

City of Wright City
Board of Aldermen Meeting
March 25, 2010, 6:30 pm

Signed in Attendance: William Schaffer, Tim Schmidt, David Heiliger, Nancy Huster, Bill Stinson, Danny Campbell, Chris Gray, Ken McLaughlin, Tim Reynolds, Vicky Allen, Florence Hoerber, Cindy Graham, James Toothman, and Cathy Mozee.

City Official attendance: Mayor White, Alderman Abercrombie, Alderman Schuchmann, Alderman Black, and Alderman Reynolds were present.

Staff and Others: Superintendent Larry Janish, Economic Developer Karen Gironde, City Clerk Christine Martin, Police Chief Henry Matthews, Police Officer Jeffery Scanlon and Parks Director Curt Kehoe.

Roll Call

City Clerk Christine Martin called roll with Mayor White, Aldermen Schuchmann, Black, Abercrombie and Reynolds present. The City Clerk reported the Mayor and four Board Members present.

Mayor White called the meeting to order at 6:30 pm.

Meeting Minutes

Minutes from Board Meeting of March 11, 2010 – Alderman Schuchmann made a motion to approve the minutes from the Board of Alderman Meeting of March 11, 2010. Alderman Abercrombie seconded it and the motion unanimously carried.

Responses to previous comments/concerns - Cindy Graham asked why a proposed lingerie business was not allowed to open. City Clerk Christine Martin explained that it was considered a Sexually Oriented Business and was not allowed in a Commercial District, only in the Industrial Districts according to the City Code. Cindy Graham asked why they were only allowed in the Industrial District. City Clerk Christine Martin answered because the City passed an ordinance several years ago. Cindy Graham asked why that passed and the City Clerk stated she was not in the City Clerk at that time. Cindy Graham asked if there was a reason why it couldn't be changed so they can come into this town. City Clerk Christine Martin said they are allowed, but only in certain districts. Alderman Abercrombie said he discussed Roberts Rule of Order at the last meeting about speakers coming up to the mike. Cindy Graham stated she was not coming up to the mike and said as far as she knows, Roy White is the Mayor. Mayor White said you can be recognized to speak by standing or sitting and we will not change it. Mayor asked that the speakers name be given so the City Clerk knows who is speaking. Mayor White said anyone wishing to speak can be recognized by the Chairman, including Aldermen. Cindy Graham asked if it is because it is a sexually oriented business that no one wants that business in town. Alderman Reynolds said it was not just lingerie and said there are schools and children in the area. It was suggested to put an age limit on who can go in. City Graham said there are bars in

this town along with children in this town and you are not allowed in the bars unless you are a certain age. She said there are people in this town that would frequent the business, instead of going to another town. Mayor White asked Cindy Graham if she would like to address her alderman in writing regarding changing the ordinance and she said yes. William Schaffer, a former Alderman, asked to speak and explained the adoption of the Ordinance a few years back on Sexually Oriented Businesses. He said it was not something the Board came up with, but was recommended by the Missouri Municipal League and was adopted nearly statewide to limit Sexually Oriented Business to a specific zone. Mr. Schaffer said a public hearing was held and an ordinance was passed.

Nancy Huster addressed the Board and thanked Alderman Abercrombie for bringing it up that if you wish to speak you are to come up to the mike and state your name. Ms. Huster asked Cindy Graham if it was not going to be her business then why should she go around and get names on a petition and Cindy Graham said she wants new businesses in town and may want to frequent the business. Nancy Huster stated that businesses should come to the Board. Mayor White asked to move on with other business. Nancy Huster asked Mayor White why he tries to stop her from talking and not other people in the audience. Mayor White said because it appeared to be a verbal argument going on between the two. Florence Hoeber approached the Board to speak and said she lives on Westwood Road. She stated she's lived in Wright City for 70 years. She stated maybe if we denied the permit because of the Academy being there, it may not matter later on because the Academy is moving after the school year is up. Mayor White read off some meeting rules and said everyone should address the Chair.

Open Meeting to public comments/concerns - Cindy Graham asked about the new business license to Coca Cola and if they receive tax incentives and Karen Girondo stated they were just leasing the building. Ms. Huster stated she thinks the employees of Coca Cola will spend tax money when they come through town and spend money by fueling their trucks, etc. Cindy Graham asked when running for office if there a rule or ordinance that prevents two family members of a household from running for office to be on the Board. Mayor White said not if they are elected into office.

Peggy Sherman was present and asked about the trees that were cut down behind her house by AmerenUE's contractor. It eliminated any privacy she had in the past from the trees. She said there has been a mattress sitting at the apartment building next to her for a month and no one has done anything about it. She said she also feels like the loud music that is heard from the park could be controlled better by the Police Department. Mayor White said when it happens she should call the Police Department. Peggy Sherman said by the time the police get there the noise makers are gone. Larry Janish said that AmerenUE's subcontractor is cutting trees and they have gotten permission from property owners to cut the trees. Peggy Sherman asked if the City was going to get some flowering trees and plant them. She said they were told by the City they could remove any tree they wanted to. Karen said she was asked, as a property owners, for permission from the contractor to cut trees in their rear yard. Peggy Sherman then said that on Friday nights when they have the Jack 'n' Jill games that field lights are on until about 11:00 pm. She asked when do people have to leave the Park. Bill Schaffer said when having games at night, the lights have to go out at 11:00 pm. Ms. Sherman said they did not have any of their trees cut down because they don't want everyone crossing over into her yard. Mayor White

asked Peggy Sherman to work with Larry Janish and Curt Kehoe on the issues she is having. Larry asked if she had called AmerenUE. Peggy Sherman said yes but did not have their name and address. Peggy Sherman then complained about the Dollar General store that is in town that they have been there for three years and there is trash all over their lot and property. She said it is up to everyone to clean up the town.

Cathy Mozee was present and said she was concerned about Westwoods Road sidewalks near the school. She said in one area there is a gully and drop-off next to the walk and thinks there should be a guardrail to prevent kids from falling in and getting hurt. She also said there are some boards sticking up. Alderman Black said he will be up there at 9:00 a.m. in the morning. Larry Janish said he will meet Alderman Black there.

Public Hearing

Application for Conditional Use Permit from Bad Boyz Fireworks to operate a Fireworks Tent Sales at 277 E.N. Service Road - Mayor White asked if there were any comments. Ms. Vicky Allen with Bad Boyz was present. There were no comments

Recommendations from Planning & Zoning

Application for Conditional Use Permit from Bad Boyz Fireworks to operate a Fireworks Tent Sales at 277 E.N. Service Road - Alderman Schuchmann made a motion to accept the recommendations from Planning & Zoning to approve the Conditional Use Permit from Bad Boyz Fireworks for Fireworks sales at 277 E.N. Service Road. Alderman Reynolds seconded it and the motion unanimously carried.

Ordinance/Resolutions

Bill #13-10 was presented to the Board. Bill 13-10 was read for the first time by title. AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT WITH CONCHRAN ENGINEERING FOR PRELIMINARY STUDY FOR A PARK BLOCK GRANT WITH THE CITY OF WRIGHT CITY, MISSOURI. Alderman Schuchmann made a motion to read Bill 13-10 a second time by title. Alderman Abercrombie seconded it and the motion unanimously carried. After the second reading, Alderman Schuchmann moved that Bill #13-10 be placed upon final passage. Alderman Abercrombie seconded it and the motion unanimously carried. Mayor White then put the question “Shall Bill #13-10 be passed and become an ordinance?” Roll call was taken with the following vote:

Alderman Abercrombie	Yea	Alderman Schuchmann	Yea
Alderman Black	Yea	Alderman Reynolds	Yea

The Bill having the majority vote of the members present was adopted. Said Bill was thereupon presented to the Mayor and President of the Board for their signatures and approval. It was then duly signed and becomes Ordinance #710 of the City of Wright City, Missouri.

Old Business

Trotters Creek – Request to take over Streets/Utilities – Alderman Schuchmann stated the City Attorney is reviewing this and we have not heard back from her yet. Alderman Schuchmann made a motion to postpone this request to the next meeting. Alderman Reynolds seconded it and the motion unanimously carried.

Employee Training Contracts - The City Attorney is still reviewing this and we have not heard back from her yet. Alderman Schuchmann made a motion to postpone the Employee Training Contracts to the next meeting. Alderman Abercrombie seconded it and the motion unanimously carried.

New Business

Business License – Bad Boyz Fireworks – 277 E.N. Service Road – Vicky Allen with Bad Boyz Fireworks was present. Alderman Schuchmann made a motion to approve the business license to Bad Boyz Fireworks sales for a business license at 277 E.N. Service Road. Alderman Abercrombie seconded it and the motion unanimously carried.

St. Charles First Assembly of God – Community Fireworks Display - Pastor Chris Gray said it will be operated the same as last year and said he is working with Todd at the Fire Department and he sees no problem. It will be the same schedule as last year. Alderman Schuchmann made a motion to approve the request for a Community Fireworks Display from Pastor Chris Gray. Alderman Abercrombie seconded it and the motion unanimously carried.

St. Charles First Assembly of God – Request for gravel parking lot extension - Pastor Chris Gray said he would like to extend the gravel lot so that he has ample parking for Sunday morning parking. He said he would like to square it off on the north and extend it 25 feet which would increase the parking spaces from 19 to 39 spots. Alderman Black stated we turned one church down already. Florence Hoerber asked the Board how the Church can get an extended parking lot if no one else has been allowed to. It was stated the ordinance has not been changed since 1990. Pastor Gray said he has limited parking which limits his growth. Alderman Schuchmann said the City did deny a gravel lot to a church in the past year and they did not have a definite time plan of when the lot would be asphalted. He said the issue is we have an ordinance on the books require parking lots to be paved. It is the same code that applied to the Flea Market mentioned and the other church that came before the City. It is currently under review to consider changing the code. He said the next Planning and Zoning meeting is scheduled for April 19th

Request for a sign “ Children at Play” – Nancy Huster addressed the Board and said the request is from her neighbor and added the children are allowed to play in the street when they do have a fenced backyard. She said no one abides by the speed limit and there are no speed limit signs that she knows of. Alderman Abercrombie made a motion to approve the request for a “Children at Play” sign to be erected at 403 East North First Street. Alderman Black seconded it and the motion unanimously carried.

Utility Billing – Payment Agreement Requests

Account #100030501 - Alderman Schuchmann made a motion to approve the payment request. Alderman Abercrombie seconded it and the motion unanimously carried

Account #100364003 - Alderman Schuchmann made a motion to approve the payment request but to have Larry review it first to be sure there is not an adjustment needed because of the amount of water used. Alderman Abercrombie seconded it and the motion unanimously carried

Account #500001001 Alderman Schuchmann made a motion to approve the payment request. Alderman Abercrombie seconded it and the motion unanimously carried

Warren County Hazard Mitigation Plan Update 2009 – Request for Participation - Karen Gironde explained that Boonslick Regional Planning Commission heads this up. She said Montgomery County did their plan under this update and their plan was denied because they did not have enough participation from the public entities in the county and they had to start all over. Booneslick Regional Planning Commission is requesting a representative from the City. The first meeting is April 7, 2010. Larry Janish said he would attend the meeting since it is during the day and represent the City. Alderman Schuchmann made a motion to approve Larry Janish to represent the City for the Warren County Hazard Mitigation Plan. Alderman Abercrombie seconded it and the motion unanimously carried

Hall of Fame Award – Missouri Rural Services Worker’ Compensation Insurance Trust – City Clerk Christine Martin asked the Board if they wished to send anyone or to just have the Award sent to the City. Alderman Schuchmann made a motion to approve the Award for the City to just be sent to the City. Alderman Reynolds seconded it and the motion unanimously carried

Business License – Dyer Rents, 465 W.N. Service Road (New Ownership only) - City Clerk Christine Martin explained that the owner would not be able to make it to the meeting. She said the business only changed ownership. Alderman Schuchmann made a motion to approve the Business License to Dyer Rents at 465 W.N. Service Road. Alderman Abercrombie seconded it and the motion unanimously carried

Hickory Trails “PDA” Phase 1, Plat 2 - Karen said there is a new plat on the table because one lot had been dropped from the first plat that was received. Karen said they brought in the application and check list with everything on the check list being complete. Larry said he made an inspection and did not see any problems. Alderman Schuchmann made a motion to approve Hickory Trails “PDA” Phase 1, Plat 2. Alderman Abercrombie seconded it and the motion unanimously carried

Proposal for Engineering – Diekroeger Park CDBG Grant – Karen explained that this request is covered under Bill #13-10 Ordinance – Contract with Cochran Engineering and that it was a miscommunication. .

Sale of Surplus Property – City Clerk Christine Martin stated she has collected a list of items from the City Hall, Public Works, and Police Department and asked if we should publish once or

twice. Alderman Schuchmann said the ad can run for one time and but would like the ad changed asking that the items be bid on separately which can be on the same sheet of paper. Alderman Schuchmann made a motion to approve the sale of Surplus Property and to proceed with the ad. Alderman Abercrombie seconded it and the motion unanimously carried

Water Shut-off Issue - City Clerk Christine Martin said the Board received a copy of the information in their packets and said we have been dealing with the customer for about a week or so. Larry said the water was shut off in September for non payment and during the winter months noticed it leaking into Hwy J's ditch line so they checked it and found there was no lock on the meter anymore. He said someone had removed the lock and was using the water. There are two owners on the mobile home but the property is owned by a family member. Alderman Schuchmann explained the current policy for shut-offs and doesn't see any reason to turn the water back on. We need to make sure the lock stays in place and the water remains off. Alderman Abercrombie thinks the issue is legal and we should run it by the City Attorney. Alderman Schuchmann said he thinks they should be required to pay their bill like anyone else. Alderman Schuchmann made a motion to deny the request. Alderman Abercrombie seconded it and the motion unanimously carried

Reports

Engineering – None

Park - Curt Kehoe gave a report to the Board. He said the GFC outlets were all installed with locking doors and the playground timbers are being moved next week and refilled with more of the pea gravel. Curt said the fence will be installed at Ruge Park as soon as the ground dries up. The Ruge concession stand is almost operational right now. The Wentzville Community Club donated a stainless steel sink and table for Ruge Concession Stand. Curt said he accepted an offer by Nelson Tree Service to trim the trees at Ruge Park at no cost. There are already four (4) reservations this year for the new building at Diekroeger Park. The Easter Egg Hunt will be held on Saturday, March 27th and the National Society kids have stuffed about 5,000 eggs. The local businesses and citizens have donated prizes and the restaurants in town have donated free kids meals to add to the baskets. Nancy Huster said she has some stainless steel pans she would like to donate to the Park Department. Curt Kehoe thanked Nancy Huster for the offer to donate. Peggy Sherman asked if there was a grant that could be applied for to plant trees. Curt said the problem with planting trees along that line is AmerenUE will have to eventually cut them down and if you plant closer to the walk trail you will be planting them in the ditch. Peggy Sherman complained about the loud music at the park.

Public Works - Superintendent Larry Janish gave a report to the Board. Larry said they had a meeting with EDI, Huey Construction, their engineers and the City at the Wil Heiliger Activity Building at Diekroeger Park and discussed issues the City is having at the WWTF. Their engineer went down and toured the WWTF and reported they have to make some changes. Larry said the City needs to get with the engineers from HDR and that most of it will be on EDI. The Lagoon blower motors are all working at this time. Larry said they are replacing about 100 feet of broken sidewalk on Westwood Roads and hopes to have it done by next Friday.

Building Official - Larry Janish stated there were 28 New Home Permits issued, 2 Fence Permits, 2 Basement Remodels and 1 Shed Permit. He said there were 21 New Home Permits for First Construction at The Shires, 3 for Ivie League at Hickory Trails, 2 for Greg Turpin at The Shires, 1 for West Dalton at The Shires, 1 for Cannon Builders at Gettysburg Commons.

Police Department - Chief Matthews gave a report to the Board. He said they've had 277 calls in the last two weeks. They've had a rash of 911 hang-ups they are trying to run down. They just finished up a rape sexual assault case. They are working on three older burglaries at this time. He said they are still working on department policies, which includes pursuit policies, use of force policies, and taser policies. They will also be doing finger printing on children at the Easter Egg Hunt. Chief Matthews said there will be some court mandated community service people available if we need anything done. William Schaffer stated the National Honor Society kids have a mandated 30 hours of community service they have to do and if you need any of them you should call the School and arrange it. Mr. Schaffer said he can be contacted through the National Honor Society or you can contact Mr. Lagemann or Sue Wright at the Wright City High School.

Cindy Graham asked the Chief Matthews why the Police Department can't patrol on Westwoods when the School is letting in and out. Chief Matthews said they are running radar on Westwoods, Wildcat and on Bell. He stated he has two officers that was working on this and was writing summons in that area. Cindy Graham said when she takes her daughter to school there is never an officer there, only after school lets out that you see the officers riding by. Cindy Graham said there was one day when someone went screaming by and there were two police officers sitting at McDonalds Restaurant. Chief Matthews said he will bring it up to his officers, but added he is restricted to only a certain number of officers on duty at a time. Cindy Graham said she saw two officers at McDonalds and one Police Officer sitting at the Midwest Petroleum station. Chief Matthews said the school is not the only thing they have going on. Cathy Mozee asked if the Police Department is doing anything about trying to close the drive-thru on Hwy 'J' road. She said that drive-thru is busier than McDonalds. She said the bad thing is the Wright City Police Officers will sit there while at least 20 people pull in and pull out and then the Police Officer will pull in and talk to the people under the pavilion for another 30 minutes and then back out and leave. Cathy Mozee said the Police Officers sit there and watch while there is traffic at the location. She talked about the bust that went through and her son was involved and said he deserved to be picked up, but there are people out there that are the major dealers that are having the young kids involved. Cathy Mozee said you can drive down 'J' Road any time and they are just waiting cars to drive up. Chief Matthews said he knew about the problem out there, but said they have moved their operation which is in Warren County venue. Alderman Abercrombie said he is confident in the City's Police Department. Chief Matthews said they have made arrests out on 'J' Road for drugs being dealt but can not stop every vehicle that comes out of there and stated we have to abide by the Constitution. Chief Matthews stated he has been threatened with the NAACP because they say the City is harassing them out there. Chief Matthews said they have towed vehicles from out there and have made arrests. The Task Force worked for four years out there and they are still there.

City Hall – City Clerk Christine Martin gave report to the Board and said letters have been sent out to businesses giving them until March 19, 2010, and said there are five businesses that have not complied and asked the Board for a recommendation on the time allowance even though it was her responsibility to enforce the Business Licenses. Alderman Abercrombie said since its March 25th they should be sent a certified letter stating they have until April 15th or we will send the Police Department over to shut them down as the City has been more than lenient by giving them two months after the penalty date of February 15th. Alderman Abercrombie made a motion that a certified letter be sent to the Businesses if their license is not renewed by April 15, 2010, their Business License will no longer exist and they will be shut down. Alderman

Reynolds seconded it and the motion unanimously carried. City Clerk Christine Martin said she spoke with Mary Wilson of MODOT regarding the Highway 70 Annexation and the signs on the service roads have been installed, but we are waiting to hear about the Interstate signs being erected. The Code Updates were received by Sullivan Publications and we should have the updated material back from them by the week of April 12th. After they are received everyone can bring their code books to the office to have it updated.

Treasurer Report – Karen Girondo gave Report and last week was taken up by finishing up all the documents for the Auditors who are here this week and next week. Karen said she met with Gary Miller of Tri-County Agency for updates on the insurance package. She said Gary will have the quote for the Board to review in plenty of time. Karen said they decided not to go out for bids since Gary said the increase will not be that much and their bid last year was significantly lower than the other bids. She said it is easier to bid insurance about every three years.

Economic Development – Karen Girondo reported to the Board and reminded the Board about the Business Breakfast being on Tuesday, March 30, at 7:00 a.m. in the Wil Heiliger Building at Diekroeger Park. She said with spring here people are looking at the area for new businesses and said it helps with the number of new home permits being issued. There are already 46 new home permits and the City budgeted for 30 new home permits. Karen said they did advertise for bid for the South Water Line. Bid Notices are in the paper this week and next week with the Bid opening set for April 20th.

Review/Approval of Bills

Alderman Schuchmann made a motion to approve the Bills. Alderman Abercrombie seconded it and the motion unanimously carried.

Final Questions - Cindy Graham mentioned the issue with the removal of the trees at Ruge Park. She asked if there was a reason they couldn't put a fence there to keep children from running into the yards, and as far as the noise why couldn't we have the Police drive back through there again to make sure no one is there. She suggested maybe putting up a gate to the entrance to the park to deter people from driving through with their loud music and cars when the Park is closed. Peggy Sherman thanked everyone on the Board for doing a good job and said she knows it is a thankless job.

Vote to go to call for Emergency Executive Session - Alderman Reynolds made a motion to come out of regular session and go into an executive session to discuss business relating to Legal as allowed pursuant to the exception of the provisions of Section 610.021(1) RSMo. Alderman Black seconded it and roll call was taken

Alderman Black	Yea
Alderman Reynolds	Yea

Alderman Schuchmann	Yea
Alderman Abercrombie	Yea

The motion carried.

Alderman Schuchmann made a motion to come out of executive session and go into regular session. Alderman Abercrombie seconded it and roll call was taken:

Alderman Black	Yea	Alderman Schuchmann	Yea
Alderman Reynolds	Yea	Alderman Abercrombie	Yea

The motion carried.

Adjournment - Alderman Black made a motion to adjourn the meeting at 8:30 pm. Alderman Reynolds seconded it and the motion unanimously carried

Approved _____

Attested _____