

DRAFT COPY ONLY

**BOARD OF ALDERMEN
MINUTES
August 26, 2010**

The Board of Aldermen of the City of Marshfield, Missouri, met in regular session on Thursday, August 26, 2010, in Council Chambers at Marshfield City Hall.

CALL PUBLIC HEARING TO ORDER – Mayor C.R. Clark called the Public Hearing to order at 6:00 p.m. Citizens were to be heard on the proposed tax rates to be set for the City. With no comments, Mayor Clark closed the Public Hearing at 6:01 p.m.

CALL TO ORDER – Mayor C. R. Clark called the meeting to order at 6:01 p.m.

ROLL CALL - Answering roll call were Mayor Clark, East Ward Aldermen Tom Owen and Bill Tierney, and West Ward Aldermen Jim Downing, and Ed Noland.

Staff members present were City Administrator Dan McMillan, Assistant City Administrator Deana Fishel, City Clerk Terri Taylor, Public Works Superintendent Sam Rost, City Building Inspector Larry McCormack, Accountant Renee Lawson, Attorney David C. Replogle, and Police Chief Doug Fannen.

MINUTES – Alderman Owen made a motion to approve the minutes of August 12, 2010. Alderman Noland seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

EXPENDITURES – A motion to approve expenditures as presented was made by Alderman Downing and was seconded by Alderman Owen. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

PUBLIC COMMENTS – None.

OLD BUSINESS

BILL NO. 2010-43– REPLAT FOR WLM RETAIL TRUST – Attorney Replogle read two times by title a proposed ordinance to replat property owned by WLM Retail Trust. The bill had been posted.

Alderman Downing made a motion to approve the first reading of the proposed ordinance. Alderman Noland seconded the motion. The motion passed in a roll call vote with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

Alderman Noland made a motion to approve the second reading of the proposed ordinance. Alderman Tierney seconded the motion. The motion passed in a roll call vote with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

SELECT ENGINEER FOR I-44 FEASIBILITY STUDY – Deana Fishel said staff had interviewed four firms and recommended Mathews & Associates, who is partnered with Crawford, Murphy & Tilly. Alderman Owen made a motion to approve the

recommendation. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: Downing.

REPORT ON LIST OF TRANSPORTATION CONSULTANTS THAT RESPONDED FOR I-4 PROJECT

– Deana Fishel said the project will not be federally funded, but MoDOT recommendations will still be followed. There were four respondents to the bid, and staff is recommending that all four be interviewed. Alderman Tierney made a motion to approve the staff recommendation. Alderman Owen seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Noland. Nay: Downing.

PROPOSED VEHICLE POLICY

– Dan McMillan presented the revised vehicle policy. Discussion was held over Police Department vehicles. Alderman Tierney made a motion to accept the recommended policy as a 90 day trial and bring back for review at that time. Alderman Owen seconded the motion. The motion passed with three ayes. Voting aye: Owen and Tierney. Nay: Downing and Noland. Mayor Clark broke the tie with a vote of aye.

DISCUSSION ON HOW PUBLIC INFORMATION IS RELEASED

– Terri Taylor presented a report of 17 cities of similar size that were surveyed, which resulted in most cities referring press to the Administrator or Mayor. With no action taken by Board, issue remains status quo.

AWARD BID ON SURPLUS PROPERTY (STRIP OF LAND BY WARREN ST. WATER TOWER)

– Dan McMillan opened the one sealed bid received which was from Warren Court Properties, LLC for \$1,000. Alderman Noland made a motion to accept the bid. Alderman Downing seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

AWARD CREDIT CARD BIDS

- Dan McMillan presented the bid results, and said staff recommendation was for Southern Missouri Bank. Alderman Downing made a motion to have the City Attorney review the recommended bid and bring back in two weeks. Alderman Tierney seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

REQUEST FOR EMERGENCY ITEM

– Mayor Clark asked to add an emergency item. Staff had located an animal control truck online that was only available until Friday afternoon. Dan McMillan was requesting a maximum bid amount allowed to purchase the truck. After discussion, Attorney Replogle recommended a special session be scheduled if a vote was needed. Alderman Tierney made a motion to have an emergency meeting on Friday before 2:00 p.m. Alderman Noland seconded the motion. Alderman Owen amended the motion to have a special meeting at 8:00 a.m. on Friday. Alderman Downing seconded the motion. The amended motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None. The original motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

NEW BUSINESS

REPORT FROM PLANNING & ZONING – RESULTS OF PUBLIC HEARING HELD REGARDING SALES OF FIREWORKS WITHIN THE CITY LIMITS

– Larry McCormack reported that after a Public Hearing, the Planning & Zoning Commission

had recommended that sales of fireworks continues to not be allowed in the city limits. Alderman Noland made a motion to accept the recommendation. The motion died for lack of a second. Alderman Downing made a motion to refer the issue back to Planning & Zoning for review. Alderman Tierney seconded the motion. The motion passed with three ayes. Voting aye: Owen, Tierney, and Downing. Nay: Noland.

TEMPORARY ROAD CLOSURE REQUEST (ON THE SQUARE FOR A REVIVAL)

– Sam Rost said that several churches wanted to have a revival on the square in September and requested to close Crittendon temporarily. Attorney Replogle suggested having them name the City as an additional insured. Alderman Downing made a motion to allow the closure if the City is named as an additional insured. Alderman Tierney seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

DRINKING WATER UPDATE – Sam Rost reported that some DNR regulations are changing, and they are going to a point system that looks at violations for five year periods. Discussion was held and Sam is to keep the Board informed of any information he receives.

FAIR BOARD REQUEST FOR A LEASE AGREEMENT ON THE KITCHEN FACILITY

– Eugene Cantrell had notified the Mayor he was not ready. Alderman Downing made a motion to table for two weeks. Alderman Noland seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

CHANGE TO COMPREHENSIVE PLAN CONTRACT WITH SCOTT ENGINEERING

– Deana Fishel said Scott Engineering was just acquired by Olsson Associates, and they want us to assign the contract to Olsson. Discussion of options followed. Alderman Tierney made a motion to approve and to retain the same personnel we deal with now. Alderman Noland seconded the motion. The motion passed with four ayes. Voting aye: Owen, Tierney, Downing, and Noland. Nay: None.

COMPREHENSIVE PLAN SURVEY UPDATE –Copies of the survey were available.

FUTURE AGENDA ITEMS– None.

ADJOURN – With no other business appearing before the Board of Aldermen, Mayor Clark declared the meeting adjourned at 7:26 p.m.

C. R. Clark, Mayor

ATTEST:

Terri Taylor, City Clerk