

**City of Hawk Point**  
**Minutes of Open Portion of Regular Meeting**  
**Monday, May 2, 2016**

The Board of Aldermen, of the City of Hawk Point, held a regular meeting on Monday, May 2, 2016, at the Hawk Point Civic Center, pursuant to the agenda posted Thursday, April 28, 2016.

Mayor Henebry called the meeting to order at approximately 6:00 p.m. Present were Mayor Robert Henebry, Alderpersons Shawn Ellis, Brenda Bryant, and Jennifer Crigger (over the phone as per approval of the city attorney). Mayor Henebry determined a quorum was present.

Staff present: City Clerk Samantha Shelton, Public Works Terry Stuck and Johnnie Baker, Police Chief Bob Bone, and City Attorney Cindy Davenport.

Guests in Attendance: Monty Nichols (Monty's BBQ), Don Eichorn, Jim Kuda (Cemetery Board), Adam Stanek, Chad Eggen (BRPC), Deana Dorthage (BRPC), and Tom Boling.

*Motion to move the nomination and appointment of an Alderman to fill the open Alderman position due to Alderman Sinclair's resignation was made by Alderman Bryant and seconded by Alderman Ellis.*

*Roll Call Vote:*

*Alderman Crigger      AYE                      Alderman Bryant      AYE*

*Alderman Ellis              AYE*

*AYES 3      NAYS 0      ABSENT 0*

***MOTION PASSED 3 TO 0.***

Mayor Henebry nominated Adam Stanek for Alderman

*Motion to appoint Adam Stanek for Alderman of Hawk Point, Missouri, was made by Alderman Crigger and seconded by Alderman Bryant*

*Roll Call Vote:*

*Alderman Crigger      AYE                      Alderman Bryant      AYE*

*Alderman Ellis              AYE*

*AYES 3      NAYS 0      ABSENT 0*

***MOTION PASSED 3 TO 0.***

Adam Stanek was sworn in as Alderman of Hawk Point, Missouri, by City Clerk Samantha Shelton.

At this time Alderman Crigger was excused from the meeting.

**APPROVAL OF AGENDA**

*Alderman Bryant moved and Alderman Ellis seconded the motion to approve the agenda.*

*Roll Call Vote:*

*Alderman Crigger      n/a                      Alderman Bryant      AYE*

*Alderman Ellis              AYE                      Alderman Stanek      AYE*

*AYES 3      NAYS 0      ABSENT 0*

***MOTION PASSED 3 TO 0.***

**APPROVAL OF THE MINUTES**

*Alderman Stanek moved and Alderman Bryant seconded the motion to approve the minutes for the previous Regular Meeting.*

*Roll Call Vote:*

*Alderman Crigger      n/a                      Alderman Bryant      AYE*

*Alderman Ellis              AYE                      Alderman Stanek      AYE*

*AYES 3      NAYS 0      ABSENT 0*

***MOTION PASSED 3 TO 0.***

*Alderman Bryant moved and Alderman Ellis seconded the motion to approve the minutes for the previous Special Meeting.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

**MOTION PASSED 3 TO 0.**

### **PETITIONS AND BUSINESS BROUGHT BEFORE THE COUNCIL BY THE PUBLIC**

Item 4.A. Monty Nichols – New Business License for Monty’s BBQ

Mr. Nichols advised the Board of his plans to sell Monty’s BBQ at Unique Treasures for special events. He then asked for the Boars approval for a business license so that he could do so.

*Alderman Bryant motioned and Alderman Stanek seconded the approval of Mr. Nichols Business License for Monty’s BBQ to be sold at Unique Treasures for special occasions.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

**MOTION PASSED 3 TO 0.**

### **NEW BUSINESS**

Item 5.A. Lincoln County Emergency Management/Floodplain Administration – Tornado Sirens

Mayor Henebry informed the Board of the changes being made to the way the Tornado Sirens in Lincoln County will be operating. Sirens will be set of in regions within Lincoln County instead of as a whole. Informants of tornado or funnel cloud sightings will be required to have the proper education to report such sightings.

### **UNFINISHED BUSINESS**

Item 6.A. Water & Wastewater Projects

*Department of Natural Resources Letter Regarding Wastewater Treatment Facility, MO-00280053, Lincoln County*

Mayor Henebry discussed the letter from DNR regarding the treatment facility currently in use for the City of Hawk Point.

*Alderman Bryant made the motion and Alderman Ellis seconded to accept the Agreement with DNR regarding the Hawk Point Wastewater Treatment Facility, MO-00280053, Lincoln County.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

**MOTION PASSED 3 TO 0.**

Chad Eggen (BRPC) updated the Board on the Wastewater Project progress. He stated that the City has officially been invited to apply for CDBG funds (grant funds).

Deana Dorthage (BRPC) gave an update on the BRPC MO Rides Program and informed the Board of grant possibilities for the Police Department.

Item 6.B. Construction /Instillation of posts in front of City Hall

Mayor Henebry informed the Board of the repeated incidences of the Posts in front of City Hall being run into and broken by drivers. He suggested that concrete posts be place in front of the building to prevent the incidents from reoccurring. The Board agreed for the public works department to look into costs and to discuss at the June 6, 2016, Board Meeting.

Item 6.C. City Streets

Mayor Henebry suggested to look into street repairs/paving costs for Maple Street in front of the Hawk Point Elementary School.

*Motion to give permission for the city to send out Request for Bids made by Alderman Bryant and Seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
AYES 3	NAYS 0	ABSENT 0	

**MOTION PASSED 3 TO 0.**

Item 6.D. Hawk Point Elevator – Easements

City Attorney Cindy Davenport stated that she had spoken with Dale Cope and that the subject is still on hold at this time. Ms. Davenport then advised that the item be taken off of future agendas until it is again requested by the Elevator to place back on to discuss.

**ORDINANCES & RESOLUTIONS**

Item 7.A. Ordinance No. 05022016(B) An Ordinance Amending Section 91.01(C)

City Attorney Cindy Davenport explained that the section which included the original ordinance regarding fowl in city limits was omitted from the codification process. City Clerk Samantha Shelton read Ordinance No. 05022016(B) twice aloud.

*Motion to approve Ordinance No. 05022016(B) was made by Alderman Stanek and seconded by Alderman Bryant.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
AYES 3	NAYS 0	ABSENT 0	

**MOTION PASSED 3 TO 0.**

Item 7.B. Ordinance No. 05022016(A) An Ordinance Readopting Rules and Regulations for the Operation and the Use of Public and Private Sewer, Etc.

City Attorney Cindy Davenport explained Ordinance No. 05022016(A) required by USDA to continue with the wastewater project. City Clerk Samantha Shelton read Ordinance No. 05022016(A) twice aloud.

*Motion to approve Ordinance No. 05022016(A) was made by Alderman Bryant and seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
AYES 3	NAYS 0	ABSENT 0	

**MOTION PASSED 3 TO 0.**

Item 7.C. Resolution 2016001 – Legal Service Agreement

Mayor Henebry explained the Legal Service Agreement required by USDA.

*Motion to approve Resolution 2016001 – Legal Service Agreement was made by Alderman Bryant and seconded by Alderman Stanek.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
AYES 3	NAYS 0	ABSENT 0	

**MOTION PASSED 3 TO 0.**

## **REPORT OF OFFICERS, BOARDS AND COMMITTEES**

### Item 8.A Police Report – Robert Bone

Chief of Police Robert Bone advised the Board that Assistant Chief of Police Wayne Mueller was nominated and will be receiving the John McAtee Award from MHA at the end of the month for his outstanding on the job work with the mentally challenged.

Chief of Police Robert Bone advised the Board of the many complaints for recent events that took place within the city of Hawk Point. City Attorney Cindy Davenport advise that tickets be issued based solely on citizen complaints.

Tom Bolin, a citizen of Hawk Point, advised Chief Bone of 2-3 cars running up and down the streets around maple and the number of citizens that were concerned about them. He asked Chief Bone if he could have officers keep an eye out for such vehicles. Mr. Bolin also stated that he was concerned with the hours that officers are on duty.

Chief Bone replied that a written statement would have to be made in order for a ticket to be written for the speeding vehicles. Chief Bone also stated that the department was working on the hour's officers are on duty.

Don Eichorn, a citizen of Hawk Point, advised Chief Bone of traffic through town running the stop sign near Prairie Road.

### Item 8.B. Public Works Report – Terry Stuck & Johnnie Baker

Public Works Terry Stuck read aloud the monthly water usage report. Mr. Stuck then presented the cost sheet for repairing city man holes. Mayor Henebry recommended to approve to line the outside of the manholes rather than the inside and to go out for formal bids.

*Motion to approve to go out for formal bids to repair manholes (specifically lining the outside) made by Alderman Bryant and seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

*Motion to raise the six (6) manholes recommended to repair by Public Work Terry Stuck was made by Alderman Bryant and seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

### Item 8.C City Clerks Report – Samantha Shelton was excused at this time

#### *Monthly Utility Revenue Transfer*

City Clerk Samantha Shelton presented the amounts for the Monthly Utility Revenue Transfer.

*Motion to approve the Monthly Utility Revenue Transfer from the Water Account into the Sewer Account in the Amount of \$7,998.07 was made by Alderman Stanek and Seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

*Motion to approve the Monthly Utility Revenue Transfer from the Water Account into the Trash Account in the Amount of \$2,553.88 was made by Alderman Stanek and Seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

Item 8.D Mayor and Aldermen's Report

Mayor Henebry read aloud Alderman Sinclair resignation letter. Nothing else was reported at this time.

Item 8.E. City Attorney's Report

City Attorney Cindy Davenport updated the board on SB5. Ms. Davenport also discussed that a public hearing would need to take place at the July Board meeting for the Sewer Rate Ordinance required by USDA.

Item 8.F. Cemetery Board

Alderman Bryant updated the board on the decision that Mr. John White and the cemetery board agreed on in regards to his son's bench at the city cemetery. It was agreed that Mr. White could keep the bench on the plot next to his sons grave (which is also owned by Mr. White) as long as a headstone was not placed on the grave in addition to the bench.

Motion to approve the agreement recommended by the cemetery board with Mr. White regarding his sons bench in the city cemetery was made by Alderman Bryant and Seconded by Alderman Ellis.

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

Jim Kuda (Cemetery Board) recommended that the cemetery board only meet twice a year and for special occasion. The Board agreed. It was then discussed that the cemetery board needed to appoint a president of the board.

*Motion to pay bills was made by Alderman Stanek and Seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

*Motion to Adjourn was made by Alderman Stanek and Seconded by Alderman Ellis.*

*Roll Call Vote:*

<i>Alderman Crigger</i>	<i>n/a</i>	<i>Alderman Bryant</i>	<i>AYE</i>
<i>Alderman Ellis</i>	<i>AYE</i>	<i>Alderman Stanek</i>	<i>AYE</i>
<b>AYES 3</b>	<b>NAYS 0</b>	<b>ABSENT 0</b>	

***MOTION PASSED 3 TO 0.***

Meeting Adjourned.

Next regular meeting scheduled Monday, June 6, 2016 at 6:00 p.m.

Respectfully Submitted: Samantha M. Shelton, City Clerk

APPROVED: \_\_\_\_\_ ATTESTED: \_\_\_\_\_ DATE: \_\_\_\_\_