

**MINUTES
REGULAR COUNCIL MEETING
WEST PLAINS CITY HALL COUNCIL CHAMBERS
Monday, March 18, 2024**

4:30 p.m. Closed Session

5:30 p.m. Regular Session

The West Plains City Council met in closed session on March 18, 2024, in the city hall board room, followed by regular session in the council chambers at 1910 Holiday Lane, with the following members present: Mayor Michael Topliff, Councilmember Jessica Nease, Councilmember John Niesen, and Councilmember Greg Collins.

CLOSED SESSION

I. Adjourn to Closed Session

RSMo 610.021 (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore, and RSMo 610.021 (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. Councilmember Niesen made a motion to go into closed session, seconded by Councilmember Collins. Motion passed. The mayor and council members discussed the appointment of Kellie Mayers to the position of City Clerk. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

	Aye	Nay	Not Voting	Not Present
Councilmember Collins	☒	☐	☐	☐
Councilmember Murrell	☐	☐	☐	☒
Councilmember Nease	☒	☐	☐	☐
Councilmember Niesen	☒	☐	☐	☐
Mayor Topliff	☒	☐	☐	☐

II. Adjourn to Open Session

At 5:12 p.m., Councilmember Niesen made a motion to go into open session, seconded by Councilmember Collins. Motion passed.

OPEN SESSION

I. Preliminaries

Mayor Topliff called the meeting to order and gave the invocation followed by the Pledge of Allegiance.

II. Consent Agenda

1. Approval of minutes for the February 20, 2024 regular meeting
2. Bid- Primary Construction of Lincoln Substation Rebuild
3. Bid- Fire Training Props
4. Approval of Board members:
 1. West Plains Tourism Board:
 1. Shanna Montgomery-Head to fill the unexpired term of John Harris, term set to expire on October 31, 2025.

Councilmember Niesen made a motion to approve the consent agenda, seconded by Councilmember Collins. Motion carried.

III. Recognition of Guests

1. Pat Keefe- Senior Citizen Discounts on Utility Bills - did not speak.
2. State Fire Marshal Tim Bean – Life Saving Awards - did not speak.
3. Jeff Lawrence – Expressed concern about the amount of semi-truck traffic on Lincoln Avenue.

IV. Ordinances

1. Bill 4766 to become Ordinance 4766 – Second Reading. An Ordinance to annex a section of property owned by Justin Huddleston and Kelsie Rasor-Huddleston into the city limits of West Plains. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

	Aye	Nay	Not Voting	Not Present
Councilmember Collins	☒	☐	☐	☐
Councilmember Murrell	☐	☐	☐	☒
Councilmember Nease	☒	☐	☐	☐
Councilmember Niesen	☒	☐	☐	☐
Mayor Topliff	☒	☐	☐	☐

2. Bill 4767 to become Ordinance 4767 – First Reading. An Ordinance to amend Chapter 27 – Nuisance. Repeal Section 27-2(6) – Penalty, and Section 27-2(7); Add Sections 27-2.1 – Notice to Abate and 27-3.2 – Penalty; Replace Section 27-4 – Weeds. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

	Aye	Nay	Not Voting	Not Present
Councilmember Collins	☒	☐	☐	☐
Councilmember Murrell	☐	☐	☐	☒
Councilmember Nease	☒	☐	☐	☐
Councilmember Niesen	☒	☐	☐	☐
Mayor Topliff	☒	☐	☐	☐

3. Bill 4768 to become Ordinance 4768 – First Reading. An Ordinance to approve the adoption of amended budgets for the fiscal year beginning January 1, 2024, and ending December 31, 2024. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

	Aye	Nay	Not Voting	Not Present
Councilmember Collins	☒	☐	☐	☐
Councilmember Murrell	☐	☐	☐	☒
Councilmember Nease	☒	☐	☐	☐
Councilmember Niesen	☒	☐	☐	☐
Mayor Topliff	☒	☐	☐	☐

4. Bill 4769 to become Ordinance 4769 – First Reading. An Ordinance of the City of West Plains to create an Entertainment District by adding the following section 50-455 to the city code: Chapter 50 – Zoning, Article III. – Districts, Division 14. – Entertainment District, section 50-455 Downtown West Plains Entertainment District; Open Cup. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

	Aye	Nay	Not Voting	Not Present
Councilmember Collins	☒	☐	☐	☐
Councilmember Murrell	☐	☐	☐	☒
Councilmember Nease	☒	☐	☐	☐
Councilmember Niesen	☒	☐	☐	☐
Mayor Topliff	☒	☐	☐	☐

V. Resolutions

1. Resolution 2024-03 – A Resolution by the City of West Plains to approve the appointment of Stephanie E. Karr as City Attorney; fixing the compensation of the City Attorney; and Authorizing the City Administrator to execute an agreement for legal services. See Exhibit A. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.
2. Resolution 2024-04 – A Resolution of the City of West Plains to authorize the City Administrator to execute Amendment No. 3 to an owner-engineer agreement with Toth and Associates, Inc., pertaining to a flood prevention project and approving the agreement in its entirety as amended. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.
3. Resolution 2024-05 – A Resolution of the City of West Plains, authorizing the Mayor or City Administrator to execute a grant agreement under the fiscal year 2023 Safe Streets and Roads for All grant program with the U.S. Department of Transportation. Councilmember Niesen made a motion to approve, seconded by Councilmember Collins. Motion passed.

VI. Council Action

VII. State of the City Address

Mayor Topliff commented on the affairs of the city including sale tax revenue, highlights of 2023, and upcoming 2024 projects. Mayor Topliff cited the sale of Lincoln Schoolhouse, completion of the Medical District roadway project, the all-inclusive playground equipment at Butler Children's Park, and the city's comprehensive plan. Looking forward in 2024, the city has projects relating to the Independence Overpass, North Fork detention basin, McCallister's Deli, and Party in the Path for the eclipse.

VIII. Adjourn

The meeting was adjourned at 5:59 p.m.