

**BOARD OF ALDERMEN
MINUTES
October 27, 2016**

The Board of Aldermen of the City of Marshfield, Missouri, met in regular session on Thursday, October 27, 2016, in Council Chambers at Marshfield City Hall.

CALL TO ORDER – Mayor Robert Williams called the meeting to order at 6.30 p.m.

ROLL CALL - Answering roll call were Mayor Robert Williams, East Ward Aldermen Rob Foster and Jeremy Loftin and West Ward Aldermen Vicki Montgomery and Champ Herren.

MINUTES – Alderman Foster made a motion to approve the minutes of October 13, 2016. Alderman Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

EXPENDITURES AND FINANCIAL REPORT – Alderman Herren made a motion to approve expenditures. Alderman Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Alderman Foster asked if we are on budget with the TAP project and if we are expecting for additional funds needed beyond the 80/20 split. Deputy City Administrator Sam Rost stated that extra time had been requested and there could potentially be future expenditures that will not be reimbursed.

OLD BUSINESS

OLSSON OUTSTANDING BILLING – Attorney Replogle stated that per Missouri State Statute 432.070 no county, city, town, village, school township, school district or other municipal corporation shall make any contract, unless the same shall be within the scope of its powers or be expressly authorized by law, nor unless such contract be made upon a consideration wholly to be performed or executed subsequent to the making of the contract and such contract, including the consideration, shall be in writing and dated when made, and shall be subscribed by the parties thereto, or their agents authorized by law and duly appointed and authorized in writing. Attorney Replogle also stated the work had to be for the future. For the work that has already been done, the City of Marshfield does not have the authority to pay.

Mayor Williams asked to see what task orders we had and which had been signed. With no task orders readily available, Aldermen Foster made a motion to table for more complete documentation. Alderman Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

OLSSON CONTRACT AMENDMENT – Task Order #010 to the Master Agreement for Professional Services for Water Improvements, Facility Plan Supplements, McKay Well

house Upgrades and Tank Construction, and Highway 38 Well house Upgrades and Tank Construction was presented. Mayor Williams asked for a motion to sign the agreement. No motion was made.

TRANSPORTATION

- **Update on vegetation on Pine and Hubble** – City Administrator John Benson stated the owners of the property are from out of town and they had hired someone to clean the fence row. The person that they hired could not get to it for three weeks. The city crew got done with the chipping of limbs, so they were able to go clean the fence row out.

REPORT FROM PLANNING & ZONING COMMISSION

- **REPLAT OF LOT 3 OF BEAR BANK VILLAGE** – Planning & Zoning made a recommendation to approve the replat.

BILL NO. 2016-38 AN ORDINANCE APPROVING THE FINAL PLAT OF BLAIR STREET SUBDIVISION, A RE-PLAT OF LOT 3 IN BEAR BANK VILLAGE, A SUBDIVISION IN WEBSTER COUNTY, MISSOURI -

Attorney Chuck Replogle read by title twice the proposed Ordinance approving the final plat of Blair Street Subdivision, a re-plat of Lot 3 in Bear Bank Village, a subdivision in Webster County, Missouri. The bill had been posted.

Alderman Herren made a motion to approve the first reading of the proposed Ordinance. Alderman Loftin seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Alderman Foster made a motion to approve the second reading of the proposed Ordinance. Alderman Loftin seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

BILL NO. 2016-39 AN ORDINANCE AMENDING ARTICLE XIII OF CHAPTER 210 OF THE MARSHFIELD CITY CODE, BEING A CHAPTER PERTAINING TO OFFENSES CONCERNING TOBACCO, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS, BY RESTRICTING THE USE OF TOBACCO AND RELATED PRODUCTS UPON PROPERTIES OWNED BY THE CITY OF MARSHFIELD -

Attorney Chuck Replogle read by title twice the proposed Ordinance amending article XIII of Chapter 210 of the Marshfield City Code, being a chapter pertaining to offenses concerning tobacco, alternative nicotine products or vapor products, by restricting the use of tobacco and related products upon properties owned by the City of Marshfield. The bill had been posted.

Alderman Foster made a motion to approve the first reading of the proposed Ordinance. Alderman Montgomery seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Alderman Loftin made a motion to approve the second reading of the proposed Ordinance. Alderman Herren seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

ACTIVITY CENTER CIVIL ENGINEER DESIGN BID AWARD - Tabled until November 17, 2016 meeting. Staff will set up interviews with firms and bring back recommendation.

NEW BUSINESS

ACTIVITY CENTER CONTRACT AMENDMENT FOR ARCHITECTURAL DESIGN SERVICES – Alderman Foster had multiple questions on the SAPP contract and stated he could asked questions now or at a different meeting. Foster recommended to put together a small committee to tighten up some of this. Consensus of the Board of Aldermen was to hold a special meeting on Thursday, November 3, 2016 at 6:30 p.m. Prepared questions and concerns are to be collected in advance and forwarded to SAPP.

BILL NO. 2016-40 AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES AGREEMENT DATED MARCH 27, 2014, BETWEEN THE CITY OF MARSHFIELD, MISSOURI AND SAPP DESIGN ASSOCIATES ARCHITECTS, P.C. - Tabled.

BICYCLE GRAVEL ROAD RACE TO BENEFIT LOCAL NON PROFIT – Rocky Hudson spoke on a new event that he is trying to put together called Marshfield Monster 100. It is a 100 mile charity gravel bicycle race which would start at the Webster County Fairgrounds and loop through Marshfield, Niangua & Elkland. They anticipate 500 cyclists. Their request includes a police escort leaving the Fairgrounds, use of the fairgrounds for the weekend (date not set in stone), food truck and alcohol permits, road closures and support from local businesses and community. Staff has been instructed to contact the annual event holders in the month of September and October and give them first right of refusal on dates and then contact Mr. Hudson with dates the fairgrounds are available.

DISABILITY PARKING SPACE & SIGN IN FRONT OF RADER'S BARBER SHOP – Robin Rader spoke to the Board of Aldermen requesting a handicap parking space in front of her business. Mrs. Rader has been in business for 39 years and has several customers with medical conditions. Deputy City Administrator Sam Rost stated there is a handicap parking space on corner of Washington and Clay. Mrs. Rader stated that is too far away. Staff is to look at what can be done and let Mrs. Rader know and if she is not satisfied with the outcome, she can come back to the Board of Aldermen.

PROVIDE A HANDICAP PARKING SPACE IN FRONT OF POST OFFICE – Kathy Jones emailed in that she was not available for this meeting and will be at the November 17 meeting.

AWARD MOWING BID – Deputy City Administrator Sam Rost presented three bids received by Dunn Mowing LLC. All bids included a 1% discount given for 12 month level pay for payments made monthly, a debit or credit may be applied to 12 month level payment for the December payment if the number of completed mowings are more or less than 25 mowing and properties acquired or chosen to be mowed not listed during the term of the contract will be mowed at the rate of \$50.00 per hour (hourly rate is for the awarded contractor total, not per employee per hour). Bid #3 includes complimentary weed eating done by request for special events (Rodeo, Fair, Weddings, etc.) for areas to be used, excluding chain link fencing or chain link panel fencing. The bids were as follows:

Term	Parks Mowing	Alternate Locations	Performance Bond	Total
1 yr.	\$44,717.25	\$10,165.50	\$1,530.00	\$56,412.75
2 yr.	\$43,840.00	\$ 9,980.00	\$1,500.00	\$55,320.00
3 yr.	\$42,928.50	\$ 9,790.75	\$1,468.80	\$54,188.05

City Administrator John Benson recommended the Board of Aldermen go with the three year contract, subject to annual appropriation of funds.

Alderman Montgomery made a motion to accept the 3 year bid. Alderman Herren seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

REFER TO PLANNING & ZONING AND SET PUBLIC HEARING DATE FOR DECEMBER 13, 2016 AT PLANNING & ZONING

- **APPLICATION FOR HOME OCCUPATION –** Michael and Debra Taylor are requesting a home occupation approval be granted for a gun shop which will be located in the basement of their residence at 861 E. Burford St.

Alderman Montgomery made a motion to refer to planning and zoning and set public hearing for December 13, 2016 at Planning and Zoning Commission. Alderman Herren seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

WATER RATE STUDY - City Administrator John Benson stated as part of the City's State Revolving Fund (SRF) loan through the Missouri Department of Natural Resources (MDNR) a review of the city's water rates has been performed in context to the operational and maintenance costs associated with the City's water system. A requirement of the SRF Loan through the MDNR is that the costs of operating and maintaining the City's water system are paid for by the users of the water system and is not otherwise subsidized through other City funds.

As shown on the attached water rate study, the City's water rate for each customer (i.e. user) is based upon a minimum charge that covers a percentage of the administrative costs, current revenue bond debt, and costs for water vehicle leases; plus a use rate that is based upon the volume of water used by each customer per month.

Based upon review of the City's water rates it proposed that the "minimum charge" be increased from \$9.83 per month to \$16.67 per month and that the "volume rate" be reduced from \$2.83 per 1,000 gallons of water to \$2.54 per 1,000 gallons of water. It should also be noted that the City provides water to some customers who are located outside of the City limits of Marshfield. For customers located outside of the City limits the minimum rate and volume rate are doubled. The changes proposed will ensure that the costs of operating and maintaining the City's water system is paid for by the users of the system and comply with MDNR requirements for the City's SRF loan.

Customer water bills also include a portion of the Capital Improvement Program (CIP) charge of \$14.00. The \$14.00 CIP fee funds the City's water system and waste water system capital improvement projects. \$5.00 of the \$14.00 CIP charge pays for the City's water system capital improvements while the remaining \$9.00 provides funding for the capital improvements in the City's waste water treatment system. The allocation of the \$14.00 CIP fee between the water system and waste water system is not proposed to change as part of this rate study.

WASTE WATER RATE STUDY - In 2013, and again earlier this year, the City had CMT Consulting Engineers perform a rate study for the city's Waste Water Treatment Plant system. The intent of the rate study was in part to ensure that the costs of operating and maintaining the City's waste water plant and system are paid for by the users and are not otherwise subsidized through other City funds.

The waste water rate is divided into two parts – a flat charge that covers a percentage of the administrative costs, indebtedness, and costs for waste water vehicle leases; plus a user charge that is based upon the volume of water used by each customer per month that goes into the City's waste water system for treatment. The waste water rate study projects what the anticipated annual flat charge and user charge will need to be for each year through 2024. The projected charges are used as part of the City's annual budgeting process to determine anticipated waste water system revenues for each corresponding year.

The projected revenues were compared to the anticipated operational and maintenance costs associated with the City's Waste Water System for FY2017. As a result, it is anticipated that the waste water treatment plant operating and maintenance costs will exceed projected revenues by \$34,571 in FY 2017. The projected shortfall is due to increased wages and the corresponding taxes and benefit costs; proposed improvements to the City's SCADA system and software; as well as increased cost of lab supplies and plant chemicals.

As a result, it is proposed that the flat charge will need to be increased more than the waste water rate study anticipated from the current \$4.58 per month to \$5.00 per month rather than to \$4.78 which was projected in to the rate study. In addition, user charge is

proposed to need to be increased more than the waste water rate study projected from \$3.68 per 1,000 gallons of water to \$4.00 per 1,000 gallons of water instead of \$3.78 as was projected in the rate study. A copy of the revised projected flat charge and user charge for each year through 2024 from the waste water rate study is attached.

It should also be noted that the City provides water to some customers who are located outside of the City limits of Marshfield. For customers located outside of the City limits the minimum rate and volume rate are doubled. The changes proposed will help ensure that the costs of operating and maintaining the City's Waste Water System are paid for by the users of the system.

Customer waste water bills also include a portion of the Capital Improvement Program (CIP) charge of \$14.00. The \$14.00 CIP fee funds the City's Waste Water System and Water System Capital Improvement Projects. \$9.00 of the \$14.00 CIP charge pays for the city's waste water system capital improvements while the remaining \$5.00 provides funding for the capital improvements in the City's water treatment system. The allocation of the \$14.00 CIP fee between the water system and waste water system is not proposed.

Alderman Herren made a motion to make the CIP rate adjustment as proposed for both utilities. Alderman Foster seconded the motion. Alderman Loftin stated he would like to see this go before the Finance Committee before the Board of Aldermen approve this. Alderman Foster rescinded his second. Alderman Herren withdrew his motion. Alderman Foster made a motion to refer this to the Finance Committee. Alderman Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster Loftin, Montgomery and Herren. Nay: None.

WAL-MART WORK-PLACE/HEALTH FAIR IMMUNIZATION AGREEMENT – Fire Chief Michael Taylor stated in the past he had administered the flu shots for City Staff. Taylor was approached by Wal-Mart to hold the clinic and run through our health insurance and it would not be a cost to the City of Marshfield or the employees. Alderman Herren made a motion to approve the Health Fair Immunization Agreement with Wal-Mart. Alderman Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

BILL NO. 2016-41 AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN AN WORK-PLACE/HEALTH FAIR IMMUNIZATION AGREEMENT BETWEEN THE CITY OF MARSHFIELD, MISSOURI AND WAL-MART STORES, INC., A DELAWARE CORPORATION - Attorney Chuck Replogle read by title twice the proposed Ordinance authorizing the Mayor to sign an Work-Place/Health Fair Immunization Agreement between the City of Marshfield, Missouri and Wal-Mart Stores, Inc., a Delaware Corporation. The bill had been posted.

Alderman Foster made a motion to approve the first reading of the proposed Ordinance. Alderman Montgomery seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Alderman Loftin made a motion to approve the second reading of the proposed Ordinance. Alderman Herren seconded the motion. The motion passed with a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

APPROVAL FOR POLICE DEPARTMENT TO APPLY FOR WAL-MART GRANT –

Police Chief Doug Fannen was approached by Wal-Mart Store Manager to apply for a grant for the Shop with a Cop program. In the past, the Fire Department had applied for this grant for the Shop with Neighborhood Hero Event. The grant would be for \$2,500.00. Alderman Montgomery made a motion to approve Police Chief Doug Fannen to apply for the Wal-Mart Grant. Alderman Foster seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

REFORMATION OF THE I-44 STUDY STEERING COMMITTEE –

Mayor Williams stated that the City of Marshfield needs to select a location for a second interchange and we should reactivate the I-44 Study Steering Committee. Alderman Herren made a motion to reestablish the I-44 Study Steering Committee. Alderman Loftin seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

I-44 STUDY STEERING COMMITTEE APPOINTMENTS -

Mayor Williams would like to appoint as voting members, Alderman Champ Herren, Alderman Jeremy Loftin, County Clerk Stan Whitehurst, Commissioner Paul Ipock, Dale Fraker and Shawnie Replogle. Alderman Foster made a motion to approve the appointments for voting members as presented. Alderman Montgomery seconded the motion. The motion passed with two ayes. Voting aye: Foster and Montgomery. Nay: None. Abstain: Loftin and Herren.

Mayor Williams would like to appoint ex-officio members, State Senator Mike Cunningham, Representative Lyndall Fraker, Mayor Robert Williams as chairman, TAC Team Leader Meagan Clark, and MoDOT Asst. District Engineer Andy Mueller. Alderman Herren made a motion to approve the appointments for ex-officio members as presented. Alderman Montgomery seconded the motion. The motion passed with three ayes. Voting aye: Foster, Montgomery and Herren. Nay: None. Abstain: Loftin.

FUTURE AGENDA ITEMS –

Items being brought back are Activity Center Civil Engineering Design Bid Award, SAPP Contract amendment, Olsson billing, Water and Waste Water rate studies, Budget adoption and Transportation.

I-44 STUDY STEERING COMMITTEE APPOINTMENTS –

Attorney Chuck Replogle stated that the Ad-Hoc committee needs to be made of 75% residents of the City of Marshfield. Alderman Herren made a motion to withdraw County Clerk Stan Whitehurst and Commissioner Paul Ipock as voting members of the committee. Alderman

Montgomery seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

CLOSED SESSION – Alderman Montgomery made a motion to enter into closed session Pursuant to Section 610.021.2 of the Revised Statutes of the State of Missouri pertaining to leasing, purchase or sale of real estate at 9:28 p.m. Alderman Loftin seconded the motion. The motion passed in a roll call vote with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Real Estate - Discussion was held.

Alderman Montgomery made a motion to enter regular session at 9:54 p.m. Alderman Herren seconded the motion. The motion passed in a roll call vote. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

ADJOURN – With no other business appearing before the Board of Aldermen, Alderman Foster made a motion to adjourn the meeting at 10:04 p.m. Alderman Loftin seconded the motion. The motion passed with four ayes. Voting aye: Foster, Loftin, Montgomery and Herren. Nay: None.

Robert Williams, Mayor

ATTEST:

Karen Rost, City Clerk