

**City of Hawk Point, Missouri**  
**Minutes of Regular Meeting**  
**Monday, October 5, 2020**

The City of Hawk Point, Missouri held their regular meeting at the Hawk Point Civic Center located at 220 West Lincoln, Hawk Point, MO 63349, on Monday, October 5, 2020, pursuant to the agenda posted Thursday, October 1, 2020.

Mayor Mark Seigler called the meeting to order at approximately 6:00 p.m. Present were Mayor Mark Seigler, Aldermen Brenda Bryant, Tom Boling, Kayla Huber, and Steven Fair. Mayor Mark Seigler determined a quorum was present.

Staff present: City Clerk Samantha Shelton, Public Works Terry Stuck, Public Works Robert Henebry, Police Chief Robert Bone, Assistant Police Chief Wayne Mueller, and City Attorney Cindy Davenport.

Guests in Attendance: Joy Gauldin, Samantha Forbes, Jim Colbert, and Heath Sellenriek (Gateway Fiber)

**APPROVAL OF AGENDA**

*Motion to Approve the Agenda was made by Alderman Bryant and seconded by Alderman Huber.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<b>AYES 4</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 4 TO 0.***

**APPROVAL OF THE MINUTES**

*Motion to Approve the Minutes from the Previous Regular Meeting was made by Alderman Bryant and seconded by Alderman Boling.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<b>AYES 4</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 4 TO 0.***

**PETITIONS & BUSINESS BROUGHT BEFORE THE COUNCIL BY THE PUBLIC**

**Item 4.A. Jim Colbert – 109 Prairie – Request for Sewer Forgiveness**

Mr. Colbert asked the Board to forgive a portion of his sewer bill issued on 08/20/2020 as he has a water leak that did not enter into the sewer system. City Clerk Samantha Shelton explained the recommended sewer forgiveness based on the last (6) six months of consumption.

Motion to approve to forgive the recommended amount of \$127.99 from the sewer charge from the utility bill issued on 08/20/2020 was made by Alderman Bryant and seconded by Alderman Huber.

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<b>AYES 4</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 4 TO 0.***

City Clerk Samantha Shelton advised Mr. Colbert that because he has already paid his account's balance in full, that it will show a credit balance of -\$127.99 on his account and will be applied to his future bill.

## **Item 4.B. Hawk Point Fireman’s Community Outreach**

### **Halloween**

Joy Gauldin with the Hawk Point Fireman’s Community Outreach asked the Board their plans for Halloween in that if it will continue as past years or if there will be restrictions on trick or treating. The Board agreed that the City would not issue any restrictions on Halloween and Trick or Treating at this time.

### **Christmas Parade**

Ms. Gauldin asked permission for the Hawk Point Fireman’s Community Outreach to host a Christmas Parade through town on December 12, 2020 (December 13, 2020 – Weather/Snow Day). The Board agreed for the HPFCO to host a Christmas Parade and asked that they be sure to keep the Hawk Point Police Department informed on dates, times, and routes, to be sure officers are available to close streets for the parade.

## **ORDINANCES & RESOLUTIONS**

### **Item 5.A. Ordinance No. 91-09.02 Amendment of Ordinance No. 91-09.01 No Farm Animals**

Alderman Fair addressed his concerns with items included in the amended ordinance. Discussion was had at this time.

*Motion to approve Ordinance No. 91-09.02 Amendment of Ordinance No. 91-09.01 No Farm Animals, with the change/removal of requiring a permit and fee’s for the keeping of chickens (to be corrected by the City Attorney Cindy Davenport) was made by Alderman Fair and seconded by Alderman Boling.*

*Roll Call Vote:*

*Alderman Bryant            NAY    Alderman Boling            AYE*

*Alderman Huber            NAY    Alderman Fair            AYE*

*AYES 2            NAYS 2            ABSENT 0*

***MOTION TIED 2 TO 2.***

As the above motion resulted in a tie amongst the Board of Alderman, Mayor Mark Seigler’s vote was counted at this time to break the tie.

*Mayor Seigler            AYE*

*AYES 3            NAYS 2            ABSENT 0*

***MOTION PASSED 3 TO 2.***

## **UNFINISHED BUSINESS**

*Motion to amend the agenda and place Health Sellenriek (Gateway Fiber) under Unfinished Business as Item 6.A. moving the following items further down on the agenda was made by Alderman Fair and seconded by Alderman Boling.*

*Roll Call Vote:*

*Alderman Bryant            AYE    Alderman Boling            AYE*

*Alderman Huber            AYE    Alderman Fair            AYE*

*AYES 4            NAYS 0            ABSENT 0*

***MOTION PASSED 4 TO 0.***

### **Item 6.A. Health Sellenriek (Gateway Fiber)**

Mr. Sellenriek discussed the coming of Gateway Fiber to Hawk Point. He apologized for being nonresponsive. He stated that Gateway Fiber was finishing up other projects and would be heading into Hawk Point. Once a lease agreement is worked out with the City’s Attorney and approved by the Board, Gateway can move forward with construction.

### **Item 6.B. Wastewater Project**

City Clerk Samantha Shelton provided to the Board an email sent from Dennis Stith (McClure Engineering) with updates on the Wastewater Project and what is remaining for completion.

**Item 6.C. City Park Improvements**

**Plan(s) Update**

Public Works Robert Henebry gave updates on the Park Improvements Project. He also advised what items were left for the project's completion.

**REPORT OF OFFICERS, BOARDS AND COMMITTEES**

**Item 7.A. Public Works Report**

Public Works Terry Stuck read aloud his monthly Water Usage Report. He also discussed the average usage of the lift stations to the new lagoon. Discussion was had on when the sewer smoke test would be completed. Mr. Stuck will contact the MRWA to confirm when they plan to do the tests.

**Item 7.B. City Clerks Report**

**Approval of the Monthly Financial Reports (August 2020)**

*Motion to Approve the August 2020 Financial Reports was made by Alderman Bryant and seconded by Alderman Huber.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

**MOTION PASSED 4 TO 0.**

**Approval of the Monthly Utility Billing Transfers (September 2020)**

*Motion to Approve the Utility Billing Transfers for the month of September 2020 from the Water Account to the Sewer Account in the amount of \$16,500.90 was made by Alderman Bryant and seconded by Alderman Huber.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

**MOTION PASSED 4 TO 0.**

*Motion to Approve the Utility Billing Transfers for the month of September 2020 from the Water Account to the Trash Account in the amount of \$3,398.81 was made by Alderman Bryant and seconded by Alderman Huber.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

**MOTION PASSED 4 TO 0.**

**Uncollected Funds (Long Term)**

City Clerk Samantha Shelton explained that there were Uncollected Funds sitting in the city's books for quite some time now. Ms. Shelton asked if the City was expecting to see this income or if the City wished to waive it. Discussion was had at this time.

*Motion to waive the reported uncollected funds of \$750.00 for Ms. Caroline Reeves was made by Alderman Bryant and seconded by Alderman Huber.*

Discussion was had at this time regarding the different funds.

*Motion was withdrawn by Alderman Bryant and seconded to withdraw by Alderman Huber.*

City Clerk Samantha Shelton is to investigate Ms. Betzinda Colbert's Uncollected funds totaling \$3,725.00 and Ms. Caroline Reeves's Uncollected funds totaling \$750.00 (*possibly related to cemetery lot purchase*).

**Item 7.C Police Report**

**Non-Compliant Licenses and Occupancy Certificates**

Chief Bob Bone requested clarification on who receives tickets for Non-Compliant Licenses and Occupancy Certificates. City Attorney Cindy Davenport stated that all tickets are to be issued to the property (land) owner regardless if they reside on the property themselves or rent the property to another party.

Chief Bone and Assistant Chief Wayne Mueller discussed ordinance violations as well as the Police Policy Book. A meeting was set with the Chief, Assistant Chief and City Attorney to discuss the Police Policy Book.

The Board did not go into closed session at this time.

**Item 7.D. City Attorneys Report**

**Update of MODOT Report for Speed Study on Highway D**

City Attorney Cindy Davenport reported her email communication with MODOT and that she is awaiting a response on if they will reconsider the speed limit change.

**John Coleman Easement/Dedication**

Ms. Davenport went over her rough draft. Discussion was had at this time. It was decided amongst the Board and City Attorney that Mr. Coleman’s subdivision project was not yet completed for what the City agreed to adopt and that it was not ready at this time for an Easement/Dedication. Once all lines through the subdivision have been placed and connected to city lines, and the project is complete, the city will return to reviewing and Easement/Dedication.

**Update on Witt Easements**

Ms. Davenport explained the provided photo regarding the easement on Keith Witts Property at the New Lagoon Site Road/Railroad right-of-way. Discussion was had at this time. Ms. Davenport is to contact Dennis Stith with McClure Engineering to figure out the property line matter.

TABLED TO NEXT BOARD MEETING

Ms. Davenport reported on the New Municipal Court at Moscow Mills and went over what items to budget for regarding court cost for the FY of 2020 and FY of 2021. Ms. Davenport also asked the Board if the City wished to hire on Bailiffs provided by Moscow Mills or if the Board wanted our own police to attend as Bailiffs. Discussion was had at this time.

*Motion to Pay \$50.00 a month to Moscow Mills for (2) two Bailiffs was made by Alderman Bryant and seconded by Alderman Fair.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<b>AYES 4</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

**MOTION PASSED 4 TO 0.**

**Item 7.E. Mayor and Aldermen’s Report**

Nothing was reported at this time.

**BUDGET REVIEW & PLANNING**

**Item 8.A. 2020 Budget Review**

**Budget Review**

City Clerk Samantha Shelton went over the recommended amendments to the 2020 Budget. Discussions were had at this time. Ms. Shelton is to correct the 2020 Amended Budget and have it ready for final review and approval at the next Board of Aldermen Meeting.

TABELD TO NEXT BOARD MEETING

**Approval of the 2020 Budget Amendments**

TABLED TO NEXT BOARD MEETING

**Item 8.B. 2021 Budget Review**  
**Budget Review**  
TABLED TO NEXT BOARD MEETING

**Approval of the 2021 Budget Amendments**  
TABLED TO NEXT BOARD MEETING

*Motion to Close Open Session and Open Closed Session was made by Alderman Bryant and seconded by Alderman Boling.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

***MOTION PASSED 4 TO 0.***

**CLOSED SESSION**

*Motion to Close Closed Session and Open Open Session was made by Alderman Bryant and seconded by Alderman Huber*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

***MOTION PASSED 4 TO 0.***

**MOTION TO PAY BILLS**

*Motion to pay bills was made by Alderman Bryant and seconded by Alderman Huber.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

***MOTION PASSED 4 TO 0.***

**ADJOURN**

*Motion to Adjourn was made by Alderman Bryant and seconded by Alderman Fair.*

*Roll Call Vote:*

<i>Alderman Bryant</i>	<i>AYE</i>	<i>Alderman Boling</i>	<i>AYE</i>
<i>Alderman Huber</i>	<i>AYE</i>	<i>Alderman Fair</i>	<i>AYE</i>
<i>AYES 4</i>	<i>NAYS 0</i>	<i>ABSENT 0</i>	

***MOTION PASSED 4 TO 0.***

Meeting Adjourned.

Next regular meeting scheduled for Monday, November 3, 2020, at 6:00 p.m.

Respectfully Submitted: City Clerk Samantha Shelton

APPROVED: \_\_\_\_\_ ATTESTED: \_\_\_\_\_ DATE: \_\_\_\_\_