

The Pledge was presented and Carolyn Houseworth gave the invocation.

The City Council of the City of Lexington, Missouri met in Regular Session in the Council Chambers at the City Hall on Tuesday, July 9, 2019 at 7:00 p.m. with Mayor Pro-tem presiding.

The Mayor Pro-tem called the meeting to order and roll being called, the following members of the council answered as follows: Present: Donna Sims, Steve Terry, Carolyn Houseworth, Rodney Wolken, Frank Ashinhurst, Earl Parris, Jim Pohle and Scott Lynn. Absent: none. Also Present: Carla Ghisalberti, City Clerk. Whereupon the Mayor Pro-tem declared a quorum present.

The Mayor Pro-tem deleted #7 Water Advisory appointment from Consent Items and amended #9 to add Mayor resignation to Discussion Items. Motion by Houseworth seconded by Sims to approve the agenda as amended. Motion carried.

Citizen's Participation:

Leta Grom, 344 S. Busn. Hwy 13- Leta Grom informed council of the National Night Out event on August 6th at the Main Street Park from 6:00 pm – 8:00 pm. The Methodist Church and the Ministerial Alliance will be there with school supplies. The Lafayette County Health Office will be giving shots to the 8th and 12th graders. Finger printing may also be done.

Abie Tempel, 1622 Main- There is a nuisance across from Wentworth. Abie requested that the city continue to tackle nuisances with the upcoming Porches & Peaches event.

New Employee Introduction:

City Administrator- Mayor Pro-tem Scott Lynn introduced Mark O Dell. O'Dell worked with the City Administrator for Kansas City since 1994.

Consent Agenda Items:

Motion by Parris seconded by Sims to approve the minutes of Regular Meeting of June 25, 2019, Special Meeting of June 27, 2019 and July 1, 2019. Motion carried.

Motion by Sims seconded by Ashinhurst to approve the appointment of Ed Stryker and Louis Eagan to the Budget Committee as citizen members. Motion carried. There is no set term length.

Financial Items:

1. Approve Financial Reports for June 2019: To be provided at the July 23, 2019 council meeting.

2. Approve the payment of the bills:

General Fund	June 12-30, 2019	\$127,784.69	Council approval required for \$92,026.32 for checks written on 7/09/19.
	July 1-9, 2019	<u>\$160,979.22</u>	
		\$288,763.91	
Sewer Fund	June 12-30, 2019	\$ 11,441.89	Council approval required for \$12,610.23 for checks written on 7/09/19.
	July 1-9, 2019	<u>\$ 19,983.83</u>	
		\$ 31,425.72	
Water Fund	June 12-30, 2019	\$ 13,028.51	Council approval required for \$60,948.36 for checks written on 7/09/19
	July 1-9, 2019	<u>\$ 71,150.18</u>	
		\$ 84,178.69	

Motion by Houseworth seconded by Parris to approve the financial items as presented. Motion carried.

Discussion Items:

Mayor Position: With the resignation of Fred Wiedner as Mayor the Mayor Pro-tem is requesting a motion to accept the resignation. Motion by Sims seconded by Parris to approve the resignation of Fred Wiedner as Mayor effective June 25, 2019. Motion carried. With the vacancy in the mayor position the city hold a special election on November 5, 2019 for the

unexpired term. The filing dates for the mayor position are from 8:00 am on July 16, 2019 to 5:00 pm on August 20, 2019. In the legal notice the word "misdemeanor" needs to be added and the term should read "unexpired term". Motion by Parris seconded by Sims to approve the Mayor election on November 5, 2019 and to approve the filing dates from July 16, 2019 through August 20, 2019. Motion carried.

Court Fines: This ordinance amendment is to make the City in compliance with the state statutes. This ordinance was approved by Valoree Maycock, City Prosecutor. Every day any violation is not corrected, each day can be considered a separate violation and a ticket be issued for each day. The judge would determine how many of the tickets will be paid and the amount to be paid. Sims presented Ordinance No. 2019-24 AN ORDINANCE TO AMEND CHAPTER 1, SECTION 1-8 OF "THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON". Motion by Parris seconded by Houseworth to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Houseworth to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Sims to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Wolken, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Copier Lease: At the May 28, 2019 council meeting council approved the lease with Sumner One pending the approval of the lease agreement changes as recommended by Lauber Law. Sumner One has agreed to the recommended changes. The cost for B&W copies is \$.00059 and color copies are \$0.045 with a monthly fee of \$214.00 for 5 years. Sims presented Ordinance No. 2019-25 AN ORDINANCE OF THE CITY COUNCIL OF LEXINGTON, MISSOURI AUTHORIZING AND APPROVING EXECUTION OF A COPIER LEASE AGREEMENT BETWEEN THE CITY OF LEXINGTON, MISSOURI AND SUMNER ONE. Motion by Parris seconded by Terry to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Houseworth to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Sims to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Wolken, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Backhoe Sales Agreement: At the June 25, 2019 council meeting council approved the purchase of a Caterpillar Backhoe for \$94,416.98 for 3 years. The annual payment will be \$33,400 to be split between 3 departments. Sims presented Ordinance No. 2019-26 AN ORDINANCE OF THE CITY COUNCIL OF LEXINGTON, MISSOURI AUTHORIZING AND APPROVING EXECUTION OF A SALES AGREEMENT BETWEEN THE CITY OF LEXINGTON, MISSOURI AND FOLEY EQUIPMENT. Motion by Parris seconded by Houseworth to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Houseworth to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Sims to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Wolken, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Credit Card Services: The customer will be charged 2.07% no matter the amount and there is no cost for the machine, no cost for the paper. Currently the citizen is charged 2%, plus the city pays a monthly fee of \$26.18 and a usage charge of about 2.5%. Sims presented Ordinance No. 2019-27 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEXINGTON, MISSOURI AUTHORIZING AND APPROVING EXECUTION OF A MERCHANT CREDIT CARD MACHINE BETWEEN THE CITY OF LEXINGTON, MISSOURI AND ELIOT MANAGEMENT GROUP. Motion by Parris seconded by Wolken to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Ashinhurst to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Sims to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Wolken, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Dispatching Services: The fee for Police is \$13,540 and for the Fire \$ 7,540, both departments have budgeted \$17,000. Sims presented Ordinance No. 2019-28 AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF HIGGINSVILLE, MISSOURI AND THE CITY OF LEXINGTON, MISSOURI FOR DISPATCHING SERVICES. Motion by Parris seconded by Wolken to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Ashinhurst to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Wolken, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Committee Appointments: There are a lot of open positions on some of the committees. Some of the council members have submitted possible names. Go over the expired appointments also.

City Administrator Selection Process: Parris stated that under Section 2-229 it states that the Administrative Support Team Group shall recommend to the mayor and council 3 applicants in rank order for final selection. In the past the first applicant was taken and either the mayor and council said yea or nay. Parris would like to add "the council will interview the top 3 applicants, in person, in the order given from Administrative Support Team Group". Motion by Parris seconded by Ashinhurst to approve adding "the council will interview the top 3 applicants, in person, in the order given from Administrative Support Team Group". Motion carried.

Elected Official Candidate Filing: Parris stated that under Section 2-41.1 no person shall qualify as a candidate for elective public office in the State of Missouri who has been convicted of or found guilty of or plead to a felony or misdemeanor under the Federal laws of the United States of America. If a person pays the fee and signs up for the office, then how do we know that the person meets the qualifications – should they be checked out before their name is on the ballot. The Clerk stated that when the forms are completed during the filing they are stating that they have not been convicted. The Clerk to check with Lafayette County in regards to who can check and at what time. Parris asked about background checks being done prior to being placed on the ballot. In most cases when applying for government jobs the individual is responsible for providing a background check at their cost. Chief Grom stated that there are companies that would do this for about \$200. Check with the Highway Patrol and other locations for costs regarding background and fingerprinting. The candidate filing fee goes towards the cost of publication and election fees.

Reports:

Administration: Next meeting on July 23, 2019 at 6:00 p.m.

Municipal Services: Met on July 9, 2019 and discussed: 1) **Water Tap Fees-** An individual approached the committee regarding the cost for the water tap and permit fee of \$1000. The committee suggested providing an individual with some the possible fees when applying for a building permit. 2) **Contractor Fees-** The committee discussed obtaining contractor pricing for each piece of equipment and labor. This could help to expedite projects. Next meeting on August 13, 2019 at 6:00 p.m.

Liaisons:

Water Advisory- Ashinhurst reminded everyone of the Town Hall meeting tomorrow, July 10th at The LEX at 7:00 pm.

Fair Board- Terry updated the council on the gazebo for the Main Street park which was approved with a grant from Rotary and the Fair Board has agreed to contribute \$5,000 towards that cost. To be completed by the end of August. It can be used by anyone at no cost.

Tourism- Houseworth informed council that tourism is meeting tomorrow evening at 5:30 pm. They are working on magazine ads and videos.

Department Heads:

Street- Supervisor Smith informed council that they had been repairing the bank slide on Commerce Street with 700 tons of rock. Smith thanked the Special Road District and Lafayette County Road and Bridge for their help. A dump truck has anti-freeze that is leaking into the oil pan with some metal shavings – looking into different options for repair. The CDBG street project for street and drainage improvements in the area of the Armory has a contractor bid deadline of July 17th. Talked with Vance Bros and they will be here the end of the month to redo the chip/seal project from last year. Have them look at the test strip on Sunset. The new backhoe should be here by the end of the month.

Building Inspector- Justin Petray informed council that he will appear before the budget committee to discuss his training and certification. There is a demolition hearing on July 29th at 6:00 pm for 145 N. 11th and 1824 South Street. The demo equipment has not been moved to 318 N. 24th so that may also be added to the hearing. There is a new house at 647 Golf Road, doing an inspection on Friday for the framing – they have completed the plumbing and electrical. The permit for the retaining wall at the hospital has been obtained.

Water/Wastewater- Joe Clifford informed council that the paperwork for the FEMA damages has been turned in at about \$30,000 and they are doing general maintenance. Clifford passed out the new turbidity notice and passed out some information on American Water and their pricing.

Police- Chief Grom updated the council on the condition of the dog pound due to the flooding. They have been doing some patching and have incurred boarding costs. The current pound is about 40 years old, it only holds 8 animals, there is no quarantine section, it is not conducive for customer service and there are 2 Department of Agriculture violations. There are a couple sites that have been looked at (Street or Police property). Parris asked about the design drawings. Chief Grom stated the requirements are made up by the Dept. of Agriculture – they are basic. They have looked at prefab buildings with 6 kennels and 2 quarantine kennels. Pohle asked if the computers were running in the office and in the cars, if they were functioning properly (Microsoft) - yes. Chief Grom stated that they are waiting on the vendor to supply new software. They are running on the old software, Microsoft will stop supporting the software. The new pound would cost about \$30,000 - \$50,000. Terry asked about the radar guns. Chief Grom stated they are not working, they are 10 years old and have not been calibrated – they are using the 2 hand helds. There is a LLEBG grant available for equipment – looking at cages for the cars and other officer safety equipment. Terry asked about the average number of stops per day. Chief Grom stated that they do about 4 to 5 stops per day. Terry has received complaints about the speeding on Franklin, and South Streets. The police are monitoring Highland and N. 17th also. Wolken asked about the hot spots in the cars for the phones – this to be discussed tomorrow. Sims asked if the laptop computers for the cars are being used. Chief Grom stated that they are doing some training when he has time to ride with the officer – no formal training. Pohle asked about the stop light at 11th & Main. Chief Grom does not have an option whether it needs to stay or go. Farris stated that it is a MoDot issue. Houseworth said that some people wanted it to stay because of the medical clinic and courthouse annex. It was discussed maybe having the light blinking or reducing the time the “red light” is on going east/west.

Committee/Board Reports: none.

Grants: none.

Items from Prior Council Meeting:

Terry- It was discussed with Metropolitan Community College about a student working with our Fire Department. This would be at no cost to the city and would not start until January 1st. Waiting on the contract review to come back from MCC.

Ashinhurst- Received a call from a citizen regarding the feasibility of going a different direction instead of going \$12 million in debt. Delmar Dothage thought he was told that his monthly bill would go up to \$200. What about the American Water option. There is a contract MEMS to provide operations for the water and wastewater plants. The \$164,000 includes cleaning out the digester and for Joe Clifford's salary. Lynn stated that American Water water rates were comparable to ours rates but they did not tell you that the minimum sewer rate was \$57 which is a \$20 increase. With American Water the city would have no control over the water system. They are regulated by FSC and have been given their rate increases every time. Any cost incurred for improvements by any other city/member of American Water would be spread throughout all cities/members, so the city rates could increase. Clifford stated that you could look up American Water and read all the complaints against them. Brenna Begeman stated how can we go back after the issue was put on the ballot and passed to build a new plant and why is this still coming up.

Sims- Has concerns with the attorney fees going up the last 4 years. The city has an engagement letter with Lauber Law and can be terminated with a 30 day notice. Maybe look at other options.

Council Concerns/Comments: none.

Mayor's Comments & Concerns: none.

Motion by Sims seconded by Parris to adjourn Regular Session and reconvene in Executive Session and notice is given that a portion will be closed pursuant to Section 610.021 RSMo under the following specific exceptions: Sub-section (2) Sale, Lease or Purchase of Real Estate and (3) Personnel. Motion carried. FOLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Wolken, Ashinhurst, Parris, Pohle and Lynn. Nay: none. Absent: none.

Personnel:

Water Employee- Motion by Parris seconded by Ashinhurst to approve the hiring of Keenan Kreie. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Wolken, Ashinhurst, Parris, Pohle and Lynn. Nay: none. Absent: none.

Council discussed other personnel issues with no action taken.

Real Estate:

Council discussed a real estate issue with no action taken.

Motion by Wolken seconded by Sims to adjourn. Motion carried. Council adjourned at 9:50 p.m.

Carla Ghisalberti
City Clerk
07/09/19

G. Scott Lynn
Mayor Pro-tem

Upcoming Events

- Council Meeting Dates- July 23, 2019 and August 13, 2019 at 7 pm
- Town Hall Meeting- July 10, 2019 at 7:00 pm at The LEX
- Budget Committee- July 17, 2019 at 8:30 am.
- Porches & Peaches- July 20, 2019 at The LEX from 10 am – 2 pm.
- Battle of the Bands- July 26, 2019 at 7 pm & July 27, 2019 at 9:30 pm
- Women of the Moose Breakfast- July 27, 2019
- Community Fair- August 10-17, 2019.
- MML Annual Conference- September 8-11, 2019 in St. Charles
- Freedom Walk- September 11, 2019 from 12-1 pm.
- Civil War Living History- September 14, 2019
- Old Homes Tour- September 28-29, 2019 from 1-4 pm.
- Wild West Octoberfest- October 5, 2019.