

**City of Elsberry
Regular Session
May 14th, 2024
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 Wilch presided over the meeting. Present were Alderman Hale, Alderman Harper, Alderman Rockwell, Alderman Meyer, Alderman Davis, City Clerk Rachel Reed, City Collector Tashua Chiodini, City Treasurer Lisa Grumich and Police Chief Randy Davis. Also present was Brian Pieper of Alliance Water Resources. Alderman Harper was absent.

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

Reading and acting are unapproved minutes from previous meetings

Alderman Rockwell made motion to approve the unapproved minutes.

Alderman Meyer seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Reading of unpaid bills approval to pay report

Alderman Davis made a motion to pay unpaid bills.

Alderman Harper seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Project updates

Boonslick Regional Planning- nothing new to report

USDA- nothing new to report

Cochran-nothing new to report

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

Tammie Taubig- Mrs. Taubig would like to ask to have Steven Vaughn disconnect fee waived. She is helping him get everything taken care of and paid on time.

Alderman Hale made a motion to waive the disconnect fee for Steven Vaughn.

Alderman Meyer seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

PUBLIC HEARING A REQUIRED BY LAW OR ORDINANCE

ACTING ON UNFINISHED BUSINESS

Alliance overage/paying chemical overage

Alliance would like to city to pay for the chemical portion of the overage while they go over the invoices for the other overages.

Alderman Rockwell made a motion approve paying Alliance \$36,176 for the chemical portion of the overage.

Alderman Meyer seconded the motion.

Roll call

Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes, Alderman Harper-yes

Motion carried.

ARPA money/streets

Alderman Harper made a motion to go out for bid on the streets including New Hope Rd from Tomahawk to Sanderson when City Clerk Rachel Reed gets the answer on if we can use the money for ARPA.

Alderman Meyer seconded the motion.

Roll Call vote

Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes, Alderman Hale-yes

Motion carried.

NEW BUSINESS

Picnic Liquor License for ECGA

Alderman Rockwell made a motion to approve the picnic license.

Alderman Meyer seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Board subpoena for dispatch records

Rob Guinness said that the board needs to subpoena dispatch records to conduct an investigation.

Alderman Rockwell made a motion to send the subpoenas to dispatch.

Alderman Davis seconded the motion.

Roll call vote

Alderman Davis-yes, Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes

Motion carried.

Static Ip address

Chief Davis would like to get a static ip address.

Alderman Harper would like to table this until we get more information.

Alderman Davis seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Purchasing phone for dashcam

Chief Davis said that one of the phones that they use for a body/dash cam is broken.

Alderman Meyer made a motion to table

Alderman Davis seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Decaling Dodge Charger

Alderman Hale is having a hard time finding someone to do it. He is still waiting on someone to call him back.

Alderman Hale made a motion to table.

Alderman Meyer seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

Purchasing Solar Lights for the Cemetery

Mayor Wilch checked into getting electric to the Cemetery. It is going to be very expensive. He found some solar lights that can be placed in the Cemetery. He would like to purchase 3 of them. They are \$247.99 each.

Alderman Hale made a motion to purchase 3 lights for the Cemetery

Alderman Davis seconded the motion.

AYES- Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, Alderman Davis

NAYES-0

Motion Carried.

401 N 4th Sewer Clean up

Sewer backed up into 401 N 4th's basement and caused a big mess. The homeowner's would like the City to take care of the clean up. Alliance said that they can submit it to their insurance as well.

Alderman Meyer made a motion to check with Insurance to see if they will cover the cost.

Alderman Harper seconded the motion.

READING OF BILLS REQUIRING ONLY A FINAL READING FOR PASSAGE

None

INTRODUCTION AND READING OF BILLS FOR PASSAGE

Bill 2024-05-001

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO AUTHORIZE THE MAYOR TO ENTER INTO, AND TO EXECUTE, ON BEHALF OF THE CITY, A CONTRACT WITH M ENGINEERING, LLC d/b/a COCHRAN FOR PROFESSIONAL ENGINEERING SERVICES FOR A DRINKING WATER SYSTEM PFAS EVALUATION

ENGINEERING REPORT ADDRESSING PFAS LEVELS IN THE ELSBERRY DRINKING WATER SYSTEM; AND RELATED SERVICES.

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

SECTION 1. The Mayor of the City of Elsberry is authorized to enter into, and to execute, on behalf of the City, a contract with M Engineering, LLC d/b/a Cochran, for professional engineering services for a Drinking Water System PFAS Evaluation Engineering Report addressing PFAS levels in the Elsberry drinking water system; and related services. The Mayor is also authorized to carry out and perform the terms of this agreement on behalf of the City, including executing all necessary authorizations and other documents required to carry out the terms of the agreement.

SECTION 2. Effective Upon Passage

This ordinance shall be in full force and effect from and after the date of its passage.

Read two times and passed this _____ day of May _____, 2024.

The board considered bill 2024-05-001.

Alderman Davis made a motion to read bill 2024-05-001 2 times by title only.

Alderman Meyer seconded the motion.

Roll call Vote

Alderman Davis-yes, Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer -yes

Rob Guinness read Bill 2024-05-001 2 times by title only

Alderman Davis made a motion to adopt bill 2024-05-001

Alderman Meyer seconded the motion.

Roll Call vote

Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes

Bill 2024-05-002

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO AUTHORIZE THE CITY TO ENTER INTO, AND THE MAYOR TO EXECUTE ON BEHALF OF THE CITY, A MEMORANDUM OF UNDERSTANDING WITH THE LINCOLN COUNTY SHERIFF'S

OFFICE FOR PLACEMENT OF THE SHERIFF'S OFFICE'S LICENSE PLATE READERS
WITHIN THE CITY OF ELSBERRY CITY LIMITS

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

SECTION 1. The City of Elsberry hereby enters into, and the Mayor of the City of Elsberry is authorized to execute on behalf of the City of Elsberry, a Memorandum of Understanding with the Lincoln County Sheriff's Office for placement of the Sheriff's Office's license plate readers within the City of Elsberry city limits. The terms of the agreement are attached to this Ordinance.

SECTION 2. Effective Upon Passage

This ordinance shall be in full force and effect from and after the date of its passage.

Read two times and passed this _____ day of May 2024.

The board considered bill 2024-05-002.

Alderman Rockwell made a motion to read bill 2024-05-002.

Alderman Hale seconded the motion.

Roll call vote

Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes,
Alderman Harper-yes

Motion carried.

Rob Guinness read bill 2024-05-002 2 times by title only.

Alderman Rockwell made a motion to adopt bill 2024-05-002

Alderman Davis seconded the motion.

Roll Call vote

Alderman Rockwell-yes, Alderman Meyer-no, Alderman Davis-yes, Alderman Harper-yes,
Alderman Hale-yes

Bill 2024-05-003

AN ORDINANCE AMENDING THE ELSBERRY CITY CODE TO PROVIDE FOR THE
APPOINTMENT OF THE CHIEF OF POLICE BY THE MAYOR WITH THE CONSENT
AND APPROVAL OF A MAJORITY OF THE BOARD OF ALDERMEN

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

SECTION 1: The Elsberry City Code is amended to delete Section 21.800 and replace it with a

new Section 21.800 as follows:

“§21.800. APPOINTMENT BY THE MAYOR WITH THE APPROVAL OF THE BOARD OF ALDERMEN.

The Mayor, with the consent and approval of the majority of the members of the Board of Aldermen, shall appoint a Chief of Police, who shall hold office until his successor is appointed and qualified the following year. The Mayor shall appoint a Chief of Police at the first meeting of the Board of Aldermen after each annual municipal election of each year. With the consent of the majority of the members of the Board of Aldermen , the Mayor may make the appointment at a later meeting of the Board of Aldermen after the annual municipal election”

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 of 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: Effective Upon Passage

This ordinance shall be in full force and effect from and after the date of its passage.

SECTION 4: Incorporation into the Municipal CodeThe City Clerk shall incorporate the terms of this Ordinance into the official City of Elsberry Municipal Code with all due dispatch.

Read two times and passed this _____ day of May 2024.

The board considered bill 2024-05-003

Alderman Davis made a motion to read bill 2024-05-003 2 times by title only

Alderman Meyer-yes, Alderman Davis-yes, Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes

Motion carried.

Rob Guinness read bill 2024-05-003 2 times by title only

Alderman Davis made a motion to adopt bill 2024-05-003.

Alderman Meyer seconded the motion.

Roll call vote

Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes

Motion carried.

Alderman Meyer made a motion to allow the Mayor to appoint the police chief at the 3rd meeting following the April election.

Alderman Davis seconded the motion.

Roll Call vote

Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Davis-yes, Harper-yes

Motion carried.

RESOLUTIONS WHICH REQUIRE ACTION OF THE BOARD

REPORTS OF SPECIAL BOARDS AND COMMITTEES

Library- nothing to report

Cemetery/Parks- Alderman Davis is concerned with the condition of some of the headstones. The work on the brick wall looks very nice.

Infrastructure- nothing new to report

Emergency Services- Emergency Management is working on an updated Emergency operations plan.

Tree Board- nothing to report

REPORTS OF ALDERMAN AND MAYOR

Mayor Wilch- nothing to report

Alderman Harper- nothing to report

Alderman Hale- Alderman Hale wanted to thank Alliance for helping with the sewer issues. He also wanted to report that there is still a dog problem on Lincoln St.

Alderman Rockwell- Alderman Rockwell said that there is still a problem with dogs at the Legion.

Alderman Meyer-Alderman Meyer wanted to thank Alliance for helping with the sewer issues. Also there is a house on Broadway extension that doesn't have water and the neighbors are starting to complain.

Alderman Davis- Alderman Davis asked about the spectrum boxes and if there was anything we can do.

REPORTS OF CITY DEPARTMENTS AND OFFICERS

City Attorney Robert Guinness- nothing to report

Alliance Manager Luke Drullinger- Luke went over the ops report

Police Chief Randy Davis-Chief Davis went over his reports and scheduling.

City Clerk Rachel Reed- nothing to report

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

Tammy Daly would like to board to consider have a better ordinance about aggressive dogs.

Alderman Meyer made a motion to close the meeting 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(14) Records which are protected from disclosure by law.

Alderman Harper seconded the motion.

Roll call vote

Alderman Harper-yes, Alderman Hale-yes, Alderman-Rockwell-yes, Alderman Meyer-yes, Alderman Davis

Motion carried.

Closed session began at 7:50 pm

Open session resumed at 9:01 pm

ADJOURNMENT

Alderman Rockwell made a motion to adjourn.

Alderman Meyer seconded that motion.

AYES- Alderman Rockwell, Alderman Meyer, Alderman Hale, Alderman Davis, Alderman Harper

NAYES-0

Motion Carried.

Open session adjourned at 9:01 pm

