

# REGULAR CITY COUNCIL SESSION

MALDEN CITY COUNCIL  
MONDAY, OCTOBER 16, 2023 — 6:00 P.M.  
CITY HALL—201 SOUTH MADISON

Mayor Denton Kooyman called the meeting to order at 6:00 p.m. with Michael Simmons from Remnant Church conducting the opening prayer.

<u>ROLL CALL:</u>	<u>PRESENT</u>	<u>ABSENT</u>
Council Member Wilkerson	X	
Council Member Jenkins (President Pro Tem)	X	
Council Member Lefler	X	
Council Member House	X	
Council Member Joyce	X	
Council Member Jones	X	
Council Member Beckett – arrives at 6:05 pm	X	
Council Member Coleman	X	
Members Present		<u>8</u>

**Others Attending:** City Clerk Mandy Lewis, Part-Time Airport Office Manager Patty Smith, Public Safety Department Director/Chief of Police Jeff Mitchell, City Treasurer Angela Earnheart and City Administrator Ivone Smith.

## 15 MINUTE OPEN FORUM

Chester Harvell (309 S Taylor St., Malden, MO) requests something be done about the overgrown lot at 309 S. Taylor. Mayor Kooyman states Director Mitchell will investigate the property.

Natasha Brown (112 N. Madison St., Malden, MO) requests the Council consider vacating an alley off North Madison between E. Main St. and E. Howard St. near her business. She states there are no utilities and the city would be able to access the area by foot if an easement is needed. City Administrator Smith states she will discuss utility access with the Electric Distribution Coordinator and the Public Works Superintendent and will bring the information back to the November Council Meeting for discussion.

Mayor Kooyman informs Angeline Jones (405 N. Kimball St., Malden, MO) that she is on the Agenda for the Council to discuss the liens on 402 and 404 N. Kimball.

## APPROVAL OF THE MINUTES

**MOTION:** By Council Member Jenkins to approve the Regular Session Minutes of September 18, 2023.

**SECOND:** By Council Member Wilkerson.

**Motion Passed 8/0**

**MOTION:** By Council Member Jones to approve the Special Called Minutes of October 6, 2023.

**SECOND:** By Council Member Jenkins.

**Motion Passed 8/0**

## TREASURERS REPORT

### **a. Financial Report**

City Treasurer Earnheart reported for the 3<sup>rd</sup> Month of the Fiscal Year September 2023, the General Fund had \$798,723.19, COVID Federal Funding has \$542,751.82, Cemetery Fund has \$163,785.25, Park Fund \$2,442.43, Frisco Park Splashpad Fund has \$351,487.15, Malden Department of Economic Development Fund has \$41,013.43, Street Capital Projects Fund \$376,318.34, Solid Waste Management Fund \$5,770.43, Capital Improvement Fund has \$195,989.08. Total cash and cash equivalents \$2,536,043.73 and long-term loan obligations is \$2,397,539.31.

Council Member Joyce asks about the possibly of copies of bills or check registries being provided to the Council in addition to the financials. City Treasurer Earnheart states there are a large number of bills paid each month and the Council may be overwhelmed at the number. She further states the Council are always welcome to come into City Hall to review invoices.

#### **DESTRUCTION OF RECORDS PER RETENTION SCHEDULE**

City Administrator Smith states a representative from the Local Records Preservation Office with the Missouri Secretary of State's Office met with City Clerk Lewis regarding the records located throughout the City. The destruction of records, based on the Secretary of State's Retention Schedule was discussed. The packet includes a Destruction List as well as an example of the requirements of the schedule. Council Member Jenkins asks about records for animal bites being destroyed after 3 years. City Clerk Lewis states the Retention Schedule states the records must be kept for the allotted time. However, they can be kept longer if the City feels they are needed. City Administrator Smith states the Council will begin to see this topic on the Agenda regularly.

**MOTION:** By Council Member House to approve the destruction of records per the Disposal List dated October 16, 2023.

**SECOND:** By Council Member Jones.

**Motion Passed 8/0**

#### **MALDEN DEPARTMENT OF PUBLIC SAFETY**

##### **a. Approval of City of Malden Emergency Operations Plan**

Director Mitchell explains the Emergency Operations Plan was updated due to the merging of the Police Department, Fire Department and Emergency Management into the Malden Department of Public Safety.

**MOTION:** By Council Member Joyce to approve the changes made to the Malden Emergency Operations Plan.

**SECOND:** By Council Member Jenkins.

**Motion Passed 8/0**

#### **BUILDING CODE COMMITTEE RECOMMENDATIONS:**

##### **a. Maintenance Lien Forgiveness Policy**

##### **b. Property Maintenance Agreement**

City Administrator Smith states the current policy is for a new property owner or potential property owner to execute a Property Maintenance Agreement, pay half the City of Malden liens and maintain the property for six months. At the conclusion of six months, the remaining the liens will be waived by the City. After review of the Maintenance Lien Forgiveness Policy by the Building Code Committee, a new policy has been recommended. The amended policy would allow the new property owner or potential property owner to maintain the property for 12-months and have 100% of City of Malden liens waived. The new property owner would have to pay a fee of \$100 for the Release of Lien to be filed. Council Member Jenkins states the Maintenance Lien Forgiveness Policy only refers to liens and does not include taxes. Administrator Smith states there is a currently policy where tax penalties can be waived if a property is bought for back taxes from the Dunklin County Collector's Office.

**MOTION:** By Council Member Jones to approve the Maintenance Lien Forgiveness Policy and Property Maintenance Agreement as recommended by the Building Code Committee.

**SECOND:** By Council Member Joyce.

**Motion Passed 8/0**

Mayor Kooyman states he is concerned regarding the amount of money it has cost the City to demolish commercial structures. He suggests limiting the Maintenance Lien Forgiveness Policy to residential properties only and have the Building Code Committee discuss a policy specifically for commercial properties.

**MOTION:** By Council Member Jenkins to have the previously Maintenance Lien Forgiveness Policy to only pertain to residential properties and the Building Code Committee discuss a policy for commercial properties.

**SECOND:** By Council Member Joyce.

**Motion Passed 8/0**

**LIEN FORGIVENESS REQUESTS****a. Gary and Angeline Jones**

Mayor Kooyman reminds the Council that Mr. and Ms. Jones requested liens be waived on 402 and 404 N Kimball at the September Council Meeting. Council Member Jenkins states she does not feel the current policy applies in this situation because the Jones' requested the release prior to the amended policy being put in place and that they have been maintaining the property.

**MOTION:** By Council Member Jenkins to waive liens and \$100 release fee for Mr. and Ms. Jones if 402 and 404 N. Kimball is purchased through the Dunklin County Collector's Office within 90-days.

**SECOND:** By Council Member Coleman.

**Motion Passed 8/0**

**b. Nollie Smith/North End Property Management & Development LLC**

City Administrator Smith states Ms. Burnett has submitted a request to have liens and taxes be waived on multiple properties. She states Ms. Burnett came before the Council in April 2023 requesting liens on two properties in the amount of \$7,500 be waived by the Council and her request was approved. With the approval of the Maintenance Lien Forgiveness Policy, Ms. Smith states it is up to the Council to decide if Ms. Burnett will have additional fees waived. Council Member Jenkins inquires if liens and taxes are being requested. Administrator Smith states Ms. Burnett is requesting \$127,671.67 in liens, maintenance in \$3,200.72 and \$3,493.84 in taxes. Mayor Kooyman states commercial properties will be treated different and may need to be pulled from her list. Council Member Coleman asks if these properties are going to be purchased soon. Ms. Burnett states she and her associates are waiting for a decision from the Council before they go forward with the purchase. City Administrator Smith states her concern is the maintenance of 40 properties along with currently owned properties. Ms. Burnett states she is in a partnership with owners of landscaping businesses and they will assist in the maintenance. Council Member Coleman asks if all current properties are in good standing. Ms. Burnett states they are all maintained. Administrator Smith states liens cannot be waived if there is any indebtedness to the City. She asks Ms. Burnett if all indebtedness will be satisfied prior to liens being waived. Ms. Burnett states she is unaware of any debts she owes to the City or County. Council Member Coleman states he is uncomfortable voting on this topic at this meeting as he feels further discussion regarding Ms. Burnett's plans for the multiple properties. Mayor Kooyman inquires about the grant Ms. Burnett had applied for. She states she was not awarded the grant. Mayor Kooyman suggests Ms. Burnett come back to the city with commercial properties as well as the properties discussed with Ms. Jones earlier in the meeting removed from her list. Ms. Burnett states she come back to the November Council Member.

**CLOSED SESSION: CONTRACT RSMO 610.021(12)**

**MOTION:** By Council Member Jenkins to adjourn the Regular Session and go into Executive Session for CONTRACT RSMO 610.021(12) on October 16, 2023 at 7:16 p.m.

**SECOND:** By Council Member House.

**POLL VOTE ----- MOTION PASSED****8 - YES****0 - NO**

Council Member Joyce	YES	Council Member Jones	YES
Council Member House	YES	Council Member Coleman	YES
Council Member Wilkerson	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

**MOTION:** By Council Member House to adjourn Executive Session and return to Regular Session at 7:40 p.m.

**SECOND:** By Council Member Wilkerson.

**POLL VOTE ----- MOTION PASSED****8 - YES****0 - NO**

Council Member Joyce	YES	Council Member Jones	YES
Council Member House	YES	Council Member Coleman	YES
Council Member Wilkerson	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

**TRASH SERVICE CONTRACT RENEWAL**

Mayor Kooyman informs the City Council approved an Amendment to the Municipal Materials Management Agreement with Republic Services in Executive Session. He states the contract will run from December 2023 until December 2028.

**CITY ADMINISTRATOR'S REPORT**

City Administrator Smith states the Municipal Insurance will be put out to Bid on October 23<sup>rd</sup> and will be due on February 12, 2024. This will not include employee's health insurance. She states the Fall City-Wide Cleanup went well. Administrator Smith updates the Council on progress of the Community Center remodel. She states the roofers will be starting soon and the framing is going up. She informs City Workers will be power washing the building in the coming weeks.

**COUNCIL LIAISON REPORTS**

**Council Member Beckett** – None.

**Council Member Coleman** – None.

**Council Member Joyce** – Inquires of the status of the new city website. City Clerk Lewis states the process is ongoing and should be completed by the end of the year. He asked for a copy of the job description and contract for the City Administrator so he can better understand the role Ms. Smith plays in the City. Mayor Kooyman states the requested documents will be provided to the entire Council in the following days.

**Council Member Jones** – None.

**Council Member Lefler** – States she knows of properties in Ward II that need to be mowed as well as the area south at the bypass. Director Mitchell will investigate the properties. She inquires about the house at 510 S. Madison. Director Mitchell states this house is already on the condemnation list and is in the process of being demolished. She requests potholes on Ollie Street be patched. Administrator Smith states Ollie Street is scheduled to be repaved once funding is available. She asks if a meeting regarding the Fire Station will be scheduled soon. Mayor Kooyman states the meeting has not been scheduled at this time. He will update the Council when scheduled.

**Council Member House** – Thanks the Mayor, Council and City Administrator for their support of the Veteran's Memorial Wall. Reminds everyone of the unveiling scheduled for November 11, 2023 at 11 am.

**Council Member Jenkins** – Reminds everyone that October is Breast Cancer Awareness Month as well as Domestic Violence Month. She states there are flyers available for the DAEOC Community Baby Shower are available.

**Council Member Wilkerson** – States there are several dogs running around her neighborhood. Her grandchild was bit by a Pitbull yesterday walking down the street. Mayor Kooyman explains the pound is full and since it is a no-kill shelter it takes time find them homes. He has heard of examples of people coming to Malden to drop off animals because they know Malden is a no-kill shelter.

**MAYOR REPORT**

Mayor Kooyman informs the November Council Meeting will be on November 20, 2023 at 6 pm at City Hall. Building Code Committee Meeting is scheduled for October 25, 2023 at 3 pm at City Hall. Planning & Zoning Board Meeting will not take place this month. Park Board Meeting is scheduled for October 18, 2023 at 5:30 p.m. at City Hall. The Board of Public Works Board Meeting is scheduled one day early on October 30, 2023 at 5:00 p.m. at the BPW Conference Room.

Mayor Kooyman states the Autumn Fest was held on October 7th with 25 vendors in attendance. He thanks all the volunteers for making this event a success. He informs the Council and public that the Fire Service Area Program is being advertised and anyone with questions should contact Malden Department of Public Safety at 276-2211. Mayor Kooyman informs the Council of events being held within the City in the next few weeks. The annual Halloween parade is scheduled for October 31<sup>st</sup> with Trick-or-Treating to last from 5 pm to 8 pm. City offices will be closed for observance of Veteran's

Day on November 10, 2023. First Day to sign up for the April 2024 Municipal Election is December 5 with the last day to sign up being December 26<sup>th</sup>.

**OTHER BUSINESS DEEMED NECESSARY**

With no other business deemed necessary, a Motion to Adjourn was entertained.

**MOTION:** By Council Member Jenkins to adjourn the Regular Council Session of October 16, 2023 at 8:15 p.m.

**SECOND:** By Council Member House.


**POLL VOTE ----- MOTION PASSED**

**8 - YES**

**0 - NO**

Council Member Joyce	YES	Council Member Jones	YES
Council Member House	YES	Council Member Coleman	YES
Council Member Wilkerson	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

ATTEST:

  
 Mandy Lewis – City Clerk/City Collector

  
 Denton Kooyman – Mayor