

DRAFT NOTES OF COUNCIL MEETING

December 4, 2012

(Subject to Approval at the December 18, 2012 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 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, and City Clerk Jan Koch.

Pledge

PLEDGE OF ALLEGIANCE

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

Agenda

AGENDA APPROVAL

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

Minutes

MINUTES APPROVED

Notes from the council meeting held November 20, 2012 were presented. Alderman Wessler made a motion to approve the minutes as submitted. Alderman Watz seconded the motion and it carried unanimously. Notes from the closed meeting held November 20, 2012 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Kase seconded the motion and it carried unanimously.

Local Use Tax
Griesheimer
Input

REQUESTS & PETITIONS

Local Use Tax

Franklin County Presiding Commissioner John Griesheimer appeared before the council regarding the local use tax issue. (Commissioner-Elect Mike Schatz was also in attendance.) A recent 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. Commissioner Griesheimer reported that the City of Washington is the only entity in the county that still receives local taxes for vehicles purchased out of state through their voter-approved two-percent local use tax. Washington still collects taxes on vehicles purchased by city residents, even if the vehicle came from out of state or a private individual. Commissioner Griesheimer stated that since all the other cities in the county do not have a local use tax, and if a vehicle is purchased in Illinois, the buyer is not subject to municipal sales tax--only state sales tax applies. If a vehicle is purchased in Missouri, for the same price, the buyer is required to pay the local sales taxes. He added that he felt this was unfair and if it continues, it will eventually cost jobs. He stated that a local use tax would be a mechanism to collect the taxes for items purchased out of state. Commissioner Griesheimer reported that he just learned today that the City of Union will not be putting the local use tax issue on their April 2013 ballot because they are waiting to see what Missouri State legislators are going to do. While Commissioner Griesheimer felt that legislators will act and ultimately pass it, it may still be litigated and sent

Griesheimer
Input
Local Use Tax

to the Missouri Supreme Court once again. While it won't be an easy sell for an entity to do, Commissioner Griesheimer stated that it might be more prudent to do this together as a group, i.e., cities & county. Mayor Leasor asked the Commissioner if he had any idea how much revenue was being lost. Commissioner Griesheimer replied that it's only a guestimate at this point in time, but it's probably around \$¼ million countywide. Alderman Dace brought up Internet sales and cited what recently happened in the State of Pennsylvania where tax-free online purchases are being curtailed by law. Commissioner Griesheimer reported that the State of Missouri tries to audit sales flagged at \$2,000 or more. However, unless there is a store in that state, sales tax will not be collected. Some activists are pushing for a federal law to address the issue of tax-free Internet shopping, and the millions in sales tax that states are missing out on. Griesheimer noted that local businesses support this because Internet sales affect the local job market—especially the so-called mom & pop shops. A local use tax initiative for Sullivan would be two-percent, which is the same rate as what local businesses collect. He pointed out that this would level the playing field in the areas of sales. Commissioner Griesheimer reported that he did not hear anything back from the cities of St. Clair and Pacific yet. He stated that he didn't think it was a good idea to sit back and do nothing. Mayor Leasor then thanked the commissioner for his appearance and input and stated that the Board will more than likely discuss this at the next council meeting.

Enhanced Enterprise Zone

EEZ &
Franklin County

Commissioner Griesheimer congratulated the City of Sullivan (which includes Oak Grove Village and Miramiquoa Village) on being the first in Franklin County to establish an Enhanced Enterprise Zone. He stated he felt this zone will give the city a competitive advantage in the area of economic development. The Commissioner added that he wanted the City of Sullivan to know that Franklin County cares about Sullivan and is proud of its efforts & accomplishments. Commissioner-Elect Mike Schatz stated that he was looking forward to serving and then extended happy holiday wishes to everyone.

STANDING COMMITTEE REPORTS

Planning & Zoning

P&Z

P&Z will meet on December 11, 2012.

Airport Board

Airport

The Airport Board will meet on December 12, 2012.

CITY ADMINISTRATOR

Bids - Police Patrol Car

Police Car Bids
West Brothers

Bids were duly advertised and opened on November 27, 2012 at 10:00 a.m. They are briefly summarized as follows:

<i>Bidder/Address</i>	<i>Bid (2013 Dodge Charger)</i>	<i>Trade-In (2007 Crown Vic)</i>	<i>Net Bid</i>
West Brothers Sullivan, MO	\$23,912	\$3,500	\$20,412
Landmark Dodge Independence, MO	\$23,494	\$500	\$22,994

Barreth Ford
Union, MO

No Bid

No Bid

No Bid

Staff recommended accepting the lowest qualifying bid with trade-in from West Brothers in the amount of \$20,412. Alderman Dace made a motion to approve staff's recommendation. Alderman Ryan seconded the motion and it carried unanimously.

Compost Mulch

Grinding - Compost Site

Fick Supply Service, Incorporated has started grinding storm debris at the compost area.

FY12 Audit

2012 Fiscal Year Audit

City auditors have started the audit and will be onsite Monday, December 10, 2012.

EEZ Status

Enhanced Enterprise Zone

After signatures from other entities were received, City Administrator J.T. Hardy reported that the EEZ application was sent to Franklin County where it is in the process of being reviewed.

Insurance
Renewals

Liability & Property Insurance

The city is in the process of changing liability insurance carriers which will result in a decrease in premiums. While property insurance rates will increase next year, both insurances combined will remain within the budgeted figures. Plans for next year include going out for competitive bids.

CITY ATTORNEY

Closed Session

Closed Session

City Administrator Hardy & City Attorney Schroeder reported they had some matters concerning litigation, real estate, and personnel.

FINANCE COMMITTEE

December 2012

Finance
December 2012

Alderman Kase was appointed to review the monthly bills for December 2012 with Alderman Wessler named as the alternate.

ORDINANCES

City Code 210.227 - Funeral Protests

Funeral Protest
Ordinance

Bill No. 3554 sponsored by Alderman Dennis Watz, being an ordinance amending Title II (Two) Chapter 210 (Two Hundred Ten) Article V (Five) of the Municipal Code dealing with offenses concerning public peace, by adding Section 210.227 making it unlawful to protest, disrupt or disturb funeral and burial services within 300 (three hundred) feet of any residence, cemetery, funeral home, church, synagogue, or other establishment during or within one hour before or one hour after actual funeral or burial services; and establishing the effective date thereof, was introduced and read two times. A brief discussion was held with Mayor Leasor reporting that the City of Manchester adopted this same ordinance which was upheld in the Supreme Court. The question was asked, "Shall Bill No. 3554 become Ordinance No. 3554?" 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 makes it unlawful to protest funerals within 300-feet of the service. General penalty provisions for City Code violations can be up to a maximum \$500 fine and/or up to 90 days in jail.

ALDERMEN INPUT

Livestock

Livestock

Aldermen Kase & Alexander both reported on a livestock issue in their ward. An investigation revealed that it is in compliance with City Code.

MAYOR INPUT

Holiday Event

Christmas Tree Lighting & Santa Fun Run - November 30, 2012

Mayor Leasor reported that the Santa Run & Christmas tree lighting held Friday, November 30, 2012 was well attended.

CITY CLERK INPUT

April 2013
Muni Election

2013 Municipal Election

Filing for mayor, collector, judge and one alderman each for wards one, two & three will open on Tuesday, December 11, 2012 at 8:00 a.m. and close Tuesday, January 15, 2013 at 5:00 p.m. Each office will be for a term of two years. The election is to be held April 2, 2013.

January 2013
Council Mtg

Council Meeting - January 1, 2013

The council meets the first and third Tuesday of each month. However, the first meeting in January 2013 is the same day as the New Years Day holiday. Some discussion was held about the possibility of either rescheduling or cancelling that meeting but no decision was made at this time.

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 December 4, 2012, one matter concerning personnel, two matters concerning real estate, and two matters concerning litigation were discussed with no final results to report at this time.

Return to Open

RETURN TO OPEN

The Board reconvened into open session at approximately 10:00 p.m.



Adjourn

ADJOURN

Being no further business at this time, Alderman Ryan made a motion to adjourn. Alderman Alexander seconded the motion and it carried unanimously. The meeting adjourned at approximately 10:00 p.m.

