

**REGULAR MEETING MINUTES
BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI
TUESDAY – FEBRUARY 18, 2020 – 6:00 P.M.
CUBA CITY HALL COUNCIL ROOM**

Mayor Mortimeyer called the meeting to order. Aldermen present: Kevin Copling, Sam Black, Debbie Martin, Warren Graddy, Cody Leathers, and Jeff Bouse. Public Works Director present: Craig Bouse. City Attorney present: Lance Thurman. Police Chief: Doug Shelton.

Motion by Graddy, seconded by Leathers, to approve the agenda. Vote: All ayes.

Motion by Graddy, seconded by Martin, to approve the regular meeting minutes of February 4, 2020. Vote: Five ayes. Black-abstain.

Motion by Bouse, seconded by Leathers, to approve the executive session meeting minutes of February 4, 2020. Vote: Five ayes. Black-abstain.

Motion by Martin, seconded by Black, to approve the special meeting minutes of February 13, 2020. Vote: Four Ayes. Leathers-abstain. Graddy-abstain.

Motion by Black, seconded by Martin, to approve the special meeting executive session meeting minutes of February 13, 2020. Vote: Four ayes. Leathers-abstain. Graddy-abstain.

Citizens Participation: Curtis Holt addressed the council regarding the house on the corner of Davis/East Grand. Although a load of trash has been removed, there is still a lot of trash and debris left. The house has been condemned, but there is rumor of people living on the property. Ben Scharfenberg will look into. Leathers has heard that there is a party interested in purchasing that property, but does agree that something needs to be done.

Carl Callahan asked about the dust problem that had been previously brought up with McGinnis Wood Products. He knows that it had been passed along as a nuisance, and asked if the nuisance ordinance has been placed yet. Mayor Mortimeyer explained that one is being worked on and will be discussed later in the meeting and will be a process from start to finish that will stand up in court and be enforceable.

Bouse stated to Carl Callahan that he had talked to Mr. Bushman about the engraving of the monuments and is waiting on pricing, but believes it will be about \$150/name. Bouse will let him know more as he finds out.

Sean Siebert commented on Carl Callahan's matter with McGinnis Wood Products, asking if anyone had talked to the company and that for relational purposes maybe they should be invited for discussion of this matter. Siebert feels it could be a civil issue, not a city issue as it is between two land owners that could fall out of jurisdiction of the council. Thurman explained that it could be criminal under the

ordinances. Siebert asked if the situation is similar to the previous water issue between the Hubbel property and the storage units.

Public Works Director Report – Craig Bouse: PW Director Bouse presented the council with grinder pump bids. The first bids will be for the grinder pump. The second will be for saddle tops and supplies needed.

Grinder Pump: The Pump Shop - \$3430.00/pump (\$6860.00 total for 2)

Butler Supply - \$3607.32/pump (\$7214.64 total for 2)

Saddle Taps/Supplies: Schulte Supply - \$1602.80

Core & Main - \$2020.07

Motion by Bouse, seconded by Leathers, to approve the bids from The Pump Shop and Schulte Supply.

Vote: All ayes.

Leathers asked if the city guys are going to do the job. PW Director Bouse replied that they will do the job, but will probably need to rent equipment. Mayor Mortimeyer asked about permission as it will be on private property.

Copling had concern of a water leak at the corner of Bond/Orchard and in the cold weather it is freezing turning to ice. The cause is a sump pump running out of a house so there in no leak.

Black asked for an update regarding the water and if the mixers have been installed. PW Director Bouse hopes to get the ok from DNR tomorrow, then the mixers can be installed.

Police Chief Report – Chief Doug Shelton: Chief Shelton presented two bids for a furnace unit.

Hartley 15 ton unit - \$17,853.00

White Mechanical 20 ton unit - \$25,296.00

Chief Shelton is aware these bids are not for the same thing as they are two different sized units and has asked for comparison bids but has not gotten anything back as of yet. Leathers feels a decision should not be made until the bids are for the same units. Discussion is tabled until bids are the same.

Attorney Thurman said that with a new law passed, there can't be a telephone vote so a special meeting will have to be scheduled if necessary.

Copling feels the police department building is behind the times and is in need of a new one. There is a wall with no safety glass, the door is wooden that could be taken down easily, and someone could get shot as the building is not safe. He would like the police committee to look into this. Bouse stated that the city does have land by Mullally's. Chief Shelton said that the new furnace unit can be moved to a new location if necessary.

Chief Shelton stated that he had intentions in the upcoming budget year to add another officer to become a sixteen man department. Now with an officer out for some time he would like the councils approval to make and advertise a position available. Martin asked if he wanted another officer originally due to the marijuana facilities coming to town. Chief Shelton has heard the argument that these facilities do not increase the crime rate, but other towns say differently and yes he would like to have

another officer. Martin asked what is being done to cover all shifts. Chief Shelton is filling in, they are spreading officers thin, and some are working over time. There have been many break-ins lately and because of the low manpower, another officer would help. **Motion by Leathers, seconded by Martin, to advertise to accept applications for a fulltime officer. Vote: All ayes.**

Bouse asked about the patrol car cameras and if they are working. Chief Shelton said there are a few issues, but they are working on getting those fixed. Leathers asked if the officers had body cameras and if not, are there any grants to get some. Chief Shelton said no, we do not have body cameras and they are sometimes not the best with video, but the car cameras have video and audio. Bouse feels that the money would be best spent on car cameras.

Park Board Recommendation: See attachment. PW Director Bouse stated that this recommendation is asking the city to pay for the facia/ice guards and provide manpower hours. Graddy does not think this provides enough numbers to make a decision. Mayor Mortimeyer asked, if agreed, does there need to be a written agreement as to who is doing or paying for what. Graddy asked PW Director Bouse to get and figure how many manpower hours. Mayor Mortimeyer asked PW Director Bouse to get more information regarding this matter. Discussion tabled.

Records request to waive fees made by Ms. Connie Echols: Mayor Mortimeyer stated that Ms. Connie Echols has requested many records, and would like all fees be waived. It was also stated that everyone in the past has had to pay for records. **Motion made by Bouse, seconded by Leathers, to waive the hourly fees and charge for copies.** Martin asked if the decision should wait until the project is complete to see how much time is in it. Bouse asked what would happen if the work was put in the project and then Ms. Echols does not pay for it. Bouse's motion still stands as the employees at City Hall are there already and being paid. Mayor Mortimeyer likes the idea of waiting until the project is complete. Leathers asks what happens if the project ends up being too expensive. Copling asks Attorney Thurman if the city can legally charge. Attorney Thurman explained the hourly rate that can be charged, but it is ultimately up to the council to decide if it is done or not, but to understand that if you waive for one there could be problems charging in the future. Copling feels it should be fair. **Roll call vote: Copling-no, Black-yes, Martin-no, Graddy-no, Leathers-yes, Bouse-yes. Mortimeyer-no.** Bouse is requesting any and all of the same records Ms. Echols requested for himself so that he can stay informed of what is going on, and is not paying for them since they are to keep them informed. Mayor Mortimeyer stated that he will not get them any earlier than Ms. Echols was to get them.

Discussion of the proposed administrative search warrant: Mayor Mortimeyer asked all if the proposed administrative search warrant had been looked at and if there were any questions. Martin would like to sit with Attorney Thurman to go over. Attorney Thurman said he has created it and will answer any questions, wants all to understand the process, and has given a sample document. He also wants the judge and prosecutor to look at and understand. The goal is to have a streamline process from start to finish. Martin stated that if it is enforceable, she will be happy. She also asks if the citizens are being relied on to report the nuisances or who will initiate the complaints and where the process will

begin. The council is encouraged to take a good look at it and let Deputy Clerk Lainie Garbo know of any changes wished to be made. The first reading will be in March.

Bills to be paid: Motion by Leathers, seconded by Martin, to pay the bills as presented. Vote: All ayes.

Motion by Graddy, seconded by Black, to have the first reading of Bill No. 1929 by caption only. Vote: All ayes. Deputy Clerk Garbo read Bill No. 1929 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an agreement with University of Central Missouri and Missouri Highways and Transportation Commission to accept a grant for youth seat belt enforcement campaign. **Motion by Martin, seconded by Leathers, to approve the first reading of Bill No. 1929. Roll call vote: Bouse-yes, Leathers-yes, Graddy-yes, Martin-yes, Black-yes, Copling-yes. Motion by Graddy, seconded by Black, to have the second reading of Bill No. 1929 by caption only. Vote: All ayes.** Deputy Clerk Garbo read Bill No. 1929 a second time. **Motion by Leathers, seconded by Bouse, to approve the second reading of Bill No. 1929. Roll call vote: Copling-yes, Black-yes, Martin-yes, Graddy-yes, Leathers-yes, Bouse-yes.** Mayor Mortimeyer declared Bill No. 1929 becomes a Special Ordinance No. 767 the 18th day of February 2020.

Motion by Bouse, seconded by Graddy, to have the first reading of Bill No. 1930 by caption only. Vote: All ayes. Deputy Clerk Garbo read Bill No. 1930 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an agreement with University of Central Missouri and Missouri Highways and Transportation Commission to accept a grant for DWI enforcement over St. Patrick's Day Holiday in 2020. **Motion by Leathers, seconded by Graddy, to approve the first reading of Bill No. 1930. Roll call vote: Bouse-yes, Leathers-yes, Graddy-yes, Martin-yes, Black-yes, Copling-yes. Motion by Bouse, seconded by Graddy, to have the second reading of Bill No. 1930 by caption only. Vote: All ayes.** Deputy Clerk Garbo read Bill No. 1930 a second time. **Motion by Bouse, seconded by Leathers, to approve the second reading. Roll call vote: Copling-yes, Black-yes, Martin-yes, Graddy-yes, Leathers-yes, Bouse-yes.** Mayor Mortimeyer declared Bill No. 1930 becomes Special Ordinance 768 this 18th day of February 2020.

Copling stated he is hearing about the tourism stuff going on and wants to look into the state statutes to make sure all is being complied. He wants to look into the City funding the Historical Museum, not the tourism tax come the next budget. Attorney Thurman will look into the matter and get the information. Some of this information will also come from the requested information regarding tourism that was discussed earlier.

Motion by Graddy, seconded by Black, to go into executive session pursuant to RSM. 610.021 section 1) litigation; 2) real estate and 3) personnel. Roll call vote: Copling-yes, Black-yes, Martin-yes, Graddy-yes, Leathers-yes, Bouse-yes.

Actions of executive session: No final action taken.

Motion by Graddy, seconded by Black, to back into open session. Roll call vote: Bouse-yes, Leathers-yes, Graddy-yes, Martin-yes, Black-yes, Copling-yes.

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

**Lainie Garbo
Deputy Clerk**