

**MINUTES OF A REGULAR MEETING OF THE MARCELINE CITY COUNCIL
December 17, 2019**

The Marceline City Council met in regular session on December 17, 2019 at 5:30 p.m. in the Council Chambers of City Hall, Mayor Sallie Buck presiding. Council members present were Jeri Holt, Tyson Brammer (arrived 5:37pm), and Lacey Meissen. Councilwoman Liz Cupp was absent. Staff attending: City Attorney William Devoy, City Manager Richard Hoon, City Clerk Lindsay Krumpelman, Street Superintendent Ed Ewigman, Electric Superintendent Dean Gauthier, Water/Wastewater Superintendent Roger Sullivan, Pool Manager Gary Birdsong and Police Chief Bob Donelson. Others Present: Aaron Ervie and Linda Linebaugh.

Mayor Sallie Buck led the assembly in the Pledge of Allegiance and called the meeting to order at 5:30 pm.

APPROVAL OF THE MINUTES, AND FINANCIAL REPORTS:

Councilman Holt moved to approve the minutes. Councilwoman Meissen seconded the motion. The motion carried unanimously. Councilman Holt moved to approve the financial reports. Councilwoman Meissen seconded the motion. The motion carried.

REPORTS OF COUNCIL, OFFICERS, BOARDS AND COMMITTEES:

City Department Updates: Water / Wastewater Superintendent Roger Sullivan reported they have finished hauling sludge from the water plant. He informed the Council that two water leaks were repaired on the same night the week prior. Water / Wastewater Superintendent Sullivan reported that the sludge valve is in for the water plant and plan to install it tomorrow. He reported the New Reservoir was treated for algae. He concluded by stating they have applied a patch on the concrete of the basins and will be applying an epoxy coating when the temperature exceeds 50°F.

Electric Superintendent Dean Gauthier stated the winter weather has dampened their project efforts. He reported they worked with Bob Harbour to determine why the engine started but did not come online with the last black out, which they believe was caused by a grounded start relay. He reported they have replacements in inventory. Electric Superintendent Gauthier reported they are planning to schedule a total blackout with Ameren to test the units. He stated he is hopeful that with this fix and when new substation is active, they will have reliable back up generation capabilities. City Manager Hoon stated the scheduled black out will be at a time to affect the least amount of people and when the weather is warmer. Councilman Brammer arrived at the meeting at 5:37 pm.

Police Chief Bob Donelson spoke on the incident on Friday, stating the school lock down was a precaution and the incident concluded without injury. He informed those present the Police Department was assisted by the County Sherriff's Office, Highway Patrol and First Responders. Police Chief Donelson stated the Christmas for Kids event was successful with a record breaking 427 people in attendance. Mayor Buck inquired on how the event is funded. Police Chief Donelson reported it is funded completely through donations.

Street Superintendent Ed Ewigman reported they are dealing with weather issues as well. He stated they are caught up on equipment maintenance, replaced the tube at the dump entrance, and working on the tree list. Street Superintendent Ewigman concluded stating they are finished with the wiring of the storage building at the ball fields. City Manager Hoon reported the Walsworth Community Center donated the concrete blocks that surrounded the former recycling site in exchange for the City leveling the area after the blocks were removed.

Pool Manager Gary Birdsong reported that swimming lessons are concluded for 2019 and another round is planned for February. He thanked the Electric Department for their help in replacing lights and the breaker. Pool Manager Birdsong stated generator maintenance was completed. He concluded stating they are setting three (3) Community Bash dates.

City Clerk Update: City Clerk Lindsay Krumpelman stated that Election Filing opened today for Council and there is one term expiring in April. She reported no one filed the first day and filing closes at 5:00 pm on Tuesday, January 21, 2020. City Clerk Krumpelman updated the Council on the Codification project stating the Final Draft should be received by the end of the month. She reported she has received a list of documents to send to the Auditor, but a date has yet to be set. City Clerk Krumpelman stated the employee health insurance meeting will be Thursday and that she has contacted Incode about the new IRS 2020 W-4 form for new employees and those wishing to change their withholding. She stated she viewed a webinar over the new FLSA 2020 overtime rules earlier that day. She concluded stating Hawkins Insurance bid out the City's General Liability and Auto Policies and the closest quote received was still approximately \$25,000.00 over the MOPERM renewal.

City Manager Update: City Manager Richard Hoon stated the Purple Wave process has begun for the surplus vehicles and expects it to be complete in January. He reported John Moore is okay with transferring the ambulance he donated to the Fire Department to the Water / Wastewater Department. Councilman / Fire Chief Jeri Holt provided background on the donation. City Manager Hoon concluded stating that with the 2019 close out he is reflecting not only on the completed items, but the outstanding projects such as the Concession Stand, 5-year water plan, the generators, and the Business Complex and is sorry those projects were not completed or further in their process.

Council Update: Councilwoman Meissen reported she was unaware of school lockdown procedures, but it made her heart happy to see the county officer outside during the lock down and appreciated the police department thinking about the children's safety during the incident. Mayor Buck inquired about what the students were told. Police Chief Donelson stated it depended on the type of lock down completed and expanded on the topic. Councilman / Fire Chief Holt reported the Fire Department were fitted last week for their new turn out gear and the second vendor for the air packs about whether he could provide something to allow their equipment to work with the City's current equipment. He stated he is expecting a letter to withdraw their bid. He concluded stating they were notified they were awarded a \$5,000.00 MDC grant. City Manager Hoon gave special thanks for all involved in making Peanut Night successful.

BOARD APPOINTMENTS:

Recreation and Parks – Unexpired Term: Mayor Buck reported Maxine Smith has tendered her resignation from the Recreation and Parks Board. She stated there are two (2) applications on file, but that the Recreation and Parks Board President has requested the City advertise. The Council discussed the request and the applicants. Mayor Buck appointed Taylor Teeter to the Recreation and Parks Board to fill the unexpired term until May 31, 2021.

CITIZENS PARTICIPATION:

Aaron Ervie stated he was happy to be there.

Linda Linebaugh stated God was good and received a prompt letter from Governor Parson's office concerning her communication about the Business Complex. She thanked Street Superintendent Ed Ewigman and the Street Department for their speedy cleaning of the streets.

UNFINISHED BUSINESS:

Use Tax Discussion: City Clerk Krumpelman stated this was discussed twice before, but wanted to present it once more before moving forward with the ballot for the April 7, 2020 Election. She stated a Use Tax is a tax imposed on the purchase of goods by Missouri residents from out-of-state vendors and is applied to the same type of products subject to traditional sales tax at the rate equal to the current sales tax. She stated that under current legislation, a use tax is not a general internet tax, and is collected only by those out-of-state vendors that have contracts with the State of Missouri or a physical nexus in Missouri. City Clerk Krumpelman stated based on a report from the MO Department of Revenue, the City could have collected an estimated \$57,296.61 if a use tax was in place in 2018. She reported that surrounding cities with a use tax include Brookfield, Brunswick,

Browning, Bucklin, Callao, Chillicothe, New Cambria, Salisbury and Glasgow. The Council discussed the topic and provided a consensus to move forward, with Councilman Brammer stating he was unsure about it.

NEW BUSINESS:

Downtown Marceline Liquor Permit – ANB Event: Mayor Buck stated Downtown Marceline is applying for a temporary liquor permit for the Alpha Nu Beta \$100 Dinner and Dance event on January 11, 2020. After a brief discussion, Councilman Brammer moved to approve the temporary liquor permit for Downtown Marceline for the Alpha Nu Beta \$100 Dinner and Dance event on January 11, 2020 at 124 E Ritchie Ave. Councilwoman Meissen seconded the motion. The motion carried.

Wilson Street Lift Station Bids: City Manager Hoon informed the Council \$35,000.00 was budgeted for a new pump at the Wilson Street Lift Station. He stated the City advertised for bids and received three (3) which were opened by the City Clerk and himself on December 12th. City Manager Hoon stated Water / Wastewater Superintendent Sullivan is recommending the Council select the NP3202 Flygt pump from Vandevanter Engineering for \$32,480.00. Water / Wastewater Sullivan stated the pump that is being replaced is a Flygt Pump that was installed in 1992 and the recommended pump is just like the one being replaced with an exception of an extra feature that will not be utilized. He reasoned that the Ebara pump is lower quality meaning it may need to be replaced sooner and would require modifications to the lift station to install. He confirmed City employees will install the pump themselves. Council discussed the topic. Councilwoman Meissen moved to accept the bid from Vandevanter Engineering for the NP3202 Flygt Pump for \$32,480.00. Councilman Brammer seconded the motion. The motion carried.

Ameren & Next Era 3rd Party Agreement – Bill No. 35-1930: City Manager Hoon stated this bill is more administrative and allows for Ameren to transition their invoicing to MISO, which is invoiced through NextEra. This means that the City will no longer be receiving invoices from Ameren after the 2019 billing is complete and those invoices will be done by NextEra. After a brief discussion, Councilman Brammer moved Bill No. 35-1930 to authorize the Mayor to sign the 3rd Party Agreement with Ameren and NextEra be read twice by title only. Councilman Holt seconded the motion. A voice vote carried the motion. City Clerk Krumpelman read Bill No. 35-1930 twice by title only. Councilman Brammer moved Bill No. 35-1930 be approved. Councilman Holt seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Holt – aye, Councilwoman Meissen – aye, and Mayor Buck – aye. This bill is assigned Ordinance Number 35.1930.

Declaration of Surplus Property – Bill Nos. 35-1931 and 35-1932: City Manager Hoon stated these bills are to declare three (3) properties that were purchased through the tax sale process and demolished as surplus and scheduled for sale through a sealed bidding process. He reported that the first Bill is for 209 W. Howell which is a non-buildable lot. City Manager Hoon stated the second bill is for 112 W Walker and 118 W Walker which when joined would make a continuous lot that is buildable. After a brief discussion Councilman Brammer moved Bill No. 35-1931 to declare 0.20 acres of city-owned property known as 209 W. Howell Avenue as surplus property, authorize the sale thereof and for providing for terms of sale be read twice by title only. Councilman Holt seconded the motion. A voice vote carried the motion. City Clerk Krumpelman read Bill No. 35-1931 twice by title only. Councilman Brammer moved Bill No. 35-1931 be approved. Councilman Holt seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Holt – aye, Mayor Buck – aye, and Councilwoman Meissen – aye. This bill is assigned Ordinance Number 35.1931.

Councilman Brammer moved Bill No. 35-1932 to declare 0.16 acres of city-owned property known as 112 W Walker St and 0.16 acres of city-owned property known as 118 W. Walker as surplus property, authorize the combined sale as a single parcel thereof and for providing for terms of sale be read twice by title only. Councilman Holt seconded the motion. A voice vote carried the motion. City Clerk Krumpelman read Bill No. 35-1932 twice by title only. Councilman Brammer moved Bill No. 35-1932 be approved. Councilwoman Meissen seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye,

Councilwoman Meissen – aye, Mayor Buck – aye, and Councilman Holt – aye. This bill is assigned Ordinance Number 35.1932.

At 6:28 pm Councilman Holt moved to adjourn to Executive Session pursuant to RSMo 610.021 Paragraph (1) Legal, Paragraph (2) Real Estate and Paragraph (12) Contracts and to include guest Aaron Ervie. Councilwoman Meissen seconded the motion. The following roll call vote carried the motion: Councilman Holt– aye, Councilwoman Meissen– aye, Councilman Brammer – aye, and Mayor Buck – aye.

Council returned to open session at 7:09 pm.

Tower Lease Agreement – Bill No. 35-1933: This bill will be postponed until the January Council meeting.

The Council briefly discussed the situation with the Prosecuting Attorney after being informed that she is not responding to our officers or City Manager Hoon after the meeting with her in October as promised. Mayor Buck volunteered to reach out on behalf of the Council in an attempt to move the situation forward. Councilman Holt moved to adjourn the meeting. Councilman Brammer seconded the motion. The motion carried. The meeting adjourned at 7:17 pm.

Sallie Buck, Mayor

ATTEST:

Lindsay Krumpelman, City Clerk