

**REGULAR MEETING OF THE BOARD OF ALDERMAN OF
THE CITY OF FAYETTE, MISSOURI
TUESDAY, MARCH 12, 2024**

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. March 12, 2024 by Mayor Jeremy Dawson.

PLEDGE OF ALLEGIANCE

Everyone in the Chamber rose for the Pledge of Allegiance led by City Marshal David Ford.

ROLL CALL

Roll Call verified six Board Members present for the meeting.

Responding to the Roll Call: Alderwoman Marsha Broadus, Alderwoman Michelle Ishmael, Alderwoman Peggy O'Connell, Alderwoman Bekki Galloway, Alderwoman Ronda Gerlt, and Alderwoman Stephanie Ford.

ADDITIONS TO AND APPROVAL OF AGENDA.

Alderwoman Galloway motioned to approve the March 12, 2024 agenda. Alderwoman Ford seconded the motion. Six voting Aye. Nays – none. Motion carried.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMAN HELD FEBRUARY 27, 2024

Alderwoman Galloway motioned to approve the minutes of the Regular Meeting of the Board of Alderman held February 27, 2024. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – none. Motion carried.

PUBLIC HEARING BEGINS

Pursuant to Section 89.050, RSMo., a public hearing to consider adoption of the new code of ordinances, made in conformance with State Statute and to update the previous code of ordinance book began at 6:01 p.m. Mayor Dawson called for comments, to which there was none. Mayor Dawson closed the Public Hearing at 6:02 p.m.

CITY STAFF REPORTS

CITY MARSHAL DAVID FORD

City Marshal David Ford had no comments

PUBLIC WORKS DIRECTOR DANNY DOUGHERTY

Public Works Director Danny Dougherty presented two Line-Item Request forms for the Electric Department. The first was in the amount of \$11,469.77 for various listed electrical equipment. The second was in the amount of \$1,110.61 for various listed electrical tools. Alderwoman Ford motioned to approve both line-item requests. Alderwoman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion carried.

Mr. Dougherty reported that the grader had broken down, and asked for funds to repair the vehicle, as well as put new brakes on the vehicle. Mr. Dougherty will prepare a line-item request form with the total cost of the repairs which will be approximately \$3,800.00 and \$4,200.00 and to come partly from Parks and partly from Streets. Alderwoman O'Connell motioned to approve the repairs and new brakes on the grader. Alderwoman Ford seconded the motion. Six voting Aye. Nays – None. Motion carried.

CITY CLERK JUDY THOMPSON

City Clerk Judy Thompson stated that an advertisement for sealed bids for mowing the portion of the southeast corner of Fayette Cemetery had been placed in the newspaper and website. Sealed bids are to be returned by March 25, 2024 and presented at the next Board of Alderman meeting.

Mrs. Thompson reported on USDA Rural Development reimbursements the City had received recently as a remainder of the Sewer Improvement grant in the amount of \$1,833,000.00, received at the beginning of the sewer project. Reimbursements have included \$65,910.43 to purchase a new sewer camera, \$346,133.94 in funds, as reimbursement for engineering expenses before the loan and grant were issued, and waiting for approval from the USDA RD, \$16,300.00 to purchase a new push camera, sewer jetter machine and a manhole lid lifter.

Mrs. Thompson asked for approval to give Signature Remodeling, LLC a down payment check in the amount of \$12,000.00 to purchase materials for the City Hall remodeling project. Alderwoman O'Connell motioned to approve the down payment check for Signature Remodeling, LLC. Alderwoman Broadus seconded the motion. Six voting Aye. Nays – None. Motion carried.

CITY ATTORNEY NATHAN NICKOLAUS

City Attorney Nathan Nickolaus made comments on the Ordinance No. 2024-05, An Ordinance of the City of Fayette Missouri amending the City Code by adding one new chapter regarding adult entertainment, to be voted on during the New Business section of this meeting. Mr. Nickolaus stated most every city he works with has a similar ordinance, but Fayette did not. Mr. Nicholas stated the ordinance would give the City guidelines and would regulate, not prohibit adult entertainment.

ASSISTANT TO THE MAYOR MIKE DIMOND

Assistant to the Mayor, Mike Dimond presented a 2024 Missouri Department of Transportation (MoDOT) Alternatives Program Guide and stated that the grant had a deadline of April 26, 2024. Discussion on the grant information will be held at the next Board of Alderman meeting on March 26, 2024.

Mr. Dimond reported that due to the City Hall construction, the next Board of Alderman meeting would be held at the Keller Building at 6:00 p.m. on March 26, 2024.

VISITORS

Regina Baskett Powell

Regina Powell asked the City to correct the name of Paige-Liberty Park on the website.

Ms. Powell reported that mulch had been purchased for Paige-Liberty Park and asked the City Public Works Department with help to haul the mulch. Mr. Dougherty agreed to help haul the mulch. A group from Central Methodist University will help clean up the park on April 17, 2024.

Ms. Powell commented that with all of the apartment buildings being built, she felt like they were closing in on neighborhoods and would like to stop it and find a way to provide low-income housing.

Nicole Atkins

Nicole Atkins stated her agreement with the Adult Entertainment ordinance and gave comments regarding the subject.

Emily Doolin

Emily Doolin commented on dog ordinances since she was recently bitten by a dog. Ms. Doolin asked the City Police Department to continue to be vigilant to follow the rules in place regarding dogs.

Jill Sunderland

Jill Sunderland of TJ's Diner and Bar stated that the upcoming event that had sparked the need for an adult entertainment ordinance was intended to reach community women, that windows would be blocked out, was age verified and tickets were required. Ms. Sunderland also announced a family-friendly block party that she was planning with food trucks, face painting and bull riding, and questioned if the \$500.00 fee in the ordinance would make it worth her while to have the event.

John & Joyce Parker

John Parker spoke for he and his wife regarding their disapproval of the adult entertainment event soon to be held at TJ's Diner and Bar. He stated that the new ordinance was necessary to stop events of the same sort from coming to Fayette, creating a detrimental effect on Fayette and having a negative return on businesses as well as increasing crime and being harmful to families and children.

CITIZEN PARTICIPATION

None

OLD BUSINESS**DISCUSSION OF PUBLIC MEETING TO RECEIVE PUBLIC COMMENT ON PARKING AND TRAFFIC FLOW IN DOWNTOWN FAYETTE**

Alderwoman Ishmael stated that the date for the Public Meeting had been changed to April 4, 2024 at 6:00 p.m. and that the location would be at the courtroom at the Howard County Courthouse. A third-party moderator will lead the meeting and each citizen will have a three minute limit to speak.

NEW BUSINESS**PAY RESOLUTION 2024-05 APPROVING INVOICES FOR PAYMENT**

Alderwoman Ford motioned to approve Pay Resolution 2024-05, approving invoices for payment and salaries in the total sum of **\$279,370.26** which includes, General Fund \$74,092.82, Electric Fund \$167,505.40, Water Fund \$9,113.84, Sewer Fund \$28,658.20. Alderwoman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion carried.

DISCUSSION AND/OR APPROVAL OF BILL NO. 2024-03, AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF FAYETTE, COUNTY OF HOWARD, STATE OF MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Alderwoman Ford motioned to approve **BILL NO. 2024-03, BY FIRST AND TITLE ONLY READING OF AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF FAYETTE, COUNTY OF HOWARD, STATE OF MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.** Alderwoman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion carried.

Roll Call Vote: Ayes: Alderwoman Ford, Alderwoman Gerlt, Alderwoman Galloway, Alderwoman O'Connell, Alderwoman Ishmael and Alderwoman Broadus Nays – None.

Alderwoman Ford motioned to approve **BILL NO. 2024-03, BY SECOND AND TITLE ONLY READING OF AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF FAYETTE, COUNTY OF HOWARD, STATE OF MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE**

SHALL BECOME EFFECTIVE. Alderwoman O'Connell seconded the motion. Six voting Aye. Nays – None. Motion carried.

Roll Call Vote: Ayes: Alderwoman Broadus, Alderwoman Ford, Alderwoman Gerlt, Alderwoman Galloway, Alderwoman O'Connell and Alderwoman Ishmael. Nays – None.

DISCUSSION AND/OR APPROVAL OF ORDINANCE NO. 2024-04, AN ORDINANCE ALLOWING CERTAIN NON-RESIDENTS TO SERVE ON CERTAIN CITY BOARDS AND COMMITTEES

Alderwoman Ford motioned to approve **BILL NO. 2024-04, BY FIRST AND TITLE ONLY READING OF AN ORDINANCE ALLOWING CERTAIN NON-RESIDENTS TO SERVE ON CERTAIN CITY BOARDS AND COMMITTEES.** Alderwoman Broadus seconded the motion. Six voting Aye. Nays – None. Motion carried.

Roll Call Vote: Ayes: Alderwoman O'Connell, Alderwoman Ishmael, Alderwoman Broadus, Alderwoman Ford, Alderwoman Gerlt and Alderwoman Galloway. Nays – None.

Alderwoman Ford motioned to approve **BILL NO. 2024-04, BY SECOND AND TITLE ONLY READING OF AN ORDINANCE ALLOWING CERTAIN NON-RESIDENTS TO SERVE ON CERTAIN CITY BOARDS AND COMMITTEES.** Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – None. Motion carried.

Roll Call Vote: Ayes: Alderwoman Galloway, Alderwoman Gerlt, Alderwoman Ford, Alderwoman Broadus, Alderwoman Ishmael and Alderwoman O'Connell. Nays – None.

DISCUSSION AND/OR APPROVAL OF ORDINANCE NO. 2024-05, AN ORDINANCE OF THE CITY OF FAYETTE MISSOURI AMENDING THE CITY CODE BY ADDING ONE NEW CHAPTER REGARDING ADULT ENTERTAINMENT

Alderwoman O'Connell motioned to table the vote on the ordinance until the next Board of Alderman meeting on March 26, 2024. Alderman Galloway seconded the motion. Five voting Aye. Nays – one. Motion tabled.

Roll Call Vote: Ayes: Alderwoman Broadus, Alderwoman Ishmael, Alderwoman O'Connell, Alderwoman Galloway and Alderwoman Ford. Nays – Alderwoman Gerlt.

DISCUSSION AND/OR APPROVAL OF WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY RENEWAL QUOTE

Alderwoman Ford motioned to approve the Worker's Compensation and Employer's Liability Renewal Quote in the amount of \$48,056.00 for the period of 4/01/2024 thru 4/01/2025. Alderman Broadus seconded the motion. Six voting Aye. Nays – None. Motion carried.

DISCUSSION AND/OR APPROVAL OF THE FOLLOWING REQUESTS FOR WAIVER OF EXCESS SEWER CHARGES:

- 604 Watts Avenue – Alderwoman Ford motioned to approve the Waiver of Excess Sewer Charges. Alderwoman O’Connell seconded the motion. Six voting Aye. Nays – None. Motion carried.
- 124 E. Morrison Street, Apt. C – Alderwoman O’Connell motioned to approve the Waiver of Excess Sewer Charges. Alderwoman Ford seconded the motion. Six voting Aye. Nays – None. Motion carried.
- 207 S. Linn Street – Alderwoman Ford motioned to approve the Waiver of Excess Sewer Charges. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – None. Motion carried.
- 114 E. Morrison – Alderwoman O’Connell motioned to approve the Waiver of Excess Sewer Charges. Alderwoman Ford seconded the motion. Six voting Aye. Nays – None. Motion carried.
- 200 West Morrison Street – Alderwoman Ford motioned to deny the Waiver of Excess Sewer Charges, but offer a four-month payment plan or submit the request for the next Board of Alderman meeting. Alderwoman Galloway seconded the motion. Six voting Aye. Nays – None. Motion carried.
- 105 Shields Street – Alderwoman Galloway motioned to approve the Waiver of Excess Sewer Charges. Alderwoman Ford seconded the motion. Six voting Aye. Nays – None. Motion carried.

BOARD OF ALDERMAN COMMENTS & COMMITTEE UPDATES

Alderwoman Marsha Broadus

Alderwoman Broadus commented on the trash cans being left out.

Alderwoman Michelle Ishmael

Alderwoman Ishmael commented how nice it was to see citizens playing at Lembke Field.

Alderwoman Peggy O’Connell

Alderwoman O’Connell commented how she was thankful for the new sidewalk by the school.

Alderwoman Bekki Galloway

Alderwoman Galloway reported on the following topics:

- Two citizens complained about loose dogs. They called the Non-Emergency number but no one called them back.
- The No Parking sign on Spring Street across from Joe Geist’s house should be on Linn Street
- A general Non-Criminal complaint form that can be filled out online needs to be on the website.
- Tree Board Minutes are available

- Could Tree Board budget be increased to from \$6,000.00 to \$8,000.00?
- Request to change ordinance for the Parks Commission to increase members from five to six.
- Potential logging at D.C. Rogers Lake to raise funds for parks has created grave concerns for the damage caused for low financial returns.
- Watering plan for new trees
- Tree giveaway on April 27, 2024 from 9:00 to 11:00 at the Howard County Courthouse.
- No Dogs Allowed sign needed at Lembke Ball Field
- Sinking Fund is needed for Rickett's Dam repair
- Amendment to the budget to cover repainting the pool
- School Candidate Forum next Tuesday at 7:00 p.m. at the Fayette High School

Aldерwoman Ronda Gerlt

Alderwoman Gerlt thanked citizens Nicole Atkins and John Parker for their comments earlier in the meeting.

Alderwoman Ford motioned to move to closed session at 6:58 p.m. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion Carried.

Responding to the Roll Call: Alderwoman Broadus, Alderwoman Ishmael, Alderwoman O'Connell, Alderwoman Galloway, Alderwoman Gerlt and Alderwoman Ford.

Alderwoman Ford motioned to adjourn closed session at 7:17 p.m. Alderwoman Broadus seconded the motion. Six voting Aye. Nays – 0. Motion carried.

Roll call vote: Voting Aye: Alderwoman Ford, Alderwoman Gerlt, Alderwoman Galloway, Alderwoman O'Connell, Alderwoman Ishmael and Alderwoman Broadus. Nays: None. Motion Carried.

City Marshal David Ford reported that he did not give TJ's permission to close the street for their midget wrestling event.


Public Works Director Danny Dougherty stated that the TAP Grant should have been used with the bridge in April and to talk about it next meeting.

ADJOURNMENT

Alderwoman Ford motioned to adjourn at 7:21 p.m. Alderwoman Ishmael seconded the motion. Six voting Aye. Nays – 0. Motion carried.

Respectfully submitted by:

 Judith Thompson, City Clerk

 Jeremy Dawson, Mayor