

**FESTUS CITY COUNCIL  
MEETING MINUTES  
June 12, 2019  
6:00 p.m.**

The City Council of the City of Festus, Missouri met in regular session on June 12, 2019 at 6:00 p.m. The following Council members were present for roll call: Boyer, Underwood, Cook, Dennis, Tinnin and Wehner; Absent – Gray and Wilkey. Mayor Richards presided over the meeting. Also present City Administrator Greg Camp, City Clerk Kerry Patek, Police Chief Tim Lewis, Fire Chief Kevin Cremer, Parks Supt. Larry Crites, Public Works Supt. Matt Clemens, Finance Director Pat Parsons and City Attorney Larry Wadsack. City Treasurer Lori Eisenbeis arrived at 6:18 pm.

Council, staff, etc. then said the Pledge of Allegiance.

**Addendum to Agenda**

Mayor Richards asked for a motion to amend the agenda and add the following: under Bids (add D. Surveillance System Purchase – Police), under New Business (add C. Appointments and D. Destruction of Records – Police). Councilman Cook made a motion to amend the agenda, seconded by Councilman Wehner. Motion carried unanimously.

**Minutes**

Minutes of the May 22, 2019 council meeting were presented for approval.

**Councilman Cook made a motion to approve the minutes, seconded by Councilman Underwood. Motion carried unanimously. On a call by the chair, minutes of the council meeting were then approved.**

**Warrants**

Mayor Richards reported warrants in the amount of \$517,546.17. **Councilman Tinnin made a motion to approve the warrants, seconded by Councilman Underwood. Votes to approve the warrants were as follows: Ayes – Tinnin, Cook, Wehner, Dennis, Boyer and Underwood; Nays – none.**

## Visitors

Tim Montgomery, 406 Benton Dr., addressed the Council and stated that he was removed as President of the Jefferson County Water Authority and replaced by City Administrator Greg Camp and that he wanted to address a safety issue where two City of Festus employees Josh Whaley and Matt Clemens and the JCWA Plant Manager Jaime Aubuchon took a pontoon boat owned by the City of Festus on the Mississippi River to perform maintenance on one of the laterals that had been infiltrated with river water. Mr. Montgomery stated that a rescue boat was available for use and was equipped to handle the river, however, he stated the employees chose to use the pontoon with a much smaller engine. Mr. Montgomery stated that the employees did not have life preservers on and encountered some problems while attempting the maintenance causing one of the employees to get into the river. Mr. Montgomery stated he has 40 years of experience in the field and has saved the City of Festus millions of dollars. Mr. Montgomery stated that he has always been concerned with the safety of the employees and that is his number one priority. Mr. Montgomery mentioned a previous incident with the pontoon boat on the lagoon where he felt employees were being unsafe. Mr. Montgomery was informed his five minute speaking time was up.

## Correspondence

Clerk Patek stated she received an email from Barbara Garrett, Realtor, asking to waive the fees for residential yard sales on several city streets. However, no specific information was provided and therefore the request was tabled.

## Bids

### 2019 Asphalt Overlay Project

Matt Clemens stated four bids were received as follows: Jokerst Paving \$353,559.55; Pavement Solutions \$402,627.67; Pace Construction \$428,320.20; and Byrne & Jones \$592,195.50. Matt stated after review by staff it was recommended to accept the low bid from Jokerst. **Councilman Dennis made a motion to accept the low bid from Jokerst for \$353,559.55. Motion seconded by Councilman Boyer. Motion approved by the following votes: Ayes – Underwood, Boyer, Wehner, Dennis, Cook and Tinnin; Nays – none.**

### **2019 Ultra-Thin Bonded Paving Bid**

Matt Clemens stated two bids were received as follows: Pace Construction \$251,369.00 and NB West \$261,689.00. Matt stated after review by staff it was recommended to accept the low bid from Pace Construction. **Councilman Boyer made a motion to accept the low bid from Pace Construction for \$251,369.00. Motion seconded by Councilman Underwood. Motion approved by the following votes: Ayes – Underwood, Boyer, Wehner, Dennis, Cook and Tinnin; Nays – none.**

### **Demolition Bid for 230 N. Fifth Street**

Matt Clemens stated three bids were received as follows: Alcat Contracting LLC \$18,000.00; Baker Landscaping \$11,529.06 and Stonegate Investment Group LLC \$17,800.00. Matt stated after review by staff it was recommended to accept the low bid from Baker Landscaping & Concrete. **Councilman Cook made a motion to accept the low bid from Baker Landscaping for \$11,529.06. Motion seconded by Councilman Underwood. Motion approved by the following votes: Ayes – Underwood, Boyer, Wehner, Dennis, Cook and Tinnin; Nays – none.**

### **Surveillance System Purchase – Police**

Chief Lewis stated the purchase will be made off of the GSA contract which has been bid out at the federal government level and is approved for any local government to purchase at the same price. Chief Lewis stated the cost is \$16,662.00 and \$7,500 will be paid from a grant from MIRMA. **Councilman Cook made a motion to accept the bid from Voice Products for \$16,662.00. Motion seconded by Councilman Wehner. Motion approved by the following votes: Ayes – Underwood, Boyer, Wehner, Dennis, Cook and Tinnin; Nays – none.**

### **Ordinances and Resolutions**

**Bill No. 4520** - An Ordinance of the City Council of the City of Festus, MO.; Dissolving the Municipal Division of the City of Festus and directing that violations of the City's Ordinances be adjudicated by a Circuit Judge or Associate Circuit Judge of the Twenty-Third Judicial Circuit; repealing all Ordinances or parts of Ordinances in conflict herewith; and establishing an effective date. Clerk Patek read Bill No. 4520 for the first time. Mayor Richards called for discussion. Greg Camp gave a staff report. Greg stated that there would be a transition period from the time of the passage of this Ordinance and the City would relinquish its court on January 1, 2020. Councilman Cook asked if he should abstain from the vote since he is a county employee. Larry Wadsack, City Attorney, stated there was no conflict and that Mr. Cook should vote.

Bill No. 4520 (cont.)

**Councilman Wehner made a motion to read Bill No. 4520 for the second time, motion seconded by Councilman Tinnin. Motion carried unanimously. Clerk Patek read Bill No. 4520 for the second time. Bill No. 4520 was approved by the following votes: Ayes - Council Members Tinnin, Boyer, Wehner, Dennis, Cook and Underwood; Nays - none. Mayor Richards declared Ordinance No. 4520 passed.**

**Bill No. 4521** - An Ordinance of the City Council of the City of Festus, MO.; Authorizing the Mayor to enter into and execute a Contract with Baker Landscaping for the Demolition of 230 N. Fifth Street, Festus, MO.; incorporating said Contract as a part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4521 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. The resident at 234 N. Fifth stated he was having a problem with animals, etc. due to the condition of the property and asked if there was a time frame for the demolition. Mayor Richards asked Matt Clemens to contact the resident when he had the information.  
**Councilman Cook made a motion to read Bill No. 4521 for the second time, motion seconded by Councilman Underwood. Motion carried unanimously. Clerk Patek read Bill No. 4521 for the second time. Bill No. 4521 was approved by the following votes: Ayes - Council Members Tinnin, Boyer, Cook, Wehner, Dennis and Underwood; Nays - none. Mayor Richards declared Ordinance No. 4521 passed.**

**Bill No. 4522** - An Ordinance of the City Council of the City of Festus, MO.; Authorizing the Mayor to enter into and execute a Contract with Pace Construction for completion of the 2019 Ultra-Thin Bonded Paving Program; incorporating said Contract as a part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4522 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. **Councilman Boyer made a motion to read Bill No. 4522 for the second time, motion seconded by Councilman Cook. Motion carried unanimously. Clerk Patek read Bill No. 4522 for the second time. Bill No. 4522 was approved by the following votes: Ayes - Council Members Tinnin, Boyer, Wehner, Dennis, Cook and Underwood; Nays - none. Mayor Richards declared Ordinance No. 4522 passed.**

**Bill No. 4523** - An Ordinance of the City Council of the City of Festus, MO.; Authorizing the Mayor to enter into and execute a Contract with Jokerst Paving for completion of the 2019 Street Overlays; incorporating said Contract as a part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4523 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. **Councilman Cook made a motion to read Bill No. 4523 for the second time, motion seconded by Councilman Boyer. Motion carried unanimously. Clerk Patek read Bill No. 4523 for the second time. Bill No. 4523 was approved by the following votes: Ayes - Council Members Tinnin, Boyer, Wehner, Dennis, Cook and Underwood; Nays - none. Mayor Richards declared Ordinance No. 4523 passed.**

### **New Business**

Rob Price Variance Request was Tabled.

### **Destruction of Records - Administration**

Clerk Patek stated that on Pages 56-63 of the meeting packet is a list of administrative records to be destroyed by shredding. Said list will be incorporated as a part of these minutes. **Councilman Tinnin made a motion to approve this request, motion seconded by Councilman Wehner. Motion carried unanimously.**

### **Appointments to Boards and Commissions**

Mayor Richards presented several names for appointment and re-appointment to the City's Boards and Commissions as follows: David Henry – Board of Adjustment; Jeff Benach – Park Board; and Rick Fisher and Earl Cook – Tourism Commission. Complete list of Re-Appointments attached to these minutes as permanent record. **Councilman Cook made a motion to approve the appointments for Boards and Commissions as presented, motion seconded by Councilman Wehner. Motion carried unanimously**

### **Destruction of Records - Police**

Clerk Patek stated that Captain Wendel presented a request to destroy 17 boxes of old records that are no longer required to be kept under the Missouri State Attorney General's Policy on record retention. **Councilman Dennis made a motion to approve this request, motion seconded by Councilman Underwood. Motion carried unanimously.**

### **Old Business**

None

## **Reports**

City Administrator provided a written report which included the items listed below.

- Conducted the required semi-final inspection of the Collins Dr. Project
- Met with some Fifth Street residents regarding the upcoming project
- Met with Above and Below Contracting along with Matt Clemens and Josh Whaley and Jim Tindall regarding the upcoming West Wastewater Treatment Project
- Reviewed informational flyer regarding the upcoming August election for Proposition Public Safety

Councilman Wehner – Thanked Greg Camp for the semi-final inspection on Collins Drive and stated the project looks great.

Councilman Cook – Asked if the “No Parking” signs were up on Buck Creek near the food pantry. Matt Clemens stated they were set today.

Fire Chief Kevin Cremer – Stated that the Firehouse addition was 99.9% complete and that he is waiting on delivery of his computer.

Mayor – Stated that he would like everyone to know he has set office hours at City Hall which are Monday 3-5, Tuesday 1-3, Wednesday 8-10 and Thursday and Friday as needed.

## **Adjournment**

Councilman Cook made a motion to adjourn, seconded by Councilman Underwood. On a call by the chair the motion carried unanimously. Meeting adjourned.