

**DUQUESNE BOARD OF ALDERMEN
OCTOBER 12, 2020 MEETING MINUTES**

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

ROLL CALL Answering Roll Call were Aldermen Jane Baine, Becca White, Rick Gamboa, Chris Ellsworth and Mayor Gary Heilbrun. Also in attendance was City Attorney Mike Talley and 5 Guests.

PLEDGE OF ALLEGIANCE to the United States of America was led by Mayor Gary Heilbrun.

INVOCATION was read by City Clerk Melody Cundiff.

AGENDA Motion made by Chris Ellsworth, seconded by Jane Baine to approve the agenda as presented. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

PUBLIC HEARINGS

Bill 20-26 Amending non-conforming lot split and lot adjustment ordinance:

Opened at 6:02pm

Public Comments: There was no one who spoke in favor of nor in opposition of. Chris Ellsworth spoke on behalf of the P & Z stating that the non-conforming amendment passed 4-0. City Attorney Mike Talley spoke to the Board stating that this will take effect as our new rules and help in evaluating future requests that are non-conforming.

Public Hearing closed at 6:07pm

Bill 20-39 Amending Ordinance repealing Ordinance 388:

Opened at 6:07pm

Public Comments: There was no one who spoke in favor of nor in opposition of. Chris Ellsworth spoke on behalf of the P & Z stating that they recommended approval 4-0.

Public Hearing closed at 6:08pm

SCHUBER MITCHELL MAINTENANCE BOND:

Chevelle Lawver spoke to the Board explaining that Anderson Engineering submitted engineering construction costs in the amount of \$557,439.50 estimated. Our engineers looked at that and came back agreeing with the amount. Dan Mitchell requested that we do the bond at 50% of that cost. The engineers felt that something between \$250,000 to \$300,000 would be acceptable and the bond would be good for 2 years. City Attorney Mike Talley suggested going with the \$300,000 as it is a round number and Alderman Becca White agreed with that. She went on to say she did not want to go under \$278,000 but wanted to stay within the range that our engineers felt was a fair amount. Alderman Rick Gamboa stated he had no objection to making the bond amount \$280,000. Motion made by Rick Gamboa, seconded by Becca White to make the maintenance bond for \$280,000. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

SCHUBER MITCHELL PIPER GLEN #3 PROPOSED FINAL PLAT APPROVAL:

Chevelle Lawver spoke to the Board explaining that the city has come to an agreement with Schubert Mitchell on doing an agreement on maintenance for the detention basin. The plan lays out what all the requirements are and once these get signed they will be filed together and listed on the final plat. This is to insure that any future owners or HOA will have this information on there and they will have 60 days to contact the city about the change of ownership so that we know who they are. They are also required to send us an annual report about the maintenance of the detention basin. Chevelle Lawver went on to explain that the HOA will be responsible for maintaining the basin and if it becomes an issue we will have

someone to contact. She also let them know that the covenant changes are coming from Dan Mitchell. Dan Mitchell told the board that Real Clear Neighborhoods will be taking care of the HOA.

MINUTES Motion made by Becca White, seconded by Jane Baine to approve the September 14, 2020 special meeting minutes as stated. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

MINUTES Motion made by Jane Baine, seconded by Becca White to approve the September 14, 2020 regular meeting minutes as stated. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

MINUTES Motion made by Jane Baine, seconded by Becca White to approve the September 28, 2020 special meeting minutes as stated. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

FINANCIAL REPORT Approved and filed for Audit

BILL SUMMARY Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve payment of the bills as presented. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

COURT REPORT: September Court Report was presented. Board approved report and filed for audit.

POLICE DEPARTMENT MONTHLY REPORT Police Report was presented to the Board.

BILL 20-33: Ordinance Accepting Final Plat for Piper Glen 3 Subdivision:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-33 on first reading by title only.

Discussion: Chris Ellsworth stated that in the P&Z meeting it passed 4-0 with conditions that the detention basin, maintenance bond and covenants were completed.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-33 on second reading by title only.

Discussion: This will be accepted on the conditions that the agreement is signed, the covenant has the required changes made and the maintenance bond is provided.

Motion made by Jane Baine, seconded by Becca White to accept the second and final reading of Bill 20-33 and assign Ordinance #448. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

BILL 20-38: Ordinance Establishing Salary for Mayor beginning after April 2021 Election:

Motion made by Chris Ellsworth, seconded by Becca White, to table Bill 20-38 until the November 9th meeting. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

BILL 20-39: Ordinance repealing Ordinance No. 388:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-39 on first reading by title only.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-39 on second reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P & Z and stated that they approved this 4-0.

Motion made by Jane Baine, seconded by Becca White, to accept the second and final reading of Bill 20-39 and assign Ordinance #449. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-26: Ordinance Amending Code for non-conforming lot split/lot adjustment:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-26 on first reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P & Z and stated that they approved this 4-0.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-26 on second reading by title only.

Motion made by Jane Baine, seconded by Becca White, to accept the second and final reading of Bill 20-26 and assign Ordinance #450. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

NEW BUSINESS LICENSES: Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the new business licenses as presented. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

BUSINESS LICENSE RENEWALS Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the business license renewals. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

OLD BUSINESS:

UPDATE OF CITY MATTERS Nothing to report.

ALDERMAN INTERACTION Alderman Rick Gamboa asked about the 2 new fire hydrants. Mayor Gary Heilbrun said that the order has been placed. The Board inquired about the job description for Chevelle Lawver and Becca White asked that the job description be provided to the Board by the next meeting. Alderman Jane Baine asked if the license/permits that are active within the city be placed on the website so that the information could be accessed when the office is closed if information is needed.

PUBLIC COMMENTS: Nothing to report.

NEW BUSINESS:

UPDATE OF COMMISSIONS AND COMMITTEES Alderman Chris Ellsworth told the Board that the next P & Z meeting will be November 2 at 6:30 pm. Alderman Rick Gamboa spoke to the Board stating that the Park Committee is working on figuring out how to spend the \$5,000 and are waiting on a couple of other donations as well as letting everyone know that the RTP Grant had been awarded to the City. Alderman Becca White announced that the Activities Committee would be meeting on October 21st at 11am.

SHOW ME COURTS ALL IN ONE PRINTER: Court Clerk Janet Stemm spoke to the Board about the need for an all in one printer for the new Show Me Courts program. The Board had received a packet

with several quotes. Alderman Chris Ellsworth stated that the best one to go with money wise was the one through Pearson-Kelly. Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the purchase of the All In One Printer through Pearson-Kelly. Voting in favor was Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

Court Clerk Janet Stemm then read a letter to the Board explaining about the new Show-Me Courts signage in the office. She talked to them about the new state mandates and pointed out that MOS #7 talks about facilities and that every area should have its' specific designated work space. She then let the Board know that the new court costs will be \$32.50 instead of the \$25.50 when we go live with the Show Me Courts which was passed earlier this year by ordinance. . She went on to let the Board know that plans were to go live with Show Me Courts after the October 13th court so that we would be ready for the November court. She did say that some of the processes with the new Show Me Courts program will be a learn as you go situation. Court payments will be handled through Jet Pay, with the new system they can go on Case Net to make their payment. Payments made in the office will be deposited into the bank just like we do now. Where now we work up checks at the end of each court that gets sent into the State, now they will be worked up at the end of the month and sent in. She also suggested to the Board that on November 3rd due to voting that she planned on taking a vacation day and that we state the front door is designated for people coming to vote and that the north door would be for people needing to come see the police or city offices.

OTHER BUSINESS DEEMED NECESSARY:

Alderman Chris Ellsworth stated that MediaCom has still not done anything at his place and he still does not have the street light situation resolved.

SCHEDULE NEXT MEETING DATE AND TIME:

The November meeting will be November 9, 2020 at 6pm. Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the date and time of the November meeting. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

There was no further business, a motion was made by Chris Ellsworth, seconded by Rick Gamboa to adjourn the meeting. Voting in favor was Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried. Meeting adjourned at 7:57 p.m.