

March 20, 2024

The Rock Port Board of Aldermen met on Wednesday, March 20, 2024, at 6:00 p.m. with Mayor Amy Thomas presiding. Board members present were Lisa Farmer, Kelley Herron, Kory Paris, and Raechel Schoonover. Also present was Utility Office Manager Terri McGuire, City Clerk Emily Schulte, Lead Laborer Jarod Hudson, Laborer Dennis Sherlock, and Police Chief Derek Morriss. Visitors were Monica Bailey with ACDC and Doug McCoy.

Mayor Amy Thomas called the meeting to order then led the meeting in reciting the Pledge of Allegiance.

Approval of Meeting Agenda

Herron moved to approve the meeting agenda. Paris seconded. All votes aye.

Approval of Meeting Minutes

Herron moved to approve the February 21, 2024 meeting minutes. Farmer seconded. All votes aye.

Monica Bailey, ACDC – Economic Development Tax Renewal

Monica Bailey with the Atchison County Development Corporation visited with the council regarding the Economic Development tax renewal on the ballot for the upcoming election. This is not a new tax, only a renewal.

This tax makes it possible for ACDC to offer services to local businesses, such as business improvement matching funds grants, and connect with local youth regarding present and future opportunities available to them here within our county.

They would appreciate everyone's support on April 2nd. Bailey was thanked for the information.

City Consent Agenda

Alderwoman Schoonover wanted to point out inconsistencies she noticed with the March Park Board meeting she attended and what was in their minutes. At their meeting they approved all payables; however, their minutes show three charges owed to the city as denied. Mayor Thomas did not recall that portion of the meeting in particular, but inquired what Schoonover wanted to do, as they're a volunteer board.

It was questioned what the payables were for. Schulte relayed that 3 of the 4 were payables she submitted in February to the park, which they denied then. She did not resubmit them in March, so she couldn't be sure why they denied them a second time. Those payables were for the 2024 park maintenance agreement admin hours, the cost incurred by the city for the filing of their pool staff W-2s, and their 2024 Pool Repair Fund annual contracted contribution. An invoice was added this month for 2 park maintenance agreement labor hours, which was also denied payment. However, staff relayed that their February minutes also contained a vote to deny entering into the latest park maintenance agreement. That motion in addition to their denial of the agreement payables was understood by staff as a cancellation of the agreement, as no other information was relayed.

Thomas stated that the park isn't interested in cancelling the agreement, they simply have additional revisions they'd like made. As for the payables, they believed the city should have found a free avenue to file W-2s and they would like additional information regarding the city hours before they pay for those.

McGuire relayed that several items with W-2 reporting changed for small businesses this past year. This third-party filer is what was recommended to the city by the software company we utilize for payroll. As a result, there was an amount charged for every filing, which was then passed on to each department incurring the cost. The park is the only entity which refused paying their portion for the 11 employees. Thomas will pass that information to the Park Board but encouraged McGuire to look in to doing it for free through www.irs.gov.

Paris inquired about mowing bids. It was relayed that bids were received, however they weren't recorded within their minutes nor turned into the city, so it wasn't certain what they came in at. Thomas and Schoonover had a difference in opinion when attempting to recall the bids from memory, however Schoonover claimed she believed they went with the highest bid. Thomas stated they weren't recorded as they went back to each bidder to request additional stipulations. Paris inquired why the highest bid would be chosen if the park is supposed to be looking for ways to save money. Thomas stated that was their problem to worry about, not hers.

McCoy shared that the Park Board used to own their own mower. Thomas agreed that they did, however a previous board instructed them to sell it and enter into a mowing contract instead. Schoonover added that the city offered to purchase them a mower with ARPA funds, however they ultimately requested playground equipment. It was then inquired what it was costing them to run the pool in a given year. Farmer relayed that payroll and chemicals run rather high and Paris added that prices on everything have gone up, such as pump maintenance costs. Schoonover wanted it noted that an individual offered to manage the pool for free this year.

Paris then inquired why the latest draft of the park maintenance agreement was denied. He had multiple meetings with different staff and Park Board members and thought that matter was already settled. Staff were also unaware of issues with the latest agreement until the minutes were received. No additional information has been received regarding the matter.

McCoy relayed that he once served on the Park Board for around 10 years. Once they were given their park tax revenues, they were tasked with creating a budget and sticking to it. If the funds ran out, they ran out. He inquired if the park was still responsible to operate within a budget. Farmer relayed that they do have a budget, but it's still the city's responsibility to contribute. And when it comes to finding additional revenue, Thomas stated that the Park Board is firm in their belief that fundraising should not be done for operational costs, only improvements.

Herron reiterated that he requested back in September that they come back with ideas for a new agreement, yet still none have been submitted. Thomas again stated they haven't cancelled the agreement; they simply want clarification. Schulte was asked to read excerpts from the last two Park Board meetings regarding the park maintenance agreement and their payables, including the following motion from the February 27th meeting minutes:

Devon made a motion to not enter the new park maintenance agreement that was presented at this time due to many unknowns regarding the park and pool maintenance. Clint seconded. All votes aye.

Disagreement over whether an alternate agreement was still to be utilized or whether this agreement was the only being offered for consideration took place. Staff and some board members believed the agreement to be null and void given the motion read from the park minutes and the failure to pay for services rendered and agreed upon. Thomas and Farmer believe both parties should still be operating within the agreement, more negotiations are just needed.

Thomas does not believe the park financials should be overridden. For example, it was questioned why the park was paying for admin hours while the Fire Department and Tourism Board get those services for free. Schulte relayed that the Tourism Board and Fire Department take a small percentage of the time it currently requires to meet all of the Park Board requests. The Park Board also isn't charged for admin hours actually worked, instead a contracted price of only 1 hour every 2 weeks. Which is a substantial discount and also a term they agreed to prior to the 2023 budget year. Schoonover added that having been the Tourism Board liaison for some time, she vouched that they require very little assistance.

Thomas doesn't believe city entities should be charging each other for everything, as the Park Board lets the Tourism Board utilize the park cost free. Schoonover refuted that the Tourism Board has also given the park funds raised through events they funded. Thomas asked to see where in the financials the park received such funds. Schulte encouraged her to look back within the Pool Donations Fund from last year, as that is where all 4th of July event income was deposited; an event which was largely funded by the Tourism Board. Thomas inquired where that account was located. Schulte relayed that it's one of the 3 bank accounts owned by and reported on within the Park Board's monthly financials. Schoonover then stated that Park Board members took some of those funds to purchase gift cards for pool staff following their failed pool audit. Thomas inquired if we were talking hundreds or thousands of dollars. Schoonover stated she didn't believe it should matter.

Schulte then reiterated that she was not asking the Board of Aldermen to reverse the denial of invoices owed to the city by the park. It was simply being reported that staff believe, per the Park Board meeting minutes, there is no longer a contracted maintenance agreement.

Herron moved to approve the cease of work at the park until their payables to us are current and they find an alternative option for payroll. Schoonover seconded. Herron & Schoonover votes aye. Farmer and Paris votes nay. Mayor Thomas broke the tie with a nay.

Paris moved to approve the City financial statements, accounts payables, tax report, delinquent tax list, the City Clerk, Chief of Police, all board reports. Herron seconded. Farmer, Herron, and Paris votes aye. Schoonover votes nay.

Utility Consent Agenda

Paris moved to approve the Utility financial statements, accounts payables, purchased power and water statements, take or pay water use report, water loss reports, Utility Office Manager report and City Superintendent report. Herron seconded. All votes aye.

Bill #1243 – Repeal & Replace Section 700.070: Connection Charges

Thomas stated this looking similar to another recent bill voted on by the council. McGuire confirmed it was, however last time only water and sewer were updated and this revision updates the electric.

Bill # 1243 – Repeal & Replace Section 700.070: Connection Charges – was read by Herron. Farmer moved to approve the first reading. Herron seconded. Roll call vote was taken. Farmer, Herron, Paris, and Schoonover voted aye. Nay – none. Absent – none. Bill # 1243 – Repeal & Replace Section 700.070: Connection Charges – was read for a second time by Thomas. Herron moved to approve the second reading. Farmer seconded. Roll call vote was taken. Farmer, Herron, Paris, and Schoonover voted aye. Nay – none. Absent – none. Mayor Thomas declared Bill # 1243, Ordinance # 1243.

2023 General Fund Reserve Accounts Contributions

Schulte requested a board directive as to what amounts to put in to the 2023 General Fund reserve accounts. Information was provided in her February report. While the board can make whatever recommendation they choose, her recommendation, based on a conversation with the city’s auditor, was also provided.

Thomas stated that through her state civil statute research regarding public safety budgets, the city can’t cut the Police Department budget by more than 26% per defund the police regulations. In addition, that department wants to purchase new vehicles this year. And if money can’t be given to the Park Board to assist with their expenses, then it shouldn’t be taken from the Police Department. It was then noted that the park is funded through a designated tax, whereas the Police Department is 1 of 4 departments within the General Fund budget.

Schulte stated these are two separate matters; the 2023 reserve account recommendations don’t involve anything regarding defunding the police or the 2024 purchase of vehicles. The auditor just didn’t recommend giving the Police Department sole possession over the department’s excess of \$100,000.00 from 2023. Those funds were general revenue allocated to the Police Department for that budget year, not revenue specified exclusively to the police department. The vehicle purchases would be a 2024 budget matter. No funds were requested for vehicle purchase, so either way a 2024 budget amendment will likely be needed at some point; it just wasn’t believed we were to that point yet.

Herron moved to approve the 2023 General Fund reserve accounts contributions recommendation as presented. Schoonover seconded. All votes aye.

	Admin Dept	Police Dept	Street Dept	Street ½ cent Taxes
Transfer to Reserve Acct.	\$0.00	\$5,000.00	\$21,129.50	\$54,128.51

Bid Opening: 301 E. 3rd Street Lease

No bids were received.

Thomas relayed researching someone's comment to potentially sell this parcel of property. It does lie in the flood plain, so she looked to see if any FEMA or SEMA regulations existed which wouldn't allow us to sell. She couldn't find any limitations besides if the city had the property listed as an asset against any notes. Staff confirmed we do not.

Hiring Committee Update

It was relayed that all recommendations would be presented within the executive session.

Building Inspector

Thomas stated that Tarkio's building inspector would work for us on a case-by-case basis. However, once we begin looking at these properties, we can't discriminate. Herron inquired which fund would absorb these costs once it was decided to move forward. Topic was tabled for 60 days.

Planning Commission Update

Thomas gave an update on a recent meeting called by the Planning Commission. She stated that when the interstate was annexed, it was all zoned as Rural Agricultural and special use permits were given to everything operating otherwise. The commission recommended the Board of Aldermen re-zone the properties in that area to "C-1" *General Business District*. The county already has it zoned as such and they confirmed that the county and city can differ. The city could also consider re-zoning everything to match the county's zoning, though she's not sure that's necessary.

Schoonover disagreed that this was an actual meeting of the commission, as there was no quorum given only 2 of their members were present. Thomas acknowledged that and stated the document submitted wasn't minutes, only notes containing the recommendation and she was simply interested in the board's thoughts on re-zoning. Schoonover stated that it's not an official recommendation if there was not a quorum of members present. Thomas expressed only wanting to bring it to the board's attention for informative purposes and wasn't requesting any action.

Superintendent

Interim Superintendent Hudson reported having just been told about a town hall meeting by the NWMO Regional Council of Governments that the city needs to participate in. The meeting is in regard to a feasibility study on wastewater for a potential multi-community wastewater treatment facility. Staff will be attending, and it was encouraged to have a board member there as well.

Alderman Kory Paris

Paris thanked Hudson for working the outage the evening before. He then asked when the potential water treatment plant expansion was planned. An update was also requested regarding the solid waste disposal contract. It was relayed that the contract was put out to bid last meeting.

Alderman Kelley Herron

Herron asked if we'd heard back from the leak detection companies we'd recently utilized. Hudson stated that an information packet was received via mail today, but it hasn't yet been reviewed.

Herron wanted to extend a large thank you to our local fire departments for keeping all the grass fires contained this past month. Their efforts are appreciated. He then thanked Schulte for attending her recent conference.

Adjourn into executive session for personnel matters pursuant to Section 610.021 (3) RSMo.

Paris moved to adjourn into executive session pursuant to Section 610.021(3) RSMo at 7:47 p.m. Herron seconded. All votes aye.

Adjourn executive session and resume regular session.

Herron moved to adjourn into regular session at 8:53 p.m. Farmer seconded. All votes aye.

Herron moved to approve the Park Board payroll for 2024 being contracted to Roger Livengood & Associates and the Board of Aldermen will pay half of the expense, up to \$500.00 from their budget. Paris seconded. Herron, Paris, and Schoonover votes aye. Farmer votes nay.

Herron moved to approve the recommendations given in executive for employees Sherlock and Hudson. Farmer seconded. All votes aye.

An offer for Superintendent was extended to Sherlock and he will give the board a response within 48 hours.

Herron moved to adjourn at 8:59 p.m. Schoonover seconded. All votes aye.