

**REGULAR MEETING MINUTES
BOARD OF ALDERMEN
APRIL 11, 2012; 6:00 P.M.
CITY OF LAURIE, MISSOURI**

Mayor Chuck Chorpening called the meeting to order at 6:00 p.m.

Prior to starting the agenda Mayor Chorpening asked those present to stand and recite the Pledge of Allegiance. A moment of silence was held in honor of our troops and our nation.

Present at the meeting were Mayor Chuck Chorpening, Alderman Greg Lux, Alderman Karen Dobbins, Alderman Valerie Ites, and Alderman Herb Keck.

Others present were City Clerk Olive Wood, Director of Public Works Ed Young, Police Chief Shane Edwards, City Attorney Steve Grantham, Auditor Lisa Officer, Municipal Judge Pat Scott, Janet Dabbs, Richard Skaar, Dick Dobbins, Martha Moulder, Allen Kimberling, Dru and Rod Hayes, Amy Wilson, Jay Fisher, Joyce Keck, Greg Tolbert, Debbie Rathert, Troy Wormsley, Ruth Magill, Mike Logston, Mike Wood, Ray Kline, and Curt Mooney.

Mayor's Communications: Mayor Chorpening gave a brief history of his past four years as mayor.

Citizens' Communication: None

Approval of Minutes

March 14, 2012 Regular Meeting Minutes: Alderman Lux made a motion to accept the March 14, 2012 regular meeting minutes. Alderman Ites seconded. The following vote was recorded:

Alderman Keck	aye
Alderman Dobbins	aye
Alderman Ites	aye
Alderman Lux	aye

Pending Payments & Addition to Pending Payments: Alderman Lux made a motion to approve additions and pending payments. Alderman Dobbins seconded. Discussion followed regarding Attorney Tom Loraine invoice and payment to a reserve officer for fitness center.

Alderman Lux amended the motion to exclude the payment to Reserve Officer Amanda Brooner and approve the additions and pending payments. The following vote was recorded:

Alderman Keck	aye
Alderman Dobbins	aye
Alderman Ites	aye

Alderman Lux aye

Police Chief Shane Edwards stated he had incorrectly agreed to pay for the reserve officer's fitness membership before looking at the personnel manual where it states for full-time employees. The board stated they would not change the personnel policy manual, this would be an exception to the rule and not to be repeated again.

Alderman Keck made a motion to pay the reserve officer's fitness bill with the a notation of exception in files for both Police Chief Shane Edwards and Reserve Officer Amanda Brooner that this will not happen again. Alderman Dobbins seconded. The following vote was recorded:

Alderman Keck	aye
Alderman Dobbins	aye
Alderman Ites	nay
Alderman Lux	nay
Mayor Chorpening	aye

Unfinished Business

A. 2011 Audit Report, Lisa Officer, CPA: Auditor Lisa Officer stated that the total net assets had very little change from 2010. The general fund revenues had a 4% decrease in charges for services; fines and court costs was up 16%; administration expenditures – n had a 22% decrease; and recreation had a 16% decrease. Due to the pay down of the street bonds the revenues were exceed by \$84,668 in expenditures. The Water and Sewer fund had very little change over 2010. The water and sewer fund had a decrease in user fees; due to the tank maintenance agreement there was an overall increase in expenditures; personnel expenses were up 5%. The water and sewer fund had an increase in net assets of \$62,524. The one concern in the audit process was the court tickets, it was found that the control over court tickets lacked the ability to account for all tickets either issued or voided. Auditor Officer recommended that staff procedures be implemented to track all tickets and she stated this was being done. She reported the city has a sound cash position and by reducing expenditures the city has weathered the recession.

The Board asked how the City of Laurie compared with other cities she audits. She stated that due to the economy, some cities have had to lay-off their entire police force to balance the budget and Laurie has been able to maintain its financial stability.

B. First Reading Council Bill No. 2012- 04; Ordinance No. 2012-04: “An Ordinance declaring the results of the Municipal Election held on April 3, 2012:”

The following results were certified from the Municipal Election held April 3, 2012:

Ward I and Ward II for Mayor:

Candidate	Votes Received
Herb Keck	112

For Ward 1 Alderman (vote for 1)

Candidate

Greg Lux 43
Ken Zgiet 29

For Ward 2 Alderman

Candidate

Allen Kimberling 52

Alderman Ites introduced Council Bill No. 2012-04 for the first reading. Alderman Lux seconded. The following roll call vote was recorded:

Alderman Keck aye
Alderman Dobbins aye
Alderman Ites aye
Alderman Lux aye

C. Second Reading Council Bill No.2012-04; Ordinance No. 2012-04: “An Ordinance declaring the results of the Municipal Election held on April 3, 2012.”

Alderman Keck introduced Council Bill No. 2012-04 for the second reading. Alderman Lux seconded. The following roll call vote was recorded:

Alderman Keck aye
Alderman Dobbins aye
Alderman Ites aye
Alderman Lux aye

Mayor Chorpening declared Council Bill No. 2012-04 become Ordinance No. 2012-04.

D. Lexsar Update: Alderman Lux reported Lexsar is still waiting on the final AT&T bill.

SWEARING IN OF NEWLY ELECTED MAYOR AND ALDERMEN:

Municipal Judge Patricia Scott gave the oath of office to in-coming Mayor Herb Keck, returning Alderman Greg Lux, and in-coming Alderman Allen Kimberling.

New Business

A. Resolution No. 2012-03; “A RESOLUTION BY THE CITY OF LAURIE, MISSOURI IN APPRECIATION TO CHUCK CHORPENING FOR HIS SERVICE AS MAYOR TO THE CITY OF LAURIE, MISSOURI.”

Mayor Keck read the following resolution to out-going Mayor Chuck Chorpening and presented him with a clock of the Missouri State Seal engraved with his years as mayor.

Resolution No. 2012-03

**RESOLUTION OF APPRECIATION
BESTOWED UPON CHUCK CHORPENING**

WHEREAS, Chuck Chorpening has devoted the past four years to the citizens of this community as Mayor of the City of Laurie; and

WHEREAS, Chuck Chorpening has served this community during his tenure by:

- Serving as Chairman of the Local Council of Government promoting economic growth within the four county area; and
- Serving on the Lake of the Ozarks Transportation Council lobbying for improvements and expansion of the Lake's highway system; and
- Supported and assisted in Laurie's first use of a Neighborhood Improvement District to expand sewer service to the eastern part of Indian Rock Subdivision; and
- Has been a very effective business development advocate and successfully increased and expanded business activity in our city during a stagnant economy; and
- 2010 Census showed a population growth to the City of Laurie to 945 residents; and
- Guided the completion of the installation of five storm warning sirens covering the population of the City of Laurie; and
- Helped maintain the city's financial stability during a very tough economy.

NOW, THEREFORE THE BOARD OF ALDERMEN OF THE CITY OF LAURIE, MISSOURI does publicly extend their appreciation and best wishes to Chuck Chorpening for continued success in his life's pursuits.

The City Clerk is hereby directed to record this Resolution in its entirety into the official Minutes of the Board of Aldermen of the City of Laurie as adopted on the 11th Day of April 2012.

Herb Keck, Mayor

ATTEST:

Olive Wood, City Clerk

B. Bartlett & West, Sunrise Beach Sewer Feasibility Study Update: Mike Logston of Bartlett and West Engineering firm presented the following Feasibility report regarding the city's wastewater treatment service for the Village of Sunrise Beach. Mr. Logston stated that information used to create the Wholesale Rate Analysis and Sewer O/M Breakdown was provided by Public Works Director Ed Young.

The feasibility study background states the City of Laurie's wastewater collection and treatment system currently serves all residents and businesses of the city. Recently, the Village of Sunrise Beach requested the City of Laurie to evaluate the feasibility of providing wastewater treatment for a proposed sanitary sewer collection system in Sunrise Beach. Sunrise Beach would be responsible for the collection and transportation of the anticipated daily volume of wastewater directly to the wastewater treatment plant in the City of Laurie.

The city's treatment plant was completed in 2004 and designed for an average daily flow capacity of 250,000 gallons, and currently the daily dry weather flow is approximately 101,000 gallons per day.

Sunrise Beach does not have a sanitary sewer collection or treatment system at this time. To provide cost-effective sanitary sewer service to the residents and commercial businesses, it is investigating options for installing the collection system and contracting with the City of Laurie for treatment of the sewage. Sunrise Beach estimates a average daily flow of 50,000 gallons per day.

The study only address current operating expenses and evaluates potential increases in expenses due to the additional hydraulic and biological loading contributed by the Village of Sunrise Beach. No upgrade or expansion costs to the city's treatment plant have been incorporated in this study.

It appears the city's treatment plant has adequate capacity for the additional flow anticipated from Sunrise Beach. Other considerations include the type of waste received, level of treatment, treatment process, and location where discharge is released.

Bartlett and West Engineering has evaluated the current operational conditions at the city treatment plant from daily monitoring reports that were accumulated over several years, volume of incoming flow and other in-plant operational parameters. Critical factors include organic loading entering the plant on a daily basis, efficiency of the treatment process to remove pollutants, and the handling of the biosolids (sludge) all appear to be within accepted ranges. The plant effluent is consistently within allowable permit limits.

If the contribution from Sunrise Beach consists of domestic wastes only, meeting parameters set out in the city's sewer use ordinance and the amount of extraneous flow resulting from rainfalls events, I&I, controlled to less than ten percent (10%) of the projected daily flow, the plant should have adequate capacity to accommodate Sunrise Beach.

The city should evaluation future growth that would increase flow when committing excess capacity to outside the city.

The cost for treatment to the existing operational expenses had to be determined. A sewer system rate analysis for the city was conducted in 2008 and the new rate was implemented in January 2009. The rate included the entire wastewater collection and treatment system. This feasibility analysis, the portion of the annual expenses pertaining only to the treatment plant had to be separated out. Costs have been further separated into fixed costs and variable costs.

The fixed costs considered were the actual construction of the city's treatment plant shown on a wholesale rate analysis spreadsheet, the cost of the treatment plant was forty-two percent (42%) of the total construction cost of \$6,550,000.00. This cost includes construction as well as administrative expenses, engineering design and resident inspection expense. Based on a life expectancy of 30 years, the annualized construction cost is \$92,000.

The proposed average daily flow from Sunrise Beach is 50,000 gallons per day, or twenty percent (20%) of the design capacity of the treatment plant. The proportionate share of the annualized construction cost is: \$18,400.00. This resulted in a monthly amount of \$1,530.00.

Variable costs of the annual operating expense of the treatment plant depend on the volume of wastewater being treated. The city maintains a spreadsheet of annual expenses for various activities associated with the facility. Expense categories that vary with changes in flow are utilities, repairs and maintenance, and biosolids (sludge) handling and disposal.

Current expenses were provided in a spreadsheet and are anticipated to remain consistent for the near future. The current annual operation and maintenance cost of this plant is \$148,700. This equates to a monthly rate of approximately \$4.03 per 1,000 gallons of flow. This figure has been used to calculate the initial proposed monthly rate for treatment for Sunrise Beach. The monthly fee for the projected average daily flow of 50,000 gallons is \$6,045.

For the Village of Sunrise Beach, for the anticipated maximum monthly volume of wastewater, the fixed cost will be \$1,530.00 and the variable cost will be \$6,045.00 for a total monthly charge of \$7,575.00.

The proposed monthly sewer rates have been based on construction and operating expenses of the treatment plant only. It is understood the Village of Sunrise Beach will bear the expense of constructing the pumping facilities (lift station), the force main to transport the wastewater directly to the city's treatment plant and flow metering equipment compliant with the city's supervisory control and data acquisition (SCADA) system. Sunrise Beach will also be responsible for acquiring all construction easements for these facilities and providing all operation and maintenance costs for same.

Future wastewater treatment rates will be adjusted as necessary. Future modifications to the NPDES permit requirements may have an impact on the rates for all users.

The City of Laurie should consider all legal aspects of this contractual arrangement and future growth and its impact on existing facilities.

A. Troy Wormsley, Liquor License: Troy Wormsley owner of Osage River Bar and Grill asked the Board to consider the impact of the proposed ordinance to allow churches and other places of worship, including religious education buildings or other associated structures in commercial districts.

A federal law exists that requires churches to be treated as club and other social organizations. Laurie's zoning does not permit churches in the commercial districts.

City Attorney Steve Grantham stated the city's Planning and Zoning Commission held a public hearing prior to their meeting held on April 9, 2012. The Planning and Zoning Commission has made their recommendation to the Board to allow for churches in the commercial districts.

Discussion was also held on the impact of the city's ordinance requiring a distance of 300 feet between churches and establishing a business selling intoxicating liquor. The state law only requires 100 feet.

The board requested a public hearing to be held on April 25, 2012 at 6:00 p.m. to receive public input.

D. First Reading of Council Bill No. 2012-05; Ordinance No. 2012-05: "An Ordinance approving a recommendation of the Planning and Zoning Commission to amend Section 405.110 of the Planning and Zoning Ordinance to allow churches and other places of worship, including religious education buildings or other associated structures in commercial districts."

Alderman Lux introduced Council Bill No. 2012-05 for the first reading. Alderman Kimberling seconded. The following roll call vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

E. Second Reading of Council Bill No. 2012-05; Ordinance No. 2012-05: "An Ordinance approving a recommendation of the Planning and Zoning Commission to amend Section 405.110 of the Planning and Zoning Ordinance to allow churches and other places of worship, including religious education buildings or other associated structures in commercial districts."

Alderman Dobbins introduced Council Bill No. 2012-05 for the second reading. Alderman Lux seconded. The following roll call vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

Mayor Keck declared Council Bill No. 2012-05 becomes Ordinance No. 2012-05.

F. First Reading of Council Bill No. 2012-06; Ordinance No. 2012-06: "An Ordinance of the City of Laurie, Missouri approving a Brush Mowing Intergovernmental Agreement (2012) between Camden County and the City of Laurie, for the brush mowing on Chelsie Drive that is within the city limits."

Alderman Lux introduced Council Bill No. 2012-06 for the first reading. Alderman Ites seconded. The following roll call vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

G. Second Reading of Council Bill No. 2012-06; Ordinance No. 2012-06: “An Ordinance of the City of Laurie, Missouri approving a Brush Mowing Intergovernmental Agreement (2012) between Camden County and the City of Laurie, for the brush mowing on Chelsie Drive that is within the city limits.”

Alderman Dobbins introduced Council Bill No. 2012-06 for the second reading. Alderman Ites seconded. The following roll call vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

Mayor Keck declared Council Bill No. 2012-06 becomes Ordinance No. 2012-06.

Department Head Reports

A. Ed Young, Public Works Director

- **Laurie Care Center Isolation Valve Request:** The State is requiring Laurie Care Center to install post indicator valves with electronic monitoring if isolation valves are used. Laurie Care Center is asking for a policy change to eliminate isolation valves on fire sprinkler lines so funds do not have to be spent installing expensive valves to comply with State requirements.

The Board agreed if Laurie Care Center would sign an agreement they understood the facility water would be turned off if fire sprinkler line maintenance was required and they are responsible for all costs associated with the change. In addition isolation valve elimination can only be performed where turning off a main line will only affect the customer asking to eliminate these valves.

B. Shane Edwards, Police Chief

- **Incident Report:**

Chief Edwards reported 138 incidents in March; 92 calls for service and 46 self-initiated. Out of the 46 self-initiated there were 43 traffic stops, 2 open doors, and 1 pedestrian checks; 33 warnings; 8 stops resulted in citations and 2 DWI's.

C. Olive Wood, City Clerk

- **Review Financial Report:** The total cash of all funds as of March 31, 2012 was \$2,223,961.94; Year-to-date: General Fund Revenues - \$143,978.88; Expenses - \$146,278.74; Event Revenues - \$3,020.17; Expenses - \$9,891.48; Water and Sewer Fund Revenues - \$144,465.60 – Expenses - \$188,755.79.

- **Natural Gas Update:** Summit Natural Gas Board will meet today to determine funding for future projects and if the Warsaw extension to Laurie will be one of the projects funded. They will call the city on Monday, April 16th with the decision made by the board.

Alderman Lux asked what the terms were in the contract as to when construction would begin. City Clerk Olive Wood stated she would check the contract and provide that information.

D. Steve Grantham, City Attorney:

Attorney Steve Grantham stated he had new information from the City of Lake Ozark’s police chief regarding their having a K-9 dog. There were dog incidents; dog was not certified; found the city had no insurance coverage for a K-9; and certification maintenance log for the K-9 was not kept. Grantham also informed the Board that the National Labor Board requires a K-9 officer to be given four hours for dog training each week and four hours for the dog grooming, leaving the K-9 officer with 32 hours on the force in a week. He felt the board should be aware of these issues prior to funds being sought for the K-9.

Board Reports:

Alderman Dobbins – reported the city’s “Welcome” signs on Highway 5 and Highway 135 needed to have the weeds cut and asked that this be placed in the minutes.

Mayor Appointments

- **Appoint Mayor Pro-tem:** Mayor Keck recommended Alderman Greg Lux as Mayor Pro-tem. Alderman Ites made a motion to appoint Alderman Greg Lux as Mayor Pro-tem. Alderman Kimberling seconded. The following vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

- **Board of Adjustment Appointment (5 yr term):** Mayor Keck recommended Clarence Hager. Alderman Ites made a motion to appoint Clarence Hager to the Board of Adjustment for a 5 year appointment. Alderman Dobbins seconded. The following vote was recorded:

Alderman Lux	aye
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

- **Planning & Zoning Appointment (Resignation of Peggy Huffman) Term Expires 7/15/15):** Mayor Keck recommended Joyce Chorpening to fill the unexpired term of Peggy Huffman. Alderman Dobbins made a motion to appoint Joyce Chorpening to the Planning & Zoning Commission for the unexpired. Alderman Kimberling seconded. The following vote was recorded:

Alderman Lux	nay
Alderman Ites	aye
Alderman Dobbins	aye
Alderman Kimberling	aye

- **Appointment of City Attorney:** Mayor Keck recommended Steve Grantham as City Attorney. Alderman Lux made a motion to appoint Steve Grantham as City Attorney. Alderman Ites seconded. The following vote was recorded:

Alderman Lux aye
Alderman Ites aye
Alderman Dobbins aye
Alderman Kimberling aye

- Appointment of Municipal Judge: Mayor Keck recommended Patricia Scott as municipal judge. Alderman Lux made a motion to appoint Municipal Judge Patricia Scott. Alderman Ites seconded. The following vote was recorded:

Alderman Lux aye
Alderman Ites aye
Alderman Dobbins aye
Alderman Kimberling aye

- Change Authorizations to Sign City Checks: Mayor Keck stated the city needed to remove former Mayor Chuck Chorpening as an authorized check signature from all city accounts. Alderman Lux made a motion for Alderman Karen Dobbins to replace Chuck Chorpening as an authorized signature for all city accounts. Alderman Ites seconded. The following vote was recorded:

Alderman Lux aye
Alderman Ites aye
Alderman Dobbins abstained
Alderman Kimberling aye

- Sales Tax/Use Tax Discussion: Alderman Keck reported the Missouri Supreme Court ruling that went into effect March 21, 2012 had found that the collection of county and city sales tax on out-of-state purchases of cars, trucks, boats, motors and trailers as well as individuals who purchase the same is now illegal. This would reduce the city's revenue budget by approximately \$4,500. All cities and counties will be affected from all vehicle sales tax due to the Missouri Supreme Court ruling. This decision will also hurt local businesses as it encourages people to make these purchases out-of-state in order to avoid paying local sales tax.

The board decided to place a proposed use tax ordinance on the May 9th agenda. If the board approves the ordinance it will be placed on the August 7, 2012 ballot. The use tax will be at the current sales tax rate of 2%. The use tax will not be a new tax, but replaces the city current 2% sales tax that had been collected until the ruling of the Missouri Supreme Court.

City Clerk Olive Wood will check with Camden and Morgan Counties on the approximate cost of placing the above on the August Primary.

ADJOURN: Alderman Lux made a motion to adjourn. Meeting adjourned at 8:03 p.m.

Respectfully Submitted,

Olive Wood
City Clerk