

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

Signed in Attendance: Tim Schmidt, Tim Reynolds, Danny Campbell, Greg McLaughlin, Chuck Blackburn, and Gina Allen.

Others present not signed in: Police Officer Jeffery Scanlon, James Toothman and Florence Hoerber.

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 – Alderman Schuchmann made a motion to approve the minutes from the Board of Alderman Meeting of November 12, 2009. Alderman Abercrombie seconded it and the motion unanimously carried.

Minutes from Board Meeting of December 10, 2009 – Alderman Schuchmann made a motion to approve the minutes from the Board of Alderman Meeting of December 10, 2009, with corrections. Alderman Black said he had an objection to the budget approval on page 5. Alderman Schuchmann asked what the objection was. Alderman Black said he objected to the raises and the budget. City Clerk Christine Martin asked Alderman Black if the minutes were incorrect and he stated no. He said he voted no on the budget before and still does not agree and stated his vote still stands. Alderman Abercrombie made a motion to agree with Alderman Schuchmann's recommendation to approve the minutes of December 10, 2009, with corrections. Alderman Reynolds seconded the motion. Mayor White asked for a roll call. Roll call was taken Aldermen Abercrombie, Schuchmann, and Reynolds voted and Alderman Black voted no. The motion carried.

Alderman Black said he was not in agreement with the raises, but said the minutes were correct up to that point. Alderman Schuchmann told Alderman Black that it states in the minutes he voted no

on the budget. Alderman Black said he was just emphasizing the point that he voted against the raises given.

Responses to previous comments/concerns - None

Open meeting to public comments/concerns - None

Public Hearing

Conditional Use Permit Application – Thomas Foster for a home based E-commerce Business at 20 Twin Pines – Mayor White opened the public hearing. Mr. Foster was not present and there was no comment from the public. Mayor White explained the type of business it will be and stated Mr. Foster was at the Planning and Zoning meeting and it was stated since he did not own his home he could not get a business license to have a home business. He was requested to bring proof of ownership. Mayor White closed the public hearing.

Conditional Use Permit Application – Charles Blackburn for a Used Car Sales at 277 East North Service Road – Mayor White opened the public hearing. Mr. Blackburn was present. There was no comment from the public. Mayor White closed the public hearing.

Variance Request from Vision Building Company LLC for variance for 4 foot building line for 113 Bryan Ridge - Mayor White opened the public hearing. Mr. McLaughlin was present. Ms. Hoeber asked if the building was already there. Mr. McLaughlin said he is in the process of building a home and with the subdivision restrictions of a two-car garage and said he needs eight more feet with four feet off the City setback which will leave him six feet off the property line. Mayor White closed the public hearing.

Request for Deannexation of Incorporated Area, Wayne & Sue Pitchford - Mayor White opened the public hearing. Wayne & Sue Pitchford were not present. There was no comment from the public. Mayor White closed the public hearing.

Request for Annexation of Unincorporated Area, Hwy 70 West - Mayor White opened the public hearing and explained to the audience that the annexation was for the State Highway and service roads only. There was no comment from the public. Mayor White closed the public hearing.

Recommendations from Planning & Zoning

CGA Gould Group – Request for Conditional Use Permit – Flea Market (tabled) - City Clerk Christine Martin explained to the Board that she called Ms. Charlotte Schneider and she requested to withdraw her application for the Conditional Use Permit due to the expense of the project.

Conditional Use Permit Application – Thomas Foster for a home based E-commerce

Business at 20 Twin Pines - Alderman Abercrombie made a motion to table the request until the applicant can provide proof of ownership of his home. Alderman Reynolds seconded it and the motion unanimously carried.

Conditional Use Permit Application – Charles Blackburn for Used Car Sales at 277 East

North Service Road - Mr. Blackburn was present. He said the site use to be North Star Sales and is already set up for a used car lot and will lease from Marianne Barley. Alderman Schuchman asked if all his cars will be on the lot and not the grass. Mr. Blackburn said all of the cars will be parked on the gravel lot and not on the grass. Mr. Blackburn said he plans to repair only the cars that he sells and not for the general public. Alderman Schuchmann said the only stipulation he would ask for is that any material storage such as used tires, engine blocks, and other auto parts to be kept inside of the building and not stored on the outside of the building. Mr. Blackburn stated there is plenty of storage area in the back where it would be kept. Alderman Schuchmann made a motion to approve the Conditional Use Permit to Charles Blackburn for used car sales at 277 East North Service Road with the stipulation that there will no outside storage of material or auto parts. Alderman Black seconded it and the motion unanimously carried.

Variance Request from Vision Building Company LLC For variance for 4 foot building line for 113 Bryan Ridge -

Alderman Schuchman stated he looked up variance stipulations in the Municipal Code Book and read that, a variance should be issued because of narrowness, shallowness, shape or substandard size of the parcel or by reason of exceptional topography condition or other extraordinary situations or conditions of specific regulations or amendments thereto would result in a practical difficulty or necessary hardship upon the owner of said property provided. He said in the code book the provisions in Items #5 state, “The hardship is not the result of the applicant’s own action” and #6 states, “The hardship is not merely financial or pecuniary”. Alderman Schuchmann said it appears these reasons do not apply and the reason is just that it is a mistake. Mr. McLaughlin agreed. Alderman Schuchmann said when he took office he swore to uphold the City Municipal Codes and can not vote in contradiction to it. Mr. McLaughlin asked if he could change the lot line and Alderman Schuchmann said if the lines can be re-platted to get to the 10 feet setback then to go ahead with it. Alderman Schuchman made a motion to deny the variance request from Vision Building Company. Alderman Abercrombie seconded it and the motion unanimously carried.

Ordinance/Resolutions

Bill #41-09 was presented to the Board.

Ms. Hoeber asked why it had to be no parking on both sides of the street and where will people park if they have company. She said the houses there only have room for one or two cars in their driveway. Alderman Schuchmann said right now ‘no parking’ goes from the railroad tracks to Fourth Street and those residents are already under the ‘no parking’ on both sides of the street and it has been that way for a long time. Ms. Hoeber said those houses have longer driveways because their houses sit back further. Alderman Schuchmann explained the ‘no parking’ on both sides of the street are for public safety because when there is an event in the park and if an emergency vehicles needs to get to the park they can. Ms. Hoeber stated, in her and any body else’s opinion,

the emergency vehicles can still get to the park if there is only one side as ‘no parking’. Ms. Hoeber said when there is a football game she can’t get through on Westwoods because cars are parked on both sides of the road. Alderman Schuchmann said the City may need to look at that street too. Alderman Schuchmann said he has talked to a lot of people in town that indicated when they are in the park they want to feel safe that emergency vehicles can access the park and do not want to fight with vehicles on the road to have access to the park. Ms. Hoeber stated the bigger problem is the City has no handicap access. Mayor White mentioned a previous request in a subdivision where a signed petition of 50 percent of the residents living there was needed for changing a speed limit sign. Mayor White said he feels the people of Kerland Subdivision should do the same.

Alderman Schuchmann called for a reading of the proposed ordinance. Bill #41-09 was read for the first time by title. AN ORDINANCE ADDING STREETS WHERE PARKING IS PROHIBITED TO SCHEDULE VI OF SECTION 365.030 OF CHAPTER 365 OF TITLE III OF THE WRIGHT CITY MUNICIPAL CODE. The City Clerk read Bill #41-09 by title and said it is for Elm Street, Fourth Street south to Ruge Park. Alderman Schuchmann made a motion to read Bill #41-09 a second time by title. Alderman Abercrombie seconded it. Aldermen Schuchmann, Abercrombie, and Reynolds voted yes and Alderman Black voted no. The motion carried. After the second reading Alderman Schuchmann moved that Bill #41-09 be placed upon final passage. Alderman Reynolds seconded it. Aldermen Schuchmann, Abercrombie, and Reynolds voted yes and Alderman Black voted no. The motion carried. Mayor White then put the question “Shall Bill #41-09 be passed and become an ordinance?” Roll call was taken with the following vote:

Alderman Abercrombie	Yea	Alderman Schuchmann	Yea
Alderman Black	No	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 #700 of the City of Wright City, Missouri.

Old Business

Tree Removal – 115 S. Locust – City Clerk Christine Martin stated this item was tabled from the last meeting. City Attorney Leslie Tolliver-Rogers said it was tabled so that she may have time to talk to Larry. Larry Janish said he talked to the Mayor and it is his understanding that the City is not going to remove the tree. Mayor White said the homeowner is responsible for the easement and maintenance of it, and if we remove the tree on his property it will open up a can of worms and everyone will want their easement maintained by the City. Mayor White said that would be more problems than if we just said no. Mayor White recommends that if it becomes a danger or safety issue the City should send the homeowner a letter requesting that he remove it. He said several years ago when Mr. Mueller owned a building where a tree on the easement fell on the building it was determined to be his responsibility. Larry Janish agreed. City Attorney Leslie Tolliver-Rogers said she and Larry did not get to go over the details of this particular tree on Locust. She said if the tree is owned by the property owner it is the property owner’s responsibility. Alderman Schuchmann made a motion to accept Mayor White’s recommendation to not remove the tree. Alderman Black seconded it and the motion unanimously carried.

WWTF Extended Warrantees - Superintendent Larry Janish said he talked with the contractor Mr. Huey and feels we should have a meeting with him as we need to get some type of extension for the blower motor warranties. Larry said the new upgrades have not even been in operation for a year. Mayor White said if we schedule a meeting with Mr. Huey he thinks the City Attorney should be there. Karen Girondo said the drop date is January 22, 2010. City Attorney Leslie Tolliver-Rogers suggests a meeting be scheduled and gave the dates she would be available to attend during the first week of January. She said any day but Tuesday would be good and Alderman Abercrombie said not Thursday. Mayor White said he would like us to have a meeting with Mr. Huey the first week of January and to post a meeting for Wednesday at 5:00 pm.

Hickory Trails PDA Phase 1 Plat 1 – Alderman Schuchmann said it was tabled from the previous meeting to review and discuss the stipulations that have been placed upon the plat regarding entry roadways. Larry said they are in compliance with what was stipulated. Alderman Abercrombie said Jeff McMillin stated that 250 homes are to be built before another access road is built. He said there was no number written in the minutes so we need to listen to the tape. Alderman Schuchmann said he remembers there was supposed to be a secondary entrance further down Bell Road that it had to loop up. He said once they extended this road to that point is when they were to extend and loop it up. Alderman Abercrombie said they are going west instead of north as originally planned. He said that will delay that process and they'll keep going west and eventually our roads will be shredded. Larry said he will talk to Billie Ivie tomorrow about a possible dirt road for construction to keep trucks off the new streets. Alderman Schuchman said they had a temporary construction entrance off of Ranch Road for the water tower construction and possibly they could use that road. Alderman Abercrombie made a motion to table the item. Alderman Schuchmann seconded it and the motion unanimously carried. Mayor White suggested getting people here at the next meeting for discussion. Karen Girondo stated possibly Bob Glarner or Richard Ditch would probably like to be present to discuss this.

687 Fort Sumpter Court – Travel Trailer Pad Request for Extension until spring – City Clerk Christine Martin stated the resident is requesting an extension for putting in their concrete pad for their trailer. Alderman Schuchmann made a motion to approve the extension until April 1, 2010. Alderman Black seconded and the motion unanimously carried. It was asked to send them a letter notifying them of that date.

New Business

Conditional Use Permit Application – Thomas Foster for a home based E-commerce Business at 20 Twin Pines - Alderman Schuchmann made a motion to table the request for a Business License. Alderman Abercrombie seconded it and the motion unanimously carried

Memorial Society Financial Contribution - Karen Girondo informed the Board the annual contribution has been \$5,000 which the City has budgeted for 2009. Karen said they would have received \$12,000 from interest but will now only receive about \$9,000 because of the lower interest rates. She said there is enough in the budget to allow for it. Alderman Abercrombie made a motion to approve a contribution to the Memorial Society in the amount of \$5,000. Alderman Schuchmann seconded the motion. Aldermen Abercrombie, Schuchmann, and Reynolds voted yes

and Alderman Black voted no. Mayor White asked for a Roll call. Roll call was taken with the following vote:

Alderman Abercrombie	Yea	Alderman Schuchmann	Yea
Alderman Black	No	Alderman Reynolds	Yea

The motion carried.

Off-Site Signs – Alderman Black said he asked this to be put on the agenda due to Tower Thrift Shop moving and their temporary directional signs being removed. He said he thinks they should be allowed to have signs for a while to let people know where they have moved to and they will take the signs down every evening. Mayor White explained the situation to the audience. Alderman Schuchmann asked if there was an ordinance that banned off-site signs and Larry Janish said there is an ordinance. Alderman Schuchmann said if we allow it the City is in conflict with the ordinance. Alderman Black said Real Estate and Contractor signs should have to do the same and remove their signs daily and put them back up. Ms. Hoeber said she believes in a case like the thrift shop, they should be allowed a couple of months. Alderman Schuchmann told Ms. Hoeber that until an Alderman makes a motion to change the ordinance and a public hearing is held with a new ordinance being adopted, we have a rule on the books. He said if we allow one business to put up off-site signs, we have to allow all businesses to do the same. Ms. Hoeber asked why they could not be given a three-month sign erection extension. Alderman Schuchmann asked that this issue be put on the Workshop Agenda.

Mayor White recommended that Tower Thrift Shop be given a four-month extension. Ms. Hoeber commented on signs for yard sales and said she has noticed they are up for a week afterwards and no one makes them take the signs down. Ms. Hoeber stated people with yard sale signs should be penalized if they don't take the signs down. She said taking the yard sale signs down should also be enforced. Larry said he has taken down over 400 signs this past year.

Big Boys Restaurant – Alderman Black said he put this on the agenda. He then asked the City Attorney what can be done about the building since it is deteriorated and a safety and health hazard. City Attorney Leslie Tolliver-Rogers said they could be cited daily for lack of upkeep until the City is satisfied and added they could also be cited on nuisance ordinance violations. She said the other option is condemnation. Larry Janish said Ron Mershon had cited them when he was here and they did the repairs as needed. Larry said he will go over and take some pictures tomorrow. Alderman Schuchmann asked Larry to get together with Alderman Black and go over to Big Boys to discuss the building violations. Larry asked Alderman Black to meet him at City Hall at 11:00 am on Friday and they would then go over together.

2009 Budget Revision – Karen Gironde went over the 2009 Budget Revisions and said there was nothing real major. Alderman Schuchmann made a motion to approve the 2009 Amended Budget as presented. Alderman Abercrombie seconded it and the motion unanimously carried. Alderman Schuchmann congratulated all of the department heads for staying within their budget after the budget was cut to the bone and said he appreciated all of their hard work.

Business License – Charles Blackburn for CJS Vehicle Sales – Mr. Charles Blackburn was present. Alderman Schuchmann made a motion to approve the business license to Charles Blackburn for CJS Vehicle Sales. Alderman Abercrombie seconded it and the motion unanimously carried.

Police Officer Resignations/Appointments – Police Chief Henry Matthews discussed a resignation and two appoints with the Board.

Chief Matthews stated he wished to hire Ronald McBride as a reserve part-time police officer. He has previously worked at the Sheriffs Department and is an experienced officer. He left there and was in Iraq for two years and now wants to work for Wright City. Mayor White recommended hiring Ronald McBride. Alderman Schuchmann made a motion to accept Mayor White's recommendation based on the Chief's recommendation to hire Ronald McBride as a reserve part-time police officer. Alderman Reynolds seconded it and the motion unanimously carried.

Chief Matthews stated he wished to hire Brian Colbert as a reserve part-time police officer. He is currently employed as a full-time reserve officer for the City of O'Fallon. He lives in Warrenton and wishes to work for Wright City Police Department so he can be closer to home. Mayor White recommended hiring Brian Colbert on Chief's request. Alderman Schuchmann made a motion to accept Mayor White's recommendation based on Chief's recommendation to hire Brian Colbert as a reserve part-time police officer. Alderman Abercrombie seconded it and the motion unanimously carried.

Chief Matthews stated James Holifield put in his resignation to go to Warren County Sheriffs Department, but asked to remain as a part-time reserve officer. He went to the Sheriff's Department for additional benefits that was offered by them. Chief Matthews stated he recommended allowing James Holifield to remain as a part-time police officer. Mayor White recommended accepting the resignation and to keep James Holifield as a part-time reserve police officer. Alderman Schuchmann made a motion to accept Mayor White's recommendation to keep James Holifield as a part-time police officer. Alderman Abercrombie seconded it and the motion unanimously carried.

Reports

Engineering – None

Park - Curt gave report to the Board and said they have the Parks Newsletter ready to send out of which a copy has been provided to the Board. Curt said November is the only month there is nothing going on. He said the new signs for the Park Activity building are complete and turned out great. Curt invited the Board to look at them.

Public Works - Superintendent Larry Janish gave report to the Board. He said with the last three snow storms, they have used five pallets of salt and 40 tons of cinders.

Building Official - Larry Janish stated there were two (2) New Home Permits for Ivie League Homes at Hickory Trails and one (1) for Cannon Builders at Gettysburg Commons. There has been 29 permits issued for 2009 and there was 33 issued in 2008. Alderman Schuchmann said he received some calls from citizens that Larry's department did an outstanding job on the roads this morning.

Police Department - Chief Matthews gave report and said they've had 215 calls in the last two weeks and quite a few of them have been accidents on the Interstate. Chief Matthews told Ms. Hoeber he will be checking on her complaint on Westwoods Road. He said they have several felony cases and had some warrants issued.

City Hall – City Clerk Christine Martin gave report to the Board. She said everyone has been helping Karen with year-end closeouts. She asked if the Board had anything for Workshop. The Board discussed whether variances needed to be discussed and it was determined it was not needed with the ordinance in place. City Clerk Christine Martin discussed 2009 and 2010 Sewer Tap fees and stated we received ten (10) Building Permit applications from Budget Homes today for Falcons Crest and BrickKicker Inspection Services will not be available until January 4, 2010, due to the Holidays. City Clerk Christine Martin asked how the permits should be charged, with the 2009 fees or the 2010 fees and asked if the pay date should be for when they applied for the permits or when they pay for them. The 2009 fee is \$2500 and the fee for 2010 will be \$2700. Alderman Abercrombie said he feels it has to be when they pay since it will be on 2010 books. Alderman Schuchman stated when he applies for permits in other municipalities, the fee is normally assessed according to the day the permit is picked up. Alderman Abercrombie and Reynolds voted to charge according to the 2010 fees. Alderman Black voted to charge according to the 2009 fees, and Alderman Schuchman abstained.

Treasurer Report – Karen Girondo gave Report and said with the 2009 Budget Revisions she was looking at year end amounts. She said the DARE Fund is in the red and asked to transfer \$1500 from the General Fund to the DARE Fund. Second, the Enhancement Grant Fund is in the red due to paying the engineer for Diekroeger Park Activity Building. She said the bills will be submitted to the State but we will not have the money back by the end of the year. Karen said she would like to transfer \$10,000 from the Street Light Fund to the Enhancement Grant Fund as we are not allowed to end the year in the red in any account. Mayor White asked how much we would get on the Grant and Karen said the City would probably get about \$7500 back with the Grant. Alderman Schuchmann made a motion to allow making the transfer of \$10,000 to the Enhancement Grant Fund from the Street Light Fund. Alderman Abercrombie seconded it and the motion unanimously carried.

Alderman Schuchmann made a motion to allow making the transfer of \$1500 to the DARE Fund from the General Fund. Alderman Abercrombie seconded it and the motion unanimously carried. Karen said the Auditors will be here January 12, 13 and 14 to do their prep work. She will be working on rolling the year end and will also start on the six month financial that needs to be published in the paper on January 28, 2010.

Economic Development – Karen Girondo gave Report to the Board. She said it has been pretty quiet and not a lot is going on. She said with ECMODEV they had the Economic Development Project Managers from the State come out and had lunch at Donatelli's to discuss programs the state will have. Next week a group from ECMODEV will be going to St. Louis to meet with Missouri Partnership. Missouri Partnership is the group that does the attraction for the State of Missouri. She said that is where the City's leads come from on industrial projects.

Review/Approval of Bills

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

Final Questions - Parks Director Curt Kehoe said he wished to add to his report with saying the School District has donated lights that was on their football field to the City. He said it will be enough to help light the small ball field on the east end of Ruge Park and also add additional lighting for Diekroeger Park. The Chamber of Commerce has set aside some money in their budget to help with electric improvements at Diekroeger Park which will help with Strassenbash and other Park events. The Chamber has set up a committee to look at the proposed layout and asked him to serve on it. Curt said he really wants to thank the School District for their donation. Curt said Larry Janish helped him move the lights over from the School. Alderman Schuchman asked Curt to have a letter written from the Park Department to the School District thanking them for their kind gift to the Parks Department.

Mr. Danny Campbell asked about the parking on Elm Street and when it will be in affect. Mayor White said it was approved at the last meeting to draft an ordinance and the ordinance was passed tonight to enforce it. He said signs will be posted and the Police Department can enforce it with the adopted ordinance in place. Mr. Campbell and Ms. Hoeber asked about the variance. Mayor White explained the request and told them what Mr. McLaughlin of Vision Building needs to do.

Adjournment - Alderman Schuchmann made a motion to adjourn the meeting at 8:00 pm. Alderman Black seconded it and the motion unanimously carried

Approved _____

Attested _____