

City of Wright City
Board of Aldermen Meeting
October 9, 2008 6:30 pm

Signed in Attendance: John O'Connor, Lyn Walter, Vickey Beard, Elaine McCoy, Victoria Tighe, Lisa Marshall, Tony Midiri, Laini Talley.

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

Staff and Others: Assistant Superintendent Harry Harper, Police Chief Henry Matthews, Economic Developer Karen Gironde, Parks Director Curt Kehoe, City Attorney Darryl Hicks 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 Walter made a motion to approve the minutes from September 25, 2008. Alderman Denkler seconded it and the motion unanimously carried.

Responses to previous comments/concerns - None

Open meeting to public comments

Elaine McCoy, Manager of Wright Stop and Phillips 66 in Wright City, was present and stated her employees were harassed over the weekend from people on different committees of Wright City. She asked how Board members have the authority to come onto her property and demand phone numbers and make threatening comments that they were going to take care of the matter. She said it was already taken care of according to what the Board wanted. The truck was parked correctly. She said she got a call from City Hall and a person came over and suggested her employees call her to move the U-Haul equipment. She had another gentleman come in and threaten to take care of it himself. She asked when do Alderman have the authority to come in and do that. Alderman Schuchmann asked for clarification if it was any of the Board Members present and Elaine McCoy answered no. Alderman Schuchmann said then it was not an Alderman. Elaine McCoy stated the only person that was threatening was Mr. Justice who made it clear he was connected to the Board of Alderman and was on the Zoning Board. She said he demanded her phone number from her employees and was asked to leave the premises three times before he left. Ms. McCoy said she does not think any business should have to put up with that behavior out of anyone, especially someone who is supposed to represent Wright City. Alderman Schuchmann asked who the other two people were. Ms. McCoy said they did not make any kind of threats. The

City Hall just made a courteous follow up call to them and she only had a problem with the incident on Sunday. The other person just made a suggestion. She said even the Board stipulated where they could be parked and no one knew where the equipment could be parked; they are parked according to how it specifies on the Permit. Ms. McCoy asked who decides who gets permits and does Economy have a permit to sell flowers and does George have a permit to sell guns and for the clothing box outside of Georges. They sell the clothing to overseas to make rugs and quilts. Alderman Schuchmann said he would have to research the clothing box but said if a business is added later they would be asked to add that business line to their license and get a Conditional Use Permit if required. He said the rules are followed across the Board the same way. Alderman Schuchmann told Ms. McCoy the only person she should have had to deal with is the Code Enforcement Officer. He said the City should have required a site plan of the property which clearly shows where the building and property lines are and for the purpose of showing the designated parking spaces. Ms. McCoy said she received several apologies except from the person in question. Alderman Schuchmann stated if it happens again and it's not the Code Enforcement Officer, call the Police Department. Mayor White pointed out that after the City Clerk called him he did call her and come over and look at the video. Mayor White apologized to Ms. McCoy from all the Aldermen and Planning & Zoning Members and said no one has the right to do that. The Code Enforcement Officer should have talked to her. Mayor White said he will be talking to the Board of Alderman about it in executive session under personnel.

Vickey Beard was present and asked the Board about making arrangements on her utility bill. Alderman Schuchmann said they could not vote on it unless it was on the Agenda. Alderman Schuchmann made a motion to delay making a decision on making arrangements on the utility bill until the next meeting. Alderman Denkler seconded it and the motion unanimously carried.

City Clerk Martin explained it is stamped on the delinquent notices that the customer can come to the Board Meeting on the second and fourth Thursday.

Public Hearing - None

Ordinance/Resolutions

Bill #31-08 was presented to the Board. Bill #31-08 was read by title. A RESOLUTION DETERMINING THE INTENT OF THE CITY OF WRIGHT CITY, MISSOURI, TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES. Alderman Schuchmann made a motion to approve Resolution #31-08 determining the intent of the City of Wright City, Missouri. Alderman Reynolds seconded it and the motion unanimously carried.

The Bill having the affirmative vote of all members present was adopted. Said Bill was thereupon presented to the Mayor for his signature and approval

Bill #32-08 was presented to the Board. Bill #32-08 was read for the first time by title. AN ORDINANCE ACCEPTING WATER LINES AND/OR SEWER LINES AND ALL ITEMS OF PERSONAL PROPERTY OR FIXTURES USED, CONSTRUCTED, PLACED OR EXISTING IN CONNECTION WITH OR RELATED TO SAID WATER AND SEWER LINES BY THE CITY OF WRIGHT CITY, MISSOURI FROM CARTER CANYON INVESTMENTS, L.L.C.

LOCATED IN THE STREETS OF STEPHEN TRAIL, BRYAN RIDGE, CAROLYN CIRCLE, AND ALI WAY, AS SHOWN ON THE PLAT OF CARTER CANYON, SLIDE D-94, SLIDE D-95, SLIDE D-96, SLIDE D-97, AND SLIDE D-98, WARREN COUNTY RECORDER'S OFFICE. Alderman Walter said he is not inclined to accept the utilities or streets there at this time. He said there are problems with the lift station, streets, curbs and some sewer pipes over there are not capped. Alderman Schuchmann said to get with Larry tomorrow to draft a letter to them listing the deficiencies. Alderman Schuchman made a motion to table it pending the outcome of deficiencies. Alderman Reynolds seconded it and the motion unanimously carried.

Bill #33-08 was presented to the Board. Bill #33-08 was read for the first time by title. AN ORDINANCE ACCEPTING LAND FROM CARTER CANYON INVESTMENTS, L.L.C. BEING STEPHEN TRAIL, BRYAN RIDGE, CAROLYN CIRCLE, AND ALI WAY, AS SHOWN ON THE PLAT OF CARTER CANYON, SLIDE D-94, SLIDE D-95, SLIDE D-96, SLIDE D-97, AND SLIDE D-98, WARREN COUNTY RECORDER'S OFFICE, BY THE CITY OF WRIGHT CITY, MISSOURI. Alderman Walter made a motion to table it pending the outcome of deficiencies. Alderman Schuchmann seconded it and the motion unanimously carried.

Old Business

Request for Additional Antenna on Water Tower - Alderman Schuchman said the company has not got back with him and stated the next time we enter into a contract like this we need to make sure it spells the exact number of antennas. Alderman Schuchman made a motion to put the issue to rest as a lesson learned. Alderman Reynolds seconded it and the motion unanimously carried.

Ordinance #257, Section 615.180 Solicitation in Streets – Alderman Schuchmann said he has been working off a draft from Wentzville and provided a draft he made up to the Board. Alderman Denkler asked about Section B on the draft. The Board discussed not allowing multiple people at a location per day and decided to change “permit issued per day” to “permitted user per day per location”. City Attorney said the Board could designate someone to work with him instead of bringing it to a Workshop. Alderman Schuchmann said he would be able to get with City Attorney Darryl Hicks on this next week. He discussed the possibility of not charging a non-profit organization. Karen said it is spelled out in the code book for this purpose under Business Licenses.

Knights of Columbus – Charity Drive – City Clerk Christine Martin stated Mr. Sherman submitted a Certificate of Liability Insurance naming the City of Wright City. Alderman Schuchman made a motion to approve the Charity Drive by the Knights of Columbus. Alderman Reynolds seconded it and the motion unanimously carried.

Special Permits - Alderman Schuchmann said this was carried over from a previous meeting and said if it's okay he will discuss it with the City Attorney. There was no objection from the Board.

Tim McRae, 43 Kerland Drive - Mr. McRae was not present and Mayor White requested this be removed from the Agenda.

Red Flag Rule – Identity Theft Policy - City Clerk Christine Martin stated this a policy the City needs to adopt by November 1st and said a copy of the draft is in the packet and added we need an ordinance to make it a policy. Alderman Schuchman explained the Identity Theft Policy to the audience and said we received a sample policy from MML. Alderman Denkler discussed the periodic review required and suggested tagging it onto the Budget Committee with the Treasurer and the City Clerk and to add a Section E to identify the Utility Committee. Alderman Schuchmann discussed adding a section naming the Program Administrator and to make it the City Clerk and to add Section F. to name the program administrator. Alderman Denkler concurred. Alderman Schuchmann made a motion to give the authority to City Attorney Darryl Hicks to draft an ordinance with the changes as mentioned. Alderman Walter seconded it and the motion unanimously carried.

New Business

Huey Construction Payment Request #12 – Karen told the Board that Holly prepared a letter on this and said Huey is requesting everything at this time which is for work completed as well as the 5 percent retainage. Alderman Schuchmann made a motion to deny Payment Request #12 to Huey Construction. Alderman Reynolds seconded it and the motion unanimously carried.

Sullivan Publications – City Code Update - City Clerk Christine Martin asked the Board if they wanted to update the Code Book before the increase went into effect. Alderman Schuchmann made a motion to wait to update the City Code. Alderman Denkler seconded it and the motion unanimously carried.

2009 Budget & Committee - Treasurer, Karen Girondo said she would like to have all the Department Heads give their major purchases for year end so she can project what will be taken in and spent by the end of the year. She would like that for the 3rd week of October and have the Department Heads draft budget to her by October 28th. She would then like to have a meeting with Department Heads the first week of November and the first draft of the budget would come to the Board on November 13th with changes being worked on the rest of November and the final budget being presented for approval on December 11th. We have until December 11th to pass the budget.

Alderman Denkler stated he decided to step down from the Budget Committee as he has decided not to run for Alderman next year. He said he feels that someone else from the Board needs to fill that position so they will be here through 2009. Alderman Reynolds volunteered for the Budget Committee. Alderman Schuchmann made a motion to nominate Alderman Reynolds to serve on the Budget Committee. Alderman Walter seconded it and the motion unanimously carried.

Cemetery Software - Karen explained the software for the cemetery and said it will fit right into the system. The funds for it would come from the lady that left the Cemetery the \$62,000 in her will. Karen said it is extra money that has to be used for the Cemetery. Alderman Schuchmann made a motion to purchase the cemetery software. Alderman Reynolds seconded it and the motion unanimously carried.

Lisa Marshall – Payment Arrangements Requested - Lisa Marshall addressed the Board on making arrangements on her Utility Bill account due to unforeseen circumstances. She said she could pay \$250 by November 2nd. Alderman Schuchmann made a motion to approve payment arrangements for a period of four (4) months to catch her bill up. Alderman Walter seconded it and the motion unanimously carried. Lisa Marshall thanked the Board.

Utility Billing Adjustments - City Clerk Christine Martin said the adjustment is needed because the resident's meter was misread and they were over charged. Alderman Schuchmann made a motion to approve Utility Billing Adjustments for account 100376001 for the amount of \$234.41. Alderman Reynolds seconded it and the motion unanimously carried.

Request for Ordinance for Tow Away of Vehicles - Chief asked if the ordinance could be amended on derelict vehicles to do away with the seven (7) day waiting period for tow away of vehicles. They can issue a violation on site and will be easier to keep track the number of vehicles and the cost of stickers are high. Alderman Schuchman made a motion to approve the elimination of the seven (7) day waiting period for tow away of vehicles. Alderman Reynolds seconded it and the motion unanimously carried.

Reports

Engineering – Karen said there is no report, but said since Archer has been bought Holly has been sending on a weekly recap of what Archer has done that week for the City. Holly has been on vacation.

Park - Curt Kehoe gave an update on the Park Building. He said the footings and foundation work has been done. The rock was put in and the plumber was working on roughing in on the sewer pipes and to get ready for the rest of the plumbing work. The Flea Market on October 4th was the largest one held yet and was five (5) spaces away from capacity. The last upcoming event of the season is the Trick or Trunk. The Chamber and Businesses will be there to give out candy to the kids. The Fire Department is going to give hay rides and the Parks Department is going to dress the Pavilion up for Halloween. If the weather is nice they may even set up for Movies. The water fountain is fixed thanks to Harry Harper and Nathan Rohr. Alderman Schuchmann told Curt that he is doing a fantastic job. Curt said he does have plans for all the extra dirt that was dug out for the foundation.

Public Works - Harry Harper was present and asked if the Board looked at the report from EDI. He said they are concerned too if the plant will be up to limits. He said they may have to obtain some sewage from other Cities and dump it in our system to get the Bio Mass built up or maybe buy some enzymes. The sewer samples they will be doing will not reflect on warrantee work. The City is paying about \$160 per month for our regular samples and it will now jump up to about \$400 per month. He said to keep it in mind when doing the budget. The electric bill with running 24/7 has been averaging \$1800 a month so with doubling it the cost will be \$36,000 to \$40,000 next year to run the plant. With the sampling it won't be cheap. Harry said the 200,000 gallon water tower was put back in service yesterday. Karen said the City did issue three (3) new building permits yesterday.

Police Department - Police Chief Matthews was present and said they have been picking up some drugs over the last two weeks. They got some cocaine and a gun off the street which they will destroy. He stated starting this morning about 5:00 a.m. they have been working on a

kidnapping case. It was a kidnapping/burglary where a lady was taken at gunpoint and transported about 25 miles away. He brought her back and released her unharmed which she was very lucky. They have a suspect and are waiting for his pick up. He stole a cell phone that had a GPS tracking unit, so they have some search warrants and are tracking him.

City Hall – City Clerk Christine Martin discussed the rule discussed earlier in the year on the Landlord’s Responsibility of their tenant’s utility bills. We currently have an updated Landlord list in the computer, but before we can implement it the City needs an ordinance to enforce it. It can be sent to the City Attorney for review. It will increase the postage some by notifying Landlords. Alderman Schuchman made a motion to send it to City Attorney Darryl Hicks for review for an ordinance. Alderman Reynolds seconded it and the motion unanimously carried.

City Clerk Christine Martin brought up the Red Flag-Identity Theft Policy that is required. The City also needs an ordinance to adopt a policy per MML. A couple other items needed are to move the server to a secure place and passwords. Mike McManus with CBSI recommended it be moved to a locked office such as Karen’s or mine and not the vault due to lack of ventilation. The printer would have to be moved along with it. Passwords on computers will be used and we have the capacity to create them ourselves. The Firewall per CBSI is secure and I am waiting to hear back from Data Tech on the level of encryption of software.

Treasurer Report – Karen Gironde gave cash reports for both August and September but does not have the budget report run yet. Data Tech has been in her system due to the problem she’s had. The resolution passed tonight on the intent to the City is to reimburse itself for certain capital expenditures which came from our Bond Attorney, Mark Grimm with Gilmore & Bell. Karen explained we normally we get financing in place at time of contract signing, but this time we were caught in the credit crunch and they aren’t willing to do this. She said Tom McNeely, with our Banker’s Bank said we should just wait a couple of weeks and it should go through. If we get a contractor’s invoice we should pay out of the Park fund and when we get that money we can reimburse the Park back for the money paid out for the building contractor.

Economic Development - Karen said she thought we would know something on the Coke Project last week Thursday. She said they put the meeting off for two more weeks and believes it is all to do with financing. There are other people out there looking. Duane Regeon called very upset that nothing has been done and we aren’t pushing the issue regarding Trotters Creek. He said Larry Janish has not met with Kenny Mechlin yet. Karen said when he said he was talking to an attorney and Channel 2 News, she ended the call with him. She said Duane is concerned with what is going on and told him until we get everything requested the City’s hands are tied.

Review/Approval of Bills

Alderman Schuchmann said he saw one as a problem for the Wright City PTO. He applauded the Mayor’s intent but it could not be handled that way as the salary from the City is paid to the Mayor and the City as an employer has a responsibility per Federal Employment Laws to report all wages paid to him just as they would be on the W-4 in his name. He said it’s the Mayor’s choice for going ahead to make the donation and applauds him for doing so. Mayor White said he thought there would be a problem and he contacted his attorney and he advised him if there would be a problem it would be a personal problem. Mayor White said he would contact his attorney on it. Mayor White said he wanted the full \$800 to be donated from the City so there wouldn’t be any taxes taken out so the PTO would get the full \$800. He said he would just take the cash and a personal check to make it the \$800 donation. Alderman Schuchmann made a motion to approve

bills with the exception of the check to the Wright City PTO in the amount of \$800. Alderman Walter seconded it and the motion unanimously carried.

Final Questions – Lyn Walter addressed the Mayor and asked if he thought he could donate his check without paying taxes. Mayor White answer if he is not receiving it then why should he pay taxes on it.

Ms. Talley asked the Chief Matthews if she forgot to renew her plates, does that mean the next morning her car will be towed. Chief Matthews answered no. Alderman Schuchmann said it was just part of the ongoing effort to keep the City cleaned up.

Jamey Abercrombie asked for a copy of the bids for the new Park Building. Jamey said it is all public record and he could get a copy at 10 cents a page.

Executive Session - There was nothing for executive session.

Adjournment

Alderman Schuchmann made a motion to adjourn. Alderman Walter seconded it and the meeting adjourned at 7:55 p.m.

Approved _____

Attested _____