

**FESTUS CITY COUNCIL
MEETING MINUTES
March 28, 2022
6:00 p.m.**

The City Council of the City of Festus, Missouri met in regular session on March 28, 2022 at 6:00 p.m. The following Council members were present for roll call in the Council chambers: Boyer, Underwood, Wehner, Templeton, Venz, Cook and Tinnin. Absent: Councilman Dennis. Mayor Sam Richards presided over the meeting. Also present in the Council chambers were City Administrator Greg Camp, Finance Director Stephanie Cunningham, City Clerk Kerry Patek, Public Works Director Matt Unrein, Parks Director Josh Whaley, Building Official Mark Harris, Fire Chief Travis Wood, Police Chief Tim Lewis, Tourism Director Barb Lowry. Present Via Zoom City Attorney Brian Malone.

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

Approval of Consent Agenda

Mayor Richards announced the bills were in the amount of \$594,581.73. Motion to approve the bills, minutes of the Council Meeting of March 14, 2022. Motion was made by Councilman Cook, seconded by Councilman Venz and approved by the following votes: Ayes – Boyer, Underwood, Wehner, Templeton, Venz, Tinnin and Cook; Nays – none.

Correspondence - none

Visitors

Police Chief Tim Lewis presented Police Officer Jarret Davis with a Life Saving Award.

Bids

Public Works Maintenance Building Roof

Public Works Director Matt Unrein asked for approval of the bid for the refurbishment of the pitched corrugated roof over the public works maintenance building. The labor for the installation was advertised and competitively bid and the materials will be purchased via national purchasing cooperative. Three bids were received for the labor with Leak Stoppers of Festus were the low bid at \$35,674.00. Materials cost is \$63,826.00 for a total project cost of \$99,500, which only \$60,000 was budgeted. The balance of the cost will be taken from water and sewer fund unrestricted reserves.

Councilman Venz made a motion to approve the bid, seconded by Councilman Cook. Motion to approve the bid was approved by the following votes: Ayes – Boyer, Underwood, Templeton, Wehner, Venz, Cook and Tinnin; Nays – none.

2022 Concrete Pad Replacement Project

Public Works Director Matt Unrein presented a staff report by Shain Dollar stating that six bids were opened on March 10, 2022 for the concrete pad replacement program as follows: Kimes Contracting \$682,247.30; CE Contracting \$899,789.15; Jokerst Paving \$742,036.36; Spencers Contracting \$840,371.29; Pavement Solutions \$809,806.04 and Warrior Concrete Excavation \$728,060.00. After reviewing all bids staff recommends accepting the low bid from Kimes. \$760,000 was budgeted for this project out of county T-tax funds and Mr. Unrein asked Council that if there are excess funds, not to exceed the budget, can they be used on other subdivisions needing improvements. Finance Director Stephanie Cunningham mentioned that engineering fees need to be accounted for also. City Administrator Camp stated they were aware of engineering fees and that if any cost exceeds \$5,000 it will be brought to Council. **Councilman Boyer made a motion to approve the bid as requested, seconded by Councilwoman Templeton. Motion was approved by the following votes: Ayes – Boyer, Underwood, Wehner, Templeton, Venez, Cook and Tinnin; Nays – none.**

Pounds and Twin Tanks Pump Replacement

City Administrator Greg Camp stated bids were solicited for the upgrade and replacement of well pumps at the Pounds Road and Twin Tank locations. Three bids were received – Illinois Electric, ESI and Equipment Pro. Councilman Cook made a motion to approve the low bid from Illinois Electric for \$15,867.90 each for a total cost of \$31,735.80, which \$40,000 was budgeted. **Councilman Cook made a motion to approve the bid from Illinois Electric, seconded by Councilman Venez. Motion was approved by the following votes: Ayes – Underwood, Boyer, Wehner, Templeton, Venez, Cook and Tinnin; Nays – none.**

Ordinances and Resolutions

Bill No. 4674 – An Ordinance of the City Council of the City of Festus, Missouri; Authorizing the Mayor to execute and enter an Easement and Maintenance Agreement with Twin City Real Estate Corporation for Stormwater Improvements; and establishing an effective date. Clerk Patek read Bill No. 4674 for the first time. Mayor Richards called for discussion. City Administrator Greg Camp gave a staff report. Councilman Cook asked to abstain from the vote as the department he works for at the County oversees improvements such as this. **Councilman Wehner made a motion to suspend the rules and read Bill No. 4674 for the second time, motion was seconded by Councilman Boyer. Clerk Patek read Bill No. 4674 for the second time. Bill No. 4674 was approved by the following votes: Ayes – Boyer, Underwood, Wehner, Templeton, Venz and Tinnin; Nays – none.**

Bill No. 4675 – An Ordinance of the City Council of the City of Festus, Missouri; Amending the Zoning Map of said City as established by the Planning and Zoning Ordinances of the City of Festus, Missouri; and establishing an effective date. Clerk Patek read Bill No. 4675 for the first time. Mayor Richards called for discussion. Building Official Mark Harris gave a staff report. Mr. Harris stated that the Planning and Zoning Commission **did not recommend** this rezoning request for 216 South Mill Street to be approved as it would be spot zoning. City Administrator Camp stated that also a lot of work was put into the City's code regarding zones and this request would not only require the property to be rezoned but it would also have to have a conditional use permit because the proposed use (used car lot) is not allowed in a B-3 zone in our downtown area. **Councilman Cook made a motion to suspend the rules and read Bill No. 4675 for the second time, motion was seconded by Councilman Underwood. Clerk Patek read Bill No. 4675 for the second time. Bill No. 4675 was approved by the following votes: Ayes – none. Nays - Boyer, Underwood, Templeton, Venz, Wehner, Tinnin and Cook. Mayor Richards declared Ordinance No. 4675 FAILED.**

Bill No. 4676 – An Ordinance of the City Council of the City of Festus, Missouri; Authorizing the Mayor to enter in to and execute a Contract with Leak Stoppers to install a new roof membrane on the Public Works Maintenance Building; incorporating said Contract as part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4676 for the first time. Mayor Richards called for discussion. Public Works Director Matt Unrein gave a staff report. **Councilman Cook made a motion to suspend the rules and read Bill No. 4676 for the second time, motion was seconded by Councilman Tinnin. Clerk Patek read Bill No. 4676 for the second time. Bill No. 4676 was approved by the following votes: Ayes – Boyer, Underwood, Wehner, Templeton, Venz, Cook and Tinnin; Nays – none.**

Bill No. 4677 – An Ordinance of the City Council of the City of Festus, Missouri; Authorizing the Mayor to enter in to and execute a Contract with Kimes Construction for the 2022 Street Project; incorporating said Contract as part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4677 for the first time. Mayor Richards called for discussion. Public Works Director Matt Unrein gave a staff report. **Councilman Cook made a motion to suspend the rules and read Bill No. 4677 for the second time, motion was seconded by Councilman Tinnin. Clerk Patek read Bill No. 4677 for the second time. Bill No. 4677 was approved by the following votes: Ayes – Boyer, Underwood, Wehner, Templeton, Venez, Cook and Tinnin; Nays – none.**

New Business

Request for Street Closure – Influence Church

Scott Gerken, Pastor of Influence Church at 125 E. Main Street requested permission to closed Main Street from N. Mill Street to N. Adams Street on Easter Sunday, April 17, 2022 from 3:00 pm to 7:00 pm. Police Chief Lewis stated he had no problem with the event and street closure. **Councilman Tinnin made a motion to approve this request, seconded by Councilman Venez. Motion carried unanimously.**

Request for Outdoor Use – The Corner Cup

Carolyn Walton, owner of The Corner Cup at 2 Main Street requested permission to use the last parking spot on Main Street in front of her store for customer seating during the spring/summer season. Mrs. Walton stated her business is open on Wednesday through Saturday only. City Administrator Greg Camp stated that the City could try this as a pilot program for the Great Streets project. Public Works Director Matt Unrein stated he did not feel the location was safe and suggested the City purchasing jersey concrete walls to protect the area and that the City could use the concrete barricades for many uses. Police Chief Lewis expressed his concerns over safety. City Attorney Brian Malone stated that other cities have ordinances similar to what is being proposed here and he could look into those and see what other cities require for something like this. Several Council members expressed concerns about what the other businesses on Main Street would think about this (preferential treatment); the loss of a parking space which is already limited; the safety concerns; etc. Council agreed unanimously to get more information regarding this request and to revisit it at the next meeting on April 11th.

Approval of Audit

Finance Director Stephanie Cunningham presented the audit report for approval. Finance Director Cunningham asked Council for any comments or questions and reviewed the findings with them. Council members thanked Director Cunningham for a good job on the audit. **Councilwoman Templeton made a motion to approve the audit, seconded by Councilman Tinnin. Motion carried unanimously.**

Old Business - none

Reports

Councilman Tinnin – Thanked Council for using good judgement on new ideas for growing Main Street.

Councilwoman Templeton – Thanked public works for clearing some shrubbery on Scenic and N. Mill. Commented on the city worker who offered her dog a treat and stated that's what we like about Festus and having that small town hospitality.

Councilman Cook – Stated he would like to propose Juneteenth as a City of Festus holiday since it was made a national holiday. City Administrator Camp stated he had no problem with that, and it would be the 14th paid holiday for City employees. Mayor Richards opened the floor for discussion. Councilwoman Templeton asked if it would have budget implications and Finance Director Cunningham stated yes it would. City Administrator Camp stated the budget could absorb the additional cost. **Councilman Cook made a motion to make Juneteenth a City of Festus paid holiday for employees, seconded by Councilman Wehner. Motion carried unanimously.** Councilman Cook thanked Council for passing Juneteenth as a City holiday and commended Officer Jarret Davis on his Lifesaving Award.

Councilman Wehner – Stated that he agrees with Councilwoman Templeton on Scenic and N. Mill and that it looks very nice. Asked about doing an energy audit for the City with regards to solar energy. City Administrator Camp stated he and Matt Unrein had already discussed this with a consultant.

Councilman Boyer – Thanked Mr. Unrein for his crew's work on repair the utility street cut on Beffa that they did a good job. Asked Greg Camp where we were on repairing a ramp, walkway step, etc. in the S. Adams park. Mr. Camp replied that it is being taken care of. Asked about the pickleball court. Parks Director Josh Whaley and Greg Camp both gave an update on this issue.

Mayor Richards – Thanked Council for such a productive meeting with good discussions and moving forward.

Adjournment

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