

# DRAFT NOTES OF COUNCIL MEETING

November 20, 2012

(Subject to Approval at the December 4, 2012 Meeting)

## CALL TO ORDER

### Roll Call

Attendance

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 then taken and attending the meeting were Alderman Ward Two Craig Kase, Alderman Ward Three Jarrett Dace, Alderman Ward Two Jason Alexander, Alderman Ward Three Dennis Watz, and Alderman Ward One Mike Ryan, Jr., and Alderman Ward One Tony Wessler. Also attending were City Attorney Matt Schroeder, City Administrator J.T. Hardy, City Engineer Robert Schaffer, Code Administrator Dan King, 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 Alexander 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 November 6, 2012 were presented. Alderman Watz made a motion to approve the minutes as submitted. Alderman Alexander seconded the motion and it carried unanimously. Notes from the closed meeting held November 6, 2012 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Kase seconded the motion and it carried unanimously.

## STANDING COMMITTEE REPORTS

### Planning & Zoning

P&Z

#### *107 W. Euclid - Certified Truck & Auto*

At their October 9, 2012 meeting, P&Z voted to approve a conditional use permit at 107 West Euclid for Certified Truck & Auto with the following conditions:

Certified  
Towing

- 1) minor repair/inspections of light duty trucks and passenger vehicles only;
- 2) all vehicles under repair must be on premise no longer than ten business days;
- 3) all parts must be under cover in existing cabinet;
- 4) no impounded vehicles on premise,
- 5) no towing vehicles or equipment allowed on premise;
- 6) no salvage vehicles on premise; minor repair/inspection only;
- 7) the conditional use permit will expire on December 31, 2013;
- 8) the conditional use permit will also expire on non-renewal or revocation of the City of Sullivan's business license.

Owner Mary Turner returned to P&Z on November 13, 2012 and requested a couple of amendments to the conditions. These were discussed at length. P&Z agreed to amend one of the conditions as follows:

- 1) "minor repair/inspections of light duty trucks and passenger vehicles only" by adding a definition of light-duty trucks to be vehicles 24,000 GVW and under and two axle (one front/one rear) pick-up style vehicles.

**Airport Board Report**  
**Airport Board**  
 The Airport Board met on November 14, 2012 and discussed Fly-In plans for the 2013 year. Some discussion was held about holding an open house to highlight the airport. Plans for growing an airport were also reviewed.

**CITY ADMINISTRATOR**

**Flatbed Trailer**  
**Street Department - Flatbed Trailer**  
 Bids will be accepted until 10:00 a.m. Thursday, December 13, 2012 for a new flatbed trailer for the Street Department.

**Asphalt Paver Bids**  
**Street Department - Asphalt Paver**  
 Bids were opened on November 14, 2012 for a new asphalt paver for the Street Department. They are briefly summarized as follows:

<i>Bidder</i>	<i>Address</i>	<i>Make</i>	<i>Model</i>	<i>Total</i>
1) Wm. Nobbe & Co., LLC	St. Genevieve, MO	Gehl	1648	\$49,999.00
2) Roland Machinery Co.	Bridgeton, MO	Leeboy	1000F	\$57,650.00
3) Fabick Cat	Fenton, MO			No Bid

Staff recommended awarding to the lowest qualifying and best bid that meets specs from Wm. Nobbe & Co., LLC in the amount of \$49,999. The budgeted amount is \$60,000. Alderman Alexander made a motion to approve staff's recommendation. Alderman Ryan seconded the motion and it carried unanimously.

**Padmount Transformer Bids**  
**Electric Department - Padmount Transformers**  
 Bids for one 112.5 KVA and one 150 KVA three-phase padmount transformers were opened on November 14, 2012 and are briefly summarized as follows:

<i>Bidder/Address</i>	<i>One 112.5 KVA</i>	<i>One 150KVA</i>	<i>Delivery Date</i>	<i>Grand Total</i>
1) Arkansas Electric Cooperative Little Rock AR	\$4,894.00	\$5,461.00	8-10 weeks	\$10,355.00
2) Harry Cooper Supply Springfield, MO	\$8,840.00	\$8,223.00	18 weeks	\$17,063.00
3) Fletcher-Reinhardt Co. St. Louis, MO	\$4,704.00	\$5,332.00	14-16 weeks	\$10,036.00
4) Delmo Utility Poplar Bluff, MO	\$4,775.79	\$5,283.16	10-12 weeks	\$10,058.95

Staff recommended awarding to the lowest qualifying bid from Fletcher-Reinhardt in the amount of \$10,036. Alderman Kase made a motion to approve staff's recommendation. Alderman Ryan seconded the motion and it carried unanimously.

**Road & Bridge Tax**  
**Road & Bridge Tax**  
 City Administrator J.T. Hardy reported that he submitted copies of paid invoices for the ultra-thin bonding (NovaChip) to the Franklin County Treasurer. The Franklin County Commission will issue a check to the City of Sullivan out of the Franklin County Special Road & Bridge Fund in the amount of \$97,473.60. The balance remaining in the fund will be \$6,227.74.

**CITY ATTORNEY**

**Closed Session**  
**Closed Session**  
 City Administrator Hardy & City Attorney Schroeder reported they had some matters concerning

litigation and personnel. Alderman Dace reported he had one matter concerning real estate.

**FINANCE COMMITTEE**

November 2012  
Monthly Bills

November 2012

Alderman Dace reported he reviewed the monthly bills for November 2012 and made a motion to approve payment in the amount of \$1,456,029.21. Alderman Watz seconded the motion and it carried unanimously.

**ORDINANCES**

Parking  
Restriction  
Removed @  
City Hall

Removing Parking Restrictions (City Hall) - Election Day

Bill No. 3543 sponsored by Alderman Mike Ryan, Jr., being an ordinance amending certain provisions of the Traffic Code of the City of Sullivan, Missouri, by repealing Table III-G of the Municipal Code pertaining to parking restrictions at the Sullivan City Hall Building on election days, and establishing the effective date thereof was introduced and read two times. The question was asked, "Shall Bill No. 3543 become Ordinance No. 3543?" The aldermen were polled and voted as follows: Alderman Jarrett Dace, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Craig Kase, aye; Alderman Tony Wessler, aye; and Alderman Jason Alexander, aye. Passage of this ordinance repealed parking restrictions around City Hall on all election days since it is no longer a polling place.

Brush Grinding  
Contract - Fick

Brush Grinding Contract - Fick Supply

Bill No. 3544 sponsored by Alderman Craig Kase, being an ordinance approving an agreement with Fick Supply Service Incorporated which agreement deals with brush grinding of storm debris at the Sullivan Compost Site in the City of Sullivan, in an amount not to exceed Twenty-three Thousand Five-hundred Dollars (\$23,500.00), and authorizing the Mayor to execute was introduced and read two times. The question was asked, "Shall Bill No. 3544 become Ordinance No. 3544?" 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 a contract with Fick for the grinding of storm debris at the compost site. The Board approved the bid at the November 6, 2012 council meeting.

Carolyn  
Addition Resub  
Hubble Property

Resub Carolyn Addition - Hubble Property

Bill No. 3545 sponsored by Alderman Jarrett Dace, being an ordinance approving Lot One and Lot Two of the Resubdivision of Lots 24, 25, 26, 27 and the west half of Lot 28 of Carolyn Addition in the City of Sullivan, Franklin County, Missouri and authorizing the City Clerk to execute said plat was introduced and read two times. The question was asked, "Shall Bill No. 3545 become Ordinance No. 3545?" The aldermen were polled and voted as follows: Alderman Jason Alexander, aye; Alderman Craig Kase, aye; Alderman Jarrett Dace, aye; Alderman Tony Wessler, aye; Alderman Dennis Watz, aye; and Alderman Mike Ryan, Jr., aye. Passage of this ordinance approved the resubdivision of 4½ lots into two lots at the corner of Tipton & Ozark Streets owned by Jerry & Mary Lou Hubble.

2009 ICC  
Building Codes

Adoption of 2009 ICC Building Codes

Bill No. 3546 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article One (I) of the Municipal Code dealing with adoption of the

2009 International Code Council Building Codes in the City of Sullivan, Missouri, by repealing Article One (I) and enacting a new Article One (I) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3546 become Ordinance No. 3546?" 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 updated the city's building codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

**Adoption of 2008 National Electric Codes**

2008 National  
Electric Codes

Bill No. 3547 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Two (II) of the Municipal Code dealing with adoption of the 2008 National Electric Code in the City of Sullivan, Missouri, by repealing Article Two (II) and enacting a new Article Two (II) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3547 become Ordinance No. 3547?" The aldermen were polled and voted as follows: Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, aye; Alderman Mike Ryan, Jr., aye; and Alderman Dennis Watz, aye. Passage of this ordinance adopted the 2008 National Electric Code from the 2002 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

**Adoption of 2009 ICC Mechanical Codes**

2009 ICC  
Mechanical  
Codes

Bill No. 3548 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Three (III) of the Municipal Code dealing with adoption of the 2009 International Code Council Mechanical Code in the City of Sullivan, Missouri, by repealing Article Three (III) and enacting a new Article Three (III) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3548 become Ordinance No. 3548?" 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 updated the city's mechanical codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

**Adoption of 2009 ICC Plumbing Codes**

2009 ICC  
Plumbing Codes

Bill No. 3549 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Four (IV) of the Municipal Code dealing with adoption of the 2009 International Code Council Plumbing Codes in the City of Sullivan, Missouri, by repealing Article Four (IV) and enacting a new Article Four (IV) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3549 become Ordinance No. 3549?" 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 updated the city's plumbing codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30,

2012. These codes have been on public display since July 30, 2012.

2009 ICC Fuel  
Gas Codes

**Adoption of 2009 ICC Fuel Gas Codes**

Bill No. 3550 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Five (V) of the Municipal Code dealing with adoption of the 2009 International Code Council Fuel Gas Code in the City of Sullivan, Missouri, by repealing Article Five (V) and enacting a new Article Five (V) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3550 become Ordinance No. 3550?" 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, aye; and Alderman Mike Ryan, Jr., aye. Passage of this ordinance updated the city's fuel gas codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

2009 ICC  
Fire Codes

**Adoption of 2009 ICC Fire Codes**

Bill No. 3551 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Six (VI) of the Municipal Code dealing with adoption of the 2009 International Code Council Fire Code in the City of Sullivan, Missouri, by repealing Article Six (VI) and enacting a new Article Six (VI) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3551 become Ordinance No. 3551?" 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 updated the city's fire codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

2009 ICC  
Residential  
Codes

**Adoption of 2009 ICC Residential Codes**

Bill No. 3552 sponsored by Alderman Jarrett Dace, being an ordinance amending Title Five (V) Chapter Five Hundred (500) Article Seven (VII) of the Municipal Code dealing with adoption of the 2009 International Code Council Residential Code for one & two-family dwellings in the City of Sullivan, Missouri, by repealing Article Seven (VII) and enacting a new Article Seven (VII) of said Code in lieu thereof, and establishing the effective date was introduced and read two times. Some discussion ensued with Code Administrator Dan King pointing out that with passage of this ordinance, he will once again be issuing permits for residential roofing. The cost will be \$40 which includes inspections. It is the property owner's responsibility to procure the permit. No permits will be required for window or siding replacement. The question was then asked, "Shall Bill No. 3552 become Ordinance No. 3552?" The aldermen were polled and voted as follows: Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, aye; Alderman Craig Kase, aye; Alderman Mike Ryan, Jr., aye; and Alderman Dennis Watz, aye. Passage of this ordinance updated the city's residential codes from the 2003 Edition of the International Code Council codes to the 2009 Edition. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

Roofing  
Permits  
Reactivated

**Adoption of 2009 ICC International Energy Conservation Codes**

2009 ICC  
Energy  
Conservation  
Codes

Bill No. 3553 sponsored by Alderman Jarrett Dace, being an ordinance repealing Title Five (V) Chapter Five Hundred (500) Article Eight (VIII) of the Municipal Code dealing with miscellaneous building code provisions, and repealing Article Nine (IX) dealing with penalties; and, adding a new Article Eight (VIII) dealing with adoption of the 2009 International Energy Conservation Code; and, adding a new Article Nine (IX) dealing with miscellaneous building code provisions; and, adding a new Article Ten (X) dealing with penalties; and, establishing the effective date was introduced and read two times. The question was asked, "Shall Bill No. 3553 become Ordinance No. 3553?" 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 updated miscellaneous building code provisions from the 2003 Edition of the International Code Council codes to the 2009 Edition, and would also adopt the 2009 International Energy Conservation Code. A public hearing was held on August 30, 2012. These codes have been on public display since July 30, 2012.

**ALDERMEN INPUT**

**Pat Street - Trash Nuisance**

Pat Street  
Nuisances

Alderman Dace reported that a house on Pat Street has a lot of trash in front. Code Administrator Dan King stated that he went by the house and the lawn was in the process of being mowed. Reportedly, the trash was scheduled to be picked up. He will follow up to make sure.

**Funeral Picketing**

Funeral Picking  
Ordinance

Alderman Watz submitted a draft bill against picketing at funerals. Mayor Leasor noted that this bill mirrors the one passed by the City of Manchester which was upheld in the Supreme Court. Recently, Kansas City, Missouri passed the same ordinance. Alderman Watz noted this bill will be presented in ordinance form at the December 4, 2012 meeting.

**MAYOR INPUT**

**Local Use Tax**

Local Use Tax

Mayor Leasor reported that Franklin County Commissioner John Griesheimer plans on attending the December 4, 2012 council meeting to address the Board on the subject of placing a local use tax (along with Franklin County) on the April 2013 ballot.

**CLOSED SESSION**

Closed Session

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



**CLOSED RESULTS**

Closed Results

As a result of the closed meeting held November 20, 2012, one matter concerning real estate and seven matters concerning litigation were discussed with no results to report at this time. One matter concerning personnel was discussed with the Board taking the following action:

James Fore  
Hired - Parks  
Department

- 1) A motion was made and duly seconded to hire James Fore as a laborer in Parks Department at a Grade 8-2 (\$12.31 per hour) contingent upon passage of pre-employment drug screening tests, and completion of appropriate employment documentation. The motion carried unanimously with a roll call vote as follows: Alderman Mike Ryan, Jr., aye; Alderman Jarrett Dace, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Dennis Watz, aye; and Alderman Craig Kase, aye. The motion carried with a roll call vote as follows: Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; and Alderman Craig Kase, aye.

Return to Open

**RETURN TO OPEN**

The Board reconvened into open session at approximately 8:45 p.m.

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**ADJOURN**

Adjourn

Being no further business at this time, Alderman Wessler made a motion to adjourn. Alderman Dace seconded the motion and it carried unanimously. The meeting adjourned at approximately 8:45 p.m.