

**City of Odessa Board of Aldermen  
Odessa Community Building | 601 W. Main Street  
September 10, 2018 | 7:00 pm  
Meeting Minutes**

**CALL TO ORDER**

Mayor Pro-Tem Steve Wright called the meeting to order at 7:00 pm.

**PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Steve Wright led the Pledge of Allegiance.

**ROLL CALL**

City Clerk, Peggy Eoff called the roll.

Mayor Adam Couch	Absent		
Alderman John Carmody	Present	Alderman Brian Henning	Present
Alderman Mike Stevens	Absent	Alderman Ray Harves	Present
Alderman Steve Wright	Present	Alderwoman Mickey Starr	Present

City Staff present: Nici Wilson-City Administrator, Dawn Jennings-Finance Director, Josh Thompson-Police Chief, Carson Hodge-Electric Superintendent, Kenny Snider-Wastewater Superintendent, Darrin Lamb-Water/Street Superintendent, Keith Gibson-EMS Director, Jennifer LeBlanc-City Collector, and Joe Lauber-City Attorney

Others present: Hannah Sparr-The Odessan, Steve & Sandy Lockhart, Pat Harves, Carla Cochran, Joyce Watkins, Stephen Summers, William Moore, Gerald Bonen, Brenda Oliver, Trevor & Amanda Tilton, Kenneth Rinne, Wayne McNeel, Dwayne McNeel, Hugh Proctor, Aaron Martin, Trish Lackey, Joyce Mann, Carolyn Bonen, Adam Murry, Jana Benson, Peter Benson, Tony Cogdill, Donnie Dannar, Ernie McGongil, and Billy McGrath.

**WELCOME**

Mayor Pro-Tem Steve Wright welcomed visitors.

Motion was made by Alderman Henning and seconded by Alderman Harves to amend the agenda to add the Special Events Application for the Boxes for the Troops.

**APPROVAL OF CONSENT AGENDA**

Purchasing Card Report

Budget Report

Approval of Minutes

- August 27, 2018 – Regular Session

Police Department Report

Monthly EMS Summary Report

Code Compliance Monthly Report

City Collectors Current and Delinquent Business License Reports

Motion was made by Alderman Harves, seconded by Alderman Starr to approve the consent agenda. Motion carried 5-0.

## **PUBLIC COMMENTS**

Peter Benson at 211 Crestview Drive, Odessa, Missouri, stated that he would like a stop sign placed at the intersection of Crestview and 1<sup>st</sup> Street and Crestview and 2<sup>nd</sup> Street due to kids racing to and from school. City Administrator Wilson informed Mr. Benson that the board would have to look into this and if the board chooses to do an ordinance then it would be brought back to the board.

Attorney William B. Moore from Kansas City Missouri, informed the board that he was representing the concerned Landlords in opposition of bill No. 2018-21. Mr. Moore stated that this bill is unlawful and just not right, he feels that the City is shifting the burden for non-payment of the city's utilities to an innocent third party. The City has no authority to oppose a lien the way this ordinance is drafted it is attempting to give the city, a 4<sup>th</sup> class City, in the future the authority to impose a lien if the State of Missouri grants you that authority pursuant to State Statutes. The City has no authority to put a lien on a property for unpaid electric bills. He continued saying that cities do not have statutory authority to transfer the debt of a tenant to the landlord for the unpaid bills owed to the City. He believes that the ordinance is inconsistent and asked the board to reject the ordinance and move forward with other plans, he stated that the City should do something pro-active to protect its self, such as require larger deposits or do a credit check on the tenant. His clients are willing to sit down and come up with something reasonable. If this ordinance is passed his clients will continue to fight it and take it to court if necessary.

## **MAYOR'S REPORT**

Mayor Pro-Tem Steve Wright read the Proclamation for Constitution Week

## **ALDERMEN REPORTS**

- Alderwoman Starr thanked Alderman Harves and his wife Pat for cleaning up the intersection across from McDonalds.

## **OLD BUSINESS**

### **Bill No. 2018-21 (2 reading) Ordinance regulating utility billing on rental properties**

Mayor Pro-Tem Steve Wright read bill no. 2018-21 an ordinance regulating utility billings on rental properties, landlord responsibilities for utility bills on rental properties, and handling of delinquent utility accounts for rental properties in the City of Odessa, Missouri.

Motion was made by Alderman Henning to approve bill no. 2018-21, second reading, no one seconded.

Wright informed the board that the Mayor has stated that something needs to be done and that we will present this at the next board meeting.

Motion was made by Alderman Harves seconded Alderwoman Starr to postpone bill no. 2018-21 second reading to the next meeting on September 24, 2018, no discussion.

Motion carried 5-0.

### **Bill No. 2018-22 (1<sup>st</sup> reading) Ordinance to establish a three way stop sign at the intersection of East Benning and Wells Street**

Mayor Pro-Tem Steve Wright read bill no. 2018-22 an ordinance establishing a three way stop sign at the intersection of East Benning and Wells Street.

Motion was made by Alderwoman Starr, seconded by Alderman Henning to approve bill no. 2018-22, first reading. Alderman Harves noted that he does not like putting up so many stop signs, but understands due to speeding.

Bill No. 2018-22 (2nd reading) Ordinance to establish a three way stop sign at the intersection of East Benning and Wells Street

Mayor Pro-Tem Steve Wright read bill no. 2018-22 an ordinance establishing a three way stop sign at the intersection of East Benning and Wells Street.

Motion was made by Alderman Harves, seconded by Alderman Henning to approve bill no 2018-22 second reading. Vote as follows: Alderman Wright aye Alderman Henning aye Alderman Stevens absent Alderman Harves aye Alderman Carmody aye and Alderwoman Starr aye. Motion carried 5-0.

## NEW BUSINESS

Special Events Application for use of the 1912 Building for storing Boxes for the Troops

Trish Lackey, explained that they anticipate doing around 850 boxes this year which they usually do around 500, so they need an early start. Motion was made by Alderman Henning and seconded by Alderman Harves to approve the special events application for use of the 1912 building for storing boxes. Mayor Pro-Tem Wright informed Trish that there is no electricity in that building. Motion carried 5-0.

Discussion-Records Management System, Software and Service Agreement

Police Chief Josh Thompson explained that The City of Odessa recently entered into a 911 dispatch contract with the City of Higginville to provide the city with 911 emergency dispatching, the City saved \$6,900.00 annually with that contract. The record management system and software and service was not included in that contract as previous years. Mayor Pro-Tem Steve Wright ask if this was not included in the 911 contract that he would like to have been told then. Attorney Joe Lauber will be reviewing the contract and will be presented at the next board meeting.

Motion of Approval of an additional inch of asphalt for the Dyer Park walking trail.

City Administrator Nici Wilson explained that at the time of the paving of the walking trail at Dyer Park the street department believed the existing walking trail would serve as a foundation and that only 2 inches of asphalt was needed, but after site prep work the original path had to be removed so 3 inches is needed. Motion was made by Alderman Henning seconded by Alderman Harves to approve an additional inch of asphalt not to exceed \$7,000.00 at the walking trail at Dyer Park. Further discussion, Alderman Harves believes that this is money well spent, Darrin Lamb explained that the original path had to be repaired, which took out a level of foundation so now an additional inch is needed. Motion carried 5-0.

Resolution 2018-23 Project application with Pioneer Trails Regional Planning Commission for a Community Development Block Grant.

City Administrator Nici Wilson stated that this resolution is applying for a Community Development Block Grant (CDBG) for Ninth Street between Golf Street and OO Highway which is in an emergency need of repair. CDBG requires a RFP to be done for grant writers/administrator the City has received two replies and it is the recommendation to select Pioneer Trails Planning Commission, their proposal came back at a lower cost. The maximum grant is \$500,000, the estimated cost of the project is \$750,000, If the Board elects to proceed and the City is ultimately approved for the CDBG grant than the City would have to commit to the sum of \$250,000 to pay for the remaining portion of the project costs.

Further discussion: Alderman Harves asked where we would get the \$250,000, Wilson explained that it would come from the Capital Improvement fund budget and that it would take all of the budget planned for the streets. Alderwoman Starr asked if this would prevent any other street repairs, Wilson stated that yes but there will be money available for maintenance.

Motion was made by Alderman Harves and seconded by Alderman Henning to approve resolution 2018-23. Motion approved 4-1 Alderwoman Starr oppose.

Closed Session

There being no further business to come before the Board of Aldermen in open session, motion was made by Alderman Henning, seconded by Alderwoman Starr to move the meeting into closed session pursuant to RSMo 610.021 subsection (1) to allow for the discussion of legal actions, causes of action or litigation at 7:39 pm. Vote as follows: Alderman Wright aye Alderman Henning aye Alderman Stevens absent Alderman Harves aye Alderman Carmody aye and Alderwoman Starr aye. Motion carried 5-0.

Alderman Stevens joined the closed session meeting at 7:39 pm.


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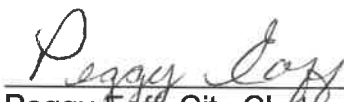
Adjourn

There being no further business to come before the Board of Aldermen, motion was made by Alderman Stevens, seconded by Alderman Henning to adjourn the meeting at 8:20 pm. Motion carried 6-0

Approved:

September 24, 2018

  
Adam R. Couch, Mayor

  
Peggy Eoff, City Clerk