

MINUTES
CITY OF DIAMOND BOARD OF ALDERMEN MEETING
December 10, 2012 - 7:00 P.M.

MAYOR SHANE HUNTER CALLED THE MEETING TO ORDER AT 7:01 P.M.

OPENING PRAYER: Brian Navarro

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 Brian Navarro, Billie Jo Hardy, Nancy Lewis and Lisa Mitchell. All present.

Also in attendance: JoAnn Ohlhausen, Vicki Wright, Duane Linch, Jesse Gibson, Jason Writer, Mike Jones, and Alisha Bryant, Leonard Marshall and Tim Connell.

The Minutes of the November 12, 2012 meeting were put before the board for approval and reading of the minutes was waived. No corrections were made to Minutes. Nancy Lewis made a Motion to accept the Minutes of November 12, 2012. Billie Jo Hardy seconded the Motion. All in favor, Brian Navarro, Nancy Lewis, Lisa Mitchell and Billie Jo Hardy. All opposed, none.

Mayor Hunter opened the floor to Leonard Marshall. Mr. Marshall stated that some three years ago water line work was done on his property at 5132 Longview Circle during which roots to a tree on his property was damaged causing the tree to now lean towards his garage. He states it will cost \$600.00 to have the tree removed. Council questioned whether the city bears any responsibility given the time that has lapsed. Council stated during the first years after construction the contractor would have been responsible. Mayor Hunter agreed to go look at the tree. Billie Jo Hardy suggested that Mr. Marshall contact her church, as they have a disaster relief team that might appreciate the training exercise of cutting down the tree. Mayor Hunter stated he would talk to the pastor about helping take down the tree.

Next Mayor Hunter recognized Tim Connell from Connell Insurance. Mr. Connell addressed council with bids for the city liability policy currently up for renewal with Moperm. Cost of renewal with Moperm will be \$11,439.00 for the year 2013. Mr. Connell talked about the coverage offered by his company which met or exceeded Moperm's coverage. Cost of insurance with Midwest Public Risk would be \$8,432.00. It was pointed out that the only drawback was the deductible. With Moperm the deductible is \$2,500.00 and with MPR it is \$5,000.00. Mr. Connell talked to the council about the company history. JoAnn stated she had the opportunity to speak with the City Clerk from Cassville, and that Cassville was covered by MPR through Connell Agency, and could not be more pleased with the coverage and the services provided free of charge by Connell Agency. Council felt the price and overall benefits outweighed the change in deductible. Billie Jo Hardy made a motion to accept MPR through Connell Insurance as the City's new insurance carrier for Liability, auto, crime and property coverage. Brian Navarro seconded the motion. All in favor, Brian Navarro, Nancy Lewis, Lisa Mitchell and Billie Jo Hardy. All opposed, none.

Next, Mayor Hunter introduced Bill Number 12062012 and requested to accept it as Ordinance 377, An Ordinance Amending Section 105.020 Date of Municipal Election. Having been previously published, it was read by title only. Mayor Hunter explained that the City Code states that the Mayor would be elected on even numbered years, but as some point in the past it had gotten moved to odd numbered years and the code needed to be updated to reflect what was actually happening. Nancy Lewis made a Motion to accept Bill Number 12062012 and create Ordinance 377, An Ordinance Amending Section 105.020 Date of Municipal Election. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Mayor Hunter then asked council to adopt Bill Number 12072012 and create Ordinance 378, An Ordinance Closing and Combining Various Bank Accounts. Having been previously published, it was read by title only. A discussion was held as to the restricting of the city accounts to make budgeting by department easier by establishing funds within the account for tracking and bookkeeping. Nancy Lewis made a Motion to adopt Bill Number 12072012 and Create Ordinance 377, An Ordinance Closing and Combining Various Bank Accounts. Accounts are to be closed and combined by Lisa Mitchell

and Nancy Lewis with the oversight of Kelly & Compton. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Next the new contract for Newton County Dispatch was addressed. The contract amount is for \$282,699.12 for 2013. Nancy Lewis asked if the contract amount would go up during the year. She stated that in the past the former Mayor would not sign the contract in January because the budget had already been set for the year. JoAnn explained that when establishing the budget you can allow for an increase that you know is coming, and that the budget may be amended when needed during the year to accommodate such events. Billie Jo Hardy then made a motion to accept the contract for Newton County Dispatch for 2013, in the amount of \$282,699.12. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Mayor Hunter addressed the council to request funds to send JoAnn to JIS training in Jefferson City in January. Nancy asked if we had costs yet, Shane told her he was still waiting on the email with the information. Billie Jo Hardy made a Motion to approve funds for JoAnn to attend JIS training in Jefferson City. Nancy Lewis seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

JoAnn Ohlhausen then asked the council to approve final project related expenses for Rosetta Construction in the amount of \$11,866.45 and TriState in the amount of \$11,048.80. Rosetta Construction has submitted the Consultant's Certification for Acceptance and Final Payment. JoAnn explained by signing this document it would start the 1 year warranty from the date signed. Nancy Lewis then made a Motion to pay Rosetta Construction \$11,866.45 and TriState Engineering \$11,048.80 in final project related billing and to allow Mayor Hunter to sign the Acceptance for Final Payment for Rosetta Construction. Lisa Mitchell seconded the Motion. All in favor, Brian Navarro, Lisa Mitchell, Nancy Lewis and Billie Jo Hardy. All opposed, none.

JoAnn then asked council to consider a Short Form Agreement between the City and TriState for needed services like reports requiring an engineer's signature for future plans. It is understood that the city will pay the usual hourly rate for consultation assistance not to exceed \$500.00 in any month without permission. With the DRN deadlines it is felt that this would be a necessary step to help the city comply. Lisa made a motion to enter into the agreement with TriState. Brian Navarro seconded the motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Next Mayor Hunter looked to reports of City officers. Chief Mike Jones submitted a written report. The report was reviewed and council had no question. Chief Jones stated the Southern Uniform would now be handling ammunition and it would be easier to get it through them since we have an account with them. Mayor Hunter addressed the council with a contract for police training at Missouri Southern State University. The contract would allow all our officers to get the training classes they need to comply with CLE requirements plus added benefits of a driving simulator and other facilities. Brian Navarro made a motion to enter into the contract with Missouri Southern State University for police training. In the amount of \$2,000.00 per year for four officers. Billie Jo Hardy seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

The Court Clerk/City Collector submitted a written report. Her report was reviewed and questions were asked about on line payments. She stated she felt a company named Court Money was the best for our needs. This would save the city roughly \$1,000.00 per month. Nancy Lewis made a Motion to change our credit card company to Court Money with no start up costs associated to the change. Lisa Mitchell seconded the Motion. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none.

Water Superintendent Jesse Gibson submitted a written report. No additional questions were asked. Wastewater Superintendent Charlie Writer submitted a written report. Mayor Hunter announced that Mr. Writer had passed his test for his license. Duane Linch, also submitted a written report.

Mayor Hunter then asked for report from council. Billie Jo Hardy had nothing to report at this time. Brian Navarro stated his concern for engine brake noise. Signs have been posted he asked if the signs should be moved possible to the post for the speed limit. Chief Jones stated that MoDot would not allow us to post on their poles. It is felt the noise will

subside as it becomes known of their posting. Nancy Lewis had nothing at this time. Treasurer reported she had studied the financials and was working with Kelly & Compton to establish a better more streamlined banking system. She also addressed Chief Jones about parents of the wrestling team running the stop sign by her house while trying to get their kids to practice. She stated she was almost hit there again. Chief Jones said he would look into it. Mayor Hunter advised the council he had received a call from Sonic Drive Inn expressing interest in coming to town. He also stated he was still talking to Wendy's. He told the council we had been looking at a portable meter for the fire department to meter the water they draw for a more accurate way to capture their water use. He told council he would check costs and get more information for the next meeting.

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

Adjourn: All business having been presented, Brian Navarro made a Motion to Adjourn. Lisa Mitchell seconded. All in favor, Lisa Mitchell, Brian Navarro, Nancy Lewis and Billie Jo Hardy. All opposed, none. Meeting adjourned at 8:25 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 _____, 2012

JoAnn Ohlhausen, City Clerk

Shane Hunter, Mayor