

**DUQUESNE BOARD OF ALDERMEN  
APRIL 8, 2024 – REGULAR MEETING MINUTES**

**Call to Order:** The regular meeting for the Duquesne Board of Aldermen was called to order at 6:03 PM by Mayor Bill Sherman.

**Roll Call:** Answer roll call were Aldermen Jane Baine, Myra Gonzalez, Becca White, Chris Ellsworth and Mayor Bill Sherman. Absent: none. Also present were City Attorney Mike Talley, police chief, city clerk and 13 guests.

**Pledge of Allegiance and Invocation:** The Pledge of Allegiance to the United States of America was led by Mayor Bill Sherman followed by invocation prayer given by Mayor Bill Sherman.

**Agenda:** Certified Election results were not received and “Announce Certified Election Results” through “Elect Acting President of the Board of Aldermen” were stricken from agenda. Motion made by Chris, seconded by Myra to approve modified agenda. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Public Hearing for Special Use Permit:** Mayor opened hearing at 6:07 PM. Fred Smith, 3914 E 13<sup>th</sup> Street, has submitted Special Use Permit for off-grid solar system. Mr. Smith, as recommended at P&Z Public Hearing, spoke with Justin Mynatt at Liberty who stated that Liberty was not involved in off-grid systems. Mayor had also spoken with Justin and agreed with Mr. Smith’s statement. P&Z recommended approval of Special Use Permit. Public Hearing was closed at 6:12.

**Public Hearing to Rezone 1001 S Duquesne Road from R-1 to R-3:** Jake Moore had not arrived. Ordinance 404.155(J) required his attendance. Public Hearing was postponed until later in meeting.

**Public Hearing to Rezone 1206 Wood Street from R-1 to R-2:** Mayor opened hearing at 6:21 PM. Jerry Sparks, 1201 S Duquesne Road, split back portion from his property, creating 1206 Wood Street. He stated he wanted to rezone new lot to allow for future duplex. P&Z recommended rezoning approval. No other comments, public hearing was closed at 6:26 PM.

**Approve Minutes: March 11 Regular Meeting:** Motion made by Jane, seconded by Myra, to approve minutes. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Financial Report:** CDs set to mature next month will be reinvested. Profit and Loss for first six months of FY24 was presented. March report approved and filed for audit.

**Public Hearing to Rezone 1001 S Duquesne Road from R-1 to R-3:** Jake Moore arrived. Mayor opened public hearing at 6:35 PM. Jake Moore, 2012 Highlander Drive, Joplin, requested rezoning to R-3 so four one-bedroom units could be built. Jerry Sparks, 1201 S Duquesne Road, asked if exact location of 10<sup>th</sup> Street had been established. Engineering firm was working on determination. Sara Ellsworth, 1004 S Duquesne Road, asked about building options of R-3 zoning. R-3 Multi-Family would allow apartment complex. Single family or duplex were not allowed in R-3. P&Z recommended rezoning approval. No other comments, public hearing was closed at 6:42 PM.

**Bill Summary:** Outstanding bills for General Funds: \$47,078.12; Sewer & Wastewater: \$275.39; Street: \$2,492.74. Allgeier Martin & Associates bill for engineering fees to review Midsouth Distributions site plan totaled \$5,276. Arck Construction had made \$2,000 engineer fee deposit and would be billed for balance. Motorola radios were received, but PD was waiting until Joplin PD switches their system. Motion made by Myra, seconded by Becca, to accept Bill Summary and pay outstanding bills. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Court Report:** Received and filed for audit.

**Police Report:** Chief White gave report on department status. New police truck should be available for pickup this month and equipment installation was already scheduled for May 6.

**Resolution 24-01 Assign Address 1206 Wood St:** New lot was formed when property was split. Motion made by Myra, seconded by Becca, to approve Resolution 24-01. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Resolution 24-02 Assign Address 3761 Cresswell Avenue to Lot 16 of Lake Park Subdivision:** Motion made by Becca, seconded by Chris, to approve Resolution 24-02. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 24-04 Small Arrow Engineering Agreement to Establish 10<sup>th</sup> Street Right-of-Way for \$3,500:** Motion made by Jane, seconded by Chris, to place Bill 24-04 on first reading by title only. Bill 24-04 was read by title only by Becca White. Mike Talley said entire process could be \$10,000 project. Small Arrow agreement was for engineering services only. Quiet title action to finalize ownership and settle matter might be necessary. NOTE: All proposed ordinances were read by Becca White.

Motion made by Jane, seconded by Chris, to accept first reading of Bill 24-04 by title only and move to second and final reading of Bill 24-04 by title only. Bill 24-04 was read by title only for second and final time. No further discussion.

Motion made by Jane, seconded by Chris, to accept second and final reading by title only of Bill 24-04 and assign it Ordinance 527. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 24-05 Agreement with Play by Design to Construct Splashpad for \$177,500:** Motion made by Jane, seconded by Chris, to place Bill 24-05 on first reading by title only. Bill 24-05 was read by title only. Missouri American Water met with Mayor to discuss installation of 2" water line and set meter base, at no charge. City would have to install line from meter to park. Cost of installing line would count towards City's match requirements. Harry S Truman Coordinating Council (HSTCC) needed to know time limit to complete project and rate of penalty for failure to do so. Mayor suggested 30-day grace period before penalty would apply at 1% of project per day. This project's penalty would be \$250/day. Board agreed with Mayor's recommendation.

Motion made by Jane, seconded by Myra, to accept first reading of Bill 24-05 by title only and move to second and final reading of Bill 24-05 by title only. Bill 24-05 was read by title only for second and final time. No further discussion.

Motion made by Jane, seconded by Chris, to accept second and final reading by title only of Bill 24-05 and assign it Ordinance 528. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 24-06 Playpower LT Farmington Inc (dba All Inclusive Rec) to Construct Playground Equipment for \$110,774.04 and Shelter for \$63,335.25:** Motion made by Jane, seconded by Myra, to place Bill 24-06 on first reading by title only. Bill 24-06 was read by title only. City would need to run electric service to park.

Motion made by Jane, seconded by Myra, to accept first reading of Bill 24-06 by title only and move to second and final reading of Bill 24-06 by title only. Bill 24-06 was read by title only for second and final time. No further discussion.

Motion made by Jane, seconded by Chris, to accept second and final reading by title only of Bill 24-06 and assign it Ordinance 529. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 24-07 Rezone 1001 S Duquesne Road from R-1 to R-3:** Motion made by Jane, seconded by Myra, to place Bill 24-07 on first reading by title only. Bill 24-07 was read by title only. P&Z held its public hearing on April 1 and recommended rezone application approval. Reference to Ordinance 106, dated 7-21-08, referred to original zoning map ordinance and this ordinance would amend original zoning map.

Motion made by Jane, seconded by Chris, to accept first reading of Bill 24-07 by title only and move to second and final reading of Bill 24-07 by title only. Bill 24-07 was read by title only for second and final time. No further discussion.

Motion made by Jane, seconded by Myra, to accept second and final reading by title only of Bill 24-07 and assign it Ordinance 530. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Bill 24-08 Rezone 1206 Wood Street from R-1 to R-2:** Motion made by Jane, seconded by Myra, to place Bill 24-08 on first reading by title only. Bill 24-08 was read by title only. P&Z held its public hearing on April 1 and recommend rezone application approval.

Motion made by Jane, seconded by Chris, to accept first reading of Bill 24-08 by title only and move to second and final reading of Bill 24-08 by title only. Bill 24-08 was read by title only for second and final time. No further discussion.

Motion made by Jane, seconded by Chris, to accept second and final reading by title only of Bill 24-08 and assign it Ordinance 531. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Special Use Permit for 3914 E 13<sup>th</sup> Off-Grid Solar System:** Motion made by Myra, second by Jane, to approve and issue Special Use Permit. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Midsouth Distributions Site Plan Review:** Mayor reviewed site plan checklist. Mayor distributed copies of Allgeier Martin & Associates (AMA) and Zanevan Engineering letters addressing site plan reviews. Mayor felt like all AMA concerns and recommendations were met. P&Z held its public hearing on April 1 and recommended site plan approval. Motion made by Myra, seconded by Jane, to approve site plan. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Business License:** Motion made by Myra, seconded by Becca, to approve license applications and renewals. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Old Business:** none

**Aldermen Interaction:** Mayor asked Board to consider cost-share when development occurs within area covered by Stormwater Master Plan with priority rating of medium to high rating, city would absorb 50% of engineering costs to review portion involving engineering for stormwater after initial engineering deposit of \$2,000. Becca expressed concern of previous projects wanting reimbursement. Chris was concerned whether potential projects would have positive impact on the city. Mayor sees positive benefit since developer was spending money toward solving city problem area.

**Public Comments:** Rick Gamboa, 4005 E 20<sup>th</sup>, reminded Board that Kerry Devine and his positions on P&Z expire in April.

Scott Simonds, 3717 E 16<sup>th</sup> Street, asked if city had plans to fix other two whistles on 16<sup>th</sup>. Mayor said whistle projects on 16<sup>th</sup> and 25 Streets were done with grant funding, but he would check rating with Stormwater Master Plan for additional whistles on 16<sup>th</sup> Street.

**New Business:** none.

**Update of Commissions & Committees:** P&Z Commission had two commissioners' positions, Kerry Devine and Rick Gamboa, were set to expire this month. Bill had spoken with Kerry, who stated she was not interested in being reappointed. Bill asked Rick if he was willing to continue on commission. Rick agreed to continue. Mayor also had application from Donnie Greenlee for P&Z. Mayor recommended and asked Board's consent to appoint Donnie Greenlee and reappoint Rick Gamboa as commissioners. Chris said their terms would run through April 2028. Motion made by Chris, seconded by Becca, to accept appointments. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried.

**Other Business Deemed Necessary:** Chris said he would like to see City Bell Tower acknowledge those who helped get park started. He would like to see Barbara Welch, in particular, be recognized with her name on Tower or bench.

Board would like to see safety tape around park projects during construction, so park walking trail could remain open.

**Schedule Next Meeting:** Next Council Meeting scheduled for Monday, May 13, at 6 PM. P&Z's next meeting is scheduled for May 6, at 6 PM.

As there was no further business, motion made by Becca, seconded by Myra, to adjourn. Yea: Baine, Gonzalez, White, Ellsworth. Nay: none. Motion carried. Meeting adjourned at 8:13 PM.