

CITY OF MINER  
BOARD OF ALDERMEN  
REGULAR MEETING  
MINER COURT ROOM  
April 16<sup>th</sup>, 2013  
5:30 P.M.

The Miner Board of Alderman met on April 16<sup>th</sup>, 2013, for their regular monthly council meeting at 5:30 p.m. in the Miner Court Room. The meeting was posted in the foyer of the Miner City Hall and sent to the Standard-Democrat newspaper.

Mayor Tatum called the meeting to order. Roll call: Terry Cole – present, Deloris Smith – present, Peggy Holman – present, and Nipul Patel – present. Those present were Donnie Anglin, Jerrance Dial, Chris Beavers, Tony Northern, Gary Files, Randall Briggs, Blaine Johnson, Fire Chief Chris Smith, Asst. Fire Chief Randall Briggs, Donna Thomas, Norman Lambert, Steve Goehl, LaRue McKinney, Mark Baker, Bob Simpson, Marvin Hatton, Harold Tarrants, Don Holman, Chris McMackin, Michelle Farmer, Debbie Starks, Paul Causey, Jerry Pullen, Travis & Beth Smith, Sharon & Luther Smith, Steven Burch, Darrin Skinner, Chief of Police Chris Griggs, and Scott Welton with the Standard-Democrat. Joseph Fuchs was in his capacity as city attorney and City Clerk, Danielle Patrick, was there to record the minutes.

Mayor Tatum asked if anyone had any issues with the minutes from February 19, 2013, reports and bills from the month of February as well as the reports and bills for the month of March. With no questions a motion was made to accept all minutes, bills and reports by Terry Cole and the motion was seconded by Peggy Holman. A roll call vote followed with all ayes.

**OLD BUSINESS:**

A. TURNOUT GEAR FIRE DEPARTMENT - CHIEF CHRIS SMITH

Fire Chief Chris Smith approached the Mayor and the Board regarding the purchasing of new fire gear. Chief Smith stated that they are in desperate need of new gear and is asking the board to purchase two sets per month until all the gear that they need is bought. Smith stated we are getting new personnel on the department and the current gear is not sufficient because it is too small or too big. A motion was made by Deloris Smith to purchase one set of gear per month and the motion was seconded by Nipul Patel. A roll call was taken all ayes.

B. REVIEW/POSSIBLE AMENDMENT TO ORDINANCE 599 – REGARDING BUSINESS TRASH DUMPSTER

Code Enforcer Harold Tarrants stated that City Attorney Joseph Fuchs informed him that if it is a repeat offender we could ticket them for the trash for now to see if that will solve the problem. Mayor Tatum stated that he wanted to make sure that the

businesses were going to receive warnings. Tarrant explained that they really can't give a certain amount of day notice that it will be based on how many times that Mr. Tarrant has to return. Mayor Tatum asked Tarrant if the City could send out letters explaining to them so that they will know what is going on.

C. DEPARTMENT OF CONSERVATION GRANT FIRE DEPARTMENT

Fire Chief Chris Smith came back to the board regarding the 50/50 grant for the fire department. Smith stated that if we turn down this grant we might not be able to get this grant again. Mayor Tatum asked what was being asked for in this grant, "We are asking for 6 Indian fire pumps, 6 fire flappers and a 200 gallon poly tank" responded Smith. Smith stated that anything that we can get from the conservation department we are going to benefit from. Mayor Tatum asked the Clerk if the fire department and the Clerk stated that we did. Smith stated the total cost that the city will be out is \$1502.22. A motion was made by Deloris Smith to accept the grant and the motion was seconded by Nipul Patel. A roll call vote followed: Deloris Smith – yes, Nipul Patel – yes, Terry Cole – no, and Peggy Holman – no. Mayor Tatum broke the tie by voting yes, motion passed.

D. DOG KENNELS

Mayor Tatum stated that the City has checked into this and at this point he feels like we need to notify all citizens that all dogs are to be on a leash at all times when they are outside and maybe if we catch them we can charge them a small fine. Mayor Tatum stated that it is going to cost a small fortune to be able to house dogs anymore because they have to have heating and air conditioning. Mayor Tatum asked City Attorney, Joseph Fuchs, if he had ran a figure on the cost of building the dog kennels in compliance and Fuchs explained that all he knows is to satisfy the state and the authorities it is going to be very expensive to build a facility. Alderman Terry Cole inquired about the Bootheel Humane Society taking dogs and Joseph Fuchs explained to him that they will if they have room, if they do not have the room they will not take them because they are a no kill shelter. Mayor Tatum stated that picking up the dogs are a liability to the City and Alderman Terry Cole stated that he thinks that it is a liability to the City if we do not pick them and Alderwoman Peggy Holman stated that she feel the same because she has a stray dog that stays around her house all the time. There are also issues with stray cats in the city expressed Alderwoman Holman. Ms. Farmer stated that she would like to speak on the behalf of her stray cats in her neighborhood. Alderman Terry Cole asked if we could call Bootheel if we can rent space from them. Alderman Terry Cole asked Sikeston Mayor Jerry Pullen if they could do something with the city regarding the stray animal situation. Mr. Pullen informed the mayor and the board that he would be glad to work with Miner anyway that they can, but he can't guarantee anything if they can work something out they can, if they can't then they can't. Mr. Pullen stated that we could have a meeting to talk about it. After

much discussion, Mr. Pullen stated that he would get with Mayor Tatum to setup a meeting.

E. AN ORDINANCE ACCEPTING THE RESULTS FROM THE APRIL 2, 2013 ELECTION  
(BILL\_\_\_\_\_/ORD\_\_\_\_\_)

Mayor Tatum presented Bill 1056 an ordinance accepting the election results from the April 2, 2013 election. A motion was made by Terry Cole and seconded by Peggy Holman to place Bill 1056 on its first, second and third reading. The Clerk read the bill and followed with a roll call vote: Nipul Patel – yes, Terry Cole – yes, Peggy Holman – yes, and Deloris Smith – yes. Mayor Tatum declared that Bill 1056 was now Ordinance 1045.

F. DRAINAGE ISSUES / CAUSEYS & FOOD GIANT

Mayor Tatum stated that he was thinking that the election settled this issue. Alderman Terry Cole stated that the election was for the whole town. Cole asked City Engineer, Norman Lambert stated that a cost estimate was done. Alderman Cole stated that Mr. Causey was here because he has a problem and so is Mr. McKinney. City Engineer Norman Lambert stated that he thinks that the cost estimate was around \$25,000 and Mayor Tatum stated that was just for those businesses. Mayor Tatum asked what about the residents. Lambert explained to do the whole town was \$225,000. Mayor Tatum stated that he feels if we can't do for one, we can't do for anyone. A motion was made by Terry Cole to put the drainage out for bid to fix Causey's and Food Giant and the motion was seconded by Peggy Holman. A roll call vote followed with the following results: Terry Cole – yes, Peggy Holman – yes, Deloris Smith – no, Nipul Patel – no and Mayor Tatum broke the tie with a no vote. Motion did not pass.

**NEW BUSINESS:**

A. SWEARING IN NEW OFFICIALS

ROLL CALL: TERRY COLE- PEGGY HOLMAN- NIPUL PATEL-DELORIS SMITH

After accepting the April 2013 election results the newly elected officials had to be sworn in. The Clerk swore in the Chief of Police – Chris Griggs, Alderperson Ward I – Deloris Smith, Alderman Ward II – Nipul Patel, Alderperson Ward II (one year term)- Peggy Holman.

B. AN ORDINANCE ADOPTING THE 2012 INTERNATIONAL BUILDING CODES  
(BILL\_\_\_\_\_/ORD\_\_\_\_\_)

Mayor Tatum presented Bill 1057 for its first, second and third reading. A motion was made by Terry Cole and seconded by Peggy Holman for the Clerk to read the bill for its

first, second and third readings. The Clerk read the bill and followed with a roll call vote: Deloris Smith – yes, Nipul Patel – yes, Peggy Holman – yes and Terry Cole – yes. Mayor Tatum announced that Bill 1057 had become Ordinance 1046.

C. NORMAN LAMBERT

Norman Lambert with Lambert Engineering approached the Mayor and the Board regarding upgrading the city's water lines and changing out the existing water meters with radio read meters.

Alderman Terry Cole asked Norman Lambert who the commercial meters belonged to and Lambert said he thought the City. City Clerk, Danielle Patrick, stated that the public works department has told her that all commercial meters belong to the business owner. Alderman Cole asked what can be done if a commercial meter is suspected not to be working and Marvin Hatton stated that it can be sent off to be tested, but they would have to have a spare meter to put in. Marvin Hatton stated that maybe they could make something that would test the meter for the business. Alderman Cole stated that Coach House Inn is stating that they do not think their meter is working properly. Harold Tarrants stated that some of the companies that check the back flows also test meters and we can get them a list of who to call to check it out.

Norman Lambert with Lambert Engineering stated that the City needs to enter into a contract with D.A. Davidson for financing for the sum of around \$250,000. Mayor Tatum asked Mr. Lambert what all will be done when this project is complete and Lambert replied that this project includes replacing all water lines that are 6" or smaller, radio read meters, all new valves (around 40), and new fire hydrants. Lambert stated that this is an upgrade to the complete water system and we will be able to isolate each area of the town when it comes to shutoffs. Alderman Holman asked, "Are we replacing the metal lines?" Norman Lambert replied, "Yes everything that is 6" or smaller will be replaced". Lambert explained that there are a lot of the fire hydrants that are on 4" lines and it is difficult for them to be able to deliver flow. Steve Goehl with D.A. Davidson explained to everyone that this will be a lease purchase agreement with the collateral being the waterlines themselves and that the interest rate on the four year note will be about 1.4 to 1.6% fixed rate.

Norman Lambert stated that the streets will not be cut, they will be bored under them but he feels that the city should wait until the waterlines are complete before they seal the city streets.

A motion was made by Terry Cole and seconded by Peggy Holman to enter into a contract with D.A. Davidson to start the process of the waterlines. A roll call vote followed with all ayes. Motion passed.

D. SEMO DRUG TASK FORCE 2012/2013 DUES – CHIEF CHRIS GRIGGS

Mayor Tatum stated that we pay dues to the SEMO Drug Task Force every year in the amount of \$500. Chief Chris Griggs stated that these dues are for if we have any drugs that need to be destroyed the task force will do that for us. A motion was made by Terry Cole and seconded by Peggy Holman to approve the yearly dues of \$500. A roll call vote followed with all ayes.

E. PERMISSION TO SEEK BIDS TO PURCHASE 2 NEW BUSH HOGS

Marvin Hatton approached the Mayor and the Board requesting that the City seek bids to purchase two new 6 foot bush hogs. A motion was made by Terry Cole and seconded by Peggy Holman to seek bids for two new six foot bush hogs. A roll call vote was taken with all ayes. Motion passed.

F. CONVENTION CENTER SIGN

Mayor Tatum stated that he has had some complaints that the convention center sign cannot be seen that it is too low. Mayor Tatum stated that he doesn't see anything else to do but to raise it up. Nipul Patel stated that if we can raise it to 15' we need to do it. Terry Cole asked what is the cost on doing that and Clerk Danielle Patrick stated that the last time we checked on this it was \$10,000 to raise it 10'. Mayor Tatum stated that it can come out of Tourism. A motion was made to seek bids to raise the convention center sign 10 to 15 feet and the motion was seconded by Deloris Smith. A roll call vote followed Deloris Smith – yes, Terry Cole- no, Peggy Holman- no, and Nipul Patel –yes. Mayor Tatum broke the tie with a yes vote. Alderman Cole stated he cannot vote to raise the sign if we cannot deal with the drainage issues.

G. ALLOCATION FOR PUBLIC WORKS

City Clerk, Danielle Patrick, stated that the allocation for the distribution of the payroll and benefits for the public works department needs to be revisited. The Clerk stated that she had talked to Philip Black as well as the Municipal League and no one had a problem with it. The Clerk stated that she and the maintenance workers discussed the time they spent working in different areas and came up with a new break down of 5% Street, 15% Tourism, 40% Sewer, and 40% Water. Alderman Terry Cole asked what the public works department did at the convention center and the Clerk responded that all setups that are done are completed by them, any small repairs, landscaping, and over all maintaining of the building is completed by them. A motion was made to make the change in the allocation by Deloris Smith and seconded by Nipul Patel. A roll call vote was taken with all ayes. Motion passed.

H. POLICE DEPARTMENT

Mayor Tatum went into discussion regarding the overtime in the police department and the perceived misuse of one of the departments vehicles by the Chief of Police.

Mayor Tatum recommended that Darrin Skinner be promoted to the position of Captain of the Miner Police Department and James Buckley be promoted to the position of Sergeant and no action was taken from any members of the board of alderman.

Alderman Terry Cole stated that he feels that the transmission in car 1 needs to be repaired. After much discussion a motion was made by Terry Cole and seconded by Peggy Holman to take car 1 to Steve Sieler in Leopold and have the transmission repaired for the estimate of \$1235.00. A roll call vote followed with all ayes.

The Clerk stated that when the lightning damaged happened at the lagoon on March 17<sup>th</sup>, 2013, that the police department electronic locking system in the front door was hit too. Clerk stated that Security Locksmith and Willard Fincher had all looked at the door and could not get it repaired Security recommended calling out Hi-Tech Communications who has the door working again. The Clerk went on to say to her knowledge in order to repair this door parts had to be taken from another door and Chief Griggs stated that this is correct because the system is so old that you cannot buy parts for it to be repaired. A motion was made by Peggy Holman and seconded by Nipul Patel to place the door system out for bid. A roll call vote followed with all ayes.

#### I. LAGOON LIGHTNING DAMAGE / POLICE DEPARTMENT LIGHTNING DAMAGE

Mayor Tatum stated that he felt that this needs to be turned in to insurance. Alderman Terry Cole stated that if we have enough claims the company could cancel the City or raise rates extremely high. After much discussion a motion was made by Deloris Smith to table the issue until the bids come back on the problem at the police department and the motion was seconded by Nipul Patel. A roll call vote followed with all ayes. Motion passed.

#### J. LOCATOR FOR PUBLIC WORKS DEPARTMENT

Marvin Hatton approached the Mayor and the Board requesting the purchase of a new locator for the public works department. Hatton stated that they have tried everything, but the one they have no longer operates. Hatton stated that a new Subsite 250 R/T Pipe and Cable Locator can be purchased for \$1729.95. A motion was made by Terry Cole and seconded by Peggy Holman to purchase the new locator. A roll call vote followed with all ayes. Motion passed.

#### K. ELKS CLUB FIREWORK DONATION

Mayor Tatum stated that this is early to be giving to the Elks Club. Alderman Terry Cole stated that we have a new council member and the Elks Club needs to know where they are on donations. Cole suggested donating \$1500 this year to the fireworks. Mayor Tatum stated that is triple from what the city normally gives. Alderman Cole stated that this can be done from Tourism and it is a good cause. After much discussion Alderman Patel

suggested giving \$1000. A motion was made by Terry Cole and seconded by Peggy Holman to donate \$1000 to the Elks Club. A roll call vote was taken with all ayes. Motion passed.

L. APPOINTING MAYOR PRO TEM

Alderman Terry Cole made a motion to appoint Nipul Patel as Mayor Pro-tem and the motion was seconded by Peggy Holman. With no other discussions a roll call vote followed with all ayes. Nipul Patel was appointed as Mayor Pro-Tem for the term of one year.

M. APPOINTING CITY ATTORNEY (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1058 for its first, second and third reading. A motion was made by Terry Cole and seconded by Peggy Holman to appoint Joseph Fuchs at \$135 per hour as city attorney and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1058 had become Ordinance 1047.

N. APPOINTING CITY ENGINEER (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1059 for its first, second and third reading. A motion was made by Terry Cole and seconded by Peggy Holman to appoint Norman Lambert as City Engineer and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1059 had become Ordinance 1048.

O. APPOINTING TREASURER (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1060 for its first, second and third reading. A motion was made by Peggy Holman and seconded by Deloris Smith to appoint Ann Lorraine Simpson as Treasurer at the sum of \$200 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1060 had become Ordinance 1049.

P. APPOINTING CODE ENFORCER (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1061 for its first, second and third reading. A motion was made by Peggy Holman and seconded by Deloris Smith to appoint Harold Tarrants as Code Enforcer at the sum of \$150 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1061 had become Ordinance 1050.

Q. APPOINTING BUILDING INSPECTOR, (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1062 for its first, second and third reading. A motion was made by Peggy Holman and seconded by Deloris Smith to appoint Marvin Hatton as Building Inspector at the sum of \$150 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1062 had become Ordinance 1051.

R. APPOINTING EMA DIRECTOR (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1063 for its first, second and third reading. A motion was made by Nipul Patel and seconded by Peggy Holman to appoint Chris Beavers as EMA Director at the sum of \$200 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading and followed with a roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1063 had become Ordinance 1052.

S. APPOINTING FIRE CHIEF (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1064 for its first, second and third reading. A motion was made by Nipul Patel and seconded by Deloris Smith to appoint Chris Smith to Fire Chief at the sum of \$250 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading. Alderwoman Peggy Holman asked to come into the office and see Smith's certificates that the City sent him to school for. Smith replied that he has firefighter I, but has to test for firefighter II. Smith went on to say that he has been testing for public works and has not had time to take the test again for firefighter II, but is going get that done. A roll call vote: Deloris Smith-yes, Peggy Holman-yes, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum declared that Bill 1064 had become Ordinance 1053.

T. APPOINTING ASST. FIRE CHIEF (BILL \_\_\_\_\_/ORD \_\_\_\_\_)

Mayor Tatum presented Bill 1065 for its first, second and third reading. A motion was made by Terry Cole and seconded by Nipul Patel to appoint Randall Briggs to Asst. Fire Chief at the sum of \$100 per month and to place the bill on its first, second and third reading. The Clerk read the bill for its first, second and third reading. A roll call vote: Deloris Smith-abstain (grandson), Peggy Holman-no, Terry Cole –yes, and Nipul Patel – yes. Mayor Tatum broke the tie with a yes vote. Mayor Tatum then declared that Bill 1065 had become Ordinance 1054.

Mayor Tatum, the board of alderman, and Jerry Pullen discussed setting up a meeting with the Sikeston City Council. Pullen stated that he needed to discuss this with the city manager. Alderman Cole stated that the City of Sikeston would like to have a work session with the City of Miner for the City of Sikeston to take over Miner's fire protection. Mayor Pullen stated that



Alderman Cole was the one who called for work session and Cole stated he was told to go ahead and contact Chief Juden. Mayor Tatum stated that he would meet with the board as a whole. Mayor Pullen stated that the City of Sikeston is willing to work on this, but he cannot guarantee that any agreement will be reached. After much discussion Mr. Pullen stated that he would try to get the City of Miner on the City of Sikeston's agenda for May 6, 2013 at 5:00 p.m. Mayor Pullen stated he would notify Mayor Tatum on the date and time once he gets it finalized.

4

With all business concluded a motion was made by Peggy Holman to adjourn and then motion was seconded by Deloris Smith. A roll call vote was taken with all ayes. Meeting adjourned.



Attest



Mayor

4

4