

DRAFT NOTES OF COUNCIL MEETING

June 4, 2013

(Subject to Approval at the June 18, 2013 Meeting)

PUBLIC HEARING

Sullivan Marketplace Community Improvement District

Public Hearing

CID (former
Hoods bldg)

At 7:00 p.m. Mayor Leasor called a public hearing to order in the Council Room at City Hall, 210 West Washington. Attending the hearing were six citizens and Alderman Ward Three Jarrett Dace Alderman Ward Three Dennis Watz, Alderman Ward One Mike Ryan, Jr., Alderman Ward Two Jason Alexander, Alderman Ward One Tony Wessler, City Attorney Matt Schroeder, City Administrator J.T. Hardy, City Engineer Robert Schaffer, and City Clerk Jan Koch. Alderman Ward Two Craig Kase was unable to attend.

Petition - CID Creation

Sullivan
Marketplace

The City Administrator reported receiving a petition from the owners of real property within a proposed area to be known as the "Sullivan Marketplace Community Improvement District". The City Clerk has certified that the petition was in compliance with the required components of Sections 67.1421 MoRS. Mr. Darrell Gross appeared on behalf of the development and reported that total of five tenants are anticipated at this time. The property is an estimated 4 +/- acre area generally located south of Park Ridge Road, east of Cumberland Way, west of ALDI's, and north of Wal-Mart Drive. The proposed District includes only what is commonly known as the former HOOD's property.

Hearing Adjourned

Adjourn

Being no citizen input, the hearing was declared adjourned at 7:05 p.m.

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CALL TO ORDER

Roll Call

Call to Order

Mayor Thomas D. Leasor called the council meeting to order in the Council Room at City Hall, 210 West Washington at 7:05 p.m. Roll call was taken and attending the meeting were Alderman Ward Three Dennis Watz, Alderman Ward One Mike Ryan, Jr., Alderman Ward Two Jason Alexander, Alderman Ward Three Jarrett Dace, and Alderman Ward One Tony Wessler. Alderman Ward Two Craig Kase was unable to attend. Mayor Leasor acknowledged the absence of Alderman Ward Two Craig Kase who is seeking medical attention for a health-related matter. Also attending were City Attorney Matt Schroeder, City Administrator J.T. Hardy, City Engineer Robert Schaffer, Parks Foreman Dave Wall, and City Clerk Jan Koch.

PLEDGE OF ALLEGIANCE

Pledge &
Moment of
Silence

At this time, the Pledge of Allegiance was recited by everyone present. The Pledge was followed by a moment of silence. Mayor Leasor offered condolences to the family & friends of Marine Staff Sergeant Mark A. Byrd Gorzik who passed away suddenly on May 28, 2013.

AGENDA APPROVAL

Agenda

Alderman Ryan made a motion to approve the agenda as submitted. Alderman Alexander seconded the motion and it carried unanimously.

MINUTES APPROVED

Minutes

Notes from the council meeting held May 21, 2013 were presented. Alderman Watz made a

motion to approve the minutes as submitted. Alderman Ryan seconded the motion and it carried unanimously. Notes from the closed meeting held May 21, 2013 were presented. Alderman Alexander made a motion to approve the minutes as submitted. Alderman Ryan seconded the motion and it carried unanimously.

REQUESTS & PETITIONS

National Day of
the Cowboy
July 27, 2013

National Day of the American Cowboy 2013

Alderman Ryan reported that Mr. Mike Burk was unable to appear before the Board regarding the *National Day of the American Cowboy* event but wanted everyone to know that the date has been set for July 27, 2013.

Bliss/Ruble Enterprises, LLC - Patio Addition

Bliss Ruble
Enterprises Patio

At the July 3, 2012 council meeting, owner David Ruble appeared before the Board and submitted an application to change the Bliss/Ruble description premises located at 651 Fisher Drive to include a fenced-in patio area for their liquor license. While the application was approved, Mr. Ruble was also made aware that noise heard outside of a building made by musical instruments or electronic reproduction of sounds were prohibited between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or any time on Sunday. Noise made by same would be allowed on Saturdays up until midnight. Mr. Ruble appeared before the Board later on in the council meeting (06/04/13) and reported that he received some complaints from residents of the 'tree streets' (Elm, Walnut, Pine & Maple) from an outside concert held June 1, 2013. Administrator Hardy stated that City Code also goes on to state that "any person who knowingly causes to suffer and permits any such noise in or about a house or business building owned or possessed by him/her or under his/her management or control so that others are disturbed is to be deemed guilty of an ordinance violation". Mr. Ruble reported that he wanted the Board to know that the upcoming summer-planned concerts would be held indoors until a solution to the noise level could be addressed. Mayor Leasor asked that this effort be coordinated with city staff.

STANDING COMMITTEE REPORTS

P&Z and Airport
Meetings

P&Z and Airport

Planning & Zoning next meeting has been scheduled for June 11, 2013. The Airport Board scheduled their next meeting on June 12, 2013.

CITY ADMINISTRATOR REPORT

EEZ Meeting

EEZ Board Meeting

Reliable Turbine
Improvements

The Enhanced Enterprise Zone held a meeting on May 24, 2013 at 1:30 p.m. at City Hall and reviewed and approved an application from Reliable Turbine Services, Incorporated (TurboShop Realty, LLC) for a development/improvement at 802 & 836 Acid Mine Road. The EEZ Board reviewed the application and noted the facility NAICS code of 811310, the total project cost of \$1,000,000, the estimated completion date of December 2013, the expected five new jobs created with 51% paid health insurance and an average new salary of \$43,475. The EEZ Board verified that the minimum requirements of the creation of two new full-time employees paying 51% of health premiums, a minimum \$100,000 capital investment, an eligible NAICS code, and that the business is within the EEZ Zone. The EEZ Board reviewed the local property tax abatement

chart and determined the business would be eligible for 85% property tax abatement of the new assessed evaluation for fifteen years. The EEZ unanimously approved the application at 85% property tax abatement of the new assessed evaluation for fifteen years, contingent that the business meets all EEZ requirements.

Ultrathin Bonded Wearing Surface - 2013 Project

NB West
Chng #1
NovaChip 2013

N.B. West Contracting, Incorporated was selected for the NovaChip Project. Oak Grove Village approached the city asking whether the shared Transportation Fund from their lawsuit could be used to do an overlay on Acid Mine Road from the north outer road to where Franklin County assumes maintenance. This would be an additional 5,350 feet which is in the jurisdiction of Oak Grove, MoDOT, the Special Road District, and the city. N.B. West agreed to hold the city's bid pricing for this additional work at \$54,688, along with full depth repair at \$27,200 and a mobilization fee of \$2,000--for a total of \$83,888. Currently, there's \$302,000 in the shared Transportation Fund. An ordinance was presented later on in the meeting which subsequently passed. Residents and the media have been notified of the paving schedule.

Adding Acid
Mine Road

Insurance & Storm Damage

Insurance Claim
Storm Damage

Administrator Hardy reported that ten city-owned structures received wind damage from the April 10, 2013 storm totaling \$56,000. After deductibles were applied, the city's net cost was around \$20,000. The budget will be amended accordingly to reflect these changes.

Fire Hydrant Adoption Program

Fire Hydrant
Program

Residents interested in joining the Adopt-A-Hydrant Program were encouraged to visit the city's website (www.sullivan.mo.us) or call City Hall (573-468-4612). The design must be accepted by the Fire Department and the City of Sullivan. Several hydrants have been adopted already with such designs as the American Flag, C-2 School colors, a lighthouse, gum ball machine, standard red, classic red & white, and house color scheme.

CITY ATTORNEY

Closed Session

Closed Session

City Attorney Matt Schroeder and City Administrator Hardy reported they had some matters concerning litigation and real estate for closed session.

FINANCE COMMITTEE

June 2013
Monthly Bills

June 2013

Alderman Wessler was appointed to review the monthly bills for June 2013 with Alderman Watz named as the alternate.

ORDINANCES

CID Creation

Sullivan Marketplace CID Creation

Sullivan
Marketplace

Bill No. 3573 sponsored by Alderman Tony Wessler, being an ordinance of the Board of Aldermen of Sullivan, Missouri creating the Sullivan Marketplace Community Improvement District within a certain area of the City of Sullivan, Missouri in accordance with the petition of the property owners within the proposed District; appointing an interim Board of Directors; and finding the area is blighted in accordance with Section 99.805 of the Missouri Revised Statutes,

was introduced and read two times. The question was asked, "Shall Bill No. 3573 become Ordinance No. 3573?" The aldermen were polled and voted as follows: Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman Craig Kase, (absent); Alderman Dennis Watz, aye; Alderman Jarrett Dace, aye; and Alderman Tony Wessler, aye. Passage of this ordinance authorized the creation of a CID to be located at the former Hoods Building at 308 Park Ridge Drive.

MoDNR - Emergency Mutual Aid

MoDNR
Emergency
Mutual Aid

Bill No. 3574 sponsored by Alderman Dennis Watz, being an ordinance approving an agreement with the Missouri Department of Natural Resources which agreement deals with emergency mutual aid; and, authorizing the Mayor to execute, was introduced and read two times. The question was asked, "Shall Bill No. 3574 become Ordinance No. 3574?" The aldermen were polled and voted as follows: Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, (absent); and Alderman Mike Ryan, Jr., aye. Passage of this ordinance allows the Sullivan Police Department to assist the State Park Rangers in case of an emergency as requested and vice versus.

Change Order #1 NB West - Acid Mine NovaChip

Chng Order #1
NB West
Acid Mine
NovaChip

Bill No. 3575 sponsored by Alderman Mike Ryan, Jr., being an ordinance approving Change Order #1 with N.B. West Contracting, Incorporated which change order deals with additional Ultrathin Bonded Overlay on Acid Mine Road in the City of Sullivan, in an amount not to exceed (\$83,888.00) Eighty-three Thousand Eight-hundred Eighty-eight, and authorizing the Mayor execute, was introduced and read two times. The question was asked, "Shall Bill No. 3575 become Ordinance No. 3575?" The aldermen were polled and voted as follows: Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, (absent); Alderman Dennis Watz, aye; and Alderman Tony Wessler, aye. Passage of this ordinance approved an additional 5,350 feet of NovaChip on Acid Mine Road which is in the jurisdiction of Oak Grove, MoDOT, the Special Road District, and the city at a total cost of \$83,888. This expense will be covered by using the Oak Grove/City of Sullivan Transportation Fund.

Intermunicipal Agreement - NovaChip Acid Mine Road

Oak Grove
Agreement
NovaChip
Acid Mine

Bill No. 3576 sponsored by Alderman Mike Ryan, Jr., being an ordinance of the City of Sullivan, Missouri, approving an Intermunicipal Agreement with the Village of Oak Grove and the Sullivan Special Road District which agreement deals with using a portion of the sales tax revenue generated under the Oak Grove/City of Sullivan Transportation Fund to overlay a portion of Acid Mine Road; and, authorizing the Mayor to execute was introduced and read two times. The question was asked, "Shall Bill No. 3576 become Ordinance No. 3576?" The aldermen were polled and voted as follows: Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, (absent); and Alderman Mike Ryan, Jr., aye. Passage of this ordinance approved an agreement between the city, Oak Grove, and the Special Road District for NovaChip on Acid Mine Road using funds from the Oak Grove/City of Sullivan Transportation Fund.

Transportation
Fund Expense

Nuisance Violations & Penalties

Nuisance
Violation
Notices

>3/Yr Penalty
\$500 and/or
3 mos Jail

Bill No. 3577 sponsored by Alderman Jason Alexander, being an ordinance repealing Section 215.340 of the Municipal Code and enacting a new Section 215.340 in lieu thereof dealing with violation and penalty for nuisances in the City of Sullivan, Missouri, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3577 become Ordinance No. 3577?" The aldermen were polled and voted as follows: Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, (absent); Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; and Alderman Tony Wessler, aye. Passage of this ordinance makes three notifications of violations for nuisances issued during one calendar year punishable by a fine not-to-exceed \$500.00 or by imprisonment not to exceed three-months—or by both such fine and imprisonment for each offense; and, a separate offense is to be deemed committed on each day during or on which a violation occurs or continues.

ALDERMEN INPUT

EEZ Meeting

EEZ Meeting

Alderman Dace reported he and Administrator Hardy along with City Engineer Robert Schaffer attended an economic development/business meeting with potential customers from the surrounding area and was encouraged by the enthusiasm shown on the EEZ.

MAYOR

Marine Gorzik

Gorzik Memory

Mayor Leasor reported that the Patriot Guard will be honoring Marine Staff Sergeant Mark Allen Byrd-Gorzik with a flag line and escort to Sullivan. His body should arrive at Lambert St. Louis International Airport around noon on June 5, 2013 with an ETA of 2:00-2:30 p.m. in Sullivan. He encouraged citizens to show their respect.

Meramec Community Mission

Meramec
Mission

Mayor Leasor reported that the Meramec Community Mission has reopened (Thrift Store hours Mon-Fri 9am-5 pm & Sat 9am-3pm & the Food Pantry hours Tues 9am-5pm).

CLOSED SESSION

Closed Session

The time was approximately 7:35 p.m., and Alderman Watz made a motion to adjourn into closed session with closed records and closed votes to discuss matters concerning litigation and real estate. Alderman Dace seconded the motion and it carried with a roll call vote as follows: Alderman Jarrett Dace, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Jason Alexander, aye; and Alderman Tony Wessler, aye.



CLOSED RESULTS

Closed Results

As a result of the closed meeting held June 4, 2013 two matters concerning litigation and five matters concerning real estate were discussed with no results to report at this time.

Return to Open

RETURN TO OPEN

The Board reconvened into open session at approximately 10:35 p.m.



Adjourn

ADJOURN

Being no further business at this time, Alderman Dace made a motion to adjourn. Alderman Alexander seconded the motion and it carried unanimously. The meeting adjourned at approximately 10:35 p.m.

DRAFT