



P.O Box 370
Kimberling City, Missouri 65686
417-739-4903, Fax 417-739-2752
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MINUTES

The regular meeting of the
Board of Aldermen
City of Kimberling City, Missouri
August 13, 2021

Called to order 6:30 pm by Mayor Robert E. Fritz

This meeting was held with a virtual option:

<https://us02web.zoom.us/j/84641095231?pwd=cEk4MG11TTVvaEtpUHhqVIVieXdVZz09>

Meeting ID: 846 4109 5231

Passcode: 017176

Acknowledgement of quorum:

Alderman Virgil Moore: Present- Present
Aldерwoman Michele Stump: Present
Alderman Christian Martin: Present
Alderman Dan Jacobs: Present

Also Present:

Jerry Harman (City Administrator), Laura Cather (City Clerk), Larry Brown (City Treasurer), Sara Fennema (Deputy City Clerk), and 5 citizens.

Virtual: Jeremy Jasso, Leona Baughman

Pledge of Allegiance

Approval of Minutes:

Mayor Fritz asked for a motion to approve the minutes from the regular meeting held on July 6, 2021, the minutes from the closed meeting held on July 6, 2021, and the minutes from the public hearing held on August 3, 2021.

Alderman Moore made a motion to approve the minutes from the regular meeting held on July 6, 2021, the minutes from the closed meeting held on July 6, 2021, and the minutes from the public hearing held on August 3, 2021.

Motion was seconded by Aldерwoman Stump. Discussion followed (none).

Voting Aye: Alderman Moore, Aldерwoman Stump, Alderman Martin, Alderman Jacobs

Voting Nay: None

Motion Carried



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Presentation of Financial Reports:

Mayor Fritz asked for a motion to approve the paid disbursements of \$107,880.09 from July 3, 2021 through July 31, 2021.

Alderman Martin made a motion to motion to approve the paid disbursements of \$107,880.09 from July 3, 2021 through July 31, 2021.

Motion was seconded by Alderman Jacobs. Discussion followed (none)

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs

Voting Nay: None

Motion Carried

City Treasurer Larry Brown presented the July 2021 Financial Report.

Certificate of deposit: Larry Brown let the Board know that in July the City had a CD due that needed to be cashed out or rolled over. Since the July work session was cancelled Larry made the executive decision with approval from the City Administrator to roll the CD with a .5% interest rate.

Reading of Bills / Ordinances:

Mayor Fritz asked for a motion to rescind the Commercial 2 (General), and Commercial 3 (Lakefront Overlay) revisions in the Northern and Southern section of Kimberling City that was approved for first reading at the June 2021 Regular Board of Alderman Meeting.

Alderwoman Stump made a motion to rescind the Commercial 2 (General), and Commercial 3 (Lakefront Overlay) revisions in the Northern and Southern section of Kimberling City that was approved for first reading at the June 2021 Regular Board of Alderman Meeting.

Motion was seconded by Alderman Moore. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs

Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve the second reading of Ordinance 509 Zoning and Subdivision Regulations, repealing in its entirety Section 400 Zoning Regulations, of the Kimberling City Code and replacing with amended Section 400, Zoning and Subdivision Regulations. Including the updated Use Table, and Parking Minimum Table. This is the second reading, two are required.

Alderman Moore made a motion to approve the second reading of Ordinance 509 Zoning and Subdivision Regulations, repealing in its entirety Section 400 Zoning



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Regulations, of the Kimberling City Code and replacing with amended Section 400, Zoning and Subdivision Regulations. Including the updated Use Table, and Parking Minimum Table.

Motion was seconded by Alderman Martin. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve the second reading of Ordinance 510 Excavations, amending section 510.020 Excavations of the Kimberling City Code. This is the second reading, two are required.

Alderwoman Stump made a motion to approve the second reading of Ordinance 510 Excavations, amending section 510.020 Excavations of the Kimberling City Code
Motion was seconded by Alderman Jacobs. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve the second reading of Ordinance 511 Applicable Building Codes amending Appendix C of the City Code changing applicable building codes from 2012, to 2015 building regulations. This is the second reading, two are required.

Alderman Martin made a motion to approve the second reading of Ordinance 511 Applicable Building Codes amending Appendix C of the City Code changing applicable building codes from 2012, to 2015 building regulations.

Motion was seconded by Alderman Jacobs. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve the second reading of Ordinance 512 Adult Entertainment repealing in its entirety Section 400.320 Adult Entertainment Establishments, of the Kimberling City Code and replacing with amended Title VI Business and Occupation: Section 606 Adult Entertainment. This is the second reading, two are required.

Alderman Moore made a motion to approve the second reading of Ordinance 512 Adult Entertainment repealing in its entirety Section 400.320 Adult Entertainment Establishments, of the Kimberling City Code and replacing with amended Title VI Business and Occupation: Section 606 Adult Entertainment.

Motion was seconded by Alderwoman Stump. Discussion followed (none)



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Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve the second reading of Ordinance 513 Wireless Facilities amending Title IV Land Use by adding Section 405 Wireless Facilities. This is the second reading, two are required.

Alderwoman Stump made a motion to approve the second reading of Ordinance 513 Wireless Facilities amending Title IV Land Use by adding Section 405 Wireless Facilities.

Motion was seconded by Alderman Jacobs. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Mayor Fritz asked for a motion to approve resolution 470 Real Estate and Personal Property Tax Rate 2021 adopting the 2021 Personal Property and Real Estate Tax Levy for fiscal year beginning January 1, 2021 and ending December 31, 2021. Public hearing was held August 3, 2021.

Alderman Moore made a motion to approve resolution 470 Real Estate and Personal Property Tax Rate 2021 adopting the 2021 Personal Property and Real Estate Tax Levy for fiscal year beginning January 1, 2021 and ending December 31, 2021.

Motion was seconded by Alderman Martin. Discussion followed (none).

Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None

Motion Carried

Unfinished Business:

Zoning Changes- North, Central, and South Kimberling City:

The Board had no changes to add to what the Planning & Zoning Commission requested at the 5:00pm meeting. All changes will be completed and reviewed at the August 23rd Planning & Zoning regular meeting and if approved by Planning & Zoning, a recommendation to move to Public Hearing will be made.

New Business:

Elks Lodge Caterer's License:

City Clerk Cather presented the Elks Lodge caterer's license request to the Board of Aldermen. The Elks Lodge will be holding their annual Elks Lodge Car Show on October 2, 2021. As in years past the Elks Lodge is requesting a caterer's license to allow alcohol sales and consumption in the parking area of 37 Beach Blvd., Kimberling City.



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Alderswoman Stump made a motion to approve the Elks Lodge caterer's license request for the Annual Car Show on October 2, 2021, at 37 Beach Blvd., Kimberling City. Motion was seconded by Alderman Moore. Discussion followed (none).
Voting Aye: Alderman Moore, Alderswoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None
Motion Carried

21 Golden Circle Sewer Leak Adjustment:

City Clerk Cather presented the 21 Golden Circle sewer leak request to the Board of Aldermen. Mrs. LeClaire is requesting a sewer leak on the August 2021 sewer bill. Per Mrs. LeClaire the outdoor hose was left on causing 5.238 gallons of usage over the average monthly use on the account. Per section 700.160 Adjustment of Utility Bill, outdoor faucets left running unattended are not eligible for sewer adjustment. Ms. LeClaire is asking for special consideration for an adjustment.

Alderman Moore made a motion to deny the sewer leak adjustment for 21 Golden Circle.
Motion was seconded by Alderman Martin. Discussion followed (none)
Voting Aye: Alderman Moore, Alderswoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None
Motion Carried

Culvert Clean Up:

Mayor Fritz spoke to the Board of Aldermen about culvert clean up in Kimberling City. At this time, the Public Works department does all clean up on culverts in the city. Mayor Fritz would like to send notice about culvert clean up being the homeowner's responsibility and making an effective date of January 1, 2022.

Mayor Fritz stated he spoke to the Public Works Manager Randy Reed about the time it takes to Public Works Department to clean culverts and respond to complaint calls. The Public Works Department only has a staff of 4, who are also responsible for sewer, and roads & streets. Adding in culvert clean up causes a lot of strain especially when there is a sewer emergency while other work is being done. Mayor Fritz would like to know if the Board of Aldermen think culvert clean up should it be homeowner responsibility. Alderman Jacobs asked if the culvert in the city right of way would that still fall under homeowner responsibility, or would the City have to maintain the culvert? City Administrator Harman responded that the city easement is from the center of the road 20 feet. At this time the city does not have an ordinance that states that the City is responsible to maintain the easements. The Board of Aldermen would like further research done on what the impact would be if culverts were to be maintained by citizens, and what the ordinance would need to be put into place and how would citizen



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notification be sent out. This will be discussed at a future meeting when all information is collected.

Public Comments and Presentations:

Andy Murphy, 23 Woodland Ave: Mr. Murphy stated he has never had the city maintain his culvert, and he was not aware that the city maintained the culverts for other people. There are several culverts that have been put in that have had a negative impact for other parcels. Some parcels were installed by the City many years ago and are too small for the area they were installed in.

Mayor Fritz explained to Mr. Murphy that the Public Works Department does go out to the properties that complain and jets culverts and clean the ditches. Some citizens, including him, take care of their own culverts but most don't.

Mr. Murphy also asked if the City would be looking into obtaining bonds for stormwater issues.

City Administrator Harman responded that the City is looking into different options for storm water. City staff, and the Board are aware that storm water drainage is a big issue in the city.

Report of Officers, Boards, and Committees

Economic Development: Economic Development did not meet in July.

Park Board: Park Board met July 27th – The Park Board discussed the Hilltop Park project. The initial cost will be around 50,000 - \$60,000 to get through the planning stages. This price includes the initial survey and mapping. The Park Board has \$30,000 in their account and will be submitting budget requests for 2022. The Park Board would also like a sign placed at the Lakeshore Park with the non-emergency dispatch number for incidents that happen at the park. The Park Board looked at getting a sunshade for Lakeshore, they are doing research on costs. They also discussed bringing another Pickleball tournament to Kimberling City. Once a date is chosen more information will be given.

Police Committee: Police Committee did not meet in July.

Planning & Zoning: Planning & Zoning did not meet in July.

City Administrator: City Administrator Harman let the Board know we are in the process of obtaining a \$60,000 SCEAP grant. As the engineer works on the project, they will bill



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the city. Paperwork is then submitted to DNR for reimbursement so until the funds are released back to the City, the budget funds will show that the account is over budget. Randy Reed has received his code enforcement certifications. We might have to hire a new employee after the new construction Building Inspector retires to give Randy more time to complete inspections. The city will be applying for ARPA funds next week. Half of the fund will be received this year, and the remainder in 2022. The funds will be used for wastewater, more information will be given as funds are released. Aug 18th Stone Co Economic Development Forum will be held in the Community Center starting at 7:30am anyone can attend.

Alderman Moore made a motion to adjourn into closed session pursuant to RSMo 610.021 (3) Personal Information, and RSMo 610.021 (1) Legal Actions.
Motion was seconded by Alderwoman Stump. Discussion followed (none).
Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None
Motion Carried

Alderwoman Stump made a motion to close the closed session meeting, and open in open session on August 13, 2021.
Motion was seconded by Alderman Martin. Discussion followed (none).
Voting Aye: Alderman Moore, Alderwoman Stump, Alderman Martin, Alderman Jacobs
Voting Nay: None
Motion Carried

Meeting Adjourned: 7:32 pm

APPROVED:

Robert Fritz, Mayor

ATTEST:

Laura Cather, City Clerk