

REGULAR MEETING MINUTES
BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI
TUESDAY – JULY 20, 2021 – 6:00 P.M.
CUBA CITY HALL COUNCIL ROOM

Mayor Leathers called the meeting to order. Aldermen present: Kevin Copling, Sam Black, Dave Honea (sworn in after pledge of allegiance), Curtis Holt, Jeff Bouse. Alderman absent: Warren Graddy. Public Works Director present: Craig Bouse. Chief of Police present: Doug Shelton. City attorney present: Lance Thurman.

Dave Honea was sworn in to Alderman Ward 1 by City Clerk Lainie Garbo.

Motion by Bouse, seconded by Holt, to approve the agenda. Vote: All ayes. Graddy absent.

Public Hearing at 6:05 p.m.:

Stubblefield Commercial, LLC Annexation

Mayor Leathers opened the public hearing at 6:05 p.m. Mayor Leathers asked the property owner, Andy Stubblefield, to provide the council and the audience the details of the annexation being requested. It was explained that 74 acres at the formerly known Ridgetop Farms were bought with the intention of development including city streets, curb, guttering, and utilities. There will be a couple different stages of the subdivision including some multi-family four plexes on one side, some R-1 starter homes ranging in the \$150,000-\$170,000 price range with garages sitting on 1/3 acre lots on the other side, and some nicer homes with bigger yards in the back. There are some preliminary drawings but there could be some changes as some concerns have been brought up after some conversations regarding the traffic on Holly Lane, which may lead back to the drawing board adding culdesacs instead. Mr. Stubblefield believes one could move thru the community as there is something for everyone starting with a rental property, a starter home, then a bigger home. With the rental market being strong, he feels a lot more people are preferring to rent.

Mr. Stubblefield asked if the council had any questions.

Mayor Leathers clarified that if the annexation takes place, it will as R-1 and any other changes have to go to the planning and zoning board for approval.

Honea asked if a cost analysis had been done for the project. Mayor Leathers replied that the cost would be for the infrastructures going from the existing point to the subject property where the City's responsibility ends and Mr. Stubblefield's begins. PW Director Bouse stated that the cost of running all utilities are estimated at \$100,000. Holt questioned how much the natural gas portion would be. PWD Bouse replied \$20,000. Thurman made sure the council was aware that by state statue, the city is required to run utilities.

Copling questioned the roads in the subdivision and easements needed. Mr. Stubblefield stated that he will be constructing the roads according to the city specs as he will be working with an engineering firm as well as easements.

Bouse questioned if Mr. Stubblefield owned the property connecting to city limits. Mr. Stubblefield stated that, according to Thurman, his property will be annexed in by the property across the interstate.

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Mayor Leathers questioned the entrance to the property and if it would be thru Holly Lane. Mr. Stubblefield replied that it would be off McLeod Street.

Bouse stated that some of the property owners close by do not want to be annexed to the city limits and have some concern. It was stated that the Stubblefield annexation will not affect any others not wanting to be annexed as a property is only annexed in voluntary.

Bouse questioned where the utilities were going to be brought in. Mayor Leathers stated that they would be brought in at McLeod Street. PWD Bouse stated that some easements will have to be gotten prior to the utilities in which Mr. Stubblefield said that he had not yet spoke to any landowners. Mayor Leathers does not feel that should happen until the land is annexed into city limits.

Copling stated that in regards to the roads and storm drains it will need to be planned by an engineer as to where the storm water goes. Mr. Stubblefield agreed and stated that a retention pond is in the plans. Police Chief confirmed the property of discussion is the west side section that will come off McLeod with approximately 100 living units. This would be an expansion of city limits and questioned another access for emergency personnel. Mr. Stubblefield replied that a discussion was had about putting a gated entrance off Holly Lane for emergency use only.

Copling questioned if the annexation passes, what is the timeline of the project and how much time would be needed for utilities. Mr. Stubblefield replied that it would just depend on when it can get there.

Mr. Stubblefield knows these are some big changes that could be coming, but there was a meeting over a year ago that stated a need for more community housing and feels this project is needed.

Dr. Sean Siebert addressed the council and stated that he had hosted the meeting Mr. Stubblefield is referencing to and it was open to a very wide reaching group with a need for residential expansion as a top priority.

Bouse, knowing that annexing into city limits is one thing, asked if the easements for utilities be gotten first. Thurman replied that the annexation has to happen first. Mayor Leathers stated there is no point in getting the easements with the annexation not being complete.

Mayor Leathers asked the crowd if any landowners within 185 feet from the Stubblefield property had any questions.

Mr. Wayne Grandstaff stated that he owns property close by and does not want his property annexed into the city limits. He has no objections, as long as his property does not have to be annexed.

Mr. Michael Williams, Williams Family Trust; asked Mr. Stubblefield if the retention pond previously mentioned will be on the east or west side as there is a pond, in which Mr. Stubblefield stated it would be on the east side. He asked where the kids will play at and what happens if some of the tenants from the new subdivision come onto their property and get hurt, who will be responsible. He asked who is responsible for the fence upkeep between properties. He asked if he will still be able to have livestock on his property. He asked how many people will want to live that close to the interstate and feels that there will be a lot of housing for that amount of land and will have no room. Mayor Leathers replied that the land is still his to with as he wishes, including keeping the livestock. As far as the lot sizes, the starter homes will be on a standard lot size which is 1/3 acre. Mr. Stubblefield stated that with his experience the fence will be Mr. Williams to maintain as he has livestock. Thurman stated that he only

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gives legal advice to the council. Thurman also stated that there is a responsibility for a livestock owner to maintain a fence and it is always unlawful to go onto private property as it is trespassing.

Mr. John Eaton owns property on the south side of the Stubblefield property and is not in opposition but does not want his property annexed in city limits.

Thurman addressed some concerns regarding the annexation and explained that should this annexation pass, it will not affect any other property. This action is voluntary and only applies to the subject property.

Mr. Bill Lange owns adjoining property on the south side. He had concerns regarding the mailed notice and does not think some within the 185 feet have gotten a notice. Thurman stated that we are not aware of who did or didn't receive the notice. Mr. Lange questioned whether obtaining easements or annexation should happen first. Thurman stated that the annexation has to pass before the easements are obtained. Mr. Lange is not opposed to the annexation but asked the council to not vote on a motion at this meeting as other issues are still being worked out, one in particular is Holly Lane, and they need to be solidified. He does not feel a couple of weeks until the next meeting will delay anything. The owners along Holly Lane, as well as others, have concerns with the number of homes being built as well as using Holly Lane due to some restrictions, but have agreed to use as a second access for emergency situations.

Mayor Leathers asked if anyone outside the 185 foot range had any questions or comments against or favoring the annexation.

Dr. Sean Siebert gave the council some statistics on the housing in Cuba leading to the high priority of housing and feels something needs to be done to sustain our town for the next 50 years.

Mayor Leathers asked Thurman about Mr. Lange's request to not pass a motion at this meeting.

Thurman suggests leaving the public hearing open until the next council meeting on 8/3/21, for any written objections to be submitted, based on the concern of any not receiving notice of the hearing.

Mayor Leathers encouraged any with questions or concerns to reach out to City Hall or himself. Mayor Leathers ended the public hearing at 6:34 p.m. and is continued until the next public hearing on 8/3/21 at 6:05 p.m. in the Cuba City Hall Council Room.

Industrial Revenue Bond discussion:

Mr. Tyler Hannigan introduced himself as an owner of the new marijuana facility coming to Cuba located in the Barnett Technology Industrial Park. Mr. Hannigan introduced some from AvailPro Services to discuss some funding elements.

Mr. Chris Dussold with AvailPro Services, spoke on behalf of Industrial Revenue Bonds (IRB). Mr. Dussold explained that an IRB does not ask anything from taxpayers, but a bond created by the city of use of a private venture. In its true form it does not ask for anything from the city dollar wise. These bonds are simple, they are sponsored and supported by the city and not the taxpayers. An IRB is a great financial piece for the entity that allows them to be more successful than their competitor. Missouri has been the first state to use these kinds of bonds for cannabis. Mayor Leathers asked if the City of Cuba would be the actual bond holder. Mr. Dussold said that no, the bond holder is the private placement bond buyer. Mayor Leathers asked if since the bonds go to market and the entity should default would

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the city be at risk. Mr. Dussold stated that no way would the city be at any risk or financial obligation as that would fall on the backer of the bond. No city assets would be used for this bond. Mayor Leathers asked if what is being asked for is basically a glorified letter of support. Mr. Dussold replied that yes, and one benefit from the bond is that the interest on the bonds is tax free. It is taxable on federal level, but not state. Thurman stated that as he has been a part of some IRB, this will be the first with cannabis. Thurman explained that the city is a name sponsor and has no liability. **Motion by Black, seconded by Honea, to allow Thurman to reach out to Gilmore & Bell and work with Mayor Leathers and Comptroller Nash to present at the next council meeting. Vote: All ayes. Graddy-absent.**

Citizens Participation:

Mr. Seth Black, owner/operator of Active Chiropractic, addressed the council regarding some electric issues and asked if there could be some consideration to burying the lines to avoid some problems with trees growing in the lines. These problems are not limited to this location, but across town that lead to many power surges. Mayor Leathers stated that within the last five years there has been money budgeted and used for tree trimming, but is uncertain if all is up to par and does agree that these problems are affecting and costing many. Honea agreed that these problems are not specific to that part of town but spread thru out.

Dr. Sean Siebert addressed the council regarding the public hearing as it is still open. He feels there could be some misconceptions as to whether or not the property can be developed with or without the annexation. There are pros and cons either way, but pointed out that if annexed into the city limits planning and zoning has tighter regulations and restrictions that have to be followed for development where as, there are no guidelines in the county. If the property is developed in the county there are possibilities it could become a trailer park, not have water or sewer, or have gravel roads as there are no boundaries.

Administrative Salary Discussion:

Mayor Leathers stated that it was previously approved by the council to approve a public works secretary with a starting pay of \$14.79, tier 12 on the salary scale. Prior to July 1st there were some administrative position employees that were not making the \$14.79 while being in their current positions for several years leading to a requested salary increase for Leslie Hageman, Melissa Brown, Judy Rouse, and Jessica Baker (attached). Copling does not want to open a can of worms, but wants to be fair, and if some are going to be moved up then he feels there are some from public works that need to be moved up as well. Mayor Leathers clarified that there is not a move in tiers on the salary scale, but an increase in pay. Comptroller Nash explained that previously she presented a salary proposal for all city employees, but the council moved another direction. In doing this, she took the level 12 and 14 as those are the ones affected and in the same work range as the new public works secretary position and moved them along using their years of service seeing that be the fair way. Comptroller Nash doesn't disagree with Copling, but he is only picking two ranges and why not look at every employee.

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Mayor Leathers stated that Copling can look into other positions at a later date, but the presented proposal is specific for those four positions. Copling asked PW Director Bouse how many public works employees fell under the tier 12. PW Director stated that there were four employees that fell under the same situation. Comptroller noted the difference is the position, and the proposed four positions should be compressed by years of service as the minimum pay changed. Holt asked what the public works secretary position should have started out at. Comptroller Nash replied that it should have started at the minimum. Black questioned if \$14.79 was not the minimum. Comptroller Nash replied that it is now because of the \$1/hour raise. Copling is aware this discussion is about the secretarial positions, but a couple of years ago employees were capped out at 20 years, and there is an employee that has been here for 20 years that is making \$500 under the capping out salary. Comptroller Nash stated that they had not been in that position for 20 years. Comptroller Nash wonders if maybe Copling is mixing up the old salary schedule with the new one that has been adopted. Mayor Leathers does not disagree that other positions may need to be looked at, but not at this meeting. Mayor Leathers stated that is what committees are for. Copling stated that yes, he agreed it should have gone to the committees. Comptroller Nash will absolutely notify Copling next time, but on June 28 when the salaries were decided, and the unfairness was seen then felt it needed to be brought to the whole council as they all vote on salaries feeling it an emergency situation. Copling did not feel it was an emergency and the committees should have met. Bouse stated that when Holt and himself met for the public works committee to discuss the public works secretary, they decided that PWD Bouse did not want an entry level secretary, but someone with experience as he did not have time to train, therefore you have to pay for experience. Bouse asked PWD Bouse if someone could be hired in at a lower entry level. PWD Bouse replied no. Comptroller Nash, Jessica Baker, and Leslie Hageman all stated that they were all hired in at the lower entry level. Black stated that if the council felt strongly about meeting with the committees, then it could be tabled until the committee recommendations and then make the pay retroactive. Copling said he is on the committee and will recommend it anyway. **Motion by Copling, seconded by Honea, to accept the proposal. Vote: All ayes. Graddy-absent.**

Copling now wants to look at public works salaries.

Public Works Director Report:

PW Director Bouse asked for approval of generator maintenance by Mike's at \$11,653.60. **Motion by Black, seconded by Copling, to approve the generator maintenance by Mike's for \$11,653.60. Vote: All ayes. Graddy-absent.**

PW Director Bouse presented the council with a bid from West Contracting for nova chip and milling machine.

Nova chip - \$204,879.00

Milling machine - \$9260.00

Total - \$214,139.00

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Motion by Bouse, seconded by Black, to accept the bid for \$214,139.00. Vote: All ayes. Graddy-absent.

Barnett Road Bid: Mayor Leathers asked for the Barnett Road Bids. City Clerk Garbo explained that one was turned in, but not by the due date and time. Mayor Leathers asked Thurman for advice as to other ways to seek bids. Thurman stated that according to the ordinance, this is a specialized trade and can reach out to contractors to seek a bid. Mayor Leathers asked PWD Bouse to reach out and extend the bid until July 23, 2021 at 4:00 p.m. **Motion by Black, seconded by Copling, to extend the bid process until Friday July 23, 2021 at 4:00 p.m. allowing PWD Bouse to reach out to contractors. Vote: All ayes. Graddy-absent.**

Copling discussed a piece of property near the entrance of Hook Park and would like Mayor Leathers to speak with the property owner and look at as the owner expressed interest in selling. **Motion by Black, seconded by Copling, to explore the option of purchasing property. Vote: All ayes. Graddy-absent.**

Bouse asked PWD Bouse to keep contact with the fair board to fix the ruts and damage within Hood Park during the fair. Mayor Leathers wants to check the contract and then reach out to fair board president Shane Staples.

Police Chief Report:

Nuisance Report:

Police Chief Shelton complimented Cameron Sanders on a job well done with the nuisance complaints.

Police Chief Shelton reported the progress of nuisance complaints.

Honea reported the corner of Springfield St./Main St. that a car is on jack stand on the sidewalk causing others to go around. Shelton will pass along to Sanders.

Police Chief Shelton presented a bid for Outer Vest Carriers from Leon's Uniform for \$5058.00 **Motion by Bouse, seconded by Black, to accept the bid for \$5058.00 Vote: All ayes. Graddy-absent.**

Black thinks Sanders is doing great with the nuisance complaints and appreciates the work. All agree.

Motion by Holt. Seconded by Black, to approve the bills to be paid. Vote: All ayes. Graddy-absent. Honea-abstain.

Mayor Leathers announced the resignation of Julie Crow from the Planning & Zoning Committee.

Motion by Bouse, seconded by Black, to accept the resignation. Vote: All ayes. Graddy-absent.

Mayor Leathers has reached out to some and will have an appointment at the next council meeting.

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Motion by Black, seconded by Holt, to have the first reading of Bill No. 2012 by caption only. Vote: All ayes. Graddy-absent. City Clerk Garbo read Bill No. 2012 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to execute a contract with the Cuba Public School for providing a School Resource Officer. **Motion by Bouse, seconded by Black, to approve the first reading of Bill No. 2012. Roll call vote: Copling-yes, Black-yes, Honea-yes, Holt-yes, Bouse-yes, Graddy-absent.** **Motion by Black, seconded by Copling, to have the second reading of Bill No. 2012 by caption only. Vote: All ayes. Graddy-absent.** City Clerk Garbo read Bill No. 2012 a second time. **Motion by Holt, seconded by Black, to approve the second reading of Bill No. 2012. Roll call vote: Copling-yes, Black-yes, Honea-yes, Holt-yes, Bouse-yes, Graddy-absent.** Mayor Leathers declared Bill No. 2012 becomes Special Ordinance 826 the 20th day of July 2021.

Motion by Black, seconded by Copling, to have the first reading of Bill No. 2013 by caption only. Vote: All ayes. Graddy-absent. City Clerk Garbo read Bill No. 2013 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of the City of Cuba, Missouri, to enter into an agreement with NCR Payment Solutions LLC to process credit card payments for the Cuba Municipal Court. **Motion by Black, seconded by Bouse, to approve the first reading of Bill No. 2013. Roll call vote: Copling-yes, Black-yes, Honea-yes, Holt-yes, Bouse-yes, Graddy-absent.** **Motion by Black, seconded by Holt, to have the second reading of Bill No. 2013 by caption only. Vote-all ayes. Graddy-absent.** City Clerk Garbo read Bill No. 2013 a second time. **Motion by Black, seconded by Bouse, to approve the second reading of Bill No. 2013. Roll call vote: Bouse-yes, Holt-yes, Honea-yes, Black-yes, Copling-yes, Graddy-absent.** Mayor Leathers declared Bill No. 2013 becomes Special Ordinance No. 827 on this 20th day of July 2021.

Motion by Bouse, seconded by Black, to have the first reading of Bill No. 2014 by caption only. Vote: All ayes. Graddy-absent. City Clerk Garbo read Bill No. 2014 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of the City of Cuba, Missouri, to enter into an agreement with Omnigo Software LLC for installation of software. **Motion by Black, seconded by Bouse, to approve the first reading of Bill No. 2014. Roll call vote: Copling-yes, Black-yes, Honea-yes, Holt-yes, Bouse-yes, Graddy-absent.** **Motion by Bouse, seconded by Holt, to have the second reading of bill No. 2014 by caption only. Vote: All ayes. Graddy-absent.** City Clerk Garbo read Bill No. 2014 a second time. **Motion by Black, seconded by Bouse, to approve the second reading of Bill No. 2014. Roll call vote: Bouse-yes, Holt-yes, Honea-yes, Black-yes, Copling-yes, Graddy-absent.** Mayor Leathers declared bill No. 2014 becomes Special Ordinance No. 828 this 20th day of July 2021.

Motion by Holt, seconded by Black, to have the first reading of Bill No. 2015 by caption only. Vote: All ayes. Graddy-absent. City Clerk Garbo read Bill No. 2015 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of the City of Cuba, Missouri, to enter into an agreement with Meramec Adventure Learning Ranch for the purpose of putting on a youth police camp. **Motion by Black, seconded by Holt, to approve the first reading of Bill No. 2015. Roll call vote: Copling-yes, Black-yes, Honea-yes, Holt-yes, Bouse-yes, Graddy-absent.** **Motion by Black, seconded by Bouse, to have the second reading of Bill No. 2015 by caption only. Vote: All ayes. Graddy-absent.** City Clerk

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Garbo read Bill No. 2015 a second time. **Motion by Black, seconded by Honea, to approve the second reading of Bill No. 2015. Roll call vote: Bouse-yes, Holt-yes, Honea-yes, Black-yes, Copling-yes, Graddy-absent.** Mayor Leathers declared Bill No. 2015 becomes Special Ordinance No. 829 this 20th day of July 2021.

Mayor Leathers thanked Honea for accepting the alderman position and encouraged him to utilize all departments and resources for any help or information.

Mayor Leathers expressed his condolences to Warren Graddy and family for the loss of his brother.

Mayor Leathers announced that Governor Parson will be visiting Cuba on July 27, 2021 from 5:00 p.m. – 6:00 p.m. on Buchanan Street where he will give a short speech and tour some murals. Mayor Leathers encourages all to attend. **Motion by Black, seconded by Holt, to close Buchanan Street all day for the event. Vote: All ayes. Graddy-absent.**

Copling wants discussion of public works salaries at the next council meeting. Mayor Leathers recommends having committee meetings beforehand.

Copling, Black, and Bouse all welcome Honea to the council.

Bouse wants to motion to give a cost of living raise to all contracted employees. **Motion by Black, seconded by Copling, to add 1.3% cost of living raise to all contract employees.** Missy Mullally asked it this would apply to her as well. Mayor Leathers does think she should be included. **Vote: All ayes. Graddy-absent.**

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

**Lainie Garbo
City Clerk**