

## **Council Meeting Minutes for October 13, 2014**

Mayor Ronnie Powers called the meeting to order.

Opening Prayer: Pastor Andrew Walker.

**Roll Call:** Councilmember Ed Cox present, Councilmember Paul Guilfoyle present, Councilmember Lannie Henze present, Councilmember Doug Lewis present, Councilmember Mike Lowe present and Councilmember John Solter present.

**City Employees:** City Administrator Brent Bury present, City Clerk Patty Spindler present, Finance Officer Kim Schneider absent, City Attorney Jeff Curl present, City Engineer Mark Bross present, Chief of Police Dale McNelly present, Public Works Foreman Ed Ensor present, Water Super/Fire Chief Grant Kennedy present, Wastewater Mike Henderson present.

**Additions to or Deletions from the agenda.** Motion by Councilmember Henze, to approve the agenda, Councilmember Solter, second the motion, motion carried six yes.

**Presentations and Special Reports: City Administrator Brent Bury typed report present in Council packets.** In addition to the typed report, City Administrator Bury stated he had a few items. The intersection Ordinance that was proposed is no longer necessary. City Attorney Jeff Curl found an Ordinance on file with a 30' section from the intersection instead of the 40' proposed by the Council. Motion by Councilmember Henze to leave the existing Ordinance and just start having the Police department enforce it. Councilmember Lowe second the motion, motion carried six yes. The bank has informed us that there are three account that have been dormant for a while. The Water operating acct., police vehicle and training fund, bond reserve. City Administrator Bury will have the Finance Officer close the police vehicle and training fund and place it in to the General Fund. City Administrator Bury stated the computer at the Water Plant had crashed and a new one was purchased and it is up and running.

**Public Comments/Visitors: No one was present for this session.**

**Public Hearing nothing presented to the Council.**

**Approval of Minutes 09/22/2014:** Motion by Councilmember Solter, to approve the minutes, second by Councilmember Henze, motion carried six yes.

**Approval of Bills:** Motion by Councilmember Lowe, to pay the bills submitted, motion second by Councilmember Lewis, motion carried six yes.

**Treasurer's Report:** Quotes received on maturing CD currently at the Bank of Monticello. Quotes received were Bank of Monticello on a one year CD was 0.70% and on a three year CD 1.25%, from Town & Country Bank Midwest on a one year CD .50%, on a two year CD .70% and on a three year CD 1.00%. Motion by Councilmember Lowe, to leave the CD currently at Bank of Monticello for a one-year period. Councilmembers Solter & Guilfoyle, second the motion, motion carried six yes.

Motion by Councilmember Henze, to approve the Treasurer's Report as submitted, motion second by Councilmember Lowe, motion carried six yes.

### **Old/Unfinished Business:**

**Mark Bross City Engineer presented a typed report to the Council as follows:**

**Sewer System Improvement:** All work is completed except we have not received the final post-inspection videos on the lining. I was told that it is on its way and maybe received prior to the meeting. Visu-Sewer has submitted Change Order No #2 reflecting final quantities installed on the project. This change order is for a deduction of \$17,370.44 in the contract price and we recommend approval. Visu-Sewer has also submitted pay request No. #3 for \$67,535.66, which is the final pay request and we recommend approval. **Action Item: Change Order No #2 a deduction of \$17,370.44.** Motion by Councilmember Solter, to approve change order #2 deduction of \$17,370.44, and approving Mayor Ronnie Powers to sign the document. Councilmember Guilfoyle, second the motion, motion carried five yes, with Councilmember Cox voting no.

**Action Item: Pay Request No #3 for \$67,535.66.** Motion by Councilmember Guilfoyle, to approve payment of Pay Request #3 for \$67,535.66, and approving Mayor Ronnie Powers signing the document, with the money from the bond fund to be used. Councilmember Lowe, second the motion, motion carried five yes, with Councilmember Cox voting no.

### **Water System Improvements:**

**Contract #1** – All work is completed. Phoenix Fabricator's has submitted Pay Request No #5 for \$59,308.20 and we recommend approval. That still leaves 5% retainage. **Action Item: Pay Request No #5 from Phoenix Fabricator for \$59,308.20.** Motion by Councilmember Henze, to approve payment of Pay Request #5 for \$59,308.20 and approving Mayor Ronnie Powers signing the document, with the money from the bond to be used. Councilmember Guilfoyle, second the motion, motion carried five yes, with Councilmember Cox voting no.

**Contract 2** – We are working with Great Plains to finish yards and driveways. They plan to come back the week of October 13, 2014 to begin this work depending on the weather.

**Contract – 3** The pump station has arrived and is currently being wired. We will test it after that, then put it into service, and fill the water tower. Huey Construction has submitted Pay Request no #2 for \$89,631.55. We recommend approval. All contracts on are track to be completed soon. **Action Item: Pay Request #2 from Huey Construction for \$89,631.55.** Motion by Councilmember Guilfoyle, to approve payment of Pay Request #2 for \$89,631.55 and approving Mayor Ronnie Powers signing the document, with the money from the bond to be used. Councilmember Lewis, second the motion, motion carried five yes, with Councilmember Cox voting no.

**Motion/Vote on passage of Ordinance #587 – An Ordinance of the City of LaGrange, Missouri, amending section 585.010 demolition of Building Structures and Foundations:** Mayor Powers stated he wanted in the minutes that he was definitely not in favor. Mayor Powers stated it looks like the City is changing the

Ordinance so that we do not have to get rid of some of our foundations. Mayor Powers state what is good for one should be good for the others. Motion by Councilmember Lowe, for the first reading of proposed Ordinance #587, Councilmember Guilfoyle, second the motion, motion carried five yes, with Councilmember Cox voting no. Motion by Councilmember Solter, for the second reading of proposed Ordinance #587, Councilmember Henze, second the motion, motion carried five yes, with Councilmember Cox voting no.

Motion by Councilmember Solter, to adopt Ordinance #587, Councilmember Lowe, second the motion, motion carried with the following roll call votes: Ed Cox no, Paul Guilfoyle yes, Lannie Henze yes, Doug Lewis yes, Mike Lowe yes and John Solter yes.

**Additional Old/Unfinished:** Police Chief McNelly stated he had spoken to Randy Eaton from the 911 board, and Sheriff Parrish had won his lawsuit against the 911 board for turning the service over to Marion County. There were several violations to the Sunshine Law. Chief McNelly stated the Judge gave a 90-day stay, in regards to the Lawsuit filed by the Lewis County Sheriff Dept. for the 911 dispatching.

**New Business:**

**Motion/Vote on passage of Ordinance #588 – An Ordinance approving a settlement agreement with CenturyLink and assigning a percentage of the settlement proceeds to the Missouri Municipal League.** Motion by Councilmember Guilfoyle, for the first reading of proposed Ordinance #588, Councilmember Lewis, second the motion, motion carried six yes. Motion by Councilmember Henze, for the second reading of proposed Ordinance #588, Councilmember Lowe, second the motion, motion carried six yes. Motion by Councilmember Solter, to adopt Ordinance #588, Councilmember Lowe, second the motion, motion carried with the following roll call votes: : Ed Cox yes, Paul Guilfoyle yes, Lannie Henze yes, Doug Lewis yes, Mike Lowe yes and John Solter yes.

**Discussion/Motion to approve the Municipal Dog Pound Assistance Agreement with the Lewis County Sheriff's Department:** Motion by Councilmember Henze, to approve the Resolution to be presented to the Lewis County Sheriff's Department, Councilmember Lowe, second the motion, motion carried six yes.

**Motion/Vote to approve the completed City of LaGrange Audit:** Motion by Councilmember Guilfoyle, to post pone the approval of the Audit until the October 27, 2014 meeting. Councilmember Henze, second the motion, motion carried six yes.

**Motion/Vote for a Public Hearing on a request to close all of Wyaconda Street adjacent to Grant's, Heindselman and White properties:** Motion by Councilmember Henze, to hold a public hearing on the request of closing all of Wyaconda Street adjacent to Grant's, Heindselman, and White properties, at the beginning of the City Council meeting scheduled for October 27, 2014,

Councilmember Solter, second the motion, motion carried six yes.

**Discussion/Consideration of Roof Mount Air Conditioning Unit proposals for City**

**Hall:** City Administrator Brent Bury had gotten three quotes. Elam Heating & Air Conditioning of \$5,240.00, Campen Heating & Air Conditioning of \$4,995.00, and Peters Heating & Air Conditioning of \$4,517.00. Motion by Councilmember Henze, to accept the quote from Peters Heating & Air Conditioning of \$4,517.00. Councilmember Guilfoyle, second the motion, motion carried five yes, with Councilmember Cox voting no.

**Discussion/Consideration of paving Wyaconda Street from 3<sup>rd</sup> Street to 2<sup>nd</sup>**

**Street:** Councilmember Guilfoyle stated that once someone builds on that property the City would consider paving the section of street. Motion by Councilmember Solter not to pave the section of street, due to no one living at this location. Councilmember Henze second the motion, motion carried five yes with Councilmember Cox voting no.

**Discussion/Consideration for Renewal of Lease Agreement between the City of LaGrange and Sydenstricker's John Deere.** Motion by Councilmember Henze, to approve renewing the lease with Sydenstricker's. Councilmember Lewis, second the motion, motion carried six yes.

**Any additional discussion before the Council: Nothing additional presented to the Council.**

**Table of Content Section:**

Activity log from Police Dept. for September 2014

Municipal Court Violations for September 25, 2014

Notice of MEC Newsletter Volume 24

Cover sheet for MML Newsletter and upcoming projects throughout MO

Budget to Actual cost for September 2014.

**Adjournment:** With nothing further before the Council and no visitors present Councilmember Henze, made the motion to adjourn at 7:43 p.m., motion second by Councilmember Solter, motion carried six yes.

Submitted to Council October 27, 2014      Reviewed by Council

  
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Patty Spindler/MMC, CCA City Clerk

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Ronnie L. Powers, Mayor