

City of Wright City  
Board of Aldermen Meeting  
September 25, 2008 6:30 pm

**Signed in Attendance:** Bette Derges, Lyn Walter, Adam Stone, Kristina Aber, Tony Midiri, Jeff Leathers, Tom Black, and Jamey C. Abercrombie.

Others present not signed in: Peggy Sherman and Michael Wis

**City Official attendance:** Mayor White, Alderman Schuchmann, Alderman Denkler, Alderman Walter and Alderman Reynolds were present.

**Staff and Others:** Superintendent Larry Janish, Police Chief Henry Matthews, Economic Developer Karen Girondo, Curt Kehoe and City Clerk Christine Martin.

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

**Roll Call**

City Clerk Martin called roll with Mayor White, Alderman Schuchmann, Denkler, Walter, and Reynolds. The City Clerk reported the Mayor and four Board Members present.

**Meeting Minutes**

Alderman Schuchmann made a motion to approve the minutes from July 30, 2008. Alderman Denkler seconded it and the motion unanimously carried.

Alderman Schuchmann made a motion to approve the minutes from August 21, 2008. Alderman Reynolds seconded it and the motion unanimously carried.

Alderman Reynolds made a motion to approve the minutes from September 11, 2008 with one typographical correction. Alderman Denkler seconded it and the motion unanimously carried.

**Responses to previous comments/concerns** - None

**Open meeting to public comments**

Tony Midiri asked about calling roll and said he thought the City Attorney should be included in the roll call.

Jamey Abercrombie mentioned the August 21, 2008 Minutes and the fact that there was a time of 10 to 14 days given by the Planning & Zoning. Alderman Schuchman said he is sure if they need to come in for more time they will.

## **Public Hearing**

**Request for a Conditional Use Permit from LBP Inc. d/b/a Wright Stop to operate a U-Haul Rental business located at 100 N. Elm Street** - Adam Stone with U-Haul was present as the property was out of the country at the time. He said there was discussion with Planning and Zoning for the equipment parking and what would be allowed on the lot at any given time. Alderman Schuchman said it was mentioned at Planning and Zoning that the truck and trailer parking would be parked on the eastern third of their parking lot. Alderman Schuchmann asked what constitutes that. Adam Stone said there will be a truck and a trailer. They have other locations and equipment can be parked elsewhere such as Rob's Lawn & Garden in Warrenton. Alderman Schuchmann told Mr. Stone he as Fleet Manager is responsible. Alderman Schuchmann asked how trucks and equipment will work around the dumpster. Mr. Stone said they will have to park around it making sure not to block it. Alderman Denkler read a memo from the City Clerk regarding the approval from Bobby Phegley of Wright City Hair Fashions for U-Haul to park on their rear lot. Mr. Stone said with the population of Wentzville that dealership has three to four trucks. Alderman Schuchman said with the Conditional Use, the City can put a stipulation of only one truck and trailer on the lot. Alderman Reynolds asked Mr. Stone if he would be okay with that stipulation. Mr. Stone said he would be okay with that.

**Request for a Conditional Use Permit from Bette Derges d/b/a Air Now Inc. to operate administrative offices for a HVAC business located at 74 Winchester Court** - Mrs. Bette Derges was present and stated she would be only doing paperwork, filing, phones, etc. She said she and her husband just closed on the purchase of the home this week. Alderman asked if there would be lettered trucks or vans. Mrs. Bette Derges stated her husband does have a regular sized work van but will park it in the garage.

**Ordinance/Resolutions** - None

## **Old Business**

**Request for Additional Antenna on Water Tower** - Alderman Schuchmann said he has been trying to get in touch with people to come out and has not been successful. Alderman Schuchman made a motion to table this to the next meeting. Alderman Denkler seconded it and the motion unanimously carried.

**Ordinance #257, Section 615.180 Solicitation in Streets** – Alderman Schuchman made a motion to table this to the next meeting. Alderman Reynolds seconded it and the motion unanimously carried.

**Knights of Columbus – Charity Drive** - Alderman Schuchmann made a motion to table this to the next meeting after following up with the City's insurance company and with City Attorney Darryl Hicks. Alderman Denkler seconded it and the motion unanimously carried.

**Special Permits** - Alderman Denkler made a motion to table this to the next meeting and put it on the next Workshop Agenda. Alderman Schuchmann seconded it and the motion unanimously carried.

**2008 Budget** - Alderman Schuchmann announced that the Budget Committee had a meeting last Thursday, September 18<sup>th</sup>, and that the City is still \$150,000 in the red. He explained there is a shortfall in the general revenue funds. He said he wanted to thank all the Department Heads as they knew at the beginning of the year it would be a tight budget. He added the Department Heads are going about this as if it was their own budget and everything was done very wisely. He said with the continued support of the Department Heads the City will probably make it through. Alderman Denkler agreed and said he was very proud of the Department Heads and said everyone is working hard at it.

**Huey Construction Completion Date Letter** - Karen Girondo explained the drafted letter from Holly. Alderman Schuchmann said he was all for sending the punch list and said it was time to send the letter saying the day has passed and we are serious about it. Alderman Schuchmann made a motion to recommend sending the letter written by Holly from Archer to Huey Construction. Alderman Denkler seconded it and the motion unanimously carried.

**43 Kerland Drive Status** - Alderman Schuchmann said a letter was sent today on this property as a follow up to a meeting held on Wednesday, September 17<sup>th</sup> with Mr. McRae, City Superintendent Larry Janish, Alderman Walter, Alderman Reynolds and himself regarding the code violations and the drainage situation. A copy of the letter to Mr. McRae was provided to each of the Board Members.

### **New Business**

**Business License for Victory Tire & Auto Repair** – Christina Lemons was present. She said she took the business over from her Father who had a heart attack. Alderman Schuchmann said there is a problem with the trailers that are there. Christina Lemons said she needs the trailers for storage and said they were grandfathered in and nothing has been said about them until now. Alderman Schuchmann suggested adding on to the building Christina said she doesn't own the building. Alderman Schuchmann said the trailers were not grandfathered and are a violation of the City ordinance and said the City was aware of them but decided to take this opportunity to address them. Christina Lemons said she leases property from Big Boys since October 2006 for extra parking and said the trailers are owned by Jack Brower, the property owner. Alderman Schuchmann asked Christina Lemons if she still wanted to pursue a Business License and she said yes.

Alderman Schuchmann made a motion to approve the Business License to Christine Lemons for Victory Tire and Auto Repair. Alderman Reynolds seconded it and the motion unanimously carried.

**Recommendation from Planning & Zoning – LBP INC d/b/a/ Wright Stop** – Alderman Schuchmann made a motion to approve the Recommendations from Planning & Zoning for a Conditional Use Permit to LBP INC d/b/a Wright Stop to operate a U-Haul Rental Business with the stipulation of no more than one truck and one trailer to be parked on the lot at one time and rental equipment to be parked on the eastern one-third of the parking lot. Alderman Reynolds seconded it and the motion unanimously carried.

**Recommendation from Planning & Zoning – Betty Derges d/b/a/ Air Now Inc** – Alderman Schuchmann made a motion to approve the Recommendations from Planning & Zoning for a Conditional Use Permit to Betty Derges d/b/a Air Now Inc. with the stipulation of no outside storage and residence to be used only as an Administrative Office for the Business. Alderman Reynolds seconded it and the motion unanimously carried.

**Business License for LBP INC (Wright Stop) to include Joint Business of U-Haul** - Alderman Schuchmann made a motion to approve the Business License to LBP INC (Wright Stop) to include the Joint Business of U-Haul. Alderman Reynolds seconded it and the motion unanimously carried.

**Business License for Air Now Inc.** – Alderman Schuchmann made a motion to approve the Business License to Air Now Inc. Alderman Reynolds seconded it and the motion unanimously carried.

**72 Winchester Court – Sewer Backup** - Mrs. Kristina Aber was present and said she got hit again with another water back up. The first time was around Memorial Day. She said her Father had refinished her basement and said she lost a lot of personal items. Larry Janish said they checked and found a manhole by Dyer Equipment Company that had infiltration and also one by Gettysburg that needs raised. Larry said after repairs he will see if it corrects it and stops the infiltration. Alderman Schuchmann made a motion to contact the insurance company to put a claim in for damages. Alderman Reynolds seconded it and the motion unanimously carried. Alderman Schuchmann said there has been record rain this year and told the Abers' he was sorry for their inconvenience and loss

**71 Winchester Court – Lynn Epley** - Mr. Michael Wis was present to represent Ms. Lynn Epley as she could not attend the meeting. He said Ms. Epley has a drainage problem where she got about two inches of water in her basement. There is a culvert pipe that is in coming from Browning. The water drainage goes under Wildcat from the Bank and the Shell Station and goes into the field next to her. Alderman Schuchman said the City is looking at how to correct it, but needs easements to be able to do something about it. It was asked can Wright City purchase that property so it can be corrected. Alderman Schuchmann said the owner of the property does not want to sell it. Alderman Schuchmann said the City Superintendent Larry Janish will go by and look at it in Friday afternoon. Mr. Weis said Ms. Epley has no damages but is concerned.

**Proclamation for Constitution Week** - Mayor White read aloud a Proclamation proclaiming the week of September 17 through 23 as Constitution Week. Alderman Reynolds made a motion to accept the Proclamation. Alderman Walter seconded it and the motion unanimously carried.

**Mick Mehler & Sons Change Order #1** - Karen explained the change order to the Board that they had in their She said there was some extra work Larry had them do which was a six inch valve, a six inch tee and an additional 200 feet of water line. There were some decreases due to some boring and sidewalk that was not needed. The contract price went from \$183,494.08 with the add-ons to \$184,603.86. Karen went over the spread sheet with the 10 present being withheld from each of the invoices. The City has a Certificate of Completion from Lewis and Bade on this

project. There is a notice of possible violation of prevailing wage on the project. Karen said the City can still make final completion as the company would be responsible for additional wages if they find anything. Larry Janish said he was satisfied with the work. He said there are a few places that may need additional dirt. Alderman Schuchmann made a motion to approve the change order #1 from Mick Mehler & Sons. Alderman Denkler seconded it and the motion unanimously carried.

**Clarification of Compensatory Time Usage** - Alderman Schuchmann said a question came up on the overtime and comp time issue. He said overtime was withheld from the street employees pay a couple of weeks ago and at the same time other departments got paid. After looking into it, it was found that per Federal law it is up to the employee if he will take overtime or comp time voluntarily. He said if the employee does not want to take comp time, the City is mandated by Federal Law to pay overtime. He said he understands the overtime will be added to the employee's upcoming paycheck. The Street, Water and Sewer Budget are in the black and the general fund which covers the Administration is the one that is struggling at this time. Alderman Schuchmann said he thinks it should be a Board decision as to whether they are paid and feels it should be operated as it has been for the last 10 or 20 years or so. Alderman Schuchmann said he recommends leaving it up to Department Heads to decide when overtime is warranted or when it is not.

Mayor White mentioned that about six weeks ago two department heads had overtime with one of them having \$237.58 in overtime and the other having \$297.72 in overtime. He said you can't control a budget if you don't control the overtime and said he feels a budget can't be run like that. Alderman Schuchmann said due to the water line break, it was a good decision on the part of the Superintendent to use overtime to make the necessary repairs. Larry said he has made a minor change to have the employees with lower pay come in to make the repairs.

Alderman Schuchmann made a motion to adopt the policy that overtime is up to the decision of the Department Heads. Alderman Walter seconded it and the motion unanimously carried.

**Warren County Assessor GIS** - Karen Girondo explained the new GIS System now in use and available at the Warren County Assessor's office. The City's tax maps and records are on this system. She said to support the cost Warren County is selling subscriptions. The subscription is \$750 per year. The maps are used for pulling property owners when sending letters for Conditional Use Permits, etc. Alderman Schuchmann asked how often it is updated. Karen said she believes it is ongoing. Karen said she also got the new abstracts in this week. Alderman Denkler and Alderman Schuchmann both suggested bringing this up at Workshop and at Budget time.

**Old Newsboys Day on November 20<sup>th</sup>** - City Clerk Martin this is an annual request. Joe Scott of the Journal said the funds go to a charity for Children throughout the St. Louis Metropolitan Area and there are several charities in Warren County. The Emmaus Home may be one. Alderman Schuchmann made a motion to approve the Old Newsboys Day on November 20<sup>th</sup> from 6 a.m. to 9 a.m. Alderman Reynolds seconded it and the motion unanimously carried.

**FTC's Red Flag Rule** - City Clerk Christine Martin explained to the Board she received an email from MML that the policy has to be in place by November 1, 2008, per Federal Regulations. She

said she did forward the information to the City Attorney as a heads up. Alderman Schuchman said he will get with the City Clerk next week to work on the policy and then we would run it by Darryl to make sure it meets requirements. Alderman Denkler said he would help out and Karen said she would also sit in if it is the first part of the week.

**Utility Billing Adjustments** – City Clerk Christine Martin said the resident has been charged for trash and should not have as she lives in the Spring Lakes Villas. The amount of the Adjustment would be \$84.70. Alderman Schuchmann made a motion to approve Utility Billing Adjustments. Alderman Reynolds seconded it and the motion unanimously carried.

## **Reports**

### **Engineering - None**

**Park** – Curt Kehoe was present to give his report. Curt thanked everyone for being at the Ground Breaking Ceremony on Saturday during Strassenbash. He mentioned the water problems at Diekroeger Park and it rained hard enough that it overwhelmed the culvert and it did take out another chunk of their walk trail. Curt said for the new building they dug two and a half feet and still have not found clay or firm soil. They are bringing the geotech people in tomorrow to bore down and check the soil. He had a meeting with Lamb Construction and they gave them a project schedule which he provided to the Board. He said Strassenbash was a little hard on their grounds but overall went very well. The Annual Fall Flea Market is scheduled for October 4<sup>th</sup> and we have reserved almost all of the spots. At the end of the month on Halloween we will have the trick or trunk in Diekroeger Park.

**Public Works** - Larry Janish said they put about 4 inches of clean rock in the ditch along Westwoods Road by the Service Road. He said they are still driving on the rock. He said the painting is complete on the 200,000 gallon water tower and the tower is filling at this time. They will do a sample test on Monday morning to send off for testing. If everything is okay they will take a chlorine reading again. If it is not okay it will have to be drained and not be able to go into the water system. They had a complaint from residents of bad visibility at Indian Head Lodge Road so they trimmed back the lower limbs of trees at the entrance to it so people can see pedestrians and cars when they are turning onto Westwoods Road. Alderman Schuchmann asked Larry if they could do some additional trimming on the other side of the road where the sidewalk comes out into the driveway. Larry agreed to take care of it. Larry mentioned an accident at Wildcat and Westwoods where a car went off the roadway. He said the sidewalk was broken in half and moved it four inches. He said he would get a price on replacement so it can be recouped from their insurance company.

Larry said there will be a price increase of salt and if it's okay with the Board he will purchase six skids of salt from Baragiola at last year's price of \$1,518. There was no comment.

Larry also said he needs to purchase water meters and accessories at the cost of around \$11,000 and will go ahead and make the purchase if the Board does not see a problem with it. This will help them complete their system out. There was no comment.

**Building Department** – Larry Janish said he issued a permit to Old Castle Glass for a 5,000 square feet expansion to their loading dock. It is the fourth expansion in three years. He said he is also working on other code violations.

**Police Department** - Police Chief Matthews was present and gave his report. He said there were very little problems with Strassenbash. He said to also help with budget he used part-time officers. He said 60 percent of the officers he used for Strassenbash were part-time people. He said Ammunition went up 30 to 40 percent in the last couple of months and added they will have one more qualification run this year. Chief Matthews asked if something can be done on derelict vehicles to eliminate the seven-day waiting period. He talked to Darryl Hicks and he said it can be done and will have a letter for the next meeting. Chief Matthews said they were called out after midnight on a molestation case. As of right now they have audio and video confession and have him on four felony admissions plus a class A misdemeanor and will get with the papers at the beginning of the week after he is charged. He said Lt. Malcolm worked from 2 a.m. to this evening and did a good job on it.

**City Hall** – City Clerk Christine Martin gave her report. She said she's received two requests for records one of them being from Chris Hayes of KTVI asking for copies of inspection reports of all water tower and water storage tanks over the last two years. He said the research is linked to a case in southern Missouri where birds accessed a vent and caused some contamination. The copies were received from Archer and sent to them on Wednesday. The other request was from Missouri Division of Labor Standards for Wage Records including the contract and other records in relation to the Wright City Waterline Relocation Phase 1 Project performed by Mick Mehler & sons Inc. We are in the process of getting those copies to them.

City Clerk Christine Martin asked the Board if we wanted to send out a Fall Newsletter or wait until December. She also asked if the Board was receptive to saving the \$300 Postage due to the budget by noting it on Water Bills they will be available at City Hall for pick up, maybe put at some businesses, and put on the Website again. Alderman Schuchmann said he agreed to not have the Newsletter mailed and just have it available. There was discussion of using the papers for public service announcements such as keeping the cars off the street in inclement weather for the purpose of plowing streets.

**Treasurer Report** – Karen said she is still having a problem with the General Ledger and Utility Billing cash and doesn't have the report for August. She has been trying to work with Data Tech to find the problem. She did give the Board a cash breakdown showing a \$400 difference and more than what is in the bank.

On the billing Sewer charges has been changed back to based on actual water usage starting with the September bills.

The Budget Committee met and has decided to wait out the year to see what can be done. The work on the new 2009 budget will start in October after September Financials are completed.

Karen explained the cemetery received a check today for 4 percent of the Estate of Aileen Burge Wright for \$62,805.48. She said she deposited \$60,000 in the Endowment Fund Savings Account and \$2805.48 in the cemetery checking account. She said she and the City Clerk have discussed

putting the cemetery information on the computer as it is all done by hand now. She said she will put cemetery purchases on the next agenda.

**Economic Development** - Karen Girondo said she has not heard from Coke yet but may know something next week after a meeting is held on the decision process.

She attended the East Central Missouri Development Association Meeting today and the region received a grant from the State for \$30,000 to market the three county areas. They are going to participate with the Missouri Partnership in a 25 page layout on the State of Missouri in an area development magazine. It will have a full page ad about the region and will provide the City with 500 reprints of the material. They are also going to create a new logo, update the website and do printed material. It is a plus for the area as none of the three counties have the budget for marketing.

The City had two requests for projects through RCGA but could not meet the criteria needed.

**Review/Approval of Bills** Alderman Schuchmann made a motion to approve bills. Alderman Walter seconded it and the motion unanimously carried.

**Final Questions** – Tony Midiri thanked Chief Matthews and Lt. Malcolm for such a good job on the molestation case. He asked about the grandfather of trailers in regards to Victory Tire & Auto. Alderman Schuchmann stated he had a conversation with the City Attorney on another case this week and explained how the grandfather clause works. He stated the trailers would have to be on the property prior to the ordinance adoption and it couldn't be on the property for storage facility. In addition if the trailers were grandfathered and removed, they could not be brought back. Someone asked about Conditional Use for the trailers and Alderman Schuchmann said no because the trailers would be a violation of the City Ordinance. You can not give a Conditional Use for something that is already deemed to be in violation of an ordinance.

Mayor White asked Larry Janish who the owner is of Wilson Concrete. Larry Janish said the owner is John Monnig and permits were issued the end of last year for a galvanizing plant. Karen said it took them almost a year to get a lot of their permits. Karen said she emailed them a building permit application permit for an office building they want to put up and said they are not up and running. Alderman Schuchmann stated for disclosure to the Board and residents he is doing some of the work at the Monnig plant.

**Adjournment**

Alderman Schuchmann made a motion to adjourn. Alderman Reynolds seconded it and the meeting adjourned at 8.20 p.m.

Approved \_\_\_\_\_

Attested \_\_\_\_\_