

AGENDA
REGULAR COUNCIL MEETING
WEST PLAINS CITY HALL COUNCIL CHAMBERS

Monday, May 21, 2018

Closed Session 4:30 P.M.

Regular Meeting 5:30 P.M.

The West Plains City Council met for closed session at 4:30 p.m. and regular session at 5:30 p.m. on Monday, May 21, 2018 at West Plains City Hall Council Chambers, 1910 Holiday Lane with the following members present: Mayor Jack Pahlmann, Councilman/Mayor Pro-Tem Mike Topliff, Councilwoman Jessica Nease, Councilman Josh Cotter and Councilman Cary Stewart. City Attorney Charles Cantrell, Community Marketing Director Todd Shanks, Finance Director Allen Brinkman, and City Administrator/Engineer Tom Stehn were also present.

ADJOURN TO CLOSED SESSION RSMO 610.021, LEGAL (1), REAL ESTATE (2), PERSONNEL (3)

The motion was made by Councilman Topliff and seconded by Councilman Cotter to adjourn to closed session. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			
Motion passed.				

ADJOURN TO OPEN SESSION

The motion was made by Councilman Stewart and seconded by Councilman Topliff to adjourn to open session. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			
Motion passed.				

PUBLIC HEARING

A. Southern Hills Community Improvement District—Amending Boundaries

a.

PRELIMINARIES

Mayor Pahlmann established a quorum and called the meeting to order. Charles Cantrell

said the invocation and Mayor Pro-Tem Topliff the Pledge of Allegiance.

I. APPROVAL OF CONSENT AGENDA:

The motion was made by Councilman Cotter and seconded by Councilman Topliff to approve the Consent Agenda. Motion passed unanimously.

II. READING OF BILLS

A. Bill 4550 to become Ordinance 4550. Second Reading. An Ordinance changing the official zoning map of the City of West Plains, Missouri and defining the boundaries of the area to be changed on said official zoning map by this Ordinance (property located on Independence Drive). The motion was made by Councilman Cotter and seconded by Councilman Topliff to accept Bill 4550, which becomes Ordinance 4550. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			
Motion passed.				

B. Bill 4551 to become Ordinance 4551. First and Second Reading. An Ordinance to establish a fee for issuance of a Certificate of Occupancy for commercial buildings. The motion was made by Councilman Cotter and seconded by Councilman Stewart to accept Bill 4551, which becomes Ordinance 4551. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			
Motion passed.				

C. Bill 4552 to become Ordinance 4552. First and Second Reading. An Ordinance to repeal Ordinance 4156 and replace with this Ordinance, to control noise levels emitted from intoxicating liquor establishments. The motion was made by Councilman Stewart and seconded by Councilman Cotter to accept Bill 4552, which becomes Ordinance 4552. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			

Motion passed.

- D. Bill 4553** to become Ordinance 4553. First and Second Reading. An Ordinance authorizing the City to contract with the South Central Ozark Council of Governments (“SCOCOG”) for the Assistance with an application for a grant from FEMA (the “Grant”) to be used to pay a portion of the cost of constructing a storm shelter (“the project”); authorizing an agreement between the City and Southern Hills Community Improvement District (the “CID”) regarding acceptance and use of grant funds from a grant award in an amount up to \$1,383,750’ authorizing the City Administrator to join in an engagement agreement with CID to engage the services of Sam A. Winn & Associates, Architects, for design and grant application consulting; approving the City Administrator executing: (A) A grant agreement for use of up to \$1,383,750 from the grant award by CID together with \$461,250 included in its amended five year plan to construct the project and (B) a Joint Cooperation Agreement contracting with the CID to provide staffing for recreation services by and through the City’s Parks and Recreation Department at the project during periods when the project is not occupied in providing for public safety to the citizens of the City and authorizing such other and further actions as maybe necessary and required to accomplish such authorizations as set forth herein. The motion was made by Councilman Cotter and seconded by Councilwoman Nease to accept Bill 4553, which becomes Ordinance 4553. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			
Motion passed.				

- E. Bill 4554** to become Ordinance 4554. First and Second Reading. An Ordinance approving the Second Amended Petition amending the establishment petition, the Amended Petition and the Five-Year Plan for the Southern Hills Community Improvement District; approving an amendment to the Cooperative Agreement; approving an Advertising and Marketing Management Agreement; and approving a Development and Construction Management Agreement. The motion was made by Councilwoman Nease and seconded by Councilman Topliff to accept Bill 4554, which becomes Ordinance 4554. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			

Motion passed.

- F. Bill 4555** to become Ordinance 4555. First and Second Reading. An Ordinance to authorize the City Administrator to enter into a Scope of Work Agreement between the City of West Plains, Missouri and Crawford, Murphy & Tilly (CMT) for professional design services at St. Louis Street and Thayer Avenue structures over Howell Creek. The motion was made by Councilman Cotter and seconded by Councilman Topliff to accept Bill 4555, which becomes Ordinance 4555. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			

Motion passed.

- G. Bill 4556** to become Ordinance 4556. First and Second Reading. An Ordinance to approving a Cooperative Agreement between the City of West Plains, Missouri, the Ramseur Farm Community Improvement District, Kozak Realty, LLC and Alan G. and Norma Ramseur; approving an Omnibus Amendment of CID Cooperative Agreement between the City of West Plains, Missouri, the Ramseur Farm Community Improvement District, and Alan G. and Norma Ramseur; approving an Omnibus Amendment of Sales Tax Reimbursement Agreement between the City of West Plains, Missouri and Alan G. and Norma Ramseur; and authorizing the Mayor to execute said agreement and amendments on behalf of the City. The motion was made by Councilman Cotter and seconded by Councilwoman Nease to accept Bill 4556, which becomes Ordinance 4556. Motion passed unanimously.

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>	<u>Not Present</u>
Councilman Cotter	x			
Councilman Topliff	x			
Mayor Pahlmann	x			
Councilman Stewart	x			
Councilwoman Nease	x			

Motion passed.

- H. Bill 1068** to become Resolution 1068. A Resolution of the City of West Plains, Missouri stating intent to seek funding through the Community Development Block Grant Program and authorizing the Mayor to pursue activities in an attempt to secure funding. The motion was made by Councilman Stewart and seconded by Councilman Topliff to accept Bill 1068, which becomes Resolution 1068. Motion passed unanimously.

- I. Bill 1069** to become Resolution 1069. A Resolution to amend the Employee Handbook/Loss Prevention Manual regarding Family Medical Leave Act (FMLA). The motion was made by Councilman Cotter and seconded by Councilman Stewart

to accept Bill 1069, which becomes Resolution 1069. Motion passed unanimously.

III. COUNCIL ACTION

A. Bid—Batteries for Each Turbine Generator

The motion was made by Councilman Cotter and seconded by Councilman Topliff to accept the bid from Storage Batteries Systems of Menomonee Falls, WI for \$17,576.27. Motion passed unanimously.

B. Bid—Contracted Mowing for Parks & Recreation, Street and Golf Course

The motion was made by Councilman Topliff and seconded by Councilman Cotter to accept the bid from Ozarks Landscaping of West Plains, MO for \$73,415.00. Motion passed unanimously.

C. Bid—Modified Aggregate Quick Set (MAQS) Surfacing System for Street Department

The motion was made by Councilman Stewart and seconded by Councilman Topliff to accept the bid from Donelson of Cleve, MO for \$1,225,124.34. Motion passed unanimously.

D. Bid—Patching on Various Street for Street Department

The motion was made by Councilman Topliff and seconded by Councilman Cotter to accept the bid from Pace Construction of West Plains, MO for \$68,484.50. Motion passed unanimously.

E. Bid—Sidewalk Repair/Replace Throughout City of West Plains

The motion was made by Councilman Cotter and seconded by Councilman Stewart to approve the bid from Hessling Construction of Dexter, MO for \$343,617.10. Motion passed unanimously.

F. Bid—Three Phase Padmount Transformer for Inventory

The motion was made by Councilman Topliff and seconded by Councilman Cotter to approve the bid from Harry Cooper Supply Company of Springfield, MO for \$14,059.00. Motion passed unanimously.

G. Bid—Transfer Trailers for Refuse Disposal Department

The motion was made by Councilman Cotter and seconded by Councilman Topliff to approve the bid ratification from CTS of Sikeston, MO for \$85,000. Motion passed unanimously.

H. Approval to Pay Invoice from Flynn Drilling Company

The motion was made by Councilman Cotter and seconded by Councilman Topliff to approve the City of West Plains Strategic Plan. Motion passed unanimously.

I. Surplus Property to Sell: Refuse Disposal 2007 Case 590 Super M with 6,705 hours and 2012 International Refuse Truck with 61,107 miles

The motion was made by Councilman Topliff and seconded by Councilman Cotter to

approve the items to be destroyed. Motion passed unanimously.

J. Planning and Zoning Recommendations

The motion was made by Councilman Stewart and seconded by Councilman Topliff to approve the Preliminary and Final Plat for Pierce Subdivision and Councilman Topliff made the motion and Councilman Cotter seconded the motion to approve the Site Development Plan for AllSteel Inc. Motions passed unanimously.

IV. ADMINISTRATOR'S REPORT

Budget update – Allen Brinkman

For the month of April, 650 Cut-off notices we sent out with a value of approximately \$133,959.61.

Missouri Avenue Sidewalk is complete except some clean-up work to be done.

The Porter Wagoner Blvd. Sidewalk Project that is being constructed by Maggi Construction is halfway done. Estimated completion date was to be November 30, 201. Appears to be ahead of schedule.

Progressing with the Civic Center Parking Lot. – Update by Brian Mitchell

Last week, the Street Department did some clearing of Howell Creek between St. Louis Street and Lincoln Avenue. – Update by Brian Mitchell

A bill the reforms Missouri's prevailing wage law was sent to Governor last Friday. The changes approved by legislature would require construction and maintenance projects costing more than \$75,000.00 be subject to the prevailing wage laws.

Last Friday, legislation approved a bill to ask voters to increase the gas tax by 2 ½ cents each year for four years. The current state tax is 17 cents per gallon. Because the legislation is a ballot initiative, it does not need to be signed by the Governor. If voters approve the measure at the ballot, \$288 Million generated by the increase will go to the Highway Patrol, and \$123 Million will go to local governments for roads and bridges.

The next Missouri Highway and Transportation Commission meeting will be in West Plains on Wednesday, June 6, 2018, starting at 9:30 am for open session in the Treater Room at the Civic Center. There will also be a meet and greet session with Highway Commission members from 11:30 am to 12:30 pm in the Magnolia Room of Civic Center.

There will be a Memorial Day Celebration starting at 10: am at the Oak Lawn Cemetery on Monday, May 28, 2018

ADJOURNED

CITY OF WEST PLAINS, MISSOURI

BY: _____
MAYOR JACK PAHLMANN

ATTEST:

CITY CLERK MALLORY SNODGRAS