

**CITY OF CARUTHERSVILLE**  
**October 3, 2016**

BE IT REMEMBERED the Council of the City of Caruthersville met in regular session in the Council Room in the Municipal Building on Monday October 3, 2016, at 5:00 p.m., at which time and place the following were present:

Mike McGraw	Mayor
Takella Motton	City Clerk
Lawrence Dorroh	City Counselor
Tony Jones	Sergeant at Arms
Cheek	Councilperson
Hood	Councilperson
Merideth	Councilperson
Harmon	Councilperson
Rodgers	Councilperson
Duckworth (Absent)	Councilperson
Bullington	Councilperson
Cartee	Councilperson

The number of members necessary to consider a quorum being present, the Mayor called the meeting to order and announced the meeting was in session for the transaction of business.

The first order of business to come before the Council was the approval of the September 19, 2016 minutes. Councilperson Merideth motion for approval, second by Councilperson Cartee, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

Councilperson Cartee motion to approve the closed session minutes of September 19, 2016, second by Councilperson Harmon, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

Councilperson Cartee motion to approve the reports and bills, second by Councilperson Hood, which resulted in the following:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes

Cartee Yes

Mayors report; received an email from Mr. Stan Hays Jr. who drove the caisson for the funeral of Mr. Vincent Grant. He was impressed with the amount of respect shown towards the funeral procession regardless of race or socioeconomic status. He stated that he witnessed what unconditional respect looked like.

Mayor McGraw recommended that the \$384,000 bid submitted by Buffington and reviewed by Horner Shifrin, to be considered for payment in full. He also stated that the Council may want to consider paying off a the loan for the public safety building at a 7 percent interest rate, given the loan for the HVAC at the Recreation Center would be at a 2.3 percent rate. The committee met that was reviewing financing opportunities for the Marlar Loop, and their recommendation was not supported by neither Mitzi Dell nor John Chittenden. Mitzi and John will be working together to come up with a proposal for review. Counselor Dorroh will be checking with the Corps of Engineers to see if there any stipulations towards the clearing of vegetation on the Brown Shoe Ditch. Counselor will also prepare the bid specifications if the Corps does not do the clearing. The paving of Lincoln and E. 18<sup>th</sup> St. will take place once the change order is provided by Waters Engineering, which is based on a bid approved earlier this year by ASA. Councilperson Bullington motion to approve the change order, second by Councilperson Cartee, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

David Henson will be retiring after 18 years of service, October 31, 2016; he has been the go to person as to getting things done. A reception in his honor will be given on that date. A donation of \$500 has been promised for the annual update for Little Prairie Cemetery proposed mapping system. The ceiling of the pavilion at Reynolds Park is in need of repair, and the plaques are being waited on for a better resolution of print. There will be two water fountains installed, one at French and one at England Park provided by a grant from PIN Healthy Communities. The City will be responsible for the installation and upkeep. Keith Davis recommends blocking up the entire north window of the office, thereby saving on the safety glass. The revision will cost \$650; the original cost would have been \$1,850 in labor alone, excluding the glass. Councilperson Cartee motion to accept the revision for the Recreation Center, second by Councilperson Harmon, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

Mayor McGraw negotiated a revised proposal with A2H for a flat fee of \$34,300 for their architecture fees. They will prepare the bid specs, Councilperson Bullington asked if they could see if any grants were available. Councilperson Cartee asked to table the recommendation upon review by Counselor Dorroh. Councilperson Harmon made motion that the HVAC for the Diane Sayre Recreation

Center, in the amount of \$384,000, to be paid out of the Sales Tax Capital Improvement Fund. Councilperson Merideth second the motion, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

The Mayor stated that he would like to pay off the loan in the amount of \$235,000 at 7 percent that was on the Public Safety Building, and would be checking to see if it could be paid off early.

Police & Fire report; there were three fire calls from September 17, 2016 through October 3, 2016. On September 17, 2016 there was a report of smoke coming from Jerry's Body Shop, which was undetected. September 25, 2016, there was a report of a bale of hay on fire in the bed of a truck, after checking the interstate, it was undetected. September 27, 2016, there was an open burning of limbs, and the occupant was issued a ticket. October 9, 2016 through October 15, 2016 is fire prevention week; materials have been distributed to the local schools. Councilperson Cartee also reported the police department assisted the county with an incident out of town.

Terry Rushing reported that 18,000 gallons of gas was ordered. The street signs had come in for Brantley Ln, the dead end for Compress Rd and 20<sup>th</sup> St., and the handicap signs for the library parking lot. There were three sidewalk repairs done. On 7<sup>th</sup> and Ward repair was done after the city had broken it up for sewer/water lines. There was a repair on 5<sup>th</sup> and Highland, and on Henrietta and Ferguson where a tree had fell and popped up the concrete. There were four street breaks completed, and they continue to pick up debris. The notices for abate and nuisance for Laurant and Grand have been abated. The owner at 1205 Madison was not physically able to cut grass, but got someone to cut it, and the owner of the property at 904 Ward complied with cutting the tall grass. The property owner of 16<sup>th</sup> and Vest and 1600 Franklin complied with cutting grass. The owner of property on 1007 Bell and vacant lot on E. 20<sup>th</sup> St. complied with cutting grass. Terry Rushing received a complaint about the property owner on Playground Rd, and the owner stated he would cut the grass within a week. He received a complaint on 1209 Walker about a foul smell, which was fish cleanings being dumped in a trash can, the owner was asked to clean the trash can, and wrap the cleanings more securely. Rushing asked the Mayor and Council to abate taxes on 3 properties from the county trustee. Two of the properties have dwellings which would have to be demolished and hauled off, it would cost approximately \$1000.00 and the vacant lot tree line would have to be cut. The title search and deeds that Attorney DeReign has prepared will be \$822. Councilperson Merideth motion to accept the tax abatement for the properties for \$2000.00, second by Councilperson Bullington, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

Councilperson Bullington made mention of a program in Memphis, TN, where property owners were given the incentive to purchase property adjacent to their property. They would maintain the

upkeep of the property for a certain length of time and would eventually end up owning the property upon accrual of what the property would sell for. The Mayor mentioned that after the tornado there was a policy in place in which the city held 25 percent of the value of insurance for any peril, and was repealed after the tornado. Counselor Dorroh will look into reconstructing a similar policy, but would have to see if the mechanism is limited to one peril. He also mentioned that the City's own policy could suffice, and structured so that the City wouldn't have to hold the money long because of the 30 day dangerous ordinance law. Mayor McGraw stated that he had received a number of calls about a trailer on E. 20<sup>th</sup> St. that was extremely old, which is illegal. Terry Rushing stated that he was going to write the property owner a letter, because she's responsible for the trailer being on her property, even though it's not hers'. 1109 Jefferson is being processed relative to court action for right to enter.

Councilperson Bullington motion to have a special meeting on Tuesday, October 11, 2016 at 5:00 p.m. to discuss the budget, second by Councilperson Rodgers, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

Teresa Tidwell reported that the directors of libraries from Cape Girardeau, Poplar Bluff, and Sikeston were in last week. They were very complimentary of the beauty of the building, and good housekeeping. They were also impressed with the amount of patrons in the library at the time using the computers, and witnessing the programs that were in place.

Collector's report; there was a list provided with businesses operating without a license. Counselor Dorroh will be reviewing the list to determine whether or not the businesses are subject to pay a fee for a business license. For the month of September new licenses that was collected was \$925 and the collection of renewal licenses were \$175. The new business licenses will have to be renewed January 1, 2017.

Councilperson Rodgers was concerned about a tree at 909 Belle in which the root system has caused the concrete to pop up. Councilperson Rodgers stated that it was a danger to kids who play in the area, and that the sidewalk needs removing and possibly the tree. The tree belongs to the City and the sidewalk is within the right of way. Counselor Dorroh stated that he recommends that the City correct anything that is a danger to the citizens. After further discussion it was decided that pictures and a cost estimate for removal of the sidewalk and tree to be brought to the budget meeting on October 11, 2016.

Business from the floor; Charles Oliver stated that he would like to get a business license for 908 Truman. He stated that he had gotten the lease agreement redone with the exclusion of the Hawk Motorcycle Club. Counselor Dorroh stated that Charles Motton and Charles Oliver have both made application for a business license for the same location. Counselor stated that the license is irrespective to any location only as to say that you can operate a business within the city. He stated that the City had no responsibility for any dispute between the two parties as far the operation of the business in the same location. Charles Motton already has a license, and Counselor stated that granting

Charles Oliver a license had no effect on the partnership. Charles Motton stated that it did effect the partnership. The locks have been changed, the business is open under his license, and that Oliver was trying to dissolve the partnership by getting the same type of license, and that it was a civil manner. Jess Cagle stated that he had received complaints from the neighbors of the loud music at 3:00 and 4:00 o'clock in the morning. Charles Motton stated that there had not been any issues with the police since the establishment has been open and the area is zoned for that type of business. Charles Oliver stated that the incident occurred last week with the loud music and that it was eliminated.

Steve Motton inquired of the qualifications for the managers and supervisors hired by the City, as to whether they had to have a high school diploma, GED, or college degree. Counselor Dorroh stated that the personnel manual has the qualifications for its' employees. Mr. Motton asked if there was anyone employed by the City serving in a managerial role that didn't have a high school diploma. Counselor Dorroh stated that regardless if the qualification was met the council approved of the hire, and took action to institute the supervisory position.

Charles Motton stated the electric fence, the barbwire fence, and the fence at B & H Salvage Yard had not been addressed after being brought to the attention of the Council months ago. Mr. Motton also brought to the attention of the Council of houses under construction on E. 12<sup>th</sup> and a house behind the Armory Hall without a building permit.

New business; Counselor Dorroh stated that Terry McVey had an item that he wanted to square away prior to coming before the Council. He will provide his report at the next meeting, two weeks from now.

Introduction to bills; Counselor Dorroh made mention of the approval of replacing Columbus Day with Veterans Day as a paid holiday as to amending the personnel manual to make the change. Councilperson Harmon motion for the first reading, second by Councilperson Cartee, which resulted in the following vote:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

**BILL NO. 2016-5**

**ORDINANCE NO. 2016-5**

**AN ORDINANCE AMENDING SECTION 4.2 OF THE PERSONNEL MANUAL RELATING TO PAID HOLIDAYS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARUTHERSVILLE, MISSOURI, AS FOLLOWS:

Section 1. Section 4.2 of the City's Personnel Manual is hereby amended to read as follows:

**4.2. HOLIDAYS.** All regular employees of the city shall receive normal compensations for the ten (10) legal holidays listed below and any other day or part of a day during which the public offices of the City shall be closed by special proclamation of the Mayor with approval of the City Council. Legal holidays to be observed are:

New Year's Day - January 1  
Martin Luther King's Birthday  
President's Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving & Friday after  
Christmas Day

All regular employees will be entitled to holiday pay as stated only if the employee has worked the full day preceding the holiday, and the full day following the holiday when such days are regular work days, excluding vacation time.

When a holiday falls on Saturday or Sunday, the following criteria will be followed: on Saturday the holiday will be observed on Friday - on Sunday the holiday will be observed on Monday.

Section 2. All other provisions of the Personnel Manual shall remain unchanged and in full force and effect.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be effective from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED, this 3rd day of October, 2016.

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Mike McGraw, Mayor

ATTEST:

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Takella Motton, City Clerk

After unanimous consent of the Council **AN ORDINANCE AMENDING SECTION 4.2 OF THE PERSONNEL MANUAL RELATING TO PAID HOLIDAYS** is read by title only. The questions before the Council now is shall **Bill No. 2016-5** to be known as **Ordinance 2016-5** pass and become law, which resulted in the following vote on said question, to-wit:

Cheek	Yes	Hood	Yes
Merideth	Yes	Harmon	Yes
Rodgers	Yes	Bullington	Yes
Cartee	Yes		

With no further business to come before the council, Councilperson Harmon motion to adjourn, second by Councilperson Hood, which passed unanimously, the meeting adjourning at 6:14 p.m.

ATTEST:

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Mayor

\_\_\_\_\_  
City Clerk

DRAFT