

**The Minutes of the Macon City Council Meeting  
November 16 2021 – 6:30 P.M.  
106 West Bourke Street  
Macon, Missouri 63552**

Mayor Talt Holman called the meeting to order with the following members in attendance: Tony Petre, Dick Schlanker, Ernie Lea, Caleb Dwiggins, Jerry Thompson, Greg Wiggans, Chris Walk, and Jerold Carr.

Absent: None

**Approval of minutes from previous meeting:**

Councilman Petre moved to approve the Minutes of the October 19, 2021 regular meeting as presented. The motion was seconded by Councilman Carr and approved by all present voting in favor.

**Accounts Payable:**

Councilman Lea moved to approve accounts payable as presented. The motion was seconded by Councilman Dwiggins and approved by all present voting in favor.

**Financial Report:**

Councilman Thompson moved to approve the Financial Report as presented. The motion was seconded by Councilman Carr and approved by all present voting in favor.

**Old Business:**

**Ordinance – OF THE CITY COUNCIL OF THE CITY OF MACON, MISSOURI  
APPROVING THE REDISTRICTING OF THE CITY OF MACON, MISSOURI:**

Every ten years, following a decennial census, the U.S. Census Bureau provides population counts to use in the redrawing of municipal legislative district boundaries. This redistricting process ensures a fair and equitable distribution of population between the City's four Wards from which members of the governing body are elected each April.

The 2020 Census information provided reports total population of the City of Macon at 5,456 (which is a marginal decrease from the 2010 Census count of 5,471). The Ward populations after the proposed boundary changes are:

Ward-1.....1,342      Ward-2.....1,395      Ward-3.....1,385      Ward-4.....1,334

Councilman Thompson moved to place on the first reading, the ordinance approving the redistricting of the City of Macon, Missouri. The motion was seconded by Councilman Dwiggins and approved by roll call as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

Councilman Lea moved to place on the second and final reading, the ordinance approving the redistricting of the City of Macon, Missouri. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

**New Business:**

**Ordinance – OF THE CITY OF MACON, MISSOURI AMENDING THE 2021 ANNUAL OPERATING BUDGET FOR THE BOARD OF PUBLIC WORKS:**

Municipal Utilities General Manager, Stephanie Wilson, reported that the Auditors have recommended an amendment to the 2021 Budget. The amendment is mainly due to the extraordinary price spike in natural gas and electric commodities in February 2021 though there were a few additional changes incorporated into the amendment related to not implementing a budgeted wastewater rate increase, depreciation changes due to Wastewater Plant Headworks going on-line, unexpected pump maintenance in the Long Branch Lake raw water system, and a top employee retirement.

Councilman Petre inquired about the Board of Public Works progress regarding presentation of a Resolution for Council to consent to the December 2020 \$5-million funds transfer into the Wastewater Fund (\$3 million from Natural Gas Fund and \$2 million from Electric Fund) and waive the repayment requirements of Section 28-70 of the City Code as previously discussed. He reminded Wilson that City Attorney, Tim Bickhaus, recommended such a resolution and Council would like it to be presented for passage timely since the Board of Public Works would be in violation of the repayment requirement at the end of December 2021.

Wilson confirmed that the December 2020 Board of Public Works minutes reflect that the transfer was made with no intent to repay, based upon reliance of the City's Independent Financial Auditor's counsel. While it had not been understood from previous conversations that Council wanted the resolution request presented from the Board of Public Works, she confirmed that she would arrange for the City Attorney to draft a Resolution which the Board of Public Works would discuss and present to the Council for passage to acknowledge the transfer and waive the repayment requirement.

In response to questions, Wilson explained that the \$1 million electric fund loss from the February commodity price spike was absorbed without any increase to citizens utility bills and that the \$2 million natural gas fund loss from the February commodity price spike will be recouped incrementally over a three-year period. The monthly incremental fee will be reviewed annually (next review scheduled for March 2022) to incorporate variables into the loss recovery formula, such as disposition of the pending court case related to the transportation price spike.

Councilman Petre moved to place on the first reading, the ordinance amending the 2021 annual operating budget for the Board of Public Works. The motion was seconded by Councilman Dwiggins and approved by roll call as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

Councilman Carr moved to place on the second and final reading, the ordinance amending the 2021 annual operating budget for the Board of Public Works. The motion was seconded by Councilman Wiggans and approved by roll call vote as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

**Ordinance – OF THE CITY OF MACON, MISSOURI ADOPTING THE 2022 ANNUAL OPERATING BUDGET FOR THE MACON PUBLIC LIBRARY:**

Councilman Lea moved to place on the first reading, the ordinance adopting the 2022 annual operating budget for the Macon Public Library. The motion was seconded by Councilman Petre and approved by roll call as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

Councilman Dwiggins moved to place on the second and final reading, the ordinance adopting the 2022 annual operating budget for the Macon Public Library. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

**Ordinance – OF THE CITY OF MACON, MISSOURI ADOPTING THE 2022 ANNUAL OPERATING BUDGET FOR THE COMMON FUND FOR MACON CITY GOVERNMENT OPERATIONS:**

Councilman Dwiggins moved to place on the first reading, the ordinance adopting the 2022 annual operating budget for the common fund for Macon City government operations. The motion was seconded by Councilman Walk and approved by roll call as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

Councilman Carr moved to place on the second and final reading, adopting the 2022 annual operating budget for the common fund for Macon City government operations. The motion was seconded by Councilman Thompson and approved by roll call vote as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

**Ordinance – OF THE CITY OF MACON, MISSOURI ADOPTING THE 2022 ANNUAL OPERATING BUDGET FOR THE AMERICAN RESCUE PLAN ACT FUND (ARPA), AIRPORT FUND, ASSET REPLACEMENT FUND, CAPITAL IMPROVEMENTS SALES TAX FUND, CITY PARK FUND, FIRE DEPARTMENT OPERATIONS SALES TAX FUND, INDUSTRIAL DEVELOPMENT FUND, MOTOR FUEL FUND, PROJECT FUND, AND TRANSPORTATION SALES TAX FUND:**

Councilman Dwiggins moved to place on the first reading, the ordinance adopting the 2022 annual operating budget for the America Rescue Plan Act Fund (ARPA), airport fund, asset replacement fund, capital improvements sales tax fund, city park fund, fire department operations sales tax fund, industrial development fund, motor fuel fund, project fund, and transportation sales tax fund. The motion was seconded by Councilman Schlanker and approved by roll call as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

Councilman Petre moved to place on the second and final reading, the ordinance adopting the 2022 annual operating budget for the America Rescue Plan Act Fund (ARPA), airport fund, asset replacement fund, capital improvements sales tax fund, city park fund, fire department operations sales tax fund, industrial development fund, motor fuel fund, project fund, and transportation sales tax fund. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

Yea: Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.  
Nay: None.  
Absent: None.

**Ordinance – OF THE CITY OF MACON, MISSOURI APPROVING THE 2022 COMPENSATION OF THE MACON MUNICIPAL UTILITIES GENERAL MANAGER:**

Councilman Lea moved to place on the first reading, the ordinance approving the 2022 compensation of the Macon Municipal Utilities General Manager. The motion was seconded by Councilman Wiggans and approved by roll call as follows:

Yea: Schlanker, Lea, Thompson, Wiggans, Walk, Carr.  
Nay: Petre, Dwiggins  
Absent: None.

Councilman Wiggans moved to place on the second and final reading, the ordinance approving the 2022 compensation of the Macon Municipal Utilities General Manager. The motion was seconded by Councilman Schlanker and approved by roll call vote as follows:

Yea: Schlanker, Lea, Thompson, Wiggans, Walk, Carr.  
Nay: Petre, Dwiggins  
Absent: None.

**Ordinance – OF THE CITY OF MACON, MISSOURI ADOPTING THE 2022 ANNUAL OPERATING BUDGET FOR THE BOARD OF PUBLIC WORKS:**

Municipal Utilities General Manager, Stephanie Wilson, presented summary pages of the 2022 Budget (2021-2022 budget comparison and highlights, cash balances summary, revenue/expense line-item budget, employee proposed compensation schedule, capital improvement expenditure budget, and a single page 2022 budget summary).

Compensation discussion focal points were Supervisors and Assistant General Manager positions salary versus hourly and overtime compensation rates; licensing and certification progression and associated step-raises; various available municipal wage studies and market demand impact on compensation; practical industry compensation increases in current economy; and mid-year compensation adjustments not included on the approved budget schedule.

Included in the 2022 budget was a proposed increase in the annual compensation for Board of Public Works members as follows: President \$3,000 (was \$2,000); all other members \$2,000 (was \$1,500).

Council disagrees with Assistant General Managers, to whom salaried department managers are answerable to, being compensated on an hourly basis and is concerned about the impact of potential problems arising from using that configuration.

Council expressed the opinion that the Council's obligation as part of the budget process is to specifically approve employee compensation schedules. They consider unscheduled compensation adjustments to be unapproved unbudgeted changes that the Council believes should be addressed by a majority vote of the Board of Public Works in a proper meeting and presented (as a budget amendment request) to Council for final approval before being executed. They further indicated that the process could be expedited through special meetings as needed.

Controversial variables in compensation philosophy were discussed. In summary, the overall objective is to be fiscally sensitive while balancing retention/internal equity, recruitment/external competitiveness, and business long-term sustainability against supplying competitively priced services and containing labor costs, to limit the burden being borne by the citizens who themselves are experiencing tough economic situations. Council members expressed the opinion that a maximum standard of 3% compensation increase was more than appropriate considering the current economy and comparing the City's ranking against available wage study data. Board of Public Works members expressed the view that, by necessity, internal equity and local industry specific opportunities exert more influence in determining appropriate compensation within certain groups.

Council was pleased to see that the budget included stormwater separation activities to begin reducing stormwater flow to the wastewater treatment plant.

Councilman Lea moved to place on the first reading, the ordinance adopting the 2022 annual operating budget for the Board of Public Works. The motion was seconded by Councilman Wiggans and approved by roll call as follows:

Yea:	Lea, Wiggans, Carr.
Nay:	Petre, Schlanker, Dwiggins, Thompson, Walk.
Absent:	None.

Motion failed.

The budget document was sent back to the Board of Public Works for redrafting for presentation at the December Council Meeting.

**Ordinance – OF THE CITY OF MACON, MISSOURI AUTHORIZING AND APPROVING THE CITY TO ENTER INTO A SOLAR ACCESS EASEMENT AGREEMENT FOR THE PURPOSE OF PROTECTING THE SOLAR ACCESS OF SPECIFIED LOTS ADJACENT TO CITY PROPERTY; AND FURTHER APPROVING ASSIGNMENT AND ASSUMPTION OF INTERCONNECTION AND OPERATING AGREEMENT RELATED TO THE SOLAR FARM:**

Ownership of the solar farm is transferring from Gardner Capital to the Missouri Joint Municipal Electric Utility Commission. This ordinance approves the assignment and assumption of the interconnection and operating agreement to MJMEUC and executes a

shade agreement that is substantially identical to the agreement already in place with Gardner Capital.

Councilman Thompson moved to place on the first reading, the ordinance authorizing and approving the City to enter into a solar access easement agreement for the purpose of protecting the solar access of specified lots adjacent to City property; and further approving the assignment and assumption of interconnection and operating agreement related to the solar farm. The motion was seconded by Councilman Lea and approved by roll call as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

Councilman Wiggans moved to place on the second and final reading, the ordinance authorizing and approving the City to enter into a solar access easement agreement for the purpose of protecting the solar access of specified lots adjacent to City property; and further approving the assignment and assumption of interconnection and operating agreement related to the solar farm. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

**Mayor's report:**

Mayor Holman wished everyone a Happy Thanksgiving and reminded everyone that the Christmas Parade and Wishing Tree Lighting is scheduled for December 3<sup>rd</sup> and hoped to see everyone there.

**Council reports:**

None.

**City Administrator's report:**

City Administrator, Avis Marshall, reported the following:

- Two snowplow trucks ([State Bid Pricing] 2022 Ford 350, Regular Cab & Chassis, 84" cab axle) have been pre-ordered through Joe Machens Ford at a cost of \$42,636 each. Pre-order was necessary because Ford set November 11, 2021 as the deadline to order any 2022 build vehicle. It will take approximately 36-weeks for the factory build and the City is not obligated to proceed with the purchase once Machens takes delivery of the vehicles. One truck was in the 2021 Budget and is ready for final purchase approval. The second truck is in the 2022 Budget and request for final purchase approval on that unit will be made once the City is notified that the unit has been delivered to Machens.

\*\*Councilman Thompson moved to approve purchase of the 2021 budgeted snowplow truck. The motion was seconded by Councilman Lea and approved by all present voting in favor.

- Quote of \$29,625 (State Bid pricing) was received from Don Brown Chevrolet for replacement of the Fire Department incident command/brush fire response truck (Chevy Silverado 2500HD Double Cab; 3/4-ton; 4x4).

**\*\*Councilman Petre moved to approve the purchase with an additional allowance of \$3,000.00 to upgrade to a Crew Cab package with standard 6.6' bed. The motion was seconded by Councilman Thompson and approved by all present voting in favor.**

- Capital Paving recently micro-grinded Sunset Drive to blend the edges of the corrective-overlay patches so snowplow blades do not catch the edges. Capital will apply a petroleum sealcoat to each of the micro-grind areas and the City has requested an extended warranty (typical warranty is one year) for Sunset Drive section of the 2021 overlay project.
- Rotary Club of Macon County was awarded a grant to add 9-holes to the City's disc golf course at the 903 West Bourke Street Park, making it an 18-hole course once construction is completed.
- All new firefighters have completed and passed the "live burn" training/testing.
- Welcomed two new businesses – "GC8 Beauty" and "Closets by Carmen".
- Recognized all Veterans that have served or are currently serving and extended a "thank you" for their service to our country.

**City Clerk's report:**

City Clerk, Mary Lou Craigg, reported that the City received a letter from Patricia Tooley-Rogers who was concerned about the spelling of the street "Cottenwood Lane" and/or "Cottonwood Lane" (a dead-end street). Patricia lives outside of city limits where she has indicated the street is named "Cottenwood Lane," however, inside city limits, the street is named "Cottonwood Lane." Patricia requested that the City either establishes matching spelling of both parts of the street or post both spellings of the street on the signpost at the Coats Street intersection. Her primary concerns are correctness for legal documents, package delivery (mail-orders), and emergency vehicle response.

Craigg stated that on September 8, 1998 the City adopted Ordinance No. 287-98 accepting the east 1,225-feet as a dedicated City Street named Cottonwood Lane [O]. Craigg advised that the County GIS has the entire street listed as Cottenwood Lane [E] but that no further search has been made in the County Records to confirm any development plat officially naming the outside city limit section of the street and requested that if the Council chooses any solution other than hanging both spellings on the signpost that time be given for the staff to complete research.

Council instructed staff to begin research by reaching out to 9-1-1 to determine what spelling they have in their system.

**Closed Session:**

At 8:40 P.M. Councilman Petre moved to go into closed session pursuant to RSMo. §610.021(2) Leasing, purchasing, or sale of real estate and §610.021(3) Personnel. The motion was seconded by Councilman Dwiggins and approved by roll call vote as follows:

Yea:	Petre, Schlanker Dwiggins, Lea, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

Closed session attendance: Petre, Schlanker, Dwiggins, Lea, Thompson, Wiggans, Walk, Carr, Holman, Marshall.

At 9:10 P.M. Councilman Dwiggins moved to come out of closed session. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

At 9:20 P.M. Councilman Lea moved to go into closed session pursuant to RSMo. §610.021(2) Leasing, purchasing, or sale of real estate and §610.021(3) Personnel. The motion was seconded by Councilman Dwiggins and approved by roll call vote as follows:

Yea:	Petre, Schlanker Dwiggins, Lea, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

Closed session attendance: Petre, Schlanker, Dwiggins, Lea, Thompson, Wiggans, Walk, Carr, Holman, Marshall.

Councilman Dwiggins moved to approve the Hiring Committee's recommendation and authorized issuing a Conditional Letter of Employment to the selected Fire Chief applicant. The motion was seconded by Councilman Wiggans and approved by roll call vote as follows:

Yea:	Petre, Schlanker Dwiggins, Lea, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

At 9:22 P.M. Councilman Lea moved to come out of closed session. The motion was seconded by Councilman Dwiggins and approved by roll call vote as follows:

Yea:	Petre, Schlanker, Lea, Dwiggins, Thompson, Wiggans, Walk, Carr.
Nay:	None.
Absent:	None.

**Adjournment:**

Councilman Lea moved to adjourn the meeting. The motion was seconded by Councilman Thompson.

The meeting was adjourned at 9:23 P.M.

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Mary Lou Craigg, City Clerk

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James T Holman, Mayor