

City of Wright City  
Board of Aldermen Meeting  
April 22, 2010, 6:30 pm

**Signed in Attendance:** Tony Girondo, Tim Reynolds, Tim Schmidt, Holly Elterman, Sandy and Tony Knight, Cindy Graham, Don Reed, Gary and Mary Miller, Patsy Jones, Nancy Huster, Michelle Heiliger, Shawn Nitchman, Tom Dixon, Bart Korman, Vaughn Telfer of Liberty Christian Academy and Jack Groeper.

**City Official attendance:** Mayor Heiliger, Alderman Schuchmann, Alderman Black, and Alderman Reynolds were present. Alderman Abercrombie was absent

**Staff and Others:** Superintendent Larry Janish, Economic Developer Karen Girondo, City Clerk Christine Martin, Police Chief Henry Matthews, Police Officer Jeffery Scanlon and Parks Director Curt Kehoe. City Attorney Leslie Broadnax was absent.

**Roll Call**

City Clerk Christine Martin called roll with Mayor Heiliger, Aldermen Schuchmann, Black and Reynolds present. The City Clerk reported the Mayor and three Board Members present. Alderman Abercrombie was absent.

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

**Meeting Minutes**

**Approval of Minutes from Board Meeting of April 8, 2010** – Alderman Schuchmann made a motion to approve the Minutes from the Board of Alderman Meeting of April 8, 2010, with corrections. Alderman Reynolds seconded it and the motion unanimously carried.

**Approval of Minutes from Workshop of April 12, 2010** – Alderman Schuchmann made a motion to approve the Minutes from the Board of Alderman Meeting of April 12, 2010. Alderman Reynolds seconded it and the motion unanimously carried.

**Approval of Minutes from Special Board Meeting of April 15, 2010** – Alderman Schuchmann made a motion to approve the Minutes from the Special Board of Alderman Meeting of April 15, 2010, with corrections. Alderman Reynolds seconded it and the motion unanimously carried.

**Responses to previous comments/concerns** - Cindy Graham stated kids are now picking up the rocks and throwing it at each other where the gully is on Westwoods Road. She said there should be some type of railing or barrier so kids will not be pushing one another off the walk into the ditch. Alderman Black stated he had also requested a rail to be installed. Larry said he did contact the owner of the property and the owner gave them permission and they have already extended the pipe and put some large rock there. Alderman Schuchmann said he was worried that with a railing that kids would climb on it and then fall off. Alderman Schuchmann suggested removing the rock and putting dirt and seed. Larry Janish stated he will get rid of the rock and

will put dirt and grass there. He said there are opportunities out there to fill the void, even though the budget is tight.

**Open Meeting to public comments/concerns** - Tony Girono, Planning & Zoning Chairman, was present and said he had talked to Chief Matthews regarding code enforcement and the possibility of having a part-time officer to be able to do code enforcement and also write summons for it. He talked to Harry about a concern on a trailer parked close to a fire hydrant. He said they did go through the process. Cindy Graham said the City has a permanent Fireworks Business in town, which gives to the community.

Tony Girono, Planning & Zoning Chairman, talked about a code enforcement issue that was brought up during P&Z. There was an incident where a trailer was parked too close to a fire hydrant. He went over the enforcement process and brought up the possibility of someone from the Police Department doing some follow up after the initial report is submitted by Larry Janish or to hire a part-time enforcement officer.

### **Public Hearing**

**Application for Conditional Use Permit from Meramec Specialty Company to operate a Seasonal Fireworks Sales Tent at 209 East North Service Road** - Attorney Tim Joyce and Tom Dixon were present.

Cindy Graham said her concern is the City has a fireworks company that has brought their business here permanently and supports the community. She said she feels that we may be getting too much of a variety with the temporary stands and that they do not support the community. Mr. Tim Joyce, Attorney, was present representing Meramec Specialty Company. He said that actually Phantom Fireworks is not a Missouri owned company and is not opened all of the time. Meramec Specialty Company is a Missouri company will be located on the north side of the highway. Meramec Specialty has two fireworks stands that operate in Warrenton. The State will only allow temporary fireworks sales from June 20 through July 10. Mr. Joyce stated they employ local people and off-duty police for security and has operated since the 1950's. Tom Dixon asked the City to consider granting the Conditional Use Permit to them. They operate in six states including Missouri and plan to operate a retail sales lot on property at the North Service Road and Hwy J. All their fireworks are government approved and they will be on an improved lot they have invested \$20,000 into. Mr. Dixon said they have good trained people working for them. One of their on-site managers is the Wright City High School Band Director. The students working at the sales lot are from the High School Band and earn money for their band fund. Mr. Dixon said he would be happy to donate to the local churches if they have a display they put on. Tim Joyce asked the Board to consider the conditional permit for more than one year.

**Application for Conditional Use Permit from Don Reed to operate a Fireworks Stand at 425 North Service Road West** – Donnie Reed was present and said he had a fireworks stand last year and did donate fireworks to the Assembly of God's for their display. He stated he has property here and lives in the area.

**Recommendations from Planning & Zoning**

**Application for Conditional Use Permit from Meramec Specialty Company to operate a Seasonal Fireworks Sales Tent at 209 East North Service Road** - Alderman Schuchmann made a motion to accept Planning & Zoning’s recommendation to approve the Conditional Use Permit to Meramec Specialty Company for Fireworks sales at 209 East North Service Road. Alderman Reynolds seconded it and the motion unanimously carried.

**Application for Conditional Use Permit from Don Reed to operate a fireworks Stand at 425 North Service Road West** - Alderman Schuchmann made a motion to accept Planning & Zoning’s recommendation to approve the Conditional Use Permit to Reed’s Rockets for Fireworks sales at 425 North Service Road West. Alderman Reynolds seconded it and the motion unanimously carried.

**Old Business**

**Trotters Creek – Request to take over Streets/Utilities** – Alderman Schuchmann made a motion to postpone this request to the next meeting. Alderman Black seconded it and the motion unanimously carried.

**Employee Training Contracts** - Alderman Schuchmann made a motion to postpone the Employee Training Contracts to the next meeting. Alderman Reynolds seconded it and the motion unanimously carried.

**Ordinance/Resolutions**

**Resolution #15-10 was presented to the Board.** Bill #15-10 was read by title. A RESOLUTION OF THE CITY OF WRIGHT CITY, MISSOURI, STATING INTENT TO SEEK FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING. Alderman Schuchmann made a motion to approve Resolution #15-10. Alderman Reynolds seconded it and the motion unanimously carried. Roll call was taken with the following vote:

Alderman Abercrombie	Absent	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 #15-10 of the City of Wright City, Missouri.

**Resolution #16-10 was presented to the Board.** Karen Girondo explained we have had an excessive force ordinance on the books since 1982, but had to update it for this Grant. Bill #16-10 was read by title. A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING THE USE OF EXCESSIVE FORCE DURING NON-VIOLENT CIVIL RIGHTS

DEMONSTRATIONS INCLUDING PHYSICALLY BARRING ACCESS TO A FACILITY OR LOCATION WHICH IS THE SUBJECT OF SUCH DEMONSTRATION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. Alderman Schuchmann made a motion to approve Resolution #16-10. Alderman Reynolds seconded it and the motion unanimously carried. Roll call was taken with the following vote:

Alderman Abercrombie	Absent	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 #16-10 of the City of Wright City, Missouri.

### **New Business**

**Business License – Meramec Specialty Co. d/b/a Fireworks City** – Alderman Schuchmann made a motion to approve the one (1) year Business License to Meramec Specialty Company to operate a fireworks stand. Alderman Reynolds seconded it and the motion unanimously carried.

**Business License – Reeds Rockets** – Alderman Schuchmann made a motion to approve the one (1) year Business License to Reeds Rockets to operate a Fireworks Stand. Alderman Black seconded it and the motion unanimously carried.

**Tri-County Insurance Renewal** – Gary Miller with Tri-County Insurance Agency was present to go over the new insurance proposal. He stated it is the same as last year. The increase over last year’s bill is only about 2.6 percent totaling \$600 and everything should be up to date. Alderman Schuchmann made a motion to renew the insurance with Tri-County as presented with the Terrorism coverage package. Alderman Reynolds seconded it and the motion unanimously carried.

**HDR/Archer – Alternative Analysis for the Water Degradation study** - Holly Elterman from HDR/Archer was present. She explained they finished their preliminary draft of the Alternative Analysis for the Water Degradation Study and has come up with alternatives to expand the Waste Water Treatment Plant below one million gallons per day. She said they have come up with three technologies that will meet both our quality effluent standards or limits and technologies that will maintain the stream. She said they had to find someone that could provide the same effluent quality with our limits cut in half. This information will be given to MEC and they will see how it combines with what they have done and will submit a formal report to the board. She said she would welcome a workshop to go over that and will then send it to DNR for the next upgrades to the plant. Holly said they will recommend flow monitoring at the plant. Holly explained she talked to cover manufacturer and they will replace the cover at the plant.

**MEDC Conference Request** – Karen explained that the MEDC Spring Conference is a three-day event and that it is a wealth of information where she has the opportunity to communicate with DNR and Missouri Partnership. Alderman Schuchmann made a motion to approve Karen

Girondo to attend the MEDC Conference. Alderman Black seconded it and the motion unanimously carried.

**Surplus Property Bids** – City Clerk Christine Martin opened the sealed bids and read them. A bid was received from Justin Kinealy for the 2001 Chevrolet Trailblazer in the amount of \$300. One bid was received from Bill Twiehaus for the Farm Wagon in the amount of \$40. A bid was received from Penny Sweaney for the 2006 Chevrolet Impala in the amount of \$278.04. A bid was received from Asia Motors for the 2006 Chevrolet Impala in the amount of \$1839 and for the 2001 Chevrolet Trailblazer in the amount of \$839.00. Alderman Schuchmann made a motion to approve awarding the bid on the police vehicle 2006 Chevrolet Impala for \$1839 and the 2001 Chevrolet Trailblazer for \$839 to Asia Motors and accept the bid from Bill Twiehaus for \$40. Alderman Schuchmann asked Larry to hold onto the spreader and put it out for bid later in the year. A suggestion was made to contact Best Buy and Computer Paramedics to see if they would purchase the printers or provide a coupon. Alderman Reynolds seconded it and the motion unanimously carried. Alderman Schuchmann made a motion to trash the 2” pump, see about salvaging the boat, and to hold onto the remainder of the items for now. Alderman Black seconded it and the motion unanimously carried.

**Bid Award – Notice to Proceed – Phase 3 Water Line Project** – Bart Korman from Lewis and Bade was present. Bart went over the bids for Phase 3 Water Line Project. The base bid covers from Fourth Street along Kerland around Kerland Circle to North Circle. Alternate 1 was West Avenue and West First Street by the Ambulance Quarters, Alternate 2 was from where they ended at North Circle on Kerland up to East North First Street, and Alternate 3 continued around Kerland to Third Street. Bart said this year the bids came in very well. The base bid amount received was around \$189,000 and the low bid came in around \$139,000. He recommended doing as much as we can. He said it looks like Alternate 1 & 2 bids for Mick Mehler & Sons came to about \$215,000. Karen said there is \$200,000 budgeted, but we are actually looking at \$235,000 with engineering costs. She stated there is \$35,000 total with \$130,000 in the depreciation fund. Larry Janish recommended getting Alternate 1 and 2 because of the price. Bart said the next higher bid of Lamke Excavating was \$3,000 higher on the base. Karen added the bid was closer to \$2,200 higher. Alderman Schuchmann said if we award it Mehler & Sons, he would like to stress to them to be a little gentler and kinder and to slow down to get better performance. Bart said there will be a preconstruction meeting and everyone can attend. Bart said the bid bond has been received. He said the next thing is to award the bid, pass the ordinance and sign the contract. He said first thing is to make sure their bid bond is here. Larry asked Bart if a letter will be sent to the residents about the project and delays. Bart said letters will be sent out to the residents with phone numbers for the contractor and the utilities department and the letters will be put on each resident’s door by the City. Alderman Schuchmann made a motion to approve the bid to Mick Mehler & Son for the base bid of \$139,385 which Alternate 1 and Alternate 2 bid with the total amount of \$214,984.80. Alderman Reynolds seconded it and the motion unanimously carried.

**Planning & Zoning Members** – City Clerk Christine Martin stated she received a resignation letter from Jon Young. Mayor Heiliger recommended accepting the resignation of Jon Young from the Planning & Zoning Commission. Alderman Schuchmann made a motion to accept the Mayor’s recommendation to accept John Young’s resignation from Planning & Zoning.

Alderman Reynolds seconded it and the motion unanimously carried. Mayor Heiliger recommended sending a letter to the other member. Alderman Schuchmann made a motion to accept the Mayor's recommendation to send a letter to the Planning & Zoning Member. Alderman Black seconded it and the motion unanimously carried

**Request to Accept Streets and Utilities – The Shire** - Larry Janish said the streets were okay and also the utilities. Alderman Schuchmann made a motion to draft an ordinance for acceptance of the Streets and Utilities of The Shire. Alderman Reynolds seconded it and the motion unanimously carried.

## **Reports**

**Engineering** – None

**Park** - Curt Kehoe gave a report to the Board. Curt discussed the lights for the parks. He said Arts in the Park will be on April 24<sup>th</sup> and 25<sup>th</sup> and said the students will wait until Saturday to set up their displays under the pavilion due to the rain. He said they have been working on the Park Grant. Curt said he would like to hire two (2) additional umpires Michael Ogborn and Timothy O'Neal. They have umpired here in the past. This will give the Parks Department more flexibility. Alderman Schuchmann made a motion to approve hiring Michael Ogborn and Timothy O'Neal. Alderman Reynolds seconded it and the motion unanimously carried.

**Public Works** - Larry Janish said he talked to Joe Iannicola about the tree on his property. The tree now has leaves on it but is hollow and is a hazard. There is another tree on Barb Hollaway's property at Third and Elm. The utility company cut the tree back but it has a hollow trunk. Larry asked if there would be a problem with him taking the hollow stump out. Alderman Black said he knows of it. Alderman Schuchmann asked that the tree be put on the next agenda. Larry discussed the Public Works Department adjusting their hours. Alderman Schuchmann asked that it be put on the next agenda. Larry told Nancy Huster there is a handicap accessible ramp to the north of the corner of Locust and East North First. Larry Janish stated he will put dirt over the pipe and seed and straw it. Larry told Nancy Huster that the drainage pipe that goes through the yards has broken. Karen said she could not find the easement for the drainage pipe. Alderman Schuchmann asked about the pipe and Larry said it is 12 to 18 inch concrete pipe and it goes to a pit at the northwest corner of the Huster property. The same problem is in the yard of where Lil' Jakes Daycare once was. Alderman Schuchmann informed Nancy Huster she will be asked later if she would grant the City an easement.

Mr. Scott Anthony Knight, owner of Lot 39 of Forest Lake, was present and said he owns a 7 acre piece of property and said he would like to acquire water and electric on the property. Larry said the request for utilities was originally denied. He said there is no house on the property, but our previous Inspector Mr. Mershon approved a permit for a boat house in July of 2008. Mr. Knight said the property is hard to maintain with no water or electric on the property. Alderman Schuchmann said we need to postpone the request to the May 13<sup>th</sup> Board meeting.

**Building Official** - Larry said there have been 73 new home permits issued to date for 2010. He gave Mr. King a 30 day extension until May 20<sup>th</sup> on repairs including demolition of the building next to the Big Boys Restaurant. Larry said a new letter was issued on the trailer. Alderman Schuchmann asked about a letter to the builders and developers regarding their lots. Larry said it will go out in tomorrow's mail.

**Police Department** - Chief Matthews gave a report to the Board. He said they've had 327 calls in the last two weeks. Chief Matthews stated there will be a Torch Run on May 25 starting at the Wil Heiliger Activity Building at 1200 hours with four (4) Wright City Officers running from Wright City to Warrenton. It will aid in fund raising for the Special Olympics. Chief Matthews said they are working an active child abuse case, in addition to a burglary where stolen property was found at the Wentzville Pawn Shop. Chief Matthews stated the officers are patrolling more due to construction and asked if anyone is seen out in the construction zones to please call the Police Department. They had one person in the Shires stealing scrap lumber. Cindy Graham asked about cats running loose. Larry Janish said the City has two cat traps they loan out. Larry told Ms. Graham they have to be signed for when the trap is left. Ms. Graham said she would be interested in both traps. Cindy Graham asked Chief Matthews how far away a sex offender has to live away from school. She stated there is one that lives in the Pine Forest Mobile Home Court.

**City Hall** – City Clerk Christine Martin gave update to the Board on Business Licenses. For the business that a Certified Mail Return Receipt was received, Chief Matthews visited them and they said they were only doing work for themselves and would be out of the building by the first of May. Alderman Schuchmann said to issue a summons and let the Judge determine the outcome. The code updates have been received from Sullivan Publishing Company and everyone's code book will be updated. Local Government Week is May 2 through May 8 with City Hall and Park Building Open house being on May 8<sup>th</sup> from 10:00 am to 2:00 pm. Warren County Record put it in as a Public Service Announcement for the next two weeks and that the Spring Clean up will be on May 7<sup>th</sup>. The Newsletter has been completed and it will be in the Wright City Connection in June at no cost. It is posted on the City's website, handouts are at the Post Office, at the banks in town and is posted at Economy Grocery Store.

**Treasurer Report** – Karen Girondo gave report and said she worked on the Workers' Comp figure to prepare for the Workers' Comp Audit. Reviewed and broke down the insurance bill for 2010.

**Economic Development** – Karen talked about the Block Grant. Wednesday we received word that the City did not get the Brownfield Grant again this year. The City scored in the low 80's. Karen discussed the PSC Company has called and is requesting a meeting with the Board to go over their proposal. The Board agreed to a special meeting for Wednesday April 28<sup>th</sup> at 6:00 pm. Alderman Schuchmann asked if the Planning & Zoning Commission would like to attend to listen to the proposal.

### **Review/Approval of Bills**

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

**Final Questions** - Cindy Graham asked if the one fire works stand is going on gravel.

Alderman Schuchman said the City could have possibly made a mistake on letting the fire works stands go in. Alderman Schuchmann explained that the proposed flea market was not told they could not come in. The applicant withdrew due to costs. It was stated the gravel lots will be looked at. The Board makes decisions based on Planning & Zoning's recommendation. Cindy asked Tony Girondo if Planning Zoning is looking at it and Tony Girondo said yes they were.

H&K Storage is grandfathered and the P&Z will continue to look at the language until it is the way they want it. Cindy Graham asked why businesses can't have graveled lots and Alderman Schuchmann said there is a problem with it meeting ADA Requirements.

**Vote to go to Executive Session** - Alderman Schuchmann 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 Reynolds seconded it and roll call was taken

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

The motion carried.

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

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

The motion carried.

**Adjournment** - Alderman Black made a motion to adjourn the meeting at 9:10 pm. Alderman Reynolds seconded it and the motion unanimously carried

Approved \_\_\_\_\_

Attested \_\_\_\_\_