

# City of Marthasville

## MINUTES OF THE CITY OF MARTHASVILLE BOARD OF ALDERMEN January 20, 2016

The January 20, 2016 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 City Clerk, Carla Heggemann. Aldermen Dan Grafrath, Pam Jensen, Mike Kloepfel, Nick Lange and Mayor David Lange were present. After roll call Mayor Lange reported a quorum was present.

Also in attendance were City Clerk, Carla Heggemann; City Attorney, Jamis Kresyman; Police Chief Jenkins; Lisa Irwin; Brad Landwehr; Tim Flagg, ESA, Inc.; Tim Schmidt, Missouriian Publishing; Becky Adams (404 E South St); Tom Haberberger (811 Northridge Dr); Butch Broeker (501 E Main St); Martha Smith (303 E South St); James Struckhoff (902 Boone Terrace); Craig Glosemeyer (106 Norcoa); John Graham (806 Northridge); Corey Hanneken (116 Rottmann); David Edgington (202 N Fourth St); Sarah Thomas (106 Lane Garrett); Addam Ayala; Trei Irwin and Tracy Landwehr.

### **APPROVAL OF AGENDA**

Mayor Lange asked for a motion to approve the agenda. Alderman Lange stated that he would like to add "d. Rottmann Drive" to Unfinished Business. Motioned by Alderman Lange, seconded by Alderman Grafrath, to approve the meeting agenda with the addition of Rottmann Drive to Unfinished Business. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Agenda was approved with additions.

### **APPROVAL OF MINUTES**

Mayor Lange asked for a motion to approve the minutes from the December 16, 2015 Regular Meeting and the November 16, 2015 Executive Session. Motioned by Alderman Kloepfel, seconded by Alderman Grafrath to approve minutes from the Regular Meeting and Executive Session. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Minutes were approved.

### **PUBLIC COMMENT**

David Edgington (202 N Fourth St) stated that he has an ongoing water runoff issue in front of his house and has for about ten years now. Gravel has washed down the hill and into his yard and he would like to have the City fix the issue in some way. He would like to see something to control the runoff that comes down that road. The roadway is washing out also, underneath of the newly paved street and he has pictures showing the issues. Mayor Lange stated that we have several of these issues around town and stated that there is a storm drain located in that area. David Edgington stated that the storm drain is not the issue, it's the gravel that washed down from the top of the hill. Mayor Lange stated that he will have the Public Works Department take a look at it and keep a better eye on it until it's addressed or a solution to the problem is found.

Sarah Thomas (106 Lane Garrett) stated that the last time it rained they had complete standing water up to the storm drain in their yard for approximately three days. The water washed out their entire back yard and washed out a huge hole under their fence. Since they have moved in about 2-3 years ago the water issue has progressively gotten worse, but luckily has not entered their basement yet. The storm drains in their back yard and between their house and their neighbors house could not keep up, in fact the water was to the top of the concrete. Sarah stated that she has pictures that were taken during the event and days later. Sarah has heard talk and rumors that this is not the City's responsibility, but ultimately the issue is that it is going to tear away the foundation or get into their basement which would be a bigger problem. Alderman Lange asked if she could forward those pictures on to the Clerk's or the Aldermen so it can be looked into further.

### **BOARD OF ALDERMEN COMMENTS**

Alderman Grafrath stated that Recycle Carts did not get picked up today and wanted the Clerk's to contact Grace Hauling to see what happened. To which, Lisa Irwin stated that Grace Hauling did contact her today. Grace told her their driver was new and did not feel comfortable going down some of the streets. If it's not an issue they will hold off until next week to pick up the ones they missed. Alderman Grafrath stated that the concrete that was poured at the park looks good, but

wanted to know where the funds came from to pay for it or if needs to be approved. Trei Irwin stated that this was already approved when the playground was approved by the previous Board and was paid for by donated funds for that playground area. Mayor Lange suggested sending a Thank You card to Lamke Excavating for donating their time and labor. Trei Irwin stated that if the City would get about 5 or 6 loads of topsoil delivered to the park, he would donate his time and machinery to fill in the spots that need it. Alderman Grafrath stated that he was on a water break with Brad Landwehr this last month and Brad seems to know what he's doing and does a good job.

Alderman Lange had a few comments pertaining to the citizens comments. Alderman Lange has brought it to the attention of the previous Board of Aldermen one of the tasks he wanted to get accomplished was fixing the streets on Rottmann Drive, Lane Garrett, Shawn Patrick and the issues back there. When Alderman Lange brought it up in the past, the previous Board told him that they have already handled it and that it was not a City problem. If they wanted to do anything about it they needed to create a homeowners association. Alderman Lange feels that those people are taxpayers and they are not getting the services of the City that they should. So, that is why he put this issue on the agenda later to discuss it. He feels like the City should accept those streets. Alderman Lange stated that Mayor Lange has tried to set up meetings with the Bank of Washington, but has not gotten any feedback. Alderman Lange does not know how the previous Board has been able to pass ordinances, putting street signs on streets that are not City streets. Before he became Alderman he complained about those streets not getting plowed all the way back there and he was informed that they were not city streets and the City plowed one lane straight down the middle of those street as a customary service to the residents of those streets. Alderman Lange credited the street department on the recent snow removal stating that the streets looked good.

#### **MAYORS COMMENTS, REPORTS, APPOINTMENTS**

Mayor Lange met with Chad Eggen of Boonslick Regional Planning Commission and Mark with BFA to review the box culvert project downtown that the City is applying for a Grant application, and also discussed getting some flood funds to help with that project. Delivery of the Mini Excavator has been delayed due to that business being under five foot of flood water in their office. They are planning sending brochures for attachments to consider. As for a skid steer, they said that the City shouldn't be looking at a used skid steer for what we could buy one for under state bid contract. He is sending us some information on that also. BFA is progressing on the Hiawatha Widening Project. They have been working on the Quick Claim Deeds with the City Attorney. They are getting pretty close to being ready to go out for bids as soon as they get the engineering done. Still working on getting easement signatures on Quivre River Street Lights. Mayor Lange set a Workshop Meeting for Wednesday, February 3, 2016 at 7:00pm to address housing number ordinance, City contracts, City policies, storm water issues. Ameren is still working on cleaning up substation as you go down the hill. Mayor Lange would also like to appoint Cathie Schoppenhorst and Don Deeker as Co-Chairmen of the City's 200 Year Anniversary Committee. 2017 will be the City's Anniversary and Mayor Lange stated that he thinks the City should celebrate it and has had a couple citizens state the same. The Chamber of Commerce is in favor of helping and we could get other civic organizations involved like the Park Board, the School could do something as well as everyone working together. Mayor Lange would like to have a motion to allow him to appoint Cathie Schoppenhorst and Don Deeker as Co-Chairmen of the City's 200 Year Anniversary Committee. Motioned by Alderman Lange, seconded by Alderman Grafrath to approve Cathie and Don to the 200 Year Anniversary Committee as Co-Chairmen. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion was approved. Mayor Lange thanked MoDot officials for keeping access to Washington open during the recent flooding high waters and keeping Marthasville informed of closures. We supplied them with a few sandbags on request. Mayor Lange also commended our local Fire Department for their good service to our community and others.

#### **REPORTS OF OTHER OFFICERS:**

##### **a. Treasurers Report -**

- i. **Approval of Bills for the Month** - Motioned by Alderman Grafrath , seconded by Alderman Lange, to approve and pay all bills for the month. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion approved.

##### **b. City Clerks Report - No Report Given.**

## DEPARTMENT REPORTS

### a. City Parks

i. **City Parks Board** - No meeting this month. Mayor Lange reported that they requested to have City Parks surveyed and BFA has that completed. City crews are in the process of installing T-posts and PVC pipe on the markers so they will not have to be resurveyed in the future.

ii. **Rusche Park Board** - No one present. No meeting this month.

b. **Streets and Maintenance** - Dennis Kopp was not present.

c. **Public Works** - Brad Landwehr stated meters are still on order. There are no timers or hour meters on any of the lift stations and he would like to install those to keep track of what the pumps are doing. Tim Flagg will donate his labor to install the meters at no cost to the City. Brad would also like the Board to consider a bin for bulk salt in the future. This does not have to be done right away. Mayor Lange and Brad had previously talked about doing a brine spray for pretreatment of streets also. Brad's been working on measuring water shut off valves and meter pits and documenting the measurements in a binder to keep on hand. Mayor Lange stated that once Brad gets done with his measurements Boonslick Regional will give the Aldermen a price on GIS mapping of the shut off valves and meter pits as well as manholes, lift stations, etc.

d. **Water and Sewer** - Tim Flagg stated with the recent flooding we were pumping more out of the lagoon than we could handle. A SSO has been filed with DNR on that issue. The new pump at Sycamore Lift Station has been installed. Tim Flagg suggested purchasing an old pickup truck just to spread salt instead of using the new trucks due to rust issues that most likely will occur with spreading salt. A special sample was sent in for synthetic and organic compounds on our drinking water. With the recent issues in Flint, Michigan people worry about MCL levels in their water. The City has always been low with all these amounts, but it was taken anyway for peace of mind. Mayor Lange asked Jamis Kresyman if she has gotten any further on Ingress/Egress easements for sewer extension to which Jamis stated she has not.

e. **Police Department** - Police Chief, Eugene Jenkins presented his report. 14 Summons, 13 Warnings, 4 Reports, 3 Arrest, 30 Assist Citizens, 14 Assist other Agencies, 0 Derelict Vehicles, 0 Death, 0 Accident. The Missouri Department of Public Safety will not be giving away free computers or printers any longer and the Police Department is going to need a new all-in-one printer soon. Price to replace is approximately \$200. Racial profiling report has been finished and sent to the Attorney General's office. One of the ADD's needs a new battery. Ebay sells them for \$190 and the manufacture sells them for \$348. Chief Eugene asked for approval to purchase the new battery. Alderman Grafrath suggested buying straight from manufacture instead of Ebay. Motioned by Alderman Grafrath, seconded by Alderman Kloeppel, to purchase the new battery. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion approved.

f. **Animal Control** - 3 visits in December; 0 Warnings, 0 Dogs and 0 Cats.

## UNFINISHED BUSINESS:

- a. **Dog Kennel at City Hall** - Jamis Kresyman recited a portion of City Code, Section 205.080. A "Police Officer or any person designated by the Board of Aldermen shall have the power to catch, confine and impound dogs". Jamis also mentioned sub-section number five "animals impounded in accordance with this Article shall be impounded in a designated facility by and under the supervision of the Board of Aldermen." So the ordinance is in place already if the City chooses to reinstate the kennel. Chief Jenkins stated that the City has to apply for a permit through the Department of Agriculture which is free. An inspector will come out and inspect the kennel and if it all looks good, they give us a permit. Mayor Lange stated that he checked with Wright City and since they do not house dogs overnight they are exempt from State regulations. Chief Jenkins stated that we did occasionally house dogs overnight when the City had a kennel in the past. Alderman Lange would like to look over the S&R Animal Control contract first to see what we can do there. With what we pay them each month we shouldn't have to take care of the dogs ourselves. Mike would like to review the contract at the workshop meeting.
- b. **Equipment** - Brad Landwehr gathered bids to purchase trailer for the Mini Excavator and suggested purchasing a tilt trailer with a wood floor. The Board of Aldermen looked through all bids and discussed which trailer would fit the City's needs best. Brad stated that it will take four weeks for trailer to be available to pick up. Tim Flagg offered to pick up the trailer while he was in that area to save the City money on the trip. Brad recommended to the Board to purchase from RS Trailer Sales in Sikeston, MO. The 7' x 22' Sure Tilt with pressure treated wood floor for \$4,640. Motioned by Alderman Grafrath, seconded by Alderman Lange, to purchase the RS trailer for \$4,640. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion approved.

- c. **City Contracts** - A list of City contracts, agreements and memberships were submitted to the Board to review. Mayor Lange would like to put this on the February 3, 2016 Workshop meeting. Lisa Irwin to send electronic copies to the Mayor and Board of Aldermen prior to that meeting. Motioned by Alderman Lange, seconded by Alderman Grafrath, to have Lisa have all the contracts, agreements and memberships listed added to a Dropbox account and if anyone wants one printed they can contact Lisa to have a hardcopy at the workshop. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion approved.
- d. **Rottmann Drive** - Alderman Lange wants to take over the street and repair the heave on Rottmann Drive. Alderman Lange distributed bids he collected to repair the heave on Rottmann for the Aldermen to review. Two bids were reviewed, one from Lamke Trenching and Excavating for \$9,840 and one from KJ Unnerstall for \$7,515. KJ Unnerstall was the low bidder to remove and replace approximately 30' x 40' section of roadway. Mayor Lange asked for comments. Motioned by Alderman Lange, to accept KJ Unnerstall's bid for \$7,515 to repair the spot that's heaved up on Rottmann Drive. Alderman Kloeppel stated that this is not a City street. Alderman Lange stated that this is also a safety issue. Jamis Kresyman stated that if this is not a City street, that should be taken into consideration the City does not own this so it's not a City liability. Alderman Grafrath questioned Mayor Lange what he found out when he went to the MML Conference in Kansas City. Mayor Lange stated that if it is a safety issue like that you can spend money on any public project if it benefits the general public. Mayor Lange stated that apparently we accepted the sewer lines, the water lines and put stop signs up on these streets. Mayor Lange questioned if we don't own these streets how can we put stop signs up. Jamis Kresyman stated that stop signs get put up because that is a traffic issue. Alderwoman Jensen questioned about what attempts have been made to contact the Bank of Washington to which Mayor Lange stated he met with him three times over there and they just keep giving him the run around. Mayor Lange stated he also called him three times today and couldn't get him to return calls. Tim Flagg stated that the City never accepted the water and sewer lines. According to the City's design guide, when developers get done building the infrastructure to their subdivisions they are supposed to provide the City with certain inspections and everything else and then the Board of Aldermen accept them. That was never done with this area of the City. When the developer went bankrupt the Bank of Washington took over the lots. The streets, water lines and sewer lines are not owned by the Bank of Washington they are in limbo. Alderman Kloeppel stated that this is a good reason why this City needs Planning and Zoning. Mayor Lange stated that he does not look at this as the developers fault and the City can't charge people taxes and for sewer, water and trash services but when there is a problem say that we won't spend a dime to fix it. If the City should have done the inspections, or had building codes or had Planning and Zoning that's the City's fault not the homeowners fault. Brad Landwehr stated that what Alderman Lange should do to get this right on his motion, the streets and everything else should be accepted and then fix the issues. Then it's all legally done correct. Alderman Lange modified his motion to accept those streets Rottmann Drive, Lane Garrett and Shawn Patrick and to do the repairs before the Ordinance is approved on the heave on Rottmann Drive. Motion died. Motioned by Alderman Grafrath, seconded by Alderman Lange, to discuss it at the workshop meeting to come to a resolution. All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Motion approved.

#### **NEW BUSINESS:**

- a. **BILL NO. 372 - AN ORDINANCE PROVIDING FOR THE LIGHTING BY ELECTRICITY OF THE STREETS, AVENUES, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF MARTHASVILLE, IN THE STATE OF MISSOURI, AND OTHER ELECTRIC SERVICE REQUIREMENTS OF THE CITY, BY CONTRACT, SETTING FORTH THE TERMS OF THE PROPOSED CONTRACT THEREFORE BETWEEN THE CITY AND UNION ELECTRIC COMPANY D/B/A ANEREN MISSOURI, ITS SUCCESSORS AND ASSIGNS, AND PERMITTING SAID COMPANY TO ERECT, OPERATE AND MAINTAIN POLES, LINES, WIRES, CABLES, TRANSFORMERS AND OTHER APPLIANCES IN THE STREET AND ALL OTHER PUBLIC PLACES, NECESSARY FOR AND APPRECIATE TO THE PERFORMANCE OF SAID CONTRACT AS DESCRIBED HEREIN.** With no motion to approve the first reading of Bill 372 by title only. Mayor Lange performed the first reading by title only. With no motion to approve the second reading of Bill 372 by title only. Mayor Lange performed the second reading by title only. Motioned by Alderwoman Jensen, seconded by Alderman Grafrath, to approve Bill 372. By roll call vote, Alderman Kloeppel - "Aye"; Alderman Grafrath - "Aye"; Alderman Lange - "Aye"; Alderwoman Jensen - "Aye". Motion passed with a 4-0 vote. Bill 372 became Ordinance 372.

b. **BILL NO. 373 - AN ORDINANCE TO AUTHORIZE THE MAYOR ON BEHALF OF THE CITY OF MARTHASVILLE TO CONTRACT AND PURCHASE TWO PARCELS OF REAL PROPERTY AS DESCRIBED ON TWO SURVEY PLATS FOR ONE THOUSAND DOLLARS (\$1,000.00) EACH.** With no motion to approve the first reading of Bill 373 by title only. Mayor Lange performed the first reading by title only. With no motion to approve the second reading of Bill 373 by title only. Mayor Lange performed the second reading by title only. Motioned by Alderman Lange, seconded by Alderman Grafrath, to approve Bill 373. By roll call vote, Alderman Kloepfel - "Aye"; Alderman Grafrath - "Aye"; Alderman Lange - "Aye"; Alderwoman Jensen - "Aye". Motion passed with a 4-0 vote. Bill 372 became Ordinance 372.

**EXECUTIVE SESSION - PERSONNEL**

Motioned by Alderman Lange, seconded by Alderman Grafrath, to adjourn the Regular Meeting and enter into Executive Session to discuss Personnel. By roll call vote, Alderman Kloepfel - "Aye"; Alderman Grafrath - "Aye"; Alderman Lange - "Aye"; Alderwoman Jensen - "Aye". All Aldermen present voted "Aye". Motion passed with a 4-0 vote. Meeting adjourned and entered into Executive Session at 8:18 PM.

Alderwoman Jensen removed herself from the Executive Session at 10:28pm after an altercation occurred between her and Mayor Lange. Where Mayor Lange insinuated that Alderwoman Jensen was lying about comments made at a previous meeting.

Alderman Kloepfel removed himself from the Executive Session at 10:33pm stating that he had to go to work, leaving no quorum present.

Motioned by Alderman Lange, seconded by Alderman Grafrath, to adjourn the Executive Session and enter into Regular Meeting. By roll call vote, Alderman Grafrath "Aye", Alderman Lange "Aye". All Aldermen present voted "Aye". Motion passed with a 2-0 vote. Meeting adjourned and entered into regular meeting.

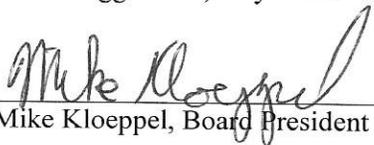
**VOTE TO ADJOURN**

Motioned by Alderman Lange, seconded by Alderman Grafrath, to adjourn the meeting. All Aldermen present voted "Aye". Motion passed with a 2-0 vote. Meeting adjourned at 10:37 PM.

I hereby certify that these are the original minutes of the regular meeting of the Board of Aldermen held on Wednesday, January 20, 2016.

Carla Heggemann, City Clerk

Date Minutes Approved: 2-17-16

  
Mike Kloepfel, Board President

  
Attest: Carla Heggemann, City Clerk

(seal)

