

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
MISSOURI, February 11, 2009.**

PRAYER:

Led by Rev. Ray Todd

PLEDGE OF ALLEGIANCE:

Led by Cub Scouts Pak 324 Den 12

Mayor Lance Green called to order the regular meeting of the City Council of the City of Richmond, Missouri on February 11, 2009 at 6:30 p.m.

ROLL CALL - PRESENT:

Mayor Lance Green, City Administrator Rick Childers, Robin Littrell, City Clerk, C.E. Goodall, Public Works, Marilyn O'Dell, Collector, Fire Chief Lonnie Quick, Community Development Director Lisa Hastings, Police Chief Terri McWilliams, Haley Morrissey Rec. Director, Human Resources Sandra Williams, and Finance Director Melanie Allwood

ABSENT:

None.

COUNCIL PRESENT:

Beverly Gorham, Jason Berning, Scott Marshall, Tom Williams, Melissa Miller, and Tammy Folvarcik

COUNCIL ABSENT:

Scott Spiers – excused. Dave Powell – excused.

WELCOMING REMARKS – MAYOR:

Mayor Green welcomed everyone to the meeting.

ACCEPTANCE OF MINUTES FROM the January 28, 2009 Regular Meeting:

Minutes of the January 28, 2009 Regular Meeting approved as printed.

COMMENTS FROM AUDIENCE:

Terrie Stanley – 610 S. Wellington – Shared prepared statement asking Mayor Green to resign his position.

Mayor Green stood and shared the following statement: Two years ago I did come in as a naïve mayor and I have learned a lot in the time served. Anyone that is making these accusations against me and the finances of the City are not aware of the workings of the city government. There are extensive checks and balances within the city so that finances are handled properly. When I ran, if I had known that myself, my name, my kids, my girlfriend, my family, and all those close to me and care about me were going to be saddened because of my position, I probably would have thought twice before running. The Missouri Ethics Commission was called; they found I have done nothing wrong. The State Auditor has been petitioned and they will find nothing substantial. The Prosecuting Attorney was called and has found no wrong doing. They have drug everyone close to me down. Everything is out on the table now. With relevance to this position, all that has been done the last two years, the city employees have done a tremendous job and are doing so with less resources and less people. The deficit of over \$400,000 is nearly or completely erased. This speaks to what we have done. I will not resign, not until six people up here say I have to, and in two years I plan to run again...I am not going anywhere.

Terrie Stanley asked that Mayor Green put that statement in the paper for residents to view. Mayor Green announced that there is an article going to residents in water bills on Friday.

Doug Courtney – 488 Trail Ridge – Addressed the “Pay at the Pump” issue. Encouraged council to speak with all station owners before making decision on this issue.

A.J. Phipps – 504 S. Shotwell – Spoke against the City 911 system.

Jim Rippey – 202 E. South St. – Spoke against “Pay at the Pump”. Spoke against only being allowed to comment during “Comments from the Audience” portion of meeting. Mayor Green reminded all in attendance that ordinances and agendas are posted at least 48 hours in advance for viewing. Councilor Miller added that the public is welcome at all committee meetings and may share opinions at that time also.

ADOPTION OF AGENDA:

Councilor Gorham moved to adopt the agenda, second by Councilor Marshall. AYES: Gorham, Marshall, Miller, Berning, Williams, and Folvarcik. NAYS: None. Motion carried 6-0.

REPORT OF STANDING COMMITTEES:

- A. Finance Committee –Jason Berning: The Finance Committee met on Feb. 9th in conjunction with the Public Works Committee. Most of the issues discussed will be talked about by the other committee chairs. We do not have a date set for the next meeting at this time. We are waiting for the ordinance concerning council meeting dates.

- B. Ordinance Committee – Beverly Gorham: The Ordinance Committee met on February 2nd for one ordinance which is concerning cemetery markers and is on the agenda tonight. We are also waiting to schedule our next meeting depending on the council meeting ordinance.

- C. Public Works Committee – Scott Marshall: Our committee met on February 9th in conjunction with the Finance Committee. There is not much to discuss at this time except that there is a concern with workers on Saturday for the public works department, being fair with all workers and reducing of over time.

- D. Public Safety Committee – Melissa Miller: We met on Monday, February 9th. We discussed the “Pay at the Pump” with Ray Carroll. We will get everyone involved and hear opinions before a decision is made. Police Chief McWilliams is working on the ordinance for one way streets, two way streets, and signs. We had many questions answered concerning the 911 audit. Police Chief McWilliams will share all the information later in the meeting. She would like to talk further with the County and the Fire Department and find ways to cut expenses.

MAYOR’S REPORT – Lance Green

- Feb. 6 Sr. Staff Meeting
- Feb. 11 Attended an Enhanced Enterprise Meeting at the Courthouse

Reminders:

- Saturday, February 14th – Chamber Sweetheart Dinner and Dance @ 6:30 p.m.
- Monday, February 16th – City Hall will be closed in observance of Presidents’ Day

CITY ADMINISTRATOR’S REPORT – Rick Childers

Henrietta Water Agreement – It is indicated that a contract is in final legal review.

South Plant Presentation – Engineering proposals are being considered by the Public Works Committee for recommendation.

Deer Ridge Storm Water Study – A public meeting to review engineering proposals for flooding in the Wilson/McKinley area will be presented Thursday, February 12, from 5:30 – 6:30 p.m. in the council chamber.

Contract Collections – The proposal from TekCollect was not reviewed by the Finance Committee and needs to be considered either in that venue or by the full Council.

Lime Sludge Proposal– As requested by Council, staff has secured a lime sludge removal proposal which will remove all of the existing sludge from the south lagoon.

Cost for complete removal is less than double the cost for the initial removal currently contracted and 100% of the additional charges will be deferred until Oct 3, 2009, thus falling within the next budget. Copies of this proposal were included in your packets for review. It is highly unlikely this proposal will be available once the firm has completed the initial removal, and bringing a firm back again will result in additional mobilization costs. Staff very strongly recommends approval of this proposal and requests a motion for approval.

Following a lengthy discussion of the sludge issues, water line replacement costs, and DNR issues no further action was taken at this time.

DEPARTMENT REPORTS:

Department reports were looked over individually, with the opportunity to make comments and ask any questions.

Police Report – Police Chief McWilliams introduced the EUD Grant (Enforcing Underage Drinking Laws Grant) and many of the details, including that it is a \$10,184 non-match grant. We will be notified if we receive this grant.

Recreation Report – Councilor Marshall commended Haley Morrissey for a great job on the flyer she prepared.

UNFINISHED BUSINESS:

- A. Storm Water Study Information – Invitations have been mailed to residents that have a direct impact from this issue, but all residents are welcome to attend the Public Meeting on February 12th at 5:30 p.m. in the Council Chambers.
- B. Henrietta Sewer Rate Information – Rick Childers said that Henrietta is ready to take this issue to their council for consideration.
- C. An Ordinance Amending Council Meeting Time & Place (Bill 09-01) *Second Reading* – This will be postponed until the next meeting when we do not have two council members absent. Council commented there has been positive feedback.
- D. Collection Agency Presentation – This issue is deferred to the Finance Committee to discuss. Their next meeting will be February 17th at 5:30 p.m.
- E. An Ordinance for Green Sales Tax Holiday (Bill 09-04) – Following discussion Councilor Marshall moved for first and second reading by title only of Bill 09-04, for 2009 only, second by Councilor Miller. AYES: Marshall, Miller, Berning, Folvarcik, Williams, and Gorham. NAYS: None. Mayor Green proceeded with first and second reading by title only of Bill 09-04. Motion moved by Councilor Marshall, second by Councilor Folvarcik to approve Bill 09-04 as ordinance. AYES: Marshall, Folvarcik, Gorham, Williams, Berning, and Miller. NAYS: None. Bill approved as ordinance 6-0.
- F. Lime Sludge Removal – Lengthy discussion about the lime sludge removal and options were discussed during the City Administrator report.

NEW BUSINESS:

- A. Discussion Only of Ordinance Amending Grave Markers (Bill 09-05) – There will be more research done on how other cemeteries manage this issue before an ordinance is presented to council for approval.

- B. Appointment to Planning & Zoning Board – Mayor Green recommends Tom Williams, 1308 Shirkey Ave., to the Planning & Zoning Board, term to expire 2013. AYES: Miller, Folvarcik, Marshall, Berning, Williams, and Gorham. NAYS: None. Motion carried 6-0.

- C. Consideration of Picnic Liquor License for Mushroom Festival – Motion moved by Councilor Miller, second by Councilor Williams to approve a Picnic Liquor License for the Mushroom Festival 2009, contingent upon the State of Missouri Liquor License approval. AYES: Miller, Williams, Marshall, Folvarcik, Gorham, and Berning. NAYS: None. Motion carried 6-0.

- D. Presentation of 911 Dispatch Assessment – Police Chief McWilliams – Police Chief McWilliams presented the assessment of the City of Richmond 911 Dispatch that was conducted by R. D. Porter from the State of Missouri 911 Coordination Office. The first point to be made is the fact that this was an assessment rather than an audit. There were high hopes of a more in-depth review. A timeline for equipment replacement was discussed. The addressing issue discussed was actually completed today. The assessment pointed out that all information is to be shared with the County, which without question is always made available. A few other points were the evaluations of employees, review readiness of equipment and alarms, and costs per call. Chief McWilliams also explained that the cost per call will be reduced when Phase II is in place, which will include receiving cell phone calls. She also explained what the 911 Tax that residents pay, actually covers. If and when there could be conversations with the County and City to join again, negotiations would definitely encompass safety, training, a board, and other issues. This should be addressed every 18 months or so and lines of communication should always be kept open. Time for questions was offered.

- E. Resolution No. 393 – Adoption of Non-Discrimination Policy – It was explained that this resolution is necessary to proceed with the final close-out of the CDBG Downtown Project. Motion moved by Councilor Marshall, second by Councilor Gorham to approve Resolution 393. AYES: Marshall, Gorham, Williams Miller, Berning, and Folvarcik. NAYS: None. Motion approving Resolution carried 6-0.

- F. Resolution No. 394 – Adoption of Grievance Procedure Section 504 – It was explained that this resolution is necessary to have in place for the final close-out of the CDBG Downtown Project. Motion moved by Councilor Miller, second by Councilor Marshall to approve Resolution 394. AYES: Miller, Marshall, Berning, Folvarcik, Williams, and Gorham. NAYS: None. Motion approving Resolution carried 6-0.

- G. Consideration for Extension of Mowing Contract – Following discussion of the Council, Motion was moved by Councilor Marshall, second by Councilor Gorham to accept the mowing bid from Adkins Lawn & Landscape as an extension from the 2008 contract for \$24,699, for the 2009 season and being sure to put the mowing out for bid for the 2010 season. AYES: Marshall, Gorham, Williams, Folvarcik, and Miller. NAYS: Berning. Motion carried 5-1.

Legal

Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

Personnel

Pursuant to Section 610.021 (3) of the Revised Statutes of the State of Missouri pertaining to hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.

Councilor Marshall, second by Councilor Williams, moved to enter closed session at 7:47 p.m. AYES: Marshall, Williams, Miller, Gorham, Berning, and Folvarcik. NAYS: None. Motion approved 6-0.

RETURN TO OPEN SESSION:

Councilor Marshall moved, second by Councilor Williams to return to open session at 9:45 p.m. from closed session, with no action taken. AYES: Marshall, Williams, Miller, Gorham, Folvarcik, and Berning. NAYS: None. Motion carried 6-0.

ADJOURN:

Motion to adjourn at 9:46 p.m. moved by Councilor Marshall, second by Councilor Gorham. AYES: Marshall, Gorham, Williams, Miller, Berning, and Folvarcik. NAYS: None. Motion carried 6-0.

Mayor J. Lance Green

City Clerk, Robin Littrell