

City of Marthasville

MINUTES OF THE CITY OF MARTHASVILLE BOARD OF ALDERMEN July 15, 2015

The July 15, 2015 regular meeting of the Marthasville Board of Alderman was held at Marthasville City Hall and called to order at 7:00 PM with Mayor David Lange, presiding. Roll call was taken by Assistant City Clerk, Lisa Irwin. Aldermen Dan Grafrath, Mike Kloepfel, Nick Lange, Pam Jensen and Mayor David Lange were present. After roll call Mayor Lange reported a quorum was present.

Also in attendance were Assistant City Clerk, Lisa Irwin; City Attorney, Jamis Kresyman; Police Chief Jenkins; Tim Flagg, ESA, Inc.; Dennis Kopp; Trei Irwin, Marthasville Chamber of Commerce; Carla Heggemann; Addam Ayala; Dana Lange (103 Rottmann Dr); John Graham (806 Northridge Dr); Tom and Lorna Haberberger (811 Northridge Dr); Becky Adams (404 E South St); Brenda Daniels (103 Shawn Patrick Dr); Joe Barker, Missouriian Publishing; Ann Jenkins (603 E South St); Kevin & Lauren Williams (100 Lane Garrett); Jay Driemeyer, Motorcycles & More, Inc; Pam Backhaus (603 E North St); Kendall Lange (809 Tiffany Ct); Cory Hanneken (116 Rottmann Dr); Kathy Ogle (800 Northridge Dr); Nick Hanify (600 Hiawatha St); Kim Gildehaus (205 Alan Dr); Martha Smith (303 E South St).

APPROVAL OF AGENDA

Mayor Lange asked for a motion to approve the agenda. Motioned by Alderman Kloepfel, seconded by Alderman Grafrath, to approve the meeting agenda. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Agenda was approved.

APPROVAL OF MINUTES

Motioned by Alderman Grafrath, seconded by Alderman Lange to approve minutes from the June 17, 2015 Regular Meeting, June 17, 2015 Public Hearing, June 17, 2015 Executive Session and the June 19, 2015 Special Meeting. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Minutes were approved.

PUBLIC COMMENT

Kevin Williams (100 Lane Garrett) stated he was questioning the road ways in limbo between the Bank of Washington and the City. He said the Bank won't respond to his calls. In the past a Home Owner Association was mentioned, but he is not in favor of that. Alderman Lange stated at the June 19, 2015 Special Meeting, it was decided that the Mayor would contact the Bank of Washington to see what could be done about taking those streets over. Kevin stated he also talked with the Mayor about a possible retention pond. His house has flooded many times from the heavy rains. He has maps from DNR that show where a retention pond could be placed. Mayor Lange stated that when they walked the streets they were looking at the storm inlets. They were still looking into who owns what before any decisions are to be made. Kevin stated he appreciates any help that the City can give.

Unknown person questioned if there are any other retention areas planned in the future for other streets with storm water issues. Mayor Lange stated that only the streets discussed at the special meeting are being looked at for now. Becky Adams stated that her driveway on E South Street gets washed out whenever there are heavy rains. Nick Hanify asked what the preliminary plans are that were discussed at the June 19, 2015 meeting for widening Hiawatha Street down to Ozark Street. Mayor Lange replied that the City is looking into having an engineer look at that for us. Alderman Lange stated that the City is looking into widening the curves on Hiawatha Street.

BOARD OF ALDERMEN COMMENTS

Alderman Grafrath noted that there is still speeding on Northridge and that maybe we could have more patrols on the street.

Alderwoman Jensen looked at the water issues on Three Street the last time it rained heavily and didn't see anything. Alderman Kloepfel stated that Dave Edgington (202 N Fourth St) wants to see if the curb and gutter can be extended down past his house. During heavy rains the gravel washes down into his yard. Mayor Lange stated maybe we can address that in planning and zoning.

Alderman Lange received a complaint about fireworks being shot off in town. He wants this on the next agenda to discuss.

MAYORS COMMENTS, REPORTS, APPOINTMENTS

Mayor Lange stated that the budget article in the paper was incorrect. The budget had been interpreted incorrectly and retractions were made in both papers. Mayor Lange worked to fill the City park board and the Rusche park board. The following people were appointed to fill the vacancies on the City Park Board: John Ekstrom, three year term; Sandy Borgmann, three year term; Kathy Ogle, three year term; Anna Homeyer Travers, two year term and Colette Sullivan, 2 year term. The following people were appointed to fill the vacancies on the Rusche Park Board: Bill Warnecke, three year term; Diane Freese, three year term and Cathy Schoppenhorst, three year term. Attorney Kresyman asked if you had to be a resident of the city to serve on the board. Mayor Lange stated that out of town citizens can serve on the board. Attorney Kresyman referred to the City's code book and noted that it states that they must be citizens of Marthasville, not just citizens in general. Alderman Grafrath asked if the City code could be amended. Mayor Lange stated that he would remove Cathy Schoppenhorst from the Rusche Park Board appointee list. Motioned by Alderman Lange to approve the five appointees to the City Park Board and the two appointees to the Rusche Park Board. Alderman Grafrath seconded. All Alderman present voted "Aye". Motion passed with a 4-0 vote. Mayor Lange stated he was asked to serve on the MML Nominating Committee in Kansas City at their annual conference. He also attended the Boonslick Regional Planning Commission quarterly meeting and that the grant cycle opens in April 2016.

REPORTS OF OTHER OFFICERS:

a. Treasurers Report -

- i. **Approval of Bills for the Month** - Alderman Lange questioned the bill from GR Fabricators for 5 target holder frames for the Police Department. He was told this was purchased with the Federal Funds. Alderman Lange questioned if the City had a shooting range and who had access to it. Chief Jenkins stated that we have a shooting range that the City officers use at the lagoon, which is kept locked. Motioned by Alderman Kloeppe, seconded by Alderman Grafrath, to approve and pay bills for the month. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Payment of bills were approved.

- b. **City Clerks Report** - Assistant City Clerk, Lisa Irwin stated there was nothing to report.

DEPARTMENT REPORTS

- a. **City Park Board** - Mayor Lange will meet with the board next month and have the positions selected. Carla Heggemann asked that the park board inform her of the meetings so she can post the agenda.

- i. **Rusche Park Committee** - No one from the Rusche Park Board was present. Mayor Lange stated Don Deeker is looking into pricing to remove the cedar trees along the sidewalk. He also stated that the fire department is to burn the burn down in the fall, that way it would do less damage to the surrounding trees. Trei Irwin stated that even though the trees lost their foliage, that they could still be damaged from the fire. Tim Flagg thought that the original agreement was for the barn to be taken down and the whole thing removed. Mayor Lange will check with the Rusche Park Board on this.

- b. **Streets and Maintenance** - Mayor Lange received pricing on the curb and gutter that is to be installed before laying asphalt. The bids include pricing for the curb and gutter on Hiawatha in front of the Hanify property. Lamke Trenching & Excavating - \$7,070.00 and KJU - \$7,335.00. He stated that the ads for street paving and for the engineer had been placed in the paper. Alderwoman Jensen suggested to wait until all the pricing came in on all the projects so we can compare them to the budget. Alderman Lange stated we wanted to get this done before the paving was started. Motioned by Alderman Lange, seconded by Alderman Kloeppe to start the curb and guttering on Hiawatha with Lamke's bid of \$7,070.00. Alderman Lange "Aye", Alderman Kloeppe "Aye", Alderwoman Jensen "Nay" Alderman Grafrath abstained from voting. Motion passed with a 2-1 vote. Lamke will install curb and gutter on Hiawatha for \$7,070.00. Becky Adams questioned if the money that was in last years budget for the bridge replacement on South St is being used for the street projects this year. Mayor Lange stated that the City will be applying for a grant to replace the bridge.

- c. **Water and Sewer** - Tim Flagg presented Alderman Lange with a copy of the ESA, Inc. contract and asked Nick to sign that he received it. Tim stated that samples were all within limits and the aerators are back in and running. When the streets are being paved he suggested that the man holes will need rings underneath. He will be at the pre-bid meeting to discuss this with the bidders.

- d. **Police Department** - Police Chief, Eugene Jenkins presented his report. 9 Summons, 11 Warnings, 2 Reports, 2 Arrest, 10 Assist other Agencies, 25 Assist Citizens, 0 Derelict Vehicles, 0 Death, 0 Accident. Chief Jenkins stated there was less than \$1,000 left in the federal fund and is waiting on a response from them to see about what to do with the funds that are left. The Mud Bog went great with no reported incidents. Notices

were given out on derelict vehicles and summons are going out on unregistered animals. Mayor Lange asked Chief Jenkins to give a notice to Aberi Steel on Commercial Drive on the tall weeds, he received a complaint about them.

- e. **Animal Control** - 4 visits in June; 1 Warnings, 1 Dogs and 0 Cats.

UNFINISHED BUSINESS:

- a. **West South Street Culvert Replacement Project** - Waiting to apply for grant funds.
- b. **DNR Restroom and City Park Restroom Cleaning** - Mayor Lange stated he attended the MACC monthly meeting to discuss the restroom cleaning with them. If agreed upon by the City, the MACC will pay the City for the cleaning of the Katy Trail bathrooms every other year, starting in 2016. This will be at \$60.00 a week from April 1 through October 31. The person will be an employee of the City and the cleaning will be per DNR specifications. Trei Irwin asked why this has become an issue with the City now, when it was never a problem in the past to clean the bathrooms to DNR specifications. Alderman Lange replied because DNR received a complaint on the cleanliness of the bathrooms. Attorney Kresyman said she looked over the contract and at the time it was valuable to the City and the volunteers who helped with the moving of the Depot. It is not a once sided contract, DNR does not charge rent and they supply the cleaning materials. In paragraph seven it states that in exchange for DNR not charging rent the Lessee agrees to care for the grounds of the leased premises, including mowing of grass, care of shrubs, and general landscaping, and the whole premises in a clean, sanitary and satisfactory condition to Lessor. Alderman Lange stated that it is still valuable to the City. Motioned by Alderman Lange to put an ad in the paper for a part time position at \$12 an hour to do custodial cleaning services for the City and to put it on Facebook. No second, motion fails. Motioned by Alderwoman Jensen to contact the two previous people who were interested at \$12 an hour to clean the restrooms. Seconded by Alderman Kloeppel. All Alderman present voted "Aye". Motion passed with a 4-0 vote.
- c. **Funding For Concerts in the Park** - Mayor Lange stated that the Board previously voted and allowed up to \$2,500.00 to be spent towards the Marthasville Area Chamber of Commerce and the Fine Arts Council Concert in the Park. The Chamber and the Fine Arts Council split the concert costs for June, July and August. The Chamber pays for the May and September concerts. Motioned by Alderman Lange, seconded by Alderman Grafrath to match 50% of the Chamber's cost for the concerts. All Alderman present voted "Aye". Motion passed with a 4-0 vote. The City will reimburse the Chamber for 50% of their cost for the concerts. The Chamber will let the City know the costs of the concerts after the final concert in September.

NEW BUSINESS:

- a. **Discussion of Record Request, Release of Minutes** - Mayor Lange called several cities and it varied on when they released the minutes. He said it was up to the Board if they wanted to release the minutes before they were official or release them as drafts. Assistant Clerk Lisa stated she talked with Casey Lawrence, Sunshine Law Coordinator, Office of Missouri Attorney General on July 14, 2015. Casey stated that once minutes were typed and sent to the Board, they became a public record and had to be released to the public if requested with the three day period. Attorney Kresyman said that even the notes taken during the meetings would have to be released if requested. Mayor Lange said that yes someone could request those, but as long as the board responded with in those three days, they could say that they will be made available after they have been approved at the next meeting. Attorney Kresyman replied that if they ask for the official minutes then yes, but if they ask for the minutes then you have to give them out before in draft form. Motioned by Alderman Lange, seconded by Alderman Grafrath, that the minutes be marked as draft until they have been approved. All Alderman present voted "Aye". Motion passed with a 4-0 vote. Minutes will be marked at draft until they are approved at the next board meeting.
- b. **Resolution for Emmaus Homes** - Mayor Lange read the resolution and asked for a motion. Motioned by Alderman Lange, seconded by Alderman Grafrath, to approve the Resolution in Support of Emmaus Homes, Inc. All Alderman present voted "Aye". Motion passed with a 4-0 vote.
- c. **Bill NO. 369 - AN ORDINANCE AUTHORIZING THE CITY OF MARTHASVILLE, MISSOURI TO REDEEM AND PAY ITS MARTHASVILLE, MISSOURI SEWERAGE REVENUE BONDS SERIES 2002 DATED AUGUST 20, 2002** - Alderman Lange stated Attorney Kresyman had some concerns on this. Attorney Kresyman stated that due diligence has not been done. She hasn't had a chance to look at the original bond papers to see if there was a prepayment penalty clause. Attorney Kresyman said she would like to talk with the writers of the bond. Mayor Lange stated we discussed this before the meeting and he already contacted them and there wasn't a prepayment penalty. He didn't have a copy with him or on his phone, but it was at his house

and they stated there wasn't a penalty for paying them off early. Mayor Lange read off the email that he sent to the Alderman stating : *I've heard back from the paying agent (United Missouri Bank) on the Sewer bonds. They have informed me that there is no prepayment penalty for redeeming the bonds early. Just for info, these are General Revenue Sewer Bonds issued back in 2002 for a upgrade to the city sewer lagoon. Original amount of the bonds issued was \$200,000.00. These bonds were set up to be paid off over a 20 year period. They are presently being paid off over that 20 year period with a principal/interest payment each June and a interest payment each Dec. So, the final payment is due June 1, 2022, or seven years from now. At present the principal due is \$95,000.00. If we pay off the bonds early, the \$95,000.00 in principal, we will save the city the interest over the next seven years, which would be around \$11,100.00 depending on the exact redemption date. Do we have the money to safely do this and still have good reserves? We budgeted expenses in the sewer fund of \$163,900 that included \$50,000 for improvements and \$30,000 for equipment purchases (\$80,000). That still leaves us with a projected reserve of \$379,653.54, that's almost four and a half years of sewer operating expenses, pretty good reserves. Right now we have \$15,091.90 in the Sewer Debt Service Fund and \$22,186.68 in Sewer Debt Service Reserve Fund (\$37,278.58) that we would put toward the \$95,000.00 first. The rest needed, roughly \$57,721.42 we can take out of the surplus fund balance of \$151,957.76, which I'm pretty sure is free of any early withdraw CD penalties. Right now, our sewer reserve money on CD's is drawing interest at a rate of 0.30 %, we are paying interest on the sewer bonds at a rate of 5.25%, hence we are losing almost a full 5% interest. Plus, the interest rate will go up to 5.50% in 2018 for the last five years of the bonds. So, if the bonds are paid off early we still have a projected reserve of \$284,653.54, still over three years of operating expenses in reserve, still in good shape. So, the bond paying agent Mr. Richter said as long as we have the money it is a good idea to pay the bonds off early. He mentioned that if we had that kind of money we probably should have paid them off over five years ago, we would have saved the city over \$25,000 plus in interest.*

Mayor Lange stated he researched this and would recommend the board to pay off this bond. Motioned by Alderman Lange, seconded by Alderman Grafrath, to redeem and pay the sewer bond. Alderman Lange "Aye", Alderman Grafrath "Aye", Alderwoman Jensen "Aye", Alderman Kloeppel "Nay". Motion passed with a 3-1 vote. It was brought to the Mayors attention that the Ordinance would have to passed to be official. Mayor Lange performed the first and second reading of Bill NO. 370 by title only. Motioned by Alderman Lange, seconded by Alderman Grafrath to approve Bill NO. 370 to Ordinance NO. 370. Alderman Kloeppel "Nay", Alderman Grafrath "Aye", Alderman Lange "Aye", Alderwoman Jensen "Aye". Motion passed with a 3-1 vote. Bill NO. 370 approved to be Ordinance NO. 370

- d. Addition of Street Lighting Throughout City Limits** - Mayor Lange stated that he has heard from Ameren but has not heard from Cuivre River yet and asked to table this to the next meeting.

VOTE TO ADJOURN TO EXECUTIVE SESSION - PERSONNEL

Motioned by Alderman Lange, seconded by Alderman Grafrath to adjourn the meeting to executive session. Aldermen Kloeppel "Aye", Alderman Grafrath "Aye", Alderwoman Jensen "Aye", Alderman Lange "Aye". Motion passed with a 4-0 vote. Regular meeting adjourned at 8:31 pm.

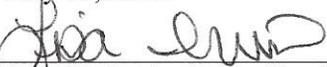
VOTE TO RE-ENTER REGULAR MEETING

Motioned by Alderwoman Jensen, seconded by Alderman Kloeppel, to re-enter the regular meeting and adjourn the Executive Session. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Returned to the regular meeting. Executive Session adjourned at 9:44 PM

VOTE TO ADJOURN

Motioned by Alderman Lange, seconded by Alderwoman Jensen, to adjourn the meeting. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Meeting adjourned at 9:44 PM.

I hereby certify that these are the original minutes of the regular meeting of the Board of Aldermen held on Wednesday, July 15, 2015.



Lisa Irwin, Assistant City Clerk

8-19-15

Date Accepted