

City Council Meeting Minutes  
July 23, 2018  
7:30 p.m.

The Board of Aldermen met on Monday, July 9, 2018 in the Council Chamber at City Hall. Mayor Richard Bodi presided with the following present: Ald. Riley, Wade, Chism, Young, Cravens and White.

OLD BUSINESS:

1. The Mayor called the meeting to order.

The Minutes from the July 9<sup>th</sup> meeting were presented. Ald. Chism made a motion to approve the minutes as presented. Ald. White seconded, all voted “yes” and the minutes were accepted.

NEW BUSINESS

1. Visitors: Mr. Robert Fitzgerald of New Madrid appeared before the Council to speak about a variety of items. He made a suggestion that the City adopt an ordinance requiring bicycles to have front and rear lights on them if they will be riding after dark. Mayor Bodi said that they would take this under advisement.

Mr. John Graham, operator of Willy Bill’s Restaurant was the next to address the Council. He first commended the Council for the progress in the City. His first concern was the Independence Day Event. Mr. Graham felt that the placement of his BBQ trailer put him at a disadvantage and that many of his customers were unable to get to him because of the placement of the Rescue Vehicle. He had asked that it be moved and it was but only a few feet and that that did not improve his situation. Mayor Bodi stated that he had seen the layout but did not see a problem with access. However, he would speak with the Chamber Director about future events. Mr. Graham brought up a situation that he having with his landlord. He stated that he is having difficulty in getting him to make agreed upon repairs to the restaurant. He also does not feel that his contract is being followed as agreed upon. Atty. Bock stated that this was a civil manner between Mr. Graham and his landlord and suggested that he consult with an attorney. City ordinances do not deal with commercial property. This would not be an issue for the City Council.

The next visitor was Mr. Jimmy McSpadden. Mr. McSpadden appeared before the Council to ask if there is a way around the City’s ATV ordinance that requires that only licensed drivers are allowed to drive (ATV) motorized vehicles within the City and only then if they have obtained a permit from the City. Atty. Bock informed all that the license requirement

was a state statute and that the City could not override that law. He referred him to Representative Don Rone if he felt the law should be changed. The City would not have any recourse in applying the law as written to all residents.

The final visitor was Mr. Phil Pfuehler. Mr. Pfuehler appeared to inform the Council of issues with the levee, specifically the area behind his house on Waters street. He stated that during the high water in the spring, he began noticing geysers springing up in his yard from seepage through the levee. He then started noticing an unpleasant odor coming from underneath his house. Upon inspecting the crawl space under the home, he discovered a sand boil that had filled an approximately 7'x10' area with sand, making it almost impossible for him to be able to reach the plumbing in the home. He started filling buckets with the sand and dragging it out. He had filled two trailers full but found that more sand would then replace what he had removed. He is concerned about the security of his home and all the homes in the area. He called the levee district and they came to inspect the situation. They spent about 2 hours at his residence and took pictures. He then realized that the problem was coming from the other side of the levee and contacted the Corps of Engineers at the Memphis District Office. They suggested that he ask the City Engineer to come down and inspect the issue. He is also concerned that the heavy traffic and the speed that they drive the levee is contributing to its instability. He has spoken to Rep. Don Rone and he suggested that he contact Rep. Jason Smith. Mr. Pfuehler did so and representatives from his office are scheduled to visit this Thursday. He is hoping the City will encourage the Corps of Engineers to take action on what he feels is a dangerous situation for the town. Mr. Pfuehler also commented on the ATV issue. He is concerned by the age of the drivers and afraid that a tragedy is likely to happen.

2. Mayoral Appointments: Employee (Sick Leave) Bank Evaluation Committee. The Mayor submitted the following 3 employees to a 1 year term on the Employee Bank Evaluation Committee: Sam Barnett, Dana Perry and Jerry Newton. The Mayor explained that the bank had been created to assist employees with serious, life threatening illnesses or injuries after they had used up their available sick leave and all but 40 hours of their vacation. If approved the employees could continue to draw their check while unable to work, if approved by the committee. The City Council had deposited 1400 sick leave hours into this fund several years ago but it had never been used. Ald. Wade asked if the City had any employees that were currently in need of bank hours. Mayor Bodi stated that Officer Dewayne Whitworth and Alex Collier were both in need of this assistance. Ald. Chism made a motion to approve the appointments. Ald. White seconded. A roll call vote was taken as follows: Ald. Riley – yes, Ald. Wade – yes, Ald. Chism – yes, Ald. Young – yes, Ald. Cravens – yes and Ald. White – yes. The appointments were approved.

3. Bill #18-1295 an Ordinance to remove the one way traffic sign at the alley between Mill Street and Mott Street. Since the Davis Pharmacy is no longer in business, there is no need for the one way traffic sign and it is merely an inconvenience for the business owners along Main Street. Ald. Chism made a motion to approve and Ald. White seconded. A roll call vote was taken as follows: Ald. Riley – yes, Ald. Wade – yes, Ald. Chism – yes, Ald. Young – yes, Ald. Cravens – yes, Ald. White – yes. The Ordinance was adopted.
4. The next 2 agenda items regarding a resolution to split the cost of renovations to the Davis Park ballfields with New Madrid County Central and a resolution to award the bid to proceed with these renovations were both tabled due to the fact that the school has not as yet voted to approve the renovations. This will be taken up at a later date should the school decide to proceed with the project. Ald. Wade made a motion to table both resolutions and Ald. Young seconded. A roll call vote was taken as follows: Ald. Riley – yes, Ald. Wade – yes, Ald. Chism – yes, Ald. Young – yes, Ald. Cravens – yes, and Ald. White – yes. The resolutions were tabled.
5. City Administrator's Report: Adm. McGill informed the Council that the new Water Plant was functioning well. The cause of the recent problem has been identified and a part has been ordered. Until it arrives, it will be necessary for the water crew to manually operate that switch. It may be 4-6 weeks until we receive the ordered part, but the manual operation is not a problem and can be handled easily until then. All water levels look great. The hydrant flushing will be completed this week.

Adm. McGill informed the group that an invitation to bid for the Substation project was inserted in the paper. That project is scheduled to be completed before the end of this year. Applications are due October 1<sup>st</sup> for the CDBG grants for the drainage projects. He is working with BRPC to get the required surveys completed for these grants. Since they will require an 80% return rate on the surveys, he stated that we may need to give an incentive to get people to complete the forms.

Cemetery Update: Some things still need to be done. Ald. Ryan Riley has helped by leveling out the new area and the markers needed to put on each lot have been ordered. He said that he will be meeting with Chris Lambert tomorrow morning. Ald. White mentioned that unless removed, time would be needed to allow the grass to rot so that the leveling would be correct and the lots would be able to be laid out correctly.

Street Project: Adm. McGill visited the street project that is being done in Sikeston and liked the look of the job very much. He is quite encouraged since they will be the firm working on our street project.

Ald. White made a motion to adjourn to closed session relating to "B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration there for (RSMo 610.021.2)". Ald. Chism seconded the motion and a roll call vote was taken as follows: Ald. Riley – yes, Ald. Wade – yes, Ald. Chism – yes, Ald. Young – yes, Ald. Cravens – yes, Ald. White – yes. The Council moved to a closed session.

Ald. White made a motion to move back to open session. Ald. Chism seconded the motion. A Roll call vote was taken as follows: Ald. Riley – yes, Ald. Wade – yes, Ald. Chism – yes, Ald. Young – yes, Ald. Cravens - yes, Ald. White – yes.

There being no further business, Ald. Chism made a motion to adjourn. Ald. Wade seconded. All Aldermen voted "yes". And the meeting adjourned.