

# City of Desloge

## NOTICE OF OPEN MEETING AND VOTE TO CLOSE PART OF THE MEETING DESLOGE BOARD OF ALDERMEN REGULAR MEETING

Monday, April 9, 2018

7:00 p.m.

Desloge City Hall, 300 North Lincoln

Posted: April 5, 2018, at 3:00 p.m. on the outdoor City Hall bulletin board.

Faxed: April 5, 2018, at 3:00 p.m. to radio and newspaper media.

The tentative agenda for this meeting includes:

- I. Call to Order and Pledge of Allegiance
- II. Consent Agenda
  - a. Approve or Amend Agenda
  - b. March 12, 2018 Regular Meeting
  - c. Bills for Payment
  - d. Appoint Joe Goff Sr. as the Prosecuting Attorney for one year term
  - e. TIF Pass Through for Taxing Districts

The items on the Consent Agenda are enacted with one motion. If separate discussion is desired, that item may be removed from the Consent Agenda and place on the regular Agenda by request of a member of the Board of Aldermen.

- III. Public Comment
- IV. Resolution - Air Evac for Board Members
- V. Certify April 3, 2018 Election Results
- VI. Oath of Office to Newly Elected Officials
- VII. Elect Acting President for One Year Term
- VIII. Mayor - Participate on the Planning and Zoning Commission
- IX. Aldermen - Participate on the Planning and Zoning Commission
- X. Desloge VFW Request for Picnic License
- XI. An Ordinance of the City of Desloge, Missouri, Imposing a Use Tax for General Revenue Purposes at the Rate of Two and One-half percent (2.50%) for the Privilege of Storing, Using or Consuming within the City any Article of Tangible Personal Property Pursuant to the Authority Granted by and Subject to the Provisions of Sections 144.600 through 144.761 RSMo, providing for the Use Tax to be Repealed, reduced or Raised in the Same Amount as any City Sales Tax is Repealed, Reduced or Raised; and Providing for Submission of the Proposal to the Qualified Voters of the City for their approval at the Municipal Election Called and to be Held in the City on August 7, 2018.
- XII. Discussion Items
  - a. Proposed Resolution – Amend Personnel Practices on Overtime
  - b. Off-Street Parking and Loading Regulations
  - c. Casey's Property
  - d. Parks and Recreation Director

- XIII. Mayor and Aldermen's Reports
- XIV. Vote to Close the meeting pursuant to RSMo 610.021 – (3) Personnel
- XV. Adjourn

*Individuals who require an accommodation should contact City Hall twenty-four (24) hours before the meeting.*  
Representatives of the news media may obtain copies of this notice by contacting  
Linda R. Moore City Clerk

DESLOGE BOARD OF ALDERMEN REGULAR MONTHLY MEETING

MONDAY, APRIL 9, 2018

7:00 p.m.

DESLOGE CITY HALL, 300 North Lincoln

Members present were Mayor David Kater, Alderman JD Hodge, Alderman Chris Gremminger, Alderman Jerry Hulsey and Alderman Deion Christopher, Alderman Jason Loughary and Alderman Alvin Sutton. Staff present was City Administrator Dan Bryan, City Clerk Linda Moore, Public Works Supervisor Jason Harris, Fire Chief Larry Gremminger, Police Chief James Bullock, Building Inspector Bryan Cato, Chief Water Operator Roger Phibbs and Officer Sean Roney.

Visitors were Ron Greminger, Mark Bloome, Zach York and Kevin Jenkins of the Daily Journal.

Call to order

Mayor Kater called the meeting to order and led in the Pledge of Allegiance.

Consent Agenda

- A. Approve or Amend Agenda
- B. March 12, 2018, Reguar Meeting
- C. Bills for Payment - \$295,625.48
- D. Appoint Joe Goff Sr. as Prosecuting Attorney for one-year term ending April 2019.
- E. TIF Pass Through Amounts for Taxing Districts

Approve Consent Agenda

Alderman Gremminger made the motion to approve the consent agenda. Alderman Loughary seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Public Comment

Ron Greminger of 712 Briarwood told the board that he has lived on Briarwood for 45 years with no water problems. The last two years he has had a problem with storm water running into his yard and in his basement. At one time, he had pipes under his driveway and the city took them down to the police firing range when they overlaid the street. Up the street, several driveways changed causing the water to run from north to south over to his side of the street. He wants it stopped.

Mark Bloome of Hurst-Rosche appeared before Board to discuss the Washington Street and Chestnut Street storm water project. He felt the problem was a maintenance issue by cleaning the debris when the openings become clogged. The Board wanted to know what his suggestion was. He mentioned grates, flaps, domes and open ends. Administrator Bryan felt that what he is saying is not what they talked about at a previous meeting. After the board asked for his recommendation as an engineer, he suggested to stay with the grates. When asked about the erosion and whose responsibility he told them it is the contractor and it is still under warranty.

Resolution – Air Evac for Board Members

After Mayor Kater read the resolution, Alderman Gremminger made the motion to approve the resolution and Alderman Hulsey seconded the motion. Hodge – aye; Sutton – aye; Christopher – nay; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Certify April 3, 2018 Election Results

Alderman Ward I	Deion Christopher	Total 32
Alderman Ward II	J.D. Hodge	Total 43
Alderman Ward III	Alvin Sutton	Total 49

Alderman Christopher made the motion to certify the April 3, 2018 election results and Alderman Sutton seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Oath of Office to Newly Elected Officials

City Clerk Moore gave the oath of office to the newly elected officials.

Elect Acting President for One-Year Term

Alderman Christopher made the motion to appoint Alderman Sutton as Acting President and Alderman Hulsey seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Mayor – Participate on the Planning and Zoning Commission

Mayor Kater decided to participate on the Planning and Zoning Commission.

Aldermen – Participate on the Planning and Zoning Commission

Alderman Sutton made the motion to appoint Alderman Christopher to the Planning and Zoning Commission and Alderman Loughary seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Alderman Loughary made the motion to appoint Alderman Sutton to the Library Board and Alderman Hulsey seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Desloge VFW Request for picnic License

Alderman Sutton made the motion to approve VFW's request and Alderman Loughary seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Ordinances

BILL NO. 1305

ORDINANCE NO. 2018.20

**An Ordinance of the City of Desloge, Missouri, Imposing a Use Tax for General Revenue Purposes at the Rate of Two and One-half percent (2.50%) for the Privilege of Storing, Using or Consuming within the City any Article of Tangible Personal Property Pursuant to the Authority Granted by and Subject to the Provisions of Sections 144.600 through 144.761 RSMo, providing for the Use Tax to be Repealed, Reduced or Raised in the Same Amount as any City Sales Tax is Repealed, Reduced or Raised; and Providing for Submission of the Proposal to the Qualified Voters of the City for their approval at the Municipal Election Called and to be Held in the City on August 7, 2018.**

Mayor Kater read the ordinance twice by title with copies available. Alderman Christopher made the motion to approve the ordinance as read and Alderman Gremminger seconded the motion. Hodge –

aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

Proposed Resolution – Amend Personnel Practices on Overtime.

The resolution changed overtime back to working 40 hours to be eligible for time and a half. Not included in sick, vacation, holiday, etc. Alderman Sutton made the motion to approve the resolution. Alderman Gremminger seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – nay. Motion carried.

Off-Street Parking and Loading Regulations

Administrator Bryan told the board when Building Inspector Cato and he were discussing driveway permits, they found that in 2006, the code changed and after that date any driveway that enter on to a street must be blacktop or concrete. This did not allow any driveway to be rock except coming off the alleyway. He suggested that the code be enforce from the current date on new construction. Current rock driveways are grandfathered in. The board asked him to bring something to change the code at the next meeting.

Casey's Property

Administrator Bryan updated the board on the vacant Casey's property. It is not on the market yet but they have a non-complete clause to any purchaser. They will not sell to anyone that sells donuts, pizza, gasoline or anything that Casey sells and the clause has a 15-year shelf life. He searched current vacant Casey properties and the selling price ranges from \$30,000 to \$300,000. Most are at the \$60,000 to \$70,000 range.

Parks and Recreation Director

Administrator Bryan presented the board with information on hiring a parks and recreation director. There are funds currently in the budget that are not being used. Public works is not filling one vacant position leaving budgeted funds remaining. There are funds in the park budget that were budgeted for an employee who is now being paid from the public works. The salary range comparison with other cities is \$36,000.

Alderman Gremminger moved to advertise for a parks and recreation director for \$34,000 on the 3-year step program. Alderman Loughary seconded the motion. . Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried

Mayor and Aldermen Reports

Alderman Hulsey commented about the storm water project on Washington by his house. His neighbor's yard still fills up.

Alderman Hodge has nothing.

Alderman Loughary put a video on the tablet showing the water run off at 401 Cedar Street. The Help the Hungary Bake Sale was successful and made \$125,000. Traffic on Elm Street before and after school is very busy and wanted to know about stop signs.

Alderman Gremminger had questions about the Washington Street project and Hurst Rosche answered them. He gave hats off to all the departments.

Alderman Sutton had nothing.

Alderman Christopher had nothing.

Administrator Bryan had several items.

MML is having a region meeting in the Farmington Library April 19, 2018 starting at 6 p.m.  
St. Francois Joint Communication 911 is having an open house April 25, 2018 from noon to 4 p.m.  
Librarian Jill asked to close the library on Saturdays between Memorial Day and Labor Day. No opposition to her request.

Mayor Kater thanked the aldermen, he appreciates their time.

Vote to Close the Meeting

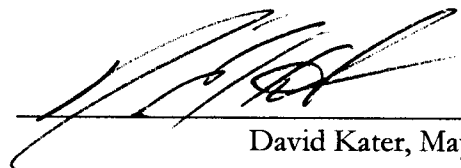
Alderman Hodge moved to close the meeting pursuant RSMo 610.021 (3) Personnel. Alderman Gremminger seconded the motion. Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye; Gremminger – aye; Hulsey – aye. Motion carried.

EXECUTIVE SESSION BEGAN  
8:45 p.m.  
RETURNED TO OPEN SESSION  
8:55 p.m.

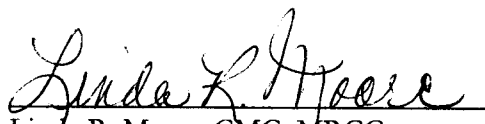
Adjourn

Alderman Hodge moved to adjourn and Alderman Gremminger seconded. Gremminger – aye; Hulsey – aye; Hodge – aye; Sutton – aye; Christopher – aye; Loughary – aye. Motion carried.

MEETING ADJOURNED  
8:55 p.m.

  
\_\_\_\_\_  
David Kater, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda R. Moore CMC, MRCC  
City Clerk



## Resolution

### Board of Alderman Air Evac

**WHEREAS**, The City of Desloge, the Mayor, the Board of Aldermen offer Air Evac benefit to full time employees of the city and,

**WHEREAS**, The City of Desloge, the Mayor, the Board of Aldermen receive a monthly salary of \$100 for alderman and \$400 for Mayor and,

**WHEREAS**, The Board of Aldermen of the City of Desloge would like to offer Air Evac to the Mayor and Alderman.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DESLOGE, MISSOURI, AS FOLLOWS:**

Section 1. That the Board of Aldermen, acting in its capacity as the governing body of the City of Desloge will begin receiving Air Evac beginning with the April 3, 2018 election for those aldermen that were elected.

Section 2. That the alternate positions will receive Air Evac after the next municipal election.

Section 3. That this Resolution shall take effect immediately upon its adoption by the Board of the Aldermen of the City of Desloge, Missouri.

**PASSED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DESLOGE, MISSOURI THIS 9<sup>TH</sup> DAY OF APRIL 2018.**

CITY OF DESLOGE MISSOURI



David Kater, Mayor

ATTEST:



Linda R. Moore, City Clerk CMC/MRCC



# Resolution to Amend Personnel Practices

## Overtime

**WHEREAS,** The City of Desloge, the Mayor, the Board of Aldermen and legal counsel for the City of Desloge review the Personnel Practices for the city as they see fit and'

**WHEREAS,** The City of Desloge, the Mayor, the Board of Aldermen and legal counsel for the City of Desloge have reviewed the Personnel Practices for the City and;

**WHEREAS,** The Board of Aldermen of the City of Desloge have determined that certain updates are necessary to the Personnel Practices for the City.

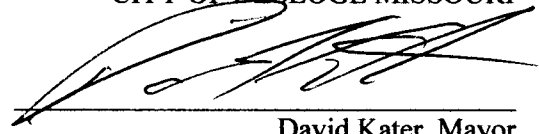
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DESLOGE, MISSOURI, AS FOLLOWS:**

Section 1. That the Board of Aldermen, acting in its capacity as the governing body of the City of Desloge, hereby amends Section 115.0305 – Hours of Work and Overtime (Exhibit A).

Section 2. That this Resolution shall take effect immediately upon its adoption by the Board of the Aldermen of the City of Desloge, Missouri.


**PASSED AND RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF DESLOGE, MISSOURI THIS 9<sup>TH</sup> DAY OF APRIL 2018.**

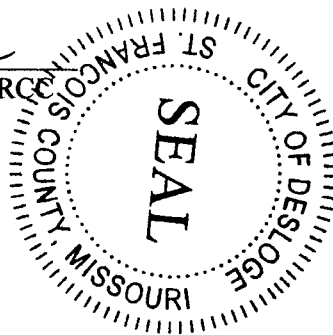
CITY OF DESLOGE MISSOURI



David Kater, Mayor

ATTEST:

  
Linda R. Moore, City Clerk CMC/MRC





## **Exhibit A**

### **SECTION 115.0305                      HOURS OF WORK AND OVERTIME**

All employment positions with the City of Desloge are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act (FLSA) regulations. For most employees, the established work period is forty (40) hours within a seven (7) day workweek. Non-exempt employees are entitled to additional compensation, either in overtime pay or compensatory time off when they work overtime; more than the maximum numbers of hours during a work period.

Overtime is calculated at one and on-half times the employee's regular rate of pay for all time worked beyond the established work period. Holidays, sick leave and vacation time are not counted as hours worked when computing overtime.

Employees not working a forty (40) hour work week will be paid straight time for all overtime hours,

Only the employee's department head may authorize overtime.

Exempt employees are not covered by the FLSA overtime provisions and do not receive either overtime pay or compensatory time off.