

A REGULAR MEETING of the City Council of the City of Chillicothe, Missouri was held on Monday, January 25, 2010 at 7:00 p.m. in the Council Chambers of City Hall, with the pledge to the flag, and a prayer given by Councilman Cornell. Roll call being answered as follows:

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| Mayor | Chuck Haney (Absent) |
| Councilman-At-Large | Darrel Rinehart, Jr (Mayor Pro-Tem) |
| Councilman 1 st Ward | Sid Cornell |
| Councilman 2 nd Ward | Maurice Zion |
| Councilman 3 rd Ward | Tom Douglas |
| Councilman 4 th Ward | Paul Howard |

AMONG THOSE PRESENT included Dean Brookshier – City Administrator, Sherry Parks, Theresa Kelly, Adam Warren, Don Overton, Patricia Anderson, Mary Catherine Damm, Darrell Wright, Hugh Musselman, Ron Urton, Rick Knouse, Josh Norris, Adam Campbell, Bill Kieffer, Don Beebe, Norman Gregg, Alvin Thompson, Jeff Foli, John Valbracht, Nona Wilkinson, Traci Pyrtle, Terri Boswell, Sheri Clark, Jon Shannon, Franklin Williams, Rozanne Frampton and members of the News Media and other concerned citizens.

MOTION BY COUNCILMAN ZION second by Councilman Howard to approve the previous minutes (January 11th) with the following amendment: “Councilman-at-Large Rinehart left the Council Chambers at 7:07 p.m” will now read “Councilman-at-Large Rinehart left the Council Chambers at 7:07 p.m. and did not participate in any discussion or vote regarding the next agenda item”. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea.

MOTION BY COUNCILMAN CORNELL, second by Councilman Douglas to pay invoices in the amount of \$160,172.62. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea.

MOTION BY COUNCILMAN CORNELL, second by Councilman Zion to approve Hy-Vee invoices in the amount of \$7.84. Motion passed with a vote of three yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard abstained.

MOTION BY COUNCILMAN CORNELL, second by Councilman Zion to approve Lowes invoices in the amount of \$199.48. Motion passed with a vote of three yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas abstained; Councilman Howard voted yea.

MOTION BY COUNCILMAN CORNELL, second by Councilman Douglas to approve Windjammer Cable invoices in the amount of \$189.79. Motion passed with a vote of three yeas: Councilman Cornell voted yea; Councilman Zion abstained; Councilman Douglas voted yea; Councilman Howard voted yea.

MOTION BY COUNCILMAN CORNELL, second by Councilman Howard to approve the payroll in the amount of \$133,857.34. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yeas.

MOTION BY COUNCILMAN CORNELL, second by Councilman Douglas to start the application process in seeking a demolition grant through the Missouri Community Development Block Grant Program. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea. Note: The Third Ward Grant must be closed out by March 31, 2010 in order for the City to be eligible for the Demolition Grant. Ann Hamilton with Green Hills Regional Planning Commission is currently working on closing out the Third Ward Grant. There will be more details on the Demolition Grant application at a later date.

City Attorney, Adam Warren, presented discussion regarding meeting and agenda protocols

RON URTON, Shafer Kline & Warren, explained that public hearings for conditional use permits are normally held at the Planning & Zoning meeting however the notice to surrounding property owners was overlooked therefore the hearings shall be conducted tonight.

CONDITIONAL USE PERMIT request for a home based business to have a Beauty

Salon at 302 Walnut was approved unanimously by the Planning and Zoning Board.

AGAINST: Franklin Williams of 306 Walnut voiced concerns with the parking issue and concerned that the driveway will be blocked.

FOR: Sheri Clark who lives at 302 Walnut stated that they are willing to have a sign “Please do not block driveway” and will be proactive to insure that the driveway does not get blocked. The shop will only have two clients at any given time so parking should not be an issue.

MOTION BY COUNCILMAN ZION, second by Councilman Douglas to pass Bill No. 2010-03; **Ordinance No. 2010-03.** AN ORDINANCE OF THE CITY OF CHILLICOTHE, MISSOURI APPROVING A CONDITIONAL USE PERMIT TO OPERATE A BEAUTY SALON AT 302 WALNUT STREET, CHILLICOTHE, MISSOURI. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea.

CONDITIONAL USE PERMIT request to allow two (2) unlicensed vehicles at 425 Cherry to be used as photo props in conjunction with Bailey’s Photography Studio was approved unanimously by the Planning & Zoning Board.

AGAINST: None

FOR: Jon Shannon owner of Bailey’s Studio located at 425 Cherry Street stated that the vehicles are basically used as photo props in senior pictures.

MOTION BY COUNCILMAN HOWARD, second by Councilman Cornell to pass Bill No. 2010-04; **Ordinance No. 2010-04.** AN ORDINANCE OF THE CITY OF CHILLICOTHE, MISSOURI APPROVING A CONDITIONAL USE PERMIT TO BAILEY STUDIO TO PERMIT USE OF UP TO TWO UNLICENSED VEHICLES ON STUDIO GROUNDS AS PROPS FOR THE BUSINESS OF PORTRAIT PHOTOGRAPHY. (Located at 425 Cherry Street) Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea.

MOTION BY COUNCILMAN DOUGLAS, second by Councilman Howard to pass Bill No. 2010-05; **Ordinance No. 2010-05.** AN ORDINANCE OF THE CITY OF CHILLICOTHE, MISSOURI ABATING FOR ONE YEAR THE PAYMENT IN LIEU OF TAXES FROM CHILLICOTHE MUNICIPAL UTILITIES ON INTERNET SERVICES. Motion passed with a vote of four yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted yea; Councilman Howard voted yea.

ADAM WARREN, City Attorney, presented discussion regarding a proposed amendment replacing the entire Chapter regarding nuisances (Chapter 17). Adam stated that this is just a rough draft for everyone’s review. Some key changes include the hearing process for trash and debris and administrative fees. Another draft will be presented at a later date which will incorporate sections of existing ordinances that the City has previously adopted.

Public Comment: Jeff Foli, citizen, had concerns regarding unlicensed vehicles.

DEAN BROOKSHIER, City Administrator presented a resolution which he read in its entirety regarding the capital improvement sales tax and the construction costs of the proposed (hospital) project should the ballot initiative be approved. The resolution states:

“That a maximum of \$3 million plus interest for the hospital project is to be financed by the capital improvement sales tax and no further amounts from the capital improvement sales tax will be expended for such project.”.

“That the \$3 million to be financed by the capital improvement sales tax based on current terms and interest rates, is expected to be repaid in full within 10 years.

“That the total construction cost of the hospital project will not exceed the sum of \$30 million.”

Public Comment: Patricia Anderson, 1114 Locust Street, presented a handout for the inclusion of the minutes. “This resolution is legally non-binding. It changes nothing with respect to the language of the February 2 ballot proposal. When this process started we were told cost of \$46 to \$53 million. Then it became \$30 to \$35 million. On January 15 we were told on

the front page of our community newspaper \$31 million. And tonight we are now told \$30 million. Today is January 25 and this election will occur in just 8 short days. Passage of this resolution so close to an election will only confuse the electorate further. Gentlemen, despite your action tonight, that ballot proposal "is what it is". However, the vote you take tonight is far more important. You took an oath of office to serve all Citizens of Chillicothe, not just a select few. A yes vote to this resolution indicates that you support the process that has been followed, and continues to be followed. A no vote will represent so much more to the people you have sworn to serve. This gentleman is your moment. This is your opportunity. Embrace it as men of courage and integrity. Thank you. Patricia-Anderson, Citizen-Chillicothe Missouri".

Public Comment: Patricia Anderson, 1114 Locust Street.

1. \$30 million -Does the City have firm bids and architectural drawings?
2. What is the estimated interest rate over the 8-10 year pay back time?
3. Why has the cost of the project changed from \$31 million in January to \$30 million?

Public Comment: Norman Gregg, 841 Shy Drive.

1. How can the City afford this?
2. Where is the St. Luke's contract?

Public Comment: Alvin Thompson, 233 LIV Chillicothe, MO.

1. Since St. Luke's is contributing 25 million will they own 95% of the building? City Attorney, Adam Warren stated that the building will be 100% owned by the City.
2. Where will the laundry and business administrative departments be located? Darrel Rinehart stated that nothing will be left at the current hospital. Alvin questioned how those departments could be put in the new facility without changing the \$30 million dollar amount.

Public Comment: Jeff Foli, 861 Shy Drive.

1. Stated that he was against the resolution and agreed with Alvin Thompson.

MOTION BY COUNCILMAN ZION, second by Councilman Howard to pass **Resolution No. R1-2010**. A RESOLUTION OF THE CITY OF CHILLICOTHE, MISSOURI REGARDING HOSPITAL ISSUE. Motion passed with a vote of three yeas: Councilman Cornell voted yea; Councilman Zion voted yea; Councilman Douglas voted nay; Councilman Howard voted yea.

COMMENTS FROM CITY ADMINISTRATOR:

1. Thanked department heads, officials and public for attending the meeting.

COMMENTS FROM THE COUNCIL: None

COMMENTS FROM MAYOR HANEY: Absent

COMMENTS FROM THE PUBLIC:

1. Patricia Anderson thanked Councilman Douglas for the no vote on the resolution.

NO EXECUTIVE SESSION.

MOTION BY COUNCILMAN DOUGLAS, second by Councilman Zion to adjourn the meeting at 8:01 p.m. motion passed with a vote of four yeas.

Rozanne Frampton, City Clerk

Approved this _____ day of _____, 2010

By: _____
Chuck Haney, Mayor

ATTEST:

Rozanne Frampton, City Clerk

NOTES FROM WORKSHOP: City project update by Ron Urton; Demo grant