

**PLEDGE OF ALLEGIANCE LED BY MAYOR PRO TEM PETTY**

**OPEN MEETING**

Roll Call taken by Mayor Pro Tem Petty

Mark Stewart PRESENT, Ben McMains ABSENT, Tim Cooke PRESENT, Franklin Hodges PRESENT, Kelly Petty PRESENT, Eric Boncuk ABSENT

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

**Approve Agenda.**

Motion by Stewart to approve the agenda.

Cooke – We need to amend the agenda? No. Okay.

Seconded by Cooke  
Stewart AYE, Cooke AYE,

Hodges – What were you wanting to amend on there, Tim?

Cooke – It's nothing. We're good. Not at this time.

Hodges – Okay.

Stewart – It was something we were discussing but it's not an emergency matter so we'll put it on our next meeting. It has to do with one of the part time officers.

Hodges – Okay. Sounds good. Just curious.

Hodges AYE, Petty AYE

**Public Forum**

Mason Hartley – Local builder. Just want to kind of give my update on how things are going with the building inspector. I had my first inspection with him Friday, a final. I was on site with him the whole time, you know. Seemed to be nice enough. We visited the whole time while he did his inspection, towards the end he found, you know, three small violations, no big deal at all, we discussed them. Have no complaints on the violations. We stood right there in the kitchen, he typed them out, asked for my email address and said, you know, it will be right over, you'll have it soon and went on about our evening and hadn't got the email so later shot him a text, hey, this is my email, maybe it didn't come through and stuff. It took him a little bit to respond, no big deal, he responded with oh sorry, you should have it soon, I went ahead and added a few more things. Very odd after we stood there and talked about the three things multiple times and then just all of the sudden after he got home two hours, three hours later and there's three more things and then the new list doesn't even have one of the things we talked about so I just feel like that's all very odd. It doesn't seem too professional to me. I still don't understand why we don't just have a carbon copy paper that's filled out on the job and then left right there with me and then it's in black and white, nobody argues about it. So the two other things he added, three other things he added, still not really gonna necessarily argue them. One of them's already been

previously passed. I just told him hey, if you think something's wrong I'll have my guys check it out to make sure but it has been approved so I thought that was a little odd. And then in the meantime I've been trying to get permits for two new houses. Submitted all the paperwork like normal that I've submitted here and that I would submit anywhere else that I would get a permit and now all of the sudden, you know, we have a list a mile long of things. A lot of just stuff that's done in the field. I don't understand it. Talked to him about that actually Friday night at the meeting and then it was like yeah, just kind of do this for me and I'm not going to worry too much about that and then I get an email back asking for like a hundred other things that we just had a very in depth in person conversation about and then now through email, it's totally different. I was to the point this morning of like yep, I'm done. I'm out of here. Planned on building five houses this year. I've got two people that are desperately wanting those two houses, families and so I'm going to try to keep pushing, see if I can get those two people and those families and then I can decide what I'm going to do from here on out. But I just want to remind you guys that, I mean we pay you guys two and half times as much to build a house here in permit fees as we do anywhere else and it's a living nightmare so just wanted to let y'all know where I'm at and where it's going and discussing with other builders in the area and they all feel the same so it's just frustrating.

Petty – Did you try reaching out to City Hall with the change of what you mentioned with a new list?

Hartley – So they provided me with the first list and then called me two hours later and said oh no, that was wrong, no they didn't call me, he called me so I came back up here and got a different list, well it wasn't really a list that I got the second time. It was just kind of more a breakdown of like, I don't know if you remember what I presented to you the other day, it's kind of a version of his codes I guess that kind of highlighted codes I guess you would say, kind of like what I presented you guys that the county gives us, so that was all that was. And that was when we started out the conversation about like all that other stuff, yeah, we're not gonna really worry about that and so I don't know, it's just really confusing. I mean, it's just back and forth and so no, I don't really call them because they usually tell me to call him. It's just a lot of back and forth of nobody knows what's going on.

Petty – If you have documentation of your conversations with him, that might help shed some light on the discrepancy of what's happening verbally. If you guys can keep your discussions as much as possibly in some sort of written text, we will be able to trace back to where he might have told you one thing and then came back and said another.

Hartley – Yeah, like I said, the code, I just don't understand how he found two more violations two hours after he left you know. It's kind of odd. He wasn't even there. The house was locked up and it was dark by then so how do we go from three to you know, and like I said, it's still not a huge deal on the violations, it's just the whole, how it's being done and just the character behind it. It's just shady so, that's where I'm at. Thank you for your time.

Petty – Thank you.

Cooke – Is he here?

Davis – No.

Petty – Anything else for public forum?

**Old Business**

**DISCUSS AND/OR APPROVE PAY SCHEDULE FOR BUILDING INSPECTOR**

**Discussion**

Petty – From what Sara has shared with me, the building inspector would like to visit more of an hourly rate versus the current fee schedule that we have on file as hiring him. We approved contracting with him based off the current fee schedule . He’s spending a lot of time looking at our current projects to try to be informed on previous building inspector findings as well as just reviewing plans. Making sure that he knows the history of everything as well as trying to help shore up some of the documentation pieces that we know we have not done a great job on in the past and so he has asked to be compensated for that time.

Cooke – But he also understood that taking this job how he would be paid, correct?

Petty – It was reviewed with him prior to hiring him what the fee schedule was. It was outlined as a per permit or per request basis what the city charges and what portion of that would go to him.

Stewart – How do surrounding communities charge? Is it done like we do per permit request or is it done hourly? Do we know?

Davis – I don’t know for sure, no.

Stewart – Maybe that’s a good place to start. If we’re an outlier and no one else is charging per permit and everybody does it hourly then maybe we need to change but if everyone is doing it the way that we’re doing it then I don’t see any reason to change.

Cooke – No, I don’t either.

Hodges – I talked to another town yesterday to try to help us out, give us a little bit of insight on what they’re doing. What they said was their inspector and everything, wish we had him here, he works with the contractors and everything. He sees something wrong he’ll be doing an inspection on a certain thing, while he’s doing a walk around doing one inspection, when he see other things that need to be addressed, he’ll mention to the contractor and say hey you need to do this here. He just don’t come back on the next trip and do the inspection for that and he’s saving time. He says I’m not here to cost the contractors money and I loved it, what he had to say. Everything he had to say to me, I wish we had that here because he’s using common sense and he’s trying to help the contractors. He says I don’t want to shut the contractors down cause he used to be a contractor. That makes a difference when you got a contractor he knows what it goes through cause he used to do stuff and some of the contractors was out of line on stuff he said to me and he’s says I don’t want to do that and he says I’m there to help ‘em you know, get it done and I like the idea of about walking through the house if they’re doing some plumbing, you see something else, electricity or something where they’re working on, he’ll suggest to them and do it. But he says he don’t want to cost them more money and like I said, this guy here, he

knew what his pay was when he started and I'm not for changing it. You know, when you get hired on a job, a month later you don't go oh, well I want more money. You might want it but you ain't gonna get it.

Petty – The other city that you talked to, do you know how they compensate their building inspector?

Hodges – Same way as us. Like this.

Petty – Per...

Hodges – Per inspection and stuff.

Petty – Per inspection?

Hodges – Yep, same way.

Petty – What city?

Hodges – Ain't saying.

Petty – Okay.

Hodges – That's between me and them.

Petty – Okay.

Stewart – What do we need to do to have, to let Sara reach out and get us comps on what people around us do.

Davis – Just make that part in your motion when you make a motion to table it.

Stewart – Okay. That's what I think we should do. I don't know what y'all think.

Hodges – To do what now?

Stewart – Reach out like you did to the surrounding communities and see how it works there.

Hodges – Should have done it from our last meeting. It was like what I did. I went out there and stepped out there and did it. You know, we shouldn't go from month to month with this man guys.

Cooke – I think it's interesting...

Hodges – That's our job to do this.

Cooke – I think it’s interesting this quickly we’re already talking about changing the pay scale and there’s obviously some issues that need worked out that I think need addressed well before we start talking about pay increases and we need to do some research on this before we make any changes whatsoever.

Stewart – Yeah, I think that’s reasonable.

**Public Comment Open**

Ron Fox, 12198 North Farm Road 221 – I’m an investor. I’ve been in the real estate industry and the building industry for about 30 35 years now and have dealt with a lot of home inspectors and a lot of building inspectors and my own personal experience and that’s literally from 2 meetings that I’ve come to here, you’ve got a building inspector that is not as familiar with the code as what he says he is. And the example I want to use on that is the simple fact what the contractor said up here a few minutes ago that these few items were discussed when he was there and then he went home and came up with more items later. A good building inspector knows his job good enough that if he sees something that’s questionable, number one he should mention that to the contractor at that time. Say hey, I’m not sure about this, let me go read what the code says or he carries his code book with him. I don’t feel comfortable about investing money here when all I can see is that my money is going to get stagnated in the process for all of these permits and approvals for the different stages of the inspections on the homes. It’s not a good investment for me. My idea of my investment is to make money off my money, not to lose money. You know, I’ve got holding cost involved and all of these builders have holding costs involved. If your building inspector is not familiar enough with his code then he’s not doing the job he’s supposed to do. That’s all I’ve got to say. Thank you.

Petty – Thank you!

**Public Comment Closed**

**Motion by Stewart to table Building Inspector Fees and have City Clerk reach out to similar communities to ours and see what their pay scale is for inspectors to see if we’re comparable.**

Mason Hartley – And maybe who they’re using.

Hodges – I didn’t hear what he said, did you?

Stewart – And maybe who they’re using is what he said.

**Seconded by Cooke**

**Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE**

**New Business**

**BLAKE PACE WITH DECKER AND PACE TO PRESENT 2024 AUDIT**

**Discussion**

Blake Pace – Good evening. My name is Blake Pace and I’m a CPA with Decker and Pace CPA Firm. We will go over your guys financial audit. This is for year ending June 30, 2025 and I’ll start on page 1 of those blue audit reports I placed in front of you. If you guys have any questions

while I'm going through these just feel free to stop me and I'll be happy to answer those. Page 1 is what's title the Independent Auditor's Report and there's basically three main paragraphs on this report or letter. There's the opinion paragraph, there's the responsibility of management for the financial statements and then there's the auditor's responsibility for the audit of the financial statements. Basically in plain English what these paragraphs say is that the responsibility of management for the financial statements is to furnish to us all relevant financial information, so that can be QuickBooks files, bank statements, anything financial in nature and our job as the auditors is to provide an opinion on whether or not the financial information presented to us meets two criteria and those are whether it's free from material misstatement, meaning the numbers are correct, they check out and then the second criteria is whether they're in the right format per government accounting standards. As auditors we express a formal opinion in this top paragraph here on what's called the opinion paragraph and the City received a clean opinion which is the highest designated opinion you can receive and it means just that. That the financial information within this report is free from material misstatements, the numbers are accurate and it is in the right format per government accounting standards. Any outside readers such as banks, bonding agencies, that's what they're going to be looking for is that clean unmodified opinion. Again, that is the highest designated opinion you can receive. That being said, I'll just briefly cover some of the financial highlights for the year. I'll start on page 6 for that. Page 6 is what's commonly known as a profit and loss statement. It has a different name than profit and loss for government accounting standards but most people know it's profit and loss and this profit and loss is specifically for your governmental funds so you won't see your sewer operations fund on here, really just your tax base revenue and licenses and permits, that type of revenue. Looking at that far right column in the governmental funds you had revenues of \$1,276,233 and expenditures of \$1,192,792 and then down below you'll see some transfers in and out between funds all in all leading to a net change balance of \$143,796 to the plus. At first glance, really this is pretty consistent with years passed. Last year I think your net change was about \$180,000, this year it's about \$143,000 so no really major changes. That's one of the things that you look at is year to year comparisons. The second thing we look at briefly is how do your cash balances within the governmental funds compare to your annual expenses for the year. That annual expenses number is about \$1.1 million dollars roughly and what we do is we break that down on a monthly basis so our expectation is that you would have anywhere from 3 to 6 months of that expense number setting aside in cash. The governmental funds had about \$1,068,989 in cash and the benchmark for cash would be anywhere from \$298,000 to \$596,000 so it well exceeds our expectation in terms of cash balances. I will add that most of that cash was restricted for streets and capital improvements and things of that nature but your cash balance is within that threshold we look for. That being said, I'll flip to page 9. Page 9 is the profit and loss statement, this is going to be specifically for your sewer fund and in total you had operating revenues of \$331,116, you had expenses of \$255,273 and then you'll see below some interest income, interest expense, transfers in and out, some miscellaneous items all in all leading to a change in net position of \$50,694. Again, we look at how do your cash balances compare to your expenses for the year. So of that \$255,000 expense number, 3 months of that would \$64,000 roughly, 6 months of that would be roughly \$128,000 so a cash balance anywhere within that threshold would be great. Your cash far exceeds that with \$672,805 in cash within the sewer fund and like the governmental cash, a lot of that cash is restricted. In this case it's for debt service, depreciation and replacement, things like that. Of that \$672,000 only around \$177,000 unrestricted so it still fits that 3 to 6 month threshold but to note, most of that \$672,000 is restricted. Finally, I'll look at page 10. Page 10 is what's called a statement of cash flows. This is specifically for your sewer

fund as well, it does not include your governmental funds. Really there's two main takeaways that we take from this statement. The first is about halfway down the page where it says net decrease in cash and cash equivalents. You can see the sewer fund decreased our cash balance by \$46,167 and the second main thing we look at is near the top of the page, there's a line that says net cash provided by operating activities and that number is \$135,970 so that number's a really good indicator of are your rates sufficient enough to pay your overhead, to pay your salaries, to keep the lights on in a sense. Last year that number was only around \$1,300 this year it was \$135,970 so that's a really exceptional operating activity balance and usually we like for that number to be positive to the extent that it covers your debt payment for the year. So down maybe 5 or 6 lines below you'll see principal paid and interest charges and it's roughly \$50,000. Usually we like to see that operation activities number positive to the extent that it covers your debt, which it does. Although you decreased your cash balance the sewer fund still has plenty of cash so it's not really a red flag to us at this time. Other than that, no really major concerns from our office. If there was anything that really stood out to us or was noteworthy in terms of concerns, we would have addressed it in that looseleaf letter in the front but if you skim through it, you won't see any issues or comments. That being said, any questions or comments that you guys might have?

Hodges – I've got a question. We been struggling the last few months getting money transferred from one account to the other and it's been terrible. Come up at the end of the meeting, we had to have what, two special meetings to transfer money?

Davis – Mmhhh.

Hodges – I hate that. I don't know why we're going through that. I'm not smart looking at your books here and stuff.

Pace – Yeah.

Hodges – You leave a lot of stuff out I've got questions on. You got any suggestions on what we can do to address this? Like I said, you've given us a good rating but when you look on the inside, it's not a good rating when you're having to do this when you come up and can't pay the bills.

Pace – Right.

Hodges – Because the money's not there.

Pace – Right. Audits are hard because we look at are the numbers correct but we don't necessarily, I mean, we do look at are they good but we're more concerned with are they correct because that's what the bank looks for. So they are correct. I know you're concerned with the transfers and stuff. In this case, the sewer fund, I don't know which way you guys are transferring, you know, really last year there were transfers in both directions between governmental and sewer but one thing you can look at for the sewer fund is what's called a transfer fee in lieu of so basically what you guys would do, you would make a motion to transfer a flat percentage of the sewer revenue. So for some cities it's 2%, for some cities it's 5%, it can be whatever you determine but basically 2% or 5%, whatever, on a monthly basis or quarterly

basis, transferred to the general fund to help supplement the rest of your operations and we usually recommend that with the sewer type funds and for other cities the water and sewer funds because since those funds operate like businesses, they just produce more income, they bring in the cash for the city. That's what we look at a lot of times. It's called a transfer fee in lieu of.

Hodges – Right.

Pace – I can show you other cities that do it. I can provide examples. I'd be happy to get with Sara and show that to you. That's one way if you're taking money from the sewer over, that's a good way to do it. Like I said, your cash balances are good, so that'd be something we could watch year over year. We can watch....

Hodges – Well every time we move money we discussed it. I don't remember if it was the general fund we pulled out of or something, one of the other funds we pulled out of and we said it the last two times, we want the money paid back.

Pace – Yeah.

Hodges – To that fund and to the date, I don't think we've paid it back.

Pace – Yeah, and that's another thing we can do. When we do the audit, the money that's being transferred between funds, it shows there's money in and out and so when the end of the year closes, those transfers basically, you don't see them again. It shows on the profit and loss but there's no residual effect of those transfers. Some cities what they do, instead of doing transfers they do what's called a due to, due from and so say the general fund transfers money to the sewer. Instead of considering it a transfer, it would actually act like a loan to the sewer fund and it would show up as debt on the sewer funds balance sheet so you would see that the sewer fund actually owes money back to the general fund and that's something that you could keep track of each year in terms of what fund owes the other fund money.

Hodges – Well that's what we discussed, you know. We're supposed to be paying it back instead of just taking. I mean, it's not a cash cow, you know. None of it's cash cow, we gotta do it. I like the idea, you know, we made a budget and I know it's tough, I been around this stuff, it's hard sometimes to stay at that budget but I don't like it when we're having to move over money, a lot of money. The last meeting I think Kelly was wanting to do \$50,000 and I said would that get us to the end of last year and she said no and I said what do ya think it will take to get us through cause I don't want to come back and do it again. She said hundred thousand. I said well if that's what it takes I make a motion, let's move it cause we don't want to keep playing this game.

Pace – Right.

Hodges – And I'd like for us to get this corrected so we'll know what our funds are, where they're at, where they're going so we don't continue doing this.

Pace – Right.

Hodges – Cause you can't run a business this way and the City is a business. I like your idea on the one part there. It's a loan.

Pace – Yeah, it's just a bookkeeping matter on transfers on due to and due from. Like I said, those transfers next year, there's no residual effect of those transfers where the due to and due from, they're going to carry on every year until they're paid back and so you're going to see it every year. So if that money is not paid back to another fund, you're going to see it on next years audit. We've worked with cities that they borrowed and borrowed and borrowed from one fund and they owe another fund close to \$500,000 so it's very much an eyesore on their statements but it's reflective of what's been going on between those funds.

Hodges – So what you did is for 25, right?

Pace – Yeah, June 30, 2025.

Hodges – How come you didn't catch it? Cause it's not reported then?

Stewart – It's through the fiscal year of June.

Pace – Yeah.

Hodges – Huh?

Stewart – It was through the fiscal year. So June to June.

Hodges – June to June.

Stewart – Yeah.

Hodges – K. So it wasn't in these last 6 months or whatever.

Stewart – Correct.

Pace – Yeah, no...

Hodges – So you'll catch it next time round on the audit then.

Pace – Yeah.

Petty – There were transfers in the fiscal year.

Stewart – Right, there's always transfers.

Pace – There were transfers, you know. It's not totally uncommon with cities but you do want to be careful, you know general fund to other funds, people call the general fund the five-star general, they can do anything. So there is a lot of utility there with how it provides for other funds. Where it's dangerous is if the money is sitting in the street fund or capital improvement

and then you are using all of that money to pay the sewer fund. That money is restricted if it's flowing every certain way. In this case, the general fund does have some flexibility and same with the sewer fund if they wanted to help supplement some other operations too. And honestly, that's what we see with a lot of cities. The water and sewer just brings in most of the cash, like police funds, street funds, they can barely survive off their own sales tax alone so usually those proprietary are the sewer type operations. They have to step in a little bit because they just bring in more revenue. But there's options. I'd be happy to discuss with Sara or get in touch with you, maybe outline some options of what you could do to track that better and maybe hold those funds more accountable.

Hodges – Get us back in line like we should be doing. Thank you!

Petty – Blake, do you mind if we open this up for public questions?

Pace – Sure.

#### Public Comment Open

Ricky Icenhower – I don't know if this is a question for him or the council but what part of the City business that we're having to pull money from to fund? Is there a certain specific area that it's having to go to?

Petty – So the City has approved transfers from the capital improvements budget fund into the general fund. Those are the transfers that we have made.

Icenhower – And it's going to the general fund to fund what? As Franklin said basically, it sounds like you're having to rob Peter to pay Paul so what is it that we're having to fund that there's not enough money in that category, let's say.

Petty – So one thing that we haven't been doing well is we're paying for everything out of the general fund and we're not pulling out of the accounts, like sewer and streets, to fund the projects and the work, the operational expense for various expense that the City has. Which is something that we had talked about a few meetings ago, getting with Larry to track back for this fiscal year, the expenses that we have had and are we pulling appropriately out of the accounts to cover the cost of those, if we haven't then we need to transfer that money into the general fund, which would then free up the money to put back into capital improvements and that is still the plan.

Stewart – Correct.

Hodges – I just don't want us touching bond money that we ain't supposed to be using and stuff for certain things.

Petty – We are not touching any bond money for expenses that' not...

Hodges – Well it's in the accounts there.

Pace – The bond money is pretty delegated in a sense.

Hodges – Right, you can't touch it except for what it's done for.

Pace – Right. But in terms of your guys financials, it's very much like it kind of sticks out on it's own and you can track what's going in and out of it and there wasn't any issues there.

Stewart – He would tell us if we were pulling out of the bond, I promise.

Hodges – Right. I've had too many people question me, it sounds like Fair Grove's just run us into debt and I said I think we are. We're running into debt and I hate it.

Petty – Dennis?

Dennis Roe – Can I just ask a question? It seems like I heard that the sales tax revenue for the City is down or has been down. Is that correct?

Davis – Yes.

Roe – Yeah, so that's going to affect what's in the general fund.

Hodges – Sure.

Roe – If our revenue is down in sales tax.

Petty – So the goal is to make sure that monthly, when Larry's doing our financials, that he's able, or that we're able to identify and code appropriately out of the correct funds so that we are not running into this situation where we haven't pulled anything over and now we are at a balance that is not enough to cover payroll at the end of the month. So there is still some...

Icenhower – You still didn't answer my question though. When we have money allocated for the roads and so forth, which we know there's not enough money in there, never is, I mean, there's so many things that need to happen and then you have the money go in this account for the sewer, which sounds like there's some money in there but we know what it cost to run that place and breakdowns and everything else, so the scary part of it is when things get in general funds that's slush money you know, it's not allocated.

Petty – So, like you just mentioned the breakdowns and stuff, we're paying for that stuff out of the general fund without pulling the sewer money over to cover the cost of those breakdowns. So that's what I'm talking about. We're not doing a good job of making sure that we're coding our expenses from the appropriate accounts and bringing that money over to cover the expenses that should be paid out of those accounts.

Icenhower – So then you're running the account of the City lower than what you think you should as far as your general funds or your money for payroll and so forth and so on cause you're not pulling it out of the...

Petty – Correct.

Icenhower - ...other allocated accounts.

Petty – Which is the thing that we're working with Larry on to try to make sure that we're more proactive about that and doing it up front versus having to transfer and then go back and fix it.

Icenhower – Yeah, that makes sense.

Tyler Kline – Blake, just to confirm, on the City's P&L, it was a net positive year, right?

Pace – Yeah, on the governmental funds, the net change was \$143,000 roughly and on the sewer fund it was about \$50,000.

Kline – Thank you!  
**Public Comment Closed**

Pace – If you guys think of anything after the fact, our contact information's on the letterhead so feel free to reach out to us and we'd be happy to get everything squared away for you guys.

Davis – Thank you!

### **ACCEPT ERIC BONCUK'S RESIGNATION AS WARD III ALDERMAN**

#### **Discussion**

Petty – He's not here tonight.

**Motion by Cooke to table until the January 27<sup>th</sup> meeting when Alderman Boncuk is present. Seconded by Stewart  
Stewart AYE, Cooke AYE, Hodges**

Hodges – Do we have a little discussion with this before we do the vote?

Petty – You're welcome to.

Hodges – He resigned last month 12-20-2025. Why are we pushing it on and on and on? The man resigned. He's not here no more. I don't see the problem here. Why do we keep dragging this out? He quit.

Davis – I think he contacted Tim today and asked if he could be present for that discussion.

Hodges – Why? It's already quit, he quit. He's quit.

Petty – He has submitted a letter...

Hodges – Right. Right here. He did. He give it to us last month, you didn't want to bring it up last month, you passed on it.

Davis – It wasn't on the agenda.

Hodges – It was here sitting on the table and she passed on it.

Davis – It wasn't on the agenda.

Hodges – Well, she passed on it cause we was gonna discuss it. 12-10-2025 is his resignation. Why are we doing something like this? I guarantee if I did it, you won't be bringing it up. It'd be hallelujah, Franklin quit.

Stewart – So, historically this is how it's always been done. Like when Ben Lord turned in his resignation. He turned it in and then we had to approve it essentially on the next meeting. Why it's done like that, I don't know but that's how we've always done it.

Hodges – Well, an employee of mine, when he quits and hands in his deal, he's done right then.

Stewart – He wasn't appointed by the citizens.

Hodges – Right but I mean the citizens, this is what, he quit. It's just like anybody else that's gonna quit here. I don't see where they say we got to approve it. That's my biggest problem with it. The man quit and I don't know why we keep dragging it on down the road. He quit. He's not an Alderman no more. Plain and simple.

Petty – He is until the Board accepts his resignation.

Hodges – You don't gotta accept his resignation, the man quit.

Davis – You want to take a vote?

Petty – Yeah! The vote is still with Hodges.

**Hodges NO, Petty AYE**

Petty – So this has been tabled until the January 27<sup>th</sup> meeting.

Roy Kirkpatrick – What about public questions for...

Jeffrey McConnell – Public comment.

Petty – We tabled it until the next meeting.

Kirkpatrick – I guess I don't understand.

Petty – Do you guys feel like opening it up for public comment?

Hodges – I do. We're open.

Stewart – Sure.

Hodges – We're open. We should let the people speak.

Petty – Okay, public comment open.

**Public Comment Open**

Roy Kirkpatrick – So, Missouri law 355.351 states a resignation is effective when the notice is delivered unless the notice specifies a later effective date.

Tyler Kline – For what position?

Kirkpatrick – It doesn't matter. So there's the law.

Stewart – Well, we'll have to look into that.

Petty – Yep. He's not here today serving as an Alderman.

Stewart – Correct.

Hodges – He can't serve as an Alderman.

Kirkpatrick – Yeah, he cannot.

Hodges – He cannot sit on this Board no more. He quit.

Stewart – Okay.

**Public Comment Closed**

**MAYOR APPLICANTS**

**Discussion**

Petty – We have Roy Kirkpatrick who has put in an application for Mayor. His letter reads, unless you would like to come up and speak on your interest in being Mayor, Mr. Kirkpatrick.

Roy Kirkpatrick – I'm not sure what I'd want to speak about but you know, I would like the opportunity to be Mayor. I would like to see some more transparency in this town. And uh, it seems like there's an overreach a little bit here and I'd like to see why.

Petty – Does the Board have questions for Mr. Kirkpatrick?

Stewart – I don't believe so, at this time.

Hodges – I've known him for a long time. Most people I know here in Fair Grove. He's a good man and I think a lot of him so is the other applicants too. Like I said, I think he'd make a good Mayor for Fair Grove. I think he'll stand up for what's right.

Stewart – Did you happen to throw your name on the ballot for April?

Kirkpatrick – No.

Stewart – K.

Kirkpatrick – I mean, I can always do a write-in candidate. I was actually, my mother had recently passed away and then I had surgery so I missed my opportunity.

Stewart – Sorry to hear that.

Kirkpatrick – Not to make excuses but my mind was on other places and things.

Petty – Do you mind if I open it up for public questions?

Kirkpatrick – By all means.

Petty – Does anybody in the audience have questions for Mr. Kirkpatrick on his interest in the Mayor position?

Jeffrey McConnell – I think maybe the audience and the council might like to hear his qualifications and/or reason for becoming Mayor, which he just stated but his qualifications. Thank you!

Petty – Would you like to share your qualifications?

Kirkpatrick – Yeah. I mean, I run a multi-million-dollar business for large named companies with very large budgets so as far as budgeting I don't think that's an issue for me. I am also a business owner so I know how to make things work.

Petty – Any other public questions? The next applicant we have for Mayor is Eric Boncuk who was our Ward 3 Alderman. He's not present tonight to speak on his application. I would like to give him the opportunity to come and talk to the public as well.

#### Public Comment Open

Hodges – We've had this 3 applications in the last few months has applied for Mayor. You turned the first one down and then the other two that has applied and then Eric. The other one, Brian Zebel, he applied two months ago or better, you've never brought it to the council at all about his application being here to vote on him and then now, he applied and here we are then you'll want to put Eric over as Mayor. I don't understand it. I've been told by some of the council members, 2 different ones, to me it sounds like it's a back alley dealing with this Board.

Petty – So the Mayor...

Hodges – You'll want to put him in. You're wanting to just go past all these other people that has applied for Mayor and push him through and I'm not for these back alley dealings y'all are doing.

Petty – So the Mayor position can be recommended....

Hodges – Right. Oh, I understand that.

Petty - ...by any member of this council.

Hodges – I understand that! But when you go through 3 of ‘em and one of ‘em you turned him down and then the other two here, you’re didn’t even call them and let them know to be here and stuff, so. Did you call them and tell them to be here tonight?

Davis – Did I call who?

Hodges – The people that’s going to be on for the Mayor.

Davis – No, I didn’t.

Hodges – Okay. Should have!

Davis – Why?

Hodges – They should be here. They should have been here.

Davis – Why should I call them though?

Hodges – Cause you ought to.

Rachel Cooke – If they put in an application when they wanted to be Mayor then they should have been here on there own.

Davis – Exactly.

Hodges – They didn’t know it. They don’t know it! They don’t see our agendas.

Rachel Cooke – They know when City Council meetings are Franklin, come on!

Hodges – No, we should have called them to be here.

Petty – If there is somebody that you would like to nominate for the council to vote on, that’s the process.

Hodges – Right!

Tim Cooke – I’ll tell you what my original recommendation was. I would like to see Kelly fulfill this term as interim Mayor and let everybody that’s signed up for before a public vote to determine our next Mayor.

Hodges – I don’t!

Stewart – That’s why I asked him about the election filing.

Hodges – I don’t! Like I said, I’d like to replace Kelly as the Mayor and have her done mayoring and then she goes back to doing just the city council and that’s it. And like I said, I ain’t gonna be pushing them off and pushing them off. Like I said, you got a man sitting here right now that wants to be Mayor.

Davis – Are you making a motion then?

Hodges – I make a motion to vote him as Mayor.

Davis – Vote who as the Mayor?

Hodges – Roy Kirkpatrick. He’s here and like I said, I’m tired of this. Like I said, going down the road with them, not passing them just cause you don’t like ‘em.

**Motion by Hodges to vote Roy Kirkpatrick as Mayor.**

Stewart – I don’t even know Roy to not like him.

Hodges – Like I said, I’ve known him a long time. He’s a good guy and I think he’ll do a good job for Fair Grove.

Tyler Kline – Are we still in discussion?

Petty – Yeah.

Kline – He’s setting you up to be in a bad spot because they’re wanting to get to know you. If he nominates you right now and forces a vote, it’s, I’m going to presume, goes no. It’s an irresponsible action right now. So I just want you to know that. As a citizen, I would like to hear from all candidates for the Mayor of the town that I live in before the council were to vote one in.

Hodges – Me too, me too. But like I said, we ain’t been doing right. Like I said, I’ve been telling you exactly what’s happened the last two or three months with these people and this city council hasn’t brought them up and then now they’re wanting to do it. I have 2 city councils tell me they don’t want to vote them in because they don’t like something that’s happened here in the city with the city. And I said what are ya talking about. Every people that comes...

Kline – Franklin, you don’t need to try to convince me....

\*Inaudible\*

Hodges – Everybody’s got a reason why they want to be here.

Kline – I would like to hear all of the candidates that have applied.

Hodges – Yeah, that was me too.

Petty – So Brian Zebel was the other applicant, he came before the council, it was opened up to questions from the public, there were no nominations from any council members.

Hodges – Right.

Cooke – From NO members of council.

Petty – Yep.

Ricky Icenhower – I agree. I think that we need to hear from all of them and I appreciate all of you guys. I don't agree with you all the time but I appreciate it cause this is a thankless job. My dad did it for years and everybody wants to think whatever they want of him but he was my dada and there was a lot of things that went on in this town that he was the backbone behind. You didn't have to like it but he didn't do it for himself, he did it for this town and I think you've done a good job, Kelly. And you'd have my vote for a Mayor, I think you've done a good job. I don't always agree with everything but you know what, I'm sure you don't agree with everything I do either and that's fine, we can talk about it. But yeah, I don't think we need to rush to anything on this Mayor situation. I think this is a major decision. Obviously we already have Aldermen that's not fulfilling their duties. I've been here several times and certain ones I haven't seen yet. That's another problem we have. Just my two cents and thank you guys for what you do do.

Petty – Thank you, Ricky!

Kirkpatrick – I'd just like to point out to the council that I'm sure what you do is not easy, so I do appreciate what you guys do but I want to point out that when seats get rotated between a small group of people, it really looks like gatekeeping. It doesn't look good either. I understand what you were saying.

Klinline – How many meetings have you been to?

Kirkpatrick – Of these?

Klinline – Yeah..

Kirkpatrick – Actually two.

Klinline – So I'm just confused on your knowledge of how this works.

Kirkpatrick – Well, I mean, I'm willing to learn.

Klinline – Well you have a pretty strong opinion, so...

Kirkpatrick – Yeah.

Klineline – How did you develop that opinion in just two meetings?

Kirkpatrick – Well you can't sit back and complain about what's going on with the City and not dive in and start learning.

Klineline – Sure.

Cooke – Roy, again you talk about gatekeeping and all of that stuff, I'll stress again, my opinion is that we are 3 months away from the election process. At that point, all of you will have the opportunity to go vote for who you'd like to see as Mayor and there is no gatekeeping involved.

Kirkpatrick – Dually noted but you know, this is my opportunity to get my feet wet.

Cooke – I understand that. That would give me a 3 month head start.

Petty – What ward do you live in?

Kirkpatrick – Maybe I don't want to do it.

Petty – What ward do you live in?

Kirkpatrick – I live right here at 70 South Rock Ridge.

Cooke – He's 3.

Petty – Sounds like we have an opening as a Ward 3 Alderman.

Stewart – There you go. You interested in being an Alderman?

Klineline – Get your feet wet.

Kirkpatrick – That's another thing. As an Alderman, I don't understand, like I said, the process. It seems like Aldermen have more power than the Mayor. The Mayor's nothing more...

Stewart – The Mayor just runs the meetings, the Aldermen make the decisions.

Petty – The Mayor just runs the meetings. They just get to sit here and....

Kirkpatrick – Someone needs to be a bigger face, you know. I demand a bigger audience I guess.

Petty – Any other public comment?

Kirkpatrick – To your answer, I would, or your question, I will fully consider that.

Regina Cooke – Hey Ward 3, why don't you talk to Ward 3?

Public Comment Closed

Davis – We have a motion.

Stewart – Yeah, you’ve got a motion on the floor.

Petty – Oh right, I’m sorry. We do have a motion on the floor by Hodges to nominate Roy Kirkpatrick as Interim Mayor for the remainder of the term. If there is no second, the motion dies.

Hodges – Works for me.

**Motion dies for lack of second.**

**DISCUSS AND/OR APPROVE LEASE AGREEMENT WITH FAIR GROVE FIRE DEPARTMENT**

**Discussion**

Petty – Last year was our first year leasing out an office at the Fair Grove Fire District building for our Emergency Management Director. Annually it is \$720 and hearing from Greg Porter, everything from his perspective has been positive. It does seem like the Fire Department is open to re-leasing that office.

Stewart – I think it’s worked out great for us. I’ve heard no complaints from either side so I don’t know why we wouldn’t want to renew it.

Hodges – We need that office over there, don’t we?

Stewart – Yeah. To fulfill our, uh, I just went blank.

Davis – Requirements?

Stewart – Yes, thank you!

Petty – Requirements for the grant.

Stewart – Yes, for the grant you have to have an office.

Hodges – Right. I’m for it.

Cooke – And that’s a very cheap cost.

Stewart – Yeah, it is.

**Public Comment Open**

**Public Comment Closed**

Motion by Cooke to renew lease agreement with Fair Grove Fire Department for Emergency Management office with an annual rent of \$720.00. Seconded by Hodges  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

**DISCUSS AND/OR APPROVE CONTRACTOR REQUIREMENTS**

**Discussion**

Petty – What is that?

Davis – Well, he’s not here so I don’t know for sure what it is that the Inspector’s requesting. I’d rather him be here to discuss it.

Petty – Okay. So we need a motion to table it?

Davis – Mmhm and I’ll make sure he’s at the next meeting.

Hodges – I’ll make a motion to table it then.

Davis – Thank you!

**Public Comment Open**

Hodges – I was wondering what that was for.

**Public Comment Closed**

Motion by Hodges to table Discussion on Contractor Requirements. Seconded by Stewart  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

**BILL NO. 26-01 AN ORDINANCE TO AMEND CHAPTER 405 (ZONING REGULATIONS) OF THE MUNICIPAL CODE OF THE CITY OF FAIR GROVE, MISSOURI FOR THE PURPOSE OF UPDATING THE HEIGHT REQUIREMENTS IN VARIOUS ZONING DISTRICTS WITHIN THE CITY. (Posted 1/5/2026)**

**Discussion**

Petty – These are bills that we had requested at the end of last year.

Davis – Yes. The height requirement is the first one and the second one is to correct an Ordinance.

Petty – The first one is a height requirement that Sara just mentioned that was passed by Planning and Zoning and accepted by this Board.

**Public Comment Open**

**Public Comment Closed**

Motion by Stewart to have the first reading of Bill No. 26-01 by title only. Seconded by Cooke  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

**MAYOR PRO TEM READ BILL NO. 26-01 BY TITLE ONLY**

Motion by Stewart to approve the first reading and have the second reading of Bill No. 26-01 by title only. Seconded by Cooke

Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

MAYOR PRO TEM READ BILL NO. 26-01 BY TITLE ONLY

**Motion by Stewart to approve the second reading of Bill No. 26-01 by title only and assign it Ordinance Number 293.**

Hodges – I got a question on this. What do you mean various zonings? Where are we talking about? We're going to allow it?

Davis – There are several....

Hodges – We're going to allow it to be there in this zoning area or not gonna be allowed?

Davis – I'm really not sure how to answer the question.

Stewart – Do you have a copy of the Bill itself?

Hodges – I got this.

Davis – The Ordinance was in the packet.

Stewart – No, no. The whole one.

Hodges – No.

Stewart – It's 4 pages.

Hodges – I mean, I might have it in there. I got a big mess of papers that I went through.

Stewart – It's 4 pages long and it specifies....

Hodges – Okay, okay. Give me a little highlight of it.

Stewart – What's your exact question again?

Hodges – Where is this gonna be? It says various places.

Davis – Various places within our code.

Petty – Where applicable.

Hodges – Right. Not where it's going to be. It says zoning districts. Like it was zoned in different areas and stuff.

Petty – So in the copy of the Bill that's in your packet, it references specifically Article 5, Zoning District Regulations, Section 405.260, A1 Agricultural District, Subsections D 1(a) and D 1(b),

Board of Alderman Minutes  
81 S. Orchard Blvd.  
January 13, 2026  
Page 23 of 34

also Section 2, Article 5, Zoning District Regulations, Section 405.270, R1 Single Family Residence District, Subsection D 1(a) and D 1(b). There are....

Stewart – R2, R3.

Petty – Nine.

Hodges – So is this residential buildings is what we're talking about then?

Stewart – C1, C2.

Petty – In all of the zoning districts, we are adding the language that sets a height requirement or no more than 3 stories, sorry, two stories above grade.

Hodges – This is what we passed before then?

Petty – Yes.

Hodges – Same thing?

Petty – Yes.

Hodges – So is this gonna keep coming up then?

Petty – No. We have to pass a Bill to actually update our Ordinances.

Hodges – Okay.

Petty – This is the last step in the process.

Hodges – K.

**Seconded by Cooke**

**Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE**

**BILL NO. 26-02 AN ORDINANCE TO AMEND SECTION 130.120 (CAPITAL IMPROVEMENTS SALES TAX) AND SECTION 130.140 (SALES TAX FOR TRANSPORTATION PURPOSES) OF THE MUNICIPAL CODE OF THE CITY OF FAIR GROVE, MISSOURI, TO REFLECT THE EFFECTIVE PERIODS OF SAID TAXES MOST RECENTLY APPROVED BY THE VOTERS. (Posted 1/5/2026)**

**Discussion**

Petty – The next bill

Davis – Corrects the sunset date.

Petty - Corrects the sunset date for the Capital Improvements sales tax and the sales tax for transportation purposes.

### Public Comment Open

### Public Comment Closed

---

Stewart – Before I start rolling through all of these motions, do you have any questions about this one? I'm being serious.

Hodges – Yeah. The taxes and everything, like I said, especially for the transportation, what are we using that for?

Stewart – It's for the streets.

Hodges – Well I looked at the Bill here and I said well, are we getting money to work on our roads.

Stewart – That part's not getting changed. The only part that's getting changed is the part that's crossed out so the effective period of 15 years and we are changing it to 'as approved by the voters of the City on or about June 5, 2012, shall be in effect for a period of fifteen (15) years beginning September 2013 and continuing until October 1, 2028, unless otherwise modified or renewed by subsequent voter approval.'

Hodges – So it's what the tax, I mean the people here in Fair Grove voted on? This million dollar deal, is that what you're talking about?

Petty – This is something that was voted on in 2012 that needed a language update as advised by our Treasurer.

Hodges – So where is the money going to go to then?

Davis – It's already coming into the city. It's just changing a date on when the tax ends.

Hodges – K. That's what I'm saying. Is it like a tax that rolls over like we been doing and stuff? It's just gonna continue just rolling over?

Stewart – It continues until October 1, 2028 unless otherwise modified or renewed by subsequent voter approval.

Hodges – K.

Ricky Icenhower – So are you saying that this tax sunsets in 2028?

Petty – Yes.

Stewart – Previously it just said 15 years. It didn't specify the time frame so now we're just taking out the 15 years and saying this is what that 15 years looks like.

Icenhower – That's what, a sales tax?

Davis – Yes, a transportation tax.

Icenhower – So that will have to go back to the voters?

Petty – Yep. This is not an extension or a

Davis – The Ordinance wasn't changed when they did the last vote so that's all we're doing is updating the date.

Icenhower – There's never enough money in there.

Stewart – There's never enough money in my account either.

Hodges – There is in mine. I watch my money.

Motion by Cooke to have the first reading of Bill No. 26-02 by title only. Seconded by Stewart  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

MAYOR PRO TEM READ BILL NO. 26-02 BY TITLE ONLY

Motion by Cooke to approve the first reading and have the second reading of Bill No. 26-02 by  
title only. Seconded by Stewart  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

MAYOR PRO TEM READ BILL NO. 26-02 BY TITLE ONLY

Motion by Cooke to approve the second reading of Bill No. 26-02 by title only and assign it  
Ordinance Number 294. Seconded by Stewart  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

**DISCUSS AND/OR APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO  
ENGINEERING SERVICES OF PHASE 3 SIDEWALK**

**Discussion**

Petty – Morgan has sent us an updated cost agreement for OWN Engineering for the work that  
they are putting into designing and engineering the Phase 3 sidewalk.

Hodges – This is up Main Street?

Petty – This is the one, Phase 3 is from Saddle Club to...

Davis – Delania

Petty – Delania.

Hodges – Okay, so up the southside of Main Street then.

Dennis Roe – Kelly...

Petty – Yes?

Roe – It also goes north of the school to the subdivisions. There's quite a few of those kids walking to school.

Cooke – Willow Street, isn't it?

Roe – Yes.

Petty – Does it, it goes to the corner and connects?

Roe – Yes.

Stewart – Yeah, Willow already has a sidewalk there, right?

Roe – On the school side it does.

Petty – The Supplemental Agreement is not to exceed \$44,548.95.

Hodges – I thought it was two separate deals. I thought what was on Main Street was one deal, you got a bond for like \$26,000 or \$27,000. Is that right? A grant.

Petty – We have the Phase 2 sidewalks, which extend the sidewalk from Maple down to Saddle Club. That's Phase 2. Phase 3 is taking it from Saddle Club to Meadow Woods and from Willow to the school.

Hodges – Okay. So what part are you trying to do now?

Petty – This is for the engineering Supplemental Agreement for Phase 3.

Hodges – So you're saying the school part then?

Petty – And south of Saddle Club to Meadow Woods.

Hodges – This is not approving to do it then and stuff yet?

Davis – It's already been approved to do it.

Petty – It has already been approved. This is to agree to pay the engineering company that's drawn up the plans and works through MoDot and gets everything prepared and contracted, the bid, they do all of the work behind the scenes to make it happen.

Hodges – Where we getting the money to do this? Did you or did we not get a grant to do some of that sidewalk?

Petty – We do have a grant to cover...

Hodges – How much was it?

Petty - ...construction costs of the Phase 3 sidewalk.

Hodges – Was it \$26,000 or \$27,000, something like that?

Petty – Do you have those numbers handy?

Davis – I don't have those numbers handy. It's a certain percentage. Isn't that right, Dennis?

Roe – Yes. I don't have those numbers off the top of my head. It typically covers most of the cost. What we had to deal with on Phase 1 is just cost going up. When the numbers come in, you know it has to go out for bid, so when the numbers come in, the City has a decision to make, can they come up with the balance of the money to do the sidewalk. I don't think the grant money, they may have increased the grant money once but I don't think it's been increased more than that.

Petty – The grant money is a percent of the total cost so as the cost goes up, the grant goes up in proportion that the cost goes up.

Roe – Okay.

Hodges – Was we able to hold onto the grant money cause we didn't get it done by then?

Petty – Yes.

Hodges – They allowed it then?

Petty – Yes.

Hodges – K.

Petty – That's for Phase 2. They did extend the deadline based off of what the engineer was able to submit.

Hodges – My big question that keeps coming back cause people keep asking me this, where are we gonna get the money to do it and I said I don't know.

Petty – So we have the grant and we also...

Hodges – The grant money cannot touch that, well the grant money there. The \$26,000 or \$27,000 but it's gonna cost more than that.

Petty – So the grant money covers a percentage of the total cost, the remainder comes out of the streets budget, which we have the money for, which was budgeted for and approved for several councils ago. And has been sitting there....

Hodges - \*inaudible\* coming out of the money that the voters just put in?

Petty – No. That is a completely separate bucket of money that is not for sidewalks.

Hodges – Okay. When will we know what it’s gonna cost total?

Petty – We have some, did he send us, he sent us initial cost package for the Phase 2. Back when this was originally approved by the council, he gave estimates for each of the Phases. As time goes on...

Roe – That was engineering estimates for each of the Phases when the grants were approved. This is going back a couple of years. This all started a few years ago.

Hodges – Do you remember what they charged for this out here? The sidewalk here?

Roe – The one that was finished?

Hodges – Right here. The one on 125 here.

Roe – Well to go from the service road....

Hodges – From 125 up to here.

Roe – Well that was two different payments.

Hodges – It was?

Roe – The grant went to the park service road, the gravel driveway.

Hodges – Uh-huh.

Roe – And then the City chose to use some additional funds that came in for the extension to bring it up to City Hall. That was about \$22,000 but Emery Sapp...

Hodges – So this little short section then?

Roe – Well the short section was about \$22,000 was not part of the grant. The City used other funds that had to be designated. Do you remember the name of those funds, Sara? We get about \$30,000.

Davis – The TAP Grant?

Roe – Well no, it was the different one.

Petty – It was the annual grant that we always get.

Davis – Oh yeah, the Greene County Municipal Partnership.

Roe – Yes. The Greene County Municipal Partnership funds paid for the \$22,000. Emery Sapp, they did the sidewalk along Old Mill Road and up Orchard to the gravel service road. That came in at about \$180,000.

Hodges – So you're figuring that probably over on Main Street, probably talking close to \$200,000 to do the sidewalks probably.

Roe – It shouldn't. It's significantly shorter.

Hodges – Not shorter than this.

Roe – Well that was \$22,000.

\*inaudible\*

Roe – But for Saddle Club to Delania, by the time it happens, you're probably in the \$30,000 to \$40,000 range just because of inflation.

Petty – But that will also depend on the bids that come in as well as making sure that the contractors are meeting MoDot standard for the prevailing wage and any material cost that will have increased by the time that we get to bid opening.

Hodges – Yeah, I understand that. Like I said, I just got concerned on what it's gonna cost us to do it. It's hard to vote on something if we ain't got an idea.

Petty – We've already approved it.

Hodges – You haven't approved it to be done. We ain't got the money.

Stewart – Well, what have we approved then?

Hodges – Like I said, it's not approved on it if we hadn't got the money yet.

Petty – We've budgeted for it.

Hodges – Well you'll have to show me where the money's coming from then.

Petty – We've approved to move forward in designing a plan and working with MoDot to get approvals. They've already started designing Phase 3 sidewalks. We haven't just started the process with it. We're already into getting a, which I think is next, a archaeological survey for the site so we are already a couple of years into the work that it takes to actually get a sidewalk installed. Once they finish the designs, that then goes to MoDot for a cost estimate, then we go out for bid. Then the Board picks a bidder and awards the contract for the construction to them. We've already expensed money on Phase 3 in this process.

Stewart – And we've already budgeted for this.

Petty – And we've budgeted for it. As the cost grows, our grant money grows because it's a percentage of the total. What that final number comes to, we don't have that and we won't have that until the bids come in from the contractor. All of the groundworks has already been laid and approved, we're just working through the next steps to finish out the project.

Hodges – Like I said, I know we been working on this or you been working on this thing and then trying to get easements from everybody up and down through there and you haven't had that until lately, have you?

Petty – They redesigned it.

Hodges – Like I said, and I know, it seemed like we put the cart before the horse before we got everything approved where people would give the ground and stuff.

Petty – The process followed exactly as MoDot requires.

Hodges – Right. But you was wanting to put it on the other side of the street.

Petty – It's going on the original side of the street.

Hodges – It was on the west side and now it's not.

Petty – It is on the west side.

Hodges – Well that ain't the way I was understanding we was getting it on the other side, on the east side of the street.

Petty – It is on the west side. But back to discussing the Supplemental Agreement for the engineering services of Phase 3, is there any other discussion?

**Public Comment Open**

**Public Comment Closed**

Motion by Stewart to approve Supplemental Agreement No. 1 to Engineering Services of Phase 3 sidewalk TAP grant no to exceed \$44,548.95. Seconded by Cooke  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

## **DISCUSS AND/OR APPROVE BID FOR ARCHAEOLOGICAL DIG FOR PHASE 3 SIDEWALK**

### **Discussion**

Petty – Next in the process is MoDot is requiring us to do an archaeological survey of the area between Saddle Club and Delania. They have deemed it an untouched site and so they want to make sure that there are no archaeological artifacts in the area that we would disturb during construction. We received two bids. One of those from Missouri State University for \$6,135.95 and the second from Mustard Cultural and Environmental Services for \$10,750. So, Morgan, our

engineer, was gracious enough to continue, it took Missouri State quite a while to answer, he's been working on this for several months, but he felt like he could get a better bid from Missouri State and he did by nearly \$4,000.

Cooke – I'm not familiar with this archaeological deal. Is this pretty standard? Is this something we've done with the previous phases of the sidewalk?

Petty – No. The previous phases were not untouched land. So there's homes built on each of those properties. The property between Saddle Club and Delania is open farmland that has not been developed. So they, Missouri, has deemed it a potential archaeological site and they want to verify that prior to approving us actually constructing the sidewalk. This is a requirement to move forward.

Hodges – Years ago, there used to be a tomato plant factor on that ground. I don't know where they're coming up with this other stuff because there was a factory there.

Petty – According to all of the records that Missouri has on that property, they have deemed it an untouched site.

Hodges – We're not going on the property, are we? The sidewalk's not going on the property.

Petty – It will still be in our easement but we still can't construct it without doing this archaeological study. MoDot will not approve it.

Davis – It's a requirement.

Cooke – Because there's no home on the property.

Hodges – There's sewer lines going through that property. There's gotta be probably water lines. Ricky, didn't you buy that property there a long time ago or something or was looking at it?

Ricky Icenhower – Yeah.

Hodges – Ain't there sewer going through there that southwest corner and stuff?

Icenhower – On the back side of it, yeah.

Hodges – I'm sure there's water lines. The sewer line goes down the streets. I don't understand this why they're having to do it.

Ricky Icenhower – I don't understand it either but that's just part of the game they play.

Hodges – Oh, I know. You just said it, game.

Stewart – Well my two cents are they said we have to do it, then we've got to do it.

Icenhower – I looked at putting some water lines across the farm over there and any time you're dealing with government funds, they come through and give you stipulations and you either have to do it or they just walk away and even though a lot of it don't make sense, that's part of the package.

**Public Comment Open**

Jeffrey McConnell – You can contest it but you would have to provide documentation that it has been touched. That's it. If there is some documentation that utilities went through there....

Hodges – They are there, you can see it.

McConnell – You need documentation.

Ricky Icenhower – The utilities are not on the Main Street side. They're on the back side .....

Hodges – It's on the west side.

McConnell – If you don't have any documentation...

Hodges – The manhole covers there. \*inaudible\*

Leon Burrell – There's actually a 6-inch water line that goes right up through there where you're talking about putting your sidewalks so it's not virgin ground.

Petty – We can let Morgan know and see what he recommends. He can take it back to MoDot.

Burrell – Cause actually, I got you upside down, this is Waterfield, there's Saddle Club, there is a 6-inch water line all the way up through there.

Davis – Does the Water District have documentation that we can get a copy of?

Burrell – Probably.

Cooke – Then therefore it is not untouched ground.

Hodges – That's what I'm saying.

Petty – So, what we'll do, thank you...

\*inaudible\*

Petty – So the Water District...

Davis – We can take that back to Morgan.

Petty – We will. We'll get the plans or the drawing of where that's at on that property, we can take it to Morgan, our engineer, and then he can submit that as proof of not being untouched. So

thank you for bringing that forward. Maybe we can avoid the \$6,000 bill for an archaeological dig.

Roe – This is just an important reminder to everyone in the City, the water is not under the City. The water is a Public Water District...

Burrell – It's a Co-op.

Roe – Yeah.

Burrell – All you people that buy the water own it.

Roe – So the City would have no records of this other than whatever is shared by the Water Department and that's what Leon just did so we appreciate that. Thank you.

Petty – I'm glad you were here tonight.

Cooke – We're always glad Leon's here.

Stewart – So we need to table this.

Burrell – There actually is a phone line up through there too.

Hodges – Sure.

Kennie Hokanson – Yeah, fiber optic up through there.

Hodges – I knew. Nobody trusted me.

Petty – Thank you, Leon. We'll submit that and we'll bring it back once we hear back from Morgan. Can you send that to Sara please? Leon?

Burrell – Yes.

Petty – Can you send that to Sara please?

Burrell – It'll be a hard rolled up copy. You'll have to just take a picture or something.

Davis – Okay, that'd be great. I can do that.

#### **Public Comment Closed**

Motion by Stewart to table bid on Archaeological Dig until we can get further information about water line. Seconded by Cooke  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE


#### **Mayor Report**

Board of Alderman Minutes  
81 S. Orchard Blvd.  
January 13, 2026  
Page 34 of 34

**Adjournment**

Motion by Stewart to Adjourn at 7:59 p.m. Seconded by Hodges  
Stewart AYE, Cooke AYE, Hodges AYE, Petty AYE

Adjourned at 7:59 p.m.

  
\_\_\_\_\_  
Sara Davis, City Clerk