

DIXON CITY COUNCIL MEETING
Jessie E. McCully Memorial Library
200 South Pine Street
April 13, 2018
6:00pm

1. CALL TO ORDER:

A quorum being present the council meeting of the Dixon City Council was called to order at 6:00 P.M. By Shawn Wethington, Mayor

2. ROLL CALL:

Shawn Wethington, Marilyn Timmons, Betty Thilges, Paul Watson.
(Jimmy Doyle Wayne Brandt absent)

Jimmy Doyle and Wayne Brandt were not present. Therefore there was no quorum.

Mayor Shawn Wethington then asked Jessie Fleming, City Clerk, to swear in the newly elected council members.

City Clerk then swore in the following newly elected council members:

Ms. Barbara Thomas
Mr. Mycal Brown
Ms. Marlene Blackburn

They took their sets.

3. 2nd ROLL CALL:

Time: 6:05pm

Present:
Shawn Wethington
Marilyn Timmons
Betty Thilges
Paul Watson
Barbara Thomas
Mycal Brown
Marlene Blackburn

4. PLEDGE OF ALLEGIANCE

5. INVOCATION:

Pastor Ryan Hogshooter of Grace Covenant Church.

6. NEED A PROPOSAL TO ADOPT:

Mayor asked to add Brenda Bell to the agenda.

Betty Thilges made the motion to adopt the agenda with changes made, seconded by Marilyn Timmons, followed by a vote that passed 6-0.

7. OLD BUSINESS:

Karen Harsch stated that she was requesting the return of a water deposit paid to the city in 2003 for \$150.00 from when she moved into a dwelling at 605 Magnolia Alley. Ms. Harsch has since moved to Crocker and does not have a copy of the receipt of payment of this deposit. Paul Watson stated that it is the responsibility of the city to keep such records. After a brief discussion, it was decided that the city will reimburse Ms. Harsch \$150.00 for the water deposit.

Paul Watson made a motion to refund Karen Harsch her deposit of 150.00, second by Betty Thilges. All Alderman present voting aye on a roll call vote. The motion carried 6-0.

<u>Betty Thilges</u>	<u>aye</u>
<u>Barbara Thomas</u>	<u>aye</u>
<u>Paul Watson</u>	<u>aye</u>
<u>Marilyn Timmons</u>	<u>aye</u>
<u>Mycal Brown</u>	<u>aye</u>
<u>Marlene Blackburn</u>	<u>aye</u>

8. NEW BUSINESS:

Mayor Wethington stated that the first meeting following the election, the council needs to nominate a Mayor Pro Tem/President of the council.

Mycal Brown made a motion to nominate Betty Thilges, second by Barbara Thomas. All Alderman present voting aye on a roll call vote, the motion carried 6-0.

<u>Betty Thilges</u>	<u>aye</u>
<u>Barbara Thomas</u>	<u>aye</u>
<u>Paul Watson</u>	<u>aye</u>
<u>Marilyn Timmons</u>	<u>aye</u>
<u>Mycal Brown</u>	<u>aye</u>
<u>Marlene Blackburn</u>	<u>aye</u>

9. VETERAN'S MEMORIAL COMMITTEE:

Brenda Bell, Veteran's Memorial Committee, then addressed the Council concerning the land on which the memorial was to be erected. Burlington-Northern Railroad had donated the land, with the caveat that if the land was for whatever reason no longer used for a Veteran's Memorial, the land to revert to BNRR. Ms. Bell stated that the City of Dixon does not want to accept the land. Councilman Brown asked why the city would not accept the land. Mayor Wethington replied that they could not obligate future councils to abide by such an agreement. Further, he stated that the city would have liability for the memorial without any say over it. Ms. Bell was advised that Mr. Joey Lopez could perhaps provide some assistance to her in this matter, and recommended that she contact him.

Mycal Brown asks, why does the city not want to take this on? Mayor, there were a couple of reason. One, the organization wanted to categorically state that this would always be a Veteran's Memorial, and the city cannot agree that it will always be a Veteran's Memorial. If the city changed their mind, it would revert ownership, and after checking into it, you cant bind the council into perpetuity. So if we entered into that agreement I (Mayor Wethington), cannot guarantee the city of Dixon would hold up to that. Other issues were a liability, and the council voted no at that point. Mycal Brown asked how does other city's set up monuments? Brian Stumpe stated that he did not know how they set them up, but the group that wanted to establish the memorial is a non-existent entity. Brian Stumpe stated that the city did not have a 501, 3C account nonprofit. Mycal Brown stated to the Mayor that the city had taken the memorial seriously, Mayor answered, that is where I (Mayor) disagree. I disagree with the fact the City of Dixon paid for Phase 1 and Phase 2, paid for a survey of the land, and Dixon continues to mow the land. So to say we have not taken this memorial seriously, I (Mayor) disagree, and don't think it would be fair for any council member who set up here. Marlene Blackburn stated that when they took this on, it was her understanding that it would take three years to finish, that was three years ago. Marlene stated that the memorial has been in the Mayor's hands all this time and done nothing and that unfair to all veteran's. Mayor stated you are entitled to your opinion, and I (Mayor) do respect your opinion. Mycal Brown stated that is it my understanding that the memorial falls under the liability of the city? The city does have liability insurance, correct? Mayor, yes the city does have liability insurance correct. The way it was expressed to the city was from the three people, is that they wanted the city to maintain the liability, but have no actual say of the land or memorial monument itself. Quite honestly that was the source of the discussion at that time. Ms. Bell was advised that Mr. Joey Lopez could perhaps provide some assistance to her in this matter, and recommended that she contact him.

10. POLICE REPORT:

No Police Report

Mayor Wethington then stated that the council had reached the end of the agenda items for open session, and asked for a roll call vote to go into closed session.

Mycal Brown stated that according to the Missouri Sunshine Law, after 72 hours, closed session information should be published for public use. The Mayor stated that only the votes need to be published for the public, not the discussions that lead up to the votes. Mycal Brown disagreed, and moved that the closed session should be recorded and transcribed for the public. The motion was seconded by Barbara Thomas and passed 6-0.

Paul Watson moved to adjourn the open session and go into closed session. Marilyn Timmons seconded the motion. The vote was 3 to 3 with Mycal Brown and Marlene Blackburn voting no. Barbara Thomas voted "present." It was meant as a NO vote.

<u>Betty Thilges</u>	aye
<u>Barbara Thomas</u>	nay
<u>Paul Watson</u>	aye
<u>Marilyn Timmons</u>	aye
<u>Mycal Brown</u>	nay
<u>Marlene Blackburn</u>	nay

It was decided that there would have to be a second vote. Mycal Brown then moved to go into closed session for personnel only. The motion was seconded by Barbara Thomas and passed 6-0. The open session meeting was adjourned at 6:46 p.m.

<u>Betty Thilges</u>	aye
<u>Barbara Thomas</u>	aye
<u>Paul Watson</u>	aye
<u>Marilyn Timmons</u>	aye
<u>Mycal Brown</u>	aye
<u>Marlene Blackburn</u>	aye

11. ADJOURNMENT:

Time 7:45pm

A tornado warning being issued while the council was in closed session. The session was not adjourned, so a special council meeting was called for April 19, 2018, to continue the discussion where the April 13th meeting left off.

CLOSED SESSION AS PER RSMO 610.021, 610. FOR PERSONNEL MATTERS

The Dixon City Council regular meeting on April 13, 2018, was stopped before its conclusion, due to a tornado warning being issued while the council was in closed session. The session was not adjourned, so a special council meeting was called for April 19, 2018, to continue the discussion where the April 13th meeting left off. After adjourning the previous meeting, the City Council had several important items of business to cover on the agenda of the special session April 19, 2018. The City Council accepted letters of resignation from Dixon Mayor Shawn Wethington and City Engineer John Doyle. They also discussed a financial problem of a shortage of funds to pay a bond issue payment due on April 20, 2018 (the day following the meeting).

Mycal Brown moved to adjourn the meeting of April 13th; the motion was seconded by Barbara Thomas and passed 5 to 0.

FOR ACCOMMODATION DUE TO DISABILITY, PLEASE CALL 759-6115 TWO WEEKDAYS IN ADVANCE, BETWEEN 8 A.M. AND 4:30 P.M.

DIXON CITY COUNCIL SPECIAL MEETING
Jessie E. McCully Memorial Library
200 South Pine Street
April 19, 2018
6:00pm

The conclusion of April 13 Meeting

1. CALL TO ORDER:

A quorum being present the council meeting of the Dixon City Council was called to order at 6:12 P.M. By Betty Thilges, Mayor Pro-Tem.

2. ROLL CALL:

3.

Present:
Betty Thilges
Marilyn Timmons
Barbara Thomas
Mycal Brown
Marlene Blackburn
Paul Watson (Absent)

4. PLEDGE OF ALLEGIANCE

4. INVOCATION:

Given by John Doyle

Betty Thilges, Mayor Pro Tem, proceeded to read a Letter of Resignation from Mayor Shawn Wethington. In his letter, Mr. Wethington discussed the accomplishments of the council during the time he was Mayor and commended the council members, and city workers, Maintenance and Police Department for their passionate work for this community, and thanked them all for a job well done. Wethington then stated that he was resigning his position as Mayor to spend more time with his family, and to focus on his faith. He thanked his wife and children for their patience and understanding and asked for continued prayers. He wished everyone well in all future endeavors.

Mycal Brown moved to thank Mr. Doyle for his dedicated service to the Dixon Community and to accept his resignation. The motion was seconded by Marilyn Timmons and passed 5-0 by roll call vote.

<u>Betty Thilges</u>	<u>aye</u>
<u>Barbara Thomas</u>	<u>aye</u>
<u>Paul Watson</u>	<u>absent</u>
<u>Marilyn Timmons</u>	<u>aye</u>
<u>Mycal Brown</u>	<u>aye</u>
<u>Marlene Blackburn</u>	<u>aye</u>

Mayor Pro-tem Thilges then read a personal statement from her to the Dixon Community; “I realize these changes are coming as a surprise to the people of Dixon. I want to reassure them that they have a strong new city government in place that is familiar both with the problems facing our community and the proper procedures for confronting them. Many of these problems have been ignored in the past or left unattended until they have reached a critical stage and now we are forced to deal with them as they arise. Please be assured your council has the talent, and ability to handle your affairs. It is going to take some time to address the many areas that have been left unattended, and I ask that you have some patience as we sift through the areas to determine what needs the most and first work. Rest assured, our city is going to survive. It is going to survive because many of us love it, who want to go on living in it, who is going to work hard to straighten out the problems facing us. Thank you for all your help, please continue your support, and God bless us all in our continued efforts. Thank you”

5. PARK PLAYGROUND EQUIPMENT

Lana Wilson, Secretary of the Dixon Lions Club, addressed the council concerning Lion Club Park. She stated that the Lions Club does not own the Park, the City of Dixon does. The Lions Club has purchased several items of playground equipment for the Park, and the City has provided the maintenance and insurances. The equipment has been destroyed and stolen. One example was a swing that had been provided for disabled persons; this swing was taken. The Lions Club is considering putting in a basketball goal. The Lions Club recently spent \$500 to have the wooden playset refinished/repaired.

Several other citizens commented on drug paraphernalia being left in the Park where children play, and could easily come into contact with it. Photos of some of the equipment that had been vandalized were provided. The Maintenance Department had put in several items for children to play on a few years ago; those items to have been vandalized.

Mycal Brown moved to table the Park discussion to include insurance until a later date. The motion was seconded by Barbara Thomas and passed by a vote 5 to 0.

6. BOND PAYMENT DUE:

The final item to be discussed during Open Session was the Bond Payment due the next day, April 20th in the amount of \$51,486. This could normally be paid

from the General Ledger Fund. This fund contained \$48,088.51 until April 19 when approx, \$32,000 in payroll was taken from it. Mycal Brown went to both banks and obtained a listing of all accounts the city had in each bank, to include Certificates of Deposit (CDs) and several other accounts. Some of these accounts are appropriated and cannot be used for payment of the bond payment. As a result, some funds are not available to make the bond payment. Former Mayor John Thilges reported that there was a CDBG (Community Development Block Grant) in the amount of \$100K that was to be loaned to small businesses to start up those businesses and then be repaid when the business was up and running. Only one business could be identified as having received a CDBG loan and had paid it back. At the time, it seems that only just over \$6,456.17 is on that account. Mycal Brown moved that \$14K be expropriated from the water/reserve fund, and be repaid in the amount of \$100/month plus current interest, which will be increased in the future when it is possible. The motion was seconded by Barbara Thomas and passed by a roll call vote 5 - 0.

Betty Thilges aye
Barbara Thomas aye
Paul Watson absent
Marilyn Timmons aye
Mycal Brown aye
Marlene Blackburn aye

Mycal Brown made the motion to go into open session, second by Betty Thilges, with a roll call vote 5-0. Time 11:24pm

Betty Thilges aye
Barbara Thomas aye
Paul Watson absent
Marilyn Timmons aye
Mycal Brown aye
Marlene Blackburn aye

Mycal Brown made a motion to adjourn the meeting, second by Betty Thilges all alderman present voted yes. Time 11:26pm

Minutes approved this _____ day of _____, 2018.

Betty Thilges, Mayor Pro-Tem

Jessie Fleming, City Clerk