

## COUNCIL MINUTES

May 9, 2023

6:00 P.M.

### Invocation

Pastor David Pizinger had the invocation.

### Call to Order

Mayor Alan Griffin called the meeting to order with a roll call. Darlene Taylor: present, Warren Myers: present, Judy Martin: present, Jason Meyer: present, Bryan Crane: present, Justin Lawson: present, Cris Henkle: present Brenda Cupp: present. Eight present representing a quorum, the meeting was called to order. Also present was Attorney Derek Snyder. Mayor Alan Griffin asked that all stand for the pledge to the flag.

### Agenda

Judy Martin made the motion to accept the tentative agenda with the addition of Resolution 23-02 for lead and copper, Justin Lawson made the second. Eight Ayes, No Nays. Motion carried.

### Minutes

Judy Martin made the motion to accept the April minutes, Bryan Crane made the second, Eight ayes, no nays, motion carried.

### Election Certification

Warren Myers made the motion to accept the Special Election Certification, Jason Meyer made the second with a roll call vote. Darlene Taylor: yes, Warren Myers: yes, Judy Martin: yes, Jason Meyer: yes, Bryan Crane: yes, Justin Lawson: yes, Cris Henkle: yes Brenda Cupp: yes. Eight yes, no nays, motion carried.

### Swear in Ward 2

Debbie Cornell swore in Judy Martin as Ward 2 Councilman.

Mayor Alan Griffin wished to thank Judy Martin for obtaining 3 grants from Webb City Walmart, Stone Corner Neighborhood and Sam's Club totaling \$4,000 for repairs to the Community Center. He passed Thank you cards to the council for them to sign to be sent to the managers of the Stores.

# Mayors Appointments

## **PLANNING & ZONING COMMITTEE**

Mayor Alan Griffin Mayor

Jason Meyer Council

Mickey Bulger (Citizen at large)

Neil Snyder (Bldg. Inspector)

DeWayne Cupp (Citizen at large)

Diane Vann (Citizen at large)

John Henkle (Citizen at large)President

Terry Arterburn (Citizen at large)

## **PARK COMMITTEE**

Cindy Myers

Brenda Cupp liaison

Holly Crane

Dewayne Cupp

Rebecca Dudley

Randy Dunn

Cindy Dunn

Audrey Rundle

David Turley

Theresa Oakes

## **POLICE COMMITTEE**

Dale Davenport (per motion below remove until check if he can serve due to residency)

Warren Myers liaison

Diane Vann

Jim Arrowood

Johnny Arrowood

Jesse Gourley

**FINANCE COMMITTEE (signers on the city's bank accounts not court)**

Mayor Alan Griffin

Warren Myers

Jason Meyer

Will Cline

Cris Henkle

**201 BOARD CENTER BOARD**

Mayor Alan Griffin

Larry Wald

Brian Bowman (Citizen at large)

**MAYOR PRO TEM**

Cris Henkle

**HOMELAND SECURITY / EMERGENCY MANAGER DIRECTOR**

Clint Worley

**DRUG AND ALCHOL COMPLIANCE CONTACT**

Warren Myers

**HSTCDC, REGION M, TAC**

Will Cline

**HSTCC, REGION M, TAC**

Debbie Cornell

**WELL HEAD PROTECTION, STORMWATERMANAGEMENT**

Will Cline

**SEMA, FEMA AND FLOODPLAIN**

Will Cline

Debbie Cornell

**Judge**

Mark Elliston

Councilperson Taylor questioned if Dale Davenport could be appointed to the Police Committee if he was no longer a resident of the City. The Mayor said he would find

out if he was ineligible due to residency and asked for the remainder of his appointments to be approved. Councilperson Warren Myers made the motion to approve the appointments with the exception of Dale Davenport, Bryan Crane made the second and all agreed. Eight yes, no nays. Motion carried.

### **New Business**

Will Cline said that he needs to take Harrison Street to Finance and if needed he will bring it back next council.

Darlene Taylor asked about the 29 acres, north of Garret Park west of Pine Street and why they aren't building. Mayor said he had brought it up before that they decided to put it up for sale at this time.

Andy Novinger of Anderson Engineering presented his report to the council about the different types of funding for the water and the sewer improvements. He told them that the new well was almost done and would be a big asset to the City's water system. He told the council about the system's water loss issue. Councilperson Henkle asked if new meter installed at the old well would provide a more accurate amount on the system's water loss. Mr. Novinger stated that meter will help track the amount of loss. Councilperson Taylor asked if the City's current old meters should also be replaced. Mayor Griffin asked City Administrator Cline about the age of the current water meters. Administrator Cline stated most if not all are less than 10 years old. It was noted that meters are not aged until approaching 30 years. Mr. Novinger said that old meters just stop reading and that is to the customer's advantage but not the city's. Cris Henkle asked if water and sewer could concentrate on certain areas with the LMI. Mr. Novinger responded that this could be done. He said the Revolving Fund and Rural Development usually want 2 % of whatever the income is so the lower the LMI the better.

Fire Department was not in attendance this month. They will be requesting a fire work stand and a road closure for a car show.

Councilperson Martin asked to speak and told the council that after speaking with several citizens she feels that the 5 minutes limitation for visitors to speak should be removed and go back to what the people want. Attorney Derek Snyder said the council meeting is not a public forum. It can be a limited public forum if the council wants to allow for those in attendance to address the council. He continued that most cities limit visitors to a timeframe of 3 to 5 minutes. Visitor usually must list their name, address and the issue to be addressed. If several individuals wish to address the same issue it is preferred that those visitors wanting to speak to choose one spokesman to address the council. Attorney Snyder also stated residents can also address issues to elected officials outside the meeting.

Mayor Griffin told Councilperson Martin that he had already been talking to the council that members from each Ward could get together and have like a block party to let people come together. He said he would attend if those were scheduled in advance. This way each Ward would be talking to the citizens of their Ward. A council meeting is the time for the city business to be conducted. Councilperson Cupp said that herself, Councilperson Jason Meyer and City Clerk Debbie Cornell attended the MML class in Springfield on Friday. An attorney speaking at that training session advised against allowing any time for citizens to speak but if allowed, to limit those speakers to 3 minutes. The MML attorney also stated a council meeting is to conduct city business. Councilperson Cupp said she believes in allowing people to speak, but this is what the attorney recommended. The attorney from MML also said town hall meetings are recommended to allow for others to speak. She said that she feels that the citizens need to have interaction with the council. Mayor Griffin stated that also on the web site are email address for each councilperson and citizens can address issues to the council individually by email.

### **Old Business**

Next Mayor Griffin asked if there was any questions on Bill 23-09 before the final reading and approval. Councilperson Taylor said she did not understand what all the numbers were when the Mayor requested a motion for bill No. 23-09 to approve Ordinance No. 3003. Mayor Griffin explained that first a bill must be read twice to become an ordinance. Councilperson Taylor then asked why any ordinance needed to be passed to stop anyone from smoking marijuana. Attorney Derek Snyder explained that the city is just adopting an ordinance to conform to the Constitutional change in the State. Mayor Griffin stated this is what we discussed and passed on first reading last month. Justin Lawson made the motion to have the second and final reading of Bill 23-09(marijuana) by title and number only, Jason Meyer made the second. Eight Ayes, no nays, motion carried. Debbie Cornell read Bill 23-09 by title and number only. Cris Henkle made the motion to accept the second and final reading of Bill 23-09 by title and number only, Justin Lawson made the second with a roll call vote. Darlene Taylor: yes, Warren Myers: yes, Judy Martin: yes, Jason Meyer: yes, Bryan Crane: yes, Justin Lawson: yes, Cris Henkle: yes, Brenda Cupp: yes. Eight yes, no nays, motion carried. Eight yes, no nays, motion carried. Bill 23-09 becomes Ordinance 3003.

### **Committees**

From Planning and Zoning Committee, Jason Summers was wanting to get a consensus that if he bought a property it could be rezoned from R1 to R2. He stated he did not want to buy it until he finds out if he will be able to do that because he will have to put a lift station on the property. Attorney Derek Snyder said any request for rezoning must follow the State statutory process that requires a public hearing before planning and zoning and then a public hearing with the Council. This is to allow for

public comment on the request. The council should not make any decision or comment on the rezoning request without the proper process being followed.

At this time Police Chief Clinton Worley told everyone that Carterville was just put under a Severe Thunderstorm Warning. Mayor Griffin asked that anyone who felt like they need to leave due to the weather to please exit quietly to not disturb the meeting.

From Planning and Zoning at Main and Pine on the north side of Main street, Famous Grill would like to have angle striping and exit only one way off of his parking lot sign. Cris Henkle made the motion to stripe the north side of main and put up the one way out of his drive way, Justin Lawson made the second and all agreed. Eight yes and no nays, motion carried.

Councilperson Taylor asked about the missing baskets discussed in the park report. Administrator Cline stated previously the City had what was considered a poorly designed 18 hole disk golf course. Now, with others assistance, the City has a good 9 hole course for competitions. All baskets had been returned to the City and are stored at this time.

Cindy Myers of the Park Committee put in a street closure form for just the block in front of Comet Park and the hydrant at Main to the alley north on fountain for June 3 for the fun day. Bryan Crane made the motion to close the area for that time, Brenda Cupp made the second and all agreed. Eight yes and no nays, motion carried.

### **Department Reports**

Mayor Alan Griffin asked if there was any other questions from the department reports. Hearing none the Mayor moved to the next Agenda item.

### **Visitors**

Gary Shields addressed the Council on his complaint about an alleged dangerous building. He informed the Council he had contacted Mr. Cline on March 22. He also told the Council that May is Building Safety Month in Missouri. He then began to read from the City code for dangerous buildings. His time ran out and he told the Mayor he would resubmit his complaint and send an email to all of the council. Mayor Griffin thanked him for his time.

Chris Moore informed the Mayor he no longer needed to address the Council because his issues were addressed before the meeting and during the meeting.

Andy Martin addressed the Council to congratulate his mom Judy Martin and Justin Lawson on winning their council seat. He also congratulated Terri Arterburn for running a clean fight. He later congratulate Bryan Crane also on winning his election. Mr. Martin said he liked what Brenda Cupp said about having town halls. He asked

the Mayor if the Park Board was now a City Committee. The Mayor responded that the Park Board has always been a City created committee. Mr. Martin said that he was proud of his home town and noted in the last election the City had almost 300 voters participate. He gave his personal advice for the council to remember who you are working for, question everything and have your own mind or heart, always stand up for yourself. He said he would love to have a town hall.

Mayor Griffin said that he would ask everyone to pray every day for the town and the council.

### **Adjournment**

Cris Henkle made the motion to adjourn, Justin Lawson made the second and all agreed. Motion carried

  
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Mayor Alan Griffin

  
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City Clerk Debbie Cornell