

**FESTUS CITY COUNCIL
PUBLIC HEARING MINUTES
February 26, 2020
6:50 p.m.**

The City Council of the City of Festus, Missouri held a public hearing on February 26, 2020 at 6:50 p.m. in the Council Chambers at 711 W. Main Street at which citizens may be heard regarding the PUD change request for 1310 Shapiro Drive. Present for the hearing were Mayor Samuel F. Richards, Public Works Supt. Matt Clemens, City Clerk Kerry Patek, City Attorney Brian Malone, Councilmembers Boyer, Underwood, Wehner, Gray, Cook and Dennis. A resident of 47 Jackson Circle commented on the lighting for the commercial development and if it would shine on his property. Matt Clemens stated there were shields that can be attached to commercial lighting to direct the light away from adjoining properties. Mayor Richards closed the hearing at 6:57 p.m.

**FESTUS CITY COUNCIL
MEETING MINUTES
February 26, 2020
7:00 p.m.**

The City Council of the City of Festus, Missouri met in regular session on February 26, 2020 at 7:00 p.m. The following Council members were present for roll call: Underwood, Boyer, Cook, Dennis, Wehner and Gray; Absent – Tinnin and Wilkey. Mayor Samuel F. Richards presided over the meeting. Also present City Clerk Kerry Patek, Police Cpl. Brian Agee, Fire Chief Kevin Cremer, Public Works Supt. Matt Clemens, Parks Supt. Larry Crites, Treasurer Lori Eisenbeis and City Attorney Brian Malone.

Council, staff, etc. then said the Pledge of Allegiance.

Approval of Consent Agenda

Mayor Richards announced the bills were in the amount of \$1,122,473.36. Motion to approve the bills and minutes of the Council Meeting of February 12, 2020 and the Work Session of February 19, 2020 was made by Councilman Cook, seconded by Councilman Boyer and approved by the following votes: Ayes – Underwood, Boyer, Wehner, Dennis, Gray, and Cook; Nays – none.

Visitors

Tim Montgomery, 406 Benton, addressed the Council regarding the voting procedure on giving the City employees July 5, 2019 off. Mr. Montgomery read a statement from the Missouri Attorney General's office responding to the complaint which Mr. Montgomery had filed against the City. Mr. Montgomery has addressed the Council continuously on this matter since it occurred seven months ago.

Mayor Richards read a press release on behalf of the City with a response to the letter from the Attorney General's office. Mr. Montgomery became disruptive and was asked to leave the Council chambers. Police Officers escorted Mr. Montgomery out of the Council chambers. Mr. Montgomery continued making comments to the officers as they escorted him out.

Mike Graham, of the Tanglefoot Association, addressed Council regarding the following issues:

- If Behring St. is going back to a two-way street since Judy's Flower Basket is no longer there (they used it for loading/unloading)
- Crosswalks and pedestrian safety
- Two hour parking limits
- Speeding on Main St., can it be lowered to 15 mph
- Speed bumps
- Snow removal
- Parking lot behind Main Street is anything going to be done about the islands. Matt Clemens stated that he is working with Ameren on this and that some of the islands cannot be removed because of lighting fixtures, etc.
- Sidewalks
- Making Main Street one-way

Bids - none

Ordinances and Resolutions

Bill No. 4559 – An Ordinance of the City Council of the City of Festus, MO.; vacating an easement located in Lots 13 through 15 of the Bluffs at Truman Village, as described in Exhibit "A" attached hereto; and establishing an effective date. Clerk Patek read Bill No. 4559 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. **Councilman Boyer made a motion to suspend the rules and read Bill No. 4559 for the second time in title only, motion seconded by Councilman Wehner. Motion carried unanimously. Clerk Patek read Bill No. 4559 for the second time. Bill No. 4559 was passed by the following votes: Ayes – Boyer, Underwood, Wehner, Dennis, Gray and Cook; Nays – none. Mayor Richards declared Ordinance No. 4559 passed.**

Bill No. 4561 – An Ordinance of the City Council of the City of Festus, MO.; Authorizing the Mayor to enter into and execute an Agreement with McConnell & Associates for Basketball Court Reconstruction; incorporating said Agreement as a part of this Ordinance; and establishing an effective date. Clerk Patek read Bill No. 4561 for the first time. Mayor Richards called for discussion. **Councilman Underwood made a motion to suspend the rules and read Bill No. 4561 for the second time in title only, motion seconded by Councilman Wehner. Motion carried unanimously. Clerk Patek read Bill No. 4561 for the second time. Bill No. 4561 was passed by the following votes: Ayes – Boyer, Underwood, Wehner, Gray, Dennis and Cook; Nays – none. Mayor Richards declared Ordinance No. 4561 passed.**

Bill No. 4562 – An Ordinance of the City Council of the City of Festus, MO.; vacating an easement located in Lot 1 of Hartshorn Acres Consolidation Lot 4 as described in Exhibit "A" attached hereto; and establishing an effective date. Clerk Patek read Bill No. 4562 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. **Councilman Boyer made a motion to suspend the rules and read Bill No. 4562 for the second time in title only, motion seconded by Councilman Underwood. Motion carried unanimously. Clerk Patek read Bill No. 4562 for the second time. Bill No. 4562 was passed by the following votes: Ayes – Boyer, Underwood, Wehner, Gray, Cook and Dennis; Nays - none. Mayor Richards declared Ordinance No. 4562 passed.**

Bill No. 4563 – An Ordinance of the City Council of the City of Festus, MO.; Approving the addition of Commercial Recreation Facility for Lot 1B for the Planned Unit Development on the Shapiro Tract; and establishing an effective date. Clerk Patek read Bill No. 4563 for the first time. Mayor Richards called for discussion. Matt Clemens gave a staff report. Councilman Gray asked Matt Clemens to take the lighting issue to Planning and Zoning to be changed in the PUD to have shields to control lighting onto adjoining properties. **Councilman Cook made a motion to suspend the rules and read Bill No. 4563 for the second time in title only, motion seconded by Councilman Boyer. Motion carried unanimously. Clerk Patek read Bill No. 4563 for the second time. Bill No. 4563 was passed by the following votes: Ayes – Boyer, Underwood, Wehner, Gray, Cook and Dennis; Nays - none. Mayor Richards declared Ordinance No. 4563 passed.**

New Business

Clerk Patek stated she needed approval for a liquor license for the concessions in the City parks which is being taken over by Scott Charleville. Larry Crites stated the agreement with the Charlevilles had been approved by the Park Board and the police department approved the background check. **Councilman Dennis made a motion to approve the liquor license, seconded by Councilman Underwood. Motion carried unanimously.**

Old Business

Mayor Richards asked Council members if they wanted to change the code and start using a consent agenda. **Councilman Cook made a motion to start using a consent agenda, seconded by Councilman Dennis. Motion carried unanimously.**

Reports

Councilman Wehner – Stated he felt it would be prudent for our first responders and other essential staff to be proactive regarding the coronavirus. Thanked the police department for their patrols on A Highway and around town.

Councilman Cook – Thanked Council, Greg Camp and Larry Crites for moving forward with the basketball court replacement in Sunset Park.

CLOSED SESSION

Councilman Cook made a motion to go into closed session pursuant to Missouri Law for the purpose of dealing with matters relating to RSMo.610.021 (1) legal matters. Motion seconded by Councilman Boyer. Motion was approved by the following votes: Ayes: Underwood, Boyer, Wehner, Gray, Dennis and Cook; Nays – non.

Adjournment

Councilman Cook made a motion to adjourn, seconded by Councilman Wehner. On a call by the chair the motion carried unanimously. Meeting adjourned at 8:20 p.m.