

**MINUTES**  
**CITY OF DIAMOND BOARD OF ALDERMEN MEETING**  
**August 12, 2013 - 7:00 P.M.**

**MAYOR SHANE HUNTER CALLED THE MEETING TO ORDER AT 7:00 P.M.**

**OPENING PRAYER:** Lisa Mitchell

**PLEDGE OF ALLIEGANCE:** Mayor Hunter led the group in the pledge of allegiance.

**ROLL CALL:** City Clerk called roll. Mayor Shane Hunter, present. Aldermen present were Billie Jo Hardy, Lisa Mitchell and Brenda Schmitt.

Mayor Hunter opened the floor to any citizens wishing to address council.

Council recognized Ticia Pinnell. Ms. Pinnell asked council when the no parking signs would be installed. Mayor Hunter told her that in fact the sign installation began that day. He explained that we had to wait for State Approval on placement. Next she asked if the city would be spraying for mosquito. Mayor Hunter stated it is expensive to spray, but we would check into the cost. Next she asked council to do something about her ditch. She explained to council that her ditch was flat and the water that comes under the street just stands in her ditch. She would like the city to dig out the ditch a little so that water could run off. The Mayor told her he would have the guys look at it. Next she complained to council about her neighbor ripping out her flowers from his side of her fence. The Mayor suggested she contact her attorney that this is more of a civil matter. Next she complained that the same neighbor had stopped mowing the grass in front of his house between his fence and the street. Police Chief Jones said he would look into it.

Next to address council was Kathleen Warden. She complained about flooding on North Main Street. Mayor Hunter told her the city has been looking at the problem and she explained that we are looking at a plan to fix the flooding on Cullum Court as well. Mayor Hunter stated he would like to see about annexing north along 59 highway. John Callentine stated he thought we had annexed it because of where the city limit signs are. Mayor Hunter explained that only the highway was annexed. Next she asked about the property at Webb Street and North Main that has all the cars sitting in his yard. Police Chief Jones stated that he had talked to the homeowner and that they were going to get rid of some of the cars. She stated they got rid of one. Mike said he would talk to them again.

Next Pearl Loudermilk asked Council to do something about the property at Market & Depot. She said with Gem City Days coming soon it is a real eyesore. She said the guy comes maybe a couple times a year to mow, but the vegetation was out of control and never addressed. She also said the house needs to be condemned. Mayor Hunter told her that he had notified several homeowners to make improvements or demolish dangerous structures. Mike Jones stated he would be issuing a citation to the owner of the property at Market & Depot.

Next Mayor Hunter asked that the July 15, 2013 Minutes be approved. Billie Jo Hardy asked if the brush hog approved in July had been purchased. Mayor Hunter said it had and had been in service for some time now. She also asked when we would be getting our water towers cleaned. JoAnn stated that we should be doing that later this week. Billie Jo also asked JoAnn about the Grant Writing class. JoAnn stated she had learned a lot and was ready to dig in and try to get the city some funds. Billie Jo then made a Motion to approve the Minutes, Lisa Mitchell seconded the Motion. All in Favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Mayor Hunter then asked to approve the 2013 Tax Levy by approving bill number 07322013 to create Ordinance number 391 An Ordinance of the City of Diamond Missouri Providing for the Levy of City Taxes and Establishing the Rate of Taxation for the City of Diamond. Billie Jo Hardy made a Motion to approve bill number 07302013 and create Ordinance 391. Brenda seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Next Mayor Hunter sought approval of bill number 08092013 to create Ordinance number 392 An Ordinance to add the Sheriff's Retirement System to Section 125.330 Article III, Chapter 125 of the Municipal Code of the City of Diamond.

Vicki Wright told council that this was a State Mandated item and that the city MUST approve it. Judge White was present and answered questions about the issue. He informed council if the bill was not approved that the city would still be liable for the amount and would have to pay it from other funds. Reluctantly, Lisa Mitchell made a Motion to approve bill number 08092013 and create Ordinance 392. Again reluctantly, Brenda seconded the Motion. All in favor, Brenda Schmitt, Lisa Mitchell. All against, Billie Jo Hardy. Motion passed.

Next Mayor Hunter addressed filling the vacant council seat. He asked Bill Buening if he would like to address council. Mr. Buening addressed council as to his qualifications and desire to be on council. Next Mayor Hunter asked Max Struewing if he would address council. Mr. Struewing also addressed council with his qualifications and desire to be on council. Mayor Hunter then sought approval to add Mr. Struewig to council to fill the vacant seat. Billie Jo Hardy voted Yes, Lisa Mitchell was undecided, and Brenda Schmitt voted no. Brenda stated that she thought Mr. Buening was a better choice and since he had ran for office in the election he should be given the seat. She stated that she wanted to make a Motion to pick Mr. Buening. City Clerk JoAnn Ohlhausen stated that she could not do so. JoAnn stated that only the Mayor could bring a candidate to council for approval. And that by code council could only say yes or no. Lisa Mitchell then stated that she would also vote no. Brenda asked to see the code and JoAnn provided the code, which Brenda read aloud. Judge White then stated that this was correct and that council could only say yes or no and that this could continue back and forth until the next election. Mayor Hunter asked that the matter then be tabled.

Next Mayor Hunter asked for council approval to purchase a used 1994 Ford F150 pick-up truck for use by the water superintendant. Brenda asked who we were looking to purchase the truck from and JoAnn provided the information, D&J Auto Sales in Joplin. Mayor Hunter stated that Charlie and Jessie had looked the truck over and had driven it. He also stated the he and JoAnn had looked at the truck. He stated that it has a slight leak in the rear axle and would need tires. Lisa Mitchell made a Motion to allow the purchase. Billie Jo Hardy seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Next City Clerk asked council to address an issue which had come up. She stated that Jessie had been called in to work on a paid holiday. She asked council what rate of pay he should receive. Council instructed JoAnn to find the federal requirements and include the finding in the employee handbook. JoAnn will provide an Amended handbook at the next council meeting.

Next JoAnn asked council about selling the old brush hog to Kevin at K&B Excavation for \$240.00. JoAnn stated that Charlie had mentioned keeping the old brush hog to use in rougher areas instead of using the new one. Mayor Hunter stated he did not want the old one used at all. He felt it was at the end of its useful life. Lisa Mitchell made a Motion to sell the brush hog to K&B for \$240.00. Billie Jo Hardy seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Next council sought to address the question of how many dogs would be allowed per household in Diamond City Limits. JoAnn stated the Granby allows 4, Joplin allows 4, and Neosho has no limit, but owning six dogs would require a kennel license. Judge White cautioned about being able to enforce the ordinance. You would need to be able to search premises to determine if people were in violation. He suggested a limit on dogs kept out doors. He also suggested requiring a kennel license at a substantial cost to deter the owning of that many dogs. JoAnn reminded council that the creation of a new license fee would require a vote of the people. Lisa Mitchell made a Motion to table the issue and look to the current codes to deal with the noise issue. Brenda seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Next Brenda Schmitt addressed council on behalf of the Diamond Improvement Group to request the use of Memorial Hall free of charge to hold their monthly meetings. B.J. stated she had no problem with them using it, but worried that other organizations would ask to do the same, and defeat the rental income. Mayor Hunter suggested that the group be allowed to use it on a temporary basis for the next nine months until their normal meeting place becomes available to them. Lisa made a resolution to allow the Diamond Improvement Group to use the Memorial Hall at no cost for nine months. Billie Jo Hardy seconded the resolution. All in favor, Lisa Mitchell yes, Billie Jo Hardy yes. Brenda Schmitt abstained. All opposed, none.

Next Brenda Schmitt addressed council about hosting an E-Waste event. She explained to council about the program with the help of John Callentine. Brenda met with the Harry S. Truman Foundation to talk about available grants for the program. She advised council that funds would cover all associated costs. Unfortunately, there was a paperwork issue and council was forced to table the issue until the proper documents are provided.

Next Brenda addressed council about applying for a grant to start a recycling center. After a discussion about where it would be located and what the grant would cover, it was decided that the city would not be able to iron out issues before the October deadline. Brenda and JoAnn will work toward getting the necessary information together, and the city will look at locations so the grant can be written before next year's deadline.

Mayor Hunter then looked to reports of City officers. Chief Mike Jones submitted a written report. Brenda Schmitt commended Mike on the detailed information he provided. She stated it helped her understand the traffic flow better. There were no further questions.

The Court Clerk/City Collector submitted a written report. Brenda also commended Vicki on the detailed report as to Court moneys received. Vicki stated she had collected two of the past due taxes. There were no further questions.

Park Board was not present.

City Clerk, JoAnn Ohlhausen submitted a written report. Brenda asked why I wasn't getting financials sooner. JoAnn stated by the time Dana receives the bank records and verifies them it pushes her complete her part of the records, then Michael has to finalize the rest of the financials. She stated we are doing much better than in the past and that the changes are falling into place and things are going smoother. There were no further questions.

Water Superintendent Jesse Gibson submitted a written report. He was not present.

Wastewater Superintendent Charlie Writer submitted a written report. Mayor Hunter addressed council to say he had received Charlie's resignation. Charlie will be leaving the city's employ to pursue a business of his own. Mayor Hunter expressed his regret, and stated that Charlie had been an excellent employee. The City will be sad to see him go. Billie Jo made a Motion to accept the resignation. Lisa Mitchell seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Charlie stated that he has a recommendation for his replacement, Will Hudson. He stated that he would be in the next day to get an application. Will goes to church with Charlie and is already certified in water and wastewater. Council requested an ad be placed to receive application and set August 20, 2013 as a tentative date to meet again to review application and August 22, 2013 as a date to conduct interviews.

Treasurer Lisa Mitchell stated she had reviewed the monthly financials and all seemed to be in order.

Mayor Hunter then asked for report from council. Billie Jo Hardy had nothing to report at this time. Lisa Mitchell had nothing at this time. Brenda Schmitt had nothing additional at this time.

Mayor Hunter announced the election results and announced that the fire district issue had passed. He also told council he had been in contact with the owner of the Sonic in Cassville about the property on 59 Highway. He stated he is trying to entice a business to come in town. He said he was going to meet with the KFC/Taco Bell people next. Next Mayor Hunter asked council about seeking estimates for street repair. Estimates will help the city decide what work the city will be able to have done. Council agreed we would get some prices.

Next Mayor Hunter asked for approval to pay the listed and unlisted bills. Lisa Mitchell made a Motion to pay bills listed and unlisted. Brenda Schmitt seconded the Motion. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

**Adjourn:** All business having been presented and addressed, Billie Jo Hardy made a Motion to Adjourn. Lisa Mitchell seconded. All in favor, Brenda Schmitt yes, Lisa Mitchell yes, Billie Jo Hardy yes. All opposed, none.

Meeting adjourned at 9.25 p.m.

**Note: This document is a draft. It will not become an official record of proceedings until approved by the Board of Aldermen and signed by the Mayor and City Clerk.**

Minutes approved \_\_\_\_\_, 2013

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Shane Hunter. Mayor

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JoAnn Ohlhausen, City Clerk