

MINUTES

CITY COUNCIL MEETING
Portageville City Hall
January 9, 2023

CALL TO ORDER

A meeting of the City of Portageville Board of Aldermen was held on Monday, January 9, 2023, at City Hall, 301 E Main St. Mayor Berry called the meeting to order at 6:00 p.m.

ROLL CALL

Council Members Present

Alderman Johnson
Alderman Adams
Alderman Estes
Alderman Walker

Council Members Absent

Following roll call, the City Clerk reported that a quorum was present.

Also present were:

Rachel Wrather, City Clerk
Marco Parr
Chris Sharp
Susan Warren
Angela Lunbeck
Blake Bain
Bridgett Barnett
Jeremy Green
George DeLisle
Ruby Sikes
Chris Hollingshead
Edna Robinson
Carol Bowden

Terry McVey, City Attorney
Lynn Doering
Al DeLisle
Scott Patterson
Gail Lunbeck
Mary Kate Berry
Ronnie Adams
Jonathan Thacker
Denis McCrate
Cameron Hollingshead
Terry Wheeler
Roosevelt Mosby
Chris Stinnett

APPROVAL OF
AGENDA

Moved by Alderman Walker, seconded by Alderman Adams and unanimously carried, to approve the agenda as submitted.

APPROVAL OF MINUTES
Public Hearing BC – 12/8/22
Reg. Meeting- 12/8/22
Mid-Month Mtg.- 12/19/22

Mayor Berry asked members of the Council if they had read a copy of the Minutes made available to them three days prior to the meeting. All answered in the affirmative.
Mayor Berry asked if there were any additions or deletions to the minutes. There were none.
Moved by Alderman Walker, seconded by Alderman Estes and unanimously carried, to approve the submitted minutes for the month of December.

ORDINANCES OR
RESOLUTIONS

Ordinance #1334- Marijuana Sales Tax

Mayor Berry introduced Bill No. 1334:

AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF PORTAGEVILLE, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION

Mayor Berry entertained a motion for the First Reading of Bill No. 1334. A motion was made by Alderman Johnson and seconded by Alderman Adams. All members voted in favor.
Mayor Berry entertained a motion for the Second Reading of Bill No. 1334. A motion was made by Alderman Johnson and seconded by Alderman Walker. A roll call vote was taken.
Voting was as follows: Alderman Johnson, yea; Alderman Adams, yea; Alderman Estes, yea; Alderman Walker, yea. Motion passes.

After hearing Bill No. 1334, read two times, passed, and approved, Mayor Berry declared Bill No. 1334 to be declared Ordinance No. 1334 this 9th day of January 2023.

PUBLIC FORUM

Mayor Berry asked if there were any visitors present who would like to address the Board of Alderman.
Edna Robinson was on the agenda to speak but stated she had changed her mind.
Ruby Sikes addressed the Board of Aldermen regarding excess trash at properties in her neighborhood. Discussion followed. Mayor Berry, Alderman Walker and Jonathan Thacker Code Enforcement will investigate the issue and send notices where needed.

DEPARTMENTAL REPORTS

RONNIE ADAMS- CHIEF OF POLICE
Turned in a written report for the month of December.
Adams reported that there had been several drug busts within the last two weeks, and the issue is only getting worse.

Mayor Berry stated he had spoken with Don Brown Chevrolet and that they would hold the Tahoes as long as possible as we wait for USDA to hear back from state on funding confirmation.

GEORGE DELISLE- FIRE CHIEF

Turned in a written report for the month of December.
DeLisle stated Bay 1 and Bay 4 needed some repair at the Fire Shed. He was instructed to get a repair quote.
DeLisle also stated he would like to purchase three sets of turn out gear. He was informed to bring the request to budgeting for the next fiscal year.

PARK BOARD

No report was turned in.
Alderman Estes asked if Jennifer Cook could be in charge of the Red Building given the fact that she is not a member of the Park Board. Discussion followed. Mayor Berry stated that he would speak with Mike Cook, Park Board President, and ask for the official vote of the Park Board to allow Jennifer cook to manage the Red Building.

JONATHAN THACKER- STREET & SOLID WASTE SUPERINTENDENT

Turned in a written report for the month of December.
Thacker informed the Board of Alderman that Alderman Walker and himself had been in contact with MoDot about obtaining a permit to allow the city to clean out the ditches along State Hwy F.
Mayor Berry stated he would like to see the Street Department prefill 100-200 sandbags for citizen pickup if needed. Discussion followed.
Alderman Estes volunteered to contact the Portageville School District to see if there was a civic/ community service project that could work on this.

JONATHAN THACKER- CODE ENFORCEMENT

Turned in a written report for the month of December.

JIMMY WYMAN- WATER SUPERINTENDENT

Turned in a written report for the month of December.

TERRY WHEELER- SEWER SUPERINTENDENT

Turned in a written report for the month of December.
Mayor Berry stated that he had contacted Wheeler about ordering four manhole plugs for Margaret Street at an approximate cost of \$100 each.

SCOTT PATTERSON - PRETREATMENT

Turned in a written report for the month of December.

Patterson stated that the permit for SRG had been finalized and that a meeting with SRG to review it had been scheduled for Tuesday, January 10, 2022 at 10:00 a.m. Mayor Berry stated that he would attend.

ROOSEVELT MOSBY- ANIMAL CONTROL OFFICER

Turned in a written report for the month of December.

Mosby was informed that Allen Harper's dog continues to run lose. The Department of Ag came for an inspection and there are a few rusted panels that need to be replaced. Mosby presented a quote from Tractor Supply in the amount of \$1331.72 for the replacement panels. Alderman Adams made a motion to purchase the panels from Tractor Supply. Alderman Walker seconded. All members voted in favor.

PLANNING AND ZONING

No report was turned in.

MCCRATE AVENUE DRAINAGE PROJECT

Denis McCrate reported that Hessling Construction had made it in between West 6th and West 8th Street at an approximate depth of 10 feet.

Hessling Construction submitted pay request #2 in the amount of \$67,608.14. Alderman Walker made a motion to approve Pay Request #2 from Hessling Construction in the amount \$67,608.14. Alderman Johnson seconded. All members voted in favor.

OLD BUSINESS

MUNICIPAL COURT CLERK * FORMAL VOTE

Mayor Berry stated that an email vote had been taken on the appointment of Kiley Raney to the Municipal Court Clerk position, but a formal vote was needed. Alderman Walker made a motion to appoint Kiley Raney to the position. Alderman Adams seconded. All members voted in favor.

IMPEACHMENT PROCEDURE

Mayor Berry informed the Board of Aldermen that Terry McVey, City Attorney, needed more direction for the proposed ordinance regarding impeachment procedures. Discussion followed. Terry McVey will have something drafted for the February meeting.

MARIJUANA PERSONNEL AMENDMENT

Mayor Berry stated that this was carried over from a previous meeting. Terry McVey explained that you cannot discriminate against someone with a medical marijuana card, but the statute does not apply to certain positions such as police, fire, heavy equipment operators, etc. Discussion followed. Alderman Walker made a motion

to modify our current policy to state it is a zero-tolerance drug policy. Alderman Adams seconded. All members voted in favor.

SOCIAL MEDIA POLICY

Mayor Berry stated that Terry McVey needed additional guidance in how to approach the social media policy. McVey stated that the policy only applies to employees and elected officials are not held to the policy. It was also stated that the Portageville Fire Department and Portageville Police Department already have their own in their standard operating procedures. Discussion followed. Terry McVey will send a copy of Kennett's policy for the Board of Alderman to remove before the February meeting.

FIRE DEPARTMENT SPLIT UNIT

Mayor Berry said the issue of the split unit for the fire department was carried over from the last meeting. After confirming the building currently has heat, Mayor Berry asked for a motion to reject all bids previously received and revisit the issue in the spring. Motion was made by Alderman Adams. Alderman Johnson seconded. All members voted in favor.

EMPLOYEE HEALTH INSURANCE

Mayor Berry invited Blake Bain with Anderson and Green to present her proposal for health insurance. Discussion followed. Bain will provide a list of providers that are in network for the Saint Francis Network.

George DeLisle, Fire Chief, asked if members of the Fire Department could be offered the insurance at their own expense. Mayor Berry stated he would check with Mark Gibbins about the possibility and their employment classification.

DNR- BRUNER'S CLEAN UP / BROWNSFIELD

Mayor Berry informed the Board of Aldermen he had spoken with DNR regarding the clean-up of Bruner's Service Station. Discussion followed. There is currently no cost estimate for the clean-up; however, the grant will not fully fund it. At this time the Board agreed not to pursue the clean-up any further and remove the item from the agenda.

NEW BUSINESS

APPOINTMENT OF COMMITTEES / MAYOR PRO-TEM

Mayor Berry presented his nomination of committees and Mayor Pro-Tem listed below:

DEPARTMENT	CHAIRMAN	CO-CHAIRMAN
FINANCE	Alderman Adams	Alderman Johnson
WASTEWATER	Alderman Estes	Alderman Johnson
WATER	Alderman Walker	Alderman Adams

HEALTH	Alderman Walker	Alderman Johnson
STREET	Alderman Walker	Alderman Estes
SOLID WASTE	Alderman Johnson	Alderman Walker
POLICE	Alderman Estes	Alderman Walker
FIRE	Alderman Johnson	Alderman Walker
RED BUILDING	Alderman Estes	Alderman Adams
PARK	Alderman Adams	Alderman Walker
ECONOMIC DEVELOPMENT	Alderman Adams	Alderman Estes
PLANNING & ZONING	Alderman Johnson	Alderman Adams
MAYOR PRO-TEM	Alderman Estes	
CITY ATTORNEY	Terry McVey	

Alderman Johnson stated that she would like to just see the current appointments changed so that Alderman Walker would replace the appointments of Alderman Hollingshead. She also stated she would like to see Alderman Walker remain Mayor Pro-Tem upon his return to his alderman seat. Discussion followed. Mayor Berry tabled the appointment of committees until February meeting but agreed Alderman Walker would replace Alderman Hollingshead until a new appointment of committees was voted on.

Alderman Adams made a motion to appoint Alderman Walker as Mayor Pro-Tem. Alderman Johnson seconded. All members voted in favor.

AUTHORIZATION OF BANK SIGNERS

Mayor Berry informed the Board of Alderman that with the removal of Alderman Estes as Mayor Pro-Tem and his return as Mayor, the bank signers needed to be updated. Alderman Johnson made a motion to remove Shirley Estes and appoint Vince Berry as a signer on City bank accounts. Alderman Walker seconded. All members voted in favor.

STATE MINIMUM WAGE INCREASE

Mayor Berry stated that minimum wage for the State of Missouri had increased to \$12.00 per hour effective January 1, 2023. Currently minimum wage for the City of Portageville is \$10.30 per hour. Discussion followed. The issue was tabled until budgeting session for FY2024 which begins in February.

BUSINESS LICENSE REVIEW

Mayor Berry explained that a list of all current business license categories and fees had been placed in packets to look at updating categories and fees. Discussion followed. The issue was tabled until February 2023.

DNR- ENERGY AUDIT REIMBURSEMENT PROGRAM

Mayor Berry stated that the City had received a notice from Department of Natural Resources regarding their Energy Audit Reimbursement Program. Discussion followed. Mayor Berry stated he will contact them and present further information at the February 2023 meeting.

ROOF REPAIR - CITY HALL

Mayor Berry informed everyone of a roof leak at City Hall. A claim had been submitted due to potential wind damage. Discussion followed. The situation will be updated as the need arises.

30 YD DUMPSTER AT STREET SHED

Mayor Berry stated that the contract with Rett Express/ Pemiscot Disposal for the 30-yard dumpster at the street shed was up for renewal. Discussion followed. Alderman Walker made a motion to not renew the contract and have the dumpster removed from the Street Shed. Alderman Adams second. Voting was as follows: Alderman Adams, yea; Alderman Johnson, yea; Alderman Estes, nay; Alderman Walker, yea. Motion passes 3-1.

LARRY DOOLEY PAY INCREASE CDL

Mayor Berry informed the Board of Aldermen that Larry Dooley had recently obtained his CDL license and would like \$1.00 per hour raise. Alderman Walker made a motion to increase Larry Dooley's pay by \$1.00 per hour. Alderman Johnson seconded. All members voted in favor.

RED BUILDING FUNDS

Mayor Berry explained that due to the Park Board regaining control of the Red Building and its rentals, there was no longer a need for the Red Building Fund. Discussion followed. Mayor Berry asked for a motion to dissolve the Red Building account at First State Bank and Trust and transfer the remaining funds in the amount of \$2227.71 to the General Fund. Motion was made by Alderman Estes and seconded by Alderman Johnson. All members voted in favor.

CHRIS STINNETT, MUNICIPAL COURT JUDGE

Stinnett turned in a written report for the month of December as follows:

APPROVAL OF
FINANCIAL REPORTS
Municipal Court

City Collector
City Treasurer

Fines Collected/ Clerk Fees	\$1775.66
Inmate Security	\$22.00
Crime Victim Compensation	\$4.41
LET Fund	\$22.00
TOTAL	\$1824.07

MICHELE CRAWFORD, CITY COLLECTOR
RACHEL WRATHER, CITY TREASURER

Crawford and Wrather turned in a written report for the month of December as follows:

Turned over to City Treasurer:	\$242,290.51
Received from City Collector:	
Park Fund	\$18,510.37
General Fund	\$83,014.65
Health Fund	\$22,212.45
Street Fund	\$45.00
Solid Waste Fund	\$28,146.43
Water & Sewer Fund	\$90,041.61
Meter Deposits	\$320.00
TOTAL	\$242,290.51
Received from City Clerk:	
General Fund	\$22,362.28
Street Fund	\$14,858.29
Sales Tax	\$71,988.29
Water & Sewer Fund	\$775.00
Shop With A Cop	\$1862.50
TOTAL	\$111,846.36
Interest on Deposits	\$19.19
TOTAL DEPOSITS	\$355,980.13
<i>(Court, Collector, Clerk, & Interest)</i>	

Mayor Berry entertained a motion to approve Municipal Court Judge, City Collector and City Treasurer reports for the month of December. Motion was made by Alderman Walker and seconded by Alderman Estes. All members voted in favor.

APPROVAL OF BILLS

A list of outstanding bills was given to the Board of Aldermen for the month of December. After checking the bills, Mayor Berry asked for a motion. Motion was made by Alderman Walker and seconded by Alderman Estes. All members voted in favor.

MAYOR AND COUNCIL COMMENTS

Mayor Berry asked if there were any comments from any members of the Board of Aldermen. There were none.

EXECUTIVE SESSION

Moved by Alderman Walker, seconded by Alderman Johnson to adjourn to Executive Session in accordance with Section 610-021.1 RSMo to discuss personnel and litigation.

The vote thereon was as follows:

Alderman Johnson	"Aye"
Alderman Adams	"Aye"
Alderman Walker	"Aye"
Alderman Estes	"Aye"

Motion was made by Alderman Johnson and seconded by Alderman Estes to adjourn back to regular session at 7:14 p.m.

Roll call was as follows:

Alderman Johnson	"Aye"
Alderman Adams	"Aye"
Alderman Walker	"Aye"
Alderman Estes	"Aye"

OPEN SESSION/
DATE OF NEXT MEETING

The next regularly schedule Monthly Meeting will be held on Monday, February 6, 2022, at 6:00 p.m. at City Hall, 301 E Main, Portageville.

ADJOURNMENT

There being no further business, moved by Alderman Johnson, seconded by Alderman Walker and unanimously carried, to adjourn at 7:15 p.m.

Rachel Wrather
City Clerk

Vince Berry
Mayor

