

**DUQUESNE BOARD OF ALDERMEN  
June 21, 2021 MEETING MINUTES**

**CALL TO ORDER** The regular meeting for the Duquesne Board of Aldermen was called to order at 6 p.m. by Mayor Bill Sherman.

**ROLL CALL** Answering Roll Call were Aldermen Jane Baine, Becca White, Myra Gonzalez, Chris Ellsworth and Mayor Bill Sherman. Also in attendance was 14 Guests.

**PLEDGE OF ALLEGIANCE** to the United States of America was led by Mayor Bill Sherman.

**INVOCATION** was read by City Clerk Melody Cundiff.

**AGENDA** Motion made by Jane Baine, seconded by Becca White to approve the agenda as amended, changing Brandon Davis to Brandon Dorris and changing the subject he is talking to the Board about from Fireworks Display to Fire Watch Variance. Voting in favor were Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried.

**BRANDON DORRIS – CELEBRATION CHURCH – FIRE WATCH VARIANCE** Brandon Dorris, Lead Pastor at Celebration Church spoke to the Board asking for an open ended Fire Watch Variance which was previously presented to the P & Z. He went on to state that five and a half years ago we began Celebration Church in a little living room and from that came another building and another building and from that building we were blessed to be able to purchase the old Duquesne School building and the acreage there. From that we added a new sprinkler system to that building bringing it up to code at the cost of \$70,000 which for a little church was a lot of money in fact it was almost as much as what it cost us to purchase the school building. So when we decided to continue to expand into the old gym property across the street it was determined that several improvements would have to be made one of which was the sprinkler system to bring it up to fire code. The church received temporary occupancy on the school property we discovered a program called the fire watch variance program. He went on to state that within the fire watch program we are able to hire a fireman to be on premise which granted us temporary occupancy into the school building. So we they purchased the old gym in order to get in by Easter a temporary occupancy permit was issued on the premise that the church would again set up a temporary fire watch program. In the meantime the fire department in servicing with us has continued to serve as a fire watch every Sunday morning. So we began making improvement and modifications to the building bringing up all of the fire alarms, smoke detectors and fire exits. So now everything is up to date with the fire code. The fire department along with some of our elders came up with a plan to potentially extend a permanent variance on the fire watch program so we would continue to hire a fireman indefinitely and that would grant us a permanent occupancy. The trade off to postpone the additional investment of close to \$70,000 for sprinklers versus paying a fireman fifty dollars a week which would take us years to do that. That was the initial plan and the P&Z found it favorable and with the potential of revisiting this in a couple of years which was not our initial wish or request. We wish to be good neighbors to the City of Duquesne however this does leave us with some difficulties to manage as a church not knowing the open endedness to the two year variance request. I brought tonight the variance that was brought before the P&Z committee and asked that it be presented to the Board and I am here tonight to answer any questions along with finding the procedure that the Board feels needs to be done. Mr. Dorris went on to state that this proposal comes from the fire department that the church proposes as well on the variance. Mr. Dorris stated that the variance has been signed off on by the Duenweg Fire Department. He went on to explain that when there are more than 50 people in the new building that an off duty fireman has to be present. There are 3 certified fire exits in the building and that they only exceed the 50 people limit for 2 hours once a week. He stated that this is what makes it different than a regular business which has a

larger occupancy for many hours per week, 8 to 10 hours per day. He went on to state that the signature on the variance is that of the Duenweg Fire Department Fire Chief.

Alderman Becca White asked Mr. Dorris one more time to state what exactly they are asking for which he responded by stating that they are asking for approval for this variance, the Fire Watch program for 1302 S. Duquesne Road to be an indefinite variance consisting of the following elements. Celebration Church will provide: 1) a paid professional fire fighter on site for any event that is over 50 people or more and the fire fighter will be on site 30 minutes prior to the event starting and 15 minutes after adjournment; 2) Celebration Church will maintain fire monitoring system 24 hours a day which as of right now is through TEC; 3) Celebration Church will provide and maintain fire extinguishers. Since the Duenweg Fire Department signed off on the Fire Watch program, they would be the ones to maintain the program. The church is asking the Board to sign off on the permanent variance. Alderman White stated that the fire department would then be the ones to reevaluate it and Mr. Dorris stated yes and went on to say that if the church does not comply that the fire department has the authority given through the City of Duquesne to shut the church down anytime because they are submissive to their authority as our fire department and the city's fire department.

Alderman Chris Ellsworth stated that P&Z was in favor of the variance revisiting it in a couple of years. Chris went on to say that the revisiting was recommended because of the potential for church growth. Mr. Dorris stated that they had an elder who worked with the fire department who was the vice president and CFO of the engineering firm who represents the City of Duquesne. He went on to say that if they were to hold off and revisit this in two years he would like to know the parameters for which they have to comply further then what has been presented so see that it is signed off on again in two years otherwise to him it is open ended on the churches part and it could be anyone else serving that could just shut them down in a couple of years and leave the church with a bill that they would have to pay in two years. He went on to say that right now they have to budget versus two years from now. The estimate for the sprinkler system in the new building would be almost \$70,000.

City Attorney Mike Talley asked Alderman Chris Ellsworth what part of the code does this come from. Alderman Ellsworth replied the part of the code that requires a sprinkler system for businesses. This fell under the fire code, separate from the any building code. Alderman Ellsworth also stated that when Celebration first bought the school they had this similar plan in place which was approved by the fire chief of the Duenweg Fire Department. Mr. Dorris stated that it took about six months to get the sprinkler system into the old school building. City Attorney asked if that went before the Board and the response was I believe so. Mr. Dorris stated that he recalled that the temporary fire watch variance was not brought before the Board.

Motion made by Becca White, seconded by Chris Ellsworth to approve the Fire Watch Program as written contingent upon proper process evaluation. Voting in favor were Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried.

**APRIL FORD – 911 CENTER** April Ford, representative of the 911 center spoke to the Board telling them about the upcoming August 3<sup>rd</sup> Special Election concerning the improved funding increase for 9-1-1. The Jasper County Emergency Services 9-1-1 Board is asking the voters to consider a sales tax increase. This initiative would raise the sales tax rate from 1/10<sup>th</sup> of one percent to 1/4<sup>th</sup> of one percent for the purposes of improving 9-1-1 and communications in Jasper County for all citizens and all public safety. This would increase the current collection of \$1 for every \$1,000 on goods to \$2.50 of every \$1,000 on goods.

**RICK GAMBOA – PROPOSED PARK RULES:** Rick Gamboa stated to the Board that the Park Committee met and made some rules and regulations combining suggestions from our insurance company and 8-10 different surrounding cities. The committee wanted to get ahead of the game and get the rules and regulations established so that the ordinances backing them could be worked up and approved. The committee feels the rules should be included with any applications for park reservations. The committee also wants these rules placed on a permanent sign at the entrance to the park. Alderman Becca White stated that she wanted the baseball, soccer and football options taken off as well as bicycles and roller blades.

Alderman Chris Ellsworth suggested that the archery option should be moved up with the firearms section. They also suggested that there should be something added stating no organized or team sports. Rick stated that the committee stated that these are their recommendations and it is up to the Board to make any changes and get the process completed. Alderman Becca White stated that skateboards should be taken off as well.

Rick Gamboa clarified with the Board that we want to add no organized team sports, take flyers and tables and make them separate entries, strike baseball, soccer and football as well as skateboards, bicycles, and roller blades, and more archery up with the firearms line.

**MINUTES FROM 5/10 REGULAR MEETING** Motion made by Myra Gonzalez, seconded by Becca White to approve meeting minutes as presented. Voting in favor were Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried.

**FINANCIAL REPORT** Approved and filed for Audit

**BILL SUMMARY** Motion made by Jane Baine, seconded by Myra Gonzalez to approve the payment of the bills. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

**COURT REPORT** Board approved report and filed for audit.

**POLICE DEPARTMENT MONTHLY REPORT:** Police Report was presented to the Board by Chief Tommy Kitch.

#### **BILL 21-15: SETTING NEW START TIME FOR MONTHLY BOARD MEETINGS**

Motion made by Jane Baine, seconded by Becca White, to place Bill 21-15 on first reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth to place Bill 21-15 on second reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth, to accept the second and final reading of Bill 21-15 and assign Ordinance #470. Voting in favor were Baine, White, Ellsworth and Gonzalez. Nays: None. Motion carried.

**BUSINESS LICENSE APPROVALS** Motion made by Jane Baine, seconded by Chris Ellsworth to approve the Business Licenses as presented. Voting in favor were Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried.

**OLD BUSINESS:**

**UPDATE ON CITY MATTERS** Mayor Bill Sherman stated he has received quotes on a new phone system for the office, and new pumps for the lift stations. The mayor stated that he has received several calls from the lift stations and that Joplin has been very helpful. The circuit breakers at the lift stations have been acting up and replacements have been ordered. The mayor went on to tell the Board that the Joplin Special Road District filled in the hole around 27<sup>th</sup> Street on both sides of the culvert. The signs have been ordered to go back up at the round a bout. The mayor told the Board that he had received several calls about the widening of Duquesne and he wanted to let everyone know that the city does not have the funds to get this done at this time.

**ALDERMAN INTERACTION** Alderman Jane Baine stated that she felt it was important to give the Mayor permission to purchase and stock up on parts and fuses for the lift stations as that is something we do not want to have broken down.

**PUBLIC COMMENTS** Esther Barton, 1105 Woodland spoke to the Board asking what was going to be done around her property, with the speeding and drug traffic. She was told that there has been letters sent out to some of the surrounding properties.

Robert Higgins, 2140 Clark Court spoke to the Board about the Piper Glen flooding in phase three. He says he has a river in his back yard and side yards. Schuber Mitchell and Anderson Engineering has failed to put in the infrastructure properly. Mr. Higgins asked the City to let the residents know the deadline of when Schuber Mitchell will be fixing the infrastructure.

Harold Noirfalise, 2220 Clark Court spoke to the Board about the unlevel roads, retention ponds, and infrastructure. He asked the City to make sure that Schuber Mitchell is accountable before signing off on anything final.

**NEW BUSINESS:**

**UPDATE OF COMMISSIONS AND COMMITTEES:** Mayor Bill Sherman stated that with the adoption of the 2018 Building Codes that it requires the city to have a Building Board of Appeals and he has reached out to a few about applying to be on the board.

Rick Gamboa – Park Committee stated that they are waiting on DNR to approve the bid process. He also stated that there needed to be a separate account for the Grant. Mr. Gamboa also stated that Gerritt with Harry S. Truman was to begin preparation for the next grant application.

**OTHER BUSINESS DEEMED NECESSARY:** Nothing

**SCHEDULE NEXT MEETING DATE AND TIME** Mayor Bill Sherman asked that the July meeting be moved to July 19<sup>th</sup> as he and the City Clerk are going to be out of town and the City Clerk needed time to get the packets ready for the meeting. Motion made by Becca White, seconded by Myra Gonzalez to move the July meeting to July 19<sup>th</sup>. Voting in favor were Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried.

There was no further business, a motion was made by Becca White, seconded by Myra Gonzalez to adjourn the meeting. Voting in favor was Baine, White, Gonzalez and Ellsworth. Nays: None. Motion carried. Meeting adjourned at 8:05PM.