

FEBRUARY 20, 2019

The Monett City Council met in regular session, Wednesday, February 20, 2019 at 9:30 a.m. in the Monett City Hall Council room at 217 Fifth Street, Monett, Missouri. Attendance was as follows: Mike Brownsberger-Mayor, Jerry Dierker-Commissioner, Al Dohmen-Commissioner, Dennis Pyle-City Administrator, Lisa Crawford-City Clerk, Bonnie Witt-Schulte-Emergency Management Director, Georges Daoud-Police Chief, Wade Ennes-Building & Zoning Inspector, Jack Schultz-911 Board and Murray Bishoff-Media.

Mayor Brownsberger called the meeting to order and minutes of previous meeting dated January 21, 2019 were approved as written with a motion from Commissioner Dierker and a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

City Administrator-Dennis Pyle called for an amendment to the agenda to include Resolution 8655 Appointing the Monett Municipal Court Judge. Motion was made by Commissioner Dierker to amend the agenda with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

Monthly expenditures were approved for payment in the amount of \$2,097,177.59. Motion was made by Commissioner Dohmen to approve payment with a second from Commissioner Dierker. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

Mayor Brownsberger opened the public hearing to review an amendment to the City's zoning ordinance as it relates to Small Wireless Facilities (SWF) and other minor revisions to the zoning code related to special use permits and public hearing notices. Dennis Pyle-City Administrator stated this would put an ordinance in place to allow the City to regulate the placement of wireless attachments in Single-Family Residential zones. In the Single-Family Residential zones, the City could require the attachments to blend in or be as inconspicuous as possible. The wireless attachments would be placed on utility poles, light poles, etc., with the attachments being placed approximately 300 feet apart in order to be utilized properly. The SWF attachments are just now showing up in St. Louis and other larger cities.

Mr. Pyle stated the ordinance was prepared by the law firm of Cunningham, Vogel & Rost of St. Louis, Missouri. The Planning and Zoning Commission met on January 31, 2019 to discuss the proposed ordinance and to recommend the change to City Code to include the Small Wireless Facilities. Murray Bishoff asked if the City had made any revisions to the ordinance. Wade Ennes-Building Inspector stated there were only minor changes made. Mr. Bishoff asked Police Chief-Georges Daoud if there was a possibility of vandalism to the attachments. Chief Daoud stated he didn't think it would be a problem as they are placed relatively high on poles and there were no sought-after elements such as copper.

There being no further discussion, Mayor Brownsberger closed the public hearing.

BILL 8650 FIRST & SECOND READING: AN ORDINANCE AMENDING TITLE IV OF THE MONETT CITY CODE BY ADOPTING A NEW ARTICLE XI, SECTION 400 TITLED "WIRELESS COMMUNICATIONS FACILITES CODE" AND AMENDING SECTION 400.120 RELATING TO SPECIAL USE PERMITS

Bill 8650 was presented for introduction and first reading. Dennis Pyle, City Administrator stated the purpose of this ordinance was to make sure the City would still have control over placement of the attachments in Single-Family Residential zones.

Council proceeded with a second reading of the ordinance at which time, the Mayor called for public comment. There being no further comments, Mayor Brownsberger called for a motion.

Motion was made by Commissioner Dierker to approve the ordinance with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8643 SECOND READING: AN ORDINANCE APROVING AN AGREEMENT BETWEEN THE CITY OF MONETT AND THE BARRY COUNTY COLLECTOR TO COLLECT AN ASSESSMENT FOR TH BRANDERMILL/COUNTRY CLUB NEIGHBORHOOD IMPROVEMENT DISTRICT (NID) GRAVITY SEWER EXTENSION PROJECT IN MONETT, BARRY COUNTY, MISSOURI

Murray Bishoff asked if this was a continuance of the assessment that is currently in place. City Administrator, Dennis Pyle stated that it was a continuance of the original assessment from August 2003.

Motion was made by Commissioner Dohmen to approve the ordinance with a second from Commissioner Dierker. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8644 SECOND READING: AN ORDINANCE APPROVING A TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT BETWEEN THE CITY OF MONETT, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

City Administrator, Dennis Pyle stated the ordinance was approving the agreement for funds through the TAP grant program administered by the Missouri Department of Transportation for sidewalk/pedestrian improvements along Central Avenue (Route 37) from Cleveland Avenue to Broadway Street. He also stated the application was selected for funding in the amount of \$399,826.15 for 2019.

Motion was made by Commissioner Dierker to approve the ordinance with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8645 SECOND READING: AN ORDINANCE AMENDING TITLE II, SECTION 210.230 OF THE CITY CODE OF MONETT, MISSOURI, RELATING TO ANIMAL CONTROL FEES

Police Chief, Georges Daoud stated the adjustment to the current fees would bring the City in line with the cost of housing and transporting of animals.

Motion was made by Commissioner Dohmen to approve the ordinance with a second from Commissioner Dierker. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8646 SECOND READING: AN ORDINANCE AMENDING TITLE I, SECTION 130.050 OF THE MONETT CITY CODE ESTABLISHING A SAFETY LEAVE BENEFIT FOR REGULAR, FULL-TIME EMPLOYEES

City Administrator, Dennis Pyle stated in the past, there was an informal policy in place for good safety practices. He stated this would enact and codify an employee benefit program that will reward full-time employees for the City's successful safety record.

Mr. Pyle stated if the City's experience modifier is between 0.90 - 1.10 inclusive, employees shall be entitled to eight (8) hours of Safety Leave; if the City's experience modifier is between 0.80 - 0.89 inclusive, employees shall be entitled to sixteen (16) hours of Safety Leave; if the City's experience modifier is 0.79 or lower, employees shall be entitled to twenty-four (24) hours of Safety Leave. He stated the leave will be available to those employed by January 1 through June 30 the prior year. The leave will be available at 50% for those employed July 1 through December 31 of the prior year.

Motion was made by Commissioner Dierker to approve the ordinance with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8647 SECOND READING: AN ORDINANCE APPROVING A SIDEWALK IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF MONETT, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

City Administrator, Dennis Pyle stated the City wishes to install and do maintenance to sidewalks in the right-of-way along Route 37 between Cleveland Avenue and Broadway, which is the property of the Missouri Highways and Transportation Commission. The agreement gives permission for the repairs and upkeep and will continue to be maintained by the City.

Motion was made by Commissioner Dierker to approve the ordinance with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

BILL 8651 FIRST READING: AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF MONETT, MISSOURI FOR THE FISCAL YEAR BEGINNING APRIL 1, 2019 AND ENDING MARCH 31, 2020

Bill 8651 adopting a budget for the City of Monett was introduced and first read by title only. Mr. Pyle stated that he had prepared a memorandum that was included in the Council packets and for the media. Second reading was set for March 20, 2019.

RESOLUTION 8652: APPROVING CHANGE ORDER #4 WITH JEFF ASBELL EXCAVATING AND TRUCKING, INC., ON THE ENTERPRISE DRIVE STREET IMPROVEMENT PROJECT

City Administrator, Dennis Pyle stated the change order would add \$699.97 for additional signage, bringing the project total to \$911,446.31. Mr. Pyle also stated that Enterprise Drive opened to public use on February 19, 2019. Murray Bishoff asked if there would be asphalt on the road and Commissioner Dierker stated it is concrete and only parts transitioning into Chapel Drive had asphalt.

Mayor Brownsberger made a motion to approve the resolution with a second from Commissioner Dierker. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

RESOLUTION 8654: APPROVING AN AMENDMENT TO THE GRANT AGREEMENT WITH THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT NUMBER FR-2018-17 "KELLY CREEK FLOOD BUYOUT PROJECT"

City Administrator, Dennis Pyle stated the City had solicited requests for professional appraisal services and received one proposal. He stated the original budget included \$21,600 in "Relocation" assistance and \$5,100 for "Other Professional Services". The proposal received exceeded the approved budget in "Other Professional Services". The amount budgeted for "Relocation" assistance is anticipated to be in excess of the amount needed. The resolution would amend the grant agreement by reducing the "Relocation" line item by \$5,300 and increasing the "Other Professional Services" line item by \$5,300.

Mayor Brownsberger made a motion to approve the resolution with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

RESOLUTION 8655: APPOINTING THE MONETT MUNICIPAL COURT JUDGE

Mayor Brownsberger stated this is to appoint the Honorable J. Edward Sweeney to the position of Monett Municipal Judge for a period of two years, or until mandatory retirement at age 75. The effective date was January 1, 2019.

Motion was made by Mayor Brownsberger to approve the resolution with a second from Commissioner Dierker. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

MISSOURI HIGHWAY'S SAFETY PROGRAM: Police Chief, Georges Daoud stated this was an annual renewal to continue in the program which deals with grants for the Police Department.

Motion was made by Mayor Brownsberger to approve participation in the program with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

E911 CONTRACT RENEWALS: Bonnie Witt-Schulte, Emergency Management Director stated that the E911 advisory board had met and discussed the upcoming sales tax election relating to countywide E911 dispatching. Lawrence County voters will go to the polls on April 2nd to decide whether to approve a one-half cent sales tax for central dispatching services in Lawrence County. The City had entered into three-year contracts with Lawrence County and the City of Mount Vernon, and a shorter-term contract with the City of Miller. These were in addition to existing contracts with the Barry-Lawrence Ambulance District, the City of Pierce City, and the City of Verona. The City had prepared notices that would be distributed to all of the contracted agencies/cities plus the other agencies that are currently not under a contract. The notice would explain what each agency/city would owe under new contracts if the E911 sales tax is not approved by voters. The Council also discussed the statutes regarding the composition of the new Lawrence County E911 Services Board if the tax is approved.

Motion was made by Commissioner Dierker, seconded by Commissioner Dohmen to distribute notices to each agency/city that is served by the Monett/Lawrence Co. E911 system describing the new fees for service that will take effect if the countywide sales tax is not approved by voters. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

CENTRAL AVENUE - COST/SHARE APPLICATION TO MODOT

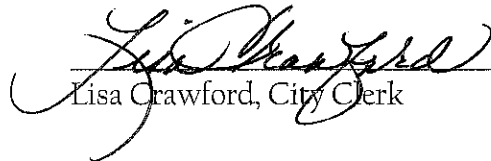
Mr. Pyle discussed the Central Avenue street/sidewalk improvement project and the potential application for funding through the MoDOT Cost/Share Program. Applications are due in April and, if awarded, would pay 50% of the costs of improvements to the driving surface. These improvements would include sidewalk/pedestrian improvements, curb/gutter improvements and an asphalt overlay from Broadway to Cleveland. Total estimated cost would be \$2,663,000.

The City would propose using \$399,826 in TAP funds and \$404,140 in MoDOT Cost/Share funds to bring the total cost to the City down to \$1,859,000. Pyle then reviewed the impact this project would have on the City's Long-Range Transportation Improvement Plan and the potential need to use General Fund monies to complete all of the projects as listed. The Long-Range Transportation Improvement Plan could see savings from projects coming in under budget, deleting some projects or an increase in sales tax revenue that would pay for all of the projects contemplated in the Plan.

Motion was made by Commissioner Dohmen to approve submitting a MoDOT Cost/Share application for the Central Avenue Project as discussed with a second from Mayor Brownsberger. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.

Department heads provided Council with monthly reports prior to the meeting.

There being no further business, Commissioner Dierker made a motion to adjourn with a second from Commissioner Dohmen. The following vote was taken: Brownsberger-yes, Dierker-yes, Dohmen-yes.



Lisa Crawford, City Clerk