

**REGULAR MEETING OF THE BOARD OF
ALDERMEN OF THE CITY OF FAYETTE
MISSOURI
TUESDAY FEBRUARY 14, 2023**

CALL TO ORDER

The regular meeting of the Board of Aldermen of the City of Fayette was called to order at 6:00 p.m. February 14, 2023 by Mayor Jeremy Dawson.

PLEDGE OF ALLEGIANCE

Everyone in the Chamber rose for the Pledge of Allegiance led by Alderman Joe Parisi.

ROLL CALL

Roll Call verified six Board members present for the meeting.

Responding to the Roll Call: Alderman Grafton Cook, Alderwoman Michelle Ishmael, Alderwoman Peggy O'Connell, Alderwoman Bekki Galloway, Alderman Joe Parisi and Alderwoman Stephanie Ford

ADDITIONS TO AND APPROVAL OF AGENDA.

Alderwoman Ford motioned to approve the February 14, 2023 agenda. Alderman Cook seconded the motion. Six voting Aye. Nays – 0. Motion carried.

APPROVAL OF THE MINUTES OF THE MEETING HELD JANUARY 24, 2023

Alderwoman Ford motioned to approve the minutes for January 24, 2023. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

CITY STAFF REPORTS

CITY MARSHAL DAVID FORD

City Marshal David Ford presented a MoDOT City Council Authorization form for the approval of the City of Fayette to continue to participate in Missouri's Highway Safety Program.

Mr. Ford reported that citizens are getting used to the new stop signs on the square.

Mr. Ford stated that his department had received funds for the 2022 Local Law Enforcement Block Grant from the Missouri Department of Public Safety in the amount of \$6,895.76 to purchase ten Ballistic Helmets, eight Tactical Plate Carriers and eight Tactical Rapid Deploy IFAK trauma kits.

Mr. Ford reported that his department was in need of ammunition and presented a bid to purchase \$1,793.00 worth of ammunition from Armscor Cartridge, Inc. The expense would be deducted from police budget from Operating Supplies and Training.

Alderman Parisi motioned to approve the bid to purchase the ammunition. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

PUBLIC WORKS DIRECTOR DANNY DOUGHERTY

Public Works Director Danny Dougherty presented a line-item request to purchase cables and testing for repair of the large bucket truck in the amount of \$6,633.11. Remaining in the budget for said line-item of Vehicle Maintenance and Repairs after the request is funded would be \$20,744.09.

Alderwoman Galloway motioned to accept the line-item request for repairs to the large bucket truck in the amount of \$6,633.11. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.

Mr. Dougherty reported that all stop signs had been installed around the square except the one on Church Street and West Davis. Mr. Dougherty has been in contact with MoDOT regarding the sign. MoDOT relayed to Mr. Dougherty that they would like to put the sign closer to the road, use parking stops or make an island for the sign. Mr. Dougherty stated that traffic representatives from MoDOT would be coming to Fayette to discuss the matter.

Mr. Dougherty also discussed that the signs at each corner should be closer to the street, but would eliminate the four corner parking spaces. Alderwoman Ishmael suggested that stripes be painted on the street at each corner.

Mr. Dougherty introduced Don Jenkins from MECO Engineering Company, Inc. to give a report on the upcoming repairs to the Spring Street Bridge. Mr. Jenkins said the preliminary design was done, basically building a concrete box under the bridge for stabilization and probably concrete guardrails would be added for safety. Mr. Jenkins stated that all bids would be out as soon as school was out for the year and that the next step would be final approval, bid process, then construction could begin.

Mr. Dougherty asked Mr. Jenkins if the bid process begin immediately instead of waiting until school was out. Mayor Jeremy Dawson also asked for the bid process, which takes twenty-one days, to start immediately and the project begin as soon as possible, even before school was out.

Alderwoman Ford approved the bid process for the Spring Street Bridge to start immediately. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

INTERIM CITY CLERK JUDY THOMPSON

Interim City Clerk Judy Thompson presented an application for a business license for The Blow Up, a home-based business, Owner Monique L. Chapman. Alderman Cook questioned the need for liability insurance but none was required. Alderwoman Galloway motioned to approve the business license for The Blow Up. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.

CITY ATTORNEY NATHAN NICKOLAUS

City Attorney Nathan Nickolas commented on the business license liability insurance for businesses, stating that it is not in our ordinance to require it. Mr. Nickolas stated that it isn't a bad idea, just not required by the City of Fayette. Alderman Cook stated the board would have the choice to not allow a business to open.

Mr. Nickolas stated that election season was finishing up and lots of cities were having problems with the election process but the City of Fayette was not one of them.

Mr. Nickolas stated a Senate Bill was voted down that would have provided 1% or 5 billion in gold (600 bars).

Mr. Nickolas stated that a new home-based business law that was better than last year's, had been submitted and advised us to support the bill. Mr. Nickolas suggested the city wait until August before changing our home-based business ordinance, to see if the bill passes or to pass the one we've written, the pro being that fewer would be grandfathered in, or do nothing, save money until we know more about the issue.

Mr. Nickolas spoke of a bill that was currently in the Senate that he suggested we oppose and call our Senator's or Representative's due to the fact that it would take away the city's ability to remove abandoned vehicles.

VISITORS

None

CITIZEN PARTICIPATION

Marsha Broadus

Marsha Broadus thanked Public Works Director Danny Dougherty for clearing up the area at the Senior Center.

Ms. Broadus stated that people were still not stopping at the stop sign near her home.

Ms. Broadus stated that a maintenance person was needed to take care of the Community Garden.

OLD BUSINESS

None

NEW BUSINESS

PAY RESOLUTION 2023-04 APPROVING INVOICES FOR PAYMENT

Alderwoman Ford motioned to approve Pay Resolution 2023-03 approving invoices for payment in the total sum of **\$541,613.57** which includes, General Fund \$39,271.37, Electric Fund \$347,507.92, Water Fund \$5236.52 and Sewer Fund \$149,597.76. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

DISCUSSION AND/OR APPROVAL OF CHANGE ORDER NO. 11 FROM MECO ENGINEERING, CO, INC. TO DECREASE CONTRACT PRICE OF WASTEWATER COLLECTION SYSTEM IMPROVEMENTS PROJECT

Don Jenkins of MECO Engineering Co. Inc. presented Change Order No. 11 to decrease the contract price of the Wastewater Collection System Improvements Project in the amount of \$10,484.96.

Alderwoman Ford motioned to approve Change Order No. 11 from MECO Engineering Co., Inc. to decrease the contract price of the Wastewater Collection System Improvements Project in the amount of \$10,484.96. Alderman Parisi seconded the motion. Six voting Aye. Nays – 0. Motion carried.

DISCUSSION AND/OR APPROVAL OF FINAL PAYMENT APPLICATION 15 FROM MECO ENGINEERING, CO, INC. TO PAY RYAN CONSTRUCTION COMPANY

Don Jenkins of MECO Engineering Co., Inc. presented the Contractor's Application for Payment No. 15 in the amount of \$332,473.83 for approval to pay final payment to Ryan Construction Company for the Wastewater Collection System Improvements Project and to close the project.

Alderwoman Galloway motioned to approve Payment Application No. 15 to pay the final payment to Ryan Construction and to close the project. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.

DISCUSSION AND/OR APPROVAL OF PROCEDURE FOR PAYING BILLS

Mayor Jeremy Dawson presented an example of a prior ordinance giving the City Administrator the ability disburse money to pay the obligations of the City when the purchase was budgeted or otherwise authorized by the Board of Alderman or if the amount of the invoice is less than a designated amount, for the purpose of giving City Clerk Judy Thompson the ability to pay invoices when the need arises before the Council meeting. All invoices would be reported to the Board of Alderman at following meeting.

Alderman Cook asked if we received discounts on bills if we paid early. Mrs. Thompson stated that she would do some research on it.

Alderman Parisi stated that maybe we could give preliminary approval for certain monthly bills.

Mr. Dawson concluded with the decision to rewrite the prior ordinance to give Mrs. Thompson authority to pay bills if needed and will bring the ordinance to the next Board of Aldermen meeting for approval.

DISCUSSION AND/OR APPROVAL OF EXCESS SEWER CHARGE WAIVERS

Discussion and/or approval of excess sewer charge waivers was as follows:

1. **Elodean Dougherty – 408 W. Morrison** - Alderwoman Galloway motioned to approve the sewer charge waiver. Alderwoman O’Connell seconded the motion. Six voting Aye. Nays – 0. Motion carried.
2. **Li Lee – 412 N. Church St.** - Alderwoman Galloway motioned to table the sewer charge waiver to request more information. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.
3. **Jessica Neeley – 406 W. Morrison St. Apt A** - Alderman Cook motioned to deny the sewer charge waiver. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.
4. **Dale Davis, Jr. – 1003 W. Spring St.** - Alderwoman Galloway motioned to approve the sewer charge waiver. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.
5. **Dara Williams – 200 W. Morrison St.** - Alderwoman Galloway motioned to table the sewer charge waiver to request more information. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.
6. **Hope Becker – 412 W. Morrison St.** - Alderwoman O’Connell motioned to deny the sewer charge waiver. Alderwoman Ford seconded the motion. Six voting Aye. Nays – 0. Motion carried.
7. **Maci Hardwick – 304 W. Morrison St., Apt 1** - Alderwoman Galloway motioned to table the sewer charge waiver to request more information. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

DISCUSSION AND /OR APPROVAL TO ACCEPT SEALED BIDS FOR THE MAINTENANCE OF THE FOLLOWING CITY PROPERTIES:

1. Seventy acres of hay to be mowed and removed from D.C. Rogers Lake Area for three years
2. Mowing of a portion of the southeast corner of the Fayette Cemetery for three years
3. A three-year lease of forty-seven acres of farm land near the wastewater treatment facility on Highway 240.

Attorney Nathan Nickolaus asked to table the discussion of accepting sealed bids for the city property maintenance until the next Board of Aldermen meeting for the purpose of revising the current ordinances for the maintenance of each property. Alderwoman Ford motioned to table the discussion of accepting sealed bids for the city property maintenance until the next Board of Aldermen. Alderman Parisi seconded the motion. Six voting Aye. Nays – 0. Motion carried.

DISCUSSION AND/OR APPROVAL OF ENGINEERING PROPOSALS FOR THE REPAIR OF THE D.C. ROGERS WING WALL

Mayor Jeremy Dawson began discussion by stating that two engineering firms had placed proposals to the city to be considered for the engineering work to be done for the repair of the D.C. Rogers wing wall. The two firms that submitted proposals were MECO Engineering Co., Inc., with the proposed fee of \$79,500.00 and Cook, Flatt & Strobel Engineers, P.A. (CFS Engineers) with the proposed fee of \$82,615.65.

Mr. Dougherty asked Don Jenkins if the fees for preliminary work done by MECO Engineering Co., Inc. would be included in the proposed fee of \$79,500.00 or if they would be in addition to the proposed fee. Alderman Cook asked for clarification of the costs of the project. Mr. Jenkins did not have that information but would find out and bring it to the next Board of Aldermen meeting.

Mayor Dawson stated that ninety percent of the project would be funded by FEMA and the remaining ten percent would be funded by SEMA.

Alderman Galloway motioned to accept the proposal from MECO Engineering Co., Inc. in the amount of \$79,500.00. Alderman Ford seconded the motion. Five voting Aye. Nays – 1. Motion carried.

BOARD OF ALDERMAN COMMENTS & COMMITTEE UPDATES

Alderman Stephanie Ford

Alderman Ford asked about the status of the stone at the unmarked grave. Mr. Dougherty stated that it should be done and would check with his department. Mrs. Ford asked what would be engraved on the stone which was donated by Scott Fuemmeler. Justin Addison will find his idea for the engraving.

Alderman Bekki Galloway

Alderman Galloway stated that the Davey Group Tree Survey is available for the public to view and a press release was sent.

Mrs. Galloway stated that she had a citizen complaint regarding a Magnolia tree on the corner of Elm and Vine that had been butchered, according to the citizen. Mr. Dougherty explained that the trees were trimmed away from the power lines because with every storm, the limbs touching the lines make the electricity go out and stated that the city has the right of way to make the decisions about the trees. Mrs. Galloway shared that it was important to communicate with homeowners about trees on their property before trimming the trees. The council suggested that Mrs. Galloway and the Tree Board to draft a letter to homeowners for the city workers to distribute to homeowners before trimming trees. Mrs. Galloway stated that the Tree Board would draft a preliminary rough draft of a letter and bring it to the next Board of Aldermen meeting, but stated that she felt the letter should come from the city. Mrs. Galloway also believes it is important that the city offer to dig a hole for the homeowner to plant another tree away from power lines.

Mr. Dougherty stated that the Mulberry tree at the Paige-Liberty Park was in very poor condition and needed to be cut down, but many citizens love the tree.

Mrs. Galloway stated that the Parks Commission enjoyed having Mr. Dougherty at their last meeting and would like him to attend regular meetings.

Mrs. Galloway reported on the poor condition of the Ricket's Lake dam and asked what could be done. Mr. Dougherty stated that it would need to be dug out and repacked but it would be expensive. Mayor Dawson stated that there wouldn't be much ARPA funding remaining after the Spring Street Bridge project was completed.

Mrs. Galloway stated the historic shelter needs to be assessed.

Mrs. Galloway stated that Ann Schnell will be working on pool passes again this year and asked about the status of the pool pump. Mr. Dougherty stated that he was waiting for the company who supplied the pump to repair it.

Alderman Peggy O'Connell

Alderman O'Connell reported that there was lots of trash at the Skate Park. Mr. Dougherty stated that city workers empty the trash cans at the park.

Mrs. O'Connell asked Mr. Dougherty to inspect a certain section on Lucky Street that seems to always be wet. Mr. Dougherty will look at the described section to see if there is a problem.

Alderman Michelle Ishmael

Alderman Michelle Ishmael thanked the council for the new Stop signs and she has heard many favorable comments.

Mrs. Ishmael reported that a property on her street had been remodeling their home for a long time and even though she didn't want to complain, the length of the remodeling time had been excessive and would like it to be cleaned up. Mrs. Ishmael asked if we needed an ordinance to have it cleaned up and Chief Ford stated that the situation would fall under the city's nuisance ordinance. Chief Ford stated that he would take care of contacting the citizen.

Alderman Grafton Cook

Alderman Grafton Cook inquired about the use of the water from the city lake stating that a certain citizen uses it to water his cattle, but asked if he use it for personal use which is prohibited. Mr. Dougherty stated that the citizen only uses the lake water for livestock.

MOTION TO ADJOURN TO CLOSED SESSION PURSUANT TO RSMO CHAPTER 610.021 (2) LEASING PURCHASE OR SALE OF REAL ESTATE BY A PUBLIC GOVERNMENTAL BODY WHERE PUBLIC KNOWLEDGE OF THE TRANSACTION MIGHT ADVERSELY AFFECT THE LEGAL CONSIDERATION THEREFORE; RSMO CHAPTER 610.021 (3) HIRING FIRING DISCIPLINING OR PROMOTING OF PARTICULAR EMPLOYEES BY A PUBLIC GOVERNMENTAL BODY WHEN PERSONAL INFORMATION ABOUT THE EMPLOYEE IS DISCUSSED OR RECORDED; RSMO CHAPTER 610.021 (13) INDIVIDUALLY IDENTIFIABLE PERSONNEL RECORDS PERFORMANCE RATINGS OR RECORDS PERTAINING TO EMPLOYEES OR APPLICANTS FOR EMPLOYMENT

Alderwoman Ford motioned to adjourn to closed session at 7:23 p.m. Alderman Ford seconded the motion. Six voting Aye. Nays – 0. Motion Carried.


Roll call vote: Ayes: Alderwoman Ford, Alderman Parisi, Alderwoman Galloway, Alderman Cook, Alderwoman Ishmael and Alderwoman O’Connell. Nays – 0. Motion Carried

Adjournment

Alderwoman Ford motioned to adjourn open session at 7:39 p.m. Alderman Parisi seconded the motion. Six voting Aye. Nays – 0. Motion Carried.

Respectfully submitted by:

 Judith Thompson, Interim City Clerk

 Jeremy Dawson, Mayor