

**DUQUESNE BOARD OF ALDERMEN
JULY 18, 2024 – REGULAR MEETING MINUTES**

Call to Order: The regular meeting for the Duquesne Board of Aldermen was called to order at 6:00 PM by Mayor Bill Sherman.

Roll Call: Answer roll call were Aldermen Jane Baine, Myra Gonzalez, Chris Ellsworth and Mayor Bill Sherman. Absent: Becca White. Also present were City Attorney Mike Talley, police chief, city clerk and 8 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.

Amended Agenda: Motion made by Chris, seconded by Myra, to approve agenda. Yea: Baine, Gonzalez, Ellsworth. Nay: none. Motion carried.

Approve Minutes: June 10 Regular Meeting: Motion made by Jane, seconded by Myra, to approve minutes. Yea: Baine, Gonzalez, Ellsworth. Nay: none. Motion carried.

July 15 Public Hearing Committee: As advised by city attorney, since there were no objections to minutes and Mayor ordered minutes filed for record.

Financial Report: June report received and filed for audit.

Bill Summary: Outstanding bills for General Funds: \$5,412.04; Memorial Park: \$6,916.25; Storm Water Park: \$1,862.50; Street: 78.55. Two OWN Inc invoices were for ongoing engineering projects. MAPS check included first and second quarters usage. Freeman Health System was for required drug testing of officer after any officer involved accident. Motion made by Chris, seconded by Jane, to accept Bill Summary and pay outstanding bills. Most July bills were prepaid with prior Board authorization. Yea: Baine, Gonzalez, Ellsworth. Nay: none. Motion carried.

Court Report: Received and filed for audit.

Police Report: Chief White gave report on department status. Chief presented bill from Missouri State Highway Patrol for MULES services. MSHP had previously failed to bill for services and were not going to bill for past services. Joplin was billed and paid full amount for second quarter services. Joplin needed to be reimbursed for Duquesne's share: \$210 each for PD and Court. Third-quarter billing will increase to \$255 each for PD and Court.

Report on Public Hearing to Rezone 4015 E 13th Held July 15: Sam Hickey had met with P&Z in June to discuss plans for property he wanted to rezone to C-2 so he could build large shop to store building materials and construction equipment. He planned to convert existing house into office space. P&Z said it should be M-1. He submitted rezoning application to rezone from R-1 to M-1. Because Mr. Hickey failed to appear at P&Z Public Hearing on July 1, Ray Brown said P&Z denied request. Gary Heilbrun and Kerry Devine spoke against request because they opposed M-1 in residential area. Shane Gerber was against because he feared what M-1 might do to his property value (his address is right across the street). Rick Gamboa said he thought Hickey needed to reapply. Board cannot take any action tonight without P&Z recommendation. Motion made by Jane, seconded by Myra, to refer request back to P&Z for its August 5 meeting for recommendation. Yea:

Baine, Gonzalez, Ellsworth. Nay: none. Motion carried. No public hearing would be required since hearing had already been held on July 1.

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

Old Business: Duenweg Fire Department (DFD) had recommended 2 Fire Hydrants: 13th & Rex and 16th & Katherine. Motion made by Jane, seconded by Myra, to approve up to \$12,000 for installation of two recommended hydrants. Yea: Baine, Gonzalez, Ellsworth. Nay: none. Motion carried.

Comprehensive Plan Survey: Chris added QR code and link on city's website so residents can complete online or return to city.

Aldermen Interaction: Chris wanted to make sure Board members and audience were aware of Missouri American Water rate increase. Because August meeting will be later than usual, Motion made by Chris, seconded by Myra, to approve paying reoccurring bills when due. Yea: Baine, Gonzalez, Ellsworth. Nay: none. Motion carried.

Mayor said OWN Inc was having difficulty with Stephens Boulevard Drainage Project because pipe size needed to go under roadway. They hoped to have report completed next week.

10th Street Right-of-Way Issue: Small Arrow said road was in right-of-way except for very corner of pavement on 10th Street. They suggested city contact Mr. Evans (property owner) to see if he would allow city to redraw property lines to cut corner off his property. Mayor may need to copy of his deed from Jasper County Recorder's Office. (NOTE: Myra left meeting at 7:08 PM)

Public Comments: Ray Brown, 3615 Johnson Drive, asked about removal of political signs in right-of-way. He mentioned traffic light at 13th & Rex was crooked after May tornado. He asked about possible "Right Lane Must Turn Right" signage for southbound Duquesne traffic at 7th & Duquesne. He asked if Board of Aldermen had Code of Conduct and if not, he thought it should.

Gary Heilbrun, 4015 E 25th, said he thought since Mr. Hickey was not selling anything, that his rezoning request should be C-1. Chris responded Section 404.040 (E.3.a) stated no merchandise, equipment or vehicles can be displayed unless utilized daily and must be stored inside.

Kerry Devine, 314 Morgan Court, felt like application should be submitted to P&Z and it would decide if and when public hearing was needed. The law did not require Board of Aldermen to have public hearing. City Attorney Mike Talley responded that procedurally applications were submitted to city clerk and she schedules public hearings for P&Z. He said if P&Z had Administrative Clerk then that responsibility would fall on that person. State law did not require Board of Aldermen hearing.

Rick Gamboa, 4005 E 20th, said P&Z voted to reject application for failure to attend and if commission fails to make recommendation, it's to be considered denied.

Shane Gerber, 4126 E 13th, said he lives across road from 4015 E 13th and was concerned about property value impact on his property.

Mike Talley reiterated that city code did not require Board of Aldermen hold public hearings, it had always done so to give public ample chance to speak.

New Business: iWorkQ Systems Proposal for Permits & Licenses: Chris was concerned about 3-year agreement and city did not have capability to submit city's data in "electronic relational database format".

Update of Commissions & Committees: none

Other Business Deemed Necessary: none

Schedule Next Meeting: Next Council Meeting scheduled for Thursday, August 15, at 6 PM. P&Z's next meeting is scheduled for August 5, with Work Session at 6 PM and meeting at 7 PM.

As there was no further business, motion made by Chris, seconded by Jane, to adjourn. Yea: Baine, Ellsworth. Nay: none. Motion carried. Meeting adjourned at 8:00 PM.