

**BOARD OF ALDERMEN MINUTES
JUNE 15, 2010**

Item 1 call to order

The meeting was called to order at 7:03am by Mayor Aaron Kruse. The Aldermen present were Scott Anderson, Shawn Billings, Stephen Esterline, Michael Goldenberg and Carolyn Poole. Alderman Debra Hickey was absent.

Item 2 pledge allegiance

Everyone rose and recited the Pledge of Allegiance to the United States of America.

Item 3 announcements

All announcements were submitted to the Board of Aldermen in writing.

Item 4 adoption and approval of consent agenda

A motion was made by Stephen Esterline to adopt and approve the consent agenda which included June 1, 2010 minutes; June 10, 2010 minutes; bills to pay in the amount of \$41416.75; May 2010 sewer billing adjustments in the amount of -\$55.45; and committee & employee reports. The motion was seconded by Shawn Billings. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Motion passed.

Item 5 City Administrator updates

Updates were submitted in writing. The Cloverdale Lane sidewalk project and Elm Street sidewalk project have been approved by MoDOT. Rick then explained to the Board how the City processes Business License renewals, and sewer disconnects.

Item 6 Mayor updates

The Mayor submitted his updates in writing.

Item 7 public input

Carol Vandekerhove, 4451 W Sandy, spoke concerning the current dog ordinance. There is a Rottweiler that lives at 4869 S Old Wire Road that is allowed by the owner to be in the front yard without being on a leash. On numerous occasions, the Rottweiler has run to the edge of its front yard when Carol and her husband were walking their dog on a leash in the street. The last time the Rottweiler made it clear into the street before the owner was able to get the dog under control and back in its own yard. Mrs. Vandekerhove would like to see the dog ordinance (Section 205.030) enforced or changed so that the owner of the Rottweiler can be made responsible for his dogs actions.

Terry Vandekerhove, 4451 W Sandy, spoke concerning the current dog ordinance. He agreed with Carol Vandekerhove's statement. Mr. Vandekerhove would like to see the dog ordinance revamped so that the police are allowed to respond and take action concerning complaints against dogs.

Charles Lee, 5343 S Old Wire Road, spoke concerning the hay permits/hay ordinance. Mr. Lee read an informational statement from the University of Missouri describing what orchard grass is. Mr. Lee suggested that the word "weeds" be taken out of the hay permit/ordinance and be replaced with the word "hay".

Item 8 Aldermen training

City Administrator, Rick Hess, presented a power point concerning the sunshine law. City Council, P&Z, Park Board, Board of Adjustments, committees, boards, and commissions are all subject to the Sunshine Law which states that all meetings, records, votes, actions, and deliberations of public governmental bodies shall be open to the public. Public business is all matters which relate in any way to the performance of the public governmental body's functions or the conduct of its business. A notice is required to conduct a meeting. The notice must include the date, time, and place of the meeting. It must also include a tentative agenda; it must be posted in a place easily accessible to the public, and posted at least 24 hours in advance, exclusive of weekends and holidays. All votes are to be recorded in the minutes. In order to have a closed meeting, it has to be included on the agenda, the motion to go into closed meeting needs to be made and should reference applicable statutory subsection. The subsections include legal actions, litigation, leasing, purchasing or sale of real estate by a public body, hiring, firing, disciplining or promoting of employees. If an e-mail is sent to a quorum of the Aldermen, a copy must be sent to the custodian of records as a public record. If a citizen requests a record, the custodian of records must supply the record within 72 business hours or provide a reason why the record is not available.

Item 9a motion on Bill #10-11, concerning 2010-2011 budget

Motion by Shawn Billings to have the first reading of Bill #10-11 by title only. The motion was seconded by Stephen Esterline. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-11 was read by title by City Clerk. A motion was made by Shawn Billings to approve the first reading of Bill #10-11. The motion was seconded by Michael Goldenberg. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye.

Motion by Shawn Billings to have the second reading of Bill #10-11 by title only. The motion was seconded by Stephen Esterline. Roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-11 was read by the City Clerk. A motion was made by Shawn Billings to approve the second reading for final passage of Bill #10-11. The motion was seconded by Scott Anderson. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-11 passed into Ordinance #10-11.

Item 10a motion on OTO alternate

Mayor Aaron Kruse appointed Shawn Billings as the City’s OTO alternate. A motion was made by Stephen Esterline to affirm the Mayor’s appointment of Shawn Billings as the OTO alternate. The motion was seconded by Michael Goldenberg. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Motion passed.

Item 10b motion on purchase of analog level transducer

A motion was made by Shawn Billings to approve the purchase of an analog level transducer from Esterline, INC. at a cost not to exceed \$600. The motion was seconded by Stephen Esterline (not related to Esterline INC). There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Motion passed.

Item 10c motion on letter to DATC concerning Rozzo’s alcohol license application

A motion was made by Shawn Billings to authorize the Mayor to sign the letter to DATC concerning the alcohol license application made to the City by Rozzo’s Pizza. The motion was seconded by Scott Anderson. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Motion passed.

Item 10d discussion concerning hay permit ordinance

City Attorney, Jim Kelly, stated that the reason the ordinance was originally enacted to relieve the hay farmers of the burden of the tall grass ordinance. Mr. Kelly also stated that spot rezoning (re: from R1 to Agri) is not approved by the State, and could create legal problems. There was extended discussion for and against the hay permit ordinance. The topic will be revisited at the July 6th meeting.

Item 10e discussion concerning dog ordinance

The Board discussed the current ordinance and how to revamp it to where it covers dogs and how to legally describe if they are “under the control of their owner or caretaker”. The Board also discussed how to make the ordinance more enforceable by law enforcement. The topic will be revisited at the July 20th meeting.

Item 10f motion on Bill #10-12, concerning appointment of City Clerk

A motion was made by Stephen Esterline to have the first reading of Bill #10-12 by title only. The motion was seconded by Shawn Billings. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-12 was read by title by City Clerk. A motion by Shawn Billings to approve the first reading of Bill #10-12. The motion was seconded by Stephen Esterline. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye.

A motion was made by Shawn Billings to have the second reading of Bill #10-12 by title only. The motion was seconded by Michael Goldenberg. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-12 was read by title by City Clerk. Motion by Shawn Billings to approve the second reading for final passage of Bill #10-12. The motion was seconded by Michael Goldenberg. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Bill #10-12 was passed into Ordinance #10-12.

Item 11 adjournment

A motion was made by Carolyn Poole to adjourn the meeting. The motion was seconded by Shawn Billings. There was a roll call vote with Scott Anderson aye, Shawn Billings aye, Stephen Esterline aye, Michael Goldenberg aye, Debra Hickey absent, and Carolyn Poole aye. Motion passed. The meeting adjourned at 10:00pm.

_____ Mayor Aaron Kruse _____ Date

ATTEST:

_____ Susan R Diehl, CMC/MRCC _____ Date