

**CITY OF ELSBERRY  
REGULAR SESSION  
MARCH 17, 2020  
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 Davis, Alderman Short, Alderman Robinson, Alderman Harper, City Attorney Rob Guinness, City Clerk Sue Hogarth, City Treasurer Tammy Sharpe, City Collector Rachel Reed and Chief Randy Davis. Also present were Justin Reaves and Ron Smith of Alliance Water Resources. Alderman Rockwell and Alderman Hartley were not present.

Mayor Wilch called the meeting to order and led in the pledge to the flag. Roll call deemed a quorum present.

**AMENDMENT TO THE AGENDA**

Mayor Wilch made an amendment to the agenda to add a Picnic Liquor License Request for the Sacred Heart Parish Picnic on June 28, 2020. A motion was made by Alderman Short to amend the agenda for this topic, seconded by Alderman Harper.

AYES – All in Favor    NAYS – 0    ABSENT - 2    Motion carried

**PRIOR MEETING MINUTES APPROVAL**

A motion was made by Alderman Short to approve meeting minutes from February 2020, seconded by Alderman Harper.

AYES – All in Favor    NAYS – 0    ABSENT - 2    Motion carried

**APPROVAL OF UNPAID BILLS REPORT**

Motion was made by Alderman Short to approve the unpaid bills, seconded by Alderman Davis.

AYES – All in Favor    NAYS – 0    ABSENT - 2    Motion carried

**PROJECT UPDATES**

**Boonslick Regional Planning Commission Update – Mayor Wilch**

Chad Eggen from Boonslick was unable to attend since Boonslick is restricting attendance at any public meetings at this time due to the COVID-19 outbreak. Mayor Wilch spoke with Chad regarding a request for a grant to add a 3<sup>rd</sup> tornado siren in Elsberry to be placed in the Hillcrest subdivision. Chad said there was grant money available which would be a 75 – 25 matching grant and he told the mayor he will send information on the grant for review.

### **Update from MECO Engineering**

- Jim Bensman / Brian Martin with MECO Engineering

Jim Bensman and Brian Martin from MECO Engineering were both unable to attend but Jim had stopped by City Hall on Monday with a hard copy of the design plans for the Wastewater Treatment Plant that were sent to DNR. There will be electronic copies available by the end of the week.

### **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**

#### **- Request to Close the Alley next to Shooters Saloon on Saturday, April 25<sup>th</sup> 2020 during the Hot Hogs Spring Rally 2020 Event for games, etc.**

- City Clerk Sue Hogarth for Tracy Schroeder at Shooters Saloon

A motion was made by Alderman Short to approve the alley closure next to Shooters Saloon on Saturday, April 25, 2020 for games, etc. during the Hot Hogs Spring Rally, seconded by Alderman Harper.

AYES – All in Favor    NAYS – 0    ABSENT - 2    Motion carried

#### **- Request for Liquor by the Drink Caterer Unlimited License with a Primary Liquor by the Drink License for Rhonda Caswell for potential Banquet Center on Broadway**

- City Clerk Sue Hogarth / Rhonda Caswell

Rhonda Caswell is a realtor that just purchased the brown buildings on Broadway where the Resale Shop and Evans Country Store were located. She is in the process of renovating the building and wants to add a banquet center with a chapel in part of the building and is requesting a Liquor by the Drink Caterer Unlimited License with a Primary Liquor by the Drink License. Since the business is not open yet and is still being constructed, there was no motion by the board and the request died on the table since the board asked Ms. Caswell to wait until the business is confirmed and ready to open and the application has been completed and submitted.

#### **- Sponsorship Request for the Jillian Young Foundation 5K of \$50, \$100 or \$150 to go towards a scholarship to benefit (1) Elsberry High School senior**

- City Clerk Sue Hogarth

Alderman Harper stated that this is a good cause but she does not want to start sponsoring events and opening the door to other types of donations. Alderman Short stated that he could see both sides to either sponsor or not sponsor this event on behalf of the city. A motion was made by Alderman Short to sponsor the 5K event for \$50. There was no 2<sup>nd</sup> to the motion so the motion died on the table.

## **AMENDMENT TO THE AGENDA**

### **Request for a 7-Day Picnic Liquor License for the Sacred Heart Parish Picnic on June 28, 2020**

- City Clerk Sue Hogarth

A motion was made by Alderman Short to approve the 7-Day Picnic Liquor License for the Sacred Heart Parish Picnic, seconded by Alderman Harper.

AYES – All in Favor   NAYS – 0   ABSENT - 2   Motion carried

## **UNFINISHED BUSINESS**

### **- Update on Animal Control sub-committee meeting with S&R Animal Control on February 24, 2020 / Proposal from S&R Animal Control**

- Alderman Rockwell/Alderman Harper/Alderman Robinson & Ann w/S&R Animal Control

Ann with S&R Animal Control was unable to attend due to illness but stated that she is working on a new proposal based on the feedback from the sub-committee meeting and will present this at the next board meeting. Alderman Harper provided an update from the sub-committee meeting with S&R Animal Control to the full board. The sub-committee discussed a “retainer” monthly fee to be “on call” and a pick-up fee for any animals that are captured in place of a flat monthly fee for patrolling and animal services.

## **NEW BUSINESS**

### **- Lagoon Modifications from the Department of Natural Resources**

- Mayor Wilch / Justin Reaves w/Alliance

Mayor Wilch spoke with Chad Eggen from Boonslick and Michael Hartman from USDA regarding the lagoon modifications from the DNR. There would be some issues having dirt hauled in and DNR did not give any guarantee on the duration of the modifications. It was their opinion / recommendation that the City of Elsberry should move forward with building the wastewater treatment plant as scheduled so the grant money would not be lost. Mayor Wilch asked if the board would like to entertain a motion to work with DNR on the lagoon modifications or continue with the construction for the treatment facility. A motion was made by Alderman Davis to continue with the treatment facility as scheduled, seconded by Alderman Harper.

AYES – All in Favor   NAYS – 0   ABSENT - 2   Motion carried

### **- Asphalt Project for Highway B / Broadway Street with MoDOT**

- Mayor Wilch

Mayor Wilch received an estimate of \$57,000 from MoDOT for the asphalt project that the city would be responsible for from sidewalk to sidewalk on Hwy B from Hwy 79 to B&B Auction. Mayor Wilch stated that if the City doesn't participate in this project in conjunction with MoDOT, we could have flooding issues since the asphalt wouldn't be level. The project will not begin until next Fall 2021 so the board has some time to review this issue and add it to the budget if needed for 2021. City Collector Rachel Reed asked if there would be re-striping of the parking lines and that is not included.

A motion was made by Alderman Short to table this issue for a later date, seconded by Alderman Harper.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Request for Arbor Day Proclamation on Sat, April 18, 2020 for Tree City USA**  
- City Clerk Sue Hogarth / Mayor Wilch

A motion was made by Alderman Davis to approve the Arbor Day Proclamation date of Saturday, April 18, 2020 and to run the announcement in the Elsberry Democrat, seconded by Alderman Harper.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Approval to Renew Worker’s Compensation Annual Agreement with Missouri Rural Services Compensation for \$7,835 which is an increase of \$550 for 2020**  
- City Clerk Sue Hogarth

A motion was made by Alderman Short to approve payment of the Worker’s Compensation policy for \$7,835, seconded by Alderman Davis.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Request to Research Grants to add a 3<sup>rd</sup> Tornado Siren near Hillcrest subdivision**  
- City Clerk Sue Hogarth

A motion was made by Alderman Short to research grant options for a 3<sup>rd</sup> tornado siren near the Hillcrest subdivision, which was mentioned earlier in the meeting, seconded by Alderman Davis.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Request to join FBI-LEEDA Law Enforcement Executive Development Association for \$50 / Year**  
- Police Chief Randy Davis

A motion was made by Alderman Short to approve the FBI-LEEDA membership for \$50 per year for Chief Davis, seconded by Alderman Robinson.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Request to Hire a Part-Time Code Enforcement Officer for 20 hours/week for the Elsberry Police Department for \$10/hour**  
- Police Chief Davis

Chief Davis presented the idea of hiring a civilian to track ordinance violations as a part-time position for \$10 per hour for around 20 hours per week. This individual could research property owners and secure vacant property. Alderman Short and Alderman Davis both suggested that a current policy & procedure be put in place for this request. Chief Davis stated that he can write up a policy / procedure for this position and Mayor Wilch suggested that Chief Davis also consider the legal and insurance aspects for this position. Alderman Short confirmed that this would be a non-sworn in position and that there would be follow-up and follow through with police on code enforcement issues.

Chief Davis stated that the City of Maplewood has a code enforcement position like this that can be used as a model for Elsberry. Alderman Harper liked the idea of a code enforcement position and made a motion to move forward with creating a job description and a policy / procedure for this position, seconded by Alderman Davis

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Request to Purchase (2) Scanners for the Elsberry Police Department**

- Police Chief Randy Davis

Chief Davis stated that these scanners are not needed at this time so no action was taken.

**INTRODUCTION AND READING OF BILLS FOR PASSAGE**

**- Bill No. 2020-03-001 - 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 LEASE WITH THE ELSBERRY UNITED METHODIST CHURCH FOR USE OF CERTAIN BUY-OUT PROPERTIES FOR A COMMUNITY GARDEN FOR 2020-2024.**

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 Lease with the Elsberry United Methodist Church for use of certain buy-out properties for a Community Garden during 2020 - 2024. The terms of the agreement are attached to this Ordinance.

A motion was made by Alderman Short to read the ordinance twice by title only, seconded by Alderman Harper.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

The ordinance was read twice by title only by Attorney Guinness and a motion was made to adopt the ordinance by Alderman Short, seconded by Alderman Davis.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

**- Bill No. 2020-03-002 - AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO AUTHORIZE THE MAYOR TO EXECUTE ON BEHALF OF THE CITY, AN ACKNOWLEDGMENT OF THE LINCOLN COUNTY CENTRAL COMMUNICATIONS' STANDARD LEVEL OF SERVICE AND EXPECTATIONS FOR PUBLIC SAFETY ANSWERING POINT SERVICES FOR THE CITY OF ELSBERRY.**

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

**SECTION 1.** The City of Elsberry hereby authorizes the Mayor of the City of Elsberry to execute on behalf of the City of Elsberry, an acknowledgment of the Lincoln County Central Communications' standard level of service and expectations for public safety answering point services for the City of Elsberry. The terms of the acknowledgment are attached to this Ordinance.

City Attorney Guinness had checked into this agreement and there were some issues but he is okay with the current agreement now. A motion was made by Alderman Short to read the ordinance twice by title only, seconded by Alderman Davis.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

The ordinance was read twice by title only by Attorney Guinness and a motion was made to adopt the ordinance by Alderman Short, seconded by Alderman Davis.

AYES – All in Favor NAYS – 0 ABSENT - 2 Motion carried

### **REPORTS OF SPECIAL BOARDS & COMMITTEES**

**Library:** The library fundraiser in April has been postponed to September due to the Coronavirus pandemic.

**Cemetery / Parks:** Nothing to report

**Infrastructure:** Nothing to report

**Emergency Services:** Nothing to report

**Page Branch Park:** Nothing to report

**Old Glory Jubilee:** Nothing to report

**Tree Board:** Nothing to report

### **REPORTS OF ALDERMEN AND MAYOR**

**Mayor Wilch:** He would like to request permission from the board to close public access to City Hall due to the Coronavirus if needed – payments can be made by phone or put in the dropbox. City Collector Rachel Reed stated that some municipalities are waiving late fees, credit card fees and shut-offs which we can do as well. The board granted permission for the mayor to make these decisions if we close public access to City Hall along with waiving fees & shut-offs if needed.

**Alderman Davis:** Nothing to report

**Alderman Hartley:** Not Present

**Alderman Short:** Nothing to report.

**Alderman Harper:** She asked a question about the Gladney property on Broadway. There are bricks falling off the building into the alley which has been blocked off. A notice was given to Tim Evans but the property is not in his name. City Attorney Guinness will draft a letter to Mr. Gladney about the building being structurally unsound. A neighbor of Katie Harper on South 3<sup>rd</sup> Street stated that there is raw sewage coming out around the home at 407 S. 3<sup>rd</sup> St. and asked Alliance if they could check it out to see if it was a city issue or a homeowner issue. City Attorney Guinness would have to issue an administrative warrant on private property if the vac trailer would need to be used. It was discussed to give the homeowner 3 days to fix the problem or we would turn off the water. Alderman Harper also brought up the alley maintenance by the city again since she recently spoke with a resident, Eugene Marquardt who just put gravel in the alley behind his home. Mayor Wilch had given Alderman Harper a copy of the ordinance change that she voted on from 2007 for her reference when the city decided not to maintain the alleys anymore. Alderman Harper will add Alley Maintenance to the April Board of Aldermen meeting agenda to include putting together a special meeting to discuss taking over maintenance of the alleys.

**Alderman Rockwell:** Not Present

**Alderman Robinson:** Nothing to report

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

**Rob Guinness** – Attorney – Closed Session

**Justin Reaves** – Alliance Water Resources – the sewer leak at the old Car Wash has been repaired and a check valve with a box was added for easy on/off for the future. They are working on storm drains and on the south end, there was a manhole access point that was filled with dirt. They hired Trinity Ditching to bust it up and they went down 8 feet with an excavating camera and all is looking good now.

**Chief Randy Davis** - He presented his 2-week update to the board and things at the police department do not seem as “disastrous” as he originally thought. The police department is lacking evidence storage and he recently spent 3 hours going through reports, classifying crimes, and obtaining accurate trends of the city. He found (5) untagged firearms, needles, unsecured money, etc. He mentioned a company called “Gun Busters” that will grind up guns after the serial number is given to keep an accurate destruction record for guns. He would like to complete the evidence storage area with an industrial security cage 10’ x 10’ with mini lockers with authorized access limited to himself. He would like to have evidence tags with “Property of Elsberry” printed on them for proper documentation. University City has in-car radios to donate to any police department that is interested. City Clerk Sue Hogarth has sent a letter to University City requesting a list of radios for the police department as well as for Alliance. He is also been in touch with Lincoln County Emergency Management to get PPE for our police officers.

**Tammy Sharpe** – Treasurer – Nothing to Report

**Sue Hogarth** – City Clerk – Nothing to Report

**Rachel Reed** - City Collector – Meridian Waste Management has decided to send us an invoice instead of having us provide them with our report for billing. There is a \$4,000 discrepancy to date so Meridian is not included on her report to pay yet until she can verify the contracted amount. MRWA (Missouri Rural Water Association) offers a free rate study to determine where the rates should be set for cities. The board asked her to include this on the next meeting agenda for a vote.

**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**

There was no public comment.

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

A motion was made by Alderman Short 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 by the city, (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, and (14) Records which are protected from disclosure by law, seconded by Alderman Davis.

AYES – All in Favor   NAYS – 0   ABSENT - 2   Motion carried

Closed session started at 7:42PM.

**RESUME OPEN SESSION**

Mayor Wilch resumed the open session meeting at 8:12PM.

**ADJOURNMENT**

A motion was made to adjourn the board meeting by Alderman Short, seconded by Alderman Robinson.

AYES – All in Favor   NAYS – 0   ABSENT - 2   Motion carried

Open session meeting was adjourned at 8:20PM.