

The Board of Aldermen met in regular session at 6:00 P.M.

Aldermen Present: Greg Smith, Mark Greening, Roch Buckman, Michael Purol, Gary Thompson, and Tyler Wheeler

Others Present: Jackie Pangborn, Gary Million (John Deere - Martin Equipment), Connie Painter, Marcia Watson, John Wilcox, Neal Minor, Jerry Jansen (Luby Equipment), Jamie Allen, Brett Peters (Altorfer), Megan Smashey, Carla Kennedy and Kelly Kennedy

Mayor Minor called the meeting to order.

Mayor Minor asked everyone to stand and recite the Pledge of Allegiance.

The consent agenda was reviewed. Director Pangborn stated that there was one bill to be added to the bills. It was for Crockett who did the geotechnical survey for the Ralls County property for site certification and the cost was \$3,700.00. There was an additional charge of \$1,463.75 since they had to make two trips to the site. Moberly Area Economic Development Corporation advised that they would pay for the extra cost due to not providing Crockett with the correct map for the site. Alderman Purol motioned to approve the consent agenda with the added bill from Crockett; Alderman Buckman seconded it with all in favor.

Alderman Greening gave the Public Works report. He stated that Director O'Bryan included the Director's report showing what the departments have been doing. There were no questions with these.

Alderman Greening stated that bids were solicited for backhoes. Three bids were received – from Case, Cat and John Deere; the bid packets are in the council packet as well as a bid summary. Alderman Greening stated that all of the dealers were in the room if anyone had any questions regarding the equipment. The budgeted amount was \$85,000 and all of the bids well exceeded the budgeted amount. Alderman Greening stated that we needed to decide how we want to proceed. Alderman Greening stated that the lowest base bid was Case at \$95,650.00; the next lowest bid was John Deere at \$97,500.00; and high bid was the Caterpillar at \$101,950.00. Director Pangborn stated that the sheet on the table is up to date; it includes the options that were added which increased each one. Alderman Greening stated that Jamie Allen is here if there are any questions for him. It was stated that the Backhoe is to go to the Gas, Water and Sewer Department. Each company brought over a backhoe for Jamie to try out. Jamie's recommendation is based on him and the other men in the Public Works Building trying out the machine; they all prefer the Caterpillar.

Mayor Minor questioned Jamie if the backhoe would be utilized for snow removal. Jamie said that it could, it could do anything and would be used for whatever was needed. The Mayor stated that he was not real excited about buying something that is Fifteen to Twenty Thousand Dollars more than what was budget. It was mentioned to reject all the bids and look for a used machine that is in our price range or rebid it next

year. Jamie stated that the \$85,000 was a ballpark figure for the budget. But it was stated that there was USDA money from the sewer project that would be purchasing the additional portion of the backhoe. It was also mentioned that our other backhoe was sitting at John Deere and it needed to be repaired and that would cost several thousand dollars; we need to decide what we are going to do with it. The Street Department has a backhoe that they have repaired and it is working; the Electric Department has the Street Department's old backhoe and at this point the Gas, Water and Sewer Department does not have a backhoe. If the old backhoe at John Deere is fixed then it can be brought back and given to the Electric Department as it would be a better machine than what they have.

Alderman Purol questioned if there was any trade in value at this point and Jamie was not sure. Alderman Thompson stated that he felt the \$85,000 budgeted amount was an unrealistic figure. Alderman Wheeler remembered it being referred to as a ballpark figure; Alderman Buckman stated bids were \$23,000 over budget. It was then stated that regardless, we have to have a backhoe and if we don't do something now we will need possibly two backhoes within the next few years. Mayor Minor did state that we do have money from the sewer project. He stated that each bidder submitted financing options that were fairly attractive; possibly we could pay what we have allowed for in our budget and then finance the balance until the next budget year. Alderman Buckman questioned how much the funding was for the sewer project, Director Pangborn will look into that amount, but it was thought to be around \$160,000. Jamie mentioned that he had \$40,000 allotted for lift station repairs. Alderman Buckman was upset on the estimates that were given for the budget. Alderman Thompson asked Jamie to explain what he liked. Jamie stated that he and the guys like the Caterpillar backhoe. He stated that all three were good backhoes, the Case is similar to what Director O'Bryan has, the John Deere and Caterpillar were the top 2 and Jamie stated that in talking with his men and the other men in the Public Works Building, they all liked the Caterpillar. He further explained that the comforts were better in the Caterpillar and it was more operator friendly than the other two. He stated that the service on the front end of the machine had the quick coupler installed. He stated that the Caterpillar has a rear window that they like much better than in the Case or John Deere. Jamie stated that as far as the thumb, it can be eliminated as it is not something he has to have. Alderman Thompson asked how Jamie got along with Altorfer. Jamie stated that most of the equipment is Cat and whenever Director O'Bryan has an issue it is addressed within a day or two. Alderman Greening stated that the City hasn't purchased anything from Case or John Deere so we don't know what their service is like. Jamie stated that after he went over the numbers he thought financing may be the better option. Mayor Minor stated that we could finance the balance that exceeds the \$85,000 budgeted and then pay it in the next budget year. Alderman Purol stated that we have the money now with the sewer funds and we should utilize it. Alderman Purol motioned to take Jamie Allen's recommendation which would be to purchase the Caterpillar machine plus the fenders for \$102,850 and use the funds appropriated for it; if there are not enough funds, then to finance the excess in next year's budget. Gary Million (John Deere representative) stated that the minimum horsepower was specified to be 102; the John Deere machine is the only one to meet that specification and he has a hydraulic thumb included in the

base bid. Alderman Purol stated that if the Caterpillar doesn't meet the bid specifications then he rescinds his motion; and we will have to revise our bid specifications and rebid.

Jamie stated that Caterpillar called him and stated that he wouldn't meet the specs, but he couldn't remember having conversations with the other bidders. Jerry Jansen (Luby) stated that all manufacturers are a bit different. He stated that they were given the specifications, they all bid on them and then it appears that it doesn't matter what the low bid is because it doesn't matter. Attorney Wilcox explained to Mr. Jansen that we can take the lowest bid if it is in the best interest of the City. However, we don't have to if there is prior experience and we have a justification as to why we are rejecting the low bid. Attorney Wilcox further stated that we need to revise the bid specifications and make sure that we are bidding and comparing apples to apples. Mr. Jansen asked what incentive there was for him to go through the bidding process again when it is clear that the Manager wants a Caterpillar – it is a waste of his time. Attorney Wilcox asked Jamie what the time frame was in which we would have to have a new Bachkoe. Jamie stated that it wasn't an emergency. Aldermen Greening motioned to review the bid specifications and send them back out for bid; if they don't want to bid on them then he apologized. It was mentioned to put the minimum horsepower in a range between 90 - 110. Review all the specifications as there are several that weren't being met with these bids that were submitted – the specifications need to be cleaned up. Alderman Wheeler seconded the motion with all in favor.

Alderman Greening said that there is still the matter of the old backhoe that is setting at Tri-State/Martin Equipment in Palmyra, Missouri. The estimated cost is \$5,000 to fix it. Alderman Greening motioned to fix the old backhoe and then evaluate where it will go when it comes back to the City; Alderman Thompson seconded it with all in favor.

Alderman Wheeler stated that there was nothing to report for Public Safety.

Alderman Buckman turned the Administration report over to Director Pangborn.

- Director Pangborn stated that Carla Kennedy was in the back of the room and that she needed to talk with the Council regarding issues with the sewer at 301 Second Street. Mrs. Kennedy stated that they had their ductwork cleaned and they showed what was pulled from the ductwork in a bucket that Mr. Kennedy took around for each Alderman to view - it was raw sewage and toilet paper. Mr. Kennedy stated that there are 3 small children that could be affected by this and they could have major issues since the heat was on, the air conditioner was on and it was left that way for 3 months.

Mrs. Kennedy stated that the house was purchased in July. When there were issues with the sewer, Cliff (with K & N) said that he knew that the house would come back to haunt him because he knew that they didn't hook up the house to the main line. She stated that the house is brand new and it has been through a lot. The basement smells like crap, Ms. Smashey stated that she had talked with City Hall about stuff backing up in the basement and that Gary Osbourne told her

that the City has a high water level and to make sure the sump pump is working. Mrs. Kennedy stated that in September, she (Ms. Smashey) had a baby and they were told to shut the water off and leave. They stayed eight 8 days in Hannibal and had to pay for that stay. Mr. Kennedy, Mrs. Kennedy and Ms. Smashey all chimed in with bits of information - a waterline was broken, tools were stuck in the sewer line, the water pressure hasn't been the same since the situation. They want to be reimbursed for what they had to pay for these expenses. Ms. Smashey stated that she has been going through this since before she moved in to this house on Second Street. She had previously lived on First Street and had a problem with the sewer backing up in that house as well. That house was about one block east and south from her current residence.

Mayor Minor stated that he agreed with them that this needs to be made right; he stated that even though Cliff knew of this situation, we weren't made aware of it until more recently. He stated that this is the first council meeting to discuss this issue and we have an executive session scheduled to review the information and to determine how we will handle it.

Mayor Minor stated that he has seen that K & N has taken care of some of the items but not everything. He stated that K & N feels that they are done with it and they are blaming the City. Ms. Smashey felt that Cory Horstmeyer (sold house to her) knew of the issues and he knew that if she found out about it that she would not buy the house. She stated that she is totally miserable with this situation as it currently stands. Attorney Wilcox stated that we will discuss this further, but at this point he will recommend that they be reimbursed for the expenses; but the housing is an issue. Ms. Smashey expressed concerns about the vents not being cleaned, Director Pangborn is to contact Mr. Ritter about the vents and we will have to take care of the painting. Ms. Smashey stated that she had concerns with the water pressure as well. Jamie Allen was still in attendance, so Director Pangborn asked that he come to the front and to explain what was done regarding the water pressure. Mr. Allen stated that they checked the outside spicket and it showed 55-60 pounds. He stated that the Street Barn is only 54 pounds so she has more pressure than the City's shop does. Mr. Allen stated that he looked at the flow on the kitchen sink, the bathroom sink and the second bathroom and they all seemed to have the same flow as each other. She further stated that her issue is with the shower and the toilet in the 2nd bathroom. She stated that the toilet doesn't flow with the same force as the first bathroom. The water line was fixed and they are the same toilets. She stated that they do not take showers in the 2nd bathroom and they are scared that the toilet won't flush. Alderman Purol stated that the water pressure has nothing to do with how forceful the toilet flushes. He stated that nothing connects the water pressure to the flush due to the tank. He further stated that he understands there is a problem but the water pressure has nothing to do with it. Mayor Minor stated that we will discuss this further in executive session.

- Director Pangborn stated that the first item she needs to discuss is the police guns. Attorney Wilcox stated that he does not want the City buying these and giving them to the officers. It was his understanding that the guns were being purchased as trade in's by GT Distributors and that the officers could contact GT Distributors to purchase their guns back through them. However, since then it was mentioned that GT Distributors didn't want to be involved in that. Attorney Wilcox is going to contact GT Distributors and see where we are at with all of this. After additional discussion, Alderman Purol motioned to table this until the next meeting; Alderman Greening seconded it with all in favor.
- Director Pangborn stated that the MGCM Board of Directors wanted to get the members desire on extending the terms of the joint contract and the natural gas purchase agreement to 5 years. This would make both contracts the same, eliminate any confusion that may have existed in the past. The longer term would bring additional stability to long term gas supply prices. The City needs to check as to whether they support the change or they disagree with the change. Jamie Allen stated that we already have a 5 year contract with Panhandle but MPUA is only 2 years. Alderman Buckman stated that they are protecting themselves. Jamie Allen stated that he was at the meeting and that everyone else was for it. Jamie stated that he didn't know much about this and which would be the better way. Mayor Minor stated that his goal is to deliver a cost effective gas supply to the citizens; would this help our goal? It was mentioned that if the people that are nominating the gas know what they are doing, then it is worth it. After additional discussion, Alderman Smith motioned to disagree with the change; Alderman Thompson seconded it with all in favor.
- Director Pangborn mentioned that the Airport project will be getting underway soon. We will be meeting with the engineers on January 11th at 4:30 at the airport.
- Director Pangborn stated that we did receive the TAP Grant from MoDOT for \$229,976 for our \$333,139 project on Main Street. She stated that one of the requirements is that the "Person of Responsible Charge" must have the certified training. She received that training and is certified until May of 2019. She stated Mr. Manzke with MoDOT will meet with her soon regarding the next steps.
- Director Pangborn stated easements at 4D Subdivision have been finally signed. She will review the easements and make sure that the legal descriptions meet what her files show. Once that is confirmed she will have Neal sign the documents.
- Director Pangborn stated that Attorney Wilcox presented her with the Purchasing Ordinance earlier in the evening. She will review it and hopefully it will be ready for approval at the next meeting.
- Director Pangborn stated that she has been looking into pre-employment testing for individuals prior to becoming full-time employees. She has been talking with the Missouri Division of Workforce Development regarding their program that they have for applicants and employers. Basically the employers sign up that they will take part in this program and in our advertisements we will state that "We recommend an ACT National Career Readiness Certificate for all applications to this position." The applicants take a test which covers problem

solving, critical thinking, reading and using work-related text, applying information they have to solve problems, apply math reasoning to work issues, set up and perform math calculations, locate and apply information presented in graphs and compare information in multiple numbers. Based on how they score on this test, they will be given a certificate from Bronze, Silver, Gold or Platinum (the highest). Obviously we would want someone with the higher certificate level, but at least we would have some idea as to what type of skills they have. Director Pangborn would like to sign the City up for this and begin including this information on all future job advertisements – including the one for the administration position at City Hall. After minimal discussion, Alderman Wheeler motioned that the City take part in this program; Alderman Purol seconded it with all in favor.

- Director Pangborn stated that the Workforce Development group also has a Show-Me Heroes program where the City would be recognized as an employer that considers Veterans for open positions for which they meet the job qualification requirements. We are to encourage Veterans to apply and consider them for the job if they meet the qualification requirements. Alderman Purol motioned that the City sign up for this program, Alderman Wheeler seconded it with all in favor.

Alderman Greening questioned the status of the Police Car. Director Pangborn stated that the Police Car was being driven by the individual that was installing the camera system. He was taking it to Moberly since he had all of the tools he needed there. On the way, he hit a deer and did approximately \$5,800 in damage to the vehicle. The City's insurance is taking care of this, the car is at JC's getting the repairs made.

Mayor Minor stated that he had an economic development update. He stated that the Monroe County Industrial Development Authority had a meeting. The City has a contract with them as they contract with Moberly Area Economic Development Corporation. Several of the organizations are considering not contributing this year. This means that it would be short the money needed to have a contract with the Moberly Area Economic Development Corporation. The renewal is being tabled at this time. Glenn Turner is working to try to find additional funding. Mayor Minor hopes to have more information at the next meeting.

Alderman Smith motioned to adjourn the open session and go into executive session authorized by RSMO 610.021 (3) hiring, firing, disciplining or promoting of particular employees; and as authorized by RSMO 610.021 (1) legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; Alderman Buckman seconded it with a roll call vote:

Greg Smith	Yea	Michael Purol	Yea
Mark Greening.....	Yea	Tyler Wheeler.....	Yea
Roch Buckman	Yea	Gary Thompson	Yea

January 5, 2017

After the adjournment of the executive session, the open session was reconvened. Alderman Wheeler motioned to ratify the decisions made in executive session to pay Ms. Smashey \$55 per night for the 8 nights of overnight stays as well as the \$10.55 from Robey's which totals \$450.55; Ms. Smashey is to sign a hold harmless agreement and futures bills for this project will be handled on a case by case basis; Alderman Thompsons seconded it with all in favor.

Alderman Wheeler motioned to adjourn the meeting; Alderman Thompson seconded it with all in favor.

NEAL MINOR
Mayor

JACKIE R. PANGBORN
Director of Administration