

The Pledge was presented and Earl Parris 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, August 13, 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 Ashinurst, Earl Parris, Jim Pohle, Scott Lynn and Rodney Wolken arrived at 7:30 pm. Absent: none. Also Present: Carla Ghisalberti, City Clerk and Mark O'Dell, City Administrator. Whereupon the Mayor Pro-tem declared a quorum present.

The Mayor Pro-tem added 11a Chamber Request to Discussion items. Motion by Houseworth seconded by Sims to approve the agenda as amended. Motion carried.

Citizen's Participation:

Lexington Community Betterment- Liz Fenner, Chairman of Fundraising has been a resident of Lexington for almost 86 years. Lexington in 2022 will be celebrating its 200th Birthday. LCBA will be sending out 900 mailings to individuals, businesses, organizations and civic groups encouraging them to support the celebration financially. The goal is to enlist 200 recipients to donate \$200. LCBA has the seed money to cover the designing and printing for the mailer. A first-class mailing permit is about \$500. Fenner is asking the council to consider funding the \$500 for the first-class permit. The city has budgeted \$5,000 towards the 2022 bicentennial this year. Motion by Parris seconded by Sims to approve paying the \$500 for the first-class mailing permit. Motion carried.

New Employee Introduction: none.

Consent Agenda Items:

Motion by Houseworth seconded by Sims to approve the consent agenda item as presented. Motion carried. Pohle abstained from voting on #4.

1. Approve minutes of Regular Meeting of July 23, 2019.
2. Approve the resignation of Jean Beyer and Louise Shaw from the P&Z Commission effective immediately.
3. Approve the appointment of Melissa Beal to the P&Z Commission and re-appoint Sam Ratcliffe to P&Z Commission with terms to expire 3/31/2022.
4. Approve the appointment of Connie Pohle with a term to expire 6/22/2020. Approve the re-appointment of Evelyn Trigg and appointment of LaDonna Scott with terms to expire 6/22/2021. Approve the appointment of Karen Schachtele and Charlie Gutherie with terms to expire 6/22/2022. All to the Police Personnel Board.

Financial Items:

Approve the Financial Reports for July 2019: City Collector's Report - \$532,710.40, City Treasurer's Report - \$5,599,521.28 and the Municipal Court Fine Report - \$779.02.

Approve the payment of the bills:

General Fund	July 10-31, 2019	\$ 77,912.16	Council approval required for \$123,435.54 for checks written on 8/13/19.
	Aug. 1-13, 2019	<u>\$188,103.71</u>	
		\$266,015.87	
Sewer Fund	July 10-31, 2019	\$ 11,338.56	Council approval required for \$18,760.11 for checks written on 8/13/19.
	Aug. 1-13, 2019	<u>\$ 26,049.13</u>	
		\$ 37,387.69	
Water Fund	July 10-31, 2019	\$ 17,078.59	Council approval required for \$61,980.61 for checks written on 8/13/19.
	Aug. 1-13, 2019	<u>\$ 73,585.96</u>	
		\$ 90,664.55	

Motion by Sims seconded by Ashinurst to approve the financial reports as presented. Motion carried.

Discussion Items:

2019 Tax Levy: A public hearing was held to hear public comment on the proposed property tax levy for 2019. The tax levy for 2018 was \$ 0.995 per \$100 of assessed valuation and the proposed tax levy for 2019 is \$1.0019. The estimated tax revenue is \$453,752.55. The assessed valuation for the city was \$43,771,027 in 2018 and \$45,289,205 for 2019 which is an increase of \$1,518,178. The proposed tax levy was set by the State as to what is allowed. Ed Stryker asked what the increase was from last year compared to the anticipated revenue for 2019 year – that to be determined. Motion by Sims seconded by Parris to approve the proposed tax levy for 2019 in the amount of \$1.0019 per \$100 of assessed valuation. Motion carried. No other comments from the public.

Chamber Events: Penny Grosso requested the street closing of 10th Street between Main and Franklin on September 11th from 2:00 am to 12:30 pm for the Patriot Walk. Grosso is requesting the street closing on the west side of Main Street/Hwy 224 from 12th Street to the west side of the patio at The Heist on October 5th for Old West Octoberfest. Request approval for a liquor picnic license and the Lexington police to provide security for the beer event. Request public works and police coordinate placement of signs and cones for all events. Motion by Parris seconded by Sims to approve the street closures, the picnic liquor license and help with placement of cones/signs for both events. Motion carried.

FY19 Audit Report: Marshall Decker, Decker & DeGood was present. The audit was given a qualified opinion except for the hospital due to being unable to come up with a cost basis for the value. The financial statements were given a clean opinion and there were no issues with internal controls over financial reporting and compliance. The Non-major Funds are 5%-10% of the total funds. The General Fund has a balance of \$1,282,280 which is a good position because ½ or ¼ of the balance would be used for the expenditures should there be a problem with revenues. The Hospital Fund has a balance of \$1,385,816, the Street Fund has a balance of \$314,200 and Other Funds \$1,040,177. The decrease in street is due to the overlay project which was expensed out due to the life span of chip/seal. The Non-Major Funds consists of: grants, park, capital improvements, health & wellness, park board and fair. The Water Fund has a balance of \$2,440,121 and Sewer Fund \$1,511,224 - both had a net gain. There is more than 60 days of revenues to cover expenses. With Lagers the city should look at the liabilities. The financials are on a modified cash basis and it was recommended to go to an accrual basis. An accrual basis is more accurate and gives a better financial standing. With the first year of converting costing \$2500 and after that between \$600 - \$1000 annually. On the hospital take the square footage, the type of building, price out additions and factor back to when started or try to get it appraised. It will take 60 days max to switch to accrual. Motion by Sims seconded by Parris to approve the FY19 Financial Audit as presented. Motion carried. Motion by Parris seconded by Pohle to approve changing to an accrual basis starting with FY2020. Motion carried.

Recreational Trails: Marsha Corbin informed council that there was a site visit on June 4th from the State Trails Department for the section from 20th to 24th Street. There were 40 applications received and the city scored #1. They required a copy of the most recent audit, there were questions regarding historical and environmental things, the State forwarded the information to the Federal government for final determination. Until the Federal government gives the determination the ground/dirt cannot be disturbed however concrete barricades can be placed to block the trail if needed. The approval is anticipated about October 1st. The city was awarded \$244,600 cash – the grant award was \$374,592. The city would be responsible for about \$130,000 of which \$50,000 has been paid for the land, there was some labor the city committed to, engineering is based on a percentage of the project and there is \$20,000 allocated for a project manager for project observation. Corbin stated that at a transportation summit meeting it was noted that some type of canopy for shade in some areas was recommended. There will need to be some brush removal and the chipper/shredder can be used. During the site visit there were a lot of drainage issues, some caused by KCPL or their contractor causing ruts while cleaning out the power lines. The entire trail length is 2.9 miles however the grant is from 24th to 20th Street, from 20th to 13th Street and access from the trail off of 13th. Any scope of the work provided towards the construction of the trail by the Street or other city departments including the piping/sewer connection for the restroom at Crystal Lake is allowed as part of the grant. There is a large sink hole that would need repair east of Trevis Bridge and some trash cleanup. Any complaints regarding the traffic on the trail should be addressed by the Police. Contact should be made to KCPL or tree service about the damage to the trail bed and future work to be done. There needs to be access to the trails for emergency vehicles and personnel. The cost of maintenance would depend upon the type of trail developed. Some of the groups that have volunteered: Boy Scouts, Women's Club, Garden Club, Historical Association, Arts Council and FFA.

Street/Drainage CDBG Grant: Bids were received for the construction of the street/drainage grant in the area of the Armory: Emery Sapp & Sons - \$267,887 and M&M Utilities - \$316,022. The grant was for \$302,652 with the transportation sales tax fund contributing \$76,700 and city in-kind \$8,588. It is anticipated that the project will be completed in October. There is a pre-construction meeting on Thursday at 10:00 am. Motion by Sims seconded by Parris to approve the bid from Emery Sapp & Sons for \$267,887. Motion carried.

MCC Clinical Agreement: This agreement is for paramedic students to obtain a learning experience, there is no cost to the city and should not start until January 1st. Sims presented Ordinance No. 2019-39 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEXINGTON, MISSOURI AUTHORIZING AND APPROVING THE EXECUTION OF A CLINICAL AGREEMENT BETWEEN THE CITY OF LEXINGTON AND THE JUNIOR COLLEGE DISTRICT OF METROPOLITAN KANSAS CITY, MISSOURI (AKA METROPOLITAN COMMUNITY COLLEGE). 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 Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Wolken, Ashinhurst, Parris, Pohle and Lynn. Nay: none. Absent: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

MCC Police Agreement This agreement is for continuing education services. The fee to be paid by Glenn Wyse so there will be no cost to the city at this time. Ordinance No. 2019-34 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEXINGTON, MISSOURI AUTHORIZING AND APPROVING THE EXECUTION OF A CONTINUING EDUCATION SERVICE AGREEMENT BETWEEN THE CITY OF LEXINGTON AND THE BLUE RIVER CAMPUS POLICE ACADEMY (AKA METROPOLITAN COMMUNITY COLLEGE). 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 Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Lynn, Pohle, Parris, Ashinhurst, Wolken, Houseworth, Terry and Sims. Nay: none. Absent: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Distracted Driving Policy: This ordinance adds the prohibited use of electronic devices while operating city equipment and vehicles or engaging in any behavior which may result in an operator being distracted. This shall not apply to Police and Fire Departments while on duty. Sims Ordinance No. 2019-35 AN ORDINANCE TO AMEND SECTION 508 OF THE CITY OF LEXINGTON EMPLOYEE POLICY HANDBOOK REGARDING THE USE OF CITY EQUIPMENT AND VEHICLES. 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 Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Wolken, Ashinhurst, Parris, Pohle, Lynn, Sims, Terry and Houseworth. Nay: none. Absent: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Board of Appeals: This ordinance brings the Board of Appeals in compliance with state statutes. Sims Ordinance No. 2019-36 AN ORDINANCE TO REPEAL EXISTING "CHAPTER 1, SECTION 113, BOARD OF APPEALS" OF THE 2018 INTERNATIONAL BUILDING CODE OF "THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON, MISSOURI". 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 Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Terry, Houseworth, Wolken, Ashinhurst, Parris, Pohle, Lynn and Sims. Nay: none. Absent: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Police Personnel Board: This ordinance now states that "certified law enforcement officers" fall under the Police Personnel Board while the police secretary and animal control do not fall under the Board. Sims Ordinance No. 2019-37 AN ORDINANCE TO AMEND CHAPTER 21 OF THE LEXINGTON CITY CODE REGARDING THE POLICE PERSONNEL BOARD. 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 Houseworth to place the ordinance on it's final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Pohle, Parris, Ashinhurst, Wolken, Houseworth, Terry, Sims and Lynn. Nay: none. Absent: none. Whereupon the Mayor Pro-tem declared the ordinance duly passed.

Reports:

Administration: Next meeting on August 27, 2019 at 6:00 p.m.

Municipal Services: Next meeting on September 9, 2019 at 6:00 p.m.

Liaison: none.

P&Z: They are requesting volunteers to participate in leadership and as committee members to begin the implementation process planning of the Comprehensive Plan. Currently they have 8 volunteers.

Department Heads:

Fire- Chief Weber provided the council with a fire incident report, EMS incidents and EMS destination types. YTD there have been 39 fire incidents and 913 EMS incidents. More reports will be coming from the billing company.

Street- Supervisor Smith has been helping the Park Department with the marina cleanup moving brush, finished the hot mix gutter work on Main Street from McDonald's to Dover Road with the help of MoDot, Vance Bros have been out to redo the work in Indian Hills however they ran out of rock and did not complete Davis Addition, doing some pothole patching, trimming limbs, put up "no parking" signs on the east side of 20th Street and working on the grant area. Sims asked about the chip/seal and it looks bad. Supervisor Smith stated that the ripples are due to the rock but it will not be swept up for a month to make sure it is sealed. The new backhoe has been received.

Building Inspector- Justin Petray informed council that we are currently bidding out demolition of 3 properties. The Garner appeal hearing is set for August 15th at 6 pm. The monthly report for July was submitted. Petray has received his final certification.

Water/WWTP- Supervisor Clifford informed council that there are a couple of lift station pumps out, they have found the leak causing the turbidity violation-that section to be cut out, they did 51 turn offs today, the flood is finally down so effluent samples can be done at the wastewater plant and the repair estimate for the rear end on the red pickup is \$3,000 – he is obtaining additional estimates.

Police- Sgt. Sims informed council that they have been meeting with FEMA regarding the pound damages and the cat house. FEMA is going to declare Lafayette County as a disaster. They were advised to get bids to replace the cat house, estimated at \$8,000 however now there are about \$1,000 repairs needed now. FEMA would consider moving the pound or putting the cat house on a trailer for easy removal. There wasn't much damage to the pound but the electrical is bad and needs to be rewired and there are roots in the sewer line to be removed.

ACO- Meghan Brown stated that there is a cat problem. She has caught 65 cats; they have been spayed or neutered at no cost to the city except her time. A donation of 77 bags of dog food and 34 bags of cat food has been received. Farmers have been taking some of the spayed/neuter cats. Scott Moore was on the Hallmark channel on the adopt-a-program to help the enrichment of the animals. Some of the cats are feral however with some work she has gotten them tame. The animals have been taken by different organizations for adopting.

City Administrator:

City Attorney RFP- Mark O'Dell informed council that the RFP for city attorney will be released tomorrow with a firm to be submitted at the September 24th council meeting.

Non-Emergency Contract- The city is in contract negotiations with HCA on the non-emergency transfers for LRHC. There are some issue being worked through and hopefully completed in the next few weeks. The previous contract will not work, they do agree on the structure of the contract but still determining the value of the contract.

Highway 13 Coalition- Attended a meeting where they were talking about a butterfly trail designation from North to South on 13 Highway. It would 10' off both sides of the highway and could be incorporated into the recreational trail.

EMS- O'Dell has asked the departments start preparing more reports. Currently ESO is being used as the ambulance reporting software which would interface with big ambulance billing software companies and the run ticket information could be uploaded into that system. The paper billing system has human errors and often have lower revenues. It was recommended that sometime in the future we go out for billing services. Currently our billing company charges a 7% collection fee with an average at 4% to 5%. The city currently pays \$37,000 to \$40,000 in collection costs. The biggest issue is whether we are getting our full amount. Motion by Parris seconded by Sims to approve sending out an RFP for ambulance billing services. Motion carried.

Animal Shelter & Staffing- We are asking a lot from the nuisance/animal control person, the animal shelter is in a poor location and it would be better if it were at the police station. We are short on volunteers so we need to look at getting some help even if it is a part-time person. Start thinking seriously about staffing and a building for next budget year.

Ec. Development Conference- There is a conference on August 27th in Sedalia from 8:30 am – 11:30 am at the State Fair College. The speaker is an expert on site selection process. RSVP by August 16th.

Committee/Board Reports: none.

Grants: none.

Items from Prior Council:

MFA Gasoline Cost Break- Sims about updated information. Mayor Pro-tem Lynn has asked Mike to get together some different opinions for the price break on gasoline.

Heavy Truck- Sims asked that the issue of heavy trucks in residential areas be added to the P&Z agenda.

Council Concerns/Comments:

Parris- Lafayette County Children’s Services Fund had given the police department a \$9408 grant for the cost to cover officers while other officers were receiving CIT training – the training is at no cost. To date there have not been reports given to LCCS so they are requesting a refund. There may be some costs incurred to be submitted.

Parris asked about putting up the wall at College Park and the agreement to do some improvements to 16th Street. The city needs to follow through and get it done. Maybe the transportation board could help with this. The curbing and sidewalks were the main issues of improvements when discussed with the Hospital Board.

Terry- SW Blvd should be looked at by the transportation board, it has been overlooked and should be a priority.

Mayor’s Comments & Concerns:

Motion by Sims seconded by Parris to go into Executive Session for personnel. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Wolken, Parris, Ashinhurst, Pohle and Lynn.

Personnel:

Council discussed a personnel issue with no action taken.

Motion by Parris seconded by Sims to adjourn. Motion carried. Council adjourned at 9:43 p.m.

Carla Ghisalberti
City Clerk
08/13/19

G. Scott Lynn
Mayor Pro-tem

Upcoming Events

- Council Meeting Dates- August 27, 2019 and September 10, 2019 at 7 pm.
- Garner Appeal Hearing- August 15, 2019 at 6 pm.
- Community Fair- August 10-17, 2019.
- Tourism- August 26 – 28, 2019 Community Image Workshop Program with Ben Muldrow.
- Economic Development Training- August 27, 2019 at State Fair College.
- 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.
- Leadership Networking- October 3, 2019 at Concordia Community Center from 6-8 pm.
- Wild West Octoberfest- October 5, 2019.