



CITY OF CHARLESTON

**City Council Meeting
October 10, 2023**

Meeting Minutes

Call to Order: The meeting was called to order by Mayor Jackie Whiteside at 6:30 PM. Councilman Rick Toon, Councilman Philip Halter, Councilwoman Monica Goodin, City Manager Greg Luehmann, City Attorney Tabatha Graham, City Clerk Ali Morris, Director of Public Works David Harris, and the Chief of the Department of Public Safety, Robert Hearn Jr. were present. Councilman Clark Dugan was absent.

Consideration of Prior Meeting Minutes: Mayor Whiteside asked the council if they had a chance to read over both the September 12, 2023, Regular Meeting minutes and the September 21, 2023, Special Call Meeting minutes. Councilman Toon acknowledged that he had read over them, and everything looked good, but he wanted to ask if we had formed a committee for the potential solar eclipse event next year. The City Manager said not yet, but he believed that the Chamber of Commerce was looking at putting something together for that event. Toon then asked what was going on with the Chamber and if Mr. Luehmann had attended the last meeting. Mr. Luehmann said that he attended and that they have yet to hire a full-time executive, but they are moving forward with working on the upcoming Dogwood-Azalea Festival. At this time, Councilman Toon made a motion to approve the minutes from both the September 12, 2023, meeting and the September 21, 2023, meeting. Councilman Halter seconded the motion. All were in favor. None were opposed. The motion was carried out and the minutes were approved.

Report of City Business: City Manager, Greg Luehmann began by stating it was a pretty quiet and productive month. He mentioned that he and Mr. Halter met with Mike O'Rourke from the Mississippi Rural Fire District to discuss the contract expiring in December in which they pay the city \$57,500 for utilizing our city fire department to aid with rural fires in the northern part of the county. It was proposed we raise the fee for a 2-year period to \$60,000. Mr. O'Rourke said he would discuss it with the Rural Fire District and would let the city know something by mid-October.

Mr. Luehmann then mentioned that we are coming along nicely with the completion of our annual audit.

The City Manager said a meeting was held with Mr. Halter, David Harris, and Kelly Brown, the Animal Control Officer, regarding building a new dog kennel to house more dogs after they are

captured. Mr. Luehmann explained that he recently met with the new veterinarian, Ross Sindle, and requested assistance in administering tranquilizers with the recently purchased tranquilizer gun. The gun is supposed to shoot up to 70 yards away.

Mr. Luehmann mentioned that a representative from HIC Insurance (the city's health insurance) visited to discuss renewing our policy as of January 1st. The insurance agency is going to check our costs against other competitors to ensure we are getting the best prices.

The City Manager then moved onto the financials included within the council packets. He explained that after reviewing last month's budget numbers, it appears that we are on track, and everything is going well so far. The roof replacement on the City Hall/DPS building was completed and paid for last month, which was a budgeted item, and it came in under budget. The financials seem to be flowing well.

Councilman Toon mentioned that he heard some local business owners were concerned with the fact that the supplies for the roof replacement were not purchased locally. Mr. Luehmann agreed that it is important to shop locally and that we will be more vigilant about doing so.

At this time, Mayor Whiteside stated that with no objections, he would like to skip down to the second item of new business-Mr. Reggie Young to discuss the James L. Byrd III Endowment Fund for the benefit of the City of Charleston, Missouri. No one was opposed.

Mr. Reggie Young introduced himself as the representative of the estate of Mr. James L. Byrd III. As most are aware, the city has been making improvements to all the city parks with the donation funds of the Byrd Estate. Because those funds were specifically for the park projects, they would now like to do something more permanent to benefit the city of Charleston. There will be a sum of money deposited to the Community Foundation of the Ozarks, which is a 5013C organization that helps other 5013C organizations to handle charities of all sizes. They invest in a pool with professional investment managers. Mr. Young explained that what they are proposing to do is to establish the James L. Byrd III Endowment Fund for the benefit of the City of Charleston, Missouri and make a one-million-dollar deposit. The deposit will accumulate approximately \$40,000 a year to be used for both the upkeep of the city parks, and for any other needs the city sees fit at the discretion of the council. The interest rates may fluctuate, but the account should be able to distribute funds to the city beginning in the second year of being open. Mr. Young explained that these are good people to work with out of Springfield, Missouri and he is asking to establish this fund with the blessing of the council to accept the benefits. Mr. Young also explained that the Community Foundation is affiliated with the Bootheel Regional Community Foundation and is a permanent fund to them. He mentioned that the city may eventually even see money come to us through their organization as well. The way the endowment fund will be set up will allow for anyone, including individuals and organizations, to add to the fund at any time. Donations made as memorial gifts will be accepted as well as any amount, big or small, individuals would like to make.

Councilman Halter spoke up and said he appreciates all the work Mr. Young has put into this and his help with the park projects. He said I know this is all because of the Byrd Estate, but Mr. Young has done a lot of work also.

There will be an annual distribution to the city after the fund builds within the first year. Councilman Halter asked how these funds will be received by the city. Mr. Young said they should send the funds automatically without any need for a request to do so from the city. At this time, Councilman Halter made a motion to accept the establishment of the James L. Byrd III Endowment Fund for the benefit of the City of Charleston, Missouri. Councilwoman Goodin seconded the motion. All were in favor. None were opposed. The motion carried.

Mr. Young then asked that a plaque be made to acknowledge Mr. Byrd's gift and for it to be placed at City Hall or wherever they see fit. The council all agreed to do so and would be happy to.

Mr. Young thanked the council and said he would get all of this started tomorrow.

Old Business: Mayor Whiteside referred back to the agenda. Director of Public Works, David Harris to discuss Change Order NO. 4, regarding the Visu-Sewer sewer lining project was the only item of old business. At this time David Harris addressed the council and explained that the city is near the end of the wastewater grant funding with approximately \$91,000 left to spend. After all of the lines were inspected by camera, additional lining needs to be done. Harris explained this is why he is requesting Change Order NO. 4. With \$147,000 budgeted for lining this year and having only spent approximately \$3,000 of that, Harris was asking to use that toward finishing some lining that needs to be done. Harris explained that the city has not used any of their own money toward lining in the last three years.

Councilman Halter referred to the provided map of lining improvements and asked Harris if this would be for lining what was in green on the map. Harris replied yes, the green is what will be completed with grant money. The pink is what we will need to do with what he was proposing to be used of the city funds.

Councilman Halter asked how far Visu-Sewer has gotten on the project. Harris then passed out a sheet he put together of the footage and percentages that have been rehabbed and completed since 2016. Councilman Toon asked if Harris has been satisfied with Visu-Sewer's work. Harris said yes, they have been a little slow, but have done a good job.

Harris then stated that he strongly feels that about 70% of the city is in good shape. About 47% of the city is lined and eventually they will go through the entire city, but some parts already have PVC pipe, which will not have to be lined.

Councilwoman Goodin asked how they rehab a manhole. Harris explained that it depends on the type of manhole. Harris then showed her a piece of the lining he has been talking about and said that it has a ten-year warranty with a life expectancy of 100 years. It is basically PVC inside PVC. Prior to the lining, the average flow of the lagoon was 1.2 million and now it is down to 750 so we are saving a lot of money on electricity.

Councilman Toon made a motion to approve Change Order NO. 4. Councilman Halter seconded the motion. All were in favor. None were opposed.

New Business: Next on the agenda was to discuss appointing a Mayor Pro Tem to fulfill the term of October 10, 2023-April 9, 2024. After much silence, Councilman Halter volunteered to take the position. Councilman Toon made a motion to accept Halter's offer. Councilwoman

Goodin seconded the motion. All were in favor. None were opposed. The motion carried.

The last item of new business was to discuss **Bill NO. 3943 / Ordinance NO. 3084- An Ordinance Authorizing the Purchase of Two Vehicles for Use by the Department of Public Safety**. Councilman Toon made a motion to accept and approve the purchase and authorize the ordinance. Councilman Halter seconded the motion. Councilman Toon noted that these purchases were budgeted items. The City Attorney agreed that they were indeed already budgeted for. All were in favor. None were opposed. The motion carried and the ordinance passed.

Recognition of Visitors: Timothy Easton, Talisha Mays, Sherry Austin, Cati Austin, Hudson Byrd, Reggie Young, Jeff Sams, Kenny Hulshof, Zach Slipis from the Department of Public Safety and Barry Morgan, Captain of the Sheriff's Department were all in attendance.

Timothy Easton stood and addressed the council. He stated that he recently received a letter from the city in the mail, telling him to clean up his property as it is considered a public nuisance where his house burned down. Mr. Easton explained he has yet to receive a fire report and needs more time to clean up as he plans on rebuilding. Mayor Whiteside suggested he speak to the city manager. Easton said he would need approximately 20-30 days to get it cleaned up. The City Manager said he would get something out to him agreeing to that within the next day or so. Mr. Easton thanked him.

Sherry Austin spoke up on behalf of CHARM and wanted to let everyone know they are hosting a Chili Cook-Off on Market Street on October 28th. There will be 1st, 2nd, and 3rd place prizes as well as a people's choice winner. They will have judges and the contestants can decorate their areas as they wish and prizes for the decorations will be awarded as well. Austin also explained that CHARM is encouraging young entrepreneurs and hopefully many will set up to sell homemade goods. Austin also mentioned they will be hosting their annual Trunk or Treat on October 31st at the First Baptist Church, and they are planning a flash mob/Thriller dance on main street. Councilwoman Goodin asked how this will be advertised. Austin said there will be flyers passed around as well as posts on social media. The Chili Cook-Off will be from 10AM to 4PM on October 28th and there is a \$25 entry fee. She also said they worked with the health department to ensure they were following rules/protocol.

Talisha Mays stated she had a couple of questions. Mays asked Mr. Halter what his position is now that he is not the city manager. Mr. Halter explained that a special call meeting was held to appoint him back on the council once the city manager position was filled. Once Mays began asking more questions, the City Attorney advised her to submit her questions and requests in writing. Mays stated that she knows about the Sunshine Law and that it is for private information, and she is requesting public information. The City Attorney told her that was incorrect, that the Sunshine Law appertains to both public and private information. Mays then asked when Patrick Farmer submitted his resignation as Mayor. Once again, the City Attorney asked her to submit her questions in writing.

Mr. Kenny Hulshof stood and addressed the council. Hulshof informed everyone that he has invited Dr. Steven Hoffman to attend the next CLG (Certified Local Government) meeting, which will be held in the council room on November 13th. Hulshof explained that the meetings are always open to the public, but he wanted to encourage the council members and business owners to attend this particular meeting. Hulshof explained that Hoffman is a pretty compelling person, involved in the Historic Preservation of downtown Cape Girardeau. Councilman Halter asked Mr. Hulshof if he planned to reach out to all of the local business owners and let them know about the upcoming meeting. Hulshof said yes, he was going to do that.

Adjourn: A motion was made by Councilman Halter to adjourn the meeting. Councilman Toon seconded the motion. The meeting was adjourned.

ATTEST:



City Clerk



Presiding Officer



City Clerk



Mayor