

Because of the State of Emergency declared by Missouri Governor Parson and the need to keep the public safe during the Coronavirus Pandemic, the City Council will meet via a virtual meeting using Facebook. The meeting will be live streamed in real-time on Lexington's Facebook page at the following link: <https://www.facebook.com/City-of-Lexington-MO-112243290184555/>

The pledge was presented and the Mayor 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, May 26, 2020 with Mayor Aull presiding.

The Mayor 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, Earl Parris, Jim Pohle and Scott Lynn. Absent: Frank Ashinhurst. Also present: Janelle Neece, City Treasurer and Mark O'Dell, City Administrator. Whereupon the Mayor declared a quorum present. Frank Ashinhurst- Had surgery everything is going real well and doctor said everything looks fine.

The Mayor moved #13 to Citizens Participation, moved #14 Swimming Pool to #13, moved #19 Trash Dumpster to #14 and deleted #18 P&Z Membership of Discussion Items. Motion by Sims seconded by Parris to approve the agenda as amended. Motion carried.

Citizen's Participation:

Moose Lodge- John Harris, Acting Local Governor with the Moose Lodge held their annual fundraiser. The funds in the past had been used for the Prom and to build their building for the year. This year they decided to give to the hospital and First Responders. Moose Lodge made a donation to the hospital and EMS Department for \$1,000 each due to the Covid situation. Harris presented Darrel Box, LRHC CEO and Fire Chief Weber with the checks. The Mayor stated that the Moose Lodge continues to do so much for the community. Harris thanked the community for their continued support. The Mayor thanked the hospital for all they do for the community.

New Employee Introductions & Recognitions: none.

Consent Agenda Items:

1. To approve the minutes of the Regular Meeting on May 12, 2020.
2. To approve the appointment of Jeff Simpson for a 4 year term to the P&Z Commission with a term to expire 3/31/2024. Simpson does a lot of restoration and things in community. Simpson should abstain if there is a conflict.
3. To approve the appointment of Debbie McGinnis for a 4 year term to the Hospital Board with a term to expire 2/09/2024.
4. To approve the appointment of Dennis Soendker for a 3 year term to the Park Board with a term to expire 5/31/2023.
5. To approve the re-appointment of Chris Luehrs for a 3 year term to the Park Board with a term to expire 5/31/2023.
6. To approve the re-appointment of Scott Schumacher for a 3 year term to the Park Board with a term to expire 5/31/2023.

Motion by Houseworth seconded by Pohle to approve the consent agenda items as presented. Motion carried.

Financial Items: none.

Discussion Items:

Swimming Pool: At the last council meeting council approved tentatively opening the pool on June 6th. Chris Luehrs presented the council with Phase 1 & 2 of opening the pool with Covid restrictions. The Park Board has set the pooling opening for June 15th and implemented 2 phases. Phase 1 (June 15-30) open from 1-5 pm, operate at 30% capacity (135), no

season passes, slides/boards will be closed, wear face masks out of water, no lounge chairs, concession items in prepackaged container, no outside food/drinks, no pool parties, staff to wear face masks/gloves at all times except lifeguards, only sell day passes, patron to provide name/phone number, sanitize high touch areas, line will be marked at 6' intervals, benches reserved for handicap, practice social distancing and be able to close pool if situation comes up. Phase 2 (July 1-closing) open 1-6 pm, consider opening slides/diving boards, consider lounge chairs, consider concession tables/chairs and consider pool parties. Higginsville, Odessa and Richmond are planning on opening. Asked about the possibility of taking temperatures at the gate before entering. Chief Weber suggested a cleaning station vs changing gloves it would be much better. Sims asked about the process for only allowing a certain number of patron and making sure that the same ones are not the only ones. Terry stated that the fitness centers only allow a certain time frame for attendance. Luehrs stated that most of the time they would not have to turn anyone away but with nothing else going on there could be a larger attendance. The June 15th will allow for more time to get lifeguards. Motion by Parris seconded by Lynn to approve opening the pool on June 15th with the guidelines presented by the Park Board. Motion carried.

Trash Dumpster: Discuss permanently locating a trash dumpster at the Public Works building. BI Petray informed council that 19 trash dumpster (40 yd.) and 3 yard waste dumpster (40 yd.) was used this year during city-wide cleanup. There was enforced clean up this year that could have helped. The suggestion is to put a 30 yd. dumpster at the Public Works building year round. The citizens can put 1 large item out on their trash day. The trash contract allows for 5 dumpster at the spring and fall cleanups, after that the City pays for the dumpsters. This would allow citizens a way to keep their property cleaned up. Council would need to decide if there will be a charge for this service, what are the hours of availability, where it will be located at the site and if it is to be manned. Lynn stated that it needs to be inside the fence, open a few days a week and pay a fee at City Hall. Wolken stated that there is limited space in the fenced area and we are adding on more to their department. Petray suggested a fenced area in the 4 acre section. The cost is \$350 per dump. Motion by Sims seconded by Lynn to tentatively try the trash dumpster and wait until they come back with how it will be managed-approve the concept. Motion carried.

Main Street Parking (McDonalds): This ordinance would block off the west parking space between the 2 driveways. Currently there are 3 parking spaces. Bill Flanigan talked with McDonalds personnel and they had no problem with removing this space. Parris had seen an accident with people coming out of the drive through. Current ordinance states that there should be 15' from the intersection. P&Z approved removing the parking space. Lynn stated that there are other intersections that do not comply with the 15' ordinance. Sims presented Ordinance No. 2020- AN ORDINANCE AMENDING CHAPTER 15 "MOTOR VEHICLES AND TRAFFIC", "SCHEDULE V. NO PARKING" OF THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON. 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 Pohle to place the ordinance on its final passage. Motion failed. ROLL CALL VOTE was answered as follows: Aye: Terry, Houseworth, Wolken and Parris. Nay: Sims, Pohle and Lynn. Absent: Ashinhurst. Whereupon the Mayor declared the ordinance duly failed.

Worthington Zoning Change: P&Z approved the zoning change for the property located at 3019 South Street from R-1 to A-1. There was no opposition to the change and the property has always been used as agriculture. At a prior council meeting council approved a lot split. Sims presented Ordinance No. 2020-21 AN ORDINANCE TO AMEND THE AUTHORIZED LAND USE FOR A SPECIFIC PROPERTY IN THE CITY OF LEXINGTON, MISSOURI, IN ACCORDANCE WITH THE PROVISIONS OF ZONING CHAPTER 29, SECTION 29-84 OF THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON. 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 Lynn to place the ordinance on its final passage. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Lynn, Pohle, Parris, Wolken, Houseworth, Terry and Sims. Nay: none. Absent: Ashinhurst. Whereupon the Mayor declared the ordinance duly passed.

Water/Sewer Delinquencies: This was discussed at the last council meeting to add sending delinquent bills to a collection agency. If the bill is delinquent for 90 days the City may file a lien or submit to a collection agency. The Mayor recommended amending the ordinance to say "and/or" to Sections 28-91.1 and 28-98 and in Section 28-101 the next to last line should be "than not that". Administrator O'Dell stated that this Section is to be reworked and brought back in a month. Sims presented Ordinance No. 2020-22 AN ORDINANCE AMENDING CHAPTER 28, WATER AND SEWERS, SECTIONS 28-91.1, 28-98, 28-99, 28-101, 28-160 OF THE CODE OF ORDINANCES OF THE CITY OF LEXINGTON. Motion by Lynn seconded by Houseworth 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 Lynn to place the ordinance on its final passage as amended. Motion carried. ROLL CALL

VOTE was answered as follows: Aye: Parris, Lynn, Pohle, Sims, Terry, Houseworth and Wolken. Nay: none. Absent: Ashinhurst. Whereupon the Mayor declared the ordinance duly passed.

Water/Sewer Delinquent Accounts: A list of delinquent account totals by year with the number of accounts was presented to Council. There have been liens filed still out that have not been paid (88 - \$21,279.78). If a lien is not filed, the City cannot go back to the current property owner for that delinquency. The statute of limitations allows us to go back 5 years, so anything older than 2015 will have to be written off. The Mayor, Administrator and City Collector think that starting from the most current and working back would be the most beneficial. Parris asked how far back a collection agency would feel comfortable about collecting. There are about 30 properties that have change owners. Sims suggested that we only look at 2018, 2019 and 2020 and maybe not 2018. The 2019 and 2020 accounts can have liens filed on those. Administrator O'Dell would have to develop an RFQ for collection agencies which would show their collection percentage/fee. The fee for filing a lien is \$24 and usually takes about 30 minutes to prepare once the legal is obtained. Treasurer Neece stated that in the past the City used Tek-Collect and they charged \$13.50 per account. The collection agency notice will show up on a credit report. Motion by Sims seconded by Pohle to forgive/write off years 2012-2016 (\$12,871.76) and to work on 2017-2020 from the most recent working back. Motion carried.

Recovery Plan Update: The recovery plan will expire the end of the month, do not know what will happen yet. Most store owners are being cautious, they are trying to social distance and they are trying to sanitize. Chief Sims is keeping track of what businesses they go into and Chief Weber is going to businesses. Terry asked about the line at the license bureau and not social distancing. The license bureau is only allowing 5 individuals inside the building. Would it be possible for the license bureau to call the individual from their vehicles. A lot of the individuals are from outside of Lexington. Chief Weber has concerns with the drivers testing at the Fire Station. The theater is back open as of last weekend – make sure we support them. Council agreed to wait and see what the State say and have a special meeting if necessary.

Update City Projects: The paving project on 20th was put back out for rebid – no one had submitted. The City hall restoration was put back out – only 1 bid was received. The 16th Street curbing has been put out for bid. The curbing and paving bids are due June 12th and the City Hall bid is next week.

Water Plant Update: The EDA loan has been improved, a few questions came back – Norm Lucas and Jim Ross addressed those. Hopefully next week we will get the final approval on the \$6.2 million grant. The paperwork and agreements are done on the land acquisition – Jeremy Cover to review those documents. The land surveys are completed. The next step would be to contact CDBG about a grant. Grant financing determines the loan amount, so once in place things should start moving. Pohle would like to have pictures at City Hall of the site and proposed project. The old water tower will need to be maintained until the new water plant is up and running, once the new plant is running the old tower will no longer be needed.

Reports:

Committee Reports:

Administration- Next meeting June 23, 2020 at 6:00 pm.
Municipal Services- Next meeting June 9, 2020 at 6:00 pm.
Liaisons- no reports.

Department Heads: Written reports submitted.

Street- Pohle asked about the front loader, trying to locate someone about repairing. Supervisor Pence has contacted someone that is going to look at it.

Fire- Chief Weber had the tornado sirens upgraded last week and replaced the control panel at the station. Text Caster alerts are sent out on many items, you can sign up on the City website or on the Fire Department web page.

City Administrator Report:

- a. Trail Gates- The gates were put up last week at SW Blvd and 20th Street, this should cut down the activity.
- b. 1900 Forest Culvert- There is a question as to if those are actually open, the Street Department seems to think they are open. Not sure if they are totally or partially open. There is a drainage issue in this area. Keep working on this.
- c. Cat Trapping- Friends of the Friendless would like to do a trap and release program. They may have a grant for this program. They are caught, spayed/neutered and released back into the population. Council agreed to come back with more details.

- d. CARES Act- Sims stated Pioneer Trails is willing to help with this. The is a multi-million dollar act that is passed down to the County from the State for various activities. This has been funding for local businesses, the grants are \$2500 and there are still a lot of funds available. There may be a CARES Act or Stimulus that comes to smaller communities to help offset costs. This is what is funding the Small Business grants. Pioneer Trails has agreed to help with filing for the grants at a small fee. Administrator O'Dell would also help with filing. The grant is to pay for expenses that you had to pay even though you were losing money.

Grants: none

Items from Prior Council: none.

Council Concerns/Comments:

Sims- Economic Development will start holding meetings again.

Terry- Asked Parris if he found out about the food pantry van. Parris stated the van was supposed to be turned over to the new person in charge.

Mayor's Comments:

Utility Delinquent Bills- Letters were sent out to residents who are delinquent in utility bills stating that they bill is to be paid by June 10th before getting disconnected. Starting with the 90 day delinquencies then work down for disconnects. The Mayor asked about payment plans. Parris wanted to know if that should be brought to the Utility Board.

Downtown Parking- The public library would like a parking spot for their business to be able to do curbside drop offs. Council agreed.

Motion by Parris seconded by Houseworth to adjourn regular session and reconvene in Executive Session and that notice is given that the meeting or portion thereof will be closed pursuant to Section 610.021 RSMo under the following specific exceptions: Sub-section: Personnel. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Sims, Terry, Houseworth, Ashinhurst, Wolken, Parris, Pohle and Lynn. Nay: none. Absent: none.

Personnel:

Council discussed 2 personnel issues – sewer/water and building inspector. Motion by Pohle seconded by Sims to allow Petray to take the city car home for lunch. Motion carried. ROLL CALL VOTE was answered as follows: Aye: Parris, Wolken, Houseworth, Terry and Lynn. Nay: Pohle. Abstain: Sims.

Motion by Lynn seconded by Parris to adjourn. Motion carried. Council adjourned at 9:42 pm.

Janelle Neece
City Treasurer
05/26/2020

Joseph M. Aull
Mayor

Upcoming Events

- Council Meeting Dates- June 9, 2020 and June 23, 2020 at 7:00 pm.
- Moose Lodge Bingo- Every Friday night at 6:00 pm.
- Budget Committee- June 8, 2020 at 8:30 am.
- General Election- June 2, 2020.
- MML Elected Official Training- August 6-7, 2020 in Columbia
- MML 86th Annual Conference- September 13-16, 2020 in Kansas City