

REGULAR CITY COUNCIL SESSION

MALDEN CITY COUNCIL
MONDAY, APRIL 15, 2024 — 6:00 P.M.
CITY HALL—201 SOUTH MADISON

Mayor Denton Kooyman called the meeting to order at 6:00 p.m. with Council Member Debra Wilkerson conducting the opening prayer.

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Council Member Wilkerson	X	
Council Member Jenkins	X	
Council Member Lefler	X	
Council Member House	X	
Council Member Joyce	X	
Council Member Jones	X	
Council Member Beckett	X	
Council Member Coleman	X	
Members Present		<u>8</u>

Others Attending: City Clerk Mandy Lewis, City Attorney Jonce Chidister, Airport Office Manager Tara Smothers, DED/Airport Director David Blalock, Public Safety Department Director/Chief of Police Jeff Mitchell, City Treasurer Angela Earnheart, and City Administrator Ivone Smith.

APPROVAL OF THE MINUTES

- a. **Approval of Regular Council Session Minutes of March 18, 2024.**

MOTION: By Council Member Wilkerson to approve the Regular Session Minutes of March 18, 2024.

SECOND: By Council Member House.

Motion Passed 8/0

OLD BUSINESS

BUDGET & FINANCE COMMITTEE RECOMMENDATIONS

City Administrator Smith informs the Council of the Budget & Finance Committee recommendations regarding the proceeds from the sale of a fire truck earlier this year. The truck was purchased for \$141,000. Director Mitchell requests funds be distributed per his letter dated February 22, 2024. His request includes a new vehicle, server, security cameras, kennels, fire turnout gear and emergency siren for the Malden Department of Public Safety. Administrator Smith states on March 4, 2024 the Public Safety Committee met and recommended the Budget & Finance Committee approve the requests per Director Mitchell's letter in total. On April 5, 2024, the Budget & Finance Committee met and recommended the City Council approve Director's Mitchell's request for the purchase of a server and security cameras, kennels for the dog pound in an amount up to \$5,000 and approved the purchase of turnout gear including match funds for a grant from the Missouri Department of Public Safety. Council Member Wilkerson inquires why the Budget & Finance Committee did not approve the purchase of a vehicle. Council Member Coleman stated he did not see the need as there is already a rotation schedule in place. Council Member Jenkins states the proceeds from the sale of an asset has always gone back into the department and she is unclear why that is not being done for this sale. Council Member Coleman expresses he would not have agreed to the sale of the fire truck if he had known the intentions for the proceeds. He further states he is not against the purchase of the vehicle. However, the Community Center project and Splash Pad project are not complete and he feels it is not a good time to spend the money. Council Member Joyce asks if the stated \$30,000 to \$40,000 is a rough estimate. Director Mitchell states he had previously researched the purchase of a vehicle and this was the rough estimate.

MOTION: By Council Member Wilkerson to approve the purchase of a vehicle (item #1) per the written request from Director Mitchell dated February 22, 2024 for the Malden Department of Public Safety with a limit of \$40,000.

SECOND: By Council Member Jenkins.

Mayor Kooyman calls for a Poll Vote.

POLL VOTE ----- MOTION DIES

3 - YES

4 - NO

1 - ABSTAIN

Council Member Joyce	NO	Council Member Jones	ABSTAIN
Council Member House	YES	Council Member Coleman	NO
Council Member Wilkerson	YES	Council Member Beckett	NO
Council Member Lefler	NO	Council Member Jenkins	YES

Mayor Kooyman states there were three recommendations made by the Budget & Finance Committee in connection to Director Mitchell’s request dated February 22, 2024. He asks the Council if anyone wants to separate the items in the request, none is made. He then asks for a motion to approve the recommendations of the Budget & Finance Committee. None is made.

CERTIFICATION OF THE APRIL 2, 2024 ELECTION RESULTS

Mayor Kooyman reads the results of the April 2, 2024 election:

Council Member Ward 1:

Rose Downs – Received 50 Votes (Elected)

Tomorro Antwine – Received 32 Votes

Council Member Ward 2:

Robert House – Received 51 Votes (Elected)

Nollie “Cookie” Smith-Burnett – Received 32 Votes

Council Member Ward 3:

Charles Dierks – Received 82 Votes

Harold Jones – Received 97 Votes (Elected)

Council Member Ward 4:

Casen Coleman – Received 114 Votes (Elected)

MOTION: By Council Member Jenkins to certify the April 2, 2024 Election Results.

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

NEW BUSINESS

THE CITY CLERK SHALL ADMINISTER THE OATH OF OFFICE TO THE NEWELY ELECTED OFFICIALS

City Clerk Lewis administers the Oath of Office to:

Council Member Rose Downs – Ward I

Council Member Robert House - Ward II

Council Member Harold Jones – Ward III

Council Member Casen Coleman – Ward IV

ROLL CALL

<u>ROLL CALL:</u>	<u>PRESENT</u>	<u>ABSENT</u>
Council Member Downs	X	_____
Council Member Jenkins	X	_____
Council Member Lefler	X	_____
Council Member House	X	_____
Council Member Joyce	X	_____
Council Member Jones	X	_____
Council Member Beckett	X	_____
Council Member Coleman	X	_____
Members Present		<u>8</u>

ELECTION OF PRESIDENT PRO-TEM

Mayor Kooyman explains the need for a President Pro-Tem to the Council and opens the floor for nominations. Council Member Coleman nominates Council Member Jenkins. Council Member Joyce nominates Council Member House. Nominations closed. After vote, Council Member House is appointed President Pro-Tem.

15 MINUTE OPEN FORUM

None.

TREASURERS REPORT

a. Financial Report

City Treasurer Earnheart reported for the 9th Month of the Fiscal Year March 2024, the General Fund had \$1,185,531.18, COVID Federal Funding has \$316,818.81, Cemetery Fund has \$163,785.25, Park Fund \$0.00, Park/Frisco Park Splashpad Fund \$351,487.15, DED has \$41,602.17, Street Capital Projects Fund \$424,052.80, Solid Waste Management Fund \$5,913.66, Capital Improvement Fund has \$250,369.64. Total cash and cash equivalents \$2,802,143.00 and long-term loan obligations is \$2,177,344.14.

b. Approval of Fiscal Year 2022-2023 Audit

Debbie Johns with Van de Ven, LLC reviews the Fiscal Year 2022-2023 Audit for the Council and public. She further states for a City the size of Malden, the City is in great shape financially.

MOTION: By Council Member House to approve the Fiscal Year 2022-2023 Audit as presented.

SECOND: By Council Member Jenkins.

Motion Passed 8/0

ORDINANCE(S):

a. Ordinance No. 3283 (3-way Stop Sign at E. Ozark St. & S. Graham St.)

MOTION: By Council Member Joyce to approve the 1ST reading of **ORDINANCE NO. 3283** – An Ordinance of the City of Malden, Missouri to provide for the installation of stop signs to stop traffic at the intersection of Graham Street and Ozark Street, to repeal all conflicting Ordinances; and to provide for an effective date.

SECOND: By Council Member Jones.

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 Downs	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

DISCUSSION: City Administrator Smith states the installation of the stop signs was discussed at last month’s Council Meeting.

MOTION: By Council Member Jenkins to approve the 2ND reading of **ORDINANCE NO. 3283** – An Ordinance of the City of Malden, Missouri to provide for the installation of stop signs to stop traffic at the intersection of Graham Street and Ozark Street, to repeal all conflicting Ordinances; and to provide for an effective date.

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

b. Ordinance No. 3284 (Sale of Property to FCC)

MOTION: By Council Member Jenkins to approve the 1ST reading of **ORDINANCE NO. 3284** – An Ordinance of the City of Malden, Missouri to authorize execution of a Donation Agreement, to provide an effective date, and to repeal all Ordinances or parts of Ordinances in conflict.

SECOND: By Council Member Jones.

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 Downs	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

DISCUSSION: Mayor Kooyman states a representative from the Family Counseling Center reached out to him inquiring about the property known as Blades Park. FCC was interested in the property because the Malden Park Board had decided to close the park. After discussion between the Malden Park Board and FCC, an agreement was reached. He states the agreement is for FCC to donate \$5,000 to the Malden Park Board and the property known as Blades Park to be transferred to FCC. Council Member Joyce asks if he needs to abstain from the vote due to his employment with FCC. City Attorney Chidister states because he is not receiving any monetary from the agreement, there is no need for him to abstain. Mayor Kooyman states FCC will retain the property as a playground area open to the public.

MOTION: By Council Member Jenkins to approve the 2ND reading of **ORDINANCE NO. 3284** – An Ordinance of the City of Malden, Missouri to authorize execution of a Donation Agreement, to provide an effective date, and to repeal all Ordinances or parts of Ordinances in conflict.

SECOND: By Council Member Downs

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 Downs	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

PLANNING & ZONING BOARD RECOMMENDATIONS

City Administrator Smith states the Planning & Zoning Board received an Application for Conditional Use from Walter Spence regarding the location known as Fins & Feathers restaurant. She states Mr. Spence is requesting to renovate the building into five apartments. She explains the location is zoned I-C for Industrial – Commercial. Administrator Smith informs the Planning & Zoning Board held a Public Hearing on April 9, 2024 and there were no comments from the public. Council Member Lefler asks if there will be a rezoning of the property. City Administrator Smith states the property will not be rezoned but a conditional use can be approved within this zone. City Attorney Chidister states if the property is sold after the Conditional Use is approved, a new owner could keep the existing apartments or could revert the building back to a business. Council Member Downs asks if the square footage allows for five apartments. Administrator states Code Enforcement is working with Mr. Spence to make sure the code is followed.

MOTION: By Council Member Joyce to approve the Conditional Use Application filed by Mr. Walter Spence for apartments to be constructed within the building located at 3105 Gasconade Street, Malden, Missouri.

SECOND: By Council Member Jenkins.

Motion Passed 8/0

LEASE OF FIRE TRUCK #18 TO CITY OF CAMPBELL

Mayor Kooyman states he was at a multi-agency meeting last week and spoke to the Campbell Mayor. The Campbell Mayor informed him that his city does not have a functioning fire truck. Mayor Kooyman suggests leasing truck #18 to the City of Campbell until they are able to fix the truck. He further states truck #18 is currently the backup to the backup for the Malden Fire Division. He also states with the agreement being presented, the City of Campbell will be responsible for any damage and their insurance will cover the vehicle during the lease. Council Member Coleman states he does not feel it is in the best interest of the City for a vehicle, paid with tax dollars, to be sent to another City. Mayor Kooyman stated until the City of Campbell has a functioning truck, Malden Fire Division will be responding to their fires due to mutual aid. Council Member Downs inquires if the monthly fee should be increased to \$500. Council Member Lefler states she is in favor of helping a neighbor.

MOTION: By Council Member Downs to approve an Amended Lease Agreement leasing Truck #18 to the City of Campbell for \$500 per month.

SECOND: None.

Motion Dies

MOTION: By Council Member Jenkins to approve the Lease Agreement for Truck #18 with the City of Campbell for \$100 per month.

SECOND: By Council Member Jones.

POLL VOTE ----- MAYOR BROKE TIE – MOTION PASSES

4 - YES

4 - NO

Council Member Joyce	NO	Council Member Jones	YES
Council Member House	YES	Council Member Coleman	NO
Council Member Downs	NO	Council Member Beckett	NO
Council Member Lefler	YES	Council Member Jenkins	YES

MOTION: By Council Member House to approve the Lease Agreement for Truck #18 with the City of Campbell for \$100 per month for six months.

SECOND: By Council Member Jenkins.

POLL VOTE ----- MAYOR BROKE TIE -- MOTION PASSES

4 - YES

4 - NO

Council Member Joyce	NO	Council Member Jones	YES
Council Member House	YES	Council Member Coleman	NO
Council Member Downs	NO	Council Member Beckett	NO
Council Member Lefler	YES	Council Member Jenkins	YES

SALE OF FIRE TRUCK #19 TO CITY OF CAMPBELL

Mayor Kooyman states the Department of Public Safety is looking at selling Truck #19. This truck was purchased in 2012 as a package deal and purchased for \$500. He states the truck has been used as the BBQ truck due to an inoperable pump. The City of Campbell has offered to purchase the 1984 Fire Truck (#19) for \$3,125.00. Council Member Coleman asks if there is an estimate of the value of the truck. Mayor Kooyman states the cost for repairs is approximately \$20,000.00. Council Member Coleman states he feels the truck should be put on GovDeal for \$3,250.00. Council Member Joyce states he feels putting the truck on GovDeals for transparency’s sake.

MOTION: By Council Member Joyce to sell the 1984 Fire Truck (#19) on GovDeals for \$3,250.00

SECOND: By Council Member Lefler.

Motion Passed 7/1

CITY ADMINISTRATOR’S REPORT

City Administrator Smith informs the Council a walk through of the Community Center with the contractor is scheduled for April 18th. She states she will have more information regarding an opening date after this meeting. It is her goal to have the project completed by the end of May. She states she will send the Council an email after the meeting to keep them updated on the progress. Administrator Smith states the Splash Pad project is progressing. She will be putting the concrete out for bid as the equipment should be delivered around June 21, 2024. She states representatives with USDA came to Malden to meet with Mayor Kooyman, Director Mitchell, herself, and others regarding the equipment grant received.

COUNCIL LIAISON REPORTS

Council Member Beckett – None.

Council Member Joyce – He inquires if the water project is low on materials due to the sale of materials to the Dunklin County Sewer District. Administrator Smith informs the water project is a 20-year project that is coming up on the 5th year and states the materials are not low due to the sale to the Dunklin County Sewer District. There are times materials are just harder to come by and have a wait time. Welcomes newly elected Council Member Downs and congratulates everyone on their election.

Council Member Lefler – Thanks City Administrator Smith for having the lights fixed at the south entrance to Malden. She congratulates everyone on their election. She inquires if someone is allowed to park a camper on their property and live in it full time. City Administrator Smith states it is not and if Council Member Lefler will supply the address, she will investigate the situation.

Council Member Jenkins – Thanks the Mayor, Director Mitchell and all the volunteer firefighters for their work at the fire this past week. She states there are things being said around town that are just not true. The firefighters ran out of drinking water, not water to fight the fire. She appreciates the open communication from Director Mitchell regarding this tragedy. Council Member Jenkins welcomes newly elected Council Member Downs and states she looks forward to working with her.

Council Member Coleman – Welcome to Council Member Downs.

Council Member Jones – Welcome to Council Member Downs.

Council Member House – Thanks voters for their support and the Council for voting him as the President Pro-Tem.

Council Member Wilkerson – Thanks everyone for voting for her and states it is an honor to be working on the Council.

BUDGET & FINANCE COMMITTEE RECOMMENDATIONS (Revisited)

Mayor Kooyman states the Recommendations made by the Budget & Finance Committee are too important not to discuss further. He states part of the recommendation had to do with the purchase of turnout gear for the Fire Division. A grant was received in the amount of \$9,120.00 with a 50% match.

MOTION: By Council Member Jenkins to approve the recommendations of the Budget & Finance Committee and approve: a) the purchase of a server and cameras for the Department of Public Safety, b) the purchase of kennels for the Humane Division of the Department of Public Safety up to \$5,000, and c) the purchase of turn out gear for the Fire Division of the Department of Public Safety up to \$28,000 and a match of \$9,120.00 for the Missouri Department of Public Safety Grant.

SECOND: By Council Member Downs.

POLL VOTE ----- MOTION PASSES

8 - YES

0 - NO

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

MAYOR REPORT

Mayor Kooyman informs the next Council Meeting will be on May 20, 2024 at 6 pm at City Hall. The Building Code Committee Meeting is scheduled to be held on Wednesday, April 24, 2024 at 3 pm at Board of Public Works conference room due to the drivers examiners using City Hall conference room; Planning and Zoning Meeting will be held on Wednesday, April 24, 2024 at 12 pm at the Board of Public Works Conference Room; the Board of Public Works Meeting will not be held in April; and the Park Board Meeting will be on Wednesday, April 17, 2024 at 5:30 p.m. at City Hall.

Mayor Kooyman congratulates the newly elected Council Members and informs a packet was given to each Council Member which includes: a list of Dates for 2024 Council Meetings, Council Contact Information Sheet, Election Official Operating Guidelines, City Council Member Orientation Packet, Resolution No. 3065 – Acts and authority of individual members of its City Council, Boards and/or Committees, Ordinance No. 3205 – Compensation for Council Members, Conflict of Interest booklet produced by the Missouri Ethics Commission, and Missouri Sunshine Law booklet produced by the Missouri Attorney General’s Office. The Elected Officials Training is scheduled for June 6 – 7, 2024 in Columbia, if anyone is interested in attending. DED/Airport Director David Blalock has submitted information regarding businesses that have been contacted. Mayor Kooyman states he will make nominations to Boards and Committees at next month’s meeting. He announces the City-Wide Yard Sale is May 1 – 4, 2024 and the City-Wide Cleanup is May 6 – 8, 2024. He also announces the Malden Park Board will be hosting an event at the Tammy Wynette Park on July 4th.

Mayor Kooyman reads a message from the City of Campbell Fire Chief regarding the recent fire.

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 April 15, 2024 at 8:45 p.m.

SECOND: By Council Member Joyce.

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 Downs	YES	Council Member Beckett	YES
Council Member Lefler	YES	Council Member Jenkins	YES

ATTEST:



Denton Kooyman – Mayor



Mandy Lewis – City Clerk/City Collector