

**REGULAR MEETING MINUTES  
BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI  
THURSDAY – APRIL 7, 2022 – 6:00 P.M.  
CUBA CITY HALL COUNCIL ROOM**

Mayor Cody Leathers called the meeting to order. Aldermen present: Kevin Copling, Sam Black, Dave Honea, Warren Graddy, Curtis Holt, Jeff Bouse. Public Works Director present: Craig Bouse. Police Chief present: Doug Shelton. City attorney present: Lance Thurman.

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

City Clerk Garbo read the unofficial election results from April 5, 2022.

Mayor

Cody L. Leathers	202 votes
Write-in	2 votes

City Collector

Kim Roedemeier	206 votes
Write-in	2 votes

Police Chief

Doug Shelton	191 votes
Write-in	4 votes

Alderman, Ward 1 (2 year term)

Warren Graddy	54 votes
Ray Mortimeyer	46 votes

Alderman, Ward 1 (1 year term)

Dave Honea	74 votes
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Alderman, Ward 2

Curtis Holt	77 votes
Write-in	1 vote

Alderman, Ward 3

Kevin Copling	51 votes
Write-in	1 vote

**Motion by Black, seconded by Bouse, to approve the election results as presented. Vote: All ayes.**

All new members were sworn in by City Clerk Garbo and seats were taken.

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**Motion by Bouse, seconded by Holt, to elect Sam Black as President of the Board. Vote: All ayes. Black abstain.**

Mayor Leathers presented the aldermanic committees and Mayor's appointments. **Motion by Black, seconded by Honea, to approve. Vote: All ayes.**

**Motion by Honea, seconded by Black, to approve the regular meeting minutes of March 15, 2022. Vote: All ayes.**

**Motion by Honea, seconded by Black, to approve the executive session minutes of March 15, 2022. Vote: All ayes.**

**Motion by Bouse, seconded by Holt, so approve the special meeting minutes of March 29, 2022. Vote: All ayes.**

**Comptroller Report:**

Mayor Leathers stated that this is newly recommended and will be presented before the approval of bills.

Comptroller Nash stated that this report is a work in progress and if anything additional is wanted then please let her know and she will work on it. Nash stated that at the back of the packet there are the cash balances as of February as that is the last balanced bank statement. This information is always presented in the bills to be paid report, but hard to see. To create the report presented, the numbers were pulled from the report by fund. The cash balance is as of March 31<sup>st</sup>, but that is not official as the bank statement isn't balanced yet. Mayor Leathers asked if the council had any questions as this is showing the funding and accounts prior to approving the bills being paid. No questions asked. Mayor Leathers stated that this is information for the community and Cuba Free Press and Nash stated that this information was also sent to the paper. Nash stated that the normal budget transfers and revisions will be presented at the next meeting and is hoping to do every month.

**Motion by Holt, seconded by Black, to pay the bills as presented. Vote: All ayes.**

**Citizens Participation:**

Melody Slusher approached the council regarding an event at Hood Park on April 30<sup>th</sup> for Eric Greitens rally. Ms. Slusher stated that she had called City Hall and was advised to get a million dollar liability certificate but also wanted to notify the council. Clerk Garbo stated that she was aware of the event and phone call and was checking with organizations for availability. Ms. Slusher stated that their event would be from 1-5 pm, no alcohol is permitted, will have security, and wanted to check on the rules and regulations. Mayor Leathers asked if anything would be needed from the city, and Ms. Slusher stated that electric would be needed as there would be a DJ for the stage and there will be local food trucks. Mayor Leathers stated that if Ms. Slusher had any questions to please contact PWD Bouse or City Hall. Mayor Leathers also stated that the park would need to be cleaned up and left as nice as possible.

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Thurman did not see a problem with the event. Ms. Slusher stated that she called the Insurance Center for the liability insurance and asked if there were any other suggestions of how to obtain. Comptroller suggested maybe contacting the fair board and asking who they use. Clerk Garbo to send park rental information and the Fair Board presidents contact information. **Motion by Bouse, seconded by Honea, to approve use of Hood Park for the event. Vote: All ayes.**

Dan Eisdon, 505 Kidwell, congratulated the winners of the election. Mr. Eisdon questioned where they stand on the repayment of the electric installment payment shown on the utility bill. Mayor Leathers stated that the repayment was for two years. Comptroller Nash stated that the first installment started in May or June 2021 so has been on there for almost a year, leaving another year of payment. Mayor Leathers stated that there may be a refund and if the city gets a windfall, it will be passed along to the customers. Nash explained the February 2021 weather situation and how it effected the bill, and that the installment payments were broken down into all the classes and figured per households actual usage then divided by 24. Eisdon clarified that the installment is a set amount each month. Mayor Leathers clarified that if any money is given back, it will be passed along which was good news.

**Surplus Bid Opening:**

Mayor Leathers opened all sealed bids.

Land Pride 6ft. finish mower, Model FDR 2572 – reserve set at \$400.00

Brian Mullally                 \$451.00

**Motion by Black, seconded by Graddy, to accept the bid from Brian Mullally for \$451.00. Vote: All ayes.**

Band Saw, Parks brand, 1HP motor – reserve set at \$100.00

Craig Bouse                    \$151.51

John Patterson                No dollar amount provided

John Patterson                \$200-\$250

**Motion by Honea, seconded by Black, to accept the bid from John Patterson for \$200.00 if he will honor and if not, then Craig Bouse. Vote: All ayes.**

2008 Model Generator 6.8 V-10 Ford engine 150 LW needs new rotor and stator – reserve set at \$1000.00

No bids received

This is the first time this item has been bid out, will hang on until the next surplus bids go out.

2012 Dodge Charger – 106,284 miles – reserve set at \$6000.00

John Eaton                    \$6152.00

Cindy Crawford               \$6525.00

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**Motion by Honea, seconded by Black, to accept the bid from Cindy Crawford for \$6525.00. Vote: All ayes.**

Kohler Generator (BLUE) 7,000 watt 16 HP 120 volts – reserve set at \$100.00  
Ken Queen \$105.00

**Motion by Black, seconded by Bouse, to accept the bid from Ken Queen for \$105.00. Vote: All ayes.**

Kohler Generator (GOLD) 7,000 watt 16 HP 120 Volts – reserve set at \$100.00  
Ken Queen \$165.00

**Motion by Graddy, seconded by Honea, to accept the bid from Ken Queen for \$165.00. Vote: All ayes.**

Coats tire changer 10-10 Power Man Pneumatic – reserve set at \$50.00

James Watral	\$200.00
Walter Gutermuth	\$85.00
George Rathgeber	\$71.00
Bob Pinnell	\$221.95
Dale Miller	\$75.00
Alan Trendle	\$263.37
Ken Queen	\$165.00
Bill Dotson	\$127.00

**Motion by Graddy, seconded by Black, to accept the bid from Alan Trendle for \$263.37. Vote: All ayes.**

**Natural Gas Technician position:**

Mayor Leathers stated that this position was posted internally with only one signature for application.

**Motion by Copling, seconded by Black, to hire Matt Pigg back to the natural gas department. Vote: All ayes.**

**Public Works Director position discussion:**

Mayor Leathers suggested that PWD Bouse and the public works committee of Bouse and Black meet to go over the most current approved job description and see if changes need to be made. If so, then the committee can recommend for approval. Mayor Leathers stated that if necessary, a special meeting can be had to council approve the committee recommendation to be given to Thurman for a resolution that can be approved at the April 19<sup>th</sup> council meeting. PWD Bouse stated that the biggest thing for discussion will be building inspection portion. Mayor Leathers stated that the salary will also need to be discussed for budget purposes and for advertisement.

**EOC Director report:**

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Rodney Neff, EOC Director, stated that there was not a monthly siren testing due to the storms and hopefully it will take place next month.

Neff stated that he is looking into three possible grants. One from the railroad, Wal-Mart, and the State of Missouri. They could be used for a full EOC department funding, including his salary. Mayor Leathers stated to get with his committee and look into getting some grant hours to help. Neff stated that there are some provisions he will need to talk to his committee about as things with have to be done prior to applying.

**Bluebit Internet discussion:**

Mayor Leathers stated that Josh with Bluebit had reached out to Roger Bridgeman, the Park Board President, about offering free internet at Hood Park and put up a sign stating that there is free wifi provided by Bluebit. Mayor Leathers asked Thurman if a sign can be on city property. Thurman stated that there is no problem with an information sign stating the internet is available but not provided by the city, but Bluebit. There can't be just advertisement signs on city property. Thurman stated that the sign should state free wifi that is provided by Bluebit and can show their business emblem and phone number. Mayor Leathers will discuss this with Josh at Bluebit. PWD Bouse asked if they are wanting a tower and that Wave Internet is already at Hood Park in some spots. **Motion by Honea, seconded by Black, to allow Bluebit to provide internet at Hood Park with an informational sign. Vote: All ayes.**

**Public Works Director report:**

PWD Bouse stated that Chris Durham is resigning from the City of Cuba, or actually retiring per the letter that was submitted and his last day will be April 15, 2022. Mayor Leathers stated that he spoke with Durham and his leaving had nothing to do with the job, but is inspired to take his towing business and company to the next level. **Motion by Honea, seconded by Graddy, to accept the resignation of Chris Durham. Vote: All ayes.**

PWD Bouse presented the council with a lift station pump bid.

The Pump Shop                   \$4879.00

**Motion by Black, seconded by Honea, to approve the bid from The Pump Shop for \$4879.00. Vote: All ayes.**

PWD Bouse presented the council with a manhole rehabilitation bid.

Midwest Infrastructure Coatings                   \$84,733.00

**Motion by Black, seconded by Honea, to approve the bid from Midwest Infrastructure Coatings for \$84,733.00. Vote: All ayes.** PWD Bouse stated that this is for 52 more manholes and will finish the job.

PWD Bouse presented the council with Mueller Street fitting bids.

Harry Cooper Supply                   \$11,460.15

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Schulte Supply, Inc                      \$11,258.88

**Motion by Bouse, seconded by Holt, to approve the bid from Schulte Supply for \$11,258.88. Vote: All ayes. Graddy absent.**

PWD Bouse presented the council with Mueller Street hydrant bids.

Harry Cooper Supply                      \$7938.06

Schulte Supply, Inc                      \$8175.00

**Motion by Black, seconded by Copling, to approve the bid from Harry Cooper Supply for \$7938.06. Vote: All ayes.**

PWD Bouse stated that Mark Mueller will be surveying Mueller Street.

PWD Bouse stated that he had spoke with Thurman regarding a backflow ordinance that would follow DNR guidelines for commercial facilities. PWD Bouse stated that there is a proposed ordinance for Thurman to look over that was discussed at the water/sewer committee meeting. Mayor Leathers clarified that this would require commercial facilities to install a backflow preventer and it would be at their expense. PWD Bouse stated that most have them anyway, but this would help reduce the city's liability. Thurman stated he has seen the proposed ordinance, but the council has to vote to have it prepared or not. **Motion by Honea, seconded by Black, to allow Thurman to prepare a backflow preventer ordinance. Vote: All ayes.**

PWD Bouse would like direction for the Property Management Specialist position. There was one applicant and is unsure whether to interview or not. Mayor Leathers asked if there was a committee recommendation or if a meeting needs to be set up. PWD Bouse stated that there were only phone calls to determine if things were going to stay as is or go another direction. Bouse stated that himself and Graddy were on the committee and would like to combine property management and the grounds department. Mayor Leathers is not sure what all that would entail. Comptroller Nash stated that the council may want to wait and look at the budget as this position is in the general fund. Mayor Leathers stated that if this is a direction Bouse and Graddy would like to look in, then put it in for the next years budget and work from there. PWD Bouse stated that something needs to be done with summer coming on. Mayor Leathers stated that changes won't be made at this meeting. Bouse still thinks the two departments need to be combined. Graddy would like to wait until budget time and see the workload as they will just be starting into summer. Mayor Leathers doesn't know the process of combining departments, but it will need to be looked into while leaving the situation as is.

PWD Bouse stated that himself and Chris Durham have accumulated sick days and the way he reads the handbook, only terminated employees do not get paid for them. Comptroller Nash had a copy of the handbook. PWD Bouse read the sick leave portion of the employee handbook (attached). Holt asked if PWD Bouse was retiring. PWD Bouse stated that himself and Durham are vested. Holt stated that being vested is not the same as being eligible for retirement. Comptroller Nash approached Mayor Leathers

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with a copy of the employee handbook. Mayor Leathers stated that they will be paid out for vacation and comp time, but not certain about the sick time as they are not eligible for retirement. Clerk Garbo referenced some past employees who were not paid out sick time because of resigning and some who were able to because of being eligible for retirement or using their time for retirement. Bouse questioned the sick time when retiring and still staying on payroll or if sick and going thru hoops using their time and feels it could cause a lawsuit. Mayor Leathers referenced Jim Chapman as the last retiree that used all his time to get to the actual retirement date as he qualified. PWD Bouse asked if there was a definition of retirement in the handbook. **Motion by Copling, seconded by Bouse, to pay PWD Bouse and Chris Durham for their accumulated sick time.** Black asked if the employee handbook could be read. Mayor Leathers stated that if he were anyone who had left employment, he would come and ask to be paid for his sick time. Honea stated it would be setting a precedence for the last twenty years. Thurman read the Termination and Sick Leave portions of the employee handbook (attached). Honea stated that by the employee handbook, it is no and Thurman agreed. Holt stated that if they are going to go against the employee handbook then it should just be thrown away. **Roll call vote: Copling-yes, Black-no, Honea-no, Graddy-no, Holt-no, Bouse-yes.** PWD Bouse stated that the employee handbook should be fine tuned then. Honea stated that the employee handbook stated that they City can terminate or the employee can terminate, either way it doesn't qualify.

### **Police Chief report:**

PC Shelton gave an update on nuisance complaints and violations.

### **SRO Recommendations:**

PC Shelton stated that this is the second time this discussion has been brought to the council and after talking to his committee regarding the SRO recommendation, and they will not be entering into a contract with Crawford County School for an SRO officer. Mayor Leathers clarified that final recommendation is that we will no longer have a contract with the School, PC Shelton replied that there is no recommendation to continue at this time. Mayor Leathers asked if it requires a motion, Thurman replied that not unless the contract requires a notice to the school. Mayor Leathers stated that there will need to be some communication with Dr. Graves, Superintendent, as he is in the audience to hear an answer. It was stated that the current SRO Officers will be retained until the contract ends. Black asked if they are working on a middle ground, PC Shelton stated that he has some meetings coming up. Dr. Graves stated that they are working on hiring now and for budget purposes. Copling asked if they two officers are not with the school, will they have a position and PC Shelton replied that he has positions for them. Mayor Leathers stated that there will be budget implications as they City will now pick up a salary that the school was paying for. Mayor Leathers apologized to Dr. Graves and hopes in the future to continue the partnership. Dr. Graves stated that they are invited anytime to discuss.

**Motion by Graddy, seconded by Honea, to have to first reading of Bill No. 2048 by caption only. Vote: All ayes.** Clerk Garbo read Bill No. 2048 – An ordinance authorizing the Mayor of the City of Cuba, Missouri, on behalf of said city, to enter into an agreement with Alfred Benesch & Company for

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engineering of construction phase services at the Cuba Municipal Airport. **Motion by Graddy, seconded by Honea, to approve the first reading of Bill No. 2048. Roll call vote: Bouse-yes, Holt-yes, Graddy-yes, Honea-yes, Black-yes, Copling-yes. Motion by Graddy, seconded by Holt, to have the second reading of Bill No. 2048 by caption only. Vote: All ayes.** Clerk Garbo read Bill No. 2048 a second time. **Motion by Honea, seconded by Graddy, to approve the second reading of Bill No. 2048. Roll call vote: Copling-yes, Black-yes, Honea-yes, Graddy-yes, Holt-yes, Bouse-yes.** Mayor Leathers declared that Bill No. 2048 becomes Special Ordinance 851 on this 7<sup>th</sup> day of April 2022.

Jimmy Happel stated that with Matt Pigg back in the natural gas department, the other property management position needs to be filled because Pigg bouncing back and forth doesn't work well. If Pigg is back in the natural gas department but working in the parks, it could cause a problem. Mayor Leathers stated that if any employees could lend a hand that would be helpful. Happel stated that the other natural gas employee sometimes works at the treatment plant and if Pigg is in the parks that would leave Happel by himself and that doesn't work. Bouse stated that Pigg is in the natural gas department now and they can find someone else to help with parks.

**Motion by Graddy, seconded by Honea, to go into executive closed session – closed to the public pursuant RSMo610.021 – Section 3) Personnel – hiring, firing, and/or promoting of particular employee(s). Roll call vote: Bouse-yes, Holt-yes, Graddy-yes, Honea-yes, Black-yes, Copling-yes.**

**Motion by Graddy, seconded by Black, to go back into regular session. Roll call vote: Bouse-yes, Holt-yes, Graddy-yes, Honea-yes, Black-yes, Copling-yes.**

Actions of executive session:

**Motion by Black, seconded by Copling, to accept the letter of retirement from Christine Nash as of May 11, 2022 the first date of eligibility of retirement. Roll call vote: Copling-yes, Black-yes, Honea-yes, Graddy-yes, Holt-yes, Bouse-yes.**

**Motion by Graddy, seconded by Black, to adjourn.**

**Lainie Garbo, City Clerk**



**XXI. Sick Leave:**

Sick leave shall be accumulated at the rate of one (1) day for each month worked, with a maximum of 120 days. After a two day absence from work, a doctor's release may be needed stating the employee is physically able to perform their regular duties before returning to normal duties. Sick Leave includes any day of work missed due to illness for which you would have received regular compensation. After twenty-five (25) days of sick leave have accumulated an employee may designate one sick day per year as a "personal day" which may be used at a time approved by the Supervisor not concurrent with the use of vacation time or regular sick time. These "personal days" designation options will increase on the following schedule: After accumulating fifty (50) days of sick leave, two personal days, seventy-five (75) days sick leave, three personal days, one hundred (100) days of sick leave, four personal days, and after one hundred-twenty (120) days of sick leave, five (5) personal days. After accumulating 120 days of sick leave the City will pay the employee at full salary rate for up to seven (7) unused earned sick leave days per calendar year beginning December 1, to be paid on the first December payroll. At the time of retirement, the City will compensate the employee, on a payment schedule to be agreed upon by the Board of Aldermen of the City and the employee, for all sick days accumulated. Absent an agreement between the Board of Aldermen and the employee, the employee will be paid for all sick days accumulated in one lump sum payment within thirty (30) days after the date of retirement of the employee. Terminating employees are not eligible to receive any compensation for accumulated sick leave.

× **VII. Termination:**

Employment with the City of Cuba is based on mutual consent and on an “at will” basis. Either party is privileged to terminate employment at any time with sufficient legal notification. All such notification made within two weeks of date of termination should be considered legal and appropriate.

× **QUITTING** is poor practice and leaves an unfavorable termination report on the employee’s record. Termination should be by resignation or dismissal.