

**The City of Pleasant Hope**  
**5492 Highway H**  
**Pleasant Hope, Mo 65725**  
**City Council Minutes**  
**7 pm June 20, 2011**

1. **Call to Order** – Mayor Richard Harralson called the meeting to order at 7 pm.
2. **Roll call** – Present: Mayor Harralson, Aldermen – Gary Dooley, Michael Brakebill, Diana Shanks. Absent was Aldermen Jamie Hannaford. Also present – City Clerk Lynn Esser, Public Works Director Rick Davis, Police Chief Ricardo Lopez and City Attorney Mel Gilbert.
3. **Moment of Silent Prayer**
4. **Approval of Agenda** – Diana Shanks moved to approve the Agenda. Gary Dooley second. All in favor none opposed.
5. **Approval of Minutes** – May 16, 2011. Gary Dooley moved to approve the Minutes of May 16, 2011. Diana Shanks second. All in favor none opposed.
6. **Approval of Pending Bills** – Gary Dooley moved to pay pending bills. Diana Shanks second. All in favor none opposed.
7. **Comments and Questions from the public**
  - a) **2010 Audit Results – Matt Wallace of Davis, Lynn, & Moots** presented the results. Matt Wallace thanked former Mayor John Homer and City Clerk Lynn Esser for all their hard work which resulted in an audit which had more commendables than recommendations. The City’s financials are in excellent condition.
  - b) **Jeremy Spradlin – 206 W Cowden.** Mr. Spradlin advised Council of all his hard work in trying to find the water leak which is now fixed. Diana Shanks moved to reduced Mr. Spradlin’s charges to \$95 per month for March, April and May 2011. Michael Brakebill second. All in favor none opposed.
  - c) **Lynda Moore – 504 W Cowden.** Ms. Moore advised Council that she had a toilet that was stuck over a weekend and she has had the toilet repaired. Diana Shanks moved to average Ms. Moore’s bill using the only available months of March and April. Michael Brakebill second. All in favor none opposed.
  - d) **Rebecca Bakehouse** – Dog Issue – Not present.
  - e) **McKay Perry** – break-in at Diamond K – Not present.
  - f) **Opening of Sealed bids for Paving Bradley Street & sealing Adams Street** – Lynn Esser advised Council that three paving companies where sent bid letters but only one company provided a bid. Ball Paving’s bid to remove old pavement and pave Bradley was \$50,900 and to clean cracks and seal Adams St was \$2,300. Gary Dooley moved to table this bid until July 18, 2011. Diana Shanks second. All in favor none opposed.
8. **Old Business:**
  - a) **Status on Metal Recycle Project** –Rick Davis advised Council that this project is complete.
  - b) **Status on cost of new water line under Hwy 215 East of Hwy H** – Rick Davis provided Council with an estimate of \$4,000 for boring under Highway 215, water line parts which includes pipe, meter, meter pit and meter loop. This can only be done if the City is granted a Permit from the State allowing the City to bore under the road. Diana Shanks moved to start the request for a permit and solicit bids for the project to be reviewed at the next regular Council meeting July 18, 2011. Michael Brakebill second. All in favor none opposed.
  - c) **Status on the receipt of Applications for Business License** – Lynn Esser advised Council that there are still several businesses that have yet to purchase business licenses and that she is working with Alderman Shanks to validate the applications. Council will review the non- compliant applicants at the next regular Council meeting July 18, 2011.
  - d) **Status on the receipt of Applications for Liquor License** – Lynn Esser advised Council that neither of the businesses that sell liquor have applied for their City License yet, still have two weeks. City Attorney advised Council that non-compliant retails should be reported to the State. The status of Liquor Licenses will be review at the next meeting on July 18, 2011.
  - e) **Status on the walking trail** – Rick Davis advised Council that the walking trail was really coming along. The base is finished and the final top layer of gravel will be spread soon. He is moving some boulders to the entrances to keep motorized vehicles off the trail.
  - f) **Status on Clean Up of Lot 90** – Rick Davis he is moving dirt to even up the back of the lot, but as a cleanup project it is complete. He will use community service to remove the brush along the back fence.
  - g) **Motion to bring the discussion of what to do with Lot 90 & the North Strip back to the table.** Michael Brakebill move to open discussion on Lot 90. Diana Shanks second. All in favor none opposed. Michael Brakebill move to have this discussion at the end of the meeting and move item 8(h) as well. Diana Shanks second. All in favor none opposed.

- h) **Motion to go into closed session** pursuant to RSMo 610.021, litigation, real estate, hiring, firing, disciplining of employees. See motion above in 8(g)
9. **New Business**
- a) **Bill # 265 – An Ordinance Banning Jake Braking In The City Limits** – Gary Dooley moved to have the first reading of Bill 265 by title only. Diana Shanks second. All in favor none opposed. Mayor Harralson read aloud Bill 265 by title only. Diana Shanks move to amend Bill 265 and replace the words “Jake brake” in the first paragraph to read “braking”. Gary Dooley second all in favor none opposed. Diana Shanks moved to approve the first reading of Bill 265 and have the 2<sup>nd</sup> reading of amended Bill 265 by title only. Gary Dooley second. All in favor none opposed. Mayor Harralson read aloud Bill 265 by title only. Gary Dooley moved to pass Bill 265 as amend. Diana Shanks second. Roll Call Vote: Gary Dooley-yes, Diana Shanks-yes, Michael Brakebill-no, Jamie Hannaford-absent. Passage of Bill #265 failed. Michael Brakebill advised Council that he still believes there are safety issues in banning engine braking and he does not believe that there should be a ban 24/7.
- b) **Resolution # 2-2011 - A Resolution making healthcare bids a 3-year contract** rather than an every year event. Diana Shanks moved to pass Resolution 2-2011. Gary Dooley second. All in favor none opposed. Diana moved to contract with the same company that the City is using now for not more than the next 2-years. Gary Dooley second. All in favor none opposed.
- c) **Discussion on Bulk Water Rates** – Alderman Dooley said he had noticed milk trucks filling up at the hydrant by the water tower and there wasn't a city employee there. City Attorney Mel Gilbert advised Council that under the City's water ordinance that is definitely considered tampering and carries a hefty fine. Michael Brakebill moved to establish a private hauler rate which is to be the same as the residential water only rate and there must be a city employee at the point of fill-up, which will be limited to the hydrant at the tower. A meter will be used to account for the gallons and payment must be made to the City Clerk same day. Gary Dooley second. All in favor none opposed.
- d) **Discussion on Dusk to Dawn light at the City Workshop** – Mayor Harralson. No discussion.
10. **Mayor's Communications** – Advised Council that he attended a very interesting meeting in Buffalo and the topic was a DC Highline that may come through southwest Missouri in the future.
11. **Monthly Park Committee Report** – The Park Committee did not have a spokes-person to present a report. Several members of the committee were in attendance, all with complaints. Complaints were noted by Council. John Homer reported the new bathroom is now vented and ready for a ceiling, electricity is in and further progress is dependent on a volunteer painter to seal the blocks. Mary Higman reported that an order of finished bricks will be coming in this week. Total bricks sold 230. Mayor Harralson let the group know that the lights for the walls are not as durable as hoped and may need replacing sooner than expected.
12. **Monthly Report Attorney** – Mel Gilbert advised the Chief that he received confirmation from the Circuit Court on the destruction of old evidence and to check with the Sheriff for assistance with the more sensitive items.
13. **Monthly Report City Clerk** – Lynn Esser provided Council with all the monthly reports for Water/Sewer and financials. She also provided bids for the soon to be ending postage scale/meter system contract. She advised Council that with water billing now being done by postal permit there is no need to continue the expense of a postage system contract. Diana Shanks moved to allow the City Clerk to discontinue the contract and return to basic stamps. Michael Brakebill second. All in favor none opposed.
14. **Monthly Report Public Works** - Rick Davis. Michael Brakebill moved to go into closed session pursuant to RSMo 610.021, litigation, real estate, hiring, firing, disciplining of employees. Gary Dooley second. Roll Call Vote: Gary Dooley-yes, Diana Shanks-yes, Michael Brakebill-yes, Jamie Hannaford-absent. Council went into closed session at 8:50pm. At 9:05pm City Attorney Mel Gilbert announced Council was back in open session. Michael Brakebill moved to advertise for sealed bids for the sale of the N. Strip of Lot #90 by post notices locally. Diana second. All in favor none opposed. Michael Brakebill moved to assign Lot #90 to the Water and Sewer Departments and to get the building up to useable by allocating up to \$1,000. Diana Shanks second. All in favor none opposed.
15. **Monthly Report Police Dept** – Chief Lopez was called away on police business. He left a written report. City Clerk Lynn Esser advised Council that the Chief would like to attend a free post certification class in Joplin MO in August and use the police cruiser to attend. Diana Shanks moved to allow Chief Lopez to attend a “Safety/Street Survival Training” course in Joplin MO on August 10, 2011 and use the police cruiser for his transportation. Michael Brakebill second. All in favor none opposed.
16. **Adjourn** – Gary Dooley moved to adjourn. Diana Shanks second. All in favor none opposed. Mayor Harralson closed the meeting at 9:14pm

**Closed Session Minutes from June 22, 2011**  
**City Council Meeting**

Council went into closed session at 8:50 pm.

Rick Davis advised Council of the details of another break-in at the City Workshop.

An unsolicited bid to buy the North Strip of Lot 90 was opened. Attorney Mel Gilbert advised Council to stick with their bid process.

Michael Brakebill move to return to open session. Gary Dooley second. All in favor none opposed.

Council returned to open session at 9:05pm.

---

Mayor Richard Harralson

---

City Clerk Lynn Esser