

The Seymour Board of Alderman met for a regular meeting at 6:00 pm on Thursday, October 22, 2015 in the Seymour City Hall Board Room, 123 West Market Street.

Meeting called to order by Mayor Dale Bailey.

Roll call: Grady Bennett, Charlie Ivy, Dean Rowe, Jim Ashley.

Also present was City Administrator Sam Burt, City Attorney Paul Link, Police Chief Ron Wright, Supervisor Mitch Plummer, City Clerk Leslie Houk.

Approval of Minutes

A motion was made by Ivy/Ashley to approve the minutes as written. Ayes: All. Nays: None.

ORDINANCE #722 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF SEYMOUR, MISSOURI, TO EXECUTE GENERAL AGREEMENT WITH JOURNAGAN'S, GEO ENGINEERS, AND CONTRACT WITH BOB CRUMP.

A motion was made by Bennett/Ashley to accept the first reading of Bill # 2015-722, Ordinance #722 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF SEYMOUR, MISSOURI, TO EXECUTE GENERAL AGREEMENT WITH JOURNAGAN'S, GEO ENGINEERS, AND CONTRACT WITH BOB CRUMP. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

A motion was made by Ivy/Rowe to accept the second and final reading of Bill # 2015-722, Ordinance #722. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF SEYMOUR, MISSOURI, TO EXECUTE GENERAL AGREEMENT WITH JOURNAGAN'S, GEO ENGINEERS, AND CONTRACT WITH BOB CRUMP. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

Andy Johnson-Park Board

Andy went over a list of items that the Park Board would like to see done. First on the list were lights for the park on the square. City Administrator Sam Burt noted that the Merchant's association told him they would donate \$5,000.00 to the City

now and could possibly do another \$5,000.00 at a later date. A motion was made by Rowe/Ashley to go forward with the lights in the park on the square. Ayes: All. Nays: None.

The Park Board would like the Caboose sand blasted and painted. Park Board president Andy Johnson asked for bids on the sand blasting and only received one bid. The bid is for \$2,200.00.

The Park Board would like benches and an ADA picnic table installed in the play area at the park. A motion was made by Ivy/Ashley to purchase the benches and table and to sand blast and paint the caboose. Ayes: All. Nays: None.

Supervisor's Report-Mitch Plummer

The sterling truck had the sander bed installed, brush was picked up, the drain at Clinton and Commercial is fixed, City employees worked on fixing water leaks and reading meters. Anthony Kelly gave the City top soil so we have been busy moving the dirt.

Administrator's Report-Sam Burt

See Report

Mayor's Report-Mayor Dale Bailey

Mayor Bailey would like to revisit the opening of Hillcrest Road.

Mayor Bailey asked Alderman Charlie Ivy why Alderman Ivy keeps bringing up that other cities are condemning and demolishing houses and that the Mayor in Ava is on a roll demolishing houses when Mayor Bailey's hands are tied because of the City consulting with an outside firm on condemning property and the City Attorney's advice is to do the administrative search warrants. Mayor Bailey is not going to go out on his own and start demolishing property.

City Attorney Report-Paul Link

City Attorney Paul Link updated the Board on condemning property. The City would have to adopt an ordinance that would allow an administrative search warrant. Attorney Link will meet with Judge Thompson and have a draft ordinance prepared for the meeting in December.

Aldermen's Report

Alderman Charlie Ivy would like to look into the lawsuit on the Library boundaries.

Alderman Grady Bennett would like the City look into the cost of having the utility poles inspected.

Alderman Grady Bennett asked when the Police Explorer will be here. The Explorer was ordered on September 25th and will take 10-12 weeks from the order date to arrive.

A motion was made by Bennett/Rowe to take a 10 minute break and go into executive session. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

The reason for executive session is Personnel and Real Estate.

A motion was made by Bennett/Ashley to go into open session. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

A motion was made by Ivy/Ashley to have City Administrator Sam Burt contact an engineer to look at Hillcrest. Ayes: All. Nays: None.

A motion was made by Bennett/Ivy to adjourn. Ayes: All. Nays: None.

Mayor Dale Bailey

City Clerk Leslie Houk

10-22-15 minutes amendment.

Addition to minutes after the entry: "Mayor Bailey asked Alderman Ivy...start demolishing property."

Alderman Ivy commented that he has not condoned any actions inconsistent with the city's governing ordinances. Ivy reminded Mayor Bailey that he had printed out the City's ordinance governing Dangerous Buildings, Chapter 505, and given highlighted copies to each elected official and staff person present. The word, shall, was highlighted throughout the chapter and Alderman Ivy indicated that the word is a word that compels action on the part of the staff and the Mayor, to wit "the Mayor shall act as Building Commissioner under this chapter." Simply put, the Mayor, as Building Commissioner, shall adjudicate each case brought as a result of the building inspection process. This administrative process was confirmed by the City Attorney.

ADMINISTRATOR'S REPORT
OCTOBER 22, 2015

GeoEngineers

Flow Equalization Basin Geophysical Investigation
Released signed document to Church Kroeger to begin process
Informed Duane Ottmar of our progress

Lighting for the Square

Electrical or Solar
Cost about the same – Estimate \$25K
Upkeep favors Electrical
Long term cost favors Solar

Senate Bill 23

Attended meeting with Stan Whitehurst, Paul Ipock and Denzil Young

1. Sales tax is currently collected on autos purchased out of state
2. Due to pending law suit voters must approve tax continuance
3. This is not a new tax but one that is already collected
4. If voters do not approve, money will be lost to the city
5. Approval is pro-business – the tax is already collected
6. Ballot opportunities – April August November
7. Suggestion – place on April ballot

Paving of Streets

Contacted Journagan, Allen Wilson, to begin project
Provided Tax Exempt letter and form 5060 for paving project
Because of the time of year paving cannot be done at night

In Service to our City,


Sam Burt,
City Administrator

If serving is beneath you, then leadership is beyond you. Anonymous

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 23

97TH GENERAL ASSEMBLY

2013

0336S.06T

AN ACT

To repeal sections 32.087, 33.080, 64.196, 67.1010, 71.285, 99.845, 137.090, 137.095, 137.720, 137.1018, 144.010, 144.020, 144.021, 144.030, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.605, 144.610, 144.613, 144.615, 169.270, 169.291, 169.301, 169.324, 169.350, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 198.345, 302.302, 302.341, 360.045, 374.150, 476.385, and 577.041, RSMo, and 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

23 provisions of the local sales tax law.

24 5. (1) The ordinance or order imposing a local sales tax under the local
25 sales tax law shall impose a tax upon all [sellers a tax for the privilege of
26 engaging in the business of selling tangible personal property or rendering
27 taxable services at retail] transactions upon which the Missouri state sales
28 tax is imposed to the extent and in the manner provided in sections 144.010 to
29 144.525, and the rules and regulations of the director of revenue issued pursuant
30 thereto; except that the rate of the tax shall be the sum of the combined rate of
31 the state sales tax or state highway use tax and all local sales taxes imposed
32 under the provisions of the local sales tax law.

33 (2) Notwithstanding any other provision of law to the contrary,
34 local taxing jurisdictions, except those in which voters previously have
35 approved a local use tax under section 144.757, shall have placed on the
36 ballot on or after the general election in November 2014, but no later
37 than the general election in November 2016, whether to repeal
38 application of the local sales tax to the titling of motor vehicles,
39 trailers, boats, and outboard motors that are subject to state sales tax
40 under section 144.020 and purchased from a source other than a
41 licensed Missouri dealer. The ballot question presented to the local
42 voters shall contain substantially the following language:

43 Shall the (local jurisdiction's name) discontinue
44 applying and collecting the local sales tax on the titling of motor
45 vehicles, trailers, boats, and outboard motors that were purchased from
46 a source other than a licensed Missouri dealer? Approval of this
47 measure will result in a reduction of local revenue to provide for vital
48 services for (local jurisdiction's name) and it will place
49 Missouri dealers of motor vehicles, outboard motors, boats, and trailers
50 at a competitive disadvantage to non-Missouri dealers of motor
51 vehicles, outboard motors, boats, and trailers.

52

☐ YES

☐ NO

53 If you are in favor of the question, place an "X" in the box opposite
54 "YES". If you are opposed to the question, place an "X" in the box
55 opposite "NO".

56 (3) If the ballot question set forth in subdivision (2) of this
57 subsection receives a majority of the votes cast in favor of the proposal,
58 or if the local taxing jurisdiction fails to place the ballot question
59 before the voters on or before the general election in November 2016,