

REGULAR MEETING MINUTES
BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI
TUESDAY – FEBRUARY 6, 2018 – 6:00 P.M. – CUBA CITY HALL COUNCIL ROOM

Mayor Mortimeyer called the meeting to order. Aldermen present: Kevin Copling, Nancy Montgomery, Don Mizell, Warren Graddy, Cody Leathers, and Jeff Bouse. City attorney present: Lance Thurman. Police Chief present: Paul Crow. Public Works Director present, Bob Baldwin.

Motion by Montgomery, seconded by Mizell, to approve the agenda. Vote: All ayes. Mayor Mortimeyer noted that the Cuba Rough Riders cancelled.

Motion by Leathers, seconded by Montgomery, to approve the regular meeting minutes of January 16, 2018. Vote: All ayes.

Motion by Mizell, seconded by Montgomery, to approve the executive session meeting minutes of January 16, 2018. Vote: All ayes.

Motion by Graddy, seconded by Montgomery, approve the special meeting minutes of Janaury 25, 2018. Vote: All ayes.

Citizens participation: Mayor Mortimeyer asked that Mr. Dan Eidson wait until the Marshal discussion since that was his topic.

Mr. Jason Wilkerson, who owns a house at 506 Blunts Private Drive, stated that he has a family interested in renting this house, however, there are some tree branches touching the electric lines and he has a low hanging wire that hangs from the transformer to the house that he can grab. He realizes that he has the responsibility of the low wire, but he would like the city to commit to taking the tree limbs out of the lines. Bob Baldwin spoke with Mr. Wilkerson's wife and advised her that there isn't access. Baldwin stated that she must have spoken with Bob Bowen, however, he will get it taken care of.

Marshal Salary Discussion: Mayor Mortimeyer gave Mr. Dan Eidson the floor since he was on citizen's participation for the discussion of the Marshal's salary.

Mr. Dan Eidson – 505 Kidwell presented the council with "common sense figures". He believes the Marshal's salary should be set at approximately \$56,000 as this would follow the normal step increases that employees received from the last Marshal salary set in 2010. He states the council created a problem with future Marshal candidates when they set the Chief of Police at a \$60,000 cap. In addition, the council needs to consider the health insurance and retirement. Finally, the city needs to clarify city employee guideline to avoid confusion.

Motion by Montgomery, seconded by Copling, to set the Marshal salary at \$65,000 and to receive the same benefits as a full time employee. Discussion: Copling stated that the salary is not about Paul Crow but the next Chief of Police and there are some employee's making \$70,000. The Police Chief has a lot of schooling. Alderman Bouse asked how the Marshal becomes a full time employee if they are an elected official. Alderman Montgomery stated that they will be elected as Marshal and then the council hires as Chief of Police. Mr. Eidson stated that making the Marshal a full time employee will give them

the luxury of using elected official when convenient or full time employee when convenient. Attorney Thurman stated that the city would not be hiring them as they are elected, and they cannot be fired. The council will have to put in ordinance form that they are entitled to benefits, as the council can do what they want. The State Statutes gives broad power to the Board of Aldermen of the 4th class city to define the duties. Thurman suggests being careful in defining. It should be a full time exempt position so that you do not pay overtime. **Roll call vote: Copling – yes, Montgomery –yes, Mizell – no, Graddy –yes, Leathers – no** (would like a better understanding of the benefits included), **and Bouse – no. Mayor – no.**

Motion by Bouse, to set the Marshal salary at \$57,000, **motion dies for lack of a second.

Motion by Copling, seconded by Montgomery, to set the City Marshal salary at \$60,000 with full time employee benefits. Roll call vote: Copling –yes, Montgomery – yes, Mizell – no, Graddy – yes, Leathers – no (would like a better understanding of the benefits included), **Bouse - no. Mayor – yes** (to stay the same for all four years and no cost of living).

Emergency Preparedness Director Report – Mr. Rodney Neff: Mr. Neff stated he did not do a siren test today due to the weather. Neff announced that March 4-10 is Severe Weather Week. March 6 is the national tornado drill and March 8 is the makeup day. Finally, Neff stated that he received two weather radios which he will place at City Hall and Public Works.

Public Works Director Report – Mr. Bob Baldwin: Mr. Baldwin announced that additional materials are needed for the circuit in the amount of \$24,848.45 and he is asking for approval. **Motion by Bouse, seconded by Leathers, to approve the \$24,848.45 for material for the circuit. Vote: All ayes.**

PW Director Baldwin asked for council approval on the renewal of the ultra violet system that city gets each year for the treatment plant. The cost went down this year. **Motion by Mizell, seconded by Montgomery, to approve the ultra violet system at the Treatment Plant for \$7166. Vote: All ayes.**

Police Chief Report – Chief Paul Crow: Chief Crow stated that Cuba Rough Riders are interested in having a parade on Route 66 on June 21. They are still discussion the route and time of the event. **Motion by Mizell, seconded by Montgomery, to approve the June 21 date for the Cuba Rough Rider parade. Vote: All ayes.** City Clerk Nash asked if Crow has checked with Lainie Garbo regarding the events of the city for that date. Nash believes the BAM (Bicycle Across American) is around that time. Crow will check with Garbo in the morning.

Chief Crow gave an update of the 19 nuisance violations he was given. Eleven are in the process of taking care of their own. Of the eight left, he needs to speak with Bob Baldwin. There are six that they are on the last stage of, meaning, it will be brought forth to council for their decision.

Planning and Zoning Recommendations: P&Z held a public meeting on January 23, 2018 to hear a rezoning request made by Andy and Lisa Stubblefield for property located at 901 Fair Street. The request is to rezone the property from R1 (Residential) to R2 (Multi-family). The P&Z Board recommends to

approve this request and set a public hearing on March 6. **Motion by Leathers, seconded by Graddy, to approve and proceed with the rezoning request by Andy and Lisa Stubblefield for property located at 901 Fair Street from R1 to R2. Vote: All ayes.**

Motion by Leathers, seconded by Graddy, to have a public hearing on March 6 at 6:05 p.m. to regarding the rezoning recommendation. Vote: All ayes.

Park Board Recommendations: The Park and Recreation Committee recommended to allow citizens to purchase a bench and plaque to honor/memory of a loved one and be placed in a city park. **Motion by Bouse, seconded by Mizell, to approve the Park Board recommendations. Vote: All ayes.**

Motion by Graddy, seconded by Montgomery, to pay the bills as presented. Vote: All ayes.

Fund Balance Transfers and Budget Revisions as of 12/31/17. Motion by Graddy, seconded by Mizell, to approve the fund balance transfers and budget revisions as of 12/31/17. Vote: All ayes.

Mayor's appointments: Mayor recommended Eva Thorpe to the Park Board. **Motion by Bouse, seconded by Montgomery, to appoint Eva Thorpe to Park and Recreation Commission. Vote: All ayes.** Mayor Mortimeyer recommended Connie Echols to the Tourism Tax Committee. **Motion by Bouse, seconded by Leathers, to appoint Connie Echols to the Tourism Tax Committee. Vote: All ayes.**

Mayor Mortimeyer announced that Ms. Bandy would be missed during the council meetings as she always attended.

Alderman Graddy stated that more meetings will be held regarding the Veterans Memorial. It will be a process.

Alderman Bouse asked that the City give notification to the property owner on Davis Street before it is sold and lien released. PW Director Baldwin stated that the release of the lien would be in conjunction with the sale of the property.

Alderman Leathers inquired on the trash nuisance at the car wash. Police Chief Crow said he made contact with the owners and it is taken care of.

Alderman Montgomery asked PW Director about the flood insurance. Baldwin stated that he submitted a sample ordinance to Lance Thurman. Attorney Thurman stated that the ordinance is long and suggests having a discussion about it. Thurman has never encountered a city that wanted to be in the floodplain as it could result in the increase of insurance rates for other citizens in Cuba city limits and out of city limits. There is a committee of Alderman Graddy and Leathers to discuss this. Alderman Montgomery stated that her insurance agent indicated that if the rate increase would only impact the people who chose to add that on to their premium. Attorney Thurman suggested she read the proposed ordinance as a mortgage holder may request the person get flood insurance if the area is deemed a floodplain.

Alderman Montgomery stated she has asked for an overtime report in which she hasn't received yet. She would like to have a weekly report of what the OT employee was doing, how much time spent doing it, etc. Mayor Mortimeyer stated that the City Clerk and other employees have other jobs to do, and can get her the information in due time, it may not be weekly. Alderman Montgomery stated that this is a directive. Attorney Thurman stated that this is a board, and each alderman has a vote. The best answer is that no single alderman can require an employee to leave one task to work on another. Alderman Montgomery stated she wants accountability. Thurman stated if she would like to add this list to a person's priorities, she should make a motion.

Alderman Montgomery asked about why a time clock is used for part time employees but not for full time employees. City Clerk Nash stated that several months ago the employee's went to the Mayor and Bob and were upset about the fact that they could not pick between getting paid overtime or getting comp time when working over 40 hours/week using the kiosk clock in system. A time sheet was then developed and the city starting using it. (a copy was given to Alderman Montgomery). A meeting was held with all employee's and it was firmly warned that employee's must be accountable for their day or if they left to run an errand, etc and if misuse was found out, then the employee and the supervisor would be written up. The time sheet shows the pay period, the days worked, any overtime, how much time working overtime and what they did, in addition to requiring the signature of the employee and the supervisor. Every two the weeks the time sheet is given to the City Clerk for payroll in which she checks them over too, and if she see's anything, turns it back into Bob/Paul. After the City Clerk completes payroll, the Treasurer checks the payroll for the final set of eyes. Alderman Montgomery inquired as to why we didn't check the payroll system if they would not perform the duties that we wanted. City Clerk Nash stated that it does complete what we wanted, however, the clock in kiosk would not let a person choose, then Nash would manually make the distinction. In addition, several employees/supervisors were having a hard time approving their employee's making it Nash's job, which also defeated the purpose. Alderman Montgomery wanted to know why the part time employee's have to use a clock in method. Nash suggested this when the Lagers language was added to the handbook. Anyone that works over 1500 hours annually shall be reported to our retirement plan, per the Missouri Lagers requirements. It was found out last year, the animal control was getting very close to that number. Nash thought that with them being hourly, it is an accurate advantage for the employee AND the employer. Animal Control Manager Missy Mullally did not understand why after five years they were told to use a time clock. Nash added that she is not in charge of their department, it was a suggestion as they are hourly as it's to the advantage of the employee. Mayor Mortimeyer added that the Visitor Center employee's now use on too. (Note: pool employee's have always used one).

Alderman Montgomery inquired on employees bringing their city vehicles home. She feels this is taxable income and should be reported to the IRS as it is a fringe benefit. Attorney Thurman has seen this but does not know much about it and will have to research it. Mayor Mortimeyer stated that the guys are on call 24 hours. He said this is same for the police officers. This has been in practice for over 30 years. Alderman Bouse asked to pay the employees that are carrying a pager or give them comp time. Bouse stated he called Moperm and if a person has a passenger in the city vehicle they will not cover it. Attorney Thurman stated that he will look into this, however, if a person is on call, get call out, they are covered on

their way to and from their home. Alderman Bouse stated that Moperm stated if an employee is on call they are covered going home.

Alderman Copling had a cat issue come up and thanked Missy Mullally for her help.

Motion by Bouse, seconded by Graddy, to adjourn. Vote: All ayes.

Christine Nash, City Clerk