

**DUQUESNE BOARD OF ALDERMEN
SEPTEMBER 14, 2020 MEETING MINUTES**

CALL TO ORDER The regular meeting for the Duquesne Board of Aldermen was called to order at 7 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 17 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 Jane Baine, seconded by Chris Ellsworth to approve the amended agenda to add swearing in for Rick Gamboa before Public Hearings as Ward II Alderman replacing Adam Hogan. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

City Clerk Melody Cundiff swore in Rick Gamboa as Alderman for Ward II to the Board of Aldermen for the City of Duquesne.

PUBLIC HEARINGS

Rezoning Application for 3830 E. 20th from R-1 to C-1:

Opened at 7:03pm

Public Comments: There was no one who spoke in favor of. There was no opposition to the rezoning. Chris Ellsworth spoke on behalf of the P & Z stating that the rezoning passed 6-0. Cristian Gurubel spoke on behalf of the daycare stating that the sale of the property is depending on the passing of the rezoning request and that their intentions were for it to remain as a daycare.

Public Hearing closed at 7:06pm

Rezoning Application for 3220 E. 13th from R-1 to C-1:

Opened at 7:06pm

Public Comments: There was no one who spoke in favor of. There was no opposition to the rezoning. Chris Ellsworth spoke of behalf of the P & Z stating that they recommended approval 6-0. Mayor Gary Helbrun stated that this was just an adjustment to the previous ordinance as the legal description needed to be corrected.

Public Hearing closed at 7:07pm

Rezoning Application for 3402 E. 13th St. from R-1 to C-2:

Opened at 7:07pm

Public Comments: There was no one who spoke in favor of. There was no opposition to the rezoning. David Shumaker spoke as one of the buyers stating that they had an agreement to purchase the property from the Andersons with the plans to use it as a warehouse and later an additional retail business. Chris Ellsworth spoke on behalf of the P & Z stating that two neighbors spoke at the P & Z meeting opposing the zoning change but the commission passed the rezoning 6-0.

Public Hearing closed at 7:09pm

Rezoning Application for 2105 Stephens Blvd. from M-1 to C-2:

Opened at 7:09pm

Public Comments: There was no one who spoke in favor of. There was no opposition to the rezoning. Joshua Sutton spoke to the Board stating that they are planning on adding an addition to the building and

with the setback requirements it needs to be rezoned. Chris Ellsworth spoke of behalf of the P & Z stating that the commission voted 6-0 in favor of the rezoning.

Public Hearing closed at 7:11pm

MINUTES Motion made by Chris Ellsworth, seconded by Jane Baine to approve the August 10, 2020 regular meeting minutes as stated. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

SCHUBER MITCHELL MAINTENANCE BOND: No one present from Schuber Mitchell.

SCHUBER MITCHELL PIPER GLEN #3 PROPOSED FINAL PLAT APPROVAL: No one present from Schuber Mitchell. Chris Ellsworth spoke on behalf of the P & Z stating that the discussion was lengthy and was mainly about the maintenance bond and the retention pond and stated that they did not make a recommendation either way, that the commission did not make an approval. Motion made by Jane Baine, seconded by Becca White to table the consideration of approval until P & Z makes a recommendation for the final plat. 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 Becca White to approve payment of the bills as presented. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

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

POLICE DEPARTMENT MONTHLY REPORT Police Chief Kitch spoke to the Board.

BILL 20-26: Ordinance Amending Lot Split and Lot Adjustment Approval Non-Conforming: Motion made by Chris Ellsworth, seconded by Rick Gamboa, to table Bill 20-26 until the October meeting. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

BILL 20-27: Ordinance Rezoning of 3220 E. 13th St. from R-1 to C-1:

Motion made by Jane Baine, seconded by Chris Ellsworth, to place Bill 20-27 on first reading by title only.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-27 on second reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth, to accept the second and final reading of Bill 20-27 and assign Ordinance #438. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-28: Ordinance Accepting Elliott Quit Claim Deed – Transfer to Ray Brown:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-28 on first reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P & Z and stated that Ray Brown, president of the P & Z stepped down and out of the room because this property joins up with Ray Brown's property. It was voted 5-0 to approve the transfer. There was consideration on the value of this property to the city and after reviewing this it was decided that it was a significant negative value to the city.

Motion made by Jane Baine, seconded by Chris Ellsworth to place Bill 20-28 on second reading by title only.

Motion made by Jane Baine, seconded by Becca White, to accept the second and final reading of Bill 20-28 and assign Ordinance #439. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-29: Ordinance Rezoning of 3402 E. 13th St. from R-1 to C-2:

Motion made by Jane Baine, seconded by Chris Ellsworth, to place Bill 20-29 on first reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P & Z and stated that they have no opposition to the rezoning. Chris Ellsworth also stated that the long term developmental plan calls for all of 13th Street to become commercial.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-29 on second reading by title only.

Motion made by Jane Baine, seconded by Becca White, to accept the second and final reading of Bill 20-29 and assign Ordinance #440. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-30: Ordinance rezoning of 3830 E. 20th St from R-1 to C-1:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-30 on first reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P & Z Commission and stated that the P & Z approved the rezoning as all of 20th Street will be commercial according the future zoning map.

Motion made by Jane Baine, seconded by Becca White to place Bill 20-30 on second reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth, to accept the second and final reading of Bill 20-30 and assign Ordinance #441. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-31: Ordinance rezoning of 2105 Stephens Blvd. from M-1 to C-2:

Motion made by Jane Baine, seconded by Becca White, to place Bill 20-31 on first reading by title only.

Discussion: Chris Ellsworth spoke on behalf of the P&Z Commission stating there was no opposition to the rezoning and the current owner understands that the property cannot go back to M-1 zoning because it does not conform.

Motion made by Jane Baine, seconded by Chris Ellsworth to place Bill 20-31 on second reading by title only.

Motion made by Jane Baine, seconded by Chris Ellsworth, to accept the second and final reading of Bill 20-31 and assign Ordinance #442. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

BILL 20-32: Ordinance Approving Agreement with Allgeier Martin for 2021 Road Resurfacing:

Motion made by Jane Baine, seconded by Chris Ellsworth, to place Bill 20-32 on first reading by title only.

Discussion: This Ordinance is for the purpose of the City of Duquesne road resurfacing process.

Motion made by Jane Baine, seconded by Chris Ellsworth to place Bill 20-32 on second reading by title only.

Motion made by Jane Baine, seconded by Becca White, to accept the second and final reading of Bill 20-32 and assign Ordinance #443. Voting in favor were Baine, White, Ellsworth and Gamboa. Nays: None. Motion carried.

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

Motion made by Chris Ellsworth, seconded by Rick Gamboa, to table the approval of this ordinance until the October meeting. 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 Mayor Gary Heilbrun stated that the Ace Pipe invoice that was approved at the August meeting for \$5,623 which was double the approved amount which was a bid for \$2,200. The Board authorized \$3,000 back in June so he requested a revised invoice for the correct amount and that is the invoice that was paid in the amount of \$2,200 for this project.

MIRMA approved a grant for two body cameras for the police department.

City Attorney Mike Talley reported back to the Board that the city is obligated to run public notices in an official paper which means one that has been in business at least 3 years.

Alderman Rick Gamboa asked about the status of the fire hydrants. Mayor Gary Heilbrun stated that we have not ordered any yet. Alderman Chris Ellsworth stated that the Board has already approved for two to be purchased so we need to just go with the next two on the list.

ALDERMAN INTERACTION Alderman Jane Baine thanked Rick Gamboa for joining the Board and filling the vacancy left by Adam Hogan.

PUBLIC COMMENTS: Mayor Gary Heilbrun recognized the Fire Chief Howard Reding of the City of Duenweg. He spoke to the Board and told a little bit about himself. Reding has been fighting fires for 46 years, he started out with the Duenweg Fire Department because his father started the department in 1957, went to work for Joplin and retired from Joplin as their fire chief after 20 years. He then took some time to do a lot of fishing and then a year ago his brother who was the fire chief for Duenweg suddenly past away and he was asked to come and take over.

NEW BUSINESS:

SHOW ME COURTS AGREEMENT: Court Clerk Janet Stemm spoke to the Board about the agreement and stated that is a new program required by the State of Missouri and that it needs to have the Mayor sign it. Motion made by Chris Ellsworth, seconded by Rick Gamboa to have the Mayor sign the agreement. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

SHOW ME COURTS CHECKING ACCOUNT: Court Clerk Janet Stemm spoke to the Board stating that with this new program that a new checking account is required to be opened. The two signers to this account will be Court Clerk, Janet Stemm and City Clerk, Melody Cundiff. On-line access will be required. Motion made by Jane Baine, seconded by Becca White to open up a new checking account for the new Show-Me Courts program. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

UPDATE OF COMMISSIONS AND COMMITTEES Alderman Chris Ellsworth told the Board next P & Z meeting will be October 5th and 6:30 pm. Alderman Rick Gamboa spoke to the Board stating that the Park Committee received a \$5,000 that needs to be spent within the next calendar year and that they were looking at 3 trash cans and 6 park benches. It was asked about the sign and Rick told the Board that they had a sign that they were borrowing that would not cost the committee or the city anything.

GENERAL CODE ESTIMATE FOR UPDATES: City Clerk Melody Cundiff told the Board that this estimate was for the yearly update for our code book. Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the estimate from General Code. Voting in favor was Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

RESOLUTION 20-09: Address Change for 11022 FF Highway to 5405 E. 32nd St.: Motion made by Jane Baine, seconded by Rick Gamboa to approve the resolution. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

RESOLUTION 20-10: Address Change for 11046 Highway Ave. to 5415 E. 32nd St.: Motion made by Jane Baine, seconded by Chris Ellsworth to approve the resolution. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

RESOLUTION 20-11: 2021 Jasper-Newton Bi-County Hazard Mitigation Plan Participation: Motion made by Jane Baine, seconded by Becca White to approve the resolution. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

RESOLUTION 20-12: Assign Address to tract of land to be known as 3402 E. 13th St.: Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the resolution. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

RESOLUTION 20-13: Assign Address to Bud's Bait to be known as 3328 E. 13th St.: Motion made by Chris Ellsworth, seconded by Rick Gamboa to approve the resolution. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

OTHER BUSINESS DEEMED NECESSARY:

Next Meeting Date and Time: October meeting will be October 12, 2020 at 6pm. Motion made by Rick Gamboa, seconded by Becca White to approve the date and time of the October meeting. Voting in favor were Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried.

There will be a Budget Work Session on September 21, 2020 at 5:30pm and a Special Meeting on September 28, 2020 at 5:30pm.

It was brought up to the Board that the Recycling Event has been rescheduled for October 10, 2020 from 9am to 11am here at City Hall. The event will not be accepting paper, only electronics this time around.

There was no further business, a motion was made by Jane Baine, seconded by Rick Gamboa to adjourn the meeting. Voting in favor was Baine, White, Gamboa and Ellsworth. Nays: None. Motion carried. Meeting adjourned at 8:20 p.m.