

**The Minutes of the Macon City Council Meeting**  
**April 13, 2021 – 6:30 P.M.**  
**106 West Bourke Street**  
**Macon, Missouri 63552**

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

Absent: None.

**Approval of minutes from previous meeting:**

Councilman Carr moved to approve the Minutes of the March 09, 2021 regular meeting as presented. The motion was seconded by Councilman Thompson and approved by all present voting in favor.

**Accounts Payable:**

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

**Old Business:**

None.

**New Business:**

**Certification of Election Results:**

The results, as certified by Macon County Clerk Shirley Sims, for the Macon County General Municipal Election held April 6, 2021 were as follows:

Ward 1	Ernie Lea	95
	Aaron Magers	21
	Scott Bigham	88
Ward 2	Richard Schlanker	84
Ward 3	Jeff Skjeveland	23
	Chris Walk	23
Ward 4	Gregg Wiggans	36
	Ross Dutton	46

The results include absentee ballots.

The tie vote in Ward 3 will be broken in compliance with RSMo. §115.517.

(It was determined by verbal response that neither candidate wished to withdraw and neither candidate wished to draw lots. After a courtesy coordination of dates with the Macon County Clerk, the Mayor issued the appropriate Proclamation setting Tuesday, June 15, 2021 as the Special General Municipal Election date to break the tie vote for Ward 3 Councilman. The only candidates on the ballot will be Jeff Skjeveland and incumbent Councilman Christopher Walk)

**Recognition of outgoing Council Members:**

Mayor Holman presented Greg Wiggans with a plaque in appreciation of his 4-years of dedicated service to the citizens of the City of Macon as Ward 4 Councilman.

### **Oath of Office:**

City Clerk Craig administered the Oath of Office to the newly elected officials. Sworn into office were the following:

Ernie Lea, Ward 1 Councilman  
Richard Schlanker, Ward 2 Councilman  
Ross Dutton, Ward 4 Councilman

### **Discussion – Macon Highway 63 Bypass and North Missouri Street MoDOT paving project:**

Brian Untiedt, MoDOT; Paula Gough, MoDOT; Samantha Diffenderfer, MTRCOG Community & Transportation Planner; Shelby County Presiding Commissioner Glen Eagan, President of Transportation Advisory Committee (TAC); and Councilman Tony Petre, also serving on TAC, presented facts on the issues and were present for questions.

### **2021 MoDOT paving project:**

Major work at the intersection of Briggs & Hwy 63 will be conducted at night to have the least impact on traffic flow. Project preparation work will begin April 19.

### **Unfunded Needs List:**

The current regional unfunded needs list includes Macon items as follows:

- Macon Hwy 63 bypass (congestion and safety).
- Macon 63 & 36 interchange (congestion and safety improvement).
- Macon 63 at Walnut Street intersection (safety concerns for school buses).
- Macon Bike/Pedestrian walkway over Hwy 63 at Macon school.

MoDOT and TAC would like to determine the level of interest or opposition to a Hwy 63 bypass, as it is a very high funding need, or if the city/citizens view a different item as the highest priority need. The first step in the process of determining an estimated bypass cost is a feasibility study. The study would determine possible route/location of the Macon Hwy 63 bypass lanes. The study is only considered good for a period of three years before it would need updated. There is currently no funding available for a bypass project (a Tier III project), the study would truly be only a planning effort. Paula Gough estimates that to complete a full NEPA process would cost around two million dollars. The groups would prefer not to waste money on a study if the community does not sufficiently support the project at this time. This summer, MoDOT intends to begin discussions on the Tier III list, which is in the 15-20-year horizon. The long-term planning will be an annual process.

Tim Remole spoke to the secondary road and bridge traffic effect at Thomas Hill and College Mound area because over-the-road trucks are avoiding the Macon City bottleneck. Dean Still spoke to the big truck traffic on Hwy O and AX. They are avoiding Macon school congestion and the Hwy 63&36 interchange. Paula Gough reported that the Macon Hwy 63&36 interchange has moved to the Tier I category which means that MoDOT will begin engineering on it so that when funding becomes available it will be a project that moves into the construction program. The interchange project will help considerably but would not solve the whole bottleneck problem at Macon.

Glen Eagan stated the purpose of the discussion tonight is to determine how serious Macon's interest in a bypass is compared to other needs. Further stating that any money invested towards the bypass study is then not available to put towards any other project in

the area. That is why it is so important to understand how serious Macon is at pursuing a bypass.

Councilman Petre's interest and concern is that if the bypass is taken off list and the Federal Government funds an infrastructure spending bill then a bypass project would not be eligible. The City wants to make sure that the bypass remains on list even if we determine that starting a study would not be appropriate for a couple of years. The City still supports the bypass project and continues to search for funding solutions, perhaps cost share like 4-lane Hwy 36 project was, but at this time there are other needs, like the Hwy 63&36 interchange, that take priority now. However, it is important for us as a city to remember that the longer we wait to begin the bypass project, the farther away from town the bypass would have to be built, and it is more beneficial for us as a city to keep it closer to town so that we can still have those stopping points for people passing through.

Glen Eagan stated that a feasibility study would have to be completed before the question could be put to the voters about a cost share plan. To make one of these projects a reality is a long process. It is tough getting people to give up property, much harder than it was 25 years ago. Glen expressed that the TAC believes that if the study is started now, it may be possible to have a bypass in ten years. The TAC has discussed \$50,000 funding to get the study started.

Brian Untiedt expressed that the most important thing about these big projects is to keep them in the forefront and fresh in everybody's mind. There is a lot of talk right now of a large infrastructure bill coming out of Federal Government setting up a lot of different ways the items on the unfunded needs list could go in the next couple of years.

**Resolution with respect to the annexation of certain unincorporated area:**

Caleb & Amy Dwiggin submitted a request for annexation of their property at 29352 Kellogg Avenue. The Council must pass a resolution setting the public hearing date and time at which any interested person, corporation, or political subdivision may present evidence regarding the proposed annexation.

Councilman Thompson moved to approve Resolution 2021-04-13 setting the public hearing date of May 6, 2021 at 6:30 P.M. with respect to the annexation of a certain unincorporated area and setting a Special Council Meeting for May 24, 2021 at 6:30 P.M. for presentation to the Council of an ordinance that would complete the annexation process. The motion was seconded by Councilman Schlanker and approved by all present voting in favor, except that Councilman Caleb Dwiggin, the petitioner, abstained from the vote.

**Resolution designating authorized signers for the depository account: CD #1001064:**

Due to banking law changes, the City can no longer pass a blanket resolution naming the incumbent Mayor, City Clerk, and City Treasurer as the signatures for banking transactions. All future certificate of deposit transactions will require a depository resolution authorizing powers and designating the authorized signers and their rights specific to the new investment identified by the deposit number.

Councilman Dwiggin moved to approve the depository resolution authorizing powers and designating authorized signers for CD#1001064. The motion was seconded by Councilman Lea and approved by all present voting in favor.



- Union Street 100' (50' West of Rubey Street to 50' East of Rubey Street)
- East Bourke Street 421' (Jackson Street to Rutherford Street)
- Goggin Street 35' (Hyde Street to Lewis Street)
- Vine Street/Rubey Street intersection, including 2" full road mill) water leak area

Councilman Petre moved to approve the above list of streets and "Add Alternates" for inclusion in the request for bid and approve increasing the budget by \$252,435. The motion was seconded by Councilman Thompson and approved by all present voting in favor.

**Ordinance – OF THE CITY COUNCIL OF THE CITY OF MACON, MISSOURI RE-ADOPTING CHAPTER 2, SECTIONS 2-91, 2-93, 2-94, AND 2-95; AND AMENDING CHAPTER 2, SECTION 2-92 OF THE CITY CODE OF THE CITY OF MACON, MISSOURI, REGARDING CONFLICTS OF INTEREST DISCLOSURE; DISQUALIFICATION FROM VOTING:**

Councilman Lea moved to place on the first reading, the bill approving the ordinance of the City Council of the City of Macon, Missouri re-adopting chapter 2, sections 2-91, 2-93, 2-94, and 2-95; and amending chapter 2, section 2-92 of the City Code of the City of Macon, Missouri, regarding conflicts of interest disclosure; disqualification from voting. The motion was seconded by Councilman Petre and approved by roll call as follows:

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

Councilman Carr moved to place on the second reading, the bill approving the ordinance of the City Council of the City of Macon, Missouri re-adopting chapter 2, sections 2-91, 2-93, 2-94, and 2-95; and amending chapter 2, section 2-92 of the City Code of the City of Macon, Missouri, regarding conflicts of interest disclosure; disqualification from voting. The motion was seconded by Councilman Thompson and approved by roll call as follows:

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

**Approval of request for Rubey Street Closure and permission to serve alcohol on City streets – Boots & Black Tie:**

2021 17<sup>th</sup> annual Boots & Black Tie event is scheduled for June 5, 2021, 6:30 P.M. to 10:00 P.M. The Maples Repertory Theatre group has requested the usual closure of Rubey Street (Bourke Street to Vine Street) to allow for outdoor dining and seating and waiver of the ordinance so that they may serve alcoholic beverages on Rubey Street in front of the Royal Theater during the event.

Councilman Lea moved to approve the requested closure of Rubey Street, between Bourke and Vine, and to temporarily waive the ordinance so that alcoholic beverages may be served on the city street at the event. The motion was seconded by Councilman Dwiggins and approved by all present voting in favor.

**Approval of request for street closure and Parade Permit October 23, 2021 – Macon City of Maples Marching Festival Parade:**

Jamie Baker, Director of the Macon R-1 Band Department, requested multiple street closures again for the second Macon City of Maples Marching Festival Parade. A map outlining the parade route and staging areas was provided.

Councilman Thompson moved to approve the street closures and Parade Permit for the 2021 Macon City of Maples Marching Festival event. The motion was seconded by Councilman Carr and approved by all present voting in favor.

**Appointment to Housing Authority Board of Commissioners:**

Mayor Holman recommended appointment of Bruce Mobley to the Housing Authority Board of Commissioners to fill the unexpired term of Noah Heaton through December 2024.

Councilman Petre moved to approve the appointment of Bruce Mobley to the Housing Authority Board of Commissioners to serve through December 2024. The motion was seconded by Councilman Lea and approved by all present voting in favor.

**Mayor's report:**

Mayor Holman reported that the City had received an award for 165 years in business at the Macon Area Chamber of Commerce banquet on April 12, 2021.

**Council reports:**

Councilman Petre requested Council to provide feedback on the bypass topic at the May meeting.

Councilman Dutton requested Council to wear face masks for covid prevention during the meetings. He also would like for the department heads to give the department reports instead of the City Administrator summarizing and presenting them.

Councilman Thompson reported a street drainage problem on Maple Lane (Locust to Walnut) because a landowner installed storm water drop boxes too high causing water to pool on the street.

Nothing further reported.

**City Administrator's report:**

City Administrator, Avis Marshall, reported on the following:

- City has been allocated \$983,746.28 through the American Recovery Act. The Federal Government is expected to release guidance for approved expenditures mid-May.
- Surplus items approved for sale at the March meeting netted \$3,060.
- Woodlawn Cemetery shed destroyed by arson fire has been removed by city crews.
- Recreation & Transportation Department crews completed the repairs to the Round House steps. The new steel front door has been ordered.
- MMU purchased and installed the new internet-ready televisions in the Council Chambers to facilitate advanced presentations and remote meetings.
- Two dates are open for the Council Strategic Planning Retreat in June. (it is scheduled for June 10<sup>th</sup> and 11<sup>th</sup>).

- Free market took Interim Fire Chief, Todd Farley, from us as a full-time contract employee. However, he continues to serve as a consultant and we have resumed our search for a new Fire Chief.

**City Clerk’s report:**

MML Capitol Report April 2<sup>nd</sup> is included in the packets for review. There are several topics that would affect Macon.

Tri-County Christian School May Day event was approved and is scheduled for Saturday, May 1<sup>st</sup>. Nixon Industrial Blvd will be closed between Jim’s Road and Holman Construction’s driveway for the duration of the event, 8:00 A.M. – 3:00 P.M.

**Closed Sessions:**

At 8:38 P.M. Councilman Petre moved to go into closed session pursuant to RSMo.§610.021(2) Leasing, purchasing, or sale of real estate and RSMo.§610.021(3) Personnel. The motion was seconded by Councilman Schlanker and approved by roll call vote as follows:

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

Closed session attendance: Petre, Schlanker, Lea, Dwiggins, Thompson, Dutton, Walk, Carr, Holman, Marshall, and Craig.

Councilman Dwiggins moved to approve the eviction of Lessee in airport Hangar#1 and approved sending the eviction notice drafted by Lauber Law. The motion was seconded by Councilman Lea and approved by roll call vote as follows:

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

At 9:47 P.M. Councilman Petre 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, Dutton, Walk, Carr.  
Nay: None.  
Absent: None.

**Adjournment:**

Councilman Schlanker moved to adjourn the meeting. The motion was seconded by Councilman Dwiggins.

The meeting was adjourned at 9:48 P.M.

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Mary Lou Craig, City Clerk

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James T Holman, Mayor