

# DRAFT NOTES OF COUNCIL MEETING

**October 15, 2013**

*(Subject to Approval at the November 5, 2013 Meeting)*

## **CALL TO ORDER**

Attendance

### **Roll Call**

Mayor Thomas D. Leasor called the council meeting to order in the Council Room at City Hall, 210 West Washington at 7:00 p.m. Roll call was taken and attending the meeting were Alderman Ward One Mike Ryan, Jr., Alderman Ward Two Craig Kase, Alderman Ward Two Jason Alexander, Alderman Ward Three Dennis Watz, Alderman Ward One Tony Wessler, and Alderman Ward Three Jarrett Dace. Due to prior commitments, Alderman Ward Two Jason Alexander arrived shortly after the meeting convened. Also attending were City Attorney Matt Schroeder, City Administrator J.T. Hardy, City Engineer Robert Schaffer, and City Clerk Jan Koch.

## **PLEDGE OF ALLEGIANCE**

Pledge

At this time, the Pledge of Allegiance was recited by everyone present. The Pledge was followed by a moment of silence.

## **AGENDA APPROVAL**

Agenda

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

## **MINUTES APPROVED**

Minutes

Notes from the council meeting held October 1, 2013 were presented. Alderman Watz made a motion to approve the minutes as submitted. Alderman Kase seconded the motion and it carried unanimously. Notes from the closed meeting held October 1, 2013 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Wessler seconded the motion and it carried unanimously.

## **REQUESTS & PETITIONS**

### **Temporary Street Closure-Santa Fun Run**

Santa Fun Run

Chamber Director Lori Rego was present at the meeting and submitted a request for temporary street closures on December 6, 2013 for thirty minutes starting at 6:00 p.m. for a 'Santa Fun Run'. The route will start at City Hall and end up at St. Anthony's Church. She also requested a temporary street closure on Main Street from Taylor to Hughes Ford Road from 5:00 p.m. until 8:00 p.m. for tree lighting events and start/finish of race. The police, fire and ambulance will be contacted. Alderman Dace made a motion to approve Director Rego's requests as outlined. Alderman Ryan seconded the motion and it carried unanimously.

### **Liquor License - Sullivan Bowl & Family Fun Center**

Bowling Alley  
Liquor Licenses

Mr. Roy L. Ruble submitted an application on behalf of Sullivan Bowl & Family Fun Center to sell intoxicating liquor all kinds by the drink with Sunday sales at a restaurant bar located at 645 Missouri Avenue. Alderman Dace made a motion to approve the liquor licenses contingent upon approval of the State of Missouri and contingent upon approval of the city merchant's license. Alderman Ryan seconded the motion and it carried unanimously.

## STANDING COMMITTEE REPORTS

P&Z Approval  
Edgewood  
Annexations

### P&Z and Airport Board

Planning & Zoning met on October 8, 2013 at 7:00 p.m. and recommended three petitions for annexation located off Edgewood Drive and a subdivision plat submitted by Marty Marler at 124 E. Springfield be approved. Another item discussed was a request to allow conditional use permits in C-4 zoning. More discussion on this request was scheduled for the next P&Z meeting (11/12/13).

Airport Land  
Release

The Airport Board met on October 9, 2013 discussed the recent success and future plans of the Fly-In. The Airport Board also recommended the Board of Aldermen move forward with separating twenty acres of land from the airport for potential economic development (see Bill No. 3593 presented and subsequently passed later on in the meeting).

(Note: At this time 7:07 p.m., Alderman Alexander arrived at the meeting in progress.)

## CITY ADMINISTRATOR REPORT

Business  
License  
Renewals

### Business License Renewals

According to City Code, before a business license can be issued, all City taxes, other license fees, inspection fees or any other financial obligations that are delinquent and owing to the City must be paid. Noting that the county(s) now collect city taxes, Administrator Hardy stated the city has an agreement with the county on collection of taxes which does not allow for “picking & choosing” which taxing entity’s taxes are paid—therefore, partial payments are not accepted.

City Code  
Change

According to Missouri State Statute 140.160 if taxes are delinquent for three years the property is subject to a foreclosure sale. Administrator Hardy and City Attorney Schroeder reviewed City Code on business licensing and drafted a change that would remove the conflict with county collection of taxes. Alderman Watz offered to sponsor the ordinance for the next council meeting.

Local Use Tax  
2014 Election

### Local Use Tax - 2014 Election

A draft ordinance calling for an election on April 8, 2014 on reinstating the local use tax in an attempt to eliminate the current sales tax advantage that non-Missouri vendors have over Missouri vendors was presented for review. The local use tax would be the same rate as the local sales tax, currently 2%. This use tax would not be required to be paid by persons whose purchases from out-of-state vendors who do not total more than \$2,000. Back in December 2012, The Franklin County Presiding Commissioner appeared before the Board of Aldermen and reported that a Missouri Supreme Court ruling invalidated some vehicle taxes in cities and counties which resulted in the loss of revenue. Concerned about the financial hit to local governments and auto dealers, legislators passed a bill (in May 2012) that would have undone the Supreme Court ruling but Governor Nixon vetoed the bill since it had a retroactive clause in it. Local car dealers have indicated that out-of-state vendors have an unfair advantage and if allowed to continue, it will eventually cost jobs. Local resident Bob Hathman expressed his concerns about voters not understanding that this would not only apply to out-of-state vehicles but also to other out-of-state purchases. The Board reiterated that the ballot language would ask voters to eliminate the current sales tax advantage that non-Missouri vendors have over Missouri vendors on out-of-state purchases that do not total more than \$2,000 per calendar year. Therefore, it does not specify vehicle sales tax only. Mayor Leasor pointed out that vehicle sales tax is more traceable due to licensing requirements. Following this discussion, Alderman Dace

offered to sponsor the ordinance for the next council meeting agenda which would place this issue before voters at the next municipal election to be held on April 8, 2014.

Demolition  
Grant Denied

**Grant - Demolition**

Administrator Hardy reported that the city was denied grant funding for the demolition of one commercial and one residential building at 201 N. Service Road West and 319 South Park. Alderman Dace wanted to know why city failed and asked the City Administrator to try and find out.

Flags &  
Fountain  
Donations

**Donations**

The local VFW offered to donate a flag, pole and lighting for the Campbell Chapman Park. The Mayor & Board graciously accepted their offer and thanked them. Administrator Hardy reported at a previous meeting that \$5,000 funding has been received from another source which will be used for a water fountain in the lake at Campbell Chapman Park. He also again thanked an anonymous donor who delivered an American Flag to City Hall which will be used for display.

Closed Session

**Closed Session**

Administrator Hardy reported he had one matter concerning real estate and one matter for personnel for closed session.

**FINANCE COMMITTEE**

October 2013  
Bills Paid

**October 2013**

Alderman Kase reported he reviewed the monthly bills and made a motion to approve payment in the amount of \$1,208,472.11. Alderman Ryan seconded the motion and it carried unanimously.

**ORDINANCES**

CMT Contract  
Airport Land  
Release Agmnt

**CMT Contract - Airport Land Release Documents**

Bill No. 3593 sponsored by Alderman Dennis Watz, being an ordinance approving an agreement with Crawford, Murphy & Tilly, Incorporated which agreement deals with professional services for land release documents in accordance with MoDOT and FAA requirements associated with the Sullivan Regional Airport in the City of Sullivan, Missouri; and, authorizing the Mayor to execute was introduced and read two times. The question was asked, "Shall Bill No. 3593 become Ordinance No. 3593?" The aldermen were polled and voted as follows: Alderman Dennis Watz, aye; Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman Craig Kase, aye; Alderman Jarrett Dace, aye; and Alderman Tony Wessler, aye. Passage of this ordinance approved consulting services and preparation of documentation in an amount not to exceed \$27,851 for the separation of approximately twenty acres of land from the Sullivan Regional Airport for potential economic development.

Virginia B.  
Curtis Resub  
Lot A

**Resubdivision - Virginia B. Curtis**

Bill No. 3594 sponsored by Alderman Jarrett Dace, being an ordinance approving the Resubdivision of Lot "A" of the Virginia B. Curtis Subdivision, being a consolidation of Part of Lot Two (2), all of Lots Three (3) and Four (4), and Part of Lot Five (5) of Virginia B. Curtis Subdivision in the City of Sullivan, Franklin County, Missouri and authorizing the City Clerk to execute said plat was introduced and read two times. The aldermen were polled and voted as

follow: Alderman Tony Wessler, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Jarrett Dace, aye; Alderman Jason Alexander, aye; and Alderman Craig Kase, aye. Passage of this ordinance combined two lots into one lot at 124 E. Springfield Road owned by Marty Marler.

**415 Edgewood Annexation - Tucker Property**

Annexation  
415 Edgewood  
Tucker

Bill No. 3595 sponsored by Alderman Jarrett Dace, being an ordinance extending the city limits of Sullivan, Missouri; establishing zoning classifications; and providing for the effective date of this ordinance was introduced and read two times. The question was asked, "Shall Bill No. 3595 become Ordinance No. 3595?" The aldermen were polled and voted as follows: Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; and Alderman Tony Wessler, aye. Passage of this ordinance annexed property located at 415 Edgewood Drive owned by Duella Tucker.

**389 Edgewood Annexation - Chapman Property**

389 Edgewood  
Annexation  
Chapman

Bill No. 3596 sponsored by Alderman Jarrett Dace, being an ordinance extending the city limits of Sullivan, Missouri; establishing zoning classifications; and providing for the effective date of this ordinance was introduced and read two times. The question was asked, "Shall Bill No. 3596 become Ordinance No. 3596?" The aldermen were polled and voted as follows: Alderman Craig Kase, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; and Alderman Jarrett Dace, aye. Passage of this ordinance annexed property located at 389 Edgewood Drive owned by Helen Chapman.

**398 Edgewood Annexation - Shetley Property**

398 Edgewood  
Annexation  
Shetley

Bill No. 3597 sponsored by Alderman Jarrett Dace, being an ordinance extending the city limits of Sullivan, Missouri; establishing zoning classifications; and providing for the effective date of this ordinance was introduced and read two times. The question was asked, "Shall Bill No. 3597 become Ordinance No. 3597?" The aldermen were polled and voted as follows: Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; and Alderman Craig Kase, aye. Passage of this ordinance annexed property located at 398 Edgewood Drive owned by Audrey Shetley.

**ALDERMEN INPUT**

**Community Interests**

Community  
Interests

Alderman Alexander noted a lot of activity at the Campbell-Chapman Park over the weekend while using the compost center, adding that he was thankful for city amenities. Alderman Watz reported that more walkers are using the newly paved city lake trail. On the subject of walkers, Alderman Wessler reminded drivers to use caution and to be mindful of youngsters walking the downtown area during the upcoming Halloween celebration.

**MAYOR INPUT**

Manion Street

**Manion Street Improvements**

Mayor Leasor read a thank-you card from Paul Alexander commending the city on Manion Street

improvements.

Boarded-up Window

**Main Street - Broken Window**

Mayor Leasor asked when the broken window at 100-104 West Main Street was scheduled to be replaced, noting that it has been boarded up. Administrator Hardy reported he would check with Code Administrator Dan King.

Franklin Co Municipal Mtg

**CITY CLERK**

**FCML - 10/16/13**

City Clerk Jan Koch reminded the aldermen about the Franklin County Municipal League meeting being held in Pacific, Missouri on October 16, 2013 starting at 6:00 p.m.

Closed Session

**CLOSED SESSION**

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

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Closed Results

**CLOSED RESULTS**

As a result of the closed meeting held October 15, 2013 one matter concerning personnel and one matter 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 8:35 p.m.

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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 8:35 p.m.