

City of Marthasville

MINUTES OF THE CITY OF MARTHASVILLE BOARD OF ALDERMEN October 19, 2016

The October 19, 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. Mayor Lange led the Pledge of Allegiance. Roll call was taken by City Clerk, Lisa Irwin. Aldermen Dan Grafrath, Mike Kloepfel, Christopher DeVore and Mayor David Lange were present. Alderman Lange was absent. After roll call Mayor Lange reported a quorum was present.

Also in attendance were City Clerk, Lisa Irwin; City Attorney, Mark Piontek; Police Chief, Gene Jenkins; Public Works Director, Brad Landwehr; Jennifer Kelpel, Marthasville Scout Troop 433; Thomas Kelpel, Marthasville Scout Troop 433; Amy Lange (808 Grand Ave.); John Ekstrom (808 Grand Ave.); Dave Edgington (202 N Fourth St); Don Deeker (316 S Sixth St); Craig Glosemeyer (106 Norcoa Dr); Loretta Davis (501 Depot St); Angela Carr (801 Northridge Dr) and Trei Irwin.

APPROVAL OF AGENDA

Mayor Lange made the recommendation to move the Sewer Line Extension, which was under Unfinished Business, to Executive Session. Motioned by Alderman Grafrath, seconded by Alderman DeVore, to approve the amended meeting agenda. All Aldermen present voted "Aye". Motion passed with a 3-0 vote.

APPROVAL OF MINUTES

Mayor Lange asked for a motion to approve the minutes from the September 21, 2016 Regular Meeting and the September 27, 2016 Special Meeting. Motioned by Alderman Kloepfel, seconded by Alderman Grafrath to approve the September 21st Regular Meeting and the September 27th Special Meeting minutes. All Aldermen present voted "Aye". Motion passed with a 3-0 vote.

PUBLIC COMMENT

None.

BOARD OF ALDERMEN COMMENTS

Alderman Kloepfel - None.

Alderman Grafrath - None.

Alderman Lange - Absent.

Alderman DeVore - None.

MAYORS COMMENTS, REPORTS, APPOINTMENTS

Mayor Lange stated that he would like to make a couple of appointments for open spots on the City Park Board. He would like to appoint Daniel Barr for a three year term and Carolyn Barr for a two year term on the City Park Board. Motioned by Alderman DeVore, seconded by Alderman Grafrath to appoint Daniel Barr to a three year term and Carolyn Barr to a two year term on the City Park Board. All Alderman present voted "Aye". Motion passed with a 3-0 vote. Mayor Lange wanted to thank Jim Buescher for his time served on the City Park Board.

REPORTS OF OTHER OFFICERS:

a. Treasurers Report -

- i. **Approval of Bills for the Month** - Motioned by Alderman Grafrath, seconded by Alderman Kloepfel, to approve and pay all bills for the month. All Aldermen present voted "Aye". Motion passed with a 3-0 vote.

b. City Clerk's Report - City Clerk, Lisa Irwin presented the Clerk's Report to the Board.

DEPARTMENT REPORTS

a. City Parks

- i. **City Park Board** - Thomas Kelpel, Boy Scout Troop 433, is looking for approval to do a veteran's memorial in Lichtenberg Park. The Troop will raise the funds for the project. Thomas handed the Board a design of the project. The Board reviewed the design. Motioned by Alderman Grafrath, seconded by Alderman DeVore to approve the memorial design. All Aldermen present voted "Aye". Motion passed with a 3-0 vote. John Ekstrom reported that the second annual Olde Fashioned Christmas will be held on December 3, 2016 from 5:00 pm to 7:00 pm at the City Park. The Park Board is looking for approval to be able to spend up to \$500 for this year's event. Motioned by Alderman Grafrath, seconded by Alderman DeVore to allow the Park Board to spend up to \$500 on the Olde Fashioned Christmas. All Aldermen present voted "Aye". Motion passed with a 3-0 vote. Alderman Grafrath asked the Park Board to look into three to four options on grills that could be placed in the park and to present that to the Board of Alderman.

- ii. **Rusche Park Board** - Don Deeker stated the museum will be open in October and December. They would like to see the Rusche Park Woods be usable to the community by removing the underbrush. Public Works, Brad Landwehr, suggested maybe they could do an educational trail through the woods.

- iii. **Bicentennial Committee** - Don Deeker stated that they hope to have a calendar with all of the events out before the first of the year. June 17th was the actual date the City was founded. Don asked if the Mayor would do a proclamation that the year of 2017 will be a year of celebration. Don gave the City a copy of what he had written. It was discussed to have separate income and expense accounts set up in QuickBooks. The next meeting will be on November 7, 2016 at 7:00 pm.

- b. **Public Works** - Brad Landwehr stated the sewer samples were good. Well number one on Pecan St was pulled and fixed. Two water samples taken the next day were no good. Seven samples were taken on Monday, October 17th and one of those came back bad. Brad will be taking sample tomorrow for retesting. The pilot valve is ready for Flynn to install. Friday N.B. West will start laying asphalt and maybe complete it on Monday.

- c. **Police Department** - Police Chief, Eugene Jenkins presented his report. 18 Summons, 14 Warnings, 2 Reports, 1 Arrest, 22 Assist Citizens, 4 Assist other Agencies. He asked the Board for permission to purchase \$50.00 in Tootsie Rolls to hand out on Halloween night. He also asked permission for Officer House and himself to work on Halloween night. Officer House would work from 5:00 pm to 9:00 pm. Motioned by Alderman Kloepfel, seconded by Alderman Grafrath to allow Gene to purchase \$50.00 in candy and for Officer House to work from 5:00 pm to 9:00 pm on Halloween. All Aldermen present voted "Aye". Motion passed with a 3-0 vote.

- d. **Animal Control** - 4 visits in September; 0 Warnings, 0 Dogs and 1 Cat.

UNFINISHED BUSINESS:

- a. **Water Study** - Mayor Lange stated that the top two engineers firms were selected by the Board on the September 27, 2016 meeting. Cochran Engineering is the first selection with 21 Design Group being the second selection.

- b. **Wastewater Study** - Mayor Lange stated that the top two engineers firms were selected by the Board on the September 27, 2016 meeting. 21 Design Group is the first selection with Gonzalez Companies being the second selection.

- c. **Pecan and South St Improvement/Grant** - Mayor Lange stated that the grant has been suspended at this time and would like to remove it from the agenda until the funds become available. Motioned by Alderman DeVore, seconded by Alderman Grafrath to remove Pecan and South St Improvements/MO Moves Grant from the agenda until funds become available. All Alderman present voted "Aye". Motion passed with a 3-0 vote.
- d. **Street Paving** - Mayor Lange stated that N.B. West milled Tiffany Ct., Daniel's Trail, Norcoa Dr. and Lakeshore Dr. They will also be doing prep work on Fourth St. and Third St. Paving will start Friday and completing on Monday.
- e. **Waterline Extension on Two St** - Mayor Lange stated that Lamke was notified to go ahead with the project and the materials are being ordered.
- f. **Sewer Line Extension** - Mayor Lange stated this was moved to the executive session.
- g. **Camera Inspection of Storm Water Lines** - Mayor Lange stated that Washington sent him a CD of the storm water lines, which show six to eight major problems. Alderman Grafrath suggested the Board see the footage first and see what needs to be done. They will set up a viewing of the footage at the next meeting.
- h. **MODOT Tap Grant** - Mayor Lange stated that BFA agreed to the City's price of \$750.00 for the preliminary engineering. Chad Eggen, Boonslick Regional Planning Commission, touched base with BFA to have the cost estimate completed by Tuesday of next week. Mayor Lange needs permission from the Board to sign a resolution to submit the grant application by November 1, 2016. He will also be looking for letters of support from the community. Motioned by Alderman DeVore, seconded by Alderman Grafrath to give the Mayor permission to sign the resolution to submit the grant application. All Alderman present voted "Aye". Motion passed with a 3-0 vote.
- i. **Animal Control Bid** - Mayor Lange stated that the bid was not due until November 4, 2016.
- j. **Municipal Insurance Bid** - Mayor Lange stated that the bid was not due until November 4, 2016.

NEW BUSINESS:

- a. **Equipment** - Mayor Lange gave the Board a packet which has the pricing for the following equipment. Missouri state bid pricing from ERB Equipment Company on a John Deere PowerTech Plus 4.5L 310SL Backhoe Loader is \$101,000.00. This includes a 36" ditch bucket and front and rear foam filled tires. Missouri state bid pricing from Bobcat of St. Louis on a T595 T4 Bobcat Compact Track Loader with an enclosed cab, 68" low profile bucket and 74" low profile bucket is \$48,095.10. Options for the Track Loader at Missouri state bid pricing include a 66" root grapple for \$2,138.50, 72" sweeper for \$2,894.50, and a gutter brush for \$1,208.00. Missouri state bid price of \$714.40 for a 36" trenching bucket class three with a smooth lip for the mini. The total amount for all of the equipment is \$156,050.50. Mayor Lange stated that the payment of the equipment would be \$16,000.00 from the General Fund, \$125,000.00 from the Water Fund and \$15,000.00 from the Sewer Fund. Alderman Kloeppel stated he wasn't against getting the bobcat and the bucket for the mini, but he doesn't think the City needs the backhoe. Alderman DeVore asked if there was a project that the City had scheduled that we could use the backhoe on? Mayor Lange stated there is a bunch of work that the City could use it for. With the backhoe and the bobcat we could clear the three cell box culvert out, storm water problems between Daniel's Trail and Tiffany Ct. and it could be used to pull manholes. The City doesn't have anything strong enough to pull them. Alderman Grafrath stated, that depending on who would use the equipment, the contractor could send you a laborer and an operator and they could use the City equipment and you wouldn't have to pay to have them use their equipment. For example, for the water line extension, you could use the City equipment and only pay for the labor of the contractor. Mayor Lange stated Lamke used the City's mini for two days and they are going to pay us for using the mini, because he didn't have one available. Mayor Lange stated if contractors would use our equipment then it would be a lot cheaper. Trei Irwin asked, that as a tax payer, could he ask a question? He wanted to know if Lamke used their operators on City equipment, how would insurance cover that? Mayor Lange stated that it would be just like if I was running it. Trei responded that means that I could come in and run the equipment then. Mayor Lange stated that was correct. Trei asked if that meant

anyone could come in and run the City equipment or drive the City trucks. Mayor Lange responded that's right. Alderman DeVore stated that we would not allow you to. Trei responded that if you are going to allow one company then you should allow all of the companies to use it. Alderman DeVore stated that we already have bids from companies to do the work. Trei was curious how many hours the bobcat that was rented had on it? The bobcat sat more than it had been used. Trei then asked the City attorney if it was illegal for him to speak during a public meeting? Mark Piontek replied that is was not illegal but it is out of order. The Mayor has the right to run the meeting and there was a place on the agenda earlier for public comment. Motioned by Alderman Devore, seconded by Alderman Grafrath to purchase all of the equipment for a total of \$156,050.50 and to amend the water fund to take out \$125,000.00. Aldermen DeVore "Aye", Alderman Grafrath "Aye", Alderman Kloeppel "Nay". Motion passed with a 2-1 vote.

- b. **Farm Animal Ordinance - Review "Draft Copy"** - The Board reviewed the draft ordinance from the City attorney. Mark Piontek told the Board that this is just a draft as to how to regulate farm animals in the City. It basically states that the animals have to be confined on the owners property and not allowed to run loose. There are limits on chickens, the limit would be eight hens that they are allowed to keep. There are regulation on locations on how close to the property line they can be kept. Mark stated that suggestions or changes could be made to what he gave them. Alderman Grafrath asked what they would do for the people that already have more than eight chickens? Would this be the new law for anyone who would raise chickens? Mark responded that it would be the law from the moment the ordinance was passed. You could make the effective date of the ordinance several months down the road to give people time to comply. Mayor Lange questioned if the City would have to sell licenses for rabbits and goats? Mark stated that they would be farm animals and would be exempt from getting a license. Mayor Lange stated he was a little bit leery of letting people keep horses and ponies in town. He didn't see a restriction on the amount of acres needed to be allowed to have a horse or pony. Alderman DeVore asked if we could put a stipulation on the amount of property they own so that they could have some of these animals. He questioned what they would do about the cows that are at the end of Hillcrest and in City limits. Angela Carr asked if that would be where planning and zoning would come in? Mark Piontek stated that zoning would address these situations. Angela stated that in her subdivision, the bylaws state that you cannot have any farm animals. Mayor Lange responded that his state that as well. The Alderman discussed the residents in town who already have chickens. Alderman Grafrath thought it seemed like you were penalizing ten people for one person breaking the rules. He knows of one resident that has ten hens and he sells the eggs, do we want to change that because one person has chickens and guineas that are being a nuisance? Mayor Lange thought that if you want to have chickens in town, then they need to be kept on your own property. This whole complaint is because one person has chickens that run across the street and up the whole block. I have pictures of chickens sitting on porch fences and making a mess all over their porch benches. The other residents in town that have chickens, we aren't getting any complaints on them. Angela Carr asked if you could just fine the ones that you would get complaints on? Mayor Lange stated if we would pass the ordinance, then the City would have some teeth to make them keep the chickens confined. Angela asked if that would ruin it for the other ones who don't have complaints against them? Alderman DeVore stated it would force them to build something to keep them contained. Mayor Lange asked the Board if they would like to look this ordinance over? The Board would like a chance to talk to the residents who have chickens and goats. Alderman Kloeppel asked the City attorney if City Ordinances overrule subdivision rules? Mark stated that yes they do. If the City says you cannot raise cattle and the subdivision covenants say that you can, then the City Ordinance would have to be followed. Angela Carr asked, what if our subdivision says you can't have chickens and the City Ordinance says you can have up to eight chickens? Mark told her that the subdivision covenants would have to followed in that instance. The Board decided to table it for review at the next meeting.

EXECUTIVE SESSION

Motioned by Alderman DeVore, seconded by Alderman Grafrath, to adjourn the Regular Meeting and enter into Executive Session. By roll call vote, Alderman Kloeppele "Aye", Alderman Grafrath "Aye", Alderman DeVore "Aye". Alderman Lange was absent. Motion passed with a 3-0 vote. Meeting adjourned at 8:39 pm and will enter into Executive Session after a five minute recess. The regular session reconvened at 10:03 pm.

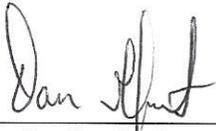
VOTE TO ADJOURN

City Clerk, Lisa Irwin was excused from the executive session at 9:30 pm. No votes were given to the City Clerk to record for City record. Meeting adjourned at 10:03 pm.

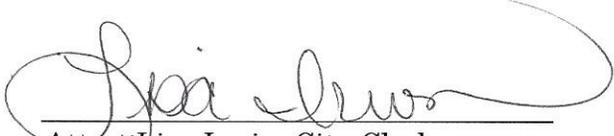
I hereby certify that these are the original minutes of the regular meeting of the Board of Aldermen held on Wednesday, October 19, 2016.

Lisa Irwin, City Clerk

Date Minutes Approved: 11-16-16



Dan Grafrath, Board President



Attest: Lisa Irwin, City Clerk

(seal)