

MINUTES

CITY COUNCIL MEETING

Portageville City Hall

December 13, 2021

CALL TO ORDER

A meeting of the City of Portageville Board of Aldermen was held on Monday, December 13, 2021, at City Hall, 301 E Main St. This meeting was rescheduled from December 6, 2021, due to not having a quorum. Mayor Vince Berry called the meeting to order at 6:00 p.m.

ROLL CALL

Council Members Present

Alderman McCrate
Alderman Adams
Alderman Johnston
Alderman Walker

Council Members Absent

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

Also present were:

Rachel Wrather, City Clerk
Jimmy Wyman
Ronnie Adams
Joey Walters
Robert Loughary
Wally Kellams
Terry Wheeler
Gary Faulk
Megan Travis

Terry McVey, City Attorney
Jonathan Thacker
Susan Warren
Roosevelt Mosby
Carol Bowden
Corey Sisk
Chris Cooley
Jay Bumpus
Al DeLisle

APPROVAL OF
AGENDA

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

APPROVAL OF MINUTES
Building Com. – 11/1/2021
Reg. Mtg.- 11/1/2021

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 McCrate and unanimously carried, to approve the submitted minutes for the month of November.

DEPARTMENTAL REPORTS

RONNIE ADAMS - CHIEF OF POLICE

Turned in a written report for the month of November.

Adams updated that our K-9 will graduate from training on Christmas Eve. Mayor Berry stated that he would look into adding a radio to the K-9 unit through the remaining funds of our equipment grant.

GEORGE DELISLE- FIRE CHIEF

Turned in a written report for the month of November.

Al DeLisle stated that E-1 was leaking water and the SBA compressor fill up was not working. Discussion followed. Alderman Walker stated he would investigate getting this repaired. DeLisle also stated that he would like to get the fire school contract that was previously discussed completed soon. Terry McVey will get that together.

PARK BOARD

Turned in a written report for the month of November.

Mayor Berry stated that he would contact Todd Higgs again concerning the tree in the park.

JOEY WALTERS- STREET & SOLID WASTE SUPERINTENDENT

Turned in a written report for the month of November.

Mayor Berry updated that the crash report involving our 2018 Mack trash truck placed 100% fault on the trucking company. He stated we are currently dealing with insurance on the matter.

JIMMY WYMAN- WATER SUPERINTENDENT

Turned in a written report for the month of November.

Wyman stated that 10 test meters had been installed in conjunction with the Auto Read Meter Project. Training was being held on importing files into our billing system this week. The City should receive a pallet of meters every two weeks for the next six weeks.

Mayor Berry stated that Horner Shiffrin should have the Preliminary Engineering Report on the new water plant by the end of the month.

TERRY WHEELER- SEWER SUPERINTENDENT

Turned in a written report for the month of November.

Wheeler stated that regarding the FEMA project, they are waiting on Ameren to set a new pole and the generator to ship. Alderman McCrate asked about the 480 disc. Discussion followed. Mayor Berry asked for a motion to advertise the 480 disc for sale. Motion was made by Alderman McCrate. Alderman Johnston seconded. All members voted in favor.

Wheeler will get images to Rachel Wrather, City Clerk, to list the item for sale through Facebook.

SCOTT PATTERSON- PRE-TREATMENT COORDINATOR
No report was submitted.

ROOSEVELT MOSBY- ANIMAL CONTROL OFFICER
Turned in a written report for the month of November.

JONATHAN THACKER- CODE ENFORCEMENT
Turned in a written report for the month of November.
Alderman McCrate asked Thacker about the shed that is half setting on city property at McCrate park. Discussion followed. Alderman McCrate stated he would reach out to Allen Harper to see about tearing it down.

PLANNING AND ZONING COMMITTEE
No report was submitted for the month of November.

ORDINANCES OR
RESOLUTIONS

Mayor Berry introduced Bill No. 1315:

AN ORDINANCE REZONING CERTAIN PARCELS FROM R-1, RESIDENTIAL, TO I-1, INDUSTRIAL, THE SOUTH PART OF LOT 6 OF SW ¼ SE ¼, SECTION 25, TOWNSHIP 21 NORTH, RANGE 12 EAST, IN THE CITY OF PORTAGEVILLE, NEW MADRID COUNTY.

Mayor Berry entertained a motion for the First Reading of Bill No. 1315. A motion was made by Alderman Walker and seconded by Alderman Johnston. All members voted in favor.

Mayor Berry entertained a motion for the Second Reading of Bill No. 1315. A motion was made by Alderman Johnston and seconded by Alderman Walker. A roll call vote was taken.

Voting was as follows: Alderman McCrate, yea; Alderman Adams, yea; Alderman Walker, yea; Alderman Johnston, yea.

After hearing Bill No. 1315 read two times, passed, and approved, Mayor declared Bill No. 1315 to become Ordinance No. 1315 this 13th day of December 2021.

OLD BUSINESS

UTILITY RATE INCREASE

Mayor Berry tabled this issue until the new auto read meters and installed and data can be collected.

REJIS SYSTEMS

Mayor Berry tabled the issue until January 3, 2022 due to lack of information. The current quote also needs to be extended.

EARTHQUAKE INSURANCE

Mayor Berry stated that he had combed through the current covered assets and cut the coverage down by approximately one-third in hopes of lowering

the premium. After this was completed, the premium quote still came back at \$28,507.50. Discussion followed. Alderman Adams made a motion to not renew earthquake insurance at this time. Alderman Johnston seconded. All members voted in favor.

PROPERTY VARIANCE – ROBERT LOUGHARY

Mayor Berry stated that Robert Loughary had obtained all signatures required for the variance at 507 West Main to allow a business license to be issued for a car lot at the residence. Discussion followed. Alderman Walker made a motion to approve the variance. Alderman Adams seconded. All members voted in favor.

EMPLOYEE HAMS – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to approve employee hams for all employees from Food Rite in Portageville, but a formal vote needed to be taken. Discussion followed. Motion was made by Alderman Adams to approve the distribution of hams to employees from Food Rite. Alderman Walker seconded. All members voted in favor.

REVISED POLICY ON EMPLOYEE REVIEW PROCESS

Mayor Berry presented a draft of policy revision to the Employee Review Process. Discussion followed. Alderman Adams made a motion to keep the current policy in the Employee Handbook as is with the exception of changing the date the reviews are due from May 1st to December 31st of each year, and not approving the draft presented by Mayor Berry. Alderman Walker seconded. All members voted in favor.

REVISED POLICY ON EMPLOYEE TERMINATION OF EMPLOYMENT

Mayor Berry presented a draft policy revision regarding the Termination of Employment. Discussion followed. Alderman Johnston made a motion to not approve the drafted policy revision. Alderman McCrate seconded. All members voted in favor.

REVISED POLICY ON EMPLOYEE DISCIPLINARY COUNSELLING STATEMENTS

Mayor Berry presented a draft policy revision regarding Disciplinary Counselling Statements. Discussion followed. After much discussion, Alderman Adams asked to mark up the draft policy and table the issue until the January 3, 2022 meeting.

REVISED POLICY ON EMPLOYEE HIRING PRACTICES

Mayor Berry presented a draft policy revision regarding the Hiring Practices of the City of Portageville. Discussion followed. Alderman Adams asked to mark up the draft policy and table the issue until the January 3, 2022 meeting.

CITY HALL FLOORING PROPOSAL

Mayor Berry stated that Alderman McCrate had obtained a quote from Ultimate Flooring for redoing the floor at City Hall. Discussion followed. Rachel Wrather, City Clerk, will look into getting other quotes in before the January 3, 2022 meeting.

RED BUILDING CONTRACT REVIEW

Mayor Berry presented a Management Agreement between the Portageville Jaycees and the City of Portageville for review. Discussion followed. Mayor Berry asked for a motion to approve the agreement. Motion was made by Alderman Johnston. Alderman Adams seconded. All members voted in favor. Rachel Wrather, City Clerk, will meet with Jennifer McMillen, President of the Portageville Jaycees, before the new year to finalize the transfer.

NEW BUSINESS

KEVIN GUTHRIE CERTIFICATION RAISE – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to approve the certification raise of \$1.00 per hour for Kevin Guthrie after he obtained his D license for sewer operator, but a formal vote need to be taken. Mayor Berry asked for a motion to approve the above text vote. Motion was made by Alderman Walker. Alderman McCrate seconded. All members voted in favor.

JAMES ELLIOT BACKUP SEWER OPERATOR – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to approve the entering into a contract with James Elliot who holds an A operator license with Missouri Department of Natural Resources for sewer operations to be the backup operator for the City of Portageville sewer department. Elliot would be paid \$500 annually and \$35 per hour if needed at the plant. A formal vote needed to be taken. Mayor Berry asked for a motion to approve the above text vote. Motion was made by Alderman Johnston. Alderman Adams seconded. All members voted in favor.

CANINE OFFICER – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to establish the role of a canine officer in the Portageville after the Police Department acquired enough donations to have him, but a formal vote need to be taken. Mayor Berry asked for a motion to approve the above text vote. Motion was made by Alderman Johnston. Alderman Adams seconded. Voting was as follows: Alderman McCrate, nay; Alderman Adams, yea; Alderman Walker, yea; Alderman Johnston, yea. Motion passes.

JEREMY GREEN CANINE TRAINING – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to approve sending Sergeant Jeremy Green to train in St. Louis with the canine, but a formal vote need to be taken. Mayor Berry asked for a motion to approve the

above text vote. Motion was made by Alderman Walker. Alderman Adams seconded. Voting was as follows: Alderman McCrate, nay; Alderman Adams, yea; Alderman Walker, yea; Alderman Johnston, yea. Motion passes.

CONSUMPTION LICENSE APPLICATION

Mayor Berry informed the Board of Aldermen that Henry Banks with Salad Express located at 308 E Main Street in Portageville had applied for a Consumption License with the City. Mayor Berry asked for a motion to approve the application. Motion was made by Alderman Walker. Alderman Adams seconded. All members voted in favor.

PATTERSON TUTORING PENROD FOR B LICENSE TESTING

Mayor Berry stated that Scott Patterson offered to tutor Thomas Penrod for his B license testing at a rate of \$30. per hour for up to 40 hours making the max cost \$1200.00. Discussion followed. Alderman Adams made a motion to continue with the DNR courses as planned and not utilize Patterson for any additional tutoring. Alderman Johnston seconded. All members voted in favor.

SHOP WITH A COP 2021 PROPOSAL – FORMAL VOTE

Mayor Berry presented a proposal from School Resource Officer Corey Sisk for the 2021 Shop with a Cop program. A text vote was previously taken to authorize 26 children at \$225.00 per child to partake in the program with lunch provided. Mayor Berry asked for a motion so a formal vote could be taken. Motion was made by Alderman Johnston. Alderman Walker seconded. All members voted in favor.

FIIX WORK ORDER SOFTWARE RENEWAL

Mayor Berry stated that the FIIX workorder software was set to renew at an annual cost of \$756.00 on January 29, 2022. Discussion followed. Mayor Berry asked for a motion to approve the renewal of the software. Motion was made by Alderman Johnston. Alderman McCrate seconded. All members voted in favor.

VIRES AND YOUNG VACATION CASH OUT – FORMAL VOTE

Mayor Berry stated that a text vote had been taken regarding the cash out of vacation time exceeding 40 hours for Scottie Vires and Joseph Young due to the current situation with the Solid Waste department shortage. Discussion followed. Mayor Berry asked for a motion so a formal vote can be taken to approve the cash out of 104 hours for Joseph Young and 128 hours for Scottie Vires. Motion was made by Alderman Adams. Alderman Walker seconded. All members voted in favor.

BOOTHEEL SOLID WASTE MANAGEMENT FY2023 APPLICATIONS

Mayor Berry informed the Board of Alderman that the City had received notice from Bootheel Regional Planning Commission that Bootheel Solid

Waste Management District S was accepting FY 2023 Solid Waste Applications. Discussion followed. Alderman Walker made a motion to not apply for this program due to previous experience with the program. Alderman McCrate seconded. All members voted in favor.

FIRST BAPTIST CHURCH PARKING AREA

Mayor Berry welcomed Wally Kellams, representative of First Baptist Church Portageville, to discuss paving concerns that they are facing. Kellams presented a quote from Paving Pros that the church hired to pave their parking area on the 7th street side of the church. Discussion followed. Mayor Berry asked for a motion to pay \$4500.00 from Road Tax Fund to reimburse First Baptist Church in Portageville for the area of 7th Street that would have to be cut out and repaved. Motion was made by Alderman Walker. Alderman Adams seconded. All members voted in favor.

2022 MRWA MEMBERSHIP DUES

Mayor Berry stated that it was time to renew the annual membership dues with Missouri Rural Water Association. The amount of the renewal is \$766.18. Discussion followed. Motion was made by Alderman Adams to approve the renewal in the amount of \$766.18 and seconded by Alderman Johnston. All members voted in favor.

SPEED BUMP DONATION TO PORTAGEVILLE SCHOOL DISTRICT

Mayor Berry asked if the Board of Aldermen would like to donate the speed bumps that were taken up from Clover Lane to the Portageville School District. Discussion followed. Alderman Johnston made a motion to approve the donation. Alderman Walker seconded. All members voted in favor.

TRASH TRUCK LEASE AGREEMENT – FORMAL VOTE

Mayor Berry stated that a text vote had been taken to approve the lease agreement between Friendly Waste Management and the City of Portageville for the use of one trash truck and one driver for the month of December in the amount of \$1375 per week due to the recent incident involving the 2018 Mack trash truck. Mayor Berry asked for a motion so a formal vote could be taken. Motion was made by Alderman Johnston. Alderman McCrate seconded. All members voted in favor.

COLLECTOR POSITION APPOINTMENT APRIL ELECTION

Mayor Berry stated that he would like to put a ballot issue on the April 2022 ballot allowing the voters to make the City Collector an appointed position. Discussion followed. Mayor Berry asked for a motion to draft an ordinance putting the issue on the ballot in April 2022. Motion was made by Alderman Adams. Alderman Johnston seconded. All members voted in favor. Terry McVey, City Attorney, will prepare the ordinance for the January meeting.

REVISED EMERGENCY MANAGEMENT DIRECTOR ORDINANCE

Mayor Berry asked Corey Sisk, Emergency Management Director, if he would like to discuss the changes he would like to see to Portageville Municipal Code 225. Sisk stated that he would like to see additional information pertaining to an Incident Command Center added to the ordinance so a chain of command could be established. Discussion followed. Motion was made to draft the proposed changes by Alderman Johnston. Alderman Walker seconded. All members voted in favor. Terry McVey, City Attorney, will prepare the amended ordinance for the January meeting.

PUBLIC FORUM

Mayor Berry asked if there were any visitors present who would like to address the Board of Alderman.

Jay Bumpus was present to discuss an issue with rolling stops at the intersection of West 8th Street and MacArthur. Discussion followed. Rachel Wrather, City Clerk, will look in to obtaining quotes for solar lighted stop signs and present it to the board in January.

Bumpus also asked about a parking area for semi-trucks. Discussion followed. Alderman Walker will check with PJ Express to see if they are interested in providing that.

Susan Warren, council for Harry Toton, was present on behalf of Barabara Toton to discuss an invoice for the clean up on West 5th that Toton had received from the City. She would like to see the bill lowered. Discussion followed. The total bill is \$1306.91. Alderman Walker made a motion that the invoice be broke into monthly payments of \$186.57 with the payments being due by the first of each month beginning January 1, 2022. If each payment is made on time, then the last payment will be dropped. Alderman Adams seconded. All members voted in favor. Warren will instruct Barbara Toton on the Board's decision.

APPROVAL OF
FINANCIAL REPORTS
Municipal Court
City Collector
City Treasurer

CHRIS STINNETT, MUNICIPAL COURT JUDGE

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

Fines Collected	\$673.00
Inmate Security	\$8.00
Crime Victim Compensation	\$1.48
LET Fund	\$8.00
Clerk Fees	\$48.00
TOTAL	\$738.48

MICHELE CRAWFORD, CITY COLLECTOR

RACHEL WRATHER, CITY TREASURER

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

Turned over to City Treasurer:	\$188,544.86
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Received from City Collector:	
Park Fund	\$10,587.52
General Fund	\$48,295.94
Health Fund	\$12,740.03
Street Fund	\$405.00
Solid Waste Fund	\$34,105.61
Water & Sewer Fund	\$80,240.76
Red Building	\$650.00
Meter Deposits	\$1520.00
TOTAL	\$188,544.86
Received from City Clerk:	
General Fund	\$31,261.06
Sales Tax	\$47,766.08
Sewer Fund	\$303.16
Shop With A Cop Fund	\$4,187.00
TOTAL	\$83,517.30
Interest on Deposits	\$23.61
TOTAL DEPOSITS	\$272,085.77

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 McCrate and seconded by Alderman Walker. All members voted in favor.

APPROVAL OF BILLS

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

MAYOR AND COUNCIL COMMENTS

Mayor Berry asked if there were any comments from any members of the Board of Alderman.

Alderman McCrate stated that he would like to see the street signs updated using the fluorescent vinyl and posts.

Alderman Adams would like Terry McVey to check into the City being able to offer incentives to new citizens in order to draw them into our town.

Alderman Walker stated that he appreciated the other members of the Board of Aldermen and their ability to work together. It is his hope that it continues in the future.

EXECUTIVE SESSION

Moved by Alderman Walker, seconded by Alderman Adams 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 McCrate "Aye"
- Alderman Adams "Aye"
- Alderman Walker "Aye"
- Alderman Johnston "Aye"

Motion was made by Alderman McCrate and seconded by Alderman Adams to adjourn back to regular session at 7:34 p.m.

Roll call was as follows:

- Alderman McCrate "Aye"
- Alderman Adams "Aye"
- Alderman Walker "Aye"
- Alderman Johnston "Aye"

DATE OF NEXT MEETING

There will be a regular monthly meeting on Monday, January 3, 2022, at 6:00 p.m. at City Hall, 301 E Main, Portageville.

ADJOURNMENT

There being no further business, moved by Alderman Walker, seconded by Alderman Adams and unanimously carried, to adjourn at 7:35 p.m.

Rachel Wrather
City Clerk

Vince Berry
Mayor