

NOTICE OF REGULAR BOARD MEETING

Posted December 11th, 2018 4:30 P.M.

Notice is hereby given that the Board of Aldermen will conduct a meeting at **7:00 P.M.** on Tuesday **December 11, 2018** at Bates City, City Hall. Attendees are welcome.

Regular Board Meeting:

Pledge of Allegiance:

Call to Order

Roll Call

Public Participation: This is the time set aside for citizens and individuals to address the Board.

Consent Agenda:

All matters under Consent Agenda, will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Minutes from the Board of Alderman meeting November 13, 2018.
- B. Payment of Bills
- C. Water Loss Report

Old Business:

None

New Business:

Bill No. 2018-12: AN ORDINANCE OF THE CITY OF BATES CITY, MISSOURI, ADOPTING THE BUDGET FOR FISCAL YEAR 2019

Any and all matters which fall within the jurisdiction of the Council.

Staff Reports

- A. City Clerk
- B. City Collector
- C. Police Chief

Closed Session:

Pursuant to Section 610.021 (3) of the Revised Statutes of the State of Missouri pertaining to the hiring, firing, disciplining or promoting of particular employees by public governmental body when personal information about the employee is discussed or recorded.

Next Board of Alderman Meeting: January 8, 2018 at 7:00 pm.

Adjournment: If you require any special accommodations for attendance of this meeting, please notify City Hall at (816) 690-3818 prior to the scheduled commencement.

The City of Bates City

Regular Board of Alderman Meeting

Tuesday, November 13, 2018
7:00 p.m.
City Council Chambers
City Hall
203 2nd Street
Bates City, MO 64011

CALL TO ORDER: The meeting was called to order by Mayor Don White at 7:01 p.m.

ROLL CALL: City Collector, Sandi Beauchamp called the roll. A QUORUM WAS PRESENT:

Present: 4- Don White, Mayor
Roy Trussell, Alderman
Sherry Gaverth, Alderman
Kathleen Palmer, Alderman
Julie White, Alderman

CITY EMPLOYEES PRESENT: City Clerk, Andrea Whitehead, City Collector, Sandi Beauchamp, Police Chief, Danny Long

OTHERS PRESENT: Forrest Jeffery, Pat Trussell, Jesse & Lillian Sanders, Joseph & Marty Lindsey, Brian Weese, and Ruth Beamer.

PUBLIC COMMENTS:

Jesse Sanders asked about being able to take a truck down 4th Street to take dirt to his yard, if it is considered a road. City Clerk, Andrea Whitehead stated that it is 4th Street Terrace that he was referring to, and believes that it is the Rickey's drive way up to the apartment building. That it had been deeded to them. Mayor White asked if there was any other way to get to their property. Sanders stated that he thought the south side was the Rickey's, and the north side was the roadway. Andrea said she would do some research on the matter to see what can be done.

CONSENT AGENDA:

Alderman Palmer motioned with Alderman Trussell seconding to approve the consent agenda. The vote was unanimous.

NEW BUSINESS:

Approval of the 2019-2020 MOPERM insurance Quote. City Clerk, Andrea Whitehead stated that there hasn't been any additions or subtractions to the insurance quote. Mayor White asked if there was a price change. Whitehead stated that there is a difference in price of a couple dollars, but not much. She could get the exact amount if wanted. Mayor White said it wasn't necessary. Alderman Trussell mentioned that it was a lot of insurance coverage for a low premium. Alderman Trussell motioned with Alderman Gaverth seconding. The vote was unanimous.

Bill No. 2018-11: AN ORDINANCE ANNEXING PROPERTY OF JOSEPH F. AND MARTY LINDSEY INTO THE CITY LIMITS OF BATES CITY, MISSOURI

Bill No. 2018-11 was read twice by title. Alderman Palmer made the motion with Alderman Gaverth seconding. The vote was unanimous.

STAFF REPORTS:

CITY CLERK: **Andrea Whitehead** advised the board of the City Hall attic storage space. She presented the board with photos of the attic space and the mess that it is in. Also, Whitehead presented the Missouri Statutes of Record Retention, and how to destroy outdated records. Whitehead stated that if City Hall was to outsource the destruction of the records, it would cost the city thousands of dollars. The starting rates for record shredding is around \$1.00 per pound, making it around \$50.00 per box of papers to be destroyed, along with all the handling fees, trip charges, disposal charges, and etc. The records can be destroyed off site by a trusted source, which the board approves of, to remove any records that are outside the retention period, and be burned. The board approved Police Chief Danny Long, and City Clerk Andrea Whitehead remove the records to be incinerated off site. Mayor White mentioned that it looked like a lot of computers in the attic. Whitehead stated, that any and all electronics that the city had purchased is stored in the attic. Alderman Trussell said that it sounded like a good idea to destroy the records. Alderman Trussell made the motion and Alderman White seconded. Vote was unanimous to let Chief Long, and Whitehead destroy records off site.

POLICE CHIEF: **Chief Danny Long** brought to the board a new part-time officer, Brian Weese, for hire. Brian Weese is currently a full-time officer with Odessa PD. He has worked for the Lafayette County Sheriff's Department, and was the Police Chief for Wellington for 2-3 years. Alderman Trussell motioned to hire part-time officer Brian Weese, with a seconding from Alderman Gaverth. The vote was unanimous. Officer Weese was sworn into to Bates City Police Department by Chief Long. Chief Long updated the board on Officer Neuman's drug dog. He spoke with the prosecuting attorney about getting the certification needed. They agreed to work with the Grain Valley K-9 Sargent for training. Once the K-9 Officer passes his training, and gets his state certification, then he can be used as a city K-9 unit. Chief Long mentioned the traffic accident that occurred today, 11/13/2018, at the intersection of Z Highway, and McDaniel Road. There was a head on collision that resulted in one person being taken by ambulance to the hospital with severe pains in their chest from the air bag deploying. Chief Long reported on the attempted car thefts that took place three weeks ago at LA Auto. The alleged thieves vehicle were spotted on LA Auto's security camera's, which was then spotted on Valero's security camera's, where the alleged later stopped and entered the gas station. Officers were able to ID the alleged from the gas station video. While the alleged were in the gas station, a night shift deputy pulled into the parking lot and by chance ran the plates of the getaway vehicle, in which Chief Long was able to get positive ID's, resulting in the arrest of one individual, and a warrant out by the prosecutor for the other.

CLOSED SESSION:

Pursuant to Section 610.021 (3) of the Revised Statutes of the State of Missouri pertaining to the hiring, firing, disciplining, or promoting of particular employees by public governmental body when personal information about the employee is discussed or recorded. Alderman Palmer motioned for closed session, seconded by Alderman White.

ADJOURNMENT:

Alderman Palmer moved, with Alderman White seconding, to adjourn. **Motion passed 4-0.** The regular meeting of the Bates City Board of Aldermen adjourned at 7:40 p.m.

Mayor, Don White

Date

City Clerk, Andrea Whitehead

Date

CITY OF BATES CITY
2018 MONTHLY WATER REPORT

Month of Usage	Dec	Jan	Feb	Mar	April	May	Jun	Jul	Aug	Sept	Oct	Nov	Totals
Month of Billing	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	

Meter Read Date	12/22/18	1/22/18	2/23/18	3/23/18	4/24/18	5/23/18	6/23/18	7/23/18	8/23/18	9/24/18	10/23/18	11/23/18	
Days in Cycle	31	31	31	31	31	31	31	31	31	30	31	30	
Number of Customers Billed	115	115	117	117	116	112	114	115	117	120	121	120	

Total Gallons Purchased (5th -5th)	1,652,345	1,632,543	1,318,581	1,314,530	1,336,726	1,740,038	1,441,795	1,670,317	1,660,016	1,346,392	1,319,208	1,421,020	17,853,511
Total Gallons Sold	1,209,010	1,410,800	1,254,200	1,129,943	1,093,990	1,229,300	1,117,300	1,180,100	1,155,900	1,128,911	933,066	1,072,907	13,915,427
Total Non Revenue Water	443,335	221,743	64,381	184,587	242,736	510,738	324,495	490,217	504,116	217,481	386,142	348,113	3,938,084
% Non Revenue Water	26.83%	13.58%	4.88%	14.04%	18.16%	29.35%	22.51%	29.35%	30.37%	16.15%	29.27%	24.50%	21.58%

Gallons Billed By PWSd1 to In-System	705,900	709,800	602,600	627,200	684,800	1,043,300	827,900	954,700	1,005,000	723,000	709,500	621,600	9,215,300
Gallons Billed By PWSd1 to Ballerina	509,223	486,360	350,444	335,948	301,738	309,750	299,089	338,971	318,550	314,050	311,792	464,256	4,340,171
Gallons Billed By PWSd1 to I-70	437,222	436,383	365,537	351,382	350,188	386,988	314,806	376,646	336,466	309,342	297,916	335,164	4,298,040

Gallons Metered to Tower	615,800	728,500	716,100	716,100	622,300	783,300	783,300	821,500	1,066,900	818,400	649,400	630,600	9,052,200
Gallons Metered to Ballerina	576,300	506,800	420,200	302,800	328,200	297,500	304,500	307,000	331,600	336,300	298,900	374,200	4,384,300
Gallons Metered to I-70 Mobile	387,400	478,400	424,200	316,300	366,200	383,400	316,800	344,700	360,100	352,500	275,400	313,800	4,319,200

Sold In-System (to city residents)	370,400	425,600	409,800	351,100	399,500	548,400	496,000	528,400	464,200	440,111	358,766	384,907	5,177,184
Sold to Ballerina	576,300	506,800	420,200	302,800	328,200	297,500	304,500	307,000	331,600	336,300	298,900	374,200	4,384,300
Sold to I-70 Mobile	387,400	478,400	424,200	316,800	366,200	383,400	316,800	344,700	360,100	352,500	275,400	313,800	4,319,700

Average In-System Daily Water Sold	11,948.39	13,729.03	13,219.35	11,325.81	12,887.10	17,690.32	16,000.00	17,045.16	14,974.19	14,670.37	11,573.10	12,830.23	13,991.09
Average Ballerina Daily Water Sold	18,590.32	16,348.39	13,554.84	9,767.74	10,587.10	9,596.77	9,822.58	9,822.58	10,696.77	11,210.00	9,641.94	12,473.33	11,842.70
Average I-70 Daily Water Sold	12,496.77	15,432.26	13,683.87	10,219.35	11,812.90	12,367.74	10,219.35	11,119.35	11,616.13	11,750.00	8,883.87	10,460.00	11,671.80

Sni Valley Fire Department Usage		5,000			790			3,600	2,250				11,640
Bulk Water									3,100	3,400			8,100
Leaks													-
Bulk and Misc Usage Total		5,000	-	-	790	-	-	3,600	5,350	3,400	-	-	19,740

Total Water Loss	245,400	297,900	306,300	365,000	222,010	234,900	287,300	369,500	597,350	374,889	290,634	244,093	3,856,276
% Water Loss	39.85%	40.89%	42.77%	50.97%	35.68%	29.99%	36.68%	42.27%	55.99%	45.81%	44.75%	38.71%	42.03%
Average Daily Water Loss	7916.13	9609.68	9880.65	11774.19	7161.61	7577.42	9287.74	12564.52	19269.35	12496.30	9375.29	8136.43	10419.11
Cost of Water Loss By Month	\$1,065.04	\$1,292.89	\$1,329.34	\$1,584.10	\$963.52	\$1,019.47	\$1,246.88	\$1,690.43	\$2,592.50	\$1,627.02	\$1,281.35	\$1,059.36	\$16,731.90

Sewer Customers Count	92	91	89	89	88	89	90	90	92	92	91	91	
Sewer Use In Gallons	323,210	357,700	338,700	297,100	332,800	413,500	370,100	410,600	363,400	362,211	294,750	327,175	4,191,046

COLOR KEY: Across entire water system. Inside City Limits Only Ballerina Only I-70 Mobile Only Sewer

Monthly Invoices By Department Report - Detail w/Invoices

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City of Bates

Fund	Dept	Account	Reference	Check No	Bank	Vendor Name	Invoice Description Line 1	Post Date	Invoice Amount
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10 - GENERAL FUND

00 -

10-00-10112 - CASH - COURT BONDS

3225			60627		CRT10	BATES CITY MUNICIPAL COURT	BOND FORFEITURE	11/20/2018	100.00
3225			60627		CRT10	BATES CITY MUNICIPAL COURT	BOND FORFEITURE	11/20/2018	100.00
November 2018 Totals:									200.00

10-00-10112 - CASH - COURT BONDS TOTALS

00 - TOTALS

200.00

10 - GENERAL

10-10-51110 - TELEPHONE

3236			16570		ODB10	COMCAST	PHONE, CABLE, AND INTERNET	11/30/2018	142.95
November 2018 Totals:									142.95

10-10-51110 - TELEPHONE TOTALS

142.95

10-10-51120 - UTILITIES

3217			16561		ODB10	SPIRE	GAS UTILITY	11/15/2018	42.52
3232			16568		ODB10	BATES CITY WATER CO	WATER BILL	11/30/2018	94.40
3238			16575		ODB10	K C P & L	CITY HALL ELECTRIC	11/30/2018	55.74
3240			16575		ODB10	K C P & L	CITY PARK	11/30/2018	501.50
November 2018 Totals:									694.16

10-10-51120 - UTILITIES TOTALS

694.16

10-10-51130 - INSURANCE

3224			16565		ODB10	MIKE KEITH INSURANCE	BOND FOR NOTARY	11/20/2018	50.00
November 2018 Totals:									50.00

10-10-51130 - INSURANCE TOTALS

50.00

10-10-51140 - OFFICE SUPPLIES

3214			16556		ODB10	BANKCARD-MASTERCARD	CITY HALL CREDIT CARD	11/15/2018	35.85
3236			16570		ODB10	COMCAST	PHONE, CABLE, AND INTERNET	11/30/2018	19.95
3236			16570		ODB10	COMCAST	PHONE, CABLE, AND INTERNET	11/30/2018	49.95
November 2018 Totals:									105.75

November 2018 Totals: 105.75

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10-10-51140 - OFFICE SUPPLIES TOTALS									
10-10-51150 - PRINTING									
		3229	16578		ODB10	SUMNERONE INC	PRINTING	11/30/2018	26.91
		3246	16573		ODB10	DE LAGE LANDEN	PRINTER LEASE	11/30/2018	109.20
									November 2018 Totals:
									136.11
10-10-51150 - PRINTING TOTALS									
10-10-51160 - POSTAGE									
		3214	16556		ODB10	BANKCARD-MASTERCARD	CITY HALL CREDIT CARD	11/15/2018	32.35
									November 2018 Totals:
									32.35
10-10-51160 - POSTAGE TOTALS									
10-10-51170 - COMPUTER EXPENSES									
		3245	16579		ODB10	TYLER TECHNOLOGIES INC	TYLER YEARLY FEE	11/30/2018	1,815.67
									November 2018 Totals:
									1,815.67
10-10-51170 - COMPUTER EXPENSES TOTALS									
10-10-51220 - LEGAL FEES									
		3218	16562		ODB10	WULFF LAW	LEGAL FEES	11/15/2018	318.75
		3218	16562		ODB10	WULFF LAW	LEGAL FEES	11/15/2018	75.00
		3218	16562		ODB10	WULFF LAW	LEGAL FEES	11/15/2018	118.75
									November 2018 Totals:
									512.50
10-10-51220 - LEGAL FEES TOTALS									
10-10-51260 - ELECTION & PUBLICATIONS									
		3231	16574		ODB10	HIGGINSVILLE ADVANCE	PUBLICATION	11/30/2018	237.08
									November 2018 Totals:
									237.08
10-10-51260 - ELECTION & PUBLICATIONS TOTALS									
10-10-51290 - SECURITY									
		3233	16569		ODB10	CENTRAL SECURITY GROUP	ALARM SYSTEM	11/30/2018	56.27
									November 2018 Totals:
									56.27

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10-10-51290 - SECURITY TOTALS									
10-10-51330 - LAWN MAINTENANCE									
		3247	16576		ODB10	PDQ LAWN CARE	MOWING	11/30/2018	325.00
									November 2018 Totals: 325.00
10-10-51330 - LAWN MAINTENANCE TOTALS									
10-10-51340 - SNOW REMOVAL									
		3234	16572		ODB10	DAVE EATON ENTERPRISES	SNOW REMOVAL	11/30/2018	50.00
									November 2018 Totals: 50.00
10-10-51340 - SNOW REMOVAL TOTALS									
10 - GENERAL TOTALS									
11 - POLICE DEPARTMENT									
10-11-40990 - OTHER INCOME									
		3248	16580		ODB10	ANDREA WHITEHEAD	REIMBURSE FOR SHOP WITH A COP	12/03/2018	1,190.00
									December 2018 Totals: 1,190.00
10-11-40990 - OTHER INCOME TOTALS									
10-11-51120 - UTILITIES									
		3217	16561		ODB10	SPIRE	GAS UTILITY	11/15/2018	14.17
		3238	16575		ODB10	K C P & L	CITY HALL ELECTRIC	11/30/2018	55.74
									November 2018 Totals: 69.91
10-11-51120 - UTILITIES TOTALS									
10-11-51290 - SECURITY									
		3233	16569		ODB10	CENTRAL SECURITY GROUP	ALARM SYSTEM	11/30/2018	56.28
									November 2018 Totals: 56.28
10-11-51290 - SECURITY TOTALS									
10-11-51110 - FUEL & OIL									
		3215	16556		ODB10	BANKCARD-MASTERCARD	PD FUEL	11/15/2018	156.26
									November 2018 Totals: 156.26

Monthly Invoices By Department Report - Detail w/Invoices

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10-11-52110 - FUEL & OIL TOTALS									
									156.26
10-11-52120 - VEHICLE MAINTENANCE									
		3213		16559	ODB10	MIDWEST RADAR & EQUIPMENT	POLICE EQUIPMENT	11/15/2018	135.00
								November 2018 Totals:	135.00
10-11-52120 - VEHICLE MAINTENANCE TOTALS									135.00
11 - POLICE DEPARTMENT TOTALS									
12 - COURT									
10-12-51170 - COMPUTER EXPENSES									
		3245		16579	ODB10	TYLER TECHNOLOGIES INC	TYLER YEARLY FEE	11/30/2018	5,427.00
								November 2018 Totals:	5,427.00
10-12-51170 - COMPUTER EXPENSES TOTALS									5,427.00
10-12-51230 - MUNICIPAL JUDGE									
		3228		16567	ODB10	HELM, GARRY	JUDGE'S PAY	11/20/2018	225.00
								November 2018 Totals:	225.00
10-12-51230 - MUNICIPAL JUDGE TOTALS									225.00
12 - COURT TOTALS									5,652.00
10 - GENERAL FUND Totals									
20 - STREET									
20 - STREET									
20-20-51340 - SNOW REMOVAL									
		3234		16572	ODB10	DAVE EATON ENTERPRISES	SNOW REMOVAL	11/30/2018	200.00
								November 2018 Totals:	200.00
20-20-51340 - SNOW REMOVAL TOTALS									200.00
20 - STREET TOTALS									200.00
20 - STREET Totals									200.00
30 - WATER & SEWER									200.00

Monthly Invoices By Department Report - Detail w/Invoices

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			3237	16575	ODB10	K C P & L	3RD ST STREET LIGHTS	11/30/2018	22.55	
			3239	16575	ODB10	K C P & L	WATER DEPT ELECTRICITY	11/30/2018	24.69	
			3242	16575	ODB10	K C P & L	WATER SHED	11/30/2018	16.83	
							November 2018 Totals:		64.07	
			30-31-51120 - UTILITIES TOTALS							64.07
			30-31-51160 - POSTAGE							
			3214	16556	ODB10	BANKCARD-MASTERCARD	CITY HALL CREDIT CARD	11/15/2018	25.36	
							November 2018 Totals:		25.36	
			30-31-51160 - POSTAGE TOTALS							25.36
			30-31-51170 - COMPUTER EXPENSES							
			3245	16579	ODB10	TYLER TECHNOLOGIES INC	TYLER YEARLY FEE	11/30/2018	1,815.66	
							November 2018 Totals:		1,815.66	
			30-31-51170 - COMPUTER EXPENSES TOTALS							1,815.66
			30-31-51270 - MEMBERSHIPS							
			3212	16560	ODB10	MRWA	ANNUAL MEMBERSHIP	11/15/2018	100.00	
			3212	16560	ODB10	MRWA	ANNUAL MEMBERSHIP	11/15/2018	100.00	
							November 2018 Totals:		200.00	
			30-31-51270 - MEMBERSHIPS TOTALS							200.00
			30-31-54010 - WATER PURCHASED							
			3230	16577	ODB10	PWSD #1	WATER PURCHASE	11/30/2018	5,725.37	
							November 2018 Totals:		5,725.37	
			30-31-54010 - WATER PURCHASED TOTALS							5,725.37
			30-31-54050 - OTHER PROFESSIONAL FEES							
			3223	16566	ODB10	O & M ENTERPRISES INC	WATER DEPT SERVICES	11/20/2018	896.62	
							November 2018 Totals:		896.62	
			30-31-54050 - OTHER PROFESSIONAL FEES TOTALS							896.62
			30-31-54070 - SYSTEM MAINT & REPAIRS							
			3216	16558	ODB10	MECO ENGINEERING	WATER MAIN EXTENSION	11/15/2018	950.00	
			30-31-54070 - SYSTEM MAINT & REPAIRS TOTALS							950.00

Monthly Invoices By Department Report - Detail w/Invoices

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30-31-54070 - SYSTEM MAINT & REPAIRS TOTALS November 2018 Totals: 950.00

30-31-55330 - MOWING

3247		16576			ODB10	PDO LAWN CARE	MOWING	11/30/2018	142.50
									November 2018 Totals: 142.50

30-31-55330 - MOWING TOTALS 142.50

30-31-70030 - WATER BONDS - ADMIN FEE

3235		16571			ODB10	COMMERCE BANK NA	WATER/SEWER BONDS ADMIN FEE	11/30/2018	705.00
									November 2018 Totals: 705.00

30-31-70030 - WATER BONDS - ADMIN FEE TOTALS 705.00

31 - WATER TOTALS 10,657.02

32 - SEWER

30-32-51110 - TELEPHONE

3219		16563			ODB10	CENTURYLINK	TELEMETRY PHONE LINE	11/20/2018	37.22
3220		16563			ODB10	CENTURYLINK	LIFT STATION 8232	11/20/2018	31.28
3221		16563			ODB10	CENTURYLINK	LIFT STATION 3808	11/20/2018	32.64
3222		16563			ODB10	CENTURYLINK	LIFT STATION 3565	11/20/2018	31.28
									November 2018 Totals: 132.42

30-32-51110 - TELEPHONE TOTALS 132.42

30-32-51120 - UTILITIES

3241		16575			ODB10	K C P & L	LIFT STATION- GOLDENBELT	11/30/2018	29.72
3242		16575			ODB10	K C P & L	WATER SHED	11/30/2018	16.83
3243		16575			ODB10	K C P & L	LIFT STATION 1ST ST	11/30/2018	35.00
									November 2018 Totals: 81.55

30-32-51120 - UTILITIES TOTALS 81.55

30-32-51160 - POSTAGE

3214		16556			ODB10	BANKCARD-MASTERCARD	CITY HALL CREDIT CARD	11/15/2018	25.35
									November 2018 Totals: 25.35

30-32-51160 - POSTAGE TOTALS 25.35

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City of Bates

Fund	Dept	Account	Reference	Check No	Bank	Vendor Name	Invoice Description Line 1	Post Date	Invoice Amount
30-32-51160 - POSTAGE TOTALS									
									25.35
30-32-51170 - COMPUTER EXPENSES									
		3245	16579		ODB10	TYLER TECHNOLOGIES INC	TYLER YEARLY FEE	11/30/2018	1,815.67
							November 2018 Totals:		1,815.67
30-32-51170 - COMPUTER EXPENSES TOTALS									
									1,815.67
30-32-54050 - OTHER PROFESSIONAL FEES									
		3223	16566		ODB10	O & M ENTERPRISES INC	WATER DEPT SERVICES	11/20/2018	896.63
							November 2018 Totals:		896.63
30-32-54050 - OTHER PROFESSIONAL FEES TOTALS									
									896.63
30-32-54070 - SYSTEM MAINT & REPAIRS									
		3216	16558		ODB10	MECO ENGINEERING	WATER MAIN EXTENSION	11/15/2018	950.00
							November 2018 Totals:		950.00
30-32-54070 - SYSTEM MAINT & REPAIRS TOTALS									
									950.00
30-32-55330 - MOWING									
		3247	16576		ODB10	PDQ LAWN CARE	MOWING	11/30/2018	142.50
							November 2018 Totals:		142.50
30-32-55330 - MOWING TOTALS									
									142.50
30-32-70130 - SEWER BONDS - ADMIN FEE									
		3235	16571		ODB10	COMMERCE BANK NA	WATER/SEWER BONDS ADMIN FEE	11/30/2018	705.00
							November 2018 Totals:		705.00
30-32-70130 - SEWER BONDS - ADMIN FEE TOTALS									
									705.00
32 - SEWER TOTALS									
									4,749.12
30 - WATER & SEWER Totals									
									22,602.18
GRAND TOTAL:									34,419.47

BILL NO. 2018-12

ORDINANCE NO. 5082

**AN ORDINANCE OF THE CITY OF BATES CITY, MISSOURI, ADOPTING THE
BUDGET FOR FISCAL YEAR 2019**

WHEREAS; The City Desires To Set An Ordinance Appropriating From The Revenues Of Bates City, Missouri, Expenditures In Accordance With The 2019 Annual Budget For Bates City, Missouri, And Providing For Adjustments Thereof:

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BATES CITY,
MISSOURI, AS FOLLOWS, TO WIT:**

SECTION 1: Expenditures for the General Fund will be \$187,600 for the year of 2019.

SECTION 2: Expenditures for the Street Fund will be \$7,100 for the year of 2019.

SECTION 3: Expenditures for the Water/Sewer Fund will be \$217,155 for the year of 2019.

This ordinance shall be in full force and effect from and after its passage and approval.

READ TWICE and passed by the Board of Aldermen of the City of Bates City, Missouri, and approved by the Mayor of Bates City this _____ day of December, 2018.

Don White
Mayor of the City of Bates City, Missouri

APPROVED THIS _____ DAY OF DECEMBER, 2018

(SEAL)

ATTEST:

Andrea Whitehead, City Clerk

CITY OF BATES CITY
STATEMENT OF REVENUES AND EXPENSES- ALL FUNDS
PROPOSED 2019 BUDGET

	GENERAL FUND			TOTAL GENERAL FUND	STREET FUND	WATER/SEWER FUND			TOTAL
	GENERAL SUB-FUND	POLICE SUB-FUND	COURT SUB-FUND			WATER SUB-FUND	SEWER SUB-FUND	WATER/SEWER	
INCOME									
PERSONAL PROPERTY TAXES	4,183.00			4,183.00				0.00	4,183.00
REAL ESTATE TAXES	9,076.00			9,076.00				0.00	9,076.00
RAILROAD & UTILITY TAXES	1,100.00			1,100.00				0.00	1,100.00
DELINQUENT TAXES	150.00			150.00				0.00	150.00
TAX PENALTIES				0.00				0.00	0.00
FRANCHISE TAXES - GAS	3,300.00			3,300.00				0.00	3,300.00
FRANCHISE TAXES - ELECTRIC	12,800.00			12,800.00				0.00	12,800.00
FRANCHISE TAXES - TELEPHONE	3,580.00			3,580.00				0.00	3,580.00
SALES TAX	77,500.00			77,500.00		16,000.00	16,000.00	32,000.00	109,500.00
USE TAX	24,500.00			24,500.00				0.00	24,500.00
COUNTY SURTAX	1,300.00			1,300.00				0.00	1,300.00
MOTOR FUEL TAX				0.00	9,000.00			0.00	9,000.00
CITY STICKERS	1,150.00			1,150.00				0.00	1,150.00
DOG LICENCES	20.00			20.00				0.00	20.00
BUSINESS LICENCES	1,400.00			1,400.00				0.00	1,400.00
LIQUOR LICENCES	525.00			525.00				0.00	525.00
BUILDING PERMITS	2,400.00			2,400.00				0.00	2,400.00
INTEREST INCOME	700.00			700.00	10.00	50.00	50.00	100.00	810.00
POLICE TRAINING INCOME		500.00		500.00				0.00	500.00
POLICE DEPARTMENT GRANTS		1,000.00		1,000.00				0.00	1,000.00
COURT FINES & COSTS			25,000.00	25,000.00				0.00	25,000.00
WATER/SEWER BILLINGS				0.00		140,000.00	83,000.00	223,000.00	223,000.00
WATER/SEWER PENALTIES				0.00		1,000.00	1,000.00	2,000.00	2,000.00
OTHER INCOME	500.00	20.00	0.00	520.00	0.00	50.00	50.00	100.00	620.00
TOTAL INCOME	144,184.00	1,520.00	25,000.00	169,704.00	9,010.00	157,100.00	100,100.00	257,200.00	435,914.00
PERCENT OF TOTAL INCOME	33.08%	0.35%	5.74%	38.93%	2.07%	36.04%	22.96%	59.00%	100.00%

EXPENSES

EMPLOYEE EXPENSE

PAYROLL - MAYOR & ALDERMEN	4,320.00		4,320.00							0.00	4,320.00
PAYROLL - OFFICE	42,400.00		53,400.00							4,200.00	57,600.00
PAYROLL - POLICE		59,000.00	59,000.00							0.00	59,000.00
PAYROLL TAXES	3,000.00	3,200.00	6,700.00							600.00	7,300.00
WORK COMP INSURANCE	500.00	1,100.00	1,600.00		300.00	300.00				600.00	2,200.00
TRAINING	100.00	750.00	850.00							0.00	850.00
UNIFORMS		250.00	250.00							0.00	250.00
TRAVEL			0.00							0.00	0.00
EMPLOYEE EXPENSE	50,320.00	64,300.00	126,120.00		0.00	2,700.00	2,700.00			5,400.00	131,520.00

UTILITIES

TELEPHONE	1,400.00	400.00	1,800.00							3,200.00	5,000.00
UTILITIES	8,600.00	1,000.00	9,600.00							8,700.00	18,300.00
UTILITIES	10,000.00	1,400.00	11,400.00		0.00	7,100.00	4,800.00			11,900.00	23,300.00

GENERAL EXPENSES

INSURANCE	2,000.00	5,000.00	7,500.00							5,500.00	13,500.00
OFFICE SUPPLIES	2,000.00	100.00	2,100.00							0.00	2,100.00
PRINTING	1,700.00	50.00	1,750.00							100.00	1,850.00
POSTAGE	500.00	25.00	550.00							400.00	950.00
COMPUTER EXPENSES	2,000.00	2,500.00	5,500.00							4,000.00	14,000.00
ELECTIONS & PUBLICATIONS	500.00	0.00	500.00							200.00	700.00
OFFICE EQUIPMENT			0.00							0.00	0.00
OFFICE EXPENSE	8,700.00	7,675.00	22,400.00		500.00	5,850.00	4,350.00			10,200.00	33,100.00

PROFESSIONAL SERVICES

AUDIT & ACCOUNTING	3,000.00	0.00	3,500.00							4,000.00	7,800.00
LEGAL FEES	3,000.00	0.00	3,000.00							0.00	3,000.00
MUNICIPAL JUDGE FEES			1,500.00							0.00	1,500.00
OTHER PROFESSIONAL FEES			0.00							22,000.00	22,000.00
PROFESSIONAL SERVICES	6,000.00	0.00	8,000.00		300.00	13,000.00	13,000.00			26,000.00	34,300.00

BUILDING & EQUIPMENT											
SECURITY	240.00	240.00		480.00							480.00
BUILDING REPAIRS & MAINTENANCE	1,000.00			1,000.00	100.00	100.00				200.00	1,200.00
EQUIPMENT REPAIRS & MAINTENANCE	100.00	100.00		200.00	1,000.00	1,000.00				2,000.00	2,200.00
LAWN MAINTENANCE	5,000.00			5,000.00	1,000.00	1,000.00				2,000.00	7,000.00
SNOW REMOVAL	400.00			400.00	1,300.00					0.00	1,700.00
SYSTEM REPAIRS & MAINT				0.00	5,000.00	2,000.00				2,000.00	9,000.00
EQUIPMENT		1,000.00		1,000.00						0.00	1,000.00
BUILDINGS & EQUIPMENT	6,740.00	1,340.00	0.00	8,080.00	6,300.00	4,100.00	4,100.00			8,200.00	22,580.00
MISCELLANEOUS											
MEMBERSHIPS	200.00		200.00	400.00		50.00	50.00			100.00	500.00
PLANNING & ZONING	1,500.00			1,500.00						0.00	1,500.00
DISPATCH			2,500.00	2,500.00						0.00	2,500.00
INCARCERATION			500.00	500.00						0.00	500.00
FUEL & OIL			3,000.00	3,000.00						0.00	3,000.00
VEHICLE MAINTENANCE			3,000.00	3,000.00						0.00	3,000.00
WATER PURCHASED				0.00		66,000.00				66,000.00	66,000.00
BOND INTEREST				0.00		5,600.00	5,900.00			11,500.00	11,500.00
BOND PRINCIPAL				0.00		30,600.00	43,000.00			73,600.00	73,600.00
BOND ADMIN FEES				0.00		1,985.00	2,070.00			4,055.00	4,055.00
MISCELLANEOUS	500.00	200.00		700.00			200.00			200.00	900.00
	2,200.00	9,200.00	200.00	11,600.00	0.00	104,235.00	51,220.00			155,455.00	167,055.00
TOTAL EXPENSES	83,960.00	83,915.00	19,725.00	187,600.00	7,100.00	136,985.00	80,170.00			217,155.00	411,855.00
NET REVENUE (EXPENSE)	60,224.00	(82,395.00)	5,275.00	(16,896.00)	1,910.00	20,115.00	19,930.00			40,045.00	24,059.00
TRANSFER TO MAINTENANCE FUND*											
TRANSFER TO GENERAL FUND*	(20,000.00)			(20,000.00)		10,000.00	10,000.00			20,000.00	20,000.00
TRANSFER TO RESERVES FUND*	80,224.00	(82,395.00)	5,275.00	3,104.00	1,910.00	10,000.00	10,000.00			20,000.00	0.00
TOTAL TRANSFERS	60,224.00	(82,395.00)	5,275.00	(16,896.00)	1,910.00	20,115.00	19,930.00			40,045.00	25,059.00
NET	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00

*NOT EXPENSES - TRANSFERS ONLY

LAST YEAR'S BUDGET

BILL NO. 2017-07

ORDINANCE NO. 5070

AN ORDINANCE OF THE CITY OF BATES CITY, MISSOURI, ADOPTING THE BUDGET FOR FISCAL YEAR 2018

WHEREAS; The City Desires To Set An Ordinance Appropriating From The Revenues Of Bates City, Missouri, Expenditures In Accordance With The 2018 Annual Budget For Bates City, Missouri, And Providing For Adjustments Thereof:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BATES CITY, MISSOURI, AS FOLLOWS, TO WIT:

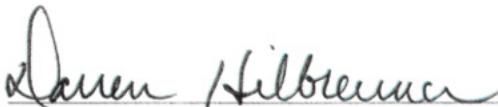
SECTION 1: Expenditures for the General Fund will be \$194,182 for the year of 2018.

SECTION 2: Expenditures for the Street Fund will be \$4400 for the year of 2018.

SECTION 3: Expenditures for the Water/Sewer Fund will be \$229,502. for the year of 2018.

This ordinance shall be in full force and effect from and after its passage and approval.

READ TWICE and passed by the Board of Aldermen of the City of Bates City, Missouri, and approved by the Mayor of Bates City this 12 day of December, 2017.


Darren Hilbrenner
Mayor of the City of Bates City, Missouri

APPROVED THIS 12 DAY OF DECEMBER, 2017

(SEAL)

ATTEST:


Carol Branson, City Clerk

LAST YEAR'S BUDGET

11/13/2017

CITY OF BATES CITY
 STATEMENT OF REVENUES AND EXPENSES
 ALL FUNDS
 PROPOSED 2018 BUDGET

INCOME	GENERAL FUND			TOTAL GENERAL FUND	STREET FUND	WATER/SEWER FUND		TOTAL WATER/SEWER	TOTAL
	GENERAL SUB-FUND	POLICE SUB-FUND	COURT SUB-FUND			WATER SUB-FUND	SEWER SUB-FUND		
PERSONAL PROPERTY TAXES	4,086.00			4,086.00				0.00	4,086.00
REAL ESTATE TAXES	9,687.00			9,687.00				0.00	9,687.00
RAILROAD & UTILITY TAXES	1,032.00			1,032.00				0.00	1,032.00
DELINQUENT TAXES	150.00			150.00				0.00	150.00
TAX PENALTIES	0.00			0.00				0.00	0.00
FRANCHISE TAXES - GAS	4,500.00			4,500.00				0.00	4,500.00
FRANCHISE TAXES - ELECTRIC	12,000.00			12,000.00				0.00	12,000.00
FRANCHISE TAXES - TELEPHONE	4,000.00			4,000.00				0.00	4,000.00
SALES TAX	75,000.00			75,000.00		18,000.00	18,000.00	36,000.00	111,000.00
USE TAX	20,000.00			20,000.00				0.00	20,000.00
COUNTY SURTAX	1,200.00			1,200.00				0.00	1,200.00
MOTOR FUEL TAX					8,800.00			0.00	8,800.00
CITY STICKERS	750.00			750.00				0.00	750.00
DOG LICENSES	30.00			30.00				0.00	30.00
BUSINESS LICENSES	1,500.00			1,500.00				0.00	1,500.00
BUILDING PERMITS	5,000.00			5,000.00				0.00	5,000.00
INTEREST INCOME	100.00			100.00	10.00	50.00	50.00	100.00	210.00
FOUNDERS DAY INCOME								0.00	0.00
POLICE TRAINING INCOME		500.00		500.00				0.00	500.00
POLICE DEPARTMENT GRANTS		1,000.00		1,000.00				0.00	1,000.00
COURT FINES & COSTS			25,000.00	25,000.00				0.00	25,000.00
WATER/SEWER BILLINGS				0.00		150,000.00	90,000.00	240,000.00	240,000.00
WATER/SEWER PENALTIES				0.00				0.00	0.00
WATER TURN ON FEE				0.00				0.00	0.00
PRIMACY FEES				0.00				0.00	0.00
WATER/SEWER CONNECTION FEES				0.00		1,000.00	1,000.00	2,000.00	2,000.00
OTHER INCOME	500.00	20.00		520.00		100.00	50.00	150.00	670.00
TOTAL INCOME	139,535.00	1,520.00	25,000.00	166,055.00	8,810.00	169,150.00	109,100.00	278,250.00	453,115.00
PERCENT OF TOTAL INCOME	30.79%	0.34%	5.52%	36.65%	1.94%	37.33%	24.08%	61.41%	100.00%

LAST YEAR'S BUDGET

CITY OF BATES CITY
STATEMENT OF REVENUES AND EXPENSES
ALL FUNDS
PROPOSED 2018 BUDGET

11/13/2017

EXPENSES	GENERAL FUND			TOTAL GENERAL FUND	STREET FUND	WATER/SEWER FUND		TOTAL WATER/SEWER	TOTAL
	GENERAL SUB-FUND	POLICE SUB-FUND	COURT SUB-FUND			WATER SUB-FUND	SEWER SUB-FUND		
<u>EMPLOYEE EXPENSE</u>									
PAYROLL - MAYOR & ALDERMEN	4,320.00			4,320.00				0.00	4,320.00
PAYROLL - OFFICE	40,000.00		10,000.00	50,000.00		7,500.00	7,500.00	15,000.00	65,000.00
PAYROLL - POLICE		46,000.00		46,000.00				0.00	46,000.00
WATER/SEWER OPERATOR				0.00				0.00	0.00
METER READER				0.00				0.00	0.00
PAYROLL TAXES	3,060.00	3,060.00	765.00	6,885.00		574.00	574.00	1,148.00	8,033.00
UNEMPLOYMENT BENEFITS	0.00	0.00		0.00				0.00	0.00
WORK COMP INSURANCE	500.00	1,100.00		1,600.00		300.00	300.00	600.00	2,200.00
TRAINING	100.00	750.00		850.00				0.00	850.00
UNIFORMS	0.00	500.00		500.00				0.00	500.00
TRAVEL	0.00	0.00		0.00				0.00	0.00
EMPLOYEE EXPENSE	47,980.00	51,410.00	10,765.00	110,155.00	0.00	8,374.00	8,374.00	16,748.00	126,903.00
<u>UTILITIES</u>									
TELEPHONE	1,000.00	500.00		1,500.00		900.00	2,500.00	3,400.00	4,900.00
UTILITIES	7,000.00	700.00		7,700.00		4,000.00	3,500.00	7,500.00	15,200.00
UTILITIES	8,000.00	1,200.00	0.00	9,200.00	0.00	4,900.00	6,000.00	10,900.00	20,100.00
<u>GENERAL EXPENSES</u>									
INSURANCE	2,000.00	4,482.00	500.00	6,982.00	500.00	2,500.00	1,900.00	4,400.00	11,882.00
OFFICE SUPPLIES	2,000.00	100.00		2,100.00		100.00	100.00	200.00	2,300.00
PRINTING	1,500.00	50.00		1,550.00		115.00	115.00	230.00	1,780.00
POSTAGE	500.00	25.00		525.00		200.00	200.00	400.00	925.00
COMPUTER EXPENSES	2,500.00	2,000.00	5,000.00	9,500.00		2,500.00	2,500.00	5,000.00	14,500.00
ELECTIONS & PUBLICATIONS	500.00	100.00	100.00	700.00	50.00	250.00	250.00	500.00	1,250.00
OFFICE EQUIPMENT	0.00	0.00		0.00				0.00	0.00
OFFICE EXPENSE	9,000.00	6,757.00	5,600.00	21,357.00	550.00	5,665.00	5,065.00	10,730.00	32,637.00

LAST YEAR'S BUDGET

CITY OF BATES CITY
 STATEMENT OF REVENUES AND EXPENSES
 ALL FUNDS
 PROPOSED 2018 BUDGET

11/13/2017

	GENERAL FUND			TOTAL GENERAL FUND	STREET FUND	WATER/SEWER FUND		TOTAL WATER/SEWER	TOTAL
	GENERAL SUB-FUND	POLICE SUB-FUND	COURT SUB-FUND			WATER SUB-FUND	SEWER SUB-FUND		
<u>PROFESSIONAL SERVICES</u>									
AUDIT & ACCOUNTING	3,000.00	0.00	500.00	3,500.00	300.00	2,000.00	2,000.00	4,000.00	7,800.00
LEGAL FEES	5,000.00	500.00	500.00	6,000.00				0.00	6,000.00
MUNICIPAL JUDGE FEES			1,500.00	1,500.00				0.00	1,500.00
BUILDING OFFICIAL FEES				0.00				0.00	0.00
OTHER PROFESSIONAL FEES				0.00				20,000.00	20,000.00
PROFESSIONAL SERVICES	8,000.00	500.00	2,500.00	11,000.00	300.00	12,000.00	12,000.00	24,000.00	35,300.00
<u>BUILDING & EQUIPMENT</u>									
SECURITY	200.00	200.00		400.00				0.00	400.00
BUILDING REPAIRS & MAINTENANCE	7,500.00	0.00		7,500.00		500.00	500.00	1,000.00	8,500.00
EQUIPMENT REPAIRS & MAINTENANCE	100.00	100.00		200.00		1,000.00	1,000.00	2,000.00	2,200.00
MOWING	3,000.00			3,000.00	1,000.00	2,000.00	2,000.00	4,000.00	8,000.00
SNOW REMOVAL	400.00			400.00	1,300.00			0.00	1,700.00
SYSTEM REPAIRS & MAINT				0.00		3,500.00	2,000.00	5,500.00	5,500.00
SIGNS & POSTS				0.00	500.00			0.00	500.00
GRAVEL & GRADING				0.00	750.00			0.00	750.00
EQUIPMENT				0.00				0.00	0.00
BUILDINGS & EQUIPMENT	11,200.00	300.00	0.00	11,500.00	3,550.00	7,000.00	5,500.00	12,500.00	27,550.00

LAST YEAR'S BUDGET

11/13/2017

STATE CITY OF BATES CITY
 T OF REVENUES AND EXPENSES
 ALL FUNDS
 OPOSED 2018 BUDGET

	GENERAL		POLICE		COURT		TOTAL GENERAL FUND	STREET FUND	WATER/SEWER FUND		TOTAL WATER/SEWER	TOTAL	
	SUB-FUND	SUB-FUND	SUB-FUND	SUB-FUND	SUB-FUND	SUB-FUND			SUB-FUND	SUB-FUND			
MISCELLANEOUS													
MEMBERSHIPS	800.00				120.00		920.00			100.00	50.00	150.00	1,070.00
PLANNING & ZONING	7,000.00						7,000.00					0.00	7,000.00
FOUNDERS DAY EXPENSES	0.00						0.00					0.00	0.00
DISPATCH		14,000					14,000.00					0.00	14,000.00
INCARCERATION		1,500					1,500.00					0.00	1,500.00
GUNS & AMMO		250					250.00					0.00	250.00
FUEL & OIL		3,000					3,000.00					0.00	3,000.00
VEHICLE MAINTENANCE		3,000					3,000.00					0.00	3,000.00
WATER PURCHASED							0.00			65,000.00		65,000.00	65,000.00
WATER/LAGOON SAMPLING							0.00					0.00	0.00
BOND INTEREST							0.00			4,694.00	4,568.00	9,262.00	9,262.00
BOND PRINCIPAL							0.00			31,500.00	45,000.00	76,500.00	76,500.00
BOND ADMIN FEES							0.00			1,677.00	1,635.00	3,312.00	3,312.00
PRIMACY FEES							0.00			400.00		400.00	400.00
MISCELLANEOUS	1,000.00	200			100.00		1,300.00					0.00	1,300.00
	8,800.00	21,950			220.00		30,970.00	0.00	103,371.00	51,253.00	154,624.00	185,594.00	
TOTAL EXPENSES	92,980.00	82,117			19,085.00		194,182.00	4,400.00	141,310.00	88,192.00	229,502.00	428,084.00	
NET REVENUE (EXPENSE)	46,555.00	(80,597)			5,915.00		(28,127.00)	4,410.00	27,840.00	20,908.00	48,748.00	25,031.00	
TRANSFER TO MAINTENANCE FUND *	(30,000.00)						0.00		10,000.00	10,000.00	20,000.00	20,000.00	
TRANSFER TO GENERAL FUND *	76,555.00	(80,597)					(30,000.00)		15,000.00	15,000.00	30,000.00	0.00	
TRANSFER TO RESERVES *	46,555.00	(80,597)			5,915.00		1,873.00	4,410.00	2,840.00	(4,092.00)	(1,252.00)	5,031.00	
TOTAL TRANSFERS					5,915.00		(28,127.00)	4,410.00	27,840.00	20,908.00	48,748.00	25,031.00	
NET	0.00	0			0.00		0.00	0.00	0.00	0.00	0.00	0.00	

* NOT EXPENSES - TRANSFERS ONLY



ATTORNEY GENERAL OF MISSOURI
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65102

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ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

November 26, 2018

City of Bates City
c/o Ms. Andrea Whitehead, City Clerk
203 North Second Street
P.O. Box 225
Bates City, Missouri 64011

Re: Sunshine Law Complaint – Closing Response

Dear Ms. Whitehead,

As you know, the Missouri Attorney General's Office received a complaint from Mr. Shawn Fox alleging that the City of Bates City violated the Sunshine Law. We reviewed your response to the complaint as well as supporting documentation.

Mr. Fox's complaint concerned a Board of Aldermen meeting on January 9, 2018, where the Board allegedly held a vote in closed session to purchase computer software. The meeting's tentative agenda listed "Discussion: Computer software" as an open-session agenda item. The agenda also indicated that a closed session will be held, citing §§ 610.021(1)-(3) of the Sunshine Law. You have stated that the Board's meeting agendas often listed a variety of subsections of the Sunshine Law regardless of whether the Board actually intended to hold a closed session pursuant to those subsections.

There appears to be no dispute that the Board held a closed session during the January 9, 2018 meeting. During the closed session, the Board discussed purchasing computer software contingent upon later approval by the City's attorney; three members voted in favor of the proposal, and one member voted against it.

Section 610.022.1 of the Sunshine Law requires that before closing a meeting, public governmental bodies must announce a specific section of the Sunshine Law that would authorize the meeting to be closed. However, it is unclear what provision of the Sunshine Law the Board relied on to close the meeting and whether any announcement was made. Mr. Fox's complaint alleges that a specific section was not announced before the Board adjourned to closed session, though he indicated that former Mayor Hilbrenner and the former City Clerk probably read § 610.021(21) in a Sunshine Law booklet before the Board voted to enter into closed session. The meeting minutes indicate that the Board convened the closed-session meeting pursuant to

§ 610.021(21). The agenda cites only to §§ 610.021(1)-(3). And former Mayor Hilbrenner's written statement seems to indicate that he relied solely on § 610.021(1), though his statement does not clarify whether he actually announced that section in open session before convening into closed session.¹

Section 610.021(21) authorizes a public governmental body to close meetings and votes to the extent they relate to the "configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of [those technologies]." However, "[r]ecords relating to the procurement of or expenditures relating to [those technologies]" shall be open records. *Id.*

From our review, it does not appear that the Board's discussion pertained to the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network. And it does not appear that discussing the software in open session would have granted unauthorized access to the software. In any event, § 610.021(21) requires that any records pertaining to the procurement and expenditures of qualifying technologies should be open records. Therefore, while the computer software here is likely not a covered technology under § 610.021(21), even if it were the Board's discussion of and vote to purchase the software likely should have been done in an open-session meeting.

Section 610.021(1) of the Sunshine Law authorizes a public governmental body to close meetings and votes to the extent they relate to "legal actions, causes of action or litigation involving a public governmental body[.]" The Attorney General's Office did not receive sufficient evidence or information to ascertain how § 610.021(1) would have authorized the Board to close the meeting. Ultimately, the public governmental body carries the burden to demonstrate compliance with the Sunshine Law. *See* § 610.027.2.

The City's response to the Sunshine Law complaint acknowledges that the discussion and vote should have been held in open session. The City has also represented to our office that the City's attorney has not approved the software purchase, and that the City has since abandoned its plans to make the purchase. Therefore, although the Board potentially held an improper discussion and vote in closed session, no action or purchase appears to have been made.

The City's response to Mr. Fox's complaint outlined a number of steps that the City has taken to remedy this likely violation of the Sunshine Law. The City has fully disclosed that it should have conducted the discussion and vote in open session; discontinued its plans to purchase the new software; and officially voided the vote at a recent Board meeting. In addition, Mr. Hilbrenner resigned his position as mayor, and the City indicated that City employees also potentially responsible for holding the vote in closed session are no longer employed by the City.

¹ We note that the meeting minutes indicate that Alderman Palmer made the motion to enter into closed session, while the complaint alleges that "[Mayor] Hilbrenner motioned to go into closed session[.]"

You also indicated that the City has discontinued its practice of placing a variety of nonspecific subsections of § 610.021 on the Board's meeting agendas. Instead, it appears that the City is now including specific subsections of § 610.021 on meeting agendas only when the Board actually intends to hold a closed meeting.

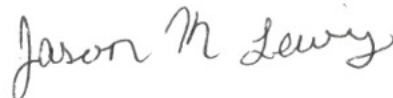
We appreciate that the City has been transparent during this investigation, taken steps to remedy a potential violation of the Sunshine Law, and implemented measures to ensure future compliance with the Sunshine Law. The Attorney General's Office stands ready to assist the City in its efforts to comply with the law. Please contact us if you would like training or additional guidance.

However, if future violations of the Sunshine Law are brought to our attention, the Attorney General's Office will consider taking additional measures to enforce the Sunshine Law, which may include an enforcement action in circuit court under § 610.027.

Finally, we note that the City's website includes a section where meeting agendas and minutes are posted to the public. It appears that some of the links to the files are not operative. We respectfully request that the City ensure that the links are operable so that the public can view the meeting agendas and minutes.

At this time, we have closed Mr. Fox's complaint. Please note that this letter does not constitute an official legal opinion of the Missouri Attorney General. We do not suggest that we are treating you or the City as a client of the Missouri Attorney General's Office. Rather, this letter constitutes a summary of this office's review of, and efforts to resolve, a Sunshine Law complaint. Please contact us if you have any questions about this matter.

Sincerely,



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