

REGULAR COUNCIL MEETING

August 9th, 2017

The Board of Aldermen met in regular session with Mayor Todd Williams at City Hall, 206 North 16<sup>th</sup> Street, on Wednesday, August 9th, 2017 at 6:30 p.m.

Present: Williams, Ishmael, Brejnik, Mann, Johns

Absent: None

Others Present: Jonne Slemons, Nita Schroff, Jan Johns, Misty Oliver, Marvin Casady, Stuart Johnson, Caleb Slemons, Steve Long, Susy Long, Jack Hodge, Leslie Groom, Brian Groom, Shannon Howe and Phil Conger.

Meeting Called To Order Mayor Todd Williams called the meeting to order at 6:30 p.m.

Pledge of Allegiance The meeting opened with the Pledge of Allegiance.

Approve Agenda Mayor Todd Williams called for a motion to approve or amend the agenda.

Administrator Jonne Slemons would like to remove item 9 and add 10A to discuss Wastewater Treatment Plant.

Motion made by Alderman Randy Brejnik to approve the agenda with the changes and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye  
Johns – Aye  
Ishmael – Aye

Approve Bills Mayor Todd Williams asked if there were any questions on bills presented for payment and if not, a motion to approve the bills

Motion made by Alderman Lance Johns to approve the bills as presented and seconded by Alderman Randy Mann.

Mann - Aye  
Brejnik - Aye  
Johns – Aye  
Ishmael – Aye

ACCO	595.03	Dept of Nat Resources	1,938.95
Allied Systems Inc.	2,730.28	Elecsys International	24.00
Andereck, Evans, Widger	2,445.00	Energyworldnet Inc.	131.25
Arkansas Electric Coop.	6,985.00	Federated Insurance	3,277.51
Barco Municipal Products	513.30	Fischer Concrete	242.00
Bethany Building Center	464.82	GRM Networks	1,299.71
Bethany Printing Co	144.70	Harrison County Ad-Visor	151.20
BSN Sports Collegiate	943.57	Harrison Co Sheriff	76.00
Carquest Auto Parts	710.18	Harrison Co Treasurer	3,125.00
Carter – Waters LLC	2,307.75	K-5 Window Cleaning	45.00
Central Bank Midwest	9,982.21	KGM	2,172.07
Cintas Inc.	117.17	Kriz Davis Co	1,289.92
City of Bethany	49,322.69	Maryville Typewriter Exc	439.84
Cole Hardware	44.43	Metal Culverts Inc.	747.60
Commerce Bank	1,934.89	MFA AGRI Ser-Bethany	68.00
Community Wholesale Tire	206.00	Midwest Mobile Radio	3,779.99
Daymark Solutions	30.75	Midwest Public Risk	18,208.45

Midwest Supply	95.75	Snyder & Assoc. Inc.	6,383.88
Miscellaneous	2,436.52	South Harrison	30.00
MO Joint Mun Elect UT Co	312,949.30	Southside MFA	40.94
MO One Call System	105.30	Tekcollect Incorp.	37.50
MO Sales Use Tax	30,218.12	Sonya Rae Tharp	120.00
Nail Excavating	84,288.37	Thompson Pump	2,524.25
Norris Quarries LLC	139.02	Tyler Tech Inc.	256.00
NW MO CCFOA	20.00	US Foodservice Inc.	244.39
O'Reilly Automotive Inc.	216.07	Utility Consultants Inc.	150.00
Olsson Associates	831.97	Utility Safety & Design	1,444.32
Pettijohn Auto Center	39,458.00	Verizon Wireless	293.54
Petty Cash	395.11	Victor L Phillips Co	629.36
Ram Supply	112.30	Wal Mart	1,345.16
Red Rock	10,000.00	Whitney Roofing	240.00
Remmers Design	3,359.30	Witmer Public Safety Group Inc.	296.58
Sam's Club	225.00	STIF- Bethany Printing	162.80
Shane Poe Construction LLC	35,211.90	Porter Trash Service	12,604.23
Shelby Printing	1,405.70		

Total \$674,657.51

Payroll  
08-04-17

Jonne D Slemons	1,639.40	Lance Johns	92.35
Randall J Mann	92.35	Randall G Brejnik	46.17
Jaunita E Schroff	1,165.42	Jesse M Sanders	714.79
Trayce D Warner	1,153.14	Leslie S Groom	789.25
Brian S Groom	1,189.33	Bryan E Holloway	1,085.79
Aaron S Parkhurst	999.00	Andrew J Alborn	897.59
Kenneth M Bake	1,038.33	Jacob Denum	1,045.94
John W Findley	796.20	Michael S Addison	652.53
Michael R Lykins	848.79	Janee A Lehleitner	500.89
Jessica A Roy	134.23	Jesse M Sanders	695.22
Judith A Hinkle	173.43	Linda L Sanders	228.02
Kenneth D Robertson	847.27	Brian J Willis	883.71
Ted G Clemmons	1,026.30	Toby J Puffer	800.93
Blake C Thomas	591.46	Wyatt J Thomas	663.94
Derek McClure	419.80	Sydney E Peterson	278.74
Paige L Peterson	230.91	Emily N Starmer	262.24
Ethan B Billups	328.39	Elizabeth M Whitney	388.64
Griffin L Jennings	435.46	Madisyn J Lisle	171.32
Andrew E Sweat	456.64	Dalton C Hudlemeyer	155.31
Collin S Haffey	339.73	Nicholas H Williams	169.50
Aleah S Squires	174.21	Coby J Israel	86.01
Michelle L Schroff	1,004.06	Jennie L Willis	739.87
Ann M Kohler	348.97	Morganne G Sweat	338.40
Alexandria J Hoyle	26.49	Dale E Ishmael	92.35
Cathy M Johnson	1,003.82	Randy M Jennings	855.27
Robert T Williams	259.36	Robert W Russell	936.62
Charlie D Bennett	853.88	Brian K Jennings	823.30
Kyle O Carter	691.52	Dakota J Cross	23.26
Brooklyn P Ellis	33.56	Maggie Jennings	237.22
Lela A Stottlemeyer	311.55	Paul L Gard	1,044.99
Jacob W Addison	448.64	Johnathan M Brown	863.53
Ryan Carmichael	400.46	Sara A Clawson	299.78
Cade M Davidson	344.47	Summer L Beay	240.36
Hailey J Carter	93.90	Gavin R Johns	420.19
Cole J Ellis	383.26	Hailey S Henry	90.74

Total \$37,203.27

Approve Minutes of July 17<sup>th</sup>, 2017 Mayor Todd Williams called for approval or correction of the Regular Minutes of July 17<sup>th</sup>, 2017.

Alderman Gene Ishmael had a correction on page 4; the “bases” should be replaced with the word “basis”.

Motion made by Alderman Lance Johns to approve the minutes of July 17<sup>th</sup>, 2017 with the correction and seconded by Alderman Gene Ishmael.

Mann – Aye	Johns – Aye
Brejnik – Aye	Ishmael – Aye

Bill #1267

AN ORDINANCE AMENDING CHAPTER 117 ENTITLED “CONFLICTS OF INTEREST” OF TITLE ENTITLED “GOVERNMENT CODE” OF THE BETHANY CITY CODE was read by title only by Mayor Todd Williams for the first reading.

Motion made by Alderman Randy Mann to approve the first reading of Bill #1267 and seconded by Alderman Gene Ishmael.

Mann – Aye	Johns – Aye
Brejnik – Aye	Ishmael – Aye

Mayor Todd Williams read Bill #1267 by title for the second and final reading.

Motion made by Alderman Randy Mann to approve the second and final reading of Bill #1267 and to adopt Ordinance #1267 and seconded by Alderman Lance Johns.

Miles – Aye	Williams – Aye
Brejnik – Aye	Ishmael – Aye

Bill #1269

AN ORDINANCE AMENDING SECTION 515.30 ENTITLED “BOARD TO REQUIRE CONSTRUCTION OF SIDEWALKS, CURB AND GUTTERING – WHEN” OF CHAPTER 515 ENTITLED “STREETS AND SIDEWALKS” OF TITLE V ENTITLED “BUILDING CODE” OF THE BETHANY CITY CODE, was read by title only by Mayor Todd Williams for the first reading.

Alderman Randy Brejnik asked if a sidewalk has to be installed by someone that does not have a sidewalk and Administrator Jonne Slemons replied yes for new construction.

Mayor Todd Williams answered that it also includes businesses.

Motion made by Alderman Gene Ishmael to approve the first reading of Bill # 1269 and seconded by Alderman Randy Mann.

Mann – Aye	Johns – Aye
Brejnik – Aye	Ishmael – Aye

Mayor Todd Williams read Bill # 1269 by title for the second and final reading.

Motion made by Alderman Lance Johns to approve the second and final reading of Bill #1269 and to adopt Ordinance #1269 and seconded by Alderman Gene Ishmael.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

Bill #1271

AN ORDINANCE TO REPEAL SECTION 7 ENTITLED “COMP TIME” OF ORDINANCE 981 ENTITLED “ AN ORDINANCE AMENDING THE EMPLOYEE POLICIES AND PROCEDURES MANUAL OF THE CITY OF BETHANY, MISSOURI BY ADDING PROVISIONS REGARDING THE SALARY PLAN AND HOURS OF WORK FOR LAW ENFORCEMENT PERSONNEL” IN ORDER TO ALLOW COMPENSATORY TIME TO BE USED BY POLICE OFFICERS AS APPROVED BY THEIR SUPERVISOR(S), AND AS ALLOWED FOR ALL EMPLOYEES OF THE CITY OF BETHANY, MISSOURI, was read by title only by Mayor Todd Williams for the first reading.

Motion made by Alderman Randy Brejnik to approve the first reading of Bill #1271 and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

Mayor Todd Williams read Bill #1271 by title for the second and final reading.

Motion made by Alderman Lance Johns to approve the second and final reading of Bill #1271 and to adopt Ordinance #1271 and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

South TIF

Administrator Jonne Slemons told Council the bids were opened on Thursday, August 3<sup>rd</sup>, 2017.

There were four bidders and the low bidder was Emery Sapp & Sons.

Administrator Jonne Slemons prepared two Ordinances for the Council decision.

Taking into account the expected engineering invoice, including the bat study that will be paid to Howe Co., our available funds will cover the base bid, add alternate 1 and add alternate 2 which is Version A. Version B which includes alternate 3 would require contribution of approximately \$13,500.00 of the City funds for the final 100 feet of construction.

Shannon Howe, Howe Company, told Council he spoke with the bidders and if the project is not completely finished the company is required to pay the City 110% of the work not completed.

This money will be set aside until the deadline.

The bidder is allowed to work anytime.

Alderman Gene Ishmael replied the financial reports that were included in the packet don't show much money.

Administrator Jonne Slemons added that figure is only in BTC Bank and there is an additional fund in Farmers Bank to cover the project.

Alderman Randy Brejnik responded that we have a pipe to put in at the dam.

Mayor Todd Williams added the money comes out of another account.

Alderman Randy Mann agrees with Alderman Gene Ishmael that the figures need to be correct for future use.

This will extend 30<sup>th</sup> Street to the south end of the TIF area.

Administrator Jonne Slemons would like the Council to approve the signing of the contract to Emery Sapp & Sons and issue the Notice to Proceed as soon as possible.

Administrator Jonne Slemons told Council she could find the additional money in the budget for the remaining 100 feet of street.

Motions made by Alderman Randy Mann to authorize the Mayor and City Clerk to sign the contract for base bid plus alternate 1, alternate 2, and alternate 3 totaling \$1,292,452.03 and seconded by Alderman Lance Johns.

Mann – Aye	Johns – Aye
Brejnik – Nay	Ishmael – Nay
Todd Williams – Aye	

Mayor Todd Williams would like a motion to authorize Administrator Jonne Slemons to sign the Notice of Award and the Notice to Proceed on the STIF.

Motion made by Alderman Lance Johns to authorize Administrator Jonne Slemons to sign the Notice of Award and Notice to Proceed on STIF and seconded by Alderman Randy Mann.

Mann – Aye	Johns – Aye
Brejnik – Nay	Ishmael – Nay
Todd Williams – Aye	

Bill #1272

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO SIGN THE CONTRACT WITH EMERY SAPP & SONS, INC FOR CONSTRUCTION OF THE 30<sup>TH</sup> STREET EXTENSION, ALSO KNOWN AS THE “SOUTH TIF”, IN THE CITY OF BETHANY, MISSOURI, FOR THE BASE BID PLUS ADD ALTERNATE 1 PLUS ADD ALTERNATE 2, (PLUS ADD ALTERNATE 3) EFFECTIVE IMMEDIATELY, was read by title only by Mayor Todd Williams for the first reading.

Motion made by Alderman Randy Mann to approve the first reading of Bill #1272 and seconded by Alderman Lance Johns.

Mann – Aye	Johns – Aye
Brejnik – Nay	Ishmael – Nay
Todd Williams – Aye	

Mayor Todd Williams read Bill #1272 by title for the second and final reading.

Motion made by Alderman Lance Johns to approve the second and final reading of Bill #1272 and to adopt Ordinance #1272 and seconded by Alderman Randy Mann.

Mann – Aye	Johns – Aye
Brejnik – Nay	Ishmael – Nay

Todd Williams – Aye

Mayor Todd Williams asked for a motion to authorize signatures on Notice of Award and Notice to Proceed on the STIF.

Motion made by Alderman Lance Johns to authorize signatures on Notice of Award and Notice to Proceed and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Nay

Johns – Aye  
Ishmael – Nay

Todd Williams – Aye

Foley Company

Administrator Jonne Slemons would like authorization from Council to sign and submit payment #4 for Foley Company on the Wastewater Treatment Plant.

Motion made by Alderman Lance Johns to authorize Administrator Jonne Slemons to sign and submit payment #4 for Foley Company and seconded by Alderman Randy Brejnik.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

Alderman Gene Ishmael commented the paperwork to USDA needs to identify the delay in building the Wastewater Treatment Plant because of the flooding.

Mayor Todd Williams would like them to include the percentage of completion on the reports.

Public Input

Stuart Johnson asked what happens to the remaining of TIF money at the end of the contract.

Administrator Jonne Slemons explained the remaining money is returned to the taxing entities.

Phil Conger asked how the Wastewater Treatment Plant is running while under construction.

Mayor Todd Williams spoke that the City is not using the lagoon.

Administrator Jonne Slemons replied that George Hulet, PeopleService, is ordering the new pumps so if they go down they will be able to replace them.

Public Input

No public input at this time.

Administrator &  
Department  
Reports

Mayor Todd Williams Asked for the Administrator and Department Reports.

Administrator Jonne Slemons told Council that part of the loss control evaluation done by MIRMA includes having a written incentive policy of the compliance with safety measures.

The City has offered the employees a “Safety Day” if there was no reportable safety incident for the year.

The employee has the option to get paid for that day or take the day off.

The last time the Personnel Manual was updated, that page was omitted,

and Administrator Jonne Slemons has rewritten the section and would like approval to continue with the "Safety Day" Policy.

Mayor Todd Williams asked if all the City employees had to go without an accident or each employee.

Administrator replied it is for each employee.

Mayor Todd Williams spoke of attaching a dollar figure to the policy and Administrator Jonne Slemons said that right now if an employee has a reportable accident they lose their safety day and the cost does not matter.

Motion made by Alderman Randy Brejnik to approve the Safety Day Policy in the City's Personnel Manual and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

City Lake Dam

Administrator Jonne Slemons received bids for the by-pass piping and the geotechnical testing.

The bid was awarded to Olsson for the engineering at \$34,500.00.

The bid Snyder & Associates submitted was not for a final design.

The Terracon bids were informed by their report on the dam from 2009. One proposal was to bore at four points where piping will be placed under 69 highway and back. Another Terracon proposal would bore at four spots at the bottom of the dam to check for leakage.

Alderman Randy Brejnik asked if our guys could install the pipe.

Administrator Jonne Slemons replied at this point we think we can. The City has the supplies and would be able to work with Olsson.

Motion made by Alderman Lance Johns to authorize Administrator Jonne Slemons and Mayor Todd Williams to sign the contract with Olsson for the By-pass Piping Project proposed at \$34,500.00 and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

Lake Improvement

The Missouri Department of Conservation has finished their review and increased the amount they will reimburse.

Their portion is 75% of the total project cost.

The City budgeted \$23,498.99 for the project.

Since the bids came in so much higher the City will need to pay \$66,651.00, which means an additional \$43,153.00 over the budgeted amount.

Administrator Jonne Slemons would like to coordinate with the Engineer and Missouri Department of Conservation to request an extension to complete the project for next year.

Mayor Todd Williams asked where the money will will come from if it is extended.

Administrator Jonne Slemons replied that it is a water project, and could be

paid from reserves, or other budget adjustments made with the new fiscal year budget.

Motion made by Alderman Gene Ishmael to delay completion of the Lake Improvement Project unto 2018 and seconded by Alderman Randy Brejnik.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

#### Cole Building

Administrator Jonne Slemons reminded the Council that the lease agreement the City had with Cole Osborn included an option to purchase.

When the budget was passed, \$72,000.00 was approved for that purpose, based on our annual rent payment of \$24,000.00 and our remaining lease period of 3 years.

The savings of \$15,000.00 was projected over three years, by eliminating the payback of property taxes to Cole Osborn.

Motion made by Alderman Randy Brejnik to approve Administrator Jonne Slemons to not proceed with the purchase of the Cole Building and seconded by Alderman Lance Johns.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

#### North TIF

Dave Callaway has been in the hospital. The dirt/cubic yards estimate and drawings arrived from the engineer on July 10<sup>th</sup>, 2017 and were forwarded to Dave Callaway.

A follow up meeting with Dave regarding dirt work for the sidewalk/light poles will be scheduled.

Alderman Randy Mann asked if there were any speed limit signs on the new road.

Administrator Jonnes Slemons replied that there hasn't been yet because it requires an ordinance.

Alderman Gene Ishmael asked about the I-35 signs.

Mayor Todd Williams asked about sign directions on lodging and Alderman Lance Johns replied that it costs \$500.00 a year to advertise your business on a sign.

#### Dollar Tree

Administrator Jonne Slemons has not heard anything about the Dollar Tree.

Leslie Groom replied that the contractor came in on August 9<sup>th</sup>, 2017 and applied for a demo permit.

#### Council Reports & Comments

Administrator Jonne Slemons would like the Council to look over the information on the three companies that submitted bids on the by pass piping, geotechnical testing and engineering to be discussed at the next Council meeting.

#### Safe Route to School/TAP

Administrator Jonne Slemons told Council the final approval on the Safe Route to School will be done on Monday, August 14<sup>th</sup>, 2017.



Summit Gas	<p>Administrator Jonne Slemons told Council that Summit Natural Gas has contacted her and is interested in purchasing and operating our natural gas system.</p> <p>Administrator Jonne Slemons will be attending a presentation at Trenton on Thursday, August 17<sup>th</sup>, 2017.</p>
Bike & Pedestrian Trail	<p>Administrator Jonne Slemons will be attending a Bike &amp; Pedestrian Trail meeting in hope to qualify for more grants.</p>
Memorial Garden	<p>Administrator Jonne Slemons told Council that a memorial garden will be constructed at Babe Adams Ballfield.</p> <p>Terry James' memorial is on the concrete building behind home plate. The building was provided by donations from the Masonic Lodge in his memory.</p> <p>Our insurance provider, MIRMA, has expressed the concern for the building. The two memorials will be placed on a concrete flower planter at the garden.</p> <p>The James' are agreeable with the memorial garden but feel the City should refund money spent on the building back to the Masonic Lodge. This issue is currently in work.</p>
Bid on Transformer	<p>Administrator Jonne Slemons submitted bids for the Electric Department for five 25 KVA Pole Mount Transformer for stock.</p> <p>The bids submitted were Arkansas Electric for \$4,115.00, Kriz Davis for \$3,960.60, and Anixter for \$3,960.00.</p> <p>Kenny Robertson, Electric Superintendent, recommendation is Anixter for \$3,960.00.</p> <p>Mayor Todd Williams told Administrator Jonne Slemons that this figure is under her approval authority.</p>
Test Bucket Truck	<p>Administrator Jonne Slemons submitted bids for testing the bucket truck and digger derrick.</p> <p>The bids submitted were QCTL for \$1,284.00 and Diversified for \$1,860.00.</p> <p>Kenny Robertson, Electric Superintendent, recommendation is QCTL for \$1,284.00.</p> <p>Mayor Todd Williams told Administrator Jonne Slemons that this dollar figure is under her approval authority.</p>
Bid Poles	<p>Administrator Jonne Slemons submitted bids on Immanuel Baptist Church for a set of five poles, sewer plant to set primary pole and 30<sup>th</sup> Street to reset three poles.</p> <p>The bids submitted were R/S Electric for \$42,400.00 and Black &amp; McDonald did not submit a bid.</p> <p>Kenny Robertson, Electric Superintendent, recommendation is to go with R/S Electric for \$42,400.00.</p> <p>Administrator Jonne Slemons told Council that the Immanuel Baptist Church will reimburse the City but at this point not sure on amount. Administrator Jonne Slemons will get a detailed list of what the church will</p>

be paying.

Alderman Gene Ishmael had a resident ask if the fence will be replaced at Prentiss Park. They had quit taking their kids there because the traffic goes by so fast and they were scared a child might get hit.

Alderman Randy Mann does not believe he has been paid for all the Special Meetings and they have not been approved.

Mayor's  
Correspondence  
& Appointments

No appointments at this time.

Mayor Todd Williams expressed how bad it is that the Lake Improvement Project had to be placed on hold at this time.

Mayor Todd Williams would like Administrator Jonne Slemons to find a way to put this project in the budget for next year.

Closed Session

Motion made by Alderman Lance Johns to go into Closed Session for personnel at 7:48 p.m. and seconded by Alderman Randy Brejnik.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

Adjourn

Motion made by Alderman Lance Johns to adjourn the meeting at 8:21 p.m. and seconded by Alderman Randy Mann.

Mann – Aye  
Brejnik – Aye

Johns – Aye  
Ishmael – Aye

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Todd Williams, Mayor

ATTEST:

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Nita Schroff, City Clerk