck. Councilman Reed made a motion to allow the city to request proposals from commercial finance institutions as requested. The motion was seconded by Councilwoman House and the motion passed with all in favor and none opposed.

Declaration of Surplus Equipment

Administrator Kennedy received a request from the Fire Department to declare some old extrication equipment as surplus. The pieces are no longer in use and were not adequate for our department which led us to purchase new replacement equipment. Weingarten Fire Department has expressed interest in purchasing this equipment, which must be declared surplus before it can be sold and would be brought back to the council for approval of any offer made. Councilman Kelly made a motion to declare the list of equipment presented as surplus. Councilman Barnett seconded the motion and the motion carried with all in favor and none opposed.

Revised Nutrition Center Budget

Administrator Kennedy presented a revised budget for the Park Hills Senior Center to comply with the SEMO AAA Budget which runs July 1, 2009 through June 30, 2010. The reason for the revision was a number of items, including the increase in funds received from SEMO AAA for meals, a one-time distribution from SEMO AAA and a SEMO AAA grant for kitchen equipment. Councilwoman House made a motion to approve the revised state budget as presented. The motion was seconded by Councilwoman Dickerson and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

A motion was made by Councilman Reed to approve the Contract Amendment #2 for purchase of Nutrition Services between the Southeast Missouri Area Agency on Aging and the City of Park Hills, Missouri. The motion was seconded by Councilwoman Dickerson and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

Budget Discussion

Administrator Kennedy passed out a revised budget summary for council review. Kennedy noted that the revised summary contained the two and a half percent salary increase as voted on in previous meeting, as

well as, a 10% increase in health insurance premiums. Kennedy also stated that the sales tax revenue was up and had been revised for this year. Kennedy discussed options for the Parks and Recreation request to purchase new lights at sports complex, construct new pavilion in Columbia Park, install safety net at sports complex, add new diving board and umbrellas at the pool , by suggesting the Parks Department borrow from the Trust and Agency fund and pay it back in a three or five year schedule that would include 5% interest. After much discussion, Councilwoman House asked about an ordinance that had been passed in previous years that would not allow the Trust and Agency funds to be tapped. After a short recess declared by Mayor Easter, Kennedy retrieved the ordinance Section 120.060 of the Municipal Code which did indeed state that no transfer of funds from Trust and Agency account was allowed except to pay for employee retirement benefits. After more discussion, the council directed Kennedy to prepare a new ordinance amending Section 120.060 to allow for a one-time exception for a loan to the Parks Department to be repaid at a rate of 5%, and will be considered at the September 15th work session meeting.

After presentation of revised health insurance plans and details, the council discussed options. Councilman Reed made a motion to approve Anthem Blue Cross Blue Shield Options 35 RX Z as the base plan and 26 RX Z as the buy-up plan and approved the city absorbing the additional premium, keeping the employee portion the same as prior fiscal year. The motion was seconded by Councilwoman Dickerson and roll call vote was as follows: Ayes; Council Members Barnett, Dickerson, Edgar, House, Kelly, McRaven, and Reed. Nays; None. *Motion passed unanimously.*

ADJOURN TO EXECUTIVE SESSION

Councilwoman Dickerson made a motion to adjourn regular meeting 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 therefore 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 was seconded by Councilman Reed. Roll call vote was as follows: Ayes; Council members Dickerson, Edgar, House, Kelly, McRaven and Reed Nays; Councilman Barnett. *The motion carried.* Meeting adjourned at 8:55 p.m.

RECONVENE AND ADJOURNMENT

The City Council reconvened in regular session in the Park Hills Council Chambers and the meeting was called to order by Mayor Easter at 9:37 p.m. Roll call was as follows: Present; Council members Barnett, Dickerson, Kelly, Reed, Edgar, House, McRaven, and Mayor Easter. There being no further discussion, Councilwoman Dickerson made a motion to adjourn, seconded by Councilwoman House and roll call was as follows: Ayes; Council members Barnett, Dickerson, Edgar, House, Kelly, McRaven and Reed. Nays; None. The motion carried unanimously and meeting adjourned at 9:38 p.m.