

MINUTES

CITY COUNCIL MEETING
Portageville City Hall
March 17, 2022

CALL TO ORDER

A meeting of the City of Portageville Board of Aldermen was held on Monday, March 17, 2022, at City Hall, 301 E Main St. This meeting was rescheduled from March 7, 2022 due to not having a quorum. Due to the impeachment of Vince Berry from the Mayor position on Thursday, March 10, 2022, Mayor Pro-Tem Dennis R. Walker II called the meeting to order at 6:00 p.m.

ROLL CALL

Council Members Present

Alderman McCrate
Alderman Adams
Alderman Johnston

Council Members Absent

Following roll call, the City Clerk reported that a quorum was present.

Also present were:

Rachel Wrather, City Clerk
Michele Crawford
Ronnie K. Adams
Joey Walters
Patty Johnson
Terry Wheeler
Lance Crafton
Al DeLisle

Jonathan Thacker
Roosevelt Mosby
Gary Faulk
Susan Warren
George DeLisle
Shirley Estes
Chris Hollingshead

APPROVAL OF
AGENDA

Moved by Alderman Adams, seconded by Alderman McCrate and unanimously carried, to approve the agenda as submitted.

APPROVAL OF MINUTES
Reg. Mtg.- 02/14/22

Mayor Pro-Tem Walker asked members of the Council if they had read a copy of the Minutes made available to them three days prior to the meeting. All answered in the affirmative.
Mayor Pro-Tem Walker asked if there were any additions or deletions to the minutes. Alderman McCrate stated that he had seen somewhere that a month need to be changed from January to February. Rachel Wrather, City Clerk, stated that she would review it. Moved by Alderman Adams,

seconded by Alderman Johnston and unanimously carried, to approve the submitted minutes for the month of February with the changes Alderman McCrate suggested.

DEPARTMENTAL REPORTS

RONNIE ADAMS - CHIEF OF POLICE

Turned in a written report for the month of February.

Adams stated that he had received a quote that was State Bid on a Kenwood radio for the K9 Tahoe that was purchased from the City of Caruthersville. Discussion followed. Alderman McCrate made a motion to approve the purchase in the amount of \$3800.00 and apply it toward the USDA equipment grant. Alderman Johnston seconded. All members voted in favor.

GEORGE DELISLE- FIRE CHIEF

Turned in a written report for the month of February.

Chief Delisle stated that the ISO report was distributed in packets and our ISO rating dropped to a 4.

PARK BOARD

Turned in a written report for the month of February.

JOEY WALTERS- STREET & SOLID WASTE SUPERINTENDENT

Turned in a written report for the month of February.

Walters was asked about the usage of the old Ford with an Aluminum Bed. Walters stated that it is still used from time to time.

Walters stated that Bob Persons had reviewed the drainage ditch along McCrate Avenue with him. They agreed that there needed to be four more drain boxes at a cost of \$6145.00 each for concrete boxes. Discussion followed. Alderman McCrate would like to look at pricing for an alternative drain box. The issue will be revisited on April 4, 2022.

JIMMY WYMAN- WATER SUPERINTENDENT

Turned in a written report for the month of February.

TERRY WHEELER- SEWER SUPERINTENDENT

Turned in a written report for the month of February.

SCOTT PATTERSON- PRE-TREATMENT COORDINATOR

Turned in a written report for the month of February.

ROOSEVELT MOSBY- ANIMAL CONTROL OFFICER

Turned in a written report for the month of February.

Mosby asked the Board of Alderman to raise the fee for impoundment that is currently set at \$3.00 a day. Discussion followed. Mayor Pro-Tem Walker asked for a motion to have Terry McVey amend the ordinance to read any animal that is impounded will be charged at a rate of \$10.00 per day.

Motion was made by Alderman Adams and seconded by Alderman Johnston. All members voted in favor.

JONATHAN THACKER- CODE ENFORCEMENT

Turned in a written report for the month of February.

PLANNING AND ZONING COMMITTEE

No report was submitted for the month of February.

**ORDINANCES OR
RESOLUTIONS**

There were none.

OLD BUSINESS

BALLOT PROPOSITION INFORMATION DISTRIBUTION

Former Mayor Vince Berry had typed up a list of expenses associated with the decision to appoint a City Collector instead of it being determined by an election that he wanted distributed prior to the April 5, 2022 election where the citizens will vote on the appointment. Discussion followed. Mayor Pro-Tem Walker asked for a motion to distribute the information with the addition of a clause that states that the position of City Collector will remain therefore there will be an undetermined expense for the salary, health insurance and retirement if appointed. Motion was made by Alderman Adams and seconded by Alderman Johnston. All members voted in favor.

THREE APPOINTMENTS TO SEMO UNIVERSITY

Mayor Pro-Tem Walker informed the Board of Aldermen that Patty Johnson had expressed interest in serving for the three-year term on the Sikeston Campus Advisory Board, but two more vacancies needed to be filled. Discussion followed. The issue was tabled until the April 4, 2022 meeting.

FIREMAN'S AGREEMENT APPROVAL

Mayor Pro-Tem Walker asked Chief DeLisle if there were any changes that needed to be made to the Fireman Agreement for Training Expenses. There were none. Mayor Pro-Tem Walker asked for a motion to implement the agreement for all firemen who wished to attend training at the expense of the fire department. Motion was made by Alderman Johnston. Alderman Adams seconded. All members voted in favor.

FIRE HYDRANT TESTING POLICY

Mayor Pro-Tem Walker stated that the Fire Hydrant Policy that was previously implemented by the Board of Aldermen was not being followed. Chief DeLisle stated that he would like to hire current fireman, Austin DeLisle, to work part-time with the water department when they were working on the hydrant testing, but he wanted the pay to come from the Water Department budget, not the Fire Department. Discussion followed. Mayor Pro-Tem Walker asked for a motion to hire fireman Austin DeLisle as a part-time employee with the Water Department to fulfill the duties of the

hydrant testing policy at a rate of minimum wage. Motion was made by Alderman McCrate. Alderman Johnston seconded. All members voted in favor.

FINANCIAL ADVISORY COMMITTEE

Mayor Pro-Tem Walker received notice from chairman of the Financial Advisory Committee that she would like to resign from the committee due to other obligations. Mayor Pro-Tem Walker stated that he was informed that after the committee was formed based on the recommendation of Vince Berry, there had been no meetings held. Information was distributed once, but that was the extent of the committee. Discussion followed. Alderman Adams made a motion to draft an ordinance Repealing Ordinance #1310 that established the Financial Advisory Committee. Alderman Johnston seconded. All members voted in favor. Terry McVey, City Attorney, will draft the repeal for the April 4, 2022 meeting.

APPROVED MEM POLICY REVISION

After reviewing the previously approved safety policy, there were some discrepancies. Discussion followed. Mayor Pro-Tem Walker asked for a motion to delete Item C. from Water, Sewer and Park Maintenance, as well as Amend item A.1. from Sanitation Safety and remove Item C.1.a. Motion was made by Alderman McCrate and seconded by Alderman Adams to accept all changes. All members voted in favor.

WASTEWATER ARPA APPLICATION

Mayor Pro-Tem Walker stated that Horner Shifrin had approached the Board of Alderman with the notion to proceed with trying to obtain ARPA funding for the Wastewater Department. This would require an additional preliminary engineering report. Discussion followed. Alderman Adams made a motion to not proceed with ARPA funding for the wastewater at this time due to the number of additional projects we are currently undertaking. Alderman Johnston seconded. All members voted in favor.

MEETING FOR WATER TREATMENT PLANT DESIGN

Mayor Pro-Tem Walker informed everyone that a meeting with Horner Shifrin would be taking place next week to determine the final design aspects of the water treatment plant project.

COMMERCIAL LIABILITY INSURANCE RENEWAL * FORMAL VOTE

Mayor Pro-Tem Walker stated that a text vote had been taken on the Commercial Liability Insurance Renewal, but a formal vote was needed. Two quotes were received and are as follows: MOPerm, \$204,372.00; MO Rural Services, \$127,190.00. Mayor Pro-Tem Walker asked for a motion to approve the purchase of commercial liability insurance from MO Rural Services in the amount of \$127,190.00. Motion was made by Alderman McCrate. Alderman Johnston seconded. All members voted in favor.

TERRY COOK SERWER CLAIM * FORMAL VOTE

Mayor Pro-Tem Walker stated that a text vote had been taken to proceed with filing a claim on Terry Cook's property damage due to sewer issues, but a formal vote was needed. Motion was made by Alderman McCrate to file a claim with EMC for the damages to Terry Cook's property. Alderman Johnston seconded. All members voted in favor.

NEW BUSINESS

MAYOR NOMINATIONS

Due to the impeachment of Vince Berry from the Mayor position, Mayor Pro-Tem Walker informed the Board of Alderman that he would like to continue in the role of Mayor until the end of the current term. Alderman Adams made a motion to appoint Alderman Walker as Mayor for the remainder of the current term. Alderman Johnston seconded. All members voted in favor.

APPOINTMENT OF MAYOR PRO-TEM

Mayor Walker stated that he would like to appoint Alderman McCrate to the position of Mayor Pro-Tem for the remainder of his term which will end in May 2022. Alderman Adams made a motion to approve the appointment of Alderman McCrate as Mayor Pro-Tem. Alderman Johnston seconded. All members voted in favor.

ADVERTISE FOR BIDS CITY ELECTRICIAN

Mayor Walker stated that advertisement needed to be placed for a new electrician for the City since the current electrician, David Parsley, gave his notice due to another job opportunity. Discussion followed. Mayor Walker asked for a motion to advertise for a part-time licensed electrician. Motion was made by Alderman Johnston. Alderman McCrate seconded. All members voted in favor.

Rachel Wrather, City Clerk, will advertise for the position. Submitted applications will be reviewed at the May 2, 2022 meeting.

SPRING CLEAN UP WEEK – APRIL 4-8, 2022

Mayor Walker stated that Joey Walters, Street Superintendent, would like to set Spring Clean Up Week for April 4-8, 2022. Alderman Adams made a motion to approve April 4-8, 2022 as Spring Clean Up Week. Alderman McCrate seconded. All members voted in favor.

NEXSITE PROGRAM WITH AMEREN UE

Mayor Walker informed the Board of Alderman that Laura Klipfel had been meeting with former Mayor Vince Berry about the Nextsite Program. The Board of Alderman was unaware of the program and would like additional time to review before participating. The issue was tabled until April 4, 2022 meeting.

MRWA LEGISLATIVE ASSESSMENT

Mayor Walker stated that we had received a letter in the mail from Missouri Rural Water Association asking for a donation in the amount of \$375.00 for their Legislative Assessment. Discussion followed. Alderman McCrate made a motion to donate \$375.00 to the MRWA Legislative Assessment. Alderman Adams seconded. All members voted in favor.

MORTALITY INSURANCE K9 OFFICER

Mayor Walker informed the rest of the Board of Alderman that Mark Gibbons had supplied a quote for mortality insurance to insure our K9 officer for \$27,000.00 in the amount of \$1890.00. Discussion followed. Mayor Walker asked for a motion to insure K9 Officer Baulder at an annual cost of \$1890. Motion was made by Alderman Johnston and seconded by Alderman Adams. All members voted in favor.

K9 TAHOE PURCHASE – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to purchase a Chevy Tahoe from the City of Caruthersville in the amount of \$10,000.00 that was outfitted with the items needed for our K9 officer and apply the purchase to the USDA Equipment grant, but a formal vote was needed. Motion was made by Alderman Johnston. Alderman McCrate seconded. All members voted in favor.

OUTSIDE COUNCIL FOR IMPEACHMENT – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to hire Susan Warren as prosecutor for the impeachment of former Mayor Vince Berry at a rate of \$150.00 per hour due to Terry McVey, City Attorney, recusing himself from the proceeding, but a formal vote was needed. Motion was made by Alderman McCrate to hire Susan Warren with the terms mentioned above. Alderman Johnston seconded. All members voted in favor.

WASTEWATER BOND FUND TRANSFER FOR LIABILITY INSURANCE – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to transfer \$25,188.07 from Wastewater Bond Fund to the General Fund to cover liability insurance payment and drop the excess holding amount in Wastewater Bond Fund to 12 months' worth of payments, but a formal vote was needed. Motion was made by Alderman McCrate to approve the above transfer. Alderman Adams seconded. All members voted in favor.

WATER DEPT LINE STOP – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to purchase additional equipment for the Water Department line stop in the amount of \$1072.50 needed to repair a leak at the intersection of 9th and Delisle, but a formal vote was needed. Motion was made by Alderman Johnston to approve the

purchase mentioned above. Alderman McCrate seconded. All members voted in favor.

PART-TIME RIDE ALONG OFFICER – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to allow Chief Adams to bring in a part-time employee for weekends only at a rate of \$10.30 per hour to do ride along with the Portageville Police Department, but a formal vote was needed. It was also noted that upon graduation from the Police Academy in May 2022, the employee will transition to a full-time officer with the department. Alderman Johnston made a motion to allow a part-time employee to be hired as stated above. Alderman Adams seconded. All members voted in favor.

MUNICIPAL COURT CLERK – FORMAL VOTE

Mayor Walker stated that a text vote had been taken to hire Abbie Kimball as the Municipal Court Clerk at a rate of \$12.00 per hour due to the resignation of current clerk Meagan Wheeler, but a formal vote was needed. Alderman Adams made a motion to hire Abbie Kimball with the above-mentioned terms. Alderman McCrate seconded. All members voted in favor.

PUBLIC FORUM

Mayor Walker asked if there were any visitors present who would like to address the Board of Alderman.

Chris Hollingshead asked the Board of Alderman where we stood with the drainage situation. Mayor Walker informed Hollingshead that a settlement had been reached and construction should begin soon on the McCrate Ave Drainage Project.

Shirley Estes asked the Board of Alderman about the repair to the Street Cut at East 7th and Workman Ave. Mayor Walker stated that he would get with Joey Walters, Street Superintendent, about the issue.

**APPROVAL OF
FINANCIAL REPORTS
Municipal Court
City Collector
City Treasurer**

CHRIS STINNETT, MUNICIPAL COURT JUDGE

Stinnett turned in a written report for the month of February as follows:

Fines Collected	\$1493.00
Inmate Security	\$20.00
Crime Victim Compensation	\$3.70
LET Fund	\$20.00
Clerk Fees	\$120.00
TOTAL	\$1656.70

MICHELE CRAWFORD, CITY COLLECTOR

RACHEL WRATHER, CITY TREASURER

Crawford and Wrather turned in a written report for the month of February as follows:

Turned over to City Treasurer:	\$126,987.94
Received from City Collector:	
Park Fund	\$952.27
General Fund	\$4,724.47
Health Fund	\$1,142.72
Street Fund	\$502.00
Solid Waste Fund	\$32,236.14
Water & Sewer Fund	\$86,630.34
Red Building	\$0.00
Meter Deposits	\$800.00
TOTAL	\$126,987.94
Received from City Clerk:	
General Fund	\$27,644.92
Sales Tax	\$40,981.13
Street Fund	\$12,094.05
Water & Sewer Fund	\$881.00
TOTAL	\$81,601.10
Interest on Deposits	\$18.09
TOTAL DEPOSITS	\$208,607.13

Mayor Walker entertained a motion to approve Municipal Court Judge, City Collector and City Treasurer reports for the month of February. Motion was made by Alderman Adams and seconded by Alderman Johnston. All members voted in favor.

APPROVAL OF BILLS

Mayor Walker stated that a text vote had been taken to proceed with paying the monthly bills for February, but a formal vote was needed. Mayor Walker asked for a motion. Motion was made by Alderman McCrate and seconded by Alderman Adams. All members voted in favor.

**MAYOR AND
COUNCIL COMMENTS**

Mayor Walker asked if there were any comments from any members of the Board of Alderman.

Alderman Johnston stated that an ordinance had been passed requiring Water & Sewer Taps to be completed before building permits can be issued. He stated that this was an issue for commercial builders, and he would like to make a motion to amend the ordinance to exclude commercial property from the requirement. Discussion followed. Alderman Adams seconded. All members voted in favor. Terry McVey, City Attorney, will draft the amendment for the May 2, 2022 meeting.

Alderman Adams stated that there was previous discussion over removing the skate park and constructing an additional parking area for the ball fields.

Discussion followed. Alderman Adams stated that all necessary materials for the project would be donated. Alderman Adams will speak to the park board for an update to the issue.

Mayor Walker stated that we had received paperwork stating that the City of Portageville was ineligible for CDBG grants for FY2023 due to the ongoing drainage project litigation. He also informed the Board of Aldermen that subsequent ARPA funding was set to be distributed in the amount of \$2,861.23.

EXECUTIVE SESSION

Moved by Alderman Adams, seconded by Alderman McCrate to adjourn to Executive Session in accordance with Section 610-021.1 RSMo to discuss litigation.

The vote thereon was as follows:

Alderman McCrate "Aye"
Alderman Adams "Aye"
Alderman Johnston "Aye"

Motion was made by Alderman Johnston and seconded by Alderman McCrate to adjourn back to regular session at 7:20 p.m.

Roll call was as follows:

Alderman McCrate "Aye"
Alderman Adams "Aye"
Alderman Johnston "Aye"

Upon returning to open session, Alderman McCrate stated that he had forgotten to bring up an amendment to the impeachment ordinance during Council Comments. He stated that he would like to make a motion to amend the ordinance to state that once someone is impeached from office they are not allowed to run for any elected position within the City for ten (10) years from the date of impeachment. Discussion followed. Mayor Walker asked for a second. There was none. Motion dropped. Alderman Adams stated that she would like to make a motion to amend the impeachment ordinance to state that any elected official impeached from office would be ineligible to run for any elected office within the City for 5 (five) years from the date of impeachment. Alderman McCrate seconded. All members voted in favor. Terry McVey, City Attorney, will draft the amendment for the meeting on April 4, 2022.

DATE OF NEXT MEETING

Building Commission will meet on Monday, April 4, 2022 at 5:30 p.m. with the regular monthly meeting to follow at 6:00 p.m. at City Hall, 301 E Main, Portageville.

ADJOURNMENT

There being no further business, moved by Alderman Adams, seconded by Alderman Johnston and unanimously carried, to adjourn at 7:35 p.m.

Rachel Wrather

Rachel Wrather
City Clerk

Dennis R. Walker II

Dennis R. Walker II
Mayor

