# **Regular Session**

# **August 10, 2020**

**Notice of Meeting and Agenda**

# An agenda for the regular session meeting for August 10, 2020 for the City of Stockton, Missouri was originally posted pursuant to RSMo Chapter 610.020 on August 6, 2020.

### Call regular session to order/Roll call

Mayor Hamby called the regular session meeting to order at 4:43 p.m. and the City Clerk took roll call. Council members present were Mark Frieze, Barbara Pate and Brent Wallen. MaryAnne Manring was absent. It was determined a quorum was present. Attending staff were City Clerk, Vanessa Harper and City Superintendent, Raymond Heryford along with Building Inspector/Code Enforcer, John Wilson. City Attorney, Peter Lee was also present via telephone.

**Pledge and Invocation**

After attendees recited the Pledge of Allegiance, invocation was given by alder person Barbara Pate.

**Agenda Approved:**

Pate motioned, seconded by Frieze, carried; approving the agenda set for the August 10, 2020 City Council meeting. Unanimously approved.

**Visitors:**

Tammi Hughes along with Mary Norell and others and on behalf of the Stockton Landing Committee, presented their vision for annexing in and leasing from the Corp, 187 acres for a development which would include but not limited to an RV park, canoe rental and possibly an amphitheater. Frieze motioned, seconded by Pate, carried; for the Committee to move forward with preparing a proposal in the City’s name to lease from the Corp of Engineers the 187 acres for a recreational development. Frieze and Pate voted in favor of the motion, Wallen voted against. It was noted during the above discussion the lease would require the acreage to be annexed into the City however would require a nominal monetary commitment on the City’s part. Community leaders expressing support of the project included presiding county commissioner, Marlon Collins and SACC director, Bill Crabtree.

Local Solar Gardner, Cheryl Marcum gave a detailed history of the City’s involvement in Missouri’s Division of Energy program which loans money for renewable energy upgrades. However, Marcum’s narrative could not explain the monetary deficit of savings compared to the City’s $41,692.60 annual commitment. Harper expressed concern regarding the deficit and its growing effect on the budget. Pate motioned, Frieze seconded, carried; to table the topic until more information could be gathered from the Missouri Division of Energy and Sun Solar. Unanimously approved.

Marilyn Ellis on behalf of Shared Streets (Complete Streets) asked if attendees had any questions regarding the program. Concerned citizen, Beth Cumins asked Council to reconsider opening a section of the east fence in the cemetery allowing access into the cemetery for golf carts etc. to enter from the apartment complex. A comprehensive discussion ensued including legal counsel, Peter Lee reciting section 140.125 of the City of Stockton Municipal Code. Pate motioned, no second, motioned failed; to rescind the previous motion on the topic made at the July 27 meeting and remove a portion of the cemetery east fence at the end of Orchard Street to accommodate golf cart traffic.

Don Hunt with the Park board’s sub-committee Veteran’s group, presented an expanded plan for a Veteran’s Memorial requiring more acreage at the City’s west park and the benefits thereof. Pate motioned, seconded by Frieze, carried; to dedicate the additional one acre (or Site B) to the Veteran’s

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sub-committee group to expand their Veteran’s Memorial project. Unanimously approved. Hunt went on to explain that memorial would be completed in phases. It was also noted Marilyn Ellis would be notifying each donor of the plans for expansion and giving them the option to receive their donation back.

**Minutes:**

Motion made by Pate, seconded by Wallen, carried; to approve the minutes as read for the council meeting on July 27, 2020. Unanimously approved.

## Bills:

Frieze motioned, seconded by Pate, carried; to approve and pay bills as presented. Unanimously approved.

**Comments from the Public:**

None.

**OLD BUSINESS**

Heryford reported Frank Anderson, who had expressed an interest in purchasing City property in the industrial park had no current formal plans for industry. No vote taken.

# **Reports from Appointed Boards**

Park: Harper reported Beth Cumins had resigned from the Park Board and Mayor Hamby would need to appoint a replacement member. Harper also reviewed with Council, proposed disclaimer verbiage to add on the community building rental form in the event pandemic restrictions change. No vote taken.

Frieze motioned, seconded by Pate, carried; to allow the Barn Quilt Project group with the University of Missouri Extension office use of the community building downstairs on August 28, 2020 with fees waived. Unanimously approved.

Council asked SACC to make their request through the Park Board for use of the park on Halloween night with fees waived and for the annual car show scheduled for later in the month.

Cemetery:  Marsha Cowan was present. Pate motioned, seconded by Wallen, carried; to purchase two (2) of KA-11 dog waste removal signs at $37.50 each for the cemetery. Unanimously approved. Wallen requested the ordinance number be placed on the sign. Harper will research.

Mayor Hamby reported Smith Lawn Care would not be able to fulfill the 2020 cemetery mowing contract. Hamby stated the City could take over mowing the cemetery however the City would need a smaller decked mower to do the job. Pate motioned, seconded by Wallen, carried; to purchase a new John Deere Z915E ZTrak from Heritage Tractor, Inc for $7,150.00. Unanimously approved. Due to the urgency of the matter, the formal bid process was omitted however the following quotes were solicited and received. John Wilson requested Council approve the 54” John Deere Z915E $7,150.00 mower from Heritage since he had an established relationship with the dealer.

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| --- | --- | --- |
| Bidder: | Description: | Quote: |
| Heritage Tractor | 2020 54” John Deere Z915E | $7,150.00 |
| Heritage Tractor | 2019 54” John Deere Z930M  | $8,000.00 |
| Nevada Small Engine | 2020 54” Hustler Fastrak  | $6,665.63 |
| Green Grass Equipment | 2020 54” Bad Boy FS 730 | $6,174.00 |
| Green Grass Equipment | 2020 54” Bad Boy Rebel | $7,474.00 |

Wallen requested Marsha Cowan and her board discuss at their next meeting making an “entrance only” off of 32 highway and an “exit only” out onto Owen Mill Road. No vote taken.

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Frieze suggested getting a grant for constructing a sidewalk along J Highway to accommodate the handicap.

Airport: Absent. No votes taken.

Sheriff Department Liaison: Absent. No votes taken.

# **SCHEDULED BUSINESS**

Bill number 20-567 to be Ordinance 567 for the City of Stockton, Missouri to affirm the City is in compliance with Chapter 105 RSMO, a procedure to disclose potential conflict of interest and substantial interest for certain elected officials was read for the first time. Pate motioned, seconded by Frieze, carried; to accept the first reading of Bill No. 20-567 to be Ordinance 567. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent.

Bill number 20-567 to be Ordinance 567 for the City of Stockton, Missouri to affirm the City is in compliance with Chapter 105 RSMO, a procedure to disclose potential conflict of interest and substantial interest for certain elected officials was read for the second and final time. Frieze motioned, seconded by Pate, carried; to accept the second and final reading of Bill No. 20-567 to be Ordinance 567. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent.

Bill number 20-568 to be Ordinance 568 amending Section 500.010 of the Code of the City of Stockton by replacing the “BOCA National Building Code” with “International Residential Code” and replacing year of references “2000” and “1999” with “2018” with continuing variances to Appendices F, Q, R, and S was read for the first time. Pate motioned, seconded by Wallen, carried; to accept the first reading of Bill No. 20-568 to be Ordinance 568. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent.

Bill number 20-568 to be Ordinance 568 amending Section 500.010 of the Code of the City of Stockton by replacing the “BOCA National Building Code” with “International Residential Code” and replacing year of references “2000” and “1999” with “2018” with continuing variances to Appendices F, Q, R, and S was read for the second and final time. Wallen motioned, seconded by Pate, carried; to accept the second and final reading of Bill No. 20-568 to be Ordinance 568. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent.

Bill number 20-569 to be Ordinance 569 adding a stop sign at Oak Street, westbound at Sac Street was read for the first time. Pate motioned, Frieze seconded, carried; to approve the first reading of Bill No. 20-569 to be Ordinance 569. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent

Bill number 20-569 to be Ordinance 569 adding a stop sign at Oak Street, westbound at Sac Street was read for the second and final time. Wallen motioned, Pate seconded, carried; to approve the second and final reading of Bill No. 20-569 to be Ordinance 569. Approved with the following votes: Frieze, Pate and Wallen: Yes. None: No. Manring: Absent

Pate motioned, seconded by Frieze, carried; to accepts Simmons bid for the six (6) month term at a rate of .4% for the $135,000.00 certificate of deposit maturing at Mid-Missouri Bank on August 5. Unanimously approved. The rates were as follows. Edward Jones did not submit a bid.

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| --- | --- | --- | --- |
| **Term:** | **Mid-MO:** | **Simmons:** | **Edward Jones:** |
| **6 month** | **0.15%** | **0.40%** | **0** |
| **12 month** | **0.20%** | **0.40%** | **0** |
| **24 month** | **0.30%** | **0.50%** | **0** |
| **As of 8-10-2020** |

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Harper relayed to Council, Sertoma’s request to partner with the City in deciding whether to move forward with the Black Walnut Festival or cancel the event. However, City Attorney Lee made it clear the choice should be Sertoma’s since they were the actual organizers of the event. No vote taken. Harper will notify Sertoma.

**Reports from Appointed Officials**

City Attorney: Due to Lee’s recent quarantine situation, all his court dates have been pushed back. Nothing for closed.

Public Works Supervisor: Heryford reviewed with Council the recent report from DNR of unsatisfactory findings and suggested a work session be scheduled to determine what amount of funds to earmark for correcting DNR’s findings. A time was set for Monday, August 17 at 4:30 p.m. No vote taken. Nothing for closed.

City Clerk: Harper reported the City would be receiving a total of $25,722.28 of the County’s Cares Act grant funds broken down between reimbursing actual COVID related cost of $1,434.58 and $24,288.00 of City related sheriff department COVID expenditures.

Harper also reported regarding an earlier request to procure a part time engineer from Kaysinger, that Kaysinger no longer provided that service.

Lastly, she reported, Joe Hughes representing Hybrid, LLC renewed their lease with the City for the property in the industrial park for an annual payment of $1.00. No votes taken. Nothing for closed.

Building Inspector/Code Enforcer: Nothing for open or closed.

**COMMUNICATIONS FROM ELECTED OFFICALS:**

**Pate:** Needs ditch in front of her house washed out due to water run off repaired. Nothing for closed.

**Manring:**  Absent.

**Wallen:**  Nothing for open or closed.

**Frieze:** Asked again to be given more information on a topic before being expected to vote on it. Nothing for closed.

**MAYOR –COMMUNICATIONS:**

**Mayor Hamby**:

The Mayor suggested the City review again operating their own police force. Hamby also reminded Heryford a dead-end sign was still needed at Vine and Henrietta Streets. No votes taken. Nothing for closed.

**Adjourn Regular Session**

Pate motioned, seconded by Wallen, carried; to adjourn the regular session meeting at 7:37 p.m.

Approved with the following votes: Wallen, Pate and Frieze: Yes. None: No. Manring: Absent.

**ATTEST:**

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**City Clerk Mayor**