

City of Dearborn

Board of Alderman Regular Meeting April 9, 2018

The Board of Alderman of Dearborn, Missouri met in regular session on April 9, 2018 at 7:00pm in Dearborn City Hall, Dearborn, Missouri with the following officers and city personnel being present:

Mayor Jamie Morey, Aldermen Bob Bryan, Donald Swanstone, Don Kerns, Mary Lee Green, Public Works Alex Ball, City Clerk Cindy Atkison Deputy City Clerk Denise Rouse and City Attorney Don Fowler.

Citizens and visitors present: Steve Wilson, Susan Lober, Rick Oswalt, Susie Lyon, Mike Lyon, Elaine Greer, Pat Downing, Melinda Hott, Shelly Morey, Stacy Carter, Sandy Buntin, Louie Buntin, Nigel Adkin, Danielle Perkins, Bill Brookes, Breanna Cheadle, Thomas Larsen, Cody Thorn with Citizen and Deputy Matt Knabe with Platte Count Sheriff

Mayor Morey called the meeting to order at 7:00pm.

March 12, 2018 Regular meeting minutes – Alderman Kerns motioned to approve, second by Alderman Swanstone. Vote was 4 ayes, 0 nays. Motion carried.

March 12, 2018 Executive meeting minutes – Alderman Kerns motioned to approve, second by Alderman Bryan. Vote was 4 ayes, 0 nays. Motion carried.

March 28, 2018 Special meeting minutes – Alderman Swanstone motioned to approve, second by Alderman Bryan. Vote was 4 ayes, 0 nays. Motion carried.

Bills, warrants and payroll – Alderman Bryan motioned to approve, second by Alderman Swanstone. Vote was 4 ayes, 0 nays. Motion carried.

Financial Statement Review – Alderman Swanstone motioned to approve, second by Alderman Kerns. Vote was 4 ayes, 0 nays. Motion carried.

Oath of Office for Alderman was given to Steve Wilson by City Clerk Atkison. Alderman Wilson signed oath of office. Alderman Green gave seat to Alderman Wilson. The City thanks Mary Lee Green for her service.

Oath of Office for Mayor was given to Jamie Morey by City Clerk Atkison. Mayor Morey signed oath of office.

Mayor Morey opened discussion on alternatives for tie vote for remaining Alderman seat between Donald Swanstone and Breanna Cheadle. Attorney Fowler noted the State statues have three (3) ways in which a tie may be addressed. They are: one of the candidates concedes, draw lots, or runoff election. Mayor Morey stated both candidates must agree on means to break tie. Audience asked what is the cost of runoff election, City Clerk Atkison said cost is approximately \$6000.00 and that would come out of general fund, general fund comes from sales, tax, property tax, franchise tax. Breanna Cheadle asked how much was in general fund, there is approximately \$300,000 in general fund. Susan Lober asked if City ordinance states how many Alderman sit on board (at this time it is four (4)) and if an 5th Alderman could be added. An election would more than likely have to have to take place to decide. Alderman Wilson asked if there had always been four (4) Aldermen. Audience also asked how much is Alderman paid for their service, it is \$80.00 pre-tax per month. Mayor Morey gave brief history on Alderman process. It was decided to have a runoff election, date to be announced later.

Audience Comments and Concerns:

Nigel Atkin let city know that a building has been acquired for the Historical Museum & Cultural Center on 3rd Street. Museum hopes to be open no later than May. It will take the help of not only the paid members of the Museum but from the community to start and maintain the exhibits.

Stacy Carter said that the sink hole on 6th Street that was patched is sinking again. Alex will look at it.

Danielle Perkins asked how the water is billed. Water is billed per 1000 gallons.

Mike Lyon stated that now the snow is gone there is a lot of trash in the ditches and yards. He asked if something could be put on water bills about this problem.

Susie Lyon said that kids are dumpster diving and taking out boards with nails. The boards are being left at Vaughn Park and that the lights are out again. If someone sees these actions to call the police. Citizens can also speak to offender and/or their parents. If names are known the police will go and speak to them, the reporting person is kept anonymous. Deputy Knabe stated that it is not illegal to dumpster dive, but there is an ordinance against littering.

Susie Lyon let city know that Clean-up day is set for May 12, 2018 from 9:00 am to Noon behind City Hall. Brush, limbs, metal recycling, etc. will be picked up. Donations of food or money is welcomed and will go to the Food Pantry.

Elaine Greer confirmed that flags would go up on 21st for event. She also asked if event could go up on city sign. She needs to get information to Cindy or Denise within two weeks of when event starts. Elaine said she would get with Cindy after meeting.

Elaine Green also commented on mirror on north side of town, Main & Y. It does not seem stable. Alex said that wind is an issue and they are working on ways to secure mirror.

New Business: None

Old Business:

Bill No 337, Ordinance No. 332, amending Section 210.2210 of the code of ordinances of the city of Dearborn to allow certain fireworks within the city during specified hours and days was read by title only was by Attorney Fowler. Alderman Swanstone to accept reading, second by Alderman Kerns. 4 Ayes, 0 Nays

Bill No 337, Ordinance No. 332, amending Section 210.2210 of the code of ordinances of the city of Dearborn to allow certain fireworks within the city during specified hours and days was read a 2nd time by title only by Attorney Fowler. Alderman Kerns to accept reading, second by Alderman Kerns. 4 Ayes, 0 Nays

Motion to accept Ordinance No 332 was made by Alderman Kerns, second by Alderman Swanstone, Vote was 3 Ayes, 1 Nays. Motion carried.

Water Line Extension by North Platte R1 – Attorney Fowler said the question from last meeting was if City Engineer could design and build. He can design, but at least three (3) bids will be needed for the build, as stated by State in totals of \$4500.00 or more. Alex stated that the City Engineer Brock had sent DNR the paper work for a permit and that three (3) bids had already been received. He is also waiting for contact with School Board. Mayor Morey said that Fire Dept. had said they would possibly purchase a fire hydrant to help the City. The City of Dearborn has already purchased two (2) fire hydrants. The Fire Dept. will purchase fire hydrant only, all other costs associated with installation will be Cities responsible. The Dearborn City Board accepted and thanked the Fire Dept. for the fire hydrant. The Fire Dept. Board has not approved purchase of fire hydrant yet, but the purchase will benefit the Fire Dept. also.

6th Street – Mr. Halley did not accept the Cities offer to purchase the 220 sq. ft. of property. Mr. Halley wants the City to do things that it does not have the legal authority to do. Nor can the City of Dearborn force the County of Platte to do what Mr. Halley would like.

Stacy Carter is asking the City to put a fence on her property when the 6th extension is done. Attorney Fowler stated that it may be unlawful for the City to put fence on private property that is not for public improvement. Ms. Carter stated that a fence was started and she thought that it could be finished. Per Public Works Alex Ball; the fencing in question was put in by school not the City.

Department Reports:

Public Works: Alex Ball was nominated and won for waste water operator of the year. As stated before light is out at Vaughn Park. Alex will check it out and he stated that the bulbs are something that persons seem to enjoy knocking out.

Parks and Recreation: No Report

Community Center: New electrical outlets have been installed.

Law Enforcement: They are working on the printing out reports issue. Have been seeing to the excess noise of vehicles issues and there remains to be a speeding problems on Main St. If needed they can set up extra patrols.

Planning and Zoning: Alderman Wilson will recuse himself from voting on this issue as it applies to him. He is requesting a variance to build a 3 – 3 ½ foot picket fence around his property to keep his dogs in. Concern is that with fence all around house could possibly impede Police and Fire Depts., if access is needed. Danielle suggested that just place fence up to side walk and around, it would however still block access. Steve said there were other houses with fences around them, seems these were done a long time ago. Board looked at hand drawing from Steve. Alderman Kerns made motion to allow variance, second by Alderman Bryan. Vote was 3 Ayes, 0 Nays, 1 Recuse by Alderman Wilson.

City Clerk: Have not received Ball Assoc. contract. Contact will be made to Ball Assoc. to get signed contract to City. Denise will go through utility billing training. From recent seminars in regards to Court it was brought to Cindy's attention that separation of duties of city clerk and court clerk are needed. However, it has been learned since then that the Statutes allow for the two to be the same person. The court files may have to be moved to different location. All court files must be kept apart from all others under lock and key. Denise will be made the Assistant Court Clerk so she may assist Cindy with Court documents and issues.

Mayor Morey stated for the last year and a half he has been dealing with an a citizen coming to his home, place of business or texting his personal telephone to conduct city issues. This citizen has also contacted other citizens and board members. The main issue this citizen is complaining about is has been looked at many times by numerous people (including the Sheriff's Dept. and newspaper) and it is no longer viable. He also seems to be complaining about issues he also is doing unethically or unlawfully. This citizen doesn't seem able to state the solution he would like or wants. As the Mayor is not the Mayor at his place of business or home, it could be considered harassment. One solution could be for Mayor Morey to send him a letter addressing his concerns and asking him to stop. Mayor Morey just wanted the board to be aware of this person's continuing behavior.

Motion to go into Executive Session pursuant to Missouri Sunshine Law #610.021 (1) (3) to discuss litigation matters and Attorney Client issue was made by Alderman Swanstone, second by Alderman Kerns. Roll call vote was 4 ayes, 0 nays. Motion carried

Return to Open Session.

Mayor Morey told audience that a unanimous vote was made to make monetary offer to the owner at 205 N Commercial for the 220 sq. ft. of property, to connect to 6th Street.

Motion to adjourn was made by Alderman Bryan, second by Alderman Kerns. Vote was 4 ayes, 0 nays. Motion carried.

Cindy Atkison, City Clerk

Jamie Morey, Mayor