

Board of Alderman Minutes
81 S. Orchard Blvd.
June 14, 2022
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OPEN MEETING

Roll Call taken by Mayor Stephen Short
Richard Avery, Jeff Danderson ABSENT, Dennis Roe, Ben Lord, Richard Icenhower
Marline Faherty

Call to order at: 6:30p.m.

APPROVE AGENDA. Motion by Roe to approve agenda. Second Icenhower
Avery AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

PUBLIC FORUM

None.

Old Business

DISCUSS INSURANCE

Roe says that Kelly Beets with MIRMA came in and spoke to Icenhower, Roe, and City Clerk. We had a \$14,000 rate increase. We had 2 cop cars damaged, lost our credit and costs has gone up.

Richard explains the damage to police vehicles. We had a lawsuit on the one that was our fault. There is a credit section and a loss section. We had a hit on our credit side so our costs went up.

Roe explained if you have a claim then insurance goes up.

Danderson comes in at 6:33

Icenhower wants us to shop insurance next year due to the increase. Icenhower explains that the reason he and Roe were at the meeting instead of the insurance committee is because they are retired and able to attend.

Danderson asks if insurance issue was addressed. Roe and Icenhower both stated it was.

New Business

CITY ATTORNEY

Mayor asks if City attorney is here to see about deeding property to the park. Danderson asks if the "City Park Property" can be conveyed to the Park Board. John says that with the long legal descriptions he has a hard time figuring out what is what. However, a deed from 1992 has 3 tracts and it has about 5 acres. The original Grant was given federally for parks. The order to swap property says "you can't have it for anything other than recreational use". In order to get the grant money, the park board had to agree that they would make a map and keep it with a permanent record. Tract 1 and Tract 2 are deeded to the Park Board and must be used as such FOREVER. Tract 3, where City Hall sits, is not encumbered.

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Danderson says that from what he can gather from the deed it was granted to the City of Fair Grove, Missouri and when this was all deeded, there wasn't a park board. Leon Beaty called on. He stated that there was not an independent park board at that time and that it was part of the city. Leon is former president of the park board.

Danderson says he wants it made clear what is City property and what is Park Board property.

The property on the west side of Orchard is deeded to the City of Fair Grove and not the Park Board because the Park Board was not established. Housley suggests that we get a title report and survey done on the property.

Danderson asks Housley, even if land was purchased on a Federal Grant and later swapped to a different property, can the City deed the property. Housley states yes. The National Park Service sent a letter switching recognition. However, you cannot build on that property without the permission of the DNR. The City would also need to get an amendment from the DNR to the project agreement for them to agree to convey the property.

Danderson asks if we are going to drop the insurance. Icenhower explains that we are dropping the park from insurance and that Clerk gave the Park Director the name of an insurance company suggested by MIRMA.

Icenhower asks Housley – Originally when the Fair Grove District Park was set up it was presented to be an area park, not a city park. Therefore, people outside of the City could serve on the park board. Back about 10 years ago, the wording was that people in the city had to be on the board and not people outside of the city. Can it be brought back to the people to have them vote on people outside of city being on park board.

Housley says there are provisions on how it is established. They are a stand-alone entity that has their own tax base. It looks like he addressed this issue previously on who is eligible to be on the Park Board. The statement "Citizens at Large" was questioned. It was and still is the opinion of the attorney that that phrase meant that you had to be a resident of the City of Fair Grove. There is a statute 95.020 that controls who can be on the park board. City ordinances mirror the language of the state statutes. Our authority as a city is a non-chartered city which means we can only pass ordinances that state statutes allow us to. At the end of the day, the Citizens at Large have to have an Alderman and they cannot have an Alderman if they are outside of the city.

Danderson says in all that he read, maybe if it was reorganized the commission would appoint the members. Housley states he would have to look at it. Greene County Park Board gives some money to the Fair Grove Park Board. Housley states he doesn't know how to get any members on the park board unless we disband them completely.

Greene County Park Board is only an advisory board. Icenhower says they are having a hard time keeping a full board and his main thought in asking that question would be that they could have a fully staffed board.

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Danderson says that this has been addressed multiple times and the opinion stays the same.

Mayor thanks Housley for coming.

OPEN MOWING/LANDSCAPING BIDS

Counterman Landscape

Mayor opens bids.

First Mow and Cleanup - \$100

Weekly \$120

Landscape \$700 one-time charge

Keep all driveways sprayed and cleaned up.

Yard Art

Landscape, Mowing, etc.

\$65.00

Joe Miller United Lawn Services

Mowing \$100

Weed eat \$25

Landscape Qty 2 @ \$200 each = \$400

Icenhower says there is a large discrepancy. Yard Art needs to clarify.

Danderson asks if anyone is here from any of these places. Mayor asks if we want to reject them all. Avery thinks we reject them all and clarify what we are looking for. Danderson doesn't want to take advantage of Yard Art.

Mayor asks if it would be appropriate to clarify the bids.

Danderson explains everyone spoke to Ken Hokanson regarding the bids. Icenhower says that we can reject all bids and rebid it or kick out the low bid.

The board feels like Yard Art didn't understand what the City requested to be bid on. Roe says the other bids are in line with each other.

Danderson reads Yard Art's bid. Explains it looks like they want to clean up the flower beds and everyone else is replacing the flower beds. That makes Yard Art's bid incomplete.

Icenhower makes a Motion to reject Yard Art's bid as it is incomplete and go with Joe Miller United Lawn Service. Danderson Seconds.

Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

DISCUSS AND/OR APPROVE MAIN STREET DRAINAGE DITCH BID

Motion by Danderson to discuss and/or approve drainage ditch bid at budget meeting and have Sara set it for June 16, 2022, at 6:00 pm and make first on agenda Second Roe Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

Discussion: Roe says we had a bid opening today and that Andy with Anderson Engineering sent out a letter at 5:30 tonight. Capital was lower. Roe proposes we hold off until Thursday and let the street committee review the bids.

Icenhower explains that APAC was \$111,802.50 Capital was \$131,397.70 and on the paving they were \$94,568.25 which also includes Hickory Street; Lafollette bid drainage ditch at \$190,643.35 Capital is the only one that bid both paving and drainage ditch.

Roe and Icenhower would like to get Danderson up to date before making a decision. Icenhower says we need to act on this quickly because it has a 70 day clause to get it done.

MOTION TO APPROVE OR DENY IRVINE MINOR SUBDIVISION #MN2205-02

Motion by Roe to approve Irvine Minor Subdivision #MN2205-02. Second Icenhower.

Discussion: Mayor says there is an error on the plat that was provided and also the way that it is drawn now, he asks Darra if Liberty Electric or the water district approved it. Darra says that she has never sent anything to any utility company and that Andy approved it. Mayor says it has a north half and a south half and that the north half has been split again. Roe says that it is his understanding that this is the first split of the property. Mayor says that it was subdivided when it was in the county before it became part of the City.

Michael Irvine asks why he would pay the surveyor and engineering company to check it and asks the Mayor if they are all wrong.

Icenhower says his son owned it a long time ago and that there was title insurance on it and that he is baffled by this.

Mayor says there is no utility easement. Irvine explains that there are transformers on the property. Icenhower, Mayor, Roe and Irvine look at survey and discuss.

Faherty leaves room at 7:26

Faherty returns 7:28

Everyone returns to their seats.

Vote resumes

Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

APPROVE GENERAL CODE INVOICE FOR PAYMENT

Motion by Danderson to approve General Code invoice for payment in the amount of \$1,362.18. Second by Roe

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Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE
Roe points out the new statute on laser pointers

FIRST READING OF BILL NO. 22-07 AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF FAIR GROVE, COUNTY OF GREENE, STATE OF MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Motion by Danderson to have the First Reading of Bill No. 22-07 by title only. Second Avery
Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

Motion by Danderson to approve the First Reading of Bill No. 22-07 by title only. Second
Faherty
Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

FAIR GROVE SCHOOL DISTRICT REQUEST ADJUSTMENT ON SEWER BILL due to water leak was discussed. Motion made by Danderson to adjust Fair Grove School District sewer bill by \$581.76. Second Faherty
Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE

Mayor Report

None

Adjournment

Motion by Danderson to Adjourn at 7:36 p.m. Seconded by Avery
Avery AYE, Danderson AYE, Roe AYE, Lord AYE, Icenhower AYE, Faherty AYE


Sara Davis, City Clerk