

MINUTES

Location: City of Concordia Board of Alderpersons Regular Meeting
Concordia Community Center, Room 202
802 S. Gordon Street
Date: Monday, September 20, 2021
Time: 5:00 P.M.

The September 20, 2021 regular meeting of the Board of Aldermen of the City of Concordia was called to order at 5:00 P.M. with Mayor Michael Brown presiding. The Aldermen present were Kaleb Nierman, Beth Kruse, Wayne Lindemann and Mary Beth Scherer.

Also in attendance were Kathleen Powers of the Concordian, Kelly Beets, Senior Loss Control Consultant for MIRMA, Alan Riesterer, Superintendent of Concordia's Maintenance Department, Carol Mueller, Assistant Clerk and Dale Klussman, City Administrator.

Mayor Brown requested a roll call to establish a quorum of the Board:

Alderman Nierman:	Present
Alderman Kruse:	Present
Alderman Lindemann:	Present
Alderman Scherer:	Present

Mayor Brown declared a quorum present and led the room in the Pledge of Allegiance.

Mayor Brown recognized that Assistant Clerk Mueller was present to take the Minutes of this meeting.

The Minutes of the September 7, 2021 regular meeting of the Board of Aldermen were presented for discussion. Administrator Klussman presented an updated version of the Minutes to the version presented in the Aldermen's packets, noting that there was one change on Page 7. The Minutes included in the packets erroneously stated that "Alderman Nierman made the motion to read Bill No. 2021-44 by title only for the **first** reading...". The updated Minutes contain the proper wording that "Alderman Nierman made the motion to read Bill No. 2021-44 by title only for the **second** reading..."

There being no further discussion, Alderman Lindemann made the motion to accept the Minutes of the September 7, 2021 Board of Aldermen meeting as presented. Alderman Scherer seconded this motion. Mayor Brown requested votes recorded by the Yeas and Nays, with 4 Aldermen voting in the affirmative and 0 Aldermen voting Nay. Mayor Brown declared the motion duly passed and the Minutes of the September 7, 2021 meeting approved.

The Aldermen reviewed the proposed amendments to the FY 2020-2021 Budget. Administrator Klussman specifically cited the following amendments:

01-105-4301 in the amount of \$26,694.00 recognizing this amount above budgeted revenues for Sale Tax Received for the 1% General Fund Sales Tax for the year.

01-105-4937, in the amount of \$105,000.00 recognizing the Transfer from Fund 31 representing the Lost Revenues from 2020.

01-105-4912, in the amount of \$15,801.00 recognizing the Transfer from Fund 01-105 to Fund 18-The Tourism Fund (\$12,031.00) and to Fund 24-The Fuel Use Tax Fund (\$3,770.00).

01-301-4301, in the amount of \$11,748.00 reflecting the amount of Transportation Sales Tax collected above budgeted amount.

01-500-4301, in the amount of \$11,861.00 reflecting the amount of Parks Sales Taxes collected above budgeted amount.

18-001-4912, in the amount of \$12,031.00 reflecting the Transfer from the General as reimbursement for Lost Revenues for 2020, allowed under the ARPA Guidelines.

24-4330-4912, in the amount of \$3,770.00 reflecting the Transfer from the General as reimbursement for Lost Revenues for 2020, allowed under the ARPA Guidelines.

24-430-4313, in the amount of \$6,478.00 reflecting the amount of Motor Fuel Tax collected by the Use Tax above budgeted amount.

31-304-4352 in the amount of \$238,712.00 reflecting receipt of the APRA monies not included in the original FY 2020-21 Budget.

31-304-5801, in the amount of \$105,000.00 reflecting Transfer of monies to Fund 01 as authorized by Board action on September 7 for Lost Revenues for 2020. These funds were not contained in the original FY 2020-21 Budget.

With no further questions, Alderman Nierman made the motion to introduce Bill No. 2021-45 by title only for the first reading. Alderman Kruse seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and read:

AN ORDINANCE TO AMEND CERTAIN FUNDS OF THE CITY OF CONCORDIA FOR THE FISCAL YEAR 2020-2021 BUDGET AND APPROVE EXPENDITURE BUDGETS AND ADJUST REVENUE BUDGETS FOR THESE FUNDS AS REQUIRED.

Alderman Nierman made the motion to read Bill No. 2021-45 by title only for the second reading. Alderman Lindemann seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and read:

AN ORDINANCE TO AMEND CERTAIN FUNDS OF THE CITY OF CONCORDIA FOR THE FISCAL YEAR 2020-2021 BUDGET AND APPROVE EXPENDITURE BUDGETS AND ADJUST REVENUE BUDGETS FOR THESE FUNDS AS REQUIRED.

Alderman Nierman made the motion to request a Roll Call vote on Bill 2021-45, with the Acting Clerk recording the vote. Alderman Scherer seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and request Clerk Mueller to conduct and record the Roll Call vote:

Alderman Nierman:	<u>Yea</u>
Alderman Kruse:	<u>Yea</u>
Alderman Lindemann:	<u>Yea</u>
Alderman Scherer:	<u>Yea</u>

The results of the roll call vote being 4 in the affirmative and 0 Nays, Mayor Brown declared Bill 2021-45 duly passed as an Ordinance of the City of Concordia and assigned the Ordinance Number 1620.

The Claims Register was reviewed for consideration. City Administrator Klussman stated that the invoiced total of \$3,510.00 from the City of Higginsville represented the charges for the third quarter dispatching and records management. This invoice represents the fifth payment for FY 2020-21, as by contract, the payment is due prior to October 1, 2021. This means we will be amending the FY 2020-21 budget to show an amount over budgeted expenses for dispatching **and** may need to make an amendment to the future FY 2021-22 budget to demonstrate less expenditures than budgeted.

The Administrator also stated that there will be future potential budget amendments to Funds 24-430-5502 and 01-500-5502, as he had incorrectly coded the portion of the Crockett Engineering invoice assigned to Main Street Park (\$3,790.00) to Fund 24-430-5502.

There will be reassignment of invoices from Knipmeyer Seed, LLC for \$235.00 and Penny's Concrete for \$203.60, as a portion of the items and services contained in these invoices were used on NW 8th St. and should be charged to Fund 24. These actions may result in future amendments to the line items that are affected.

Alderman Nierman asked if a motion to authorize payment of the invoices as presented on the Claims Register needed to note the future assignments of Costs to the proper accounts. Klussman stated that the motion to authorize payment did not need to contain any notation, and that the reassignment of monies would be performed by future closing budget amendments.

Alderman Kruse requested clarification on what Vance Brothers supplied us with for \$6,585.50. The Administrator stated that Vance Brothers is the City of Concordia supplier of Road Oil.

Alderman Nierman made the motion to adopt Resolution No. 2021-R-24, A RESOLUTION OF THE CITY OF CONCORDIA, MISSOURI AUTHORIZING PAYMENT OF BILLS PRESENTED ON SEPTEMBER 20, 2021.

Alderman Kruse seconded this motion.

With no discussion concerning the question, Mayor Brown requested votes recorded by the Ayes and Nays, with 4 Alderpersons voting in the affirmative and 0 Aldermen voting Nay. Mayor Brown requested a roll call on Resolution 2021-R-24, the votes recorded as follows:

Alderman Nierman:	<u>Yea</u>
Alderman Kruse:	<u>Yea</u>
Alderman Lindemann:	<u>Yea</u>
Alderman Scherer:	<u>Yea</u>

Mayor Brown declared Resolution 2021-R-24 duly passed 4/0.

Under “Business from the Audience” Mayor Brown recognized Kelly Beets, Senior Loss Control Consultant with MIRMA. Mr. Beets stated that the purpose for his attendance was the presentation of a plaque recognizing MIRMA funding for a portion of the costs associated with the City’s purchase of the Body Cameras and two Dash Cameras for their Police Department. MIRMA has a program that participates in costs related to those areas that have been deemed by MIRMA as the areas with the greatest potential loss to the pool. They have emphasized loss management control that would lessen potential liability in Police affairs. One of the best means to aid in this management is through use of video technology. Mr. Beets stated that MIRMA was very happy to participate with partial funding in the amount of \$5,575.13, which represents 63.5% of the cost to purchase the 8 body cameras and 2 Dash Cams.

At this time, Beets presented the plaque to Mayor Brown.

Klussman stated that, as the \$5,575.13 was not a budgeted revenue in either the FY 2020-21 or FY 2021-22 Budget, the Board may consider using these monies to purchase the remaining two cameras to complete the fleet of dash cameras for the Police vehicles.

At this time, Mr. Beets exited the proceedings.

There was no further Business from the Audience for Board of Aldermen consideration.

There was no Old Business of the Board of Aldermen from Previous Meetings.

The first action under New Business of the Board of Aldermen was consideration of a request from the Administration to approve crafting of a letter of support on behalf of the City, supporting the issuance of a State Liquor License for St. Paul High specifically for their annual Christkindlesmarkt. It is the opinion of the Administrator, in the absence of a City Clerk, that this letter requires Board of Aldermen approval prior to submittal to the State of Missouri.

There being no further questions, Alderman Kruse made the motion to introduce Resolution No. 2021-R-25, A RESOLUTION OF THE CITY OF CONCORDIA, MISSOURI AUTHORIZING A LETTER OF SUPPORT FOR A LIQUOR LICENSE FOR THE SAINT PAUL CHRISTKINDLEMARKT. Alderman Nierman seconded this motion. There being no discussion, Mayor Brown requested votes be a Roll Call vote on Resolution 2021-R-25, with the Acting Clerk recording the vote:

Alderman Nierman:	<u>Yea</u>
Alderman Kruse:	<u>Yea</u>
Alderman Lindemann:	<u>Yea</u>
Alderman Scherer:	<u>Yea</u>

The results of the roll call vote being 4 in the affirmative and 0 Nays, Mayor Brown declared Resolution 2021-R-25 duly passed.

The Board of Aldermen then considered a request presented by Tyler Riordan, Municipal Sales Manager of Republic Services, that the City store an undetermined number of polycarts and temporarily place these carts when requested by citizens.

The Administrator stated that he determined that this request needed to come before the Board because, in essence, this request altered the contract as signed for collection of waste, with Heartland Waste of Central Missouri, later transferred to Republic upon purchase of Heartland Waste by Republic.

Alderman Nierman recognized that this was a change to the contracted services but expressed his desire that the City attempt to implement a plan to provide this service to the citizens requesting polycart service.

Alderman Scherer expressed her opinion that this alteration of service contains an end date, providing a period (potentially 90 days) for Republic to hire a cart delivery driver.

Alderman Nierman asked where the carts would be housed. Alan Riesterer stated that these carts would have to be housed outside, in an open area.

Alderman Kruse stated that she knew that Republic was having issues in the Warrensburg area with both collection of waste and recycling.

Mayor Brown stated that he wanted to again publicly state his appreciation for the fact that Roger Morgan is our area Solid Waste collector, and that because of Roger's efforts, our trash service has been excellent during the change-over period caused by Republic's purchase of Heartland.

The Board then authorized the City Administrator to relay the following to Mr. Riordon:

That the City would be willing to consider housing and placing of polycarts, when subscribed for by citizens of the City. However, the initial placement of carts for new subscription (estimated between 15 and 20 carts) must be made as an inventory is delivered to the Maintenance Shop. This placement of carts must be made by Republic personnel. Second, Republic must submit a Hold Harmless Agreement for the stored carts from loss or damage. Third, that there be negotiated a mutual reimbursement by Republic to the City of Concordia for labor to store and place these carts. The addendum to the contract should contain an end time which is recommended to be between 90 days to 120 days because the storage and placement of these carts should be and is, a part of the expected service of Republic and we are only considering this action to assist Republic in providing this service to the citizens of Concordia. Finally, Republic shall create all related proposed addendums and contract and shall submit these documents to the City for review by Attorney Schnieders, with future action to be taken by the Board of Aldermen following this review.

The Board of Aldermen then discussed the Request for Annexation by CFM for the property located South of U.S. 40.

Included in the Aldermanic packets was an overview of the annexation process. Administrator Klussman stated that this would fall under the steps for "voluntary annexation", thus reducing the potential process items and costs to the City.

The request is for land that qualifies for voluntary annexation, as it is contiguous and compact to the existing corporate limits of the City of Concordia. The first step for the City is to set a Public Hearing giving all interested people or political subdivisions an opportunity to present evidence, either supporting or opposing the annexation. Based on this evidence, the Board will make a

determination of reasonableness and necessity and allow an additional 14-day period to receive objections to the annexation.

Following the 14-day window, the Board of Aldermen could adopt an Ordinance of Annexation for this tract of land.

The Administrator presented the MML sheet documenting the Procedure for Detaching a part of an area from a Water District, as this land is currently serviced by Public Water Supply District #2.

It is apparent, that the City should negotiate with the Water District to bring this water customer into City Service, however, it is possible for the cost to the City to prohibit the annexation. The Administrator stated that in discussions concerning wording in Section 705.320, requiring ***“all buildings hereafter constructed in the City for human habitation or occupancy, or which are used in any manner by the general public shall be connected to the water system of the City”*** with representatives from MML, he was advised that recent legislation restricts the City from taking over water service and thus taking away customers from the Districts. Rather, potential wording of this Section could be that connection to Public Water Services is required.

The Administrator stated that he has been in communication with Tammie Winters of PWSD #2 concerning the need of negotiation. Tammie has requested that their Attorney present advice at their Board meeting (September 20) and they would then forward initial information to the City.

Upon conclusion of this discussion, Alderman Niernan made the motion to set the Date and Time for a Public Hearing to hear evidence concerning the Request for Annexation related to the property owned by CFM and located south of Old US Highway 40 for October 18, 2021, beginning at 5:30 P.M. in Room 202 of the Concordia Community Center, 802 S. Gordon St., Concordia, Missouri. Alderman Scherer seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay.

Under the Administrator's Report, Klussman stated that he believed the most transparent method to demonstrate the Revenues and Expenditures related to the Special Property Tax Assessment voted in by the citizens on August 3, 2021, was to establish a Fund to receive the 85% designated amount for Parks Operations.

The Fund would be a Special Revenue account receiving revenues through transfers made upon receipts of revenues into Fund 01-102 for Property Taxes. Once these revenues are transferred into the Fund, we can clearly demonstrate expenditures in compliance of the language of the ballot question.

The Administrator requested Board consideration to Bill No. 2021-46 to establish this Fund.

Alderman Kruse made the motion to introduce Bill No. 2021-46 by title only for the first reading. Alderman Scherer seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and read:

AN ORDINANCE OF THE CITY OF CONCORDIA ESTABLISHING FUND 32, A SPECIAL REVENUE FUND ENTITLED “THE PARKS ASSESSMENT FUND”.

Alderman Kruse made the motion to read Bill No. 2021-46 by title only for the second reading. Alderman Lindemann seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and read:

AN ORDINANCE OF THE CITY OF CONCORDIA ESTABLISHING FUND 32, A SPECIAL REVENUE FUND ENTITLED “THE PARKS ASSESSMENT FUND”.

Alderman Kruse made the motion to request a Roll Call vote on Bill 2021-46, with the Acting Clerk recording the vote. Alderman Scherer seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays, with the vote recorded 4 voting in the affirmative and 0 voting Nay. Mayor Brown declared the motion passed and request Clerk Mueller to conduct and record the Roll Call vote:

Alderman Nierman:	<u>Yea</u>
Alderman Kruse:	<u>Yea</u>
Alderman Lindemann:	<u>Yea</u>
Alderman Scherer:	<u>Yea</u>

The results of the roll call vote being 4 in the affirmative and 0 Nays, Mayor Brown declared Bill 2021-46 duly passed as an Ordinance of the City of Concordia and assigned the Ordinance Number 1621.

The Administrator stated that at an earlier meeting of the Board of Aldermen, the Board was requested to grant permission to the Concordia High School FBLA to have a fund-raising event (boot-block and bake sale) at the Intersection of Old Highway 40 and Mo. Highway 23.

The event was cancelled, but now the FBLA is requesting permission to have the event on Sunday, September 26, 2021 between 1:00 P.M. and 4:00 P.M.

Alderman Nierman remembered that, during the discussion for the previous request, the Board of Aldermen did not feel that they were the correct authority to grant permission to be in MoDOT right-of-way.

The Board reiterated that they were not granting permission nor denying permission to the FBLA to have their event on September 26, 2021 from 1:00 P.M. to 4:00 P.M., they were however, recommending that the FBLA observe all safety precautions, as recommend in MoDOT right-of-way activities.

The Administrator announced that there were 5 timely responses to the City's Request for Qualification for the Engineering work related to the CDBG project. The Administrator has received recommendation from Norm Lucas, Director of Pioneer Trails Regional Planning Commission and Project Administrator, that the City utilize a CDBG Criteria in selecting the firm to negotiate with.

Administrator Klussman stated that in past grants, a Committee has been selected to perform the evaluation of responses, submitting the recommendations to the Board of Aldermen based on CDBG Criteria.

Alderman Scherer made the motion to appoint Alderman Kruse to serve as the Alderman delegate to the Selection Committee, along with Mayor Brown and Administrator Klussman. Alderman Lindemann seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays. The vote was recorded 3 voting in the affirmative and 0 voting Nay, with Alderman Kruse abstaining.

The Administrator brought a request before the Board of Aldermen on behalf of Crystal Haase, 402 NW 8th Street, Apt #2 for an extension of time before shut-off of water service. Crystal is waiting on the Child Tax credit and payment of her boyfriend for side jobs.

Alderman Scherer stated that she did not want to turn off the water, as there were obviously children that would be affected.

Alderman Kruse made the motion to extend the timeframe for water shutoff for Crystal Haase at 402 NW 8th St., Apt. #2 to the end of the business day on Friday, September 24, 2021. Alderman Scherer seconded this motion. There being no discussion, Mayor Brown requested votes be recorded by the Yeas and Nays. The vote was recorded 4 voting in the affirmative and 0 voting Nay.

Mayor Brown reminded the Board of the Retirement Dinner for Susan Flandermeyer on September 21, 2021 beginning at 5:00 P.M. The Mayor also stated that there will be a Planning

& Zoning meeting held at 6:00 P.M. in Room 202 of the Community on September 21, 2021. The Mayor recognized the work of the Concordia Police Department during and immediately following the Concordia Fall Festival as well as recognizing the Maintenance Department's maintenance of the I-70 area, as he has received many positive comments concerning this area.

Aldermanic Reports:

Alderman Scherer had no report.

Aldermen Lindemann had no report.

Alderman Kruse had no report.

Alderman Nierman reported that the trash receptacles ordered by Concordia Main Street and the City of Concordia is expected to be set this week. Alderman Nierman requested an update as to the number of applicants for the City Clerk position. The City has received 2 full application packets as of today, with some still out. The City has received 2 resumes.

Alderman Nierman also recognized the work pulling the weeds from the Interstate 70 Intersection by volunteers headed by Cindy and Brittany Tolias.

The Administrator announce that the Waterfowl drawing, originally scheduled for Saturday, September 25, 2021, has been moved to October 2, 2021 to allow advertisement of the drawing.

There being no further business, Alderman Lindemann made the motion to adjourn. Alderman Nierman seconded this motion. The vote was taken by the "Yeas and Nays", with the Mayor declaring the motion passed 4/0.

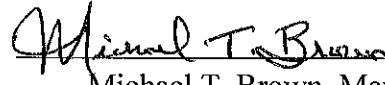
Meeting adjourned.

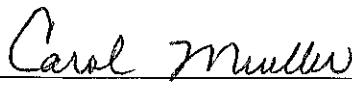
Time noted: 6:07 p.m.

Respectfully Submitted,

Carol Mueller
Acting Clerk

Approved this 4th day of October 2021.


Michael T, Brown, Mayor


Carol Mueller, Acting City Clerk

