

MINUTES

CITY COUNCIL MEETING
Portageville City Hall
October 7, 2019

CALL TO ORDER

A meeting of the City Council of the City of Portageville was held on Monday, October 7, 2019, at City Hall, 301 E Main St. Mayor Simmons called the meeting to order at 6:00 p.m.

ROLL CALL

Council Members Present

Alderman James
Alderman Doering
Alderman Berry
Alderman Essary

Council Members Absent

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

Also present were:

Rachel Wrather, City Clerk
Ronnie Adams, Police Chief
Joey Walters, Street Supervisor
Michele Crawford, City Collector
Carol Bowden
Shirley Estes
Mark Gibbins
Austin DeLisle
Scott Seal

Terry McVey, City Attorney
George DeLisle, Fire Chief
Sam Tillman, Financial Advisor
Scott Patterson, Pretreatment
Freddie Hill
Leeta Stevens
Al DeLisle
Chris Cooley

APPROVAL OF
AGENDA

Moved by Alderman Berry, seconded by Alderman Doering and unanimously carried, to approve the agenda as submitted.

APPROVAL OF MINUTES
Reg. Mtg.- 9/3/19
Mid-Month Mtg.- 9/16/19

Mayor Simmons 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 Simmons asked if there were any additions or deletions to the minutes. Alderman Doering stated that there was a correction on the September 3, 2019 Minutes on page 8 of 9. Mayor Simmons needed to be changed to Mayor Pro-Tem Berry since he was officiating the meeting.

Moved by Alderman Berry seconded by Alderman Doering and unanimously carried, to approve the submitted minutes for the month of September including the change made to September 3, 2019.

DEPARTMENTAL REPORTS

JEFF LANGE- SEWER TREATMENT PLANT RESIDENTIAL ENGINEER

No report was turned in and Lange was not present.

RONNIE ADAMS- CHIEF OF POLICE

Turned in a written report for the month of September. He also included a list of the current pay rates for the Portageville Police Department. Chief Adams informed the Board of Alderman that he had been contacted by Axon Enterprise, Inc. concerning the quote for Body Cameras that was approved and submitted with the USDA police equipment loan that is in the application process. Axon informed Adams that the discount in the quote of \$2000.00 would expire on October 31, 2019; therefore, the price would increase from \$6,748.00 to \$8,748.00. Adams stated that he would like to use the money from the equitable sharing program to go ahead and purchase the body cameras now to take advantage of the \$2000.00 savings. Discussion followed. Motion was made by Alderman Berry and seconded by Alderman James to approve the purchase now for the body cameras at the cost of \$6,748.00. All members voted in favor.

GEORGE DELISLE- FIRE CHIEF

Turned in a written report for the month of September. DeLisle informed the Board of Alderman that there was an error regarding a City incident on his report for the month of September and the fire that took place on Friday, 9/13/19, was a rural incident not a city incident. The report will be corrected. DeLisle stated that the fire department was holding Fire Prevention week currently at the Portageville School District. DeLisle also informed the Board of Alderman that a workman's comp claim had been filed resulting from an incident after responding to a rural fire call. Mark Gibbins with Ellington Insurance explained that the City of Portageville workman comp policy lists the City of Portageville Volunteer Fire Department as an additional insurer under the policy meaning that both entities are insured under the same policy.

PARK BOARD

Turned in a written report for the month of September.

JOEY WALTERS- STREET & SOLID WASTE SUPERINTENDENT

Turned in a written report for the month of September.

JIMMY WYMAN- WATER SUPERINTENDENT

Turned in a written report for September.

TERRY WHEELER- SEWER EMPLOYEE

Turned in a written report for the month of September.

SCOTT PATTERSON- PRE-TREATMENT COORDINATOR

Patterson stated that Richard Lee from Caruthersville, Mo has been listed as the backup Wastewater Operator for several years now. He only comes when needed and is paid by the hour when called. Lee has now retired but would like to continue operating as the backup operator with the City of Portageville on a contractual basis. The contract states an annual cost of \$500 each for Wastewater and Water for a total of \$1000.00. If needed, he will then be compensated with an additional hourly rate of \$35.00 per hour. Discussion followed. Chance Russell is the backup operator for the Water Department. Mayor Simmons asked for a motion to approve Richard Lee as the backup operator for Wastewater under the contractual terms. Motion was made by Alderman Essary and seconded by Alderman Doering. All members voted in favor.

Patterson stated that Terry McVey, City Attorney, would have the revision adding photographic evidence to Ordinance #1244 at the next meeting.

TAMMY PURYEAR- ANIMAL CONTROL OFFICER

Turned in a written report for the month of September.

JONATHAN THACKER- CODE ENFORCEMENT

Turned in a written report for the month of September.

ORDINANCES OR
RESOLUTIONS
Ordinance #1290

Mayor Simmons introduced Ordinance No. 1290:

AN ORDINANCE AMENDING CHAPTER 405, THE ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF PORTAGEVILLE ALLOWING MEDICAL MARIJUANA FACILITIES IN THE CITY

Mayor Simmons entertained a motion for the First Reading of Ordinance No. 1290. Motion was made by Alderman Berry and seconded by Alderman Doering. All members voted in favor.

Mayor Simmons stated that Leeta Stevens would like to speak concerning the medical marijuana ordinance before a vote to adopt the ordinance took place. Stevens spoke opposing the ordinance and asked that distance regulations be reconsidered. Discussion followed. The Board of Alderman decided to continue with Ordinance No. 1290 as written.

Mayor Simmons asked for a motion for the Second Reading of Ordinance No. 1290. Motion was made by Alderman Berry and seconded by Alderman Doering. Roll Call was taken.

Roll Call was as follows:

Alderman James, yea; Alderman Doering, yea; Alderman Essary, yea;
Alderman Berry, yea.

Ordinance 1290 was passed and introduced into the Ordinance Book.

OLD BUSINESS

1013 DELISLE PROPERTY TITLE SEARCH

Mayor Simmons informed the Board of Alderman that National Title & Escrow, LLC completed the title search on 1013 DeLisle Ave and found several liens on the property. Discussion followed. The Board of Alderman decided to no longer pursue the purchase of the property.

SEWER VAC TRUCK FORMAL VOTE

Mayor Simmons stated that a formal vote needed to be taken regarding the purchase of a 2009 Vactor truck for the Sewer Department for COE Equipment Inc. at a price of \$125,000.00. An informal vote was taken and unanimously passed. Mayor Simmons asked for a motion to approve the purchase. Motion was made by Alderman Essary and seconded by Alderman James. All members voted in favor.

CHANGE ORDER PROPOSAL – CLARIFIER COVER

Mayor Simmons presented Change Order Proposal #12 for the Sewer Treatment Plant. This change order would purchase launder covers for the two clarifiers at a price of \$74,595.00. Discussion followed. The Board of Alderman unanimously agreed not to pursue this purchase.

CHANGE ORDER PROPOSAL – UV COVER

Mayor Simmons presented Change Order Proposal #13 for the Sewer Treatment Plant. This change order would construct a UV Shelter at a price of \$28,440.00. Discussion followed.
Mayor Simmons stated that he had contacted Cook's Auto Sales for a quote on a similar structure from Coast to Coast Carports, Inc. The quote came in at \$2,224.89. Discussion followed.
A motion was made by Alderman Essary and seconded by Alderman James to purchase the carport from Coast to Coast for the price of \$2,224.89. All members voted in favor.

CHANGE ORDER PROPOSAL – LAB EQUIPMENT INCREASE

Mayor Simmons presented Change Order Proposal #14 for the Sewer Treatment Plant. This change order adds an additional cost of \$1,630.00 to the lab allowance on the contract of \$15,000.00. A price quote for the necessary equipment was obtained from USA Blue Book and this is the additional amount needed for the purchase. Discussion followed. Mayor Simmons asked for a motion to approve Change Order Proposal #14 in the amount of \$1630.00. Motion was made by Alderman Berry and seconded by Alderman Doering. All members voted in favor.

FIRE DEPARTMENT GEAR

Mayor Simmons informed the Board of Alderman that an additional quote had been submitted by Fire Chief George DeLisle for turnout gear for volunteer fireman Deven Cobb. The quote was from Banner Equipment in the amount of \$1,938.00 and included the coat and pant. A motion was made by Alderman Berry and seconded by Alderman Doering to purchase the gear for Cobb from Banner Equipment for \$1,938.00. All members voted in favor.

Mayor Simmons also stated that DeLisle had presented a price for new helmets. The department needs 13 helmets to replace the ones that have expired at a price of \$309.99 each. Discussion followed. Mayor Simmons asked for a motion to approve the purchase of 13 helmets. Motion was made by Alderman Berry and seconded by Alderman Doering. All members voted in favor.

EARTHQUAKE INSURANCE NEW SEWER PLANT

Mayor Simmons informed the Board of Alderman that after talking to Terry McVey and the franchise agencies, there is nothing that requires the City to purchase additional earthquake coverage on the new sewer plant. Mayor Simmons asked Mark Gibbins to approach the Board of Alderman concerning the earthquake insurance. Discussion followed. Gibbins suggested that the Board of Alderman may want to look at capping the amount of coverage in order to lower costs. The issue was tabled until November 4, 2019 in order to get a dollar amount.

NEW BUSINESS

FIRE DEPARTMENT ASSISTANT CHIEF

Fire Chief George DeLisle informed the Board of Alderman that effective September 30, 2019, Daniel Johnson resigned as the assistant fire chief. DeLisle stated that he did not want to replace the position but would continue with one assistant instead of two. Discussion followed. Due to this being a paid position by the City of Portageville, Mayor Simmons asked for a motion to approve dropping one of the assistant positions leaving the department with only one assistant fire chief. Motion was made by Alderman Berry and seconded by Alderman James. All members voted in favor.

FIRE DEPARTMENT CITY/RURAL

Mayor Simmons asked Fire Chief George DeLisle about the equipment and pricing that is shared between the City Volunteer Fire Department and the Rural Fire Department. Discussion followed. DeLisle stated that the Rural Fire Department is a separate entity than the City Volunteer department and funds collected are used to help with equipment purchases. There is separate equipment that is solely designated for rural fires and equipment solely dedicated to city fires. In the event of a mutual aid call, there is a

meeting held to determine if they respond and who will respond so that the City of Portageville is not left unprotected in the case of a city fire. Alderman Berry suggested that the rural fire department could investigate charging in the event of a rural fire or setting annual dues for rural coverage since citizens inside city limits pay for fire protection in the form of taxes. Discussion followed. Alderman Berry stated that someone could check with the county to see what requirements would have to be met to have a taxed rural fire district.

FIRE DEPARTMENT INSPECTIONS

Mayor Simmons stated that the annual inspection for the ladder truck and ladders for the Fire Department was coming up. The price for the ladder truck was \$570.00. The annual testing of ground ladders is \$41.00 each. Discussion followed. A motion was made by Alderman Berry and seconded by Alderman Doering to move forward with the inspections. All members voted in favor. The inspection is scheduled for October 16, 2019.

FIRE DEPARTMENT SHOWER REPAIR

Fire Chief Delisle stated that the showers at the fire shed need repaired. Discussion followed. It is believed that there were 3 showers in the fire shed at one point. Alderman Essary agreed to look and see what needs to be done to get them repaired. The issue was tabled until a later date.

PORTAGEVILLE TRUCK STOP LIQUOR APPLICATION

Mayor Simmons introduced an application for a liquor license from Matthew Smith DBA Portageville Truck Stop for package liquor and Sunday sales. Gas and Goodies came in and surrendered their license as that business sold to this one. The address is 166 E St Hwy 162 in Portageville. Discussion followed. Mayor Simmons asked for a motion to approve the liquor license for Matthew Smith DBA Portageville Truck Stop. Motion was made by Alderman Berry and seconded by Alderman James. All members voted in favor.

PORTAGEVILLE YEARBOOK AD

Mayor Simmons informed the Board of Alderman that representatives for the Portageville 2019-2020 Yearbook came through and asked about purchasing an advertisement. The City of Portageville had previously purchased a full-page ad for the 2018-2019 school yearbook. Discussion followed. A motion was made by Alderman Doering to purchase a full-page advertisement in the 2019-2020 yearbook for \$250.00. All members voted in favor.

RECYCLING TRAILERS – T.R. THOMPSON

TR Thompson was not in attendance.

Mayor Simmons reminded everyone that the last time the item was on the agenda the Board of Alderman agreed to put the recycling trailers behind

the gate at the street shed once cameras were installed so there would be surveillance of who and what was being dropped into the containers. Alderman Essary stated that he had concerns over the burn pile as well. Discussion followed. Rachel Wrather, City Clerk, will work with Joey Walters, Street Superintendent, to get new signs in the area and put it under surveillance as well.

SAFETY EQUIPMENT SEWER DEPARTMENT

Mayor Simmons asked Alderman Berry to discuss the safety equipment for the sewer department he had put on the agenda. Alderman Berry stated that the department needed a four-gas air monitor. Discussion followed. The items price will be under the limit of spending so Tommy Penrod, Sewer Superintendent, can purchase one at his convenience under his equipment budget. Alderman Berry also suggested that Ray Staffey could give confined spaces training if needed.

ANIMAL CONTROL TRUCK

Mayor Simmons asked Alderman Berry to discuss the animal control truck he had put on the agenda. Berry stated that he thought it was time to start looking for a new animal control vehicle due to the costs of repair for the old one. Discussion followed. The item was tabled until a later date.

SAFETY DINNER

Mayor Simmons stated the Safety Award Dinner for the employees is coming up. The event would be held on Thursday, December 5, 2019 at 6:30 p.m. Discussion followed. Mayor Simmons asked for a motion to have the event as normal and accept bids for catering the event. Bids would need to be turned in to City Hall by October 31, 2019. Motion was made by Alderman Doering and seconded by Alderman James. All members voted in favor.

PUBLIC FORUM

Mayor Simmons asked if there were any visitors present who would like to address the Board of Alderman. There were none.

**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 September as follows:

Fines Collected	\$ 1816.88
Inmate Security	\$ 24.00
Crime Victims Compensation	\$ 4.40
LET Fund	\$ 24.00
<u>Clerk Fees</u>	<u>\$ 142.25</u>
TOTAL	\$ 2011.53

MICHELE CRAWFORD, CITY COLLECTOR

RACHEL WRATHER, CITY TREASURER

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

Turned over to City Treasurer: \$ 124,718.77

Received from City Collector:

Park Fund	\$	7.22
General Fund	\$	194.32
Health Fund	\$	9.69
Street Fund	\$	15.00
Solid Waste Fund	\$	30,925.58
Water & Sewer Fund	\$	91,746.96
Red Building	\$	300.00
Meter Deposits	\$	1,520.00

TOTAL

\$ 124,718.77

Received from City Clerk:

General Fund	\$	50,990.15
Street Fund	\$	796.50
Sales Tax Fund	\$	64,587.84
Water & Sewer Fund	\$	47,145.00
Equitable Sharing PD	\$	27,469.12
Shop With A Cop Fund	\$	350.00

TOTAL

\$ 191,338.61

Interest on deposits

\$ 27.70

TOTAL DEPOSITS

\$ 316,085.08

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

APPROVAL OF BILLS

A list of outstanding bills was given to the Mayor and Council for the month of September. After checking the bills, Mayor asked for a motion. Motion was made by Alderman Doering and seconded by Alderman Berry. All members voted in favor.

MAYOR AND
COUNCIL COMMENTS

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

Alderman Berry stated that he had concerns over the training at the new sewer treatment plant that was part of the engineering services. Patterson suggested bringing in Richard Lee for a couple days to help operate the plant and go over various aspects. Patterson will check with Adrienne Eilers of CMT about the training aspect.

Berry also asked Terry McVey, City Attorney, about how the City would go about adding more liquor licenses. He will check into this. McVey stated that he believes our ordinance is based on population and we would have to change the ordinance.

EXECUTIVE SESSION

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

The vote thereon was as follows:

Alderman James	"Aye"
Alderman Doering	"Aye"
Alderman Essary	"Aye"
Alderman Berry	"Aye"

Motion was made by Alderman Berry and seconded by Alderman Doering to adjourn back to regular session at 8:20 p.m.

Roll call was as follows:

Alderman James	"Aye"
Alderman Doering	"Aye"
Alderman Essary	"Aye"
Alderman Berry	"Aye"

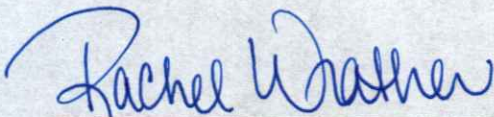
NEXT MEETING

The Board of Alderman will hold a regular meeting on Monday, November 4, 2019 at City Hall, 301 E Main, starting at 6:00 p.m.

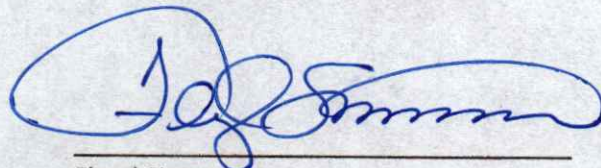
There will be no financial review session for October.

ADJOURNMENT

There being no further business, moved by Alderman Berry, seconded by Alderman Doering and unanimously carried, to adjourn at 8:25 p.m.



Rachel Wrather
City Clerk



Floyd Simmons
Mayor