

The Pledge was presented and Scott Lynn 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 23, 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, Frank Ashinhurst, Earl Parris, Jim Pohle and Scott Lynn. Absent: Rodney Wolken. Also Present: Carla Ghisalberti, City Clerk. Whereupon the Mayor Pro-tem declared a quorum present.

The Mayor Pro-tem deleted #9 H&W Funding from Discussion Items. Motion by Parris seconded by Sims to approve the agenda as amended. Motion carried.

Citizen's Participation: none.

New Employee Introduction: none.

Consent Agenda Items:

Motion by Parris seconded by Sims to approve the consent agenda items as presented. Motion carried.

1. Approve the minutes of the Regular Meeting of July 9, 2019.
2. Approve the resignation of Tony Taloney, EMT effective 8/1/19 from full-time to part-time.
3. Approve the appointment of Jonathan Reed effective 8/1/19 from part-time to full-time.

Financial Items:

1. Approve Financial Reports for June 2019: City Collector's Report - \$468,168.55, City Treasurer's Report - \$5,451,350.71 and the Municipal Court Report - \$1,877.87. More extensive reports are available upon request.

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

Discussion Items:

Health & Wellness: Girls on the Run submitted a request for \$5400.00. Girls in the 3rd through 8th grade would receive a \$165 waived program registration fee and a 5K entry for the running buddy of her choice. The program will give the girls the skills to manage emotions, resolve conflicts, make intentional decisions and it improves confidence, competence, caring, and character. This has been approved by LRHC. Pohle asked about a Boys on the Run program. Motion by Parris seconded by Houseworth to approve the request from Girls on the Run in the amount of \$5,400.00. Motion carried.

City Attorney: Council had discussed putting out for qualifications for city attorney services not prosecuting attorney. The current attorney firm requires a 30 day written notice of intent to terminate the services. The existing firm and other firms would submit an RFQ. Motion by Sims seconded by Ashinhurst to approve going out for RFQ's for city attorney services. Motion carried.

Recreational Trail: Maintenance of the trail – no one has claimed ownership, the street or park. Currently there is no documented time frame for things to happen. Barriers have been put up at SW Blvd, 20th Street and 24th Street stating that the trail is closed. Terry suggested that locked tube type gates be put up to allow for access for emergencies or maintenance. There are large trees, trash and a sink hole on the trail. If someone is found on the trail then they can be ticketed. The city has the right to use and improve the trail however if the railroad would take it back they would have to reimburse the city for the cost and any improvements. The first section is from 20th to 24th Street to connect with the sidewalk grant. Nothing has been done to the trail. Parris stated that it needs to be determined if it is going to be called a park or something else. Joe Clifford thought there was a meeting in about 2 weeks. Sims asked for a monthly report from Marsha Corbin on the status of the trail and grant. The city is liable should anyone get hurt. Manpower is an issue regarding the maintenance for both park and street. It was suggested that the street and park share responsibilities. The street department would help with the wood chipper and those chips would be used for the surface of the trail. O'Dell stated that the department that is best equipped to maintain the trail should maintain it. This should have all been determined prior to the acceptance of the trail. Ask Corbin to attend the next council meeting.

Lafayette County Economic Development Director: Higginsville has an economic development person that is retiring and they have decided to not refund that position. The county is looking at hiring a county-wide economic development person with cities contributing towards the cost and to serve all those cities. The county has asked Administrator O'Dell to help develop the scope of work for that position. The estimated cost for the position is \$80,000 including supplies to be divided between Lexington, Concordia, Higginsville and Odessa. At some point the county will talk with the mayor and council.

Sidewalk Appeal Issue: BI Justin Petray placed a work stop order for 546 S. Busn. Hwy 13. Petray was advised by Lauber Law to have council hear the appeal because of the way it was handled. Petray and the attorney are unavailable the first week of August. The individual involved has to be given a 10 day notice of the public hearing. The individual has obtained an attorney so discussion at this time cannot happen. August 13th or 15th at 6 pm have been discussed as possible dates.

City Administrator Selection: This ordinance was amended to have city council and mayor interview the top 3 final candidates in person. Sims presented Ordinance No. 2019-29 AN ORDINANCE TO AMEND CHAPTER 2, SECTION 2-229 OF THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON, MISSOURI, RELATING TO THE APPOINTMENT OF A CITY ADMINISTRATOR. Motion by Parris seconded by Ashinhurst to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Lynn 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, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Absent: Wolken. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

No Parking: This ordinance prohibits the parking on the east side of 20th Street from Main to Business Hwy 13. The parking area in front of Leslie Bell will be posted as no parking from 7 am to 4 pm, the yellow curb will be repainted as white and parking spaces will be marked. There are some no parking signs already on the west side. Sims presented Ordinance No. 2019-30 AN ORDINANCE AMENDING CHAPTER 15 "MOTOR VEHICLES AND TRAFFIC", "SCHEDULE V. NO PARKING" OF THE MUNICIPAL CODE OF LEXINGTON, MISSOURI. Motion by Parris seconded by Lynn to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Ashinhurst to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Absent: Wolken. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

USDA Financial Assistance: This ordinance is to obtain financial assistance for the construction of the new water plant and wells. Sims presented Ordinance No. 2019-31 AN ORDINANCE OF THE CITY COUNCIL OF CITY OF LEXINGTON, MISSOURI CONCERNING ACCEPTANCE AND COMPLIANCE WITH VARIOUS REQUIREMENTS TO OBTAIN FINANCIAL ASSISTANCE FROM UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT. Motion by Parris seconded by Lynn to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Lynn 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, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Absent: Wolken. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

The Heist: Justin Beal is requesting permission to block off the 2 parking spaces at 825 & 827 Main during the community fair as they did last year. They will be blocked from 12:00 (noon) on August 16th through 12:00 (noon) on August 18th. Chief Grom does not an issue with this. Motion by Lynn seconded by Houseworth to approve the blocking of the parking spaces as requested. Motion carried.

Abatement of Nuisances: This ordinance brings our ordinance in compliance with the state statutes. Sims presented Ordinance No. 2019-32 AN ORDINANCE TO AMEND CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON, MISSOURI, RELATING TO THE ABATEMENT OF NUISANCES. Motion by Parris seconded by Lynn to read the ordinance the first time. Motion carried. Ordinance read the first time. Motion by Parris seconded by Pohle to read the ordinance the second time. Motion carried. Ordinance read the second time. Motion by Parris seconded by Ashinhurst to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Absent: Wolken. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Reports:

Budget: Committee met on July 17th and reviewed the current budget. Everything seemed to be in order, there are no concerns. The 2 citizen members are Ed Stryker and Louis Eagan – Eagan was unable to attend. The financial audit report for FY19 will be at the August 13th council meeting. The next meeting is October 9, 2019 at 8:30 am.

Administration: Met on July 23, 2019 and discussed: 1) **City Hall Full-time Employee-** The committee approved an additional full-time person at City Hall. There would be an increase to the budget of \$7,000. This person will serve as court clerk when required by the state and will serve as a backup for the City Clerk. Motion by Parris seconded by Sims to approve the addition of a full-time employee at City Hall. Motion carried. 2) **Gasoline/Diesel Purchases-** They discussed the issue of the city obtaining discounted rates on gasoline and diesel purchases. The city currently is under the WEX state contract. MFA Petro card offers a larger discount than that of WEX. Both WEX and MFA Petro cards can be used anywhere not just Lexington. Council tabled for more information. 3) **Heavy Trucks on Residential Streets-** Discussion regarding heavy trucks in specific residential areas causing damage to the streets. Next meeting on August 27, 2019 at 6:00 p.m.

Municipal Services: Next meeting on August 13, 2019 at 6:00 p.m.

Liaisons:

Fair Board- Terry informed the council that the fair is ready to go, they have set their schedule of events.

Tourism- Houseworth informed council that tourism is having a workshop with Ben Muldrow on August 26th through August 28th. The workshop is a community image workshop program for marketing the city.

Health & Wellness- Parris stated that there is about \$50,000 in the fund and they are waiting on projects to be submitted for consideration.

P & Z- Sims stated that they have been working on the comprehensive plan and they are setting up an organization to implement the plan. They will be putting out flyers asking for volunteers.

Department Heads:

Street- Supervisor Pence informed council that they have been doing routine maintenance, they have swept the streets removing the loose rock for Vance Bros and the new backhoe will be on Monday at 10:00 am..

Building Inspector- Justin Petray informed council that he will be in Colorado from August 4th through August 11th to get his final certification. The house at the corner of N.24th and Oak has been purchased and will be rehabbed. The demolition at 318 N. 24th is being cleared, waiting on the bond and demo permit. There is a demolition hearing on July 29th at 6:00 pm for 145 N. 11th, 318 N. 24th and 1824 South Street.

Water/Wastewater- Joe Clifford informed council that there is currently no issues at the water plant. A-One Pipe has quoted a price of \$4900 to televise the line so it has been decided that the city will dig up the line and repair or replace. This should help with the turbidity issue. The replacement will be done in sections so the plant should not be shut down. The new water meter for Jack Reynold will be installed on Wednesday. There is a problem with the effluent at the wastewater plant because water is still over the road.

Police- Chief Grom informed the council that on August 6th from 5:00 pm to 8:30 pm S. 11th Street will be closed for National Night Out and due to the flood there has been interest in developing a community emergency response team.

Fire- Chief Weber informed the council that the brake repair for Engine 1 is about \$5,000 – he is getting a couple other estimates if needed it will be bid out. A report was submitted with the call volumes and the type of call. Randall Hansen, EMD applied for a grant through Homeland Security and was approved for an emergency generator for \$57,896. Funds to be released in January. In 2011 a grant was received for an emergency transfer switch at the Methodist Church which can be used with this generator.

Committee/Board Reports: none.

Grants: none.

City Administrator Report:

DOT- At the last meeting there was a question regarding the issue of our city vehicles having DOT numbers. If the vehicle is under 26,000 gross vehicle weight then it does not apply to the UFT regulations.

Fall Cleanup/Nuisance Enforcement- Consider an additional cleanup in September, offer dumpsters for citizens to use and put out some marketing. Use the wards of the city for the police and nuisance officer to work the areas hard for a couple of weeks. In order for economic development we need to have our own house in order for investors or businesses that would want to come in. To clean up the town there needs to be enhanced enforcement and issuance of citations.

Evaluation Forms- Looking at different forms for exempt and non-exempt employees. The evaluation forms will show benchmarks, show where there is a need to make improvements and the steps needed towards that improvement.

Items from Prior Council Meeting:

- a. Metropolitan Community College- Waiting on response from MCC regarding contract changes.
- b. Distracted Driving- Waiting on revision from Lauber Law.
- c. Credit Card Machine- Installed on Friday.
- d. Copier- To be delivered August 15th.

Council Concerns/Comments:

Qualification for Office- Parris stated that under Section 2-41.1 any elected municipal office cannot be convicted of or plead guilty to a felony or misdemeanor. The candidate when filing for a position signs a form stating that they have not – this still needs to be checked. According to the County Clerk the city has the right to do the checking, it is up to the city to determine how to check. If someone is found in violation of this, then would this invalidate any decision that was made by the individual. It was discussed about who should pay for the background check – it was the discussed that the candidate should. Does this apply to the city as well as the state? Enforce it if it is in the ordinance book.

Streets- Ashinhurst stated that he received a call about the condition of 27th Street Terrace. Dundee, Heather, Glenn and some of South Street are to be resurfaced under the CDBG grant project with hot asphalt. There are a lot of sink holes, there is one east of Dover Road. Main Street/224 Hwy road edges are in bad condition – MoDot and the City to get together and do patching along the edge. The city owns the ROW and parking spaces through town and MoDot owns the driving lanes. The State was to pave Main Street and the city was to pave the parking spaces but the Mayor at the time made a trade so MoDot paved both the street and parking spaces. Streets and sidewalks are in bad condition.

Breaktime- Sims asked about the proposed improvement to their building. The MFA engineer has been contacted several times with no response.

Mayor’s Comments & Concerns: none.

Motion by Houseworth 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 (3) Personnel. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Ashinhurst, Parris, Pohle and Lynn. Nay: none. Absent: Wolken.

Personnel:

Animal Control- Motion by Ashinhurst seconded by Parris to approve moving Meghan Brown to City Hall under the direction of the City Administrator effective immediately. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Ashinhurst, Parris, Pohle and Lynn. Nay: none. Absent: Wolken.

Council discussed other personnel issues.

City Administrator- Mark O’Dell and council agreed to a 6 month contract. Sims presented Ordinance No. 2019-33 AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AND EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN MARK H. O’DELL AND THE CITY OF LEXINGTON, MISSOURI. 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 Terry to place the ordinance on it’s final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Parris, Ashinhurst, Pohle and Lynn. Nay: none. Absent: Wolken. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Motion by Parris seconded by Houseworth to adjourn. Motion carried. Council adjourned at 9:30 p.m.

Carla Ghisalberti
City Clerk
07/23/19

G. Scott Lynn
Mayor Pro-tem

Upcoming Events

- Council Meeting Dates- August 13, 2019 and August 27, 2019 at 7:00 pm
- Porches & Peaches- July 20, 2019 from 9am – 3 pm.
- Mayor Election- Filing dates from July 16th – August 20th.
- Battle of the Bands- July 26, 2019 at State Historic Site from 7 – 9:30 pm.
- Women of the Moose- July 27, 2019 Breakfast at the Moose 7:30 – 10:30 am
- Open Mic Jam- August 4, 2019 at the VFW from 5 – 9 pm
- Community Fair- August 10-17, 2019.
- School Starts- August 15, 2019
- Bikers for Boomer- August 17, 2019
- River City Squares- August 25, 2019 at Methodist Church from 6 – 8:30 pm
- 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.