

City of Wright City
Board of Aldermen Meeting
December 10, 2009 6:30 pm

Signed in Attendance: Tim Schmidt, James Toothman, Tim Reynolds, Danny Campbell, Cindy Graham, Rachael Graham, Florence Hoerber, Cathy Mozee, Amy Davis, Daniel LaGarce, Fred Helsere, and James Justice.

Others present not signed in: Police Officer Jeffery Scanlon

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

Staff and Others: Superintendent Larry Janish, Economic Developer Karen Gironde, Parks Director Curt Kehoe, City Clerk Christine Martin, Police Chief Henry Matthews and City Attorney Leslie Tolliver-Rogers.

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 November 12, 2009 – The approval of the minutes were postponed to the next meeting.

Responses to previous comments/concerns - None

Open meeting to public comments/concerns - None

Public Hearing - None

Recommendations from Planning & Zoning

CGA Gould Group – Request for Conditional Use Permit – Flea Market (tabled)

Ordinance/Resolutions

Resolution #39-09 was presented to the Board. Bill #39-09 was read by title. A RESOLUTION FOR THE CITY OF WRIGHT CITY, MISSOURI, TO ORDER A PUBLIC HEARING PURSUANT TO THE PROVISIONS OF SECTION 71.012 R.S.Mo. CONCERNING THE PROPOSED ANNEXATION OF THE FOLLOWING DESCRIBED UNINCORPORATED

AREA OF WARREN COUNTY, MISSOURI, Alderman Schuchmann made a motion to approve Resolution #39-09. Alderman Abercrombie seconded it and the motion unanimously carried. Roll call was taken with the following vote:

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

The Resolution having the majority vote of the members present was adopted. Said Resolution was thereupon presented to the Mayor and President of the Board for their signatures and approval. It was then duly signed and becomes Resolution #39-09 of the City of Wright City, Missouri.

Resolution #40-09 was presented to the Board. Bill #40-09 was read by title. A RESOLUTION FOR THE CITY OF WRIGHT CITY, MISSOURI, TO ORDER A PUBLIC HEARING PURSUANT TO THE PROVISIONS OF SECTION 71.012 R.S.Mo. CONCERNING THE PROPOSED DEANNEXATION OF THE FOLLOWING DESCRIBED INCORPORATED AREA OF WARREN COUNTY, MISSOURI, Alderman Schuchmann made a motion to approve Resolution #40-09. Alderman Abercrombie seconded it and the motion unanimously carried. Roll call was taken with the following vote:

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

The Resolution having the majority vote of the members present was adopted. Said Resolution was thereupon presented to the Mayor and President of the Board for their signatures and approval. It was then duly signed and becomes Resolution #40-09 of the City of Wright City, Missouri.

Old Business

Royalwood Fencing Bids - Larry said he had two other bids for the fence work. He said the lowest bid was from Precision Fence at \$4,661.50, Chesterfield Fence Bid was \$5,715.57, Fence & Deck Depot's bid was \$6040.49 and KDG Fence Inc. bid was \$6709.00. Mayor White asked about the agreement and Alderman Abercrombie asked City Clerk Christine Martin if she had a copy of the agreement. City Clerk Christine Martin retrieved Ordinance #588 with the Agreement and gave the files to the City Attorney for review. Mayor White said there was an ordinance written on the acceptance of the streets and utilities and the agreement. Mayor White said he did not get a copy of any signed agreement. City Attorney Leslie Tolliver-Rogers said the agreement was incorporated into the ordinance and that is all that needs to be if the signatures are on the ordinance. Mayor White said there was no court order as previously thought. He said if the fence for the lift station was approved by the Board he could not find it in the minute books. The City Attorney said the ordinance adopting the contract approving a fence for the Lift Station was approved in 2006. Mayor White said the fence has been talked about for a year and said it's time to put it to rest. City Attorney Leslie Tolliver-Rogers said she thought it was put to rest at the last Board Meeting. Mayor White questioned it. Leslie said yes it had been discussed at the last meeting and she was also asked some questions about it by the Reporter and believed it to be put to rest. Mayor White discussed the ordinance with the City Attorney and asked the City Clerk to provide a copy of the June 8, 2006, Board Minutes to the Board Members. City Attorney Leslie

Tolliver-Rogers quoted a section of the contract pertaining to who shall bear the cost of the fence construction. She said it was in Paragraph 1, Subsection E. on Page 2 of the agreement. Mayor White asked the City Attorney if the Board of a Fourth Class City can obligate another Board with an expense. City Attorney Leslie Tolliver-Rogers answered yes because an ordinance was passed. Larry said he recommended going with Precision Fence.

Alderman Abercrombie made a motion based on Larry Janish's recommendation to approve going with the bid from Precision Fence for the amount of \$4,661.50. Alderman Reynolds seconded it with Aldermen Abercrombie, Reynolds and Black voting yes. Alderman Schuchmann abstained from voting.

Roll call was taken with the following vote:

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

The motion carried.

Water Billing Procedures - City Clerk Christine Martin said this was tabled to wait for the City Attorney's answers to the questions from Robin. Alderman Schuchmann made a motion to adopt the City Attorney, Leslie Tolliver-Roger's prepared written Policy on Water Billing Procedures. Alderman Abercrombie seconded it and the motion unanimously carried. Alderman Schuchmann said we can add on to it if Robin comes up with more scenarios.

New Business

209 Southwest – Use of Building - Larry Janish discussed with the Board whether the owner of a garage at 209 S. West Avenue is able to use the garage for storage since there is not a house there, as the home burned about a year ago. The owner wants to store things in the garage and at a later date build a house on the property. Larry said nothing will be stored outside. Alderman Schuchmann asked if it wasn't outlined in the zoning ordinance that you have to have a residence before you build a garage. Larry said the garage was there when the house burned. Alderman Schuchmann said he believed that as a new owner he would have to occupy the property prior to having the garage put into use as residential. Karen said the ordinance says 'constructed'. City Attorney Leslie Tolliver-Rogers said she does not think the owner will be in violation. The Board indicated there should not be a problem with the request but said there was no need to send a letter.

Utility Billing Adjustment Report for November – City Clerk Christine Martin stated the November Report is with the first Agenda and the individual Adjustment Report on Account 100332003 from Robin is with the Amended Agenda with a credit of \$80.72, due to the multiplier and readings being messed up. Alderman Schuchmann made a motion to approve Utility Billing Adjustment request. Alderman Reynolds seconded it and the motion unanimously carried.

Appointment of Court Clerk - Mayor White announced that a new Court Clerk named Laura Brown was appointed and started work on November 18th.

Hickory Trails “PDA Phase 1, Plat 1 – Karen said the letter was submitted to her asking for approval of the Streets to be turned over to the City. This is the subdivision that has the water and sewer with the Water District #2 and the City will only be responsible for Streets and Street Lights. She said Larry would have to do an inspection which he has done. If the Board is okay then an ordinance would be done at the next meeting. Alderman Abercrombie said he is concerned with whether they have another entrance to the subdivision and that we would be taking over the only entrance to a thousand acres. He said he’s also concerned that we will be taking over the main thoroughfare that will be beat up within a year or whenever the economy picks up. Mayor White said we have another similar subdivision across from the high school with only one entrance with about six homes built there. Mayor White said the streets have already been accepted in that subdivision so whatever damage is caused there due to construction, the City is liable for it. Alderman Abercrombie said that is the way the law reads. Larry said if they have the streets in by final plat the City should accept them. James Justice said the agreement when they came before Planning & Zoning was they agreed to come in off the backside of the property with a construction entrance for concrete trucks for pouring the streets and any heavy equipment or traffic. He said they were supposed to put in three lanes down Bell Road for that subdivision where that entrance will be shut off. There will be 442 homes worth of traffic coming through there. Alderman Schuchmann said that is in their future development plans that they will have the additional entrances coming in but they needed to get to a point where they can connect to those additional roads. He said per Statute that once they have completed the roadway to our specs we have to accept the streets. Alderman Schuchmann said the other construction road was on Phase II of the development plans and at that time we can place a weight limit on the streets. He said when they get to Phase II is when they will connect on out to Bell Road to continue with the project. The City can limit the weight going in on the streets. Alderman Abercrombie made a motion to table this until the next meeting to have time to review the stipulations. Alderman Reynolds seconded it and the motion unanimously carried.

200 South First Street – Damages from Water Contractor – City Clerk Christine Martin explained a previous request that was submitted to the Board along with pictures. A copy of an email from Bart Korman of Lewis & Bade was also provided to the Board with original pictures of the driveway. Larry said this is on Phase II of the Southern Water Line Project. Larry said he was out there today with the engineer and he could not find any damages, other than old cracks. Larry explained the pictures to the Board. He said this is the lady that had damaged flowers around her mailbox and Curt offered to give her some donated flowers. Larry said if the City crew poured her a new driveway approach the cost would be around \$250. Alderman Black made a motion to have Larry Janish work with the City Attorney on this issue. Alderman Schuchmann seconded it and the motion unanimously carried.

Business License – Budget Air Conditioning, Heating & Plumbing LLC – Mr. Daniel LaGarce was present. He said there would be no outside storage. Alderman Schuchmann made a motion to approve the business license to Budget Air Conditioning, Heating & Plumbing LLC. Alderman Reynolds seconded it and the motion unanimously carried.

WWTF – Warranty Issues – Larry Janish talked to the Board about a letter received today about the large cell and that the manufacturer wants to wait until the summer months to fix it. Alderman Schuchmann asked to discuss the issue. He said we had upgrades done to the WWTF

this last year and on top of one of the lagoons is a large rubberized mat that is supposed to support the guy's weight and it failed with them falling through it. He said the Warranty is up around the first week of January and the City does have retention on the contractor for it and a performance bond. Alderman Schuchmann said the manufacturer said they can repair the defects but not until next summer. He asked do we want to let them go that far out or do we ask for an extended warranty. Two of the three blowers for the Lagoon have failed already just within a few months of operation. Alderman Schuchmann said he feels we should also seek an extended warranty on the blowers also. City Attorney Leslie Tolliver-Rogers said we should have a letter signed by them with a detailed course of action. Alderman Schuchmann made a motion to pass this onto City Attorney Leslie Tolliver-Rogers for a detailed plan to be worked out to extend the warranty out on it to be sure it will be taken care of by the company and to address the blowers issue to get an extended warranty on them. Alderman Abercrombie seconded it and the motion unanimously carried.

Larry Janish added the mat is in place which does have growth on it which is supposed to be normal. He said no one is going back out to work on the mat. The blowers are affecting the operation because they are not pumping enough air into the lagoon and the ammonia levels have risen and there is question of whether we are in compliance with DNR. Larry said that both 60 hp. Blowers are now working, but the 15 hp. is still not working. Larry Janish said he would like to have the Warranty extended another year on the blowers. Karen said the Maintenance Bond that was signed at the time of the contract begins on the date the owner accepts said work which is the first week of January.

Safety Equipment - Larry Janish discussed the safety equipment prices for the gas mask assembly, a tripod used to lower the worker into the manhole, and gas detectors. The Tripod with the cable, storage bag, and mine bracket and winch from Schulte Supply will cost \$1958 and from Corro-Tech the tripod with the winch, cable, storage bag, and mine brackets will cost over \$3500. From RKI Instruments the Gas Detector is \$1415 for the large one and the small detector is \$695 both totaling \$2110. The multi-gas universal cartridge mask assembly totaled \$40.96. The cost of Calibration for each gas detector is \$99 for every three months which is \$396 per year. Larry said shoring can be rented from United Rental and they can have it out there in an hour.

Alderman Abercrombie made a motion to approve purchasing the Tripod, Cable Storage Bag, Mine Bracket and Winch from Schulte Supply for the cost of \$1958. Alderman Black seconded it and the motion unanimously carried.

Alderman Abercrombie made a motion to approve purchasing the Safety Mask Assembly for the cost of \$40.96 and Gas Detectors at the cost of \$2110 from Corro-Tech. Alderman Black seconded it and the motion unanimously carried.

2010 Budget – Karen Gironde went over the 2010 Budget and said it needed to be approved by the end of the month. Alderman Schuchmann made a motion to approve the 2010 Budget as presented. Mayor White questioned the proposed budget and raises. He said the 2010 estimated revenue of 2.78 million, the 2010 estimated expense of 3.090 million which comes to a shortfall of the City's estimated revenue verses the estimated expenses of \$302,840. He said with the economy the way it is and businesses shutting down every day he wonders if the estimated revenue

at this time will be good for the entire year. He quoted MML's statement that the Missouri Sales Tax is down 24 percent and said with foreclosures he does not recommend raises until after the first quarter of the year to see how revenues come in. He said the proposed raises were 25 cents per hour part time, 50 cents per hour full time and \$1.50 per hour for three public works employees. Alderman Schuchmann said the \$1 per hour is a pay adjustment. He explained the Budget shortfall is due to the Kerland Water Line Improvement Project. The total raises come to about \$30,000. Alderman Schuchmann said we could either delay the Kerland Water Line Project along with other projects and bank the money for a brighter day or go on with the planned budget. Alderman Schuchmann and Mayor Roy White discussed the budget and raises in detail. Mayor White stated if the money doesn't come in he does not know how the raises will be paid out. Mayor White said he does believe one department needs a raise and it is the Patrolmen on the street because we are having a problem keeping good Policemen in Wright City. He said they come here, train, and move on. He said he has never been in favor of giving raises all across the Board. Alderman Abercrombie told Mayor White that he sat in every meeting and never said a word against it and was in favor of the 50 cents per hour raise. Alderman Schuchmann said the department heads proposed a three (3) percent budget increase and the Mayor White stated if raises are given, everyone should get the same exact amount. Mayor White said he was against a three (3) percent raise because the person on the bottom would get 30 cents and the person on top would get 75 or 80 cent per hour raise. Alderman Schuchmann told Mayor White that he had wanted everyone to get an even 50 cents per hour, but then did not want to approve it. Alderman Schuchmann said raises have not been given in two (2) years. He said the reason the City is able to give raises now is because we have trimmed the Budget for the past four (4) years and have asked the employees to bear with the City. The City operates on a three (3) million dollar budget and the raises were less than one (1) percent of the budget.

Alderman Abercrombie made a motion to approve the 2010 Budget as presented. Alderman Reynolds seconded it with Aldermen Schuchmann, Abercrombie, and Reynolds voting yes. Mayor White announced the vote of 3 to 1. Alderman Black voted no. The motion carried.

No Parking on elm Street – Fourth Street to Ruge Park - Mayor White asked Chief Matthews about no parking on Elm Street and how many complaints he's had. Chief said he would have to look it up. He said a complaint was made by the Public Works because they could not get through because someone was parked on Elm. The ordinance can be amended to add the section of Elm from Fourth Street to Ruge Park. James Toothman asked about parking at the Public Works facility during off time. Alderman Abercrombie said they do it already. Alderman Schuchmann made a motion to extend the "No Parking" on Elm Street from Fourth Street to Ruge Park. Alderman Abercrombie seconded the motion with Aldermen Schuchmann, Abercrombie, Reynolds all voting yes. Alderman Black voted no. The motion carried.

Police Department Resignations/Hiring - Chief Matthews stated he had three items. Chief Matthews stated Jordan Exum wished to be reinstated as full time and he recommended it. Alderman Abercrombie made a motion to reinstate Jordan Exum to full time status as a police officer. Alderman Reynolds seconded it and the motion unanimously carried.

Chief Matthews stated that Officer Bud Chrum resigned. Alderman Abercrombie made a motion to accept the resignation of Bud Chrum. Alderman Reynolds seconded it and the motion unanimously carried.

Chief Matthews stated that Officer Jeffrey Tiemann resigned effective immediately due to medical reasons. Alderman Abercrombie made a motion to accept the resignation of Officer Jeffrey Tiemann. Alderman Reynolds seconded it and the motion unanimously carried.

Tree Removal – 115 S. Locust – Larry Janish discussed a request to remove a tree from 115 S. Locust because the owner said he is afraid it will fall on his house. He said it was also discussed at the Workshop. Mayor White asked Larry if the City ever removed a tree on an easement in the past and Larry said yes. Mayor White stated the easement in a Fourth Class City is maintained by the home owner. Mayor White asked if the City was going to open a can of worms by doing it for one and not the other. He said he drove around and there are many trees on the easement in the City. He then brought up other yard maintenance that would be on the easement. Mayor White said if it is a safety issue the City can send a letter and request that he remove it. If he does not remove it, the City can pay the cost and send him a bill and put a lien on his property. City Attorney Leslie Tolliver-Rogers asked what was wrong with the tree. Larry said it is a forked tree and part of the tree is dead. Alderman Schuchmann made a motion to table pending a liability review by City Attorney Leslie Tolliver-Rogers. Alderman Abercrombie seconded it and the motion unanimously carried.

Reports

Engineering – None

Park - Curt gave report to the Board. He said some sound boards have been put up in the Activity Building and they are working. He said he has the new Park truck and have had brakes and calipers on it. He said he had the decals to put on it. Curt said he has talked to NECAC and they have a \$30,000 Grant and are talking about putting in community gardens. There will be three (3) gardens in Warren County in the City of Truesdale and Wright City being two of them. Curt said the Christmas Parade went well even with the cold weather. They had seven floats in the parade with the High School Band. The Saturday they had Breakfast with Santa went well. He said it is almost Baseball Season and they will be getting ready for sign ups. Curt thanked the Police Department and Henry for their help with the parade.

Public Works - Superintendent Larry Janish gave report to the Board. Larry Janish said they have the salt spreaders mounted and ready to go and have salt and cinders at this time and will order more as needed.

Building Official - Larry Janish stated there were two (2) New Home Permits; one for Vision Building Company at Carter Canyon and one for Cass Properties at Timber Trails. One (1) Shed Permit, two (2) Fence Permits, and also one (1) Sign Permit was issued to Interstate Subs.

Police Department - Chief Matthews gave report and said they've had 380 calls in the last two weeks. Chief Matthews said they have several felony cases at the prosecutor's office waiting for his disposition. They have increased their summons and started their overtime Grant and have received 24 summons on the Grant work. He said their vests are here they have 12 new vests that have been delivered. They are very light weight. They also have three (3) new radios that were picked up from Homeland Security.

City Hall – City Clerk Christine Martin gave report to the Board. She discussed the employees were planning to have an annual Christmas lunch on December 23rd and would like to close City Hall for an hour at noon. The Board had no problem but asked that a notice be posted on the front door.

It was asked about the new Court Clerk getting some training by Data Tech for the Summit update they are planning. The Cost is approximately \$650 per day and it is estimated to be two (2) days maximum. The Board agreed on the training and said the Court Clerk can be allowed to work five (5) days that week and said if possible to have another person sit in on the training. Alderman Schuchmann made a motion to approve the training and for the Court Clerk to work an additional two (2) days that week so not to be under any pressure on her regular duties. Alderman Abercrombie seconded it and the motion unanimously carried.

City Clerk Christine Martin said during the last session she attended on the Missouri Sunshine Law in Warrenton at the Extension Center it was discussed that making copies of records that is not associated with Board Approved Projects, can be charged to elected officials the same as any other Request for Records that we received over the counter. The charge can include reasonable time it takes to research records and the cost of copying which is 10 cents per copy. She added during another meeting the Board indicated any sizable request for copies by an elected official should be brought to them first before any time is spent. Alderman Abercrombie made a motion to make this a policy and prepare a resolution to add this new policy to the ordinance we have that adopts the Missouri Sunshine Law. Alderman Reynolds seconded it and the motion unanimously carried.

City Clerk Christine Martin said another Cell Tower Request was received from the same company as last year. The Board indicated they were not interested and to notify the company.

Treasurer Report – Karen Girondo gave Report and said November Financials are on the desk. She said all departments are within budget for operating funds and looking at two years prior, the General Fund Expenses adding all departments together are lower than the past two years by 8.5 percent for 2008 and 8 percent for 2007. Karen said she spoke with the auditor and has set up the audit for 2009 for the prep work on January 12 through 14 and the actual audit for March 22 through April 2. She said the 2010 Budget is on the Agenda and nothing has been changed since the Workshop. The 2009 Budget will need to be amended at the meeting on December 30th. She said she would get the Board a preliminary adjusted budget with the Agenda for the meeting and the adjustments would need to be made before she could do anything for the New Year.

Economic Development – Karen Girondo announced Kaplan Lumber will be closing their doors on December 17th and about 30 jobs will be lost. She has been in touch with the Career Center so they can bring in a Rapid Response Team to talk with the employees and help them. Karen said she talked to Tom Glosier about interest in the building and putting it on Location One. There has already been a call from a Realtor about the building and she connected them with Tom Glosier.

Karen said next week Thursday East Central Missouri Development Group will be sponsoring a luncheon for the Project Managers for this region from the Department of Economic Development at Donateli's. She said next month the group will be going to St. Louis to the Missouri Partnership and they are hosting a luncheon for them and it will be paid out of the ECMODEV funds. Missouri Partnership is the group that markets the State around the World.

DNR sent a letter stating the application for the Water Study Grant did not have complete information and everything marked on the checklist must have the need explained along with documentation. It was completed on Tuesday and resent to the State. They have received 106 applications.

Karen said she submitted the Spec Building to a prospect from Missouri Partnership this week. Karen said with the Grant received on the vests for \$4,991 and the \$1835 that the Chamber raised, it will cost the City a whopping \$6.77 for all of the vests.

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 was present and asked anything has been discussed about concreting the walkway in the Park so the Handicapped can get around. Curt said the Chamber talked about bringing in extra electric and lighting in the Park and said they have discussed helping with the walks.

Ms. Hoerber asked about payment arrangements that are made and why it has to be public. Mayor White explained that the policy has been changed and it is now approved openly with just the account number and no a name. Alderman Schuchmann explained that the reason behind it, that previously a Clerk was making adjustments to water bills and keeping the money. The Board at that time decided no adjustments could be made over a certain amount without Board approval and knowing who it was. It was changed last year to just use the account number in the open meeting and it has also taken the burden off the water billing clerk of making arrangements. Cindy Graham then asked if anything can be done about bringing in new businesses. Cindy Graham said we just need some competition here but it doesn't have to be a name brand grocery store and said something needs to be done about the grocery store here in town because it is dirty. Alderman Schuchmann stated we have been reaching out to manufacturing processes for jobs, etc., and said Karen does an excellent job as Economic Developer.

Vote to go to closed Executive session – Closed Session was not needed

Adjournment - Alderman Reynolds made a motion to adjourn the meeting at 8:20 pm. Alderman Black seconded it and the motion unanimously carried

Approved _____

Attested _____