

**City of Elsberry  
Regular Session  
December 14, 2021  
Elsberry City Hall**

The Board of Aldermen of the City of Elsberry met on the evening of the above date at Elsberry City Hall, 6:30pm. Mayor Short presided over the meeting. Present were Alderman Wilch, Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Rockwell, City Attorney Rob Guinness, City Clerk Rachel Reed, City Collector Tashua Chiodini, City Treasurer Lisa Grumich and Police Chief Randy Davis. Also present were Justin Reaves, Josh Turner and Ron Smith of Alliance Water Resources.

Mayor Short called the meeting to order. The pledge of Allegiance was said and roll call deemed a quorum present.

Alderman Miller made a motion to amend the agenda to include a proposal for Hach Service. Alderman Rockwell seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

Alderman Taylor made a motion to amend the agenda to include the CARE program. Alderman Rockwell seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

**Accepting Resignation of Police Officer Michael Bland**

Alderman Davis made a motion to accept the resignation. Alderman Harper seconded the motion

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Miller

NAYES-Alderman Wilch

Motion Carried.

**Reading and acting are unapproved minutes from previous meetings**

Alderman Harper made motion to approve the unapproved minutes.  
Alderman Miller seconded the motion.

AYES-Alderman Miller, Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch

NAYES-0

Motion Carried.

**Reading of unpaid bills approval to pay report**

Alderman Wilch made a motion to pay unpaid bills.  
Alderman Taylor seconded the motion.

AYES-Alderman Miller, Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch

NAYES-0

Motion Carried.

**Project updates**

Boonslick- Christine Zika is now our community liaison and will be working with the City. She would like to ask the board to approve the Resolution for the Hazard Mitigation plan later in the meeting.

USDA- nothing to report

Meco Engineering- Jim Bensman wanted to thank the City for the long standing relationship. He also said that the Wastewater treatment is waiting for approval to bid. Meco has provided a new cost estimate which has increased by 7%. Mayor Short asked what the original cost estimate was. Mr. Bensman didn't have that information. Mayor Short said that it's roughly 15% higher than the original estimate because the project has lasted so long.

**PETITIONS, REMONSTRANCES, COMPLAINTS AND REQUESTS AND THE HEARING OF ANY PERSON OR GROUP DESIRING TO ADDRESS THE BOARD, EACH OF WHOM HAVE FILED PRIOR REQUESTS TO BE PLACED ON THE AGENDA IN COMPLIANCE WITH CITY CODE 24.105**

**ECGA-Community Partnership Opportunities**

Erin Keeven with ECGA would like to ask the City of Elsberry to partner with ECGA as a community partner. They would like to ask the City to contribute \$1000 and be a Visionary Contribution.

**Merdian Waste**

She called and was exposed to COVID-19 and will attend the next meeting.

Mona Turner Payment agreement for water leak

City Collector Tashua Chiodini said that Ms. Turner had a water leak and that she has paid \$400 of the bill. Her total after the water leak was \$770.47. Tashua contacted Ms. Turner and said that the payments if spread over 6 months would be \$128.41 plus her monthly bill. Ms. Turner agreed to this arrangement.

Alderman Harper made a motion to accept the payment agreement to be paid over 6 months.

Alderman Miller seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried

Sue Beck Results from Terri Harper water filter test

Mrs. Beck would like to know that results of the test that were done on Alderman Harpers water filter. Mayor Short said that the test was done in September and the results were normal nothing to be concerned about.

Sue Beck Vernon and Tara Ary's ticket for water being shut off

Mrs. Beck wants to say that the ticket that Vernon Ary received was harassment. Mayor Short asked who she thought was harassing them. Mrs. Beck said that they shouldn't have received the ticket and that they were being harassed by the City. Mayor Short said that the ticket would need to be discussed in court and not at a board meeting. If she thinks that an employee is harassing them that needs to be discussed in closed session. Mrs. Beck would like to discuss this in closed session.

Vernon and Tara Ary Abatement for water leak

Mrs. Beck continued to talk for Ary's. There was a water leak and they would like to ask for a water and sewer abatement. The whole backyard was flooded and there was roughly 339,870 gallons. Mrs. Beck is asking that the entire bill except for 1000 gallons be abated for the current bill and next months bill. Alderman Taylor said that the property owner should be responsible.

Alderman Wilch made a motion to abatement the sewer for \$515.97.

Alderman Taylor seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

Mayor Short asked if the board would like to take any action on the bill for the 2<sup>nd</sup> month of the leak.

Alderman Harper made a motion to abate the sewer that same way for next month.

Alderman Taylor seconded the motion.

Alderman Harper would like to add this to next months agenda.

Alderman Harper would Harper would like to withdraw her motion. Alderman Taylor agreed to withdraw his second.

Mayor Short asked about the water portion of the bill.

Alderman Wilch made a motion that the bill be paid in full.

Alderman Taylor seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

### **PUBLIC HEARING A REQUIRED BY LAW OR ORDINANCE**

No Public Hearings

### **ACTING ON UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

#### **Revoking resignation of Lisa Grumich**

City Treasurer Lisa Grumich would like the board to consider revoking her resignation.

Alderman Harper made a motion to resend the resignation of Lisa Grumich.

Alderman Miller seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

#### **Results from well inspection**

Justin Reaves said that Flynn drilling did an inspection on the wells. The well to the north of the levee on the south end of town after only 15 minutes of run time only had about 4ft of water over the top in the pump. This could cause them to lose suction and burn the pump up if the well is running to hard. Flynn gave a proposal to do an acid treatment that would take care of this problem.

### Hach Service for Spectrometer

The yearly test is needed for the Spectrometer. The cost is \$793.00

Alderman Wilch made a motion to approve the fee of \$793.00

Alderman Harper seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

### Request for Page Branch Park Committee to apply for land and water conservation grant.

Rob Guinness said that the federal government has several small grants that are available to small and underserved communities for recreational facilities. Page Branch Park would like to apply for one these grants for the splash pad.

Alderman Miller made a motion to approve the Page Branch Park committee to apply for the grant.

Alderman Rockwell seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

### Bids for Auditor for 2021-2023

Rachel Reed said that the current time is up with our auditor and we need to go out for bids for the next 3 years.

Alderman Taylor made a motion to go out for bids for the auditing services for 2021-2023.

Alderman Davis seconded the motion.

### Care Subscription

Chief Davis said that he would like to switch from Omnigo to CARE for the report writing software. Omnigo was costing us around \$4000 a year and Care will only be \$500 a year with the initial cost of \$225 for the install.

Alderman Taylor made a motion to approve the CARE software.

Alderman Davis seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

**READING OF BILLS REQUIRING ONLY A FINAL READING FOR PASSAGE**

None

**INTRODUCTION AND READING OF BILLS FOR PASSAGE**

The board considered Bill 2021-12-001

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO AUTHORIZE THE CITY MAYOR OR THE MAYOR PRO TEM TO EXECUTE CITY CEMETERY DEEDS ON BEHALF OF THE CITY

WHEREAS, from time to time the City of Elsberry (“the City”) sells burial plots in the City Cemetery that require an authorized signature by a City official on the Cemetery Plot Deed to complete the transaction.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, AS FOLLOWS:

**SECTION 1.** The Mayor of the City of Elsberry, or the Mayor Pro Tem of the City of Elsberry are each authorized to execute City Cemetery Plot Deeds on behalf of the City.

**SECTION 2. Severability.** The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

**SECTION 3. Repeal of Conflicting Ordinances.** All ordinances and resolutions, and parts of ordinances and resolutions, in conflict herewith are hereby repealed.

**SECTION 4: Effective upon Passage.** This ordinance shall be in full force and effect from and after the date of its passage.

Alderman Davis made a motion to read Bill 2021-12-002 2 times by title only.

Alderman Miller seconded the motion.

Ayes-Alderman Wilch, Alderman Taylor, Alderman Harper, Alderman Miller, Alderman Davis, Alderman Rockwell.

Nayes-0

Motion carried.

Alderman Taylor made a motion to adopt bill 2021-12-001

Alderman Davis seconded the motion.

Ayes- Alderman Rockwell, Alderman Davis, Alderman Miller, Alderman Harper, Alderman Taylor, Alderman Wilch

Nayes-0

Motion carried.

### **RESOLUTIONS WHICH REQUIRE ACTION OF THE BOARD**

A RESOLUTION OF THE CITY OF ELSBERRY, MISSOURI, TO SUPPORT THE CITY'S APPLICATION FOR A LAND AND WATER CONSERVATION FIND GRANT FOR PAGE BRANCH PARK

A motion was made and carried for this earlier in the meeting.

LINCOLN COUNTY HAZARD MITIGATION PLAN ADOPTION RESOLUTION

Alderman Miller made a motion to adopt the Lincoln County Hazard Mitigation Plan resolution

Alderman Taylor seconded the motion.

AYES- Alderman Taylor, Alderman Harper, Alderman Davis, Alderman Rockwell, Alderman Wilch, Alderman Miller

NAYES-0

Motion Carried.

### **REPORTS OF SPECIAL BOARDS AND COMMITTEES**

**Library**- nothing to report

**Cemetery/Parks**- nothing to report

**Infrastructure**- Alderman Miller said that the infrastructure committee will be going to visit some on the communities that have done the Microbial Solutions.

**Emergency Services**- nothing to report

**Page Branch Park**- nothing to report

**Old Glory Jubilee**- Mayor Short asked to have the removed from future agendas. City Clerk Rachel Reed asked about the money that was still in the account for Old Glory Jubilee? ECGA is going to organizing the fireworks from now on. Mayor Short said that the board could donate the funds for the fireworks. Rob Guinness said that we can't donate but we can sponsor an event. This will be put on the agenda in the January meeting.

**Tree Board**- nothing to report

### **REPORTS OF ALDERMAN AND MAYOR**

**Mayor Short**- nothing to report

**Alderman Miller**- nothing to report

**Alderman Taylor**- nothing to report

**Alderman Harper**- Alderman Harper wanted to thanks the girls for the Christmas in the Park. It was a very nice event.

**Alderman Wilch**- Alderman Wilch would like to see the ordinances about the trash and recycle cans being left out start to be enforced.

**Alderman Davis**-nothing to report

**Alderman Rockwell**- nothing to report

### **REPORTS OF CITY DEPARTMENTS AND OFFICERS**

**City Attorney Robert Guinness**- nothing for open session

**Alliance Manager Justin Reaves**- Justin Reaves wanted to let everyone know that the heaters in the water plant have been installed and working great. Also, the levee has been cleaned out and it looks nice and you can drive the entire levee.

**Police Chief Randy Davis**- Chief Davis said that he is going to be looking into grants to help with the police department and he is also looking for ways to help with the line items in the budget. He has spoken with Lincoln County Prosecutor and he is willing to help with the habitual offenders with possible jail time. Mayor Short asked Chief Davis about planning for emergency situations. Possibly creating a committee to come with and plan and decide who is in charge when there is an emergency.

**City Clerk Rachel Reed**- Rachel Reed wanted to thank everyone who helped with Christmas in the Park. Old Monroe Lumber donated a lift to put the lights on the tree. She thanked Santa for coming to see the kids. We are hoping to have it again next year on December 3<sup>rd</sup>.

**City Collector Tashua Chiodini**- nothing to report

**City Treasurer Lisa Grumich**-nothing to report

### **MISCELLANEOUS BUSINESS**

None

### **PUBLIC COMMENT BY ANY PERSON OR GROUP DESIRING TO ADDRESS THE BOARD WHO HAS NOT FILED A PRIOR REQUEST TO BE PLACED ON THE AGENDA IN COMPLIANCE WITH CITY CODE 24.105**

No public comment

### **VOTE TO TAKE UP BUSINESS TO BE CONDUCTED IN CLOSED SESSION**

Alderman Wilch made a motion to go into closed session pursuant to RSMo section 610.021 (1) Legal actions, causes of action, litigation, or confidential or privileged communications with its



attorneys, (3) Hiring, firing, disciplining, or promoting of particular employees. (13) Individually identifiable personnel records, (14) Records which are protected

Alderman Harper seconded the motion.

Ayes- Alderman Davis, Alderman Taylor, Alderman Miller, Alderman Harper, Alderman Wilch, Alderman Rockwell

Nayes-0

Motion Carried.

Closed session started at 7:47 pm

Open Session resumed at 7:53 pm

Tara Ary would like to address some issues with the water bill. Mrs. Ary was told that the meter transmitted information to the office daily. She understands that this was a miscommunication. She would like to ask the City Council to give a better explanation on how the meters works and ways to get help when leaks happen. Alderman Harper would like to see there be a little more concern when it comes to issues with the water.

Alderman Wilch made a motion to go back into closed session for the same basis as the last closed session

Alderman Harper seconded the motion.

Alderman Harper-yes, Alderman Taylor- yes, Alderman Wilch-yes, Alderman Miller-yes, Alderman Davis-yes, Alderman Rockwell-yes

Closed session resumed at 8:15pm

Open session resumed at 8:44pm

### **ADJOURNMENT**

Alderman Wilch made a motion to adjourn.

Alderman Davis seconded that motion.

AYES-6

NAYES-0

Motion Carried.

Open session meeting was adjourned at 8:45 P.M.

