

**REGULAR MEETING MINUTES
BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI
TUESDAY – SEPTEMBER 18, 2018 – 6:00 P.M.
CUBA CITY HALL COUNCIL ROOM**

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

Motion by Bouse, seconded by Mizell, to approve the agenda as written. Vote: Five ayes. Copling – absent.

Motion by Bouse, seconded by Leathers, to approve the regular meeting minutes of September 5, 2018. Vote: Five ayes. Copling – absent.

Citizens participation: Dr. Sean Siebert announced Manufacturer’s Day on October 5 at Frisco’s that will begin at 4:00 p.m. There are 30 vendors and KZNN will be there. He invites all.

Dr. Siebert stated that he is working with Bob Baldwin and has ideas about work flow and the process with Public Works. He would like to work with Public works and the community cross-sectionally.

Mr. Woody Martin inquired on if the Fire house deed included the Police building. It was stated by the Mayor that it is not.

Mr. Dan Eidson had questions on the Osage Monument. He asked if the Street Dept decided what we have now. Mayor Mortimeyer stated that what we have is the original design. Eidson stated he spoke with Bob Baldwin and that there wasn’t a design or plans for anything there, it was something that was put together. Baldwin stated that Glen Tutterow had the plan for the waterfall. Eidson stated that the Mayor asked the council to go out for bids to complete the project and there were two bids. Eidson went on to say they were to be sealed bids, and the city received two. One for \$157,000 and the other for \$52/hr. Eidson questioned why the Mayor did not get a vote on the bids. Mayor Mortimeyer stated that it was hard enough to get the council to agree to spend \$50,000 and we only have \$20,000 left over to spend on the project. The logical thing was to get the project done and the Street Dept had a plan would it would cost no more than a little over \$5,000. It was the way the original project was presented. Eidson stated that the Mayor led the council on that it would be up and running by October 1. Mayor Mortimeyer stated that it would be. Eidson stated that he led the council on that it would be up and running Oct 1 with the waterfall. Eidson went on to say that with the \$52/hr at 500 hours, the project could be completed within the \$50,000 or even the 250 hours for less to complete. Alderman Graddy explained that some of the \$50,000 was already spend and that there was only \$20,000 left. Alderman Leathers stated that the \$52/hr bid was open-ended. There wasn’t an estimation of hours. Mr. Edison made a written formal request for copies of the two bids. Alderman Graddy and Alderman Mizell both talked with Erik Lowes (the person that bid \$52/hr) who

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stated that the liner had a leak and in order to fix it, it would have to be dismantled. Lowes stated it could cost well above \$100,000. Leathers stated that with the info, it didn't make sense to accept either bid.

Public Works Director Report:

PW Director Baldwin put a bid out for concrete. One bid was presented

Havin Material Inc - \$95/PSI concrete. (Baldwin stated \$5 less than current).

Motion by Montgomery, seconded by Graddy, to accept the concrete bid from Havin Material Inc. Vote: Four ayes. Bouse – nay. Copling – absent. Alderman Bouse does not trust the city bidding process.

PW Director Baldwin stated that Covenant Praise Church would like to close Mapleshade road from East Grant to Beldon on October 31. **Motion by Montgomery, seconded by Bouse, to give permission to close Mapleshade from E. Grand to Beldon on Halloween. Vote: Five ayes. Copling – absent.**

Alderman Mizell asked if Main St could get seal and stripe the parking lot where it was tore up. Baldwin stated that he can get it done less expensive by contacting the contractors. **Motion by Mizell, seconded by Leathers, to give Baldwin permission to contact the company that can stripe on Main Street before the upcoming events in that area. Vote: Five ayes. Copling – absent.**

Police Chief – None.

Motion by Graddy, seconded by Mizell, to pay the bills as presented. Vote: Five ayes. Copling – absent.

UTV proposed Ordinance Discussion:

Alderman Mizell stated that he not against a crossing area, he just wants to be mindful of the safety of those operating an ATV/UTV. He believes there should be some parameters. Pat Bouse spoke in his defense and how he was mindful to cross the intersections and then utilize a back street to get to his destination. Police Chief Shelton stated that crossing at the four-way is dangerous, and that there is a current cross by Lucia. Alderman Bouse thinks it a joke to cross there as you cross into a parking lot. Mayor appointed a committee of Alderman Bouse and Alderman Mizell to look into this before the next meeting.

B Street Closure: PW Director stated that if we close B Street it would give more parking spaces and the community would still have access from Smith St. Alderman Montgomery agrees and believes it can be a safety issue. **Motion by Bouse, seconded by Montgomery, to close B Street. Vote: Five ayes. Copling – absent.** Baldwin will get the information to the attorney for the next meeting.

Hood Park Entrance Discussion: Mayor Mortimeyer spoke with the Roedemeiers and would like to move the Hood Park entrance right above Head Start to make a nice entrance. He stated

that we have had luck with our walking trail lights. It seems they are broken out often. Alderman Montgomery asked what would be the solution. Alderman Bouse stated even if the entrance is moved, people will still walk on the trail and vandalize. **Motion by Bouse, seconded by Montgomery, to allow the Mayor to look into moving the Hood Park entrance.** Discussion: Alderman Graddy asked how will this be looked into? Mayor Mortimeyer stated that perhaps Glen Tutterow can design something. Alderman Mizell was unsure if the entrance would stop the problem. Mayor stated that he will look into the Hood Park entrance as ornamental. The council agreed there was no problem with looking into it. **Vote: Five ayes. Copling – absent.**

Mayor Mortimeyer stated that the city still needs a solution to keep the lights from getting broken. Mortimeyer suggested the Electric Committee meeting with Bowen and Baldwin to find a solution. Either going higher with the poles or a cage around the lights, etc.

Motion by Bouse, seconded by Montgomery, to have the first reading of Bill No. 1862 by caption only. Vote: Five ayes. Copling – absent. City Clerk Nash read Bill No. 1862 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an agreement with Missouri Police Chief’s Charitable Foundation to accept a grant for an award of license plate reader. **Motion by Leathers, seconded by Graddy, to approve the first reading of Bill No. 1862. Roll call vote: Copling – absent, Montgomery –yes, Mizell –yes, Graddy –yes, Leathers –yes, and Bouse – yes. Motion by Bouse, seconded by Montgomery, to have the second reading of Bill No. 1862 by caption only. Vote: Five ayes. Copling – absent.** City Clerk Nash read Bill No. 1862 a second time. **Motion by Bouse, seconded by Leathers, to approve the second reading of Bill No. 1862. Roll call vote: Bouse – yes, Leathers –yes, Graddy – yes, Mizell –yes, Montgomery –yes, and Copling – absent.** Mayor Mortimeyer declared Bill No. 1862 becomes Special Ordinance No. 707 this 18th day of September 2018.

Motion by Mizell, seconded by Montgomery, to have the first reading of Bill No. 1863 by caption only. Vote: Five ayes. Copling – absent. City Clerk Nash read Bill No. 1863 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to execute a special warranty deed transferring the fire house to the Cuba Community Fire Protection District. **Motion by Leathers, seconded by Mizell, to approve the first reading of Bill No. 1863. Roll call vote: Copling – absent, Montgomery –yes, Mizell –yes, Graddy- yes, Leathers –yes, and Bouse –yes. Motion by Graddy, seconded by Leathers, to have the second reading of Bill No. 1863 by caption only. Vote: Five ayes. Copling – absent.** City Clerk Nash read Bill No. 1863 a second time. **Motion by Leathers, seconded by Mizell, to approve the second reading of Bill No. 1863. Roll call vote: Bouse –yes, Leathers – yes, Graddy – yes, Mizell – yes, Montgomery –yes, and Copling – absent.** Mayor Mortimeyer declared Bill No. 1863 becomes Special Ordinance No. 708 this 18th day of September 2018.

Motion by Bouse, seconded by Graddy, to have the first reading of Bill No. 1864 by caption only. Vote: Five ayes. Copling – absent. City Clerk Nash read Bill No. 1864 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an option and land use agreement with New Cingular Wireless PCS LLC for placement of

communication facility. **Motion by Leathers, seconded by Graddy, to approve the first reading of Bill No. 1864. Roll call vote: Copling – absent, Montgomery –yes, Mizell – yes, Graddy- yes, Leathers –yes, and Bouse –yes. Motion by Mizell, seconded by Graddy, to have the second reading of Bill No. 1864 by caption only. Vote: Five ayes. Copling – absent.** City Clerk Nash read Bill No. 1864 a second time. **Motion by Mizell, seconded by Graddy, to approve the second reading. Roll call vote: Bouse –yes, Leathers – yes, Graddy –yes, Mizell – yes, Montgomery – yes, and Copling – absent.** Mayor Mortimeyer declared Bill No. 1864 becomes Special Ordinance No. 709 this 18th day of September 2018.

Motion by Bouse, seconded by Leathers, to have the first reading of Bill No. 1865 by caption only. Vote: Five ayes. Copling – absent. City Clerk Nash read Bill No. 1865 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an easement agreement with Embarq Missouri, Inc d/b/a Century Link to construct and maintain communications system in the City’s right of way. **Motion by Graddy, seconded by Leathers, to approve the first reading of Bill No. 1865. Roll call vote: Copling – absent, Montgomery –yes, Mizell –yes, Graddy – yes, Leathers –yes, and Bouse –yes. Motion by Graddy, seconded by Mizell, to have the second reading of Bill No. 1865 by caption only. Vote: Five ayes. Copling – absent.** City Clerk Nash read Bill No. 1865 a second time. **Motion by Graddy, seconded by Bouse, to approve the second reading of Bill No. 1865. Roll call vote: Bouse –yes, Leathers – yes, Graddy-yes, Mizell –yes, Montgomery-yes, and Copling – absent.** Mayor Mortimeyer declared Bill No. 1865 becomes Special Ordinance No. 710 this 18th day of September 2018.

Mayor Mortimeyer is on the Ozark Solid Waste Executive Board and would like to recommend Don Mizell be the alternate. **Motion by Bouse, seconded by Leathers, to appoint Don Mizell to the Ozark Solid Waste Executive Board alternate. Vote: Five ayes. Copling – absent.**

Alderman Bouse has received calls about the animals around town. He was told no regarding the pickup of an animal. Bouse stated that we need a pound back. He stated that Animal Control is funded by Cuba residents and is for Cuba residents. For every time a citizen is told no, we need to look into. Alderman Montgomery asked if this was regarding the dog after the 9/5/18 council meeting. Bouse stated it was not, it was from today. Alderman Montgomery stated she is on that committee and will check into this and give a report back. Montgomery stated that people are told no for a specific reason. Alderman Bouse stated that they shouldn’t for the amount of employee’s we have. Montgomery will get with Chief Shelton on this.

Alderman Bouse wanted to clarify his no vote on the concrete. He stated that he called City Clerk Nash and wanted the bids to brought to the council meeting. City Clerk Nash relayed that to Baldwin before he put in the paper; however, he stated that this is the way we do all other bids.

Alderman Montgomery has a park light of items that is not a crisis and it’s minor for property mgmt to look into. She had the list at her position of the board-desk for anyone to take (City Clerk Nash took one for the record).

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Alderman Montgomery would like to have a survey done where the bid was made on the additional parking area at Tangle Creek Park. **Motion by Montgomery, seconded by Leathers, to have a survey on the second parking lot area at Tangle Creek park. Vote: Five ayes. Copling – absent.**

Alderman Montgomery inquired on the sewer study. Mayor Mortimeyer stated the meeting is Thursday, Sept 20 at 6.

Motion by Mizell, seconded by Leathers, to go into closed session pursuant to RSMo 610.021 Section 2) real estate and 3) personnel. Roll call vote: Copling – absent, Montgomery –yes, Mizell –yes, Graddy –yes, Leathers –yes, and Bouse –yes.

Mayor Mortimeyer called a five minute recess prior to convening in executive session.

City Clerk Nash left the council chambers at 7:05 p.m. The following information was provided by Deputy Clerk Garbo:

Actions of Executive Session:

Real Estate – no action taken

Personnel:

Motion by Mizell, seconded by Graddy, to hire Jacob Bouse as an Electric Laborer at \$26,000 effective immediately. Roll call vote: Copling- absent, Montgomery –yes, Mizell –yes, Graddy – yes, Leathers – no, and Bouse – abstain.

Motion by Bouse, seconded by Leathers, to hire Jason Ohrenberger as a patrolman at \$35,000 effective immediately. Roll call vote: Bouse –yes, Leathers –yes, Graddy – yes, Mizell – yes, Montgomery –yes, and Copling – absent.

Motion by Montgomery, seconded by Graddy, to go back into open session. Roll call vote: Bouse –yes, Leathers –yes, Graddy – yes, Mizell –yes, Montgomery – yes, Copling – absent.

Motion by Graddy, seconded by Mizell, to adjourn. Vote: Five ayes. Copling – absent.

Christine Nash, City Clerk