

The Seymour Board of Alderman met for a regular meeting at 6:00 pm on Thursday, April 28, 2016 in the Seymour City Hall Board Room, 123 West Market Street.

Meeting called to order by Mayor Ken Owens.

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.

### Old Business

#### Approval of Minutes

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

#### New Business

### ORDINANCE NUMBER 727 AN ORDINANCE OF THE CITY OF SEYMOUR, MISSOURI, FOR THE IMPOSITION OF A THREE-EIGHTHS-CENT SALES TAX FOR CAPITAL IMPROVEMENTS WITHIN THE CITY'S POLICE AND FIRE DEPARTMENTS

A motion was made by Bennett/Ivy to accept the first reading of Bill # 2016-727 Ordinance # 727. An ordinance of the City of Seymour, Missouri, for the imposition of a three-eighths-cent sales tax for capital improvements within the city's police and fire departments. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

A motion was made by Rowe/Ashley to accept the second and final reading of Bill # 2016-727 Ordinance # 727. An ordinance of the City of Seymour, Missouri, for the imposition of a three-eighths-cent sales tax for capital improvements within the city's police and fire departments. Ayes: All. Nays: None. The following roll call vote was recorded. Ayes: Bennett, Ivy, Rowe, Ashley. Nays: None.

#### Victoria Talley-Property located at 310 E. Steel Street

Victoria Talley and David Coutchie came to discuss the property located at 310 E. Steel Street. Mr. Coutchie presented a couple options for the property. The first option is to honor what was already done in 2007. The second option is a buffer zone. The Board recommended to run it back through planning and zoning for a recommendation.

#### City Engineer-Duane Ottmar

See attached.

### Supervisor's Report-Mitch Plummer

Mitch is working on the right away report for Lee Inspections, they have been trimming trees, and working on water leaks.

Alderman Grady Bennett mentioned a bush on Steel Street that is protruding into the roadway.

### Administrator's Report-Sam Burt

See Report.

A motion was made by Bennett/Ashley to use the FFA auction money towards the building for the jet machine at the sewer plant. Ayes: All. Nays: None.

A motion was made by Bennett/Ashley to use the Mediacom pole attachment money towards a two man bucket truck. Ayes: All. Nays: None.

### Mayor's Report-Ken Owens

Nothing to Report.

### City Attorney Report-Paul Link

Nothing to report.

### Aldermen's Report

Alderman Grady Bennett asked where we were on the meter testing. City Administrator Sam Burt is getting prices together.

Alderman Grady Bennett mentioned a couple graves sunken in at the cemetery.

Alderman Grady Bennett mentioned the curb around the square that needs scraped and painted as a boy scout project.

Alderman Grady Bennett would like to look at the financial side of what it is going to take to replace the 115 poles and the hardware.

Alderman Grady Bennett asked if anything has been done with the storm shelter local preparedness plan.

Alderman Grady asked where we are on the secondary entrance at the storm shelter.

Alderman Charlie Ivy had a citizen comment about the train backing up traffic. They suggested to Alderman Ivy to stop the traffic going West on Market Street and remove the stop sign at Commercial Street.

Alderman Jim Ashley is still hearing complaints on the designated parking signs hung in front of businesses on the square.

A motion was made by Ivy/Bennett 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 Rowe/Bennett to go back into open. Ayes: All. Nays: None.

A motion was made by Bennett/Ivy to increase Officer Alan Goff's pay to \$13.50 an hour.  
Ayes: All. Nays: None.

A motion was made by Bennett/Rowe to hire Steven Pogue as part time at \$10.00 an hour.  
Ayes: All. Nays: None.

A motion was made by Ashley/Ivy to give Lance Davis a \$1.00 raise. Ayes: All. Nays: None.

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

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Mayor Ken Owens

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City Clerk Leslie Houk

## Background of the Plant Upgrade Situation:

After having the Department of Geology based in Rolla come to Seymour twice to help us select a site, we picked what looked like the best one of several potential options, which the DGLS would support.

We then had Geo Engineers do some Electric Resistivity Tomography (ERT) to this site. We were looking for sink holes, shallow bedrock and other features that could give us expensive trouble during construction. We didn't find anything that was totally unexpected.

Based upon recent comment letters from the Regulatory on other area projects, I became reasonably certain that I would need a professional geologist or, some design professional other than myself, to certify that the proposed Flow Equalization site was geologically stable and worthy of receiving some significant financial inputs.

Making a certification like that is a huge liability risk for any design professional. And, it was going to be difficult to get the second certification without some more convincing data.

So, every time I was in Seymour and about every time I came by Seymour, I would take some time to walk and study that FEB site. I was glad that John at the plant was willing to share much of what he knew about the area. But early this year during a survey trip, I came across an area that seemed to be opening up to some underground channels of some sort. It was. And, this was not a good sign.

Not long after, I had Mr. Tom DeWitt join me for a site visit. Tom is an area soils scientist and teaches soils in the Agriculture Department at MSU. Before Tom retired from the UDSA, he specialized in the development of agricultural ponds. So, I was glad that he agreed to help me in Seymour. As soon as Tom saw the open defect in the site, he told me that he was very skeptical about being able to successfully build a pond anywhere in that entire area.

Two days before the last Council Meeting under Mayor Bailey, Tom and I met for breakfast where he showed me the evidence he found concerning

perpendicular faults that cross this site. In fact, his resources show that there are several faults in this immediate area, which run perpendicular to main fault.

I had planned to come before this board before this evening to discuss these findings. But, an eye injury a short time before the last meeting and other circumstances out of my control before kept that from happening.

The impact of the Situation:

I have already notified the Regulatory telling them that during the design, we found issues with the new Flow Equalization Basin site and that we could not, in good conscience, propose to spend the budgeted \$600,000 for new infrastructure, which would need to be supported by land that is now known to be unstable. I told them that I wasn't about to waste any more of the City's money or theirs on this concept.

As soon as I knew what we were facing, I began looking into a new side stream process that can break out the ammonia and the phosphorous by chemically creating an agricultural fertilizer. To the best of knowledge and belief, Seymour doesn't have any other options, given the flow volumes that come to the plant during wet weather. Although some aspects of this chemical fertilizer making process has been done for a long time, it has never been applied to cleaning up municipal wastewater. So, it will take some R & D time on my part make it work.

Taking that extra time, will put Seymour into the next round of Rural Sewer Grant funding. There is money there now for the second round of funding. But, nobody has been able to tell me for how long this will be so.

If I am successful at developing the so called fertilizer making process as I think I can be, there is another issue that is likely to be problematic. The process will require an electrocoagulation (EC) device, which is protected by patents and is priced accordingly. If the process will work, and I am confident that it will, I do not know if the cost of the EC will be low enough to keep the project in budget. It should be. But, historical pricing of the EC units would need to change for the money to work.

If we move forward with only the UV disinfection part of the project, then the City can still expect to get some funding help as before. I do not know how the grant amendment process works. We will need some regulatory help with that. But, it will also mean that Seymour's plant will remain out of compliance with its Missouri State Operating Permit (MSOP) almost every time it rains. That is the reality.

#### The Recommended Next Step

Empower Mr. Burt to arrange and attend a meeting with various DNR staff members in Jefferson City to clarify our options. The situation is complex and the DNR needs to completely "weigh in" before a final decision is made.

#### My Offer

I am willing to travel to Jefferson City with staff from Seymour to meet with DNR staff. If the project gets scaled back, I am willing to renegotiate my fee.

**ADMINISTRATOR'S REPORT  
APRIL 28, 2016**

**LEE INSPECTIONS AND CONSULTING**

Final Report - 1765 poles, 115 replacements = 6 ½%  
Week 5 w/recap attached #1

**ELECTED OFFICIAL TRAINING CONFERENCE**

June 9-10, 2016 in Columbia  
Need to register soon - attached #2

**MML LEGISLATIVE UPDATE - 4/15/2016 - attached #3**

HB 2242 - Representative Dugger voted "NO"  
HB 2140 - Out of State Motor Vehicle Fix  
SB 572 - Restrictions on Zoning/Nuisance Abatement

**MML LEGISLATIVE UPDATE - 4/22/2016 - attached #4**

SB 572 - Moves to house floor for consideration  
HB 2443 - Termination of Law Enforcement Officers

**FFA FUNDS FROM SALE**

\$4681

**POLE ATTACHMENTS**

\$29862-Separate line item in electric department

In Service to our City,



Sam Burt, Administrator

*...trust in the Lord with all your heart, lean not to your own understanding;  
in all your ways acknowledge Him, and He shall direct your paths...*



DEPARTMENTAL REPORTS

**REPORT FROM THE STREET TEAM- Chuck, JB, Toby**

We are mowing full time which includes the square, South Park, West Park, Old City Hall, North Well, South Well, both sides of railroad tracks by Ramey's, MoDOT easement on Main St., electric substation, 2 lift stations, between Excel Auto Mart and BNSF on Clinton, roadsides on Clinton and Center, 3 city lots, South Shop, Old Electric Shop, New Electric Shop, Sewer Treatment Plant, Fire Station, Old Library, and New Library. Also trimming and spraying.

Finished painting at City Hall

Read meters

Hauled the items the city put in the FFA sale over to the school

Mowed all that we are responsible for.

Hauled brush

Worked on cleaning up grounds around South Shop.

Inspected house Ron Cardwell is building on Water St.

Helped Pud dig a grave.

Helped Pud on a water leak.

Changed oil on new mower.

Changed oil on Street Teams Chevrolet work truck.

**Report from the Sewer Team – John and Roger**

Sent Pictures of the Vac Truck to Owen Sand Blasting in Lebanon for a Quote on blasting

And a coat of epoxy primer on the trucks Tank .

04/12/2016,Wash down Clarifier #3 , Repair Sludge Blanket Monitor on Clarifier #3,Also Reset Generator Control for automatic exercise of the unit weekly at 4:00 pm Tuesdays .

04/13/2016,Received quote for Vac truck & turned in to Sam B. , ,Cut offs ,Turn on's One Call Locates , Roger took Sample to CaSi Inc.

04/14/2016,Read Meter Route ,One Call Locates ,Help Mitch Load Truck Frame Steel for FFA Auction .

04/15/2016,One Call locates Rereads ,Check with Hilltop Muffler on Water Consumption ,Check on Manhole Leaking Call at Summit St. & B St. Unfounded ,Old Waterline Valve is Seeping

Water Dept. is aware of it. Weed eat at the Plant , did Connects & Read outs after that .

04/18/2016, Prep. Vac Truck for Owen Sand Blasting in Lebanon for blasting and a coat of epoxy primer on the trucks Tank .

04/18/2016,Maintenance done on Southwest lift station , and replace relay .

04/20/2016,Work on finding a replacement PLC for RAS panel .Also worked on a process experiment with Mr. Ottmar .

04/20/2016,Diagnose and repaired Loose Connections and Grounding in Aeration Control Panel .



Also Check and set Operating Timers .

04/20/2016, Locate and Expose Sewer Clean out on edge of property at 105 W. Anderson .

04/21/2016, Set up Info with Grainger to order parts on-line instead of on the phone and ordered 2 octal relays for the Southwest lift station . Also ordered parts from SPECTECH , 2-Liquid Level Controls for the same lift station .

04/21/2016, Helped Jon Sanstrom unbox and move file cabinets for front office at City Hall .

04/22/2016, Work on March Reports , and updating records at the Plant .

Bruce Owen of Owen Sand Blasting contacted me , and he will call me , weather permitting

to try to get the Vac Truck Tank done Thursday or Friday this week . If the weather doesn't let that

happen, they start a job in Ft. Wood for a week and can do the truck after that . he also said he would try to get by Seymour to look at the Caboose this week sometime .

Additionally, Berry Howel with Visu Sewer stopped by Tuesday and will be working in the area

for a while if you would like to meet & talk about working on some small preliminary I&I work .

### **Report from the Water Team – Pud, Toby**

pud flushed hydrant; s worked at cemetery; had funerals; him and Toby fixed water leak on Frances; raised water meter kegs locates

### **Electric Team – Mitch and Lance**

4/11 Lance off work on shop lights net metering (solar) research

4/12 cut brush life church (help Clint Whorton) connects locates ander. apts talk with McMahn St. man about easement

4/13 read meters

4/14 Lance sick read meters get my trailer to haul metal (FFA sale) load metal

4/15 Mitchell off finish loading metal get other sale stuff to school cut brush

4/18 went to substation 2nd grade fieldtrip cut limbs

4/19 lance off get glove and sleeve pricing; meter test pricing dog call cut limbs

4/20 talk about storm shelter parking; house inspection on water st. go get hi-ranger at sw truck repair; across from 1000 e Clinton about meter service

4/21 turn in pricing from mid-am testing rubber products lance practice climbing pole help roger with tripp addnt. lift station cut limbs

4/22 ander. apts. put in meters find what goes where south park ballfield lights; locates

# In-Line Invoice

LEEINSPECTION

2207 CALIFORNIA PLAZA  
 SUITE 3B  
 BOSSIER CITY LA. 71111

Date	Invoice #
4/19/2016	326520

Bill To
CITY OF SEYMOUR MISSOURI LESLIE HOUK SEYMOUR, MISSOURI

In-Line Maintenance Program
WEEK 5, 2016

Terms	Customer #
Net 15	

Quantity	Description	Price Each	Amount
88	SOUND/VISUAL POLES	5.50	484.00
104	SOUND & BORE	5.95	618.80
140	VISUAL REPORT- NON POLES	2.00	280.00
332	GROUND POSITIONING BY SATELLITE	1.00	332.00
186	POLE TAGS	0.20	37.20
6	REJECT POLE TAGS	0.60	3.60
	<b>R E C A P - FIVE WEEKS - TOTALS</b>		
546	SOUND/VISUAL POLES		
519	SOUND & BORE		
700	VISUAL REPORT		
1765	GROUND POSITIONING BY SATELLITE		
948	POLE TAGS		
115	REJECT POLE TAGS		
		<b>Total</b>	\$1,755.60
		<b>GRAND TOTAL</b>	<b>\$9514.65</b>

#1



Growing Our Communities Together

# 2016 EOT

## MML Elected Officials Training Conference



June 9-10, 2016

Columbia, Missouri

Holiday Inn Executive Center

- Budgeting
- Ethics
- Economic Development
- Planning & Zoning
- Much More!

Conference sessions emphasize the knowledge base all newly elected officials need to govern effectively: budgeting, ethics, economic development, planning and zoning, and more. The changes that continually occur in the municipal arena make this a Conference all officials should attend. Participants may receive credit to the Municipal Governance Institute's Certified Municipal Official program.

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Missouri Municipal League  
1727 Southridge Dr.  
Jefferson City, Missouri 65109

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**Sam Burt - City Administrator, Seymour Missouri**

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**From:** Info@mocities.com  
**Sent:** Friday, April 15, 2016 2:43 PM  
**To:** sam@seymourmissouri.org  
**Subject:** MML Legislative Report 4/15/16

	<b>MML LEGISLATIVE UPDATE</b> <b>Second Session of the 98th General Assembly</b>				
	<u><a href="#">Click Here for MML'S Comprehensive Bill Status Report</a></u>  <b>Key Legislative Contact Information</b>  <table><tr><td style="text-align: center;"><u><a href="#">House Leadership</a></u></td><td style="text-align: center;"><u><a href="#">Senate Leadership</a></u></td></tr><tr><td style="text-align: center;"><u><a href="#">House Members</a></u></td><td style="text-align: center;"><u><a href="#">Senate Members</a></u></td></tr></table>		<u><a href="#">House Leadership</a></u>	<u><a href="#">Senate Leadership</a></u>	<u><a href="#">House Members</a></u>
<u><a href="#">House Leadership</a></u>	<u><a href="#">Senate Leadership</a></u>				
<u><a href="#">House Members</a></u>	<u><a href="#">Senate Members</a></u>				

4/15/2016

**Legislative Report**

**Class Action Lawsuit Legislation - Your contacts to legislators made a difference! Thank you.**

With a 39 yes to 111 no vote, the Missouri House failed to pass HB 2242. This measure would have prevented municipalities from participating in class action lawsuits to collect unpaid taxes. Please contact your state representative if they **voted no** on HB 2242, and thank them for standing with your municipality. (click here to see how your legislator voted).

**Out of State Sales of Motor Vehicles Fix - HB 2140** was Truly Agreed to and Finally Passed on Tuesday April 12. As passed, HB 2140 extends for two years (2018), the collection of local sales taxes on motor vehicles purchased from non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers (out of state sales and person to person sales). The bill also extends the election deadline to reauthorize the tax to November of 2018. The bill now moves to Governor Nixon for his signature. We have met with the Governor's staff, explaining the bill's importance to municipalities and urging the Governor to sign the bill into law.

**Restrictions on Municipal Zoning and Nuisance Abatement - SB 572** adds municipal zoning and nuisance ordinance violations to the calculation limiting the percentage of municipal annual general operating revenue that can come from fines and court costs for minor traffic violations. The bill was amended in the House Civil and Criminal Proceedings Committee.

The amendments:

- increased fines for minor traffic violation back to the statutory limit of \$300 and capped fines for zoning and nuisance violations at \$500;
- they allow municipal courts to sentence "persistent ordinance offenders" (defined in the bill) to five days in jail;

**Sam Burt - City Administrator, Seymour Missouri**

**From:** Info@mocities.com  
**Sent:** Friday, April 22, 2016 4:19 PM  
**To:** sam@seymourmissouri.org  
**Subject:** MML Legislative Report 4/22/16

 <p>Missouri Municipal League</p>	<b>MML LEGISLATIVE UPDATE</b> <b>Second Session of the 98th General Assembly</b>	
	<u><a href="#">Click Here for MML'S Comprehensive Bill Status Report</a></u>	
	<b>Key Legislative Contact Information</b>	
	<u><a href="#">House Leadership</a></u>	<u><a href="#">Senate Leadership</a></u>
	<u><a href="#">House Members</a></u>	<u><a href="#">Senate Members</a></u>

4/22/2016

**MML Legislative Report**

Three weeks remain in the Second Session of the 98<sup>th</sup> General Assembly. Now that the state’s budget has been approved and sent to the Governor, there will be more time left during these final weeks to work on pending legislation. This will provide opportunity for legislators and special interest groups to attempt to “piggyback” bills that have a poor likelihood of passing onto bills that are further along in the legislative process.

Contacts by municipal officials to legislators are very effective. Please watch for action alerts during these final weeks of the session as last-ditch efforts are made to pass measures harmful to local governments.

**Restrictions on Municipal Zoning and Nuisance Abatement** – SB 572 adds municipal zoning and nuisance ordinance violations to the calculation limiting the percentage of municipal annual general operating revenue that can come from fines and court costs for minor traffic violations.

The House Civil and Criminal Proceedings Committee amended the bill on April 7. The House Select Committee on the Judiciary held a hearing on April 20 to consider the SB 572 and rolled all of the amendments recommended by Civil and Criminal Proceedings Committee, with some modifications, into a House Committee Substitute for SB 572. The committee substitute was voted out of committee with a “Do Pass” recommendation. SB 572 now moves to the House floor for consideration by the full House.

**Class Action Lawsuits** – SB 1003, SB 1004 and HB 2242, HB 2243 prohibits municipalities from participating in any state or federal class action lawsuits to enforce or collect any municipal taxes. As reported last week, HB 2242 was overwhelmingly defeated on third reading in the House. Efforts now are directed toward preventing SB 1003 and SB 1004 from moving in the Senate. (MML Opposes)

**Termination of Law Enforcement Officers** - HB 2443 specifies that a law enforcement officer can only be removed by a majority of the governing body after a public hearing where a written statement of fact must be

