

**The Minutes of the Macon City Council Meeting
October 19, 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, Caleb Dwiggins, Ernie Lea, Jerry Thompson, Greg Wiggans, Chris Walk, and Jerold Carr.

Absent: Dick Schlanker

Approval of minutes from previous meeting:

Councilman Lea moved to approve the Minutes of the September 22, 2021 regular meeting as presented. The motion was seconded by Councilman Carr 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 Carr and approved by all present voting in favor.

Financial Report:

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

Old Business:

None.

New Business:

MIRMA Grant Award – Kelly Beets

Annually, the City's insurance provider, MIRMA, awards Risk Management Grants. Member cities were awarded almost \$275,000 in 2021. Grants awarded to Macon for FY-2022 are as follows:

Police Department	Beacons	\$141.75	(45% of \$315.00)
Police Department	AED & Accessories	\$800.25	(55% of \$1,455.00)
Street Department	Collapsible Signage	\$900.00	(45% of \$2,000.00)
Street Department	Pole Chain Saw	\$310.50	(45% of \$690.00)
MMU	Fall Protection	\$1,373.35	(55% of \$2,497.00)
MMU	Trench Box	\$4,500.00	(45% of \$10,000.00)
MMU	Pipe Saw	\$1,390.50	(45% of \$3,090.00)
MMU	MUTCD Channelizers	\$463.02	(45% of \$1,029.00)

Councilman Dwiggins moved to accept the MIRMA grant awards. The motion was seconded by Councilman Lea and approved by all present voting in favor.

Public Participation – Ryan Walker

Mr. Ryan Walker, former City of Macon Patrol Officer who served as Macon R-1 School District School Resource Officer (SRO), spoke to Council regarding the zero cash payment on his final pay statement and what he felt were inconsistencies and discrepancies in the City's policy and application of the policy regarding such matters.

Mr. Walker resigned on Monday, May 24, 2021 following the end of the 2020-2021 regular school year. Mr. Walker had used all vacations days that were allotted for the full

year (84-hours for 2021). Mr. Walker's final timesheet reflected 38-hours worked and 7.2-hours vacation used, for a total of 45.2-hours. To the extent possible, compensation for final hours worked and vacation used were offset by the pro-rated recapture of vacation days used but not earned as set forth in the employee policy manual (12-month vacation allotment of 84-hours at 5-months worked $[84 \times \frac{5}{12}] = 35$ -hours earned; 84-hours used subtract 35-hours earned=49-hours pro-rated recapture). Therefore, subtracting the 49-hours pro-rated vacation recapture from Mr. Walker's final timesheet of 45.2-hours resulted in zero hours payable and a zero cash payment on his final pay statement.

Mr. Walker reported that during prior conversations with City Administrator, Avis Marshall, and City Clerk, Mary Lou Craig, he had been informed that the City stands behind the policy and the recapture was correctly applied.

Mr. Walker stated that through a Sunshine request he had obtained records on one former employee, who like himself had used the full year allotment of vacation time before voluntarily leaving during the middle of the year (May 15, 2020), however those records show that the other former employee did not have the pro-rated recapture applied to his/her final pay and received full pay for all final hours worked. Mr. Walker expressed awareness that the other former employee's payroll mistake was an acknowledged error of the City but is still confused as to what the City's Employee Policy Manual states and believes it conflicts with his situation (of zero cash payment on his final pay statement).

Having been fully appraised of the topic's occurrence and history several months prior and being aware of the prior meetings between Mr. Walker and the Mayor, Mayor Pro-Tem, Administrator, and City Clerk, the Council had no further questions. Mr. Walker was thanked for his address on the topic.

[note: The former employee final-pay record reference by Mr. Walker in which the pro-rated recapture was not applied was an acknowledge mistake by the City that occurred due to change in personnel (payroll clerk retired April 30, 2020) and Coronavirus Pandemic separation of personnel (e.g. staggered staffing so that only one employee in the business office at one time and the rest worked from home). Once the mistake processed through the banking ACH, no payroll process to recall the payment could be performed. Furthermore, it was an isolated incident. As there were not enough worked hours to offset the entire pro-rated recapture amount, Mr. Walker's final pay statement reflected only 45.2-hours of the pro-rated unearned vacation as recaptured. Collection of the remaining 3.8-hours difference was not pursued.]

Jermey Nelson Relocation Request

Jermey Nelson submitted a request for approval to relocate his primary residence outside the Macon city limits. The proposed location meets the City's Employee Policy Manual section 1400.05 residency requirements for regular employees (no greater than 10-miles and 15-minute response time from City Hall).

Councilman Lea moved to approve the relocation request. The motion was seconded by Councilman Petre and approved by all present voting in favor.

Bid award – winter season 2021-2022 deicing material

Annually the City of Macon requests bids on de-icing material (a.k.a. road salt) for the upcoming winter months. Vendors were required to remit bid responses to City Hall by

12:00 p.m. on Monday, October 18, 2021. The following bids were received for winter 2021-2022 de-icing material:

Vendor	21/22
Cargill Deicing Technology	~
Independent Salt Company	* 83.22
Compass Mineral	NB
Morton Salt	~
Gunther Salt Company	**120.00
Rock Salt USA	119.00
Central Salt	88.35

*Delivery 10-14 days after received order

**Delivery 1-2 days after received order

Due to the City's limited storage capacity which makes product delivery time extremely important, Central Salt was deemed the "lowest best" responsive responsible bidder. Bid packets clearly indicated a delivery time maximum of three days from receipt of order and Independent Salt had communicated prior to submitting a bid that they were aware that their inability to meet that criterion could eliminate them from award regardless of price. The price difference between lowest (Independent Salt) and lowest best (Central Salt) is 5.13 per ton at 250-350 ton, this would cost the City an additional \$1,282.50-\$1,795.50.

Councilman Thompson moved to approve the lowest best bid from Central Salt at \$88.35 per ton for de-icing material for the 2021-2022 season. The motion was seconded by Councilman Wiggans and approved by all present voting in favor.

Discussion and Ordinance Review for City of Macon Ward Redistricting

Every ten years, following a decennial census, the U.S. Census Bureau provides the 50 states, the District of Columbia, and Puerto Rico with population counts to use in their redrawing of congressional and legislative district boundaries. This redistricting process is applied to local municipalities to account for shifts in population. The City of Macon did not redistrict following the 2010 Census (population 5,471), and the 2020 Census data (population 5,457) shows that redistricting is necessary for our community. This process will determine the new boundaries for the four City Council wards based on population.

The redistricting process ensures that the wards from which members of our governing bodies are elected represent the people of the Macon community and that those representations are fair and equitable. Evenly distributing the community by population with a less than 10% deviation between the smallest and largest wards is the acceptable goal. Sensitivity and consideration should also be placed around minority voter interests. Missouri statute 77.030 specifies that ward boundaries in third-class cities (Macon) shall be established by ordinance. Best practice criteria for the redistricting process includes (1) population equity; (2) compact districts of contiguous territory; (3) retention of existing neighborhood boundaries; (4) retention of precinct boundaries; (5) cohesion of other existing communities of interests; (6) desire to retain historic boundaries; and (7) consideration of incumbency. Following the above standard redistricting criteria can avoid challenges to the new district lines.

The vote to approve an ordinance redistricting the wards based upon the 2020 Census data will take place at the November council meeting.

Request for Christmas Parade Permit – Macon Area Chamber of Commerce

The Macon Area Chamber of Commerce is requesting a street closure to host the 2021 Christmas Parade at 6:00 p.m. on Friday, December 3, 2021.

Councilman Thompson moved to approve the request for street closures for the 2021 Christmas Parade. The motion was seconded by Councilman Carr and approved by all present voting in favor.

Appointment to Planning and Zoning Commission

Mayor Holman recommended appointment of Andy Brown to the Planning and Zoning Commission to fill the position of Jack Hearrold (passed away October 8, 2021). Mr. Brown's term will fill the term through November 2025.

Councilman Lea moved to approve the appointment of Andy Brown to the Planning and Zoning Commission to serve through November 2025. The motion was seconded by Councilman Thompson and approved by all present voting in favor.

Appointment to Citizen Advisory Board for Macon Fower-Memorial Airport

Mayor Holman recommended the appointment of Chad Thurnau to the Macon Fower Memorial Airport Citizen Advisory Board to fill the vacancy created by Bernie Orman's term ending. Mr. Thurnau's will fill the term through October 2023.

Councilman Dwiggins moved to approve the appointment of Chad Thurnau to the Macon Fower Memorial Airport Citizen Advisory Board to serve through October 2023. The motion was seconded by Councilman Wiggins and approved by all present voting in favor.

Appointment to Citizen Advisory Board for Macon Fower-Memorial Airport

Mayor Holman recommended the re-appointment of Rod Applebury to the Macon Fower Memorial Airport Citizen Advisory Board to serve through October 2023.

Councilman Carr moved to approve the re-appointment of Rod Applebury to the Macon Fower Memorial Airport Citizen Advisory Board to serve through October 2023. The motion was seconded by Councilman Dwiggins and approved by all present voting in favor.

Appointment to Citizen Advisory Board for Macon Fower-Memorial Airport

Mayor Holman recommended the re-appointment of Chris Shoemaker to the Macon Fower Memorial Airport Citizen Advisory Board to serve through October 2023.

Councilman Thompson moved to approve the re-appointment of Chris Shoemaker to the Macon Fower Memorial Airport Citizen Advisory Board to serve through October 2023. The motion was seconded by Councilman Dwiggins and approved by all present voting in favor.

Mayor's report:

Mayor Holman reported the following:

- The 2021 City Street Overlay Project is finished.
- Jack Hearrold, former employee at the Macon Fower Memorial Airport, passed away on October 8, 2021. The City would like to recognize and express appreciation for Jack's work at the airport as well as his contribution to our community as co-founder of ABC Printers which is still operating in Macon, MO.

Council reports:

Councilman Petre wanted to recognize the Macon Fire Department for responding to the structure fire at 609 Rubey Street. The fire was contained in 1 hour and 45 minutes.

Councilman Thompson recognized the Macon High School Softball team and their terrific season. He reminded everyone that the Macon High School Marching Band is holding their second Band Festival on October 23, 2021 and welcomes the town to watch the bands perform. Lastly, he recognized Macon R-1 Senior, Caylie Wilson, for participating in the State Golf competition in Bolivar, MO.

Everyone was also reminded that the Atlanta Softball team will be playing at the Tigerette Softball field for their Sectional Softball game Wednesday, October 20th at 5:30 p.m.

City Administrator's report:

City Administrator, Avis Marshall, reported the following:

- FY-2022 Budget is underway. City Administrator and City Clerk have met with all department supervisors and will be meeting with the Finance Committee soon.
- Quotes for health insurance for the upcoming year are still being received and reviewed.
- Redistricting the City is open for discussion in regard to the placement of the new ward lines. Council will vote on the new ordinance at the November council meeting.
- Capital Paving and the City Administrator will be reviewing the 2021 Street Overlay Project.
- The Street Department finished pouring the new concrete at the Police Department entrance. They are currently cleaning up stormwater inlets.
- Public Grounds is finishing with their 2021 mowing season.
- The Airport remodel is almost complete. The lobby now features seating space for pilots to eat, work, and plan their next departure.
- The Fire Department responded to a structure fire at 609 N. Rubey Street and was able to contain the fire in 1 hour and 45 minutes. Firefighter 1 & 2 training is complete and the new firefighters are preparing for their state exam. The department also completed live fire training using a burn trailer that was purchased from Region B and has never been used.
- The Police Department has undergone various annual training sessions.
- The Macon Marching Festival will be Saturday, October 23rd. The Macon High School Marching Band will not be competing due to hosting the competition but will be performing. The parade portion starts at 9 a.m. and all are welcome.

City Clerk's report:

None.

Closed Sessions:

At 7:11 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, Dwiggins, Lea, Thompson, Wiggans, Walk, Carr.
Nay: None.
Absent: Schlanker

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

At 8:19 P.M. Councilman Lea moved to come out of closed session. The motion was seconded by Councilman Carr and approved by roll call vote as follows:

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

Adjournment:

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

The meeting was adjourned at 8:20 P.M.

Mary Lou Craigg, City Clerk

James T Holman, Mayor