

**REGULAR MEETING MINUTES
BOARD OF ALDERMEN
SEPTEMBER 13, 2016 6:00 P.M.
CITY OF LAURIE, MISSOURI**

Mayor Allen Kimberling called the meeting to order at 6:00 p.m.

Present at the meeting were Mayor Allen Kimberling, Aldermen: Karen Dobbins, Carol Gill, Jeff Chorpening, Herb Keck

Others present were City Clerk Ron Clarke, City Attorney Steve Grantham, Dick Dobbins, Doug Gill, Susann Huff, Paul Johnson, Steve Hollaway, Colby Powell, Janet Dabbs

Citizens Communication:

None

Mayor's Communications

None

Approval of Minutes

Alderman Dobbins made a motion to approve the August 9th, 2016 regular meeting minutes.

Alderman Keck seconded. Motion passed unanimously.

Alderman Chorpening made a motion to approve the August 9th, 2016 closed meeting minutes.

Alderman Dobbins seconded. Motion passed unanimously.

Pending Payments & Addition to Pending Payments

Alderman Keck made a motion to approve the payments and additions to pending payments.

Alderman Gill seconded. Motion passed unanimously.

Unfinished Business

Sidewalk Update: Mr. Clarke reported that utility marking was underway. There was still no sign of equipment, but the official start date was September 15th.

Street Paving Bid Spec Discussion: Mayor Kimberling reported that the commissioners from the Gravois Special 8 Road District had offered the possibility of performing the labor for the street overlay, leaving the city to pay for material only. This would change the decision making related to hiring an engineer to develop the bid spec and/or developing our own. The Mayor was trying to organize another meeting with the commissioners and employees of the Special 8 district to garner additional details. The Board decided to postpone the decision on the overlay bid spec until October.

Sewer Forgiveness Ordinance

First Reading Council Bill No. 2016-13; Ordinance No. 2016-13: An ordinance forgiving the sewer portion of a water and sewer bill when there is a leak

Alderman Dobbins introduced Council bill No. 2016-013 for the first reading. Alderman Keck seconded. The following roll call vote was recorded:

Alderman Chorpening	Aye
Alderman Dobbins	Aye
Alderman Gill	Aye
Alderman Keck	Aye

Second Reading Council Bill No. 2016-13; Ordinance No. 2016-13: An ordinance forgiving the sewer portion of a water and sewer bill when there is a leak

Alderman Keck introduced Council bill No. 2016-013 for the first reading. Alderman Dobbins seconded. The following roll call vote was recorded:

Alderman Chorpening	Aye
Alderman Dobbins	Aye
Alderman Gill	Aye
Alderman Keck	Aye

Tree Ordinance: Alderman Chorpening pointed out an error in Section 2 of the ordinance which referred to “approval of the commission” and which should have read “approval of the Board of Aldermen”. More discussion took place related to telling citizens what types of trees they could plant on their own property, i.e. the list of trees specified in section 7. Alderman Chorpening pointed out he had not seen this list of trees. Forester Paul Johnson noted that the list was not actually part of the ordinance so it could be easily edited and updated. Attorney Grantham pointed out that this was a list of “recommended” trees and that the list was an attempt to offer guidance when planting trees over and under utilities and near roads and sidewalks. Due to the fact that the typographical error needed to be corrected, the vote on this ordinance was tabled until next meeting.

New Business

State Statutes Affecting City Code: City Clerk Clarke reported on a list of revised state statutes that would affect the City of Laurie. One item relates to another reduction in the maximum fine levied for “minor traffic violations” from \$300 to \$225. City Clerk Clarke reported this would have some small affect on the city’s general revenue.

City Clerk Clarke also reported that the maximum fine for “other municipal ordinances” had been set as follows:

For municipal ordinance violations committed within a twelve-month period beginning with the first violation: the maximum allowable fine is \$200, \$250 for the second offense, \$350 for the third offense, and \$450 for the fourth and subsequent offenses.

City Clerk Clarke reported there were 18 ordinances in the city code with maximum fines in excess of this statute. He also pointed out that there was a clause in the very first chapter of the city code that reads as follows:

Whenever any provision of the Revised Statutes of Missouri or other Statute of the State limits the authority of the City to punish the violation of any particular provision of these ordinances or rules, regulations or orders promulgated pursuant thereto to a fine of less amount than that provided in this Section or imprisonment for a shorter term than that provided in this Section, the violation of such particular provision of these ordinances or rules, regulations or orders shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized, or by both such fine and imprisonment.

As the City was technically within the law, Mr. Clarke said he and Attorney Grantham would work on an amendment to address the 18 individual ordinances

Cook Shack Sale: The Board reviewed the fairgrounds cook shack sale and contract between the City and Barry and Marcia Campbell. Alderman Dobbins made a motion to approve the contract. Alderman Chorpening seconded. The motion passed unanimously.

2017 TAP Application: There was much discussion about the application for TAP Grant Funds for 2017. Several members expressed an interest in building a sidewalk down “O” road as far as the Fountain Apartments. Alderman Herb Keck reminded the Board of a sidewalk master plan developed in 2013. This plan had four phases, none of which included a sidewalk down “O” road. Much of the preliminary engineering for these four phases had already been completed. The Board members each received a copy of the 2013 Master Plan to review the proposed phases. Phase three of the plan was currently underway. If the Board chose to pursue an alternative

location, preliminary engineering would need to be completed and there was very little time before the November 1st application deadline. The Board may also need time to distribute a Request for Qualifications (RFQ) to identify a qualified engineering firm, even though Anderson Engineering was the current sidewalk project engineer. Alderman Chorpening suggested we wait to evaluate the success of the current project, as far as budget and schedule, before we attempt to pursue and commit to additional phases or develop a new phase. The Board agreed to postpone the application process until 2017 for the 2018 fiscal year.

Department Head Reports

Public Works Department

Water: No report

Sewer: Steve Hollaway expressed his gratitude to Dean Smith for all of his assistance over the past few months. He also thanked the chief and the police department for their diligence in reporting sewer system alarms in a timely manner. Steve reported on a lift station in the fairgrounds that, in his opinion, was being overloaded. He expressed an interest in soliciting solutions from outside experts in the field. He reported that the solutions may require that we spend capital money to make this improvement. Ron Clarke pointed out that we had capital money set aside for just such an occasion.

Events: Susann Huff reported on the success of the First Annual Hillbilly Fair Golf Tournament. The tournament raised the funds necessary to cover the cost of the Los Moralitos Circus, which is new for the Fair this year. Susann reported that the BBQ report was not yet complete as she was expecting additional bills.

Mark Black, Police Chief

Monthly Statistics: Chief Black provided the following monthly statistics for August 2016: Traffic Stops 59; Warnings 52; Summons 7; Assist Other Agencies 23; Criminal Activities 16; Calls for Service 385, Arrests 6.

City Clerk

Ron Clarke reviewed the financial report for August 2016. August total of all funds \$2,038,340. General Fund Revenues - \$430,193; General Fund Expenses - \$544,402 (Mr. Clarke pointed out that the fund appeared out of balance due to the fact that the street repairs had been paid and the balance of the street sales tax had yet to be collected.); Event Fund Revenues - \$32,556; Event Fund Expenses - \$54,686; Water and Sewer Fund Revenues - \$434,808; and Water and Sewer Fund Expenses - \$465,302.

Sales Tax Review: August City Sales Tax was \$77,398; Year to date: \$263,394. This is an increase of \$15,006 for the same period last year. August Street Sales Tax was \$38,194, YTD \$129,213. This is an increase of \$7,141 for the same period last year. August Sewer Sales Tax was \$38,698, YTD \$131,697. This is an increase of \$7,503 for the same period last year.

Steve Grantham, City Attorney

Mr. Grantham reported on the Board's desire to amend the nuisance ordinance in an effort to get some property owners to do a better job mowing and keeping the community clean. The packet contained the current nuisance ordinance for review. The Board wanted to know what could be done. City Clerk Clarke reported that the current process was to send a courtesy letter to the owner (assuming they could be identified and located). This is followed by an abatement notice sent by certified mail, identifying the specific nuisance and giving the owner 15 days to address the issue. If the issue is not addressed within 15 days, the owner could be written a ticket and required to appear in municipal court. Alderman Dobbins asked if the city could hire someone to mow the property and send the owner the bill. Attorney Grantham pointed out that it would be difficult to collect the cost from the owner as the code allows for the cost to be collected through an additional tax, and the city had no personal property or real estate tax. He also pointed out that it may be extremely difficult to identify and locate a specific owner. The Board decided to begin

compiling a list of locations and directed City Clerk Clarke to begin the process of identifying and locating owners. The Board agreed to continue the practice of sending a courtesy letter prior to an abatement letter. Attorney Grantham stated he would continue to look at amending the nuisance ordinance to specify vegetation growth limits.

Board Reports

Enhancement Committee Alderman Dobbins reported the Beautification Award is presented to the new Laurie Family Pharmacy

Mayor's Report

None

Closed Meeting

Alderman Keck made a motion to adjourn the regular meeting and go into closed session pursuant to Missouri Revised Statutes Section 610.021(3) to consider hiring, firing, disciplining or promoting an employee. Alderman Gill seconded. The following roll call vote was recorded:

Alderman Chorpening	Aye
Alderman Dobbins	Aye
Alderman Gill	Aye
Alderman Keck	Aye

Alderman Chorpening made a motion to adjourn the closed session and return to open session. Alderman Gill seconded. The following roll call vote was recorded:

Alderman Chorpening	Aye
Alderman Dobbins	Aye
Alderman Gill	Aye
Alderman Keck	Aye

Closed meeting adjourned and returned to regular meeting at 7:45 p.m.

Mayor Kimberling called the regular meeting to order at 7:46 p.m.

City Clerk Clarke reported the following from the closed session: The Board made a decision regarding a six month review and wage increase for a maintenance employee.

Adjourn

Alderman Dobbins made a motion to adjourn. Alderman Gill seconded. Meeting adjourned at 7:50 pm.

Allen Kimberling, Mayor

Attest:

Ron Clarke, City Clerk