

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, JANUARY 11, 2010 — 7:00 P. M.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Regina Schaffer leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Cynthia Earnheart	Absent
Councilmember David Black	Present
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: Police Chief Jarrett Bullock, City Administrator Ted Bellers, BPW Treasurer/Finance Director Stephen Crump, CEO Danny Grant, City Attorney Mark Preyer, Airport Manager Barbara Crayne, Airport Boardmember Charlie Dierks and City Clerk Marilyn Fiddler.

15-MINUTE OPEN FORUM:

Jeanie Collins, Director of RSVP spoke regarding the City of Malden being the sponsor for RSVP but she and her secretary cannot work for the City and receive the grant for RSVP. City Administrator Bellers stated the Community Center Board has asked the City to relinquish the sponsorship of RSVP. Mayor Santie stated the State Director has said that RSVP cannot work at the Community Center. Administrator Bellers stated he will try to set up a meeting with the Community Center Board before January 20, 2010.

MOTION: By Councilmember Black to give City Administrator Bellers the authority to negotiate with RSVP before January 20, 2010.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

Ms. Patrina Love spoke to the Council regarding obtaining liquor license. Atty. Preyer spoke to Ms. Love explaining that the license is for the sale of beer in the bottle and light wine (Wine Coolers) in the bottle. Atty. Preyer reviewed Chapter 311 with Ms. Love.

MOTION: By Councilmember Black to issue the Liquor license for beer and wine to Ms. Patrina Love for 109/111 W. Main Street under the condition that Ms. Love obtain a State License.

SECOND: By Councilmember Grant.

<u>POLL VOTE</u>	<u>MOTION PASSED</u>	<u>5-Yes</u>	<u>1-No</u>
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	No	Councilman Jenkins	Absent

APPROVAL OF MINUTES:

MOTION: By Councilmember Dell to approve the Minutes of December 14, 2009.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

CITY FINANCIALS:

City Accountant Pam Jean of Jean & Company, LLC reported there had been some changes made to the financials. Councilmember Dell ask that Mrs. Jean have the January financials delivered to City Hall by Friday, January 15, 2010. Councilmember Dell set a budget meeting for Friday, January 21, 2010 at 7:00 p.m. at the Board of Public Works boardroom.

Mrs. Jean gave a summary of the financials and stated the expenses are close to budget.

ALLIED WASTE:

Division Manager Dan Rigazio stated if the City would tag the burn barrels Allied Waste will take a few each collection day. Mr. Rigazio asked CEO Grant to to maintain a list of the burn barrels and give the list to him at the end of March. Mr. Rigazio stated the individual dumpsters will be delivered as soon as they get here, within the next 30 days.

MOTION: By Councilmember Black to mandate beginning March 1, 2010 the trash pickup be picked up at curbside in dumpster provided by Allied Waste.

SECOND: By Councilmember Dell.

Motion Carried 5/1.

Mr. Rigazio stated Allied Waste will provide two (2) carts if required and they will pick up on business HWY 25.

POLL VOTE	MOTION PASSED	5-Yes	1-No
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	No
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

BOARD REPORTS:

Airport Manager Barbara Crayne asked the Council to approve the actions below for housekeeping purposes.

MOTION: By Councilmember Thompson to:

- (1) Authorize City Administrator Bellers, Councilmember Ronnie Dell, Councilmember Larry Crain and Councilmember Kenneth Thompson to sign Request for Funds (RFF's) in relation to the Malden Rail Project to be funded by CDBG-R funds.
- (2) For the City/Industrial Park to utilize Account #1073338 at 1st State Community Bank, as named City of Malden CDBG Projects, for CDBG-R Rail project Funds with authorized signatures to be Mayor Ray Santie, City Clerk Marilyn Fiddler, Airport Board Chairman Charles Dierks, Airport Board Vice-Chairman Dan McLeod, and Manager Barbara Crayne,
- (3) And for Industrial Park personnel of Barbara Crayne and Patty Smith to be authorized to access said bank account for recordkeeping purposes.

SECOND: By Councilmember Crain.

Motion Carried 6/0.

EMA Director Jim Kalkbrenner presented the revised Emergency Management Plan to Mayor Santie and the Council to approve. Director Kalkbrenner reported Mark Winkler of SEMA have reviewed and approved the manual.

MOTION: By Councilmember Black to approve and accept the amendments and changes to the EMA Manual.

SECOND: By Councilmember Grant.

Motion Carried 6/0.

CITY ADMINISTRATOR'S REPORT:

1. **Solid Waste Collection** – Mr. Dan Rigazio, Division Manager for Allied Waste Services came before the City Council to offer curbside service to the residential homes of the City of Malden. The Company would be providing and maintain a 95 gallon cart to replace the standard bag or 20-32 gallon trash can container. The Company is ready to move forward with the approval of the City Council.
2. **MIRMA – City Loss Control Status**—Departments of the City of Malden are working to reduce risk due to non-compliance with MIRMA recommendations. City buildings have been the biggest risk due to non-compliance, which has resulted in un-due cost to the City. Our staff is working on programs to reduce our risk. See attached December 18, 2009 letter recapping a loss control visit by Jeff Arps, Senior Loss Control Consultant representing MIRMA.
3. **Old Nutrition Center Building** – This building is in non-compliance with current city building codes and MIRMA recommendations. The building has been vacated and utility services disconnected. This will help remove some of the exposure that the City is trying to protect. It is our recommendation that the building and property be sold.

Atty. Preyer reminded the Council the statement “the City reserves the right to reject any and all bids”.

Atty. Preyer stated the property can be rezoned if requested by the new owner. City Administrator Bellers stated this will reduce the recommendations from MIRMA by one half. Atty. Preyer stated part of the agreement of purchase and the sale of the AT&T property the City of Malden will disconnect and separate the electrical, water and sewer services.

MOTION: By Councilmember Dell to authorize the sale of 313 West Main (corner of Main & Douglass) with a time limit on the demolition or bring up to City code within six (6) months or 180 days of purchase with a \$25,000 performance bond.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

City Administrator Bellers informed the Council that he would put the bid in the newspaper the required length of time.

4. **DOWNTOWN SIDEWALK RENOVATION PHASE II** – This funding project is on schedule with MoDOT. Advertising for bids will be published this week. Proposals will be publicly opened and read aloud on Thursday, February 4, 2010, at 10:00 a.m. in City Hall.
5. **Personnel Policies and Procedures Advisory Committee** – The Advisory Committee will be meeting Thursday, January 13, 2010, at 3:00 p.m. in the conference room of BPW. Staff members and City Councilmember Ken Thompson have been meeting regularly to review and update current policy. We are hoping to have a draft copy for members of the City Council before the next regular City Council meeting.

6. **Malden Community Center** – On December 14, 2009, Dunklin County RSVP Board requested that the City of Malden relinquish sponsorship of RSVP. RSVP stated that they would have to move out of the Malden Community Center. They have asked that the City of Malden allow them to stay in the office until March 31, 2010. A meeting has been scheduled with the Community Center Board on Monday, January 11, 2010, at 1:30 p.m. We are asking the Board to review this matter and make a recommendation to the City Administrator and City Council as soon as possible.
7. **Volunteer Firemen** -- At the December 14, 2009 City Council meeting, the City Council approved a one time salary adjustment to all full time and part time employees of the City which included adjustments to all volunteer foremen. A question did arise if the volunteer firemen working as a full time employee of the City receive it as a volunteer firemen as did his fellow firemen. Based on similar policy set by another City, the volunteer firemen were given the wage adjustment due to addition volunteer services given. It would be great if more of our full time employees were volunteer firemen. I would like to encourage this. The City has eleven volunteer firemen. Two employees work for the Public Works Department and four in the Police Department. Councilmember Crain spoke regarding volunteer firemen getting two checks. Councilmember Crain stated he thought the City should adjust each employee's salary.
MOTION: By Councilmember Crain to adjust each employee's salary \$200.
MOTION DIED.
8. **Police Department Personnel Recommendation** – Police Chief Bullock stated he would like to retain Mrs. Linda Sanders as a reserve officer.
MOTION: By Councilmember Dell to retain Linda Sanders as a reserve officer for Malden Police Department.
SECOND: By Councilmember Grant. **Motion Carried 6/0.**
Chief Bullock stated he would like to hire Mr. Jonathan Woods as an entry-level police officer.
MOTION: By Grant to hire Jonathan Woods as an entry level police officer at \$10.25 an hour plus benefits.
SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

Chief Bullock informed the Mayor/City Council that he had applied for a grant that would provide the financing for three police vehicles.

Councilmember Black asked if the Chief was going to replace Asst. Chief Sanders. Chief Bullock stated he was not going to at this time and because of the way the personnel manual is being reworked the officers would have tiers. Councilmember Black requested Atty. Preyer review the Ordinance. Atty. Preyer stated that under SECTION 200.220 it states—In the temporary absence or disability of the City Marshal, the Assistant City Marshal shall act as the Marshal, and his orders shall have the same force and effect as if given by the Marshal. Mayor Santie stated in the event the chief is not available he will become the chief of police.

City Administrator reported the HR Committee will meet on Wednesday, January 13, 2010 at 3:00 p.m. at the BPW Conference room. Chief Bullock stated he is cross training his entire group of officers so that all will know what to do if he is not available for duty.

COUNCIL REPORTS:

Councilmember Crain stated he has had more constituents tell him that they are against the blue trash containers than are for the blue trash containers. Councilmember Crain stated this is why he voted the way he did.

MAYOR’S REPORT:

Mayor Santie reminded the council of the Budget Committee meeting on Thursday, January 21, 2010 @ 7:00 p.m. at the BPW conference room.

MOTION: By Councilmember Black to adjourn the Regular Session Council meeting of January 11, 2010.

SECOND: By Councilmember Thompson.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, FEBRUARY 22, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Debra Grant leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Cynthia Earnheart	Absent
Councilmember David Black	Present
Councilmember Larry Crain	Absent

5 Council Members Present.

Others Attending: Police Officer Roy German, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, Airport Manager Barbara Crayne, Airport Boardmember Charlie Dierks, EMA Director Jim Kalkbrenner, EMA Chairman Jin Hollingshad, Asst. Director BPW Brian Haley and Marilyn Fiddler City Clerk.

15-MINUTE OPEN FORUM:

NONE

GUEST:

Citizen Enoc “Beau” Tolleson thanked the Council for the job that they do and for knocking down the vacant buildings in the city. Mr. Tolleson gave the Mayor and Council hand outs from the City of Murphyboro TN about their dog park. Mr. Tolleson stated he needs permission from the City to use the property located between Line Street and the railroad tracks as a dog park because the property is owned by the City. Mr. Tolleson stated this would be just an area for the dogs to run free. Councilmember Black commended Mr. Tolleson for his efforts.

MOTION: By Councilmember Black to hand this property over to Mr. Tolleson as a dog park after the property has been condemned and turned over to the Park Department.

SECOND: By Councilmember Dell.

Motion Carried 5/0.

Councilmember Dell asked if the City had possession of the property. CEO Grant stated the City does not legally have possession of the property but the City is in the process of condemning the property. Mr. Tolleson stated he will need \$10,000 to \$11,000 to make the property a dog park.

AIR EVAC:

Mr. Russ Riggins & Ms. Gail Fox spoke to the Mayor/Council regarding the services Air Evac provides. Mr. Riggins thanked the City and employees for their membership in the past. Mr. Riggins spoke regarding payroll deduction from employee’s check. Mr. Riggins stated the employees can still have the discount of \$10 as long as the city writes one check. Councilmember Dell stated some of the city’s employees are not aware they no longer have Air Evac.

Councilmember Dell asked if the health insurance pays for the helicopter ride. Mr. Riggins stated there is no out of pocket expense to the individual.

MOTION: By Councilmember Black to accept payroll deduction from employees’ payroll checks for Air Evac.

SECOND: By Councilmember Grant.

Motion Carried 5/0.

Mr. Riggins thanked everyone for allowing him to speak.

APPROVAL OF THE MINUTES:

MOTION: By Councilmember Black to accept the minutes of the January 11, 2010 session as presented.

SECOND: By Councilmember Thompson.

Motion Carried 5/0.

CITY FINANCIALS:

Mrs. Pam Jean of Jean & Company spoke to the Council regarding the amendments to the budget for the items listed below:

	<u>INCOME</u>	<u>EXPENSE</u>
1. Cityhall/City Clerk	8950.00	8950.00
2. Community Service	100.00	100.00
3. Emergency Management	600.00	600.00
4. Fire	10,000.00	10,000.00
5. Humane	450.00	450.00
6. Mayor/Council	400.00	400.00
7. Police	6,600.00	6,600.00
8. Senior Center	6,000.00	6,000.00
9. Community Center	19,000.00	19,000.00
10. Park	3,500.00	3,500.00
11. Golf Course/RV	8,500.00	8,500.00
12. Street	36,500.00	36,500.00
13. Cemetery	300.00	300.00

MOTION: By Councilmember Dell to amend the budget for the items listed above for fiscal year 2009/2010.

SECOND: By Councilmember Thompson.

Motion Carried 5/0.

MOTION: By Councilmember Dell to amend Park Fund budget for fiscal year 2009/2010 to increase the budget by 12,000.00 –line item Capital Expenditures.

SECOND: By Councilmember Thompson.

Motion Carried 5/0.

Councilmember Dell stated the City received \$73,830.97 for the landline settlement for taxes.

MOTION: By Councilmember Dell to add separate line items to the budget to cover the vacation liability as a special and separate fund.

SECOND: By Councilmember Thompson.

Motion Carried 5/0.

Mrs. Jean stated she would start next month consolidating the reimbursements on various items (for example, reimbursement on the Attorney’s salary, etc) against the expense. Mrs. Jean stated this will give a more concise statement.

BID REVIEW:

- Fronabarger Concreters \$84,734.80
- Nip Kelley Equipment \$102,108.67
- Knuckles Brothers \$104,856.00
- Kluesner Concreters \$113,758.00

Fronabarger Concreters has submitted the lowest bid and they are qualified to performed to do the work. Brian W. Strickland, PE,PLS recommended the City accept the bid from Fronabarger Concreters and award the contract for the Downtown Renovation Phase II project to them upon receiving concurrence of the award from MoDOT.

MOTION: By Councilmember Dell to accept the lowest bid from Fronabarger Concreters for Phase II of the Downtown Renovation as recommended by Strickland Engineering.

SECOND: By Councilmember Thompson. **Motion Carried 5/0.**

BOARD APPOINTMENTS:

MOTION: By Councilmember Dell to appoint Mr. Greg Hampton to the Malden Art Commission.

SECOND: By Councilmember Black. **Motion Carried 5/0.**

MOTION: By Councilmember Black to appoint Mr. Bobby Haley and Mrs. McKinzie Harmon to the Malden Park Board.

SECOND: By Councilmember Thompson. **Motion Carried 5/0.**

BOARD REPORTS:

MOTION: By Councilmember Dell to amend the EMA budget in the amount of \$630.00.

SECOND: By Councilmember Grant. **Motion Carried 5/0.**

CITY ADMINISTRATOR’S REPORT:

City Administrator Ted Bellers informed the Mayor/Council of DED’s decision to advertise building 780 (Old Continental Homes Building) for sale and the bid closing and opening will be on March 12, 2010. Mr. Bellers stated the opening of bids will immediately follow the closing at 4:45 p.m. Mr. Bellers stated he is also working on the twelve recommendations from the auditors. Administrator Bellers reported that Governor Nixon announced that Dunklin County should receive \$2.3 million from FEMA and the City of Malden should receive \$800,193.00.

Finance Director Stephen Crump gave a review of the city’s audit for fiscal year 2008/2009. Mr. Crump also stated there were procedures that the auditors recommended the city change. Mr. Crump stated while the Bookkeeper is out on leave he recommends Mrs. Peggy Hampton be hired until Mrs. Lynn Hughes returns to work. Mr. Crump asked that Mrs. Hampton be paid \$10 per hour and be given the position of full time bookkeeper on a temporary basis.

MOTION: By Councilmember Thompson to hire Mrs. Hampton be paid \$10 per hour and be given the position of full time bookkeeper on a temporary basis.

SECOND: By Councilmember Dell. **Motion Carried 5/0.**

Assistant Utility Director Brian Haley spoke regarding the trash haulers and the timeline on curb side collection which will begin May 1, 2010 as the truck are going down the alleys and along the

streets. Mr. Haley reported the schedule for the bulky item pickup is still in effect but the customer will need to call Allied Waste and the pickup of the metal trash cans would be addressed later. Mr. Haley stated the customer will be allowed to haul their metal barrels out to 600 AB Highway. Mr. Haley stated the barrels will be collected May 1, 2010.

POLLING PLACES:

There was conversation regarding changing the polling places to the Community Center and a decision not to move the polling places was made by the majority of the Council.

COUNCIL REPORT:

Councilmember Dell asked City Admin. Bellers if any bids for the old Nutrition Center had been received. City Administrator Bellers answered the bids for the old Nutrition Center is due March 25, 2010 and no bids have been received as of today.

Councilmember Black read Robert’s Rule of Order Newly Revised Edition regarding the use of the gavel.

Councilmember Grant asked when the Nutrition Center Thrift store would be opened for business. CEO Danny Grant stated the thrift store was re-surveyed by Metz Skelton; AT&T has asked for two surveys in order for AT&T to have the necessary line for their business. CEO Grant stated he expects to get the survey on Tuesday afternoon.

Councilmember Grant stated people should treat others as they wish to be treated and show respect for others.

MAYOR’S REPORT:

Mayor Santie read a thank note from EMA Director for bereavement flowers sent to his family for services held for his mother, Mayor Santie read a thank you note from Jerry Sill for flowers sent for services held for his wife Sharon Sills. Mayor Santie also read a thank you note from Ronnie Lyons for flowers sent for services held for his father.

Mayor Santie announced the next scheduled meeting will be held on March 15, 2010 at 7:00 p.m.

MOTION: By Councilmember Thompson to adjourn the Regular Session Council meeting of February 22, 2010.

SECOND: By Councilmember Dell.

<u>POLL VOTE --- MOTION PASSED</u>		<u>5-Yes</u>		<u>0-No</u>	
Councilman Thompson	Yes	Councilman Black	Yes		
Councilwoman Earnheart	Absent	Councilman Crain	Absent		
Councilwoman Grant	Yes	Councilman Dell	Yes		
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent		

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

SPECIAL CALLED SESSION
MALDEN CITY COUNCIL
FRIDAY, MARCH 12, 2010 — 6:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 6:00 p.m.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Present
Councilmember Debra Grant	Absent
Councilmember Cynthia Earnheart	Absent
Councilmember David Black	Present
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: Police Officer Roy German, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, Asst. Director BPW Brian Haley, BPW Boardmember Clark Duckett, BPW Boardmember James Fair and BPW Boardmember James “Butch” Burrow, and Marilyn Fiddler City Clerk .

Mayor Santie began the meeting by explaining the purpose of the meeting—to passing Ordinance No. 3013-An Ordinance authorizing the mayor to execute a contract with Oilfield Electric to construct and repair electric conduction lines and related facilities for the “Reconductoring of the Electric System—Phase #1” in the amount of \$812,631.64 and to further authorize and direct the Mayor to execute additional contracts for additional work on this project for a total expenditure of up to \$1,100,000.00.

MOTION: By Councilmember Crain to approve the first reading of Ordinance No. 3013-An Ordinance authorizing the mayor to execute a contract with Oilfield Electric to construct and repair electric conduction lines and related facilities for the “Reconductoring of the Electric System—Phase #1” in the amount of \$812,631.64 and to further authorize and direct the Mayor to execute additional contracts for additional work on this project for a total expenditure of up to \$1,100,000.00.

SECOND: By Councilmember Jenkins.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes

MOTION: By Councilmember Crain to approve the second and final reading of Ordinance No. 3013-An Ordinance authorizing the mayor to execute a contract with Oilfield Electric to construct and repair electric conduction lines and related facilities for the “Reconductoring of the Electric System—Phase #1” in the amount of \$812,631.64 and to further authorize and direct the Mayor to execute additional contracts for additional work on this project for a total expenditure of up to \$1,100,000.00.

SECOND: By Councilmember Jenkins.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes

MOTION: By Councilmember Black to adjourn the Special Called Session of March 12, 2010.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, MARCH 15, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Regina Schaffer leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Absent
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Cynthia Earnheart	Absent
Councilmember David Black	Present
Councilmember Larry Crain	Present

5 Council Members present.

Others Attending: Police Officer Roy German, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, Airport Manager Barbara Crayne, Airport Boardmember Charlie Dierks, EMA Chairman Jim Hollingshad, Asst. Director BPW Brian Haley and Marilyn Fiddler City Clerk.

15-MINUTE OPEN FORUM:

NONE

APPROVAL OF MINUTES:

MOTION: By Councilmember Dell to approve the February 22, 2010 Regular Session Minutes as presented.

SECOND: By Councilmember Grant.

Motion Carried 5/0.

MOTION: By Councilmember Dell to approve the Special Called Session Minutes of March 11, 2010 as approved.

SECOND: By Councilmember Black.

Motion Carried 5/0.

Councilmember Crain asked if the City will fund the Dog Park. Mayor Santie stated the funds for the Dog Park will be raised by Mr. Tolleson.

CITY FINANCIALS – FEBRUARY 2010 — PAM JEAN:

Mrs. Pam Jean spoke to the Mayor/Council regarding the year to date financials for the city. Mrs. Jean stated the budget is on target with revenues being \$1,726,000 and the expenses being \$1,541,000. Mrs. Jean stated the excess vacation and the comp time is an unfunded liability and wanted to know if the amount to put in the account for the unfunded liability should be the exact amount received from the AT&T Landline law suit or the amount of the liability. Councilmember Dell asked City Admin. Bellers to attend the Park & Rec. Park's Board meeting to consult with the Board for an official document from the board on the comp time. City Admin. Bellers stated he would work with the Board.

CEO Grant stated in his opinion it would cost \$50,000 to bring the old nutrition center up to code. Atty. Preyer stated he has spoken to AT&T personnel regarding the requirements for the building on N. Madison and he hopes to close on the property by the end of March. Administrator Bellers reported there are lots for sale and the bids will be opened the afternoon of March 22, 2010. Administrator Bellers reported the Personnel committee has been meeting to compile personnel manual for the City of Malden; Councilmember Thompson has been very instrumental in the process.

COUNCIL REPORTS:

Councilmember Dell asked if there was a place designated for 18 wheel trucks to park. Airport Board Chairman Charles Dierks stated the trucks can park at the Airbase where the store was located, but they will park at their own risk.

Councilmember Crain stated he hates to sell Building #780 for \$15,000.00. Councilmember Crain also stated the City cannot keep Mr. Williams out of his building; it seems like we are tearing down Malden.

BID OPENING:

MOTION: By Councilmember Dell to accept the bid from ASA Asphalt, Inc. for \$17,976. To pave 418' of North Graham Street and 434' of S. Graham Street.

SECOND: By Councilmember Black.

Motion Carried 5/0.

MOTION: By Councilmember Dell to adjourn the Regular Session of March 15, 2010.

SECOND: By Councilmember Grant.

POLL VOTE --- MOTION PASSED		5-Yes	0-No
Councilman Thompson	Absent	Councilman Black	Yes
Councilwoman Earnheart	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, APRIL 19, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Debra Grant leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Present (arriving @ 7:15)
Councilmember Debra Grant	Present
Councilmember Cynthia Earnheart	Absent
Councilmember David Black	Present
Councilmember Larry Crain	Present

7 Council Members present.

Others Attending: Police Officer Roy German, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, Airport Manager Barbara Crayne, EMA Chairman Jim Hollingshad, Utility Director Brian Haley, Attorney Mark Preyer and Marilyn Fiddler City Clerk.

OLD BUSINESS:

15-MINUTE OPEN FORUM:

NONE

APPROVAL OF MINUTES:

MOTION: By Councilmember Dell to approve the Regular Session Minutes of March 15, 2010 as presented.

SECOND: By Councilmember Crain.

Motion Carried 7/0.

NEW BUSINESS:

City Clerk Marilyn Fiddler read the election results of the April 6, 2010.

WARD I

Debra Grant 42 Votes

WARD II

Dianna Rogers 40 Votes

Jimmie Garris 37 Votes

Robert House 37 Votes

WARD III

Charles Dierks 129 Votes

Jeff Mitchell 66 Votes

WARD IV

Larry Crain 41 Votes

Tommy Hinson 39 Votes

MOTION: By Councilmember Black to accept the election results of the April 6, 2010.

SECOND: By Councilmember Thompson. **Motion Carried 7/0.**

City Clerk Fiddler swore in the newly elected council members.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Present
Councilmember Debra Grant	Present
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

8 Council Members present.

ELECTION OF A MAYOR PRO-TEM:

Councilmember Rogers nominated Councilmember Dell. Hearing no other nominations Mayor Santie closed the nominations.

MOTION: By Councilmember Rogers to nominate Councilmember Ron Dell as Mayor Pro-Tem for 2010/2011.

SECOND: By Councilmember Thompson. **Motion Carried 8/0.**

15-MINUTE OPEN FORUM:

Nutrition Center Supervisor Betty Qualls spoke to the Mayor/Council regarding the contract for sponsorship of the Senior Citizens' meal program. Ms. Qualls asked the Council to authorize the Mayor to sign the contract between the City of Malden and the Area Agency on Aging for fiscal year 2010/2011.

MOTION: By Councilmember Grant to authorize the Mayor to sign the contract between the City of Malden and the Area Agency on Aging for fiscal year 2010/2011.

SECOND: By Councilmember Dell. **Motion Carried 8/0.**

Former Councilmember David Black thanked everyone for the five years he serviced on the council. Mr. Black read a letter from former Council member Cynthia Earnheart thanking everyone for being patient with her while she was having medical problems. Mr. Black stated Mrs. Earnheart also thanked the citizens for electing her to represent Ward II.

CITY FINANCIALS REPORT:

Mrs. Pam Jean of Jean & Company, LLC reported the finances remain in good condition; and she has put part of the funds received from the AT&T landline settlement in reserve for the unfunded liability. Mrs. Jean stated the City is doing a good job keeping things under budget. Mrs. Jean reported she has the depreciation figures for the Malden Nutrition Center, Inc. and the Malden Capital Improvement Corporation. Councilmember Dell informed Mrs. Jean of the Budget Meeting scheduled for Monday, April 26, 2010 at 6:30 p.m.

RESOLUTIONS:

MOTION: By Councilmember Thompson to approve Resolution No. 2884 – A Resolution authorizing execution of a design/bid consultant agreement for a sealcoat project and a supplemental apron pavement study agreement with Crawford, Murphy & Tilly (CMT).

SECOND: By Councilmember Crain. **Motion Carried 8/0.**

MOTION: By Councilmember Dell to approve Resolution No.2885 – A Resolution of the City Council of the City of Malden, Missouri, authorizing an annual extension of an operating agreement and a scheduling agent agreement between the United States of America; City of Poplar Bluff, Missouri; City of Malden, Missouri; City of Piggott, Arkansas; Paragould City Light and Water Commission of the City of Paragould, Arkansas; City Water & Light Plant of the City of Jonesboro, Arkansas.

SECOND: By Councilmember Crain.

Motion Carried 8/0.

Utility Director Brian Haley explained that the purpose of Resolution No. 2885 is an operating agreement between the five (5) cities mentioned in the heading of Resolution No. 2885 and Southwestern Power.

MOTION: By Councilmember Crain to approve Resolution No. 2886 – A Resolution of the City Council of the City of Malden, Missouri, authorizing an extension of a scheduling agent agreement between the United States of America; City of Poplar Bluff, Missouri; City of Malden, Missouri; City of Piggott, Arkansas; Paragould City Light and Water Commission of the City of Paragould, Arkansas; City Water & Light Plant of the City of Jonesboro, Arkansas.

SECOND: By Councilmember Thompson.

Motion Carried 8/0.

Utility Director Brian Haley explained Resolution No. 2886 is a scheduling agent agreement between the five (5) cities mentioned in the heading of Resolution No. 2886 and Southwestern Power.

BOARD APPOINTMENTS:

MOTION: By Councilmember Thompson to approve Jim Hollingshad as EMA Director.

SECOND: By Councilmember Rogers.

Motion Carried 8/0.

MOTION: By Councilmember Dell to approve Jerry Smith as a Board member on Emergency Management Agency Board to replace Jim Hollingshad as a Emergency Management Agency board member.

SECOND: By Councilmember Rogers.

Motion Carried 8/0.

CITY ADMINISTRATOR'S REPORT:

City Administrator Ted Bellers reported on keeping the City clean; Administrator Bellers stated the City has began to hire part-time workers for the summer jobs. Mr. Bellers stated he received the bids on the city property advertised for sale but did not receive a bond on any of the property. City Administrator Bellers stated he and CEO Grant spoke with City Attorney Preyer regarding the two pieces of property with a structure that has to be demolished. Atty. Preyer advised the City to hold the deeds in escrow until the property is cleaned up, then issue the deed.

MOTION: By Councilmember Thompson to hold the deed in escrow on properties 403 S. Madison and 210 S. Graham and give the prospective buyer 90/180 days to demolish the buildings and bring the property to grade.

SECOND: By Councilmember Dierks.

Motion Carried 8/0.

MOTION: By Councilmember Crain to Quit Claim Mr. Stanley G. Murray "lot 20 Block A".

SECOND: By Councilmember Dell.

Motion Carried 8/0.

City Administrator Bellers reported he has placed an advertisement in the newspaper to accept new proposal for auditors. Administrator Bellers stated he will schedule a workshop for the Council. Administrator Bellers stated the Fuel Depot is in operation and managed by BPW/Power Plant operators. Administrator Bellers passed out the draft of the personnel policies and set a workshop for Thursday, March 29, 2010 at 5:30 p.m. to discuss the personnel policies.

COUNCIL REPORTS:

Councilmember Dell stated he enjoyed working with David Black and Cynthia Earnheart through the ups and downs. Councilmember Dell informed the Council that a budget meeting will be set to establish the revenues for Monday, April 26, 2010 at 5:30 p.m. at City Hall.

Councilmember Thompson stated he enjoyed working with former council members David Black and Cynthia Earnheart; thanks for their help. Councilmember Thompson stated he will have the salary schedule ready by April 27, 2010.

Councilmember Schaffer welcomed the new council members.

Councilmember Crain welcomed the new council members and thanked the former council members for their service. Councilmember Crain asked when the financial report would be published in the newspaper. Financial Director Stephen Crump reported the financials would be published in the newspaper this week. Councilmember Crain asked when will the city emblem be talked about again; Mr. Potts’s mother has asked why nothing has been done with the emblem. Administrator Bellers stated he would look into what has happened with the emblem. Councilmember Crain stated that Malden is looking better since some of the old houses have been removed.

Councilmember Rogers stated it is good to be back on the council and thanks to the citizens that voted for her.

Councilmember Grant welcomed the new council members and thanked the former council members for their service.

MAYOR’S REPORT:

Mayor Santie welcomed the new council members. Mayor Santie there is four (4) standing committees and he will appoint the council as follows:

<u>PUBLIC SAFETY</u>	<u>BUILDING COMMITTEE</u>	<u>FINANCE & BUDGET</u>	<u>ANNEXATION, ZONING & REDISTRICTING</u>
<u>(FIRE & POLICE)</u>	<u>CODE & BLD ISSUES</u>		
KEN THOMPSON-CHAIR	DONNIE JENKINS-CHAIR	RON DELL-CHAIR	DEBRA GRANT-CHAIR
DONNIE JENKINS	RON DELL	LARRY CRAIN	CHARLES DIERKS
DEBRA GRANT	LARRY CRAIN	REGINA SCHAFFER	DIANNA ROGERS

BOARDS & COUNCIL LIAISONS:

<u>BOARDS</u>	<u>LIAISON</u>
AIRPORT	KEN THOMPSON
BOARD OF PUBLIC WORKS	RON DELL
COMMUNITY CENTER	DEBRA GRANT
DEPARTMENT OF ECONOMIC DEVELOPMENT	REGINA SCHAFFER
PARKS AND RECREATION	LARRY CRAIN

Mayor Santie reminded the council that each committee is a committee of the whole council and everyone is invited as the meetings are public meetings. Mayor Santie asked Attorney Preyer to report on the Old Telephone building and annexation. Attorney Preyer stated he spoke with Representatives from AT&T and was told AT&T would try to have the documents ready to close by the end of April 2010 and Atty. Preyer stated he would give Ms. Quall the AT&T Reps’ email address so that she could email him at least once a week. Attorney Preyer stated he expects the annexation to be completed by the next council meeting. Mayor Santie acknowledged Mr. Ken Hampton, a candidate for the 163 district, as being in the audience.

MOTION: By Councilmember Crain to adjourn the Regular Session and convene in the Closed Session for Legal Advise—RSMo 610.021(1) and Personnel – RSMo 610.021(3).

SECOND: By Councilmember Grant.

POLL VOTE --- MOTION PASSED		8-Yes		0-No	
Councilman Thompson	Yes	Councilman Dierks	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes	Councilman Jenkins	Yes

MOTION: By Councilmember Dell to adjourn the Closed Session and reconvene the Regular Session of April 19, 2010.

SECOND: By Councilmember Dierks.

POLL VOTE --- MOTION PASSED		8-Yes		0-No	
Councilman Thompson	Yes	Councilman Dierks	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes	Councilman Jenkins	Yes

There was some discussion regarding advertising for the position of Bookkeeper for the City of Malden. The vote was 7/1 Motion Carried to advertise for a bookkeeper for the City of Malden.

MOTION: By Councilmember Thompson to adjourn the Regular Session of April 19, 2010.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		8-Yes		0-No	
Councilman Thompson	Yes	Councilman Dierks	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Yes	Councilman Jenkins	Yes

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, MAY 17, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Regina Schaffer leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Absent
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: Police Officer Brad Burge, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, EMA Chairman Jim Hollingshad, Utility Director Brian Haley, and Marilyn Fiddler City Clerk.

15-MINUTE OPEN FORUM:

NONE

GUEST:

Mayor Santie presented former council members Cynthia Earnheart and David Black with a plaque for their service to the citizens in Ward II and Ward III respectively.

APPROVAL OF MINUTES:

MOTION: By Councilmember Dell to approve the Regular Session Minutes of April 19, 2010 as presented.

SECOND: By Councilmember Crain.

Motion Carried 6/0.

MOTION: By Councilmember Dierks to approve the Closed Session Minutes of April 19, 2010 as presented.

SECOND: By Councilmember Rogers.

Motion Carried 6/0.

RESOLUTIONS:

MOTION: By Councilmember Dierks to approve Resolution No. 2887 --- A Resolution authorizing the Mayor to execute a deed restriction on behalf of the Malden Industrial Park.

SECOND: By Councilmember Dell.

Motion Carried 6/0.

Councilmember Dierks informed the council that this resolution should be passed on the recommendation of the Airport Board and the Industrial Park.

ANNUAL REVIEW OF CONTRACTS:

Mayor Santie asked that a list of all city contracts be compiled and presented to the council at the June 21, 2010 Regular Council Meeting.

MOTION: By Councilmember Dell to instruct the City Clerk to compile a list of the city's contracts with a

description of contract, terms of each contract and dollar amount of contract.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

CITY FINANCIALS:

Mrs. Pam Jean reported on the expenditures and the revenues of the city. Mrs. Jean stated the city looks good and are within the budget. Mrs. Jean asked the spending be kept to a minimum for the last two month of the budget. Mrs. Jean reported that she would set up the account for the telecom (unfunded liabilities).

BOARD REPORTS:

Utility Director Brian Haley spoke to the council regarding Resolution No. 2888—A Resolution authorizing and ratifying the employment of an engineer to prepare a project report (Agreement for engineering services—Wastewater) and the cost of preparing the project report would not exceed \$6,500. Mr. Haley explained the report is a preliminary engineering report.

MOTION: By Councilmember Dierks to approve Resolution No. 2888—A Resolution authorizing and ratifying the employment of an engineer to prepare a project report.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

HR COMMITTEE RECOMMENDATIONS:

City Administrator Ted Bellers asked Councilmember Thompson to comment on the recommendations of the HR Committee. Councilmember Thompson stated the list below is a list of recommendations from the HR Committee to the Mayor and Council:

1. The Council adopts the Personnel Manual as presented by Ordinance.
2. One Human Resource Department set up for all City Departments with one Officer and once set up to transfer that position to the City Clerk Department.
3. All City payrolls are combined into one system administered by the Finance Officer and staff and put in place by July 1, 2010.
4. Combine the accounting for all City departments, to be in place, and in-house by January 1, 2011.
5. Recommendation (part of Policy Manual) all payroll checks will be direct deposit by July 1, 2010.

MOTION: By Councilmember Thompson to adopt the draft of the personnel manual as presented by the HR Committee and ask Atty. Preyer to prepare an Ordinance for the Personnel Policy and have at the June 21, 2010 meeting and include the five items listed above as presented.

SECOND: By Councilmember Dierks.

Motion Carried 6/0.

COMMUNITY CENTER CONTRACT:

City Administrator Bellers explained that the contract would be between the City of Malden and the Chamber of Commerce to manage the Community Center and the employees of the Community Center for a period of one year. Administrator Beller also informed the council that the City would pay for the services through the Chamber. Mr. Bellers stated the expenses will be fixed.

MOTION: By Councilmember Dell to enter into a contract between the City of Malden and the Malden Chamber of Commerce for a period of one year to operate the Community Center.

SECOND: By Councilmember Rogers.

Motion Carried 6/0.

CITY ADMINISTRATOR'S REPORT:

AUDIT PROPOSALS:

Finance Director Stephen Crump reported that he had received four bids and he contacted the auditing firms. Mr. Crump stated the firms listed below are the four auditing firms that sent proposal are listed below:

Mr. Crump reported his recommendation is Maloney, Wright, & Robbins of Farmington Missouri.

CITY OF MALDEN 2010 AUDIT PROPOSAL

<u>ACCOUNTING FIRM</u>	<u>1 YR PROPOSAL</u>	<u>3 YR PROPOSAL</u>	<u>SINGLE AUDIT PROPOSAL</u>
Coffman & CO., PC Poplar Bluff, MO	\$35,000.00	\$27,500.00 \$29,500.00 \$32,000.00	\$35,000.00 \$37,000.00 \$40,000.00
Maloney, Wright, & Robbins Farmington, MO	\$28,900.00	1 year bid	\$28,900.00
Van De Ven, LLC		50,975.00	\$54,975.00
Cape Girardeau, MO		52,600.00 54,300.00	\$56,600.00 \$58,300.00
Kraft, Miles, & Tatum	\$85,000.00		\$85,000.00

MOTION: By Councilmember Dell to enter into a contract with Maloney, Wright, & Robbins for auditing services at a cost of \$28,900.00.

SECOND: By Councilmember Crain.

Motion Carried 6/0.

EMPLOYEE HEALTH INSURANCE:

There was some discussion regarding the health insurance and the increase in the cost (19.9% which is a \$66,175 increase). City Administrator Ted Bellers informed the Mayor/Council of the three option included in the packet:

<u>Current</u>	<u>Option #7</u>	<u>Option #9</u>
\$1000/\$2000	\$2500/\$2500	\$3000/combined w/IN
\$30/\$30	\$20/\$20	\$0/40

Mr. Bellers reported that if the employees wanted different options they could "buy up" for \$48 a month.

MOTION: By Councilmember Thompson to offer Option #9 with the option #7 as an option to buy up.

SECOND: By Councilmember Dell.

Motion Carried 6/0.

Mr. Bellers stated he would have the HR person to set up workshops.

SENIOR CENTER BUILDING:

Administrator Bellers informed the Council that he and Mayor Santie had spoken with MIRMA Representatives regarding the old Senior Center building and MIRMA recommended that the building remain on the list but to secure the building from the public as this will save the city some funds. Mr. Bellers reported this will give the city time to decide what to do with the building. Mr. Bellers reported that the maintenance of the condemned property is

averaging about \$600 each. CEO Danny Grant gave a brief description of the process of filing and the cost of filing 50 pieces of property with Dunklin County. CEO Grant informed the Mayor/Council that the City could acquire the property at the annual tax sale and offer the property for sale.

MOTION: By Councilmember Dell to pursue the tax sale of listed properties on August 23, 2010 in Kennett at the Dunklin County Court House and to present a final list to the Council at the June 21, 2010 Council meeting.

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

COUNCIL REPORT:

Councilmember Dell informed everyone that a Budget Meeting is scheduled for Thursday, May 20, 2010 at 7:00 p.m. at City Hall. Councilmember Dell stated he enjoyed serving with former council members Black and Earnheart through the ups and downs. Thanks.

Councilmember Crain asked how much money was in the street escrow account. Councilmember Crain said the City needs to protect their streets. Administrator Bellers said he would work on a plan for the streets and he will have to notify everyone that it will be a one-time deal.

Councilmember Dierks thanked those that have been cleaning up the city. CEO Grant reported that private citizens are collecting funds to paint the old Ford building and the side of Donnas' Flower Shop. Councilmember Dierks asked if there was interest in a Farmer's Market. Mayor Santie said that the City has approved a Farmer's Market and waived the sales tax and peddler's license. Mr. Bellers informed everyone that this should be a Chamber of Commerce effort and the City will support the Chamber in their efforts. Mayor Santie stated there will be no obstruction from the City.

Councilmember Rogers asked if Johnson Street could be included when the plans drawn to pave the streets.

MAYOR'S REPORT:

Mayor Santie informed the Council that he would like to appoint Cindy Lester to the Malden Art Commission to replace Sue Bostic.

MOTION: By Councilmember Thompson to appoint Cindy Lester to the Malden Art Commission.

SECOND: By Councilmember Dell. **Motion Carried 6/0.**

Mayor Santie stated Mr. D. W. Summers withdrew his name as a prospective member of the Airport Board. Malden in May is this weekend and the Mayor has a group to participate in the BBQ cook-off.

Mayor Santie informed everyone of the Board of Public Works Meeting Wednesday, May 19, 2010 at 5:30 p.m.

MOTION: By Councilmember Thompson to adjourn the Regular Session of May 17, 2010.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, JUNE 21, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Regina Schaffer leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Dianna Rogers	Absent
Councilmember Charles Dierks	Present (arrived @ 7:04)
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: Police Officer Brad Burge, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, EMA Chairman Jim Hollingshad, Airport Manager Barb Crayne -- Airport Board Members Alvin Owens, Tommy Hinson, Billy Elder, Terry Miller, and Marilyn Fiddler City Clerk.

Mayor Santie introduced Ms. Courtney Luke to the Council as the reporter from the Delta Citizens News (newspaper). Ms. Luke replaced Mrs. Lorraine Heiser, Mrs. Heiser retired.

15-MINUTE OPEN FORUM:

NONE

GUEST:

NONE

APPROVAL OF MINUTES:

MOTION: By Councilmember Dell to approve the Regular Session Minutes of May 17, 2010 as presented.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

CITY FINANCIAL REPORT---- JEAN & COMPANY, LLC.

Mrs. Vinita Weidenbenner of Jean & Company gave the financial report for the City. Mrs. Weidenbenner reported that the 2009/2010 budget needed to be amended to cover the expenditures of \$13,317.00. Mrs. Weidenbenner reported that the final cost of the old comp-time and the old vacation is \$64,000 and this amount should be put in an escrow account. City Administrator Ted Bellers announced that a Special Called Session is scheduled for Monday, June 28, 2010 @ 5:30 p.m.

ORDINANCES:

MOTION: By Councilmember Thompson to approve the first reading of Ordinance No. 3014 --- An Ordinance changing City of Malden Ordinance Chapter 130.010 as pertains to qualifications of the Airport Board and providing for the effective date of this ordinance.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Dell to approve the second and final reading of Ordinance No. 3014 --- An Ordinance changing City of Malden Ordinance Chapter 130.010 as pertains to qualifications of the Airport Board and providing for the effective date of this ordinance.

SECOND: By Councilmember Dierks.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

Mayor Santie declared Bill No. 3014 an Ordinance of the City of Malden.

MOTION: By Councilmember Crain to approve the first reading of Ordinance No. 3015 --- An Ordinance providing for the adoption of an annual budget for the City of Malden, Missouri for the fiscal year July 1, 2010 through June 30, 2011; to repeal conflicting ordinances, and to provide an effective date.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Thompson to approve the second and final reading of Ordinance No. 3015 --- An Ordinance providing for the adoption of an annual budget for the City of Malden, Missouri for the fiscal year July 1, 2010 through June 30, 2011; to repeal conflicting ordinances, and to provide an effective date.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

Mayor Santie thus declared Bill No. 3015 an Ordinance of the City of Malden.

Councilmember Dell thanked all the budget committee for their time and efforts. Mayor thanked all those involved in the budget process.

MOTION: By Councilmember Dierks to approve the first reading of Ordinance No. 3016 --- An Ordinance for the adoption of a "Personnel Policy and Manual" for the City of Malden, Missouri; providing for the repeal of any conflicting Ordinances; and to provide an effective date.

SECOND: By Councilmember Thompson.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes

Councilwoman Schaffer Yes Councilman Jenkins Absent

MOTION: By Councilmember Thompson to approve the second and final reading of Ordinance No. 3016 --- An Ordinance for the adoption of a "Personnel Policy and Manual" for the City of Malden, Missouri; providing for the repeal of any conflicting ordinances; and to provide an effective date.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

Mayor Santie declared Bill No. 3016 an Ordinance of the City of Malden.

Mayor Santie thanked the personnel committee for their months of hard work and time on the personnel manual. Councilmember Thompson also thanked the committee for working with him on the personnel manual.

RESOLUTIONS:

MOTION: By Councilmember Dell to approve Resolution No. 2889---A Resolution of the City Council, of Malden, Missouri, to accept and adopt certain recommendations made by the directors of the Malden Enhanced Enterprise Zone (EEZ) Board in relation to "Targeted Industries".

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

ANNUAL REVIEW OF CONTRACTS:

Mayor Santie reviewed the contracts and explained that the review of the contracts is an annual requirement; this is to let the public know what contracts the city has. Mayor Santie informed the council and the public that they can review the contracts any time.

BOARD REPORTS:

Airport Manager Barbara Crayne informed the council that the Airport had purchased a tractor with a five year contract (lease/purchase). Mrs. Crayne also reported that the location of the annual "Fireworks Show" had been moved to an area near the water tower so that the crowd will be closer. Mrs. Crayne stated she will rely on the Fire Chief to make the decision as to whether it is to dry or not. Mrs. Crayne reported that Mark Preyer helped with getting the donation for the fireworks show and the sponsors are listed below:

- First¹ Community Bank of Malden
 - First State Community Bank
 - Law Office of Welch, Parker & Todd
 - Attorney Mark Preyer
 - Attorney Inga Ladd
 - 1st National Bank
 - Malden Speedway
 - Malden Roofing Co.
 - Attorney Stephen Sokoloff
- Mrs. Crayne thanked the sponsors and thanked Mark Preyer for his hard work.

CITY ADMINISTRATOR'S REPORT:

City Administrator Ted Bellers thanked the council for approving the budget for fiscal year 2010/2011 stating he appreciate their hard work. Mr. Bellers also thanked the HR Committee for the work on the Personnel Policy and manual. Mr. Bellers then thanked all departments for their work with the city and his staff. Mr. Bellers informed everyone that the city's website is up and running. Mr. Bellers gave the website as www.maldenmo.com and told everyone Barbara Crayne would be the website administrator. Mr. Bellers informed everyone that the city is getting ready for the auditors.

CITY COUNCIL MEETING:

City Administrator Ted Bellers announced the purpose of the Special Called Session on Monday, June 28, 2010 at 5:30 p.m. would be to amend the budget for fiscal year 2009/2010.

COUNCIL REPORTS:

Councilmember Dell thanked the budget committee and others that helped preparing the budget for 2010/2011.

Councilmember Thompson thanked the H R committee for their help preparing and rewriting the personnel policy manual.

Councilmember Schaffer inquired about the schedule of the trash pickup. CEO Danny Grant informed Mrs. Schaffer that Allied Waste had changed the schedule because the Thursday pickup was heavier than expected and the Spoonerville area and Gregory Addition would be picked up on Friday until further notice.

Councilmember Crain reported that the "Newly Elected Officer's Conference" in Jefferson City was a good meeting. Councilmember Crain inquired about the chlorine in the water. Water/waste water supervisor Kurt Krepps stated there has not been extra chlorine added in the water.

MAYOR'S REPORT:

Mayor Santie reminded the council of the letter in the packet regarding the Airport Board being short a member and asked the council to approve Jim McMillian as a member of the Airport Board.

MOTION: By Councilmember Dell to approve the appointment of Jim McMillian to the Malden Regional Airport Board.

SECOND: By Councilmember Dierks.

Motion Carried 6/0.

Mayor Santie informed the council that another dance and liquor license was before them. Mayor Santie informed the council that if the applicant met the requirements the only thing they could do is approve her license.

After some discussion:

MOTION: By Councilmember Dell voted to approve the license for dancing license for Susie P. Cooper—The Palace Sports Bar to be located at 109/111 W. Main Street.

SECOND: By Councilmember Dierks.

Motion Carried 6/0.

MOTION: By Councilmember Dell to approve the liquor license for The Palace Sports Bar located at 109/111 W. Main Street contingent upon Ms. Cooper not having any felony convictions.

SECOND: By Councilmember Dierks.

Motion Carried 6/0.

Mayor Santie asked all council members interested in attending the Missouri Municipal conference September 12—15 to let City Clerk Fiddler know so that she might make reservations. Mayor Santie made the Council aware that Citizen and business owner was named Citizen of the year by at the annual banquet of the Malden Chamber of Commerce.

Attorney Mark Preyer informed the council that the personnel policy is an excellent manual. Atty. Preyer announced that thanks to Betty Qualls, Director of Nutrition Site for emailing AT&T on a weekly basis AT&T will have the papers ready to sign at the end of this month for the proposed thrift center.

MOTION: By Councilmember Thompson to adjourn Regular Session and go into Closed Session for Legal Advise and Real Estate.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

Malden Airport Board and the Mayor and Council discussed the lease of some farm land to an investment group to open a business.

MOTION: By Councilmember Dierks to adjourn Regular Session of June 21, 2010.

SECOND: By Councilmember Grant.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

SPECIAL CALLED SESSION
MALDEN CITY COUNCIL
MONDAY, JUNE 28, 2010 — 5:30 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Pro-Tem Ron Dell called the meeting to order at 5:30 p.m.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Absent
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, Pam Jean of Jean & Company, LLC, and Marilyn Fiddler City Clerk.

Pam Jean passed out information sheets explaining the areas that needed to be amended. Mrs. Jean informed the Council that the sheets showed all of the expenditures as of June 28, 2010. Mrs. Jean stated that the funds for the accrual liabilities (old vacation--\$65,000) had been deposited in a separate account. Mrs. Jean informed the Council that the total for utilities needed to be amended. Mrs. Jean explained that there had been some grant revenue and expenditures and a change with the Community Center/professional fees (over by \$5,000) because of the contract to manage the Malden Community Center with the Malden Chamber of Commerce.

Mayor Pro-Tem Dell passed the gavel to Mayor Santie who apologized for being late for the meeting. Mayor Santie thanked everyone for attending.

MOTION: By Councilmember Dierks to amend the budget for fiscal year 2009/2010 as shown by funds.
(see attached sheet)

SECOND: By Councilmember Crain. **Motion Carried 6/0.**

MOTION: By Councilmember Dell to adjourn Special Called Session of June 28, 2010.

SECOND: By Councilmember Crain.

<u>POLL VOTE --- MOTION PASSED</u>		<u>6-Yes</u>	<u>0-No</u>
Councilman Thompson	Absent	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, JULY 19, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Regina Schaffer leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Dianna Rogers	Absent
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

6 Council Members present.

Others Attending: Police Chief Jarrett Bullock, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, CEO Danny Grant, Utility Director Brian Haley, Public Works Supervisor Kurt Krepps and Marilyn Fiddler City Clerk.

15-MINUTE OPEN FORUM:

NONE

APPROVAL OF MINUTES:

MOTION: By Councilmember Grant to change Councilmember Grant from absent to yes and change Councilmember Rogers to absent on page two of the June 21, 2010 Regular Minutes.

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

MOTION: By Councilmember Dierks to approve the amended Regular Session Minutes of June 21, 2010.

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

MOTION: By Councilmember Dell to approve the Special Called Session Minutes of June 28, 2010.

SECOND: By Councilmember Dierks. **Motion Carried 6/0.**

MOTION: By Councilmember Dell to approve the Closed Session Minutes of June 21, 2010.

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

CITY'S FINANCIAL REPORT:

Mrs. Pam Jean of Jean & Company gave a report and stated the expenses are slightly higher. Mrs. Jean informed the council that she would keep the books open for last fiscal year throughout the Month of July.

ORDINANCES:

MOTION: By Councilmember Dell to approve the first reading of Bill No. 3017—An Ordinance of the City of Malden, Missouri, to establish a procedure to disclosure potential conflicts of interest and substantial interest for certain municipal officials.

SECOND: By Councilmember Crain.

POLL VOTE ---	MOTION PASSED		6-Yes		0-No	
Councilman Thompson	Yes	Councilman Dierks	Yes			
Councilwoman Rogers	Absent	Councilman Crain	Yes			

Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Crain to approve the second and final reading of Bill No. 3017—An Ordinance of the City of Malden, Missouri, to establish a procedure to disclosure potential conflicts of interest and substantial interest for certain municipal officials.

SECOND: By Councilmember Dierks.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Thompson to approve the first reading of Bill No. 3018—An Ordinance adjusting the monthly charges for water and wasterwater services for the customers of the Board of Public Works; defining an annual cost of operations rate adjustment; providing for the repeal of conflicting Ordinances; and providing for an effective date.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

BPW Boardmember Clark Duckett explained that for residents the cost would be \$5.00 monthly for water and \$5.00 for wastewater but for non-residents the increase would be \$10.00 for water and \$10.00 for wastewater monthly.

MOTION: By Councilmember Thompson to approve the second and final reading of Bill No. 3018—An Ordinance adjusting the monthly charges for water and wasterwater services for the customers of the Board of Public Works; defining an annual cost of operations rate adjustment; providing for the repeal of conflicting Ordinances; and providing for an effective date.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

Bee Cee COVENANT AMENDMENT:

Attorney Preyer informed this amendment is necessary to cover the residential/drinking water. Attorney Preyer reported that this property cannot be used for residential or drinking water; just commercial. Atty. Preyer informed the council that there is no potential cost; just restrict the two acres/no water wells.

MOTION: By Councilmember Dierks to authorize the Mayor to sign the amendment to the Bee Cee Covenant that restricts the use of the Bee Cee Property.

SECOND: By Councilmember Thompson.

Motion Carried 6/0.

BOARD REPORTS:

NONE

BOARD APPOINTMENT:

MOTION: By Councilmember Dierks to approve the appointment of Mrs. Carol Downing to the Malden Art Commission Board.

SECOND: By Councilmember Thompson. **Motion Carried 6/0.**

CITY COUNCIL WORKSHOP:

Police Chief Jarrett Bullock spoke to the Council regarding the Workshop—Chief Bullock informed the Council that the local pharmacist and law enforcement officers will be available to give an overview of the problem with some drugs being sold over the counter. Chief Bullock stated the workshop would begin at 6:00 p.m. on August 9, 2010 at City Hall.

CITY ADMINISTRATOR’S REPORT:

City Administrator Ted Bellers asked Mrs. Shelia Hill of the Malden Chamber of Commerce to speak regarding the doors at the Malden Community Center. Mrs. Hill explained that some of the doors need to be replaced while others will need to be repaired. Mrs. Hill informed the council that the cost of the doors installed would be \$7,426.00.

MOTION: By Councilmember Thompson to authorize up to \$10,000.00 as an expenditure to the Community Center from General Fund for building repair.

SECOND: By Councilmember Dierks. **Motion Carried 6/0.**

Mrs. Hill reported that she would like to have a large indoor yard sale at the Community Center.

MOTION: By Councilmember Dell to instruct Atty. Preyer to prepare an Ordinance stating the Community Center will be allowed to sponsor an indoor yard sale.

SECOND: By Councilmember Grant. **Motion Carried 6/0.**

City Administrator asked that the rates be surveyed so that the Malden Community Center will be competitive with the surrounding towns. Mrs. Hill also stated that she would like to sponsor a youth dance at the Community Center and she would like the approval of the City. Chief Bullock stated he would donate the services of an officer for the event. Councilmember Crain stated a professional group needs to paint the inside of the Community Center.

City Administrator Bellers informed the council that the sidewalks are almost completed thanks to the Street/ Public Works Departments.

MOTION: By Councilmember Crain to authorize City Administrator Bellers to expend up to \$150,000.00 for street paving.

SECOND: By Councilmember Dierks. **Motion Carried 6/0.**

BIDS:

MOTION: By Councilmember Thompson to approve Delta Companies to pave numerous streets in the City of Malden at \$73.00 per ton.

SECOND: By Councilmember Dierks. **Motion Carried 6/0.**

MOTION: By Councilmember Thompson to purchase a ¾ Ton truck for the Street Department using the state bid.

SECOND: By Councilmember Dell.

TO PURCHASE THE ¾ TON TRUCK FROM STATE BID.

<u>POLL VOTE --- MOTION FAILED</u>		<u>2-Yes</u>		<u>4-No</u>	
Councilman Thompson	Yes	Councilman Dierks	Yes		
Councilwoman Rogers	Absent	Councilman Crain	NO		

Councilwoman Grant	NO	Councilman Dell	NO
Councilwoman Schaffer	NO	Councilman Jenkins	Absent

MOTION: By Councilmember Crain to purchase a ¾ Ton truck for the Street Department from Lincoln Lacy Ford for \$23,492.00.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		5-Yes	1-No
Councilman Thompson	Yes	Councilman Dierks	NO
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

COUNCIL REPORT:

Councilmember Dierks stated it has been a pleasure working with everyone on the committees and boards.

MAYOR’S REPORT:

Mayor Santie stated things have gone well, thanks.

MOTION: By Councilmember Thompson to adjourn the Regular Session of July 19, 2010.

SECOND: By Councilmember Grant.

POLL VOTE --- MOTION PASSED		6-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Absent	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

SPECIAL CALLED SESSION
MALDEN CITY COUNCIL
MONDAY, AUGUST 9, 2010 — 6:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 6:00 p.m. and asked Councilmember Schaffer to lead the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Absent
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Absent
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

5 Council Members present.

Others Attending: City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, Utility Director Brian Haley, Police Chief Jarrett Bullock, SEMO Task Force Mark McClinton, State Police Officer Kevin Glazer, Walmart Pharmacists & Overturf Pharmacists and Marilyn Fiddler City Clerk.

Utility Director Brian Haley spoke to the Council regarding the recommendation of Contractor Award for Phase II Electrical Reconductoring for the City of Malden, Missouri (Electric Construction Contract—Phase II B1333). Utility Director Haley informed the Council that the Board of Public recommended the low bidder (PowerSecure, Inc \$574,875.00) be awarded the contract.

MOTION: By Councilmember Dierks to approve the recommendation of the Malden Board of Publics Board.

SECOND: By Councilmember Crain. **Motion Carried 5/0.**

MOTION: By Councilmember Thompson to instruct Attorney Preyer to prepare an Ordinance regulating the sale of ephedrine or pseudoephedrine related products within the Municipal boundaries of the City of Malden.

SECOND: By Councilmember Rogers. **Motion Carried 5/0.**

MOTION: By Councilmember Thompson to adjourn the Special Called Session of August 9, 2010.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED		5-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Absent
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

REGULAR SESSION
MALDEN CITY COUNCIL
MONDAY, AUGUST 16, 2010 — 7:00 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 7:00 p.m. with Councilmember Debra Grant leading the opening prayer.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Present
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Present
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

7 Council Members present.

Others Attending: *Police Chief Jarrett Bullock, City Administrator Ted Bellers, BPW & City Treasurer/Finance Director Stephen Crump, Public Works Supervisor Kurt Krepps and Marilyn Fiddler City Clerk.*

15-MINUTE OPEN FORUM:

NONE

APPROVAL OF MINUTES:

MOTION: By Councilmember Thompson to change Councilmember Thompson from present and change Councilmember Rogers to absent on page four of the July 19, 2010 Regular Minutes.

SECOND: By Councilmember Crain. **Motion Carried 7/0.**

MOTION: By Councilmember Crain to approve the amended Regular Session Minutes of July 19, 2010.

SECOND: By Councilmember Grant. **Motion Carried 7/0.**

MOTION: By Councilmember Dell to approve the Special Called Session Minutes of August 9, 2010 as presented.

SECOND: By Councilmember Thompson. **Motion Carried 7/0.**

CITY'S FINANCIAL REPORT:

Mrs. Pam Jean of Jean & Company gave a revised report for the end of the year (6/30/2010) financials. Mrs. Jean stated \$13,000 was added to the budget and some of the accrued time was adjusted. Mrs. Jean also stated the way the allocation of the Capital Improvement Tax show up on the financial has been changed. City Administrator Ted Bellers informed the Council that he plans to network the Peachtree software to every department to implement the purchase order system uniformly.

ORDINANCES:

MOTION: By Councilmember Dierks to approve the first reading of Bill No. 3019—An Ordinance to authorize the Mayor to execute State Block Grant documents between the City of Malden and the Missouri Highways and Transportation Commission and to enter into agreements from State Aviation Trust funds providing for aviation project funding.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED **7-Yes** **0-No**

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Dell to approve the second and final reading of Bill No. 3019—An Ordinance to authorize the Mayor to execute State Block Grant documents between the City of Malden and the Missouri Highways and Transportation Commission and to enter into agreements from State Aviation Trust funds providing for aviation project funding.

SECOND: By Councilmember Dierks.

POLL VOTE --- MOTION PASSED **7-Yes** **0-No**

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Dell to approve the first reading of Bill No. 3020—An Ordinance approving a settlement agreement and bind unilateral agreement with Cricket Communications, Inc., and related entities relating to payment of business license taxes.

SECOND: By Councilmember Rogers.

POLL VOTE --- MOTION PASSED **7-Yes** **0-No**

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Crain to approve the second and final reading of Bill No. 3020—An Ordinance approving a settlement agreement and bind unilateral agreement with Cricket Communications, Inc., and related entities relating to payment of business license taxes.

SECOND: By Councilmember Dierks.

POLL VOTE --- MOTION PASSED **7-Yes** **0-No**

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Crain to approve the first reading of Bill No. 3021—An Ordinance approving a settlement agreement and bind unilateral agreement with T-Mobile relating to payment of business license taxes.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED **7-Yes** **0-No**

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Dierks to approve the second and final reading of Bill No. 3021—An Ordinance approving a settlement agreement and bind unilateral agreement with T-Mobile relating to payment of business license taxes.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED

7-Yes

0-No

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Dierks to approve the first reading of Bill No. 3022— An Ordinance of the City of Malden, Missouri, regulating the sale of ephedrine or pseudoephedrine related products within the municipal boundaries of the City of Malden; providing for the repeal of conflicting Ordinances; and providing for an effective date.

SECOND: By Councilmember Thompson.

POLL VOTE --- MOTION PASSED

7-Yes

0-No

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

MOTION: By Councilmember Rogers to approve the second and final reading of Bill No. 3022— An Ordinance of the City of Malden, Missouri, regulating the sale of ephedrine or pseudoephedrine related products within the municipal boundaries of the City of Malden; providing for the repeal of conflicting Ordinances; and providing for an effective date.

SECOND: By Councilmember Crain.

POLL VOTE --- MOTION PASSED

7-Yes

0-No

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

CLOSE ALLEY (SUPER-D):

Attorney Mark Preyer asked what portion of the alley is to be closed. Mayor Santie stated “the alley between N. Douglas and N. Marion--- W. Howard and W. Main.

MOTION: By Councilmember Dierks to instruct Attorney Preyer to write an ordinance to close a portion of the alley bordered by N. Douglass/N. Marion and W. Main/W. Howard with the consultation of Super-D’s personnel and the approval of the Director of Utilities at Malden Board of Public Works relating to the relocation of the sewer line.

SECOND: By Councilmember Crain.

Motion Carried 7/0.

BOARD REPORTS:

MOTION: By Councilmember Dierks to approve Resolution No. 2890---A Resolution accepting a release from the federal aviation administration and authorizing the sale of land to Murphy Agro Investments.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED

6-Yes

0-No

Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	No
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

BOARD APPOINTMENTS:

MOTION: By Councilmember Dell to approve the appointment of Cecil Weeks to the Malden Regional Airport Board.

SECOND: By Councilmember Thompson.

Motion Carried 7/0.

MOTION: By Councilmember Grant to approve the appointment of Jo Robertson to the Malden Art Commission.

SECOND: By Councilmember Crain.

Motion Carried 7/0.

MOTION: By Councilmember Dell to approve the appointment of Hannah Lester to the Malden Art Commission.

SECOND: By Councilmember Rogers.

Motion Carried 7/0.

POLICE CHIEF BULLOCK:

Chief Bullock informed the Council that the grant he applied for to buy police cars was denied. Chief Bullock stated he contacted the local Banks for bids on cars; there is \$17,000 in the budget. City Administrator Bellers informed Chief Bullock that there is \$16,000 in his budget for 2010/2011.

MOTION: By Councilmember Dierks to approval the purchase of one (1) Chevrolet Tahoe and two (2) Chevrolet Impala cars for the Police Department for an expenditure up to \$65,000.

SECOND: By Councilmember Rogers.

POLL VOTE --- MOTION PASSED		6-Yes	1-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	No
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

CITY ADMINISTRATOR’S REPORT:

City Administrator Bellers asked Kurt Krepps Public Works supervisor to speak regarding street overlay. Mr. Krepps informed the Council that he would remove Madison from the overlay list until next fiscal year because a water main needs to be repaired in that area. Mr. Krepps stated he will need additional funding to add to the list.

MOTION: By Councilmember Crain to amend the budget of fiscal year 2010/2011 to expend \$200,000 instead of \$150,000 previously approved for street overlay project.

SECOND: By Councilmember Rogers.

Motion Carried 7/0.

Mr. Krepps reported the Street Department can save money by seal coating the City’s property instead of bidding the project. Mr. Krepps reported that the Public Works Department cleaned up 47 loads of limbs from Frisco Park--things that are on the MIRMA recommendation list. Mr. Krepps reported that no trees were removed unless they were completely dead. Mr. Krepps stated his department would work to improve the Martin Luther King Park. Mr. Bellers reported that the expenditures were approved through the Park Board. Mr. Bellers informed the Council that he would work with Attorney Preyer to prepare an agreement so that the Public Works would be able to continue helping with the parks. Mr. Bellers reported that the video system has failed and cannot be repaired. Mr. Crump spoke to the Council regarding the video system---Mr. Crump reported that a surveillance system that will cover inside and outside of the building would work at a cost of \$1,500/\$4,000.

MOTION: By Councilmember Dell to authorize City Administrator Bellers to research the cost of a system for the council meetings and bring back to next council meeting.

SECOND: By Councilmember Crain.

Motion Carried 7/0.

Mr. Bellers reported that a similar event to last years’ Downtown event will be held again this year on September 2, 2010 in the downtown area and will be financed by the community. Mr. Bellers also reported that there would be gifts, food and special guest.

COUNCIL REPORTS:

Councilmember Thompson informed the Council that he had been approached to look at the residency Ordinance as some employees are not living in the city limits.

Councilmember Crain thanked Administrator Bellers and stated the downtown area is looking better.

Councilmember Dierks commended Public Works Supervisor Kurt Krepps and his crew on cleaning up Frisco Park.

Councilmember Rogers asked Attorney Preyer to prepare an ordinance for a stop sign to be placed at S. Decatur and Ozark Streets to make the intersection a four-way stop.

MOTION: By Councilmember Rogers to approve stop signs to be placed on S. Decatur at Ozark Street.

SECOND: By Councilmember Grant. **Motion Carried 7/0.**

Councilmember Grant asked that the sidewalk be inspected at the corner of Francis and Decatur Streets. Councilmember Grant invited everyone to her wedding on September 18, 2010 at the Malden Community Center at 2:30 p.m.

Councilmember Crain asked Attorney Preyer if the annexation was still ongoing. Attorney Preyer replied annexation should be completed by the end of the year.

MAYOR'S REPORT:

Mayor Santie read a thank you note from Mrs. Shelia Hill of the Chamber of Commerce. Attorney Preyer stated there was not a need for a Closed Session.

Attorney Preyer stated that DED is supportative of the interested parties and Recommend the Farmers (leasee) and the other interested parties (Ag Innovation Park) meet and work out a deal.

MOTION: By Councilmember Thompson to adjourn the Regular Session of August 16, 2010.

SECOND: By Councilmember Grant.

<u>POLL VOTE --- MOTION PASSED</u>		<u>7-Yes</u>	<u>0-No</u>
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Yes	Councilman Dell	Yes
Councilwoman Schaffer	Yes	Councilman Jenkins	Absent

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK

SPECIAL CALLED SESSION
MALDEN CITY COUNCIL
WEDNESDAY, SEPTEMBER 15, 2010 — 6:30 p.m.
CITY HALL—201 SOUTH MADISON

Mayor Ray Santie called the meeting to order at 6:30 p.m.

ROLL CALL:

Councilmember Ron Dell	Present
Councilmember Kenneth Thompson	Present
Councilmember Regina Schaffer	Absent
Councilmember Donnie Jenkins	Absent
Councilmember Debra Grant	Absent
Councilmember Dianna Rogers	Present
Councilmember Charles Dierks	Present
Councilmember Larry Crain	Present

5 Council Members present.

Mayor Santie read Ordinance No. 3023 by heading only.

MOTION: By Councilmember Dell to approve the first reading of Ordinance No. 3023—An Ordinance of the City of Malden, Missouri, fixing the Ad Valorem property tax rate for the 2010-2011 fiscal tax rate year for the City of Malden, Missouri; setting out the valuation by category of property; setting forth the amount of revenue required to be provided from the property tax in the annual budget; and providing an effective date.

SECTION: By Councilmember Thompson.

POLL VOTE --- MOTION PASSED		5-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Absent	Councilman Jenkins	Absent

There was some discussion as to what the tax rate would be and it was determined that the tax rate for 2010/2011 would be 0.7313 per one hundred (\$100.00) of assessed valuation with last year being 0.7302 per one hundred (\$100.00) of assessed valuation.

MOTION: By Councilmember Dell to approve the second and final reading of Ordinance No. 3023—An Ordinance of the City of Malden, Missouri, fixing the Ad Valorem property tax rate for the 2010-2011 fiscal tax rate year for the City of Malden, Missouri; setting out the valuation by category of property; setting forth the amount of revenue required to be provided from the property tax in the annual budget; and providing an effective date.

SECTION: By Councilmember Thompson.

POLL VOTE --- MOTION PASSED		5-Yes	0-No
Councilman Thompson	Yes	Councilman Dierks	Yes
Councilwoman Rogers	Yes	Councilman Crain	Yes
Councilwoman Grant	Absent	Councilman Dell	Yes
Councilwoman Schaffer	Absent	Councilman Jenkins	Absent

Ordinance No. 3023 was thus declared an Ordinance of The City of Malden.

MOTION: By Councilmember Rogers to adjourn the Special Called Session of September 15, 2010.

SECOND: By Councilmember Dell.

POLL VOTE --- MOTION PASSED		5-Yes		0-No	
Councilman Thompson	Yes	Councilman Dierks	Yes		
Councilwoman Rogers	Yes	Councilman Crain	Yes		
Councilwoman Grant	Absent	Councilman Dell	Yes		
Councilwoman Schaffer	Absent	Councilman Jenkins	Absent		

RAY SANTIE, MAYOR

ATTEST:

MARILYN FIDDLER, CITY CLERK