

BOARD OF ALDERMAN WORK SESSION CITY HALL, 345 S. MAIN, BOLIVAR, MO 65613 TUESDAY, JULY 9th, 2019 AT 6:30 P.M.

<u>Call to Order:</u> Mayor Warwick called the Work Session Council Meeting to order at 6:30 p.m.

<u>Aldermen present:</u> Aldermen Mike Ryan, Thane Kifer, Alexis Neal, Ethel Mae Tennis, Steve Skopec, Justin Ballard, Charles Keith and Steve Sagaser.

Aldermen absent: None.

In attendance:

City Administrator Tracy Slagle, City Attorney Donald Brown, Public Works Director Jerry Hamby, Water/Sewer Supervisor James Bradshaw, Planning and Zoning Administrator Sydney Allen, Police Chief Mark Webb, Deputy Fire Chief Brent Watkins, City Clerk Paula Henderson, Finance Director Natalie Scrivner, and other visitors from the public.

Pledge of Allegiance: Led by Alderman Ryan.

Motion to Adopt Agenda:

Alderman Sagaser made a motion to approve the agenda. Alderman Ballard seconded the motion, which carried unanimously.

Discussion & Approve: Airport Hay Cutting June Date Extension.

Alderman Tennis made a motion to extend the date for the June 2019 Cutting to 7/23/2019. Alderman Ryan seconded the motion, which was unanimously approved.

Discuss & Approve: Special Event Application for K-Life 8.22.2019.

Alderman Tennis made a motion to approve waiving the rent for the community room during the event. Alderman Ryan seconded the motion, which was approved unanimously.

Discussion: Stop Signs at 3 locations:

Discuss regarding stop signs at South Stop at N. Oakland/W. Locust; South Stop at S. Oakland/Woodland; West & East Stops on W. Buffalo/S. Missouri. Alderman Skopec made a motion for no changes. Alderman Sagaser seconded the motion, which was approved unanimously.

Discuss: Options for Doors for Restrooms at YMCA.

Alderman Kifer made a motion a single folding accordion style gate, estimated at \$184.95 and City staff to install. Alderman Neal seconded the motion, which was approved unanimously.



Discuss & Approve: Capital Expense Eligible~2017 Police Interceptor SUV and Equipment.

Alderman Ballard made a motion to approve purchase of 2017 Ford Interceptor with Equipment and Trade in one of the older Crown Victoria Vehicles. Alderman Ryan seconded the motion, which was approved unanimously.

<u>Update: Budget Note Changes – to Change from Claud Drainage Expense to Albany Drainage Expense.</u> Alderman Skopec made a motion to approve the switch to Albany Drainage. Alderman Sagaser seconded the motion, which was approved unanimously.

Discuss & Approve: Frisco Senior Village, LP Development Agreement.

Alderman Ballard made a motion to approve the Frisco Senior Village, LP Development Agreement. Alderman Ryan seconded the motion, which was approved unanimously.

Discuss & Approve: Fullerton Fields Lightbulb Replacement/Repairs.

Alderman Sagaser made a motion to approve the estimate from Missouri Neon/Signlink for time and materials. Alderman Neal seconded the motion, which was approved unanimously.

Discuss & Approve: Zoning Change Application for 911 W. Broadway.

Alderman Ballard made a motion to approve the Zoning Change for 911 W. Broadway to C-O, Office and Institution District. Alderman Neal seconded the motion.

Roll Call:

Ayes: Tennis, Skopec, Ballard, Ryan, Sagaser, Kifer, Neal, Keith.

Nays: None.

Bill No. 2019-37: An Ordinance Changing the Zoning Classification for Certain Property
Generally located at 911 W. Broadway in Bolivar, MO. Alderman Ryan made a motion for the first reading of Bill No. 2019-37. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-37. Ordinance 3540.

"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 911 W. BROADWAY IN BOLIVAR, MO."

Alderman Sagaser made a motion to approve the second reading of Bill No. 2019-37. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-37. Ordinance 3540.



"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 911 W. BROADWAY IN BOLIVAR, MO."

Roll Call:

Ayes: Skopec, Keith, Ryan, Kifer, Tennis, Ballard, Sagaser, Neal.

Nays: None.

Bill No. 2019-38 An Ordinance Amending the City Code for the City of Bolivar, Missouri by Adding a New Chapter 525; Regarding Small Wireless Facility Deployment. Alderman Sagaser made a motion for the first reading of Bill No. 2019-38. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-38. Ordinance 3541.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY ADDING A NEW CHAPTER 525; REGARDING SMALL WIRELESS FACILITY DEPLOYMENT."

Alderman Ballard made a motion to approve the second reading of Bill No. 2019-38. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-38. Ordinance 3541.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY ADDING A NEW CHAPTER 525; REGARDING SMALL WIRELESS FACILITY DEPLOYMENT."

Roll Call:

Ayes: Skopec, Tennis, Ryan, Ballard, Kifer, Sagaser, Keith, Neal.

Nays: None.

Bill No. 2019-39 An Ordinance Amending Chapter 520 of the Municipal Code of the City of Bolivar, Missouri Related to Regulations for Right-of-Way Management. Alderman Sagaser made a motion for the first reading of Bill No. 2019-39. Alderman Ryan seconds the motion. The City Attorney read Bill No. 2019-39. Ordinance 3542.

"AN ORDINANCE AMENDING CHAPTER 520 OF THE MUNICIPAL CODE OF THE CITY OF BOLIVAR, MISSOURI RELATED TO REGULATIONS FOR RIGHT-OF-WAY MANAGMENT."

Alderman Ballard made a motion to approve the second reading of Bill No. 2019-39. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-39. Ordinance 3542.

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"AN ORDINANCE AMENDING CHAPTER 520 OF THE MUNICIPAL CODE OF THE CITY OF BOLIVAR, MISSOURI RELATED TO REGULATIONS FOR RIGHT-OF-WAY MANAGMENT."

Roll Call:

Ayes: Sagaser, Kifer, Neal, Keith, Tennis, Skopec, Ballard, Ryan.

Nays: None.

Bill No. 2019-40 An Ordinance Amending Chapter 410 of the Municipal Code of the City of Bolivar, Missouri Related to Communications Antennas and Support Structures. Alderman Sagaser made a motion for the first reading of Bill No. 2019-40. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-40. Ordinance 3543.

"AN ORDINANCE AMENDING CHAPTER 410 OF THE MUNICIPAL CODE OF THE CITY OF BOLIVAR, MISSOURI RELATED TO COMMUNICATIONS ANTENNAS AND SUPPORT STRUCTURES."

Alderman Neal made a motion to approve the second reading of Bill No. 2019-40. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-40. Ordinance 3543.

"AN ORDINANCE AMENDING CHAPTER 410 OF THE MUNICIPAL CODE OF THE CITY OF BOLIVAR, MISSOURI RELATED TO COMMUNICATIONS ANTENNAS AND SUPPORT STRUCTURES."

Roll Call:

Ayes: Keith, Neal, Kifer, Sagaser, Ryan, Ballard, Skopec, Tennis.

Nays: None.

<u>Bill No. 2019-41 An Ordinance Amending the Bolivar Municipal Code by Amending Section</u> <u>225.580 – Regarding the City's Burn Regulations.</u> Alderman Kifer made a motion for the first reading of Bill No. 2019-41. Alderman Sagaser seconds the motion. The City Attorney read Bill No. 2019-41. Ordinance 3544.

"AN ORDINANCE AMENDING THE BOLIVAR MUNICIPAL CODE BY AMENDING SECTION 225.580-REGARDING THE CITY'S BURN REGULATIONS."

Alderman Sagaser made a motion to approve the second reading of Bill No. 2019-41. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-41. Ordinance 3544.

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"AN ORDINANCE A MENDING THE BOLIVAR MUNICIPAL CODE BY AMENDING SECTION 225.580-REGARDING THE CITY'S BURN REGULATIONS."

Roll Call:

Ayes: Skopec, Tennis, Ryan, Ballard, Kifer, Sagaser, Keith, Neal.

Nays: None.

Bill No. 2019-42 An Ordinance Amending the City Code for the City of Bolivar, Missouri by Amending the City's Zoning Regulations Through Addition of a New Code Section 410.255; Regarding Cultivation, Manufacture and Sale of Medicinal Marijuana. Alderman Sagaser made a motion for the first reading of Bill No. 2019-42. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-42. Ordinance 3545.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY AMENDING THE CITY'S ZONING REGULATIONS THROUGH ADDITION OF A NEW CODE SECTION 410.255; REGARDING CULTIVATION, MANUFACTURE AND SALE OF MEDICINAL MARIJUANA."

Alderman Skopec made a motion to approve the second reading of Bill No. 2019-42. Alderman Sagaser seconds the motion. The City Attorney read Bill No. 2019-42. Ordinance 3545.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY AMENDING THE CITY'S ZONING REGULATIONS THROUGH ADDITION OF A NEW CODE SECTION 410.255; REGARDING CULTIVATION, MANUFACTURE AND SALE OF MEDICINAL MARIJUANA."

Roll Call:

Ayes: Neal, Ryan, Sagaser, Ballard, Skopec, Tennis.

Abstain: Keith, Kifer.

Nays: None.

<u>Update: Variance with EPA update from HDR Engineering and Robert Brundage, Newman, Comley and Ruth P.C.</u>

Alderman Neal made a motion to table, due to no new updates. Alderman Sagaser seconded, which was unanimously approved.



Executive Session: Alderman Neal made a motion at 7:30 p.m. to go into Executive Session RSMo 610.021(1) Legal Actions, Cause of Action, or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorney... and RSMo 610.021(2) Leasing, Purchase or Sale of Real Estate by a public governmental body where Public knowledge of the transaction might adversely affect the legal consideration therefor. Alderman Sagaser seconded the motion.. and RSMO 610.021(13) Individually identifiable Personnel Records, performance ratings or records pertaining to employees or applicants for employment..

<u>Motion to return to Open Session:</u> Alderman Neal made a motion to return to Open Session at 9:55p.m. Alderman Sagaser seconded the motion.

Roll Call:

Ayes: Kifer, Neal, Ballard, Skopec, Tennis, Keith, Ryan, Sagaser.

Nays: None.

Adjournment:

Paula Henderson, City Clerk

Aldermen Sagaser made a motion to adjourn the Work session meeting at 9:56p.m. Aldermen Neal seconded the motion, which was unanimously approved.

SEAL:

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BOARD OF ALDERMAN REGULAR SESSION CITY HALL, 345 S. MAIN, BOLIVAR, MO 65613 TUESDAY, JULY 23th, 2019 AT 6:30 P.M.

Call to Order: Mayor Warwick called the Regular Session Council Meeting to order at 6:30 p.m.

<u>Aldermen present:</u> Aldermen Mike Ryan, Thane Kifer, Alexis Neal, Ethel Mae Tennis, Steve Skopec, Justin Ballard, Charles Keith and Steve Sagaser.

Aldermen absent: None.

In attendance:

City Administrator Tracy Slagle, City Attorney Donald Brown, Public Works Director Jerry Hamby, Police Lieutenant Barron, Deputy Fire Chief Brent Watkins, City Clerk Paula Henderson, Finance Director Natalie Scrivner, and other visitors from the public.

Pledge of Allegiance: Led by Alderman Ballard.

Motion to Adopt Agenda:

Alderman Sagaser made a motion to approve the agenda. Alderman Ryan seconded the motion, which carried unanimously.

Approval of Minutes:

Alderman Ryan made a motion to approve the minutes with adding a statement that visitor James Cantrell wanted noted in the June Regular Session minutes, that he objected to the Executive meeting being closed from the public. Alderman Ballard seconded the motion, which was unanimously approved.

Bills and Financial Reports:

Alderman Skopec made a motion to approve those as presented. Alderman Tennis seconded the motion, which was approved unanimously.

Administrator Report:

City Administrator Tracy Slagle gave updates on the water project on Albany, will begin the stormwater in the next two weeks, dugout roofs are on six ballfields at Fullerton Park, tomorrow there will be a shooter exercise at the Bolivar Primary School, both the fire and police will be involved in this exercise. Earlier this month there was a fire in one of the hangars at the airport, the city had damage to three pieces of equipment, tenant's airplane parts were damaged and some hangar damages. City staff has been meeting with citizens regarding handicap accessible sidewalks. Finance Office completed and submitted the semi-annual report to the paper and HR continues to work with administration on Fire Chief candidate reviews. Alderman Skopec made a motion to approve the Administrator report. Alderman Ballard seconded the motion, which was approved unanimously.



Old Business:

Bill No. 2019-43: An Ordinance Authorizing a Contract with Frisco Senior Village, LP for a Development Economic Agreement. Alderman Sagaser made a motion for the first reading of Bill No. 2019-43. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-43. Ordinance 3546.

"AN ORDINANCE AUTHORIZING A CONCTRACT WITH FRISCO SENIOR VILLAGE, LP FOR A DEVELOPMENT ECONOMIC AGREEMENT, MO."

Alderman Ballard made a motion to approve the second reading of Bill No. 2019-43. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-43. Ordinance 3546.

"AN ORDINANCE AUTHORIZING A CONCTRACT WITH FRISCO SENIOR VILLAGE, LP FOR A DEVELOPMENT ECONOMIC AGREEMENT, MO."

Roll Call:

Ayes: Skopec, Keith, Ryan, Kifer, Tennis, Ballard, Sagaser, Neal.

Nays: None.

Bill No. 2019-44 An Ordinance Approving a Sponsorship for the Economic Development Alliance. Alderman Skopec made a motion for the first reading of Bill No. 2019-44. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-44. Ordinance 3547.

"AN ORDINANCE APPROVING A SPONSORSHIP FOR THE ECONOMIC DEVELOPMENT ALLIANCE."

Alderman Sagaser made a motion to approve the second reading of Bill No. 2019-44. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-44. Ordinance 3547.

"AN ORDINANCE APPROVING A SPONSORSHIP FOR THE ECONOMIC DEVELOPMENT ALLIANCE."

Roll Call:

Ayes: Skopec, Tennis, Ryan, Ballard, Kifer, Keith, Neal.

Nays: Sagaser.

Bill No. 2019-45 An Ordinance Authorizing the City to Enter into a Lease Agreement with Corporate Business Solutions for a Copier/Printer. Alderman Ryan made a motion for the first reading of Bill No. 2019-45. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-45. Ordinance 3548.

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"AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH CORPORATE BUSINESS SOLUTIONS FOR A COPIER/PRINTER."

Alderman Ballard made a motion to approve the second reading of Bill No. 2019-45. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-45. Ordinance 3548.

Roll Call:

Ayes: Sagaser, Kifer, Neal, Keith, Tennis, Skopec, Ballard, Ryan.

Nays: None.

Bill No. 2019-46 An Ordinance Authorizing the City's Renewal of Insurance through EMC Insurance with the Paul Long Agency, LLC and Ollis, Akers, Arney Insurance and Business Advisors. Alderman Ryan made a motion for the first reading of Bill No. 2019-46. Alderman Sagaser seconds the motion. The City Attorney read Bill No. 2019-46. Ordinance 3549.

"AN ORDINANCE AUTHORIZING THE CITY'S RENEWAL OF INSURANCE THROUGH EMC INSURANCE WITH THE PAUL LONG AGENCY, LLC. AND OLLIS, AKERS, ARNEY INSURANCE AND BUSINESS ADVISORS."

Alderman Ryan made a motion to approve the second reading of Bill No. 2019-46. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-46. Ordinance 3549.

"AN ORDINANCE AUTHORIZING THE CITY'S RENEWAL OF INSURANCE THROUGH EMC INSURANCE WITH THE PAUL LONG AGENCY, LLC AND OLLIS, AKERS, ARNEY INSURANCE AND BUSINESS ADVISORS."

Roll Call:

Ayes: Keith, Neal, Kifer, Sagaser, Ryan, Ballard, Skopec, Tennis.

Nays: None.

Bill No. 2019-47 An Ordinance Approving a 2019 Budgeted Funds Transfer from the Capital Improvement Fund to the Park Department for City of Bolivar, Missouri. Alderman Sagaser made a motion for the first reading of Bill No. 2019-47. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-47. Ordinance 3550.

"AN ORDINANCE APPROVING A 2019 BUDGETED FUNDS TRANSFER FROM THE CAPITAL IMPROVEMENT FUND TO THE PARK DEPARTMENT FOR CITY OF BOLIVAR, MISSOURI."

Alderman Ryan made a motion to approve the second reading of Bill No. 2019-47. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-47. Ordinance 3550.

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Roll Call:

Ayes: Skopec, Tennis, Ryan, Ballard, Kifer, Sagaser, Keith, Neal.

Nays: None.

<u>Update: Variance with EPA update from HDR Engineering and Robert Brundage, Newman, Comley and Ruth P.C.</u> Robert Brundage from Newman, Comley and Ruth P.C. and David Carani and Derek Patrick with HDR Engineering gave an update on the status of the EPA Variance. Alderman Kifer made a motion to respectfully and gracefully decline the draft DNR permit that was submitted by DNR. Alderman Neal seconded the motion, which was unanimously approved.

New Business:

Review & Approve: City of Bolivar Updated Employee Manual (Approved by Personnel Committee on June 18th, 2019). Alderman Skopec made a motion to approve Updated Employee Manual as presented. Alderman Neal seconded the motion.

Roll Call:

Ayes: Sagaser, Tennis, Kifer, Skopec, Ryan, Keith, Neal, Ballard.

Nays: None.

Bill No. 2019-48 An Ordinance Changing the Zoning Classification for Certain Property Generally located at 522 S. Chicago, Bolivar MO. Alderman Neal made a motion for the first reading of Bill No. 2019-48. Alderman Ryan seconds the motion. The City Attorney read Bill No. 2019-48. Ordinance 3551.

"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 522 S. CHICAGO, BOLIVAR MO."

Alderman Sagaser made a motion to approve the second reading of Bill No. 2019-48. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-48. Ordinance 3551.

"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 522 S. CHICAGO, BOLIVAR MO."

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Ayes: None.

Nays: Neal, Kifer, Keith, Sagaser, Ryan, Ballard, Skopec, Tennis.

Abstain: None.

Bill No. 2019-48 - Did Not Pass.

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Bill No. 2019-49 An Ordinance Changing the Zoning Classification for Certain Property Generally Located at 915 S. Albany, Bolivar MO. Alderman Ryan made a motion for the first ready of Bill No. 2019-49. Alderman Ballard seconds the motion. The City Attorney read Bill No. 2019-49. Ordinance 3552.

"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 915 S. ALBANY, BOLIVAR MO."

Alderman Sagaser made a motion to approve the second reading of Bill No. 2019-49. Alderman Ryan seconds the motion. The City Attorney read Bill No. 2019-49. Ordinance 3552.

"AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY GENERALLY LOCATED AT 915 S. ALBANY, BOLIVAR MO."

Roll Call:

Ayes: Keith, Neal, Kifer, Sagaser, Ryan, Ballard, Skopec, Tennis.

Nays: None.

Bill No. 2019-50 An Ordinance Amending the City Code for the City of Bolivar, Missouri by Amending Code Section 410.255; Regarding Cultivation, Manufacture and Sale of Medicinal Marijuana. Alderman Sagaser made a motion for the first ready of Bill No. 2019-50. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-50. Ordinance 3553.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY AMENDING CODE SECTION 410.255; REGARDING CULTIVATION, MANUFACTURE AND SALE OF MEDICINAL MAIJUANA."

Alderman Ryan made a motion to approve the second reading of Bill No. 2019-50. Alderman Neal seconds the motion. The City Attorney read Bill No. 2019-50. Ordinance 3553.

"AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF BOLIVAR, MISSOURI BY AMENDING CODE SECTION 410.255; REGARDING CULTIVATION, MANUFACTURE AND SALE OF MEDICINAL MAIJUANA."

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Ayes: Keith, Neal, Kifer, Sagaser, Ryan, Ballard, Skopec, Tennis.

Nays: None.

<u>Calendar of Events:</u> July 30th, 2019 MML Evening Class at Aurora, MO; Work Session August 13th, 2019; Regular Session August 27th, 2019.



Executive Session: Alderman Neal made a motion at 7:53 p.m. to go into Executive Session RSMo 610.021(1) Legal Actions, Cause of Action, or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorney... and RSMo 610.021(2) Leasing, Purchase or Sale of Real Estate by a public governmental body where Public knowledge of the transaction might adversely affect the legal consideration therefor. Alderman Sagaser seconded the motion.. and RSMO 610.021(13) Individually identifiable Personnel Records, performance ratings or records pertaining to employees or applicants for employment.. and RSMO 610.021(19) Existing or proposed security systems and structural plans of real property owned or leased.. Alderman Ballard seconded the motion.

Roll Call:

Ayes: Neal, Kifer, Keith, Sagaser, Tennis, Ballard, Skopec, Ryan.

Nay: None.

Motion to return to Open Session: Alderman Ballard made a motion to return to Open Session at 9:11p.m. Alderman Sagaser seconded the motion.

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Roll Call:

Ayes: Kifer, Neal, Ballard, Skopec, Tennis, Keith, Ryan, Sagaser.

Nays: None.

Adjournment:

ATTEST:

Aldermen Sagaser made a motion to adjourn the Work session meeting at 9:12p.m. Aldermen Ryan seconded the motion, which was unanimously approved.

SEAL Christopher D. Warwick, Mayor

Paula Henderson, City Clerk