

**MINUTES**  
**PARK HILLS COUNCIL MEETING**  
**REGULAR SESSION**  
**JUNE 8, 2021**

The Park Hills City Council met in regular session Tuesday, June 8, 2021, at the Park Hills Council Chambers. Mayor John Clark called the meeting to order at 6:00 p.m. Mayor Clark gave the invocation and led everyone in the Pledge of Allegiance. Roll call was as follows:

Councilman Alan Coleman	Present
Councilwoman Stacey Easter	Present
Councilwoman Cindi Penberthy	Present
Councilwoman Donna Dettmer	Present
Councilman Adam Bowers	Present
Councilman Brian Whitfield	<b>Absent</b>
Councilman Adam Kell	Present
Councilman Steven Weinhold	<b>Absent</b>
Mayor John Clark	Present

Also present were City Administrator Mark McFarland, City Attorney Nathan Bollinger, Community Development Director Rachel St. Pierre, Utility Director Frank Shovlin and City Clerk Terri Richardson

**PUBLIC HEARINGS AND ACTION THEREON**

**Public Hearing #1.** Mayor Clark called a public hearing to order to give all interest parties an opportunity to comment on Planning & Zoning Case #VAC-21-001, a request from property owner Brandon Hassell to vacate a portion of a public street known as Stricklin Lane. Community Development Director Rachel St. Pierre summarized the request and stated that the Planning and Zoning Commission recommended approval. Mayor Clark asked if there was any public comment and hearing none, closed this public hearing.

**Bill #1450-An Ordinance vacating a portion of a public street known as Stricklin Lane.** Mayor Clark read Bill #1450, two times by title. Councilman Coleman made a motion, seconded by Councilwoman Penberthy to approve Bill #1450 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

**Public Hearing #2.** Mayor Clark called a public hearing to order to give all interest parties an opportunity to comment on Planning & Zoning Case #VAC-21-002, a request from property owner Chris Williams to vacate a utility

easement located at 1005 East Main Street. Community Development Director Rachel St. Pierre summarized the request and stated that the Planning and Zoning Commission recommended approval. Mayor Clark asked if there was any public comment and hearing none, closed this public hearing.

**Bill #1451-An Ordinance vacating a utility easement located at 1005 East Main Street.** Mayor Clark read Bill #1451, two times by title. Councilwoman Dettmer made a motion, seconded by Councilman Bowers to approve Bill #1451 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

**Public Hearing #3.** Mayor Clark called a public hearing to order to give all interest parties an opportunity to comment on Planning & Zoning Case #VAC-21-003, a request from property owner Larry LaChance to vacate a portion of a public street right-of-way located at Lewis and Cardinal. Community Development Director Rachel St. Pierre summarized the request and stated that the Planning and Zoning Commission recommended approval. Mayor Clark asked if there was any public comment and hearing none, closed this public hearing.

**Bill #1452-An Ordinance vacating a portion of a public street right-of-way located at Lewis and Cardinal.** Mayor Clark read Bill #1452, two times by title. Councilman Bowers made a motion, seconded by Councilwoman Dettmer to approve Bill #1452 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

## VISTORS AND DELEGATIONS

None

## MINUTES

Councilwoman Dettmer made a motion, seconded by Councilman Bowers to approve the minutes of May 11 and May 25, 2021, as presented. *The motion carried with all in favor on voice vote.*

## **CITY ADMINISTRATOR'S REPORT (Mark McFarland)**

- McFarland recognized Frank Shovlin, Director of the Utility Department for a Certificate of Appreciation they received from the American Dental Association and the Missouri Department of Health and Senior Services for keeping fluoridation in the water at the current rates. McFarland said that the City Council should also be commended as they were instrumental in the vote that allows for continued fluoridation of the City's water source.
- McFarland updated the City Council on the public swimming pool, which opened on Saturday, May 29<sup>th</sup> with only 11 swimmers due to cool temperatures, but indicated that the numbers increased to 68 for Memorial Day. The pool is still leaking but has slowed considerably and this has been the pattern for several years. A new pump and five valves have been replaced. They are still looking for more lifeguards to hire for the season.
- Paula's Playground project has raised \$15,259.18 to date and the equipment has been ordered. The fundraiser is ongoing in hope to be able to install the concrete foundation, the rubber padding, the signage and the fee for a professional installer. We found an installer willing to donate their time and we are waiting on grant awards to see if we get one for the rubber mats. Installation is anticipated in early fall.
- The mine-cart planters have been installed downtown and McFarland thanked the joint efforts of the Downtown Association, the #9 Garden Club, Central High School and Middle School students (who built and painted the carts) and city public works and parks department employees.
- The Summer Concert Series is underway and McFarland encouraged everyone to enjoy the free entertainment throughout the summer. McFarland also reminded them that the 4<sup>th</sup> of July fireworks and celebration will continue this year and include food trucks and music before the fireworks show.
- Monday, June 14, 2021, McFarland plans to hold the first in-person staff meeting of department heads since March of 2020 due to COVID restrictions and has many things on the agenda for staff.
- McFarland stated that he has been attending the Southeast Missouri Regional Planning Commission monthly meetings and thanked Mayor Clark for giving him this privilege as he is enjoying and learning a lot. The main topic has been the American Recovery Act monies. The City is anticipating receipt of half of the 1.5 million in July and the other half in December. McFarland encouraged the Mayor to assign committees to create and prioritize projects for the funds, however, there are guidelines we must adhere to.
- McFarland informed the Council that he had the City Attorney contact LAGERS (retirement participation of former Flat River employees) and found that only one previous eligible employee is still able to draw from the funds so the remainder of the money is available for disbursement back to the City. The City Attorney was able to confirm that the balance is approximately \$412,229.00 and dividends are due to be paid in July which could add up to another \$40,000. McFarland stated that this could possibly represent half of what was needed to replace the swimming pool from the presentation given at a previous meeting by Parks Director Dooley Politte. McFarland indicated that the City will request this money sometime after July 1<sup>st</sup> and expect to receive it in September.

## **MAYOR'S DISCUSSION**

Mayor Clark informed the City Council that he and City Administrator Mark McFarland had met with MODOT Representative, Brian Okenfuss and discussed Highway 8 and Taylor Avenue intersection and Parkway Drive in hopes of making us a priority. Clark said it was a good meeting and they promised to look at schedules for improvements that affect our town.

Mayor Clark asked Council Members who are interested in being on a committee to discuss and prioritize the American Recovery Act funds, to please send him an email.

### **COUNCIL DISCUSSION**

*Councilwoman Penberthy* (Council's representative to Flat River Senior Citizen's Aid Association) stated she had attended the FRCAA meeting and was wondering if they could get some of the City's American Recovery Act money to use for maintenance issues. She also relayed an issue with a certificate for the elevator at the apartments. Penberthy also wanted to thank Pete DeBlois, Public Works Director and his department for always responding to her requests so promptly.

*Councilman Bowers* pointed out a drainage issue at 7<sup>th</sup> and St. Joe where the street is washing out underneath. Mayor Clark stated they had looked at that area with MODOT, who is responsible for that area, and it seems they don't want to address it at this time. He believes it is more visible since the area was cleaned up and the brush was removed.

### **UNFINISHED BUSINESS:**

**Discussion concerning options for storm water drainage on East Main Street.** Community Development Director Rachel St. Pierre updated the Council on options for a drainage issue previously discussed on private property belonging to the owner of Scorpion Fence on East Main Street. Three possible options were shown via overhead photos to the Council members, however, St. Pierre concluded that after observing the area during and after recent rains, it appears to be working normally. After some discussion, it was decided that St. Pierre, the Mayor and City Administrator will show the options to the property owner and get his opinion.

St. Pierre asked to show the Council another area of grave concern in the West Elvins Boulevard area where a 90+ year old City drainage system runs through the back yards of several residents. The Council agreed and she put up photos of the actual holes in the failing system that were large enough for children or pets to fall into and demonstrating that some residents had used plywood and other objects to try and cover these holes. She further stated that the City could use a current form that would allow them to enter private property, with the property owners signed permission, to do the repairs and had, in fact, contacted one of the owners, Roger Hoehn, owner of a vacant 419 W Elvins Boulevard property who had no problem with the City entering to do the repairs. St. Pierre stated that this system is the City's responsibility.

**Discussion and information on Downtown Beautification Initiative.** Community Development Director Rachael St. Pierre informed the Council of a scheduled public meeting for interested downtown business owners to take advantage of TIF 4 and TIF 3 funds to be able to improve the façade of their business. She indicated that she had made personal contacts, focusing on the downtown area, and was expecting a good turnout. The meeting is being held in the Council Chambers on Thursday evening at 6:00 p.m.

**Bill #1453 – An Ordinance amending Schedule II: Through Streets (stop signs) of Chapter 300.** City Administrator Mark McFarland reminded the Council that it was discussed at the request of Councilman Weinhold to install a stop sign at the intersection of Langdon and Hampton Streets and this ordinance will allow the placement thereof. Mayor Clark read Bill #1453 two times by title. Councilwoman Dettmer made a motion, seconded by Councilwoman Penberthy to approve Bill #1453 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes

Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

#### **NEW BUSINESS**

**Bill #1454 – An Ordinance authorizing the execution of a special warranty deed for the transfer of real estate near 213 South Large Street.** The City Attorney Nathan Bollinger explained that this Bill was necessary to clean up actions that was taken in 2010 with an approved plat that required a deed that was never prepared or filed. Mayor Clark read Bill #1454 two times by title. Councilman Bowers made a motion, seconded by Councilwoman Dettmer to approve Bill #1454 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

**Bill #1455 – An Ordinance amending Chapter 700.050 Section A concerning water deposits.** After an explanation from Frank Shovlin, Utilities Director and City Council discussion, Councilman Bowers made a motion, seconded by Councilman Coleman to postpone Bill #1455, until some language changes and updates can be made.

*The motion carried with all in favor and no one opposed.*

**Bill #1456 – An Ordinance amending Chapter 700.060, Section A1 concerning utility tap fees.** Utility Director Frank Shovlin presented an explanation of Bill #1456 which would raise tap fees from \$500 to \$750 and include the cost of materials. Mayor Clark read Bill #1456 two times by title. After some discussion, Councilman Bowers made a motion to approve Bill #1456 with an amendment to change \$750 back to \$500 but keep the “plus the cost of materials” phrase. Councilman Kell seconded the motion with the amendment and roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

*The motion carried with a vote of 6-0.*

**CITY ATTORNEY'S REPORT**

No report.

**ADJOURNMENT TO EXECUTIVE SESSION**

Councilwoman Easter made a motion, seconded by Councilman Kell to adjourn to executive session as requested by Mayor Clark to discuss matters pertaining to:

- (a) 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.
- (b) 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 authorize by Section 610.021 (2) RSMo.
- (c) 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 was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Yes
Councilman Brian Whitfield	Absent
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

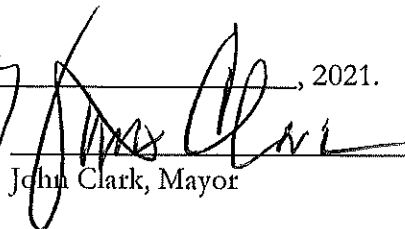
*The motion carried with a vote of 6-0. The meeting adjourned at 7:50 p.m.*

**ADJOURNMENT**

Council reconvened in regular session and Councilman Coleman made a motion, seconded by Councilman Bowers to adjourn. *The motion carried with all in favor and the meeting adjourned at 8:28 p.m.*

  
Terri Richardson, City Clerk

Approved by City Council this 13<sup>th</sup> day of July, 2021.

  
John Clark, Mayor

