

DRAFT NOTES OF COUNCIL MEETING

December 18, 2012

(Subject to Approval at the January 8, 2013 Meeting)

HEARING

Dangerous
Buildings
Hearing

Dangerous Buildings

A hearing was called to order by Mayor Leasor at City Hall, 210 West Washington, at 7:00 p.m. regarding three properties: 1) 422 Sappington Bridge Road; 2) 260 E. Euclid; and 3) 231 N. Center. Attending the hearing were Alderman Ward Two Craig Kase, Alderman Ward One Mike Ryan, Jr., Alderman Ward Three Dennis Watz, Alderman Ward Two Jason Alexander, Alderman Ward One Tony Wessler, and six citizens. Alderman Ward Three Jarrett Dace was unable to attend. Also attending were City Attorney Matt Schroeder, City Administrator J.T. Hardy, City Clerk Jan Koch, Code Administrator Dan King, and City Engineer Robert Schaffer. The three properties, located at 422 Sappington Bridge Road, 260 East Euclid, and 231 North Center, were externally inspected by Code Administrator Dan King and property owners were notified to vacate, vacate & repair, or vacate & demolish said buildings. All the property owners failed to do any of the aforementioned.

422 Sappington Bridge Road

Written Notifications

422 Sappington
Bridge Road

City records show that GMAC Mortgage owned the unoccupied property and on September 7, 2012 a letter was mailed notifying them that the property was being deemed a dangerous building and to vacate the building and repair or demolish said building within thirty-days from the receipt of the letter. The City received the certified letter receipt on September 9, 2012. On November 7, 2012 GMAC was notified that a hearing had been scheduled for December 18, 2012 at 7:00 p.m. in the council room at City Hall, Sullivan, Missouri with the purpose being to determine whether or not the Board of Aldermen would order the house at 422 Sappington Bridge demolished as recommended by Code Administrator Dan King. The city received the certified letter receipt on November 10, 2012. However, on December 18, 2012 (today) the city received a letter from GMAC claiming they no longer owned the building. Therefore, another title search will be performed.

Notices Sent

Findings of Fact

Findings of Fact

According to City Code Section 510.020 dealing with the definition of a dangerous building, all buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the defects listed are to be deemed a "dangerous building". For 422 Sappington Bridge, the following sections were referenced:

City Code
Violations

1) City Code 510.020.2

Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty-percent (50%) damage or deterioration of the non-supporting enclosing or outside walls or covering.

2) City Code 510.020.5

Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building.

422 Sappington Bridge Road 3) City Code 510.020.8
Those that have parts thereof that are so attached that they may fall and injure members of the public or property.

City Code Violations 4) City Code 510.020.9
Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

Evidence Supporting Finding of Facts

Evidence of Danger Code Administrator Dan King reported that external visual inspections revealed the following for 422 Sappington Bridge Road:

- 1) The roof collapsed on the front half of the structure.
- 2) The deck is starting to collapse.
- 3) The siding is falling off.
- 4) The block foundation is deteriorating.

Motion Declaring Dangerous *Board Action*
No one was present at the hearing claiming to represent the property owner and no input was offered. Alderman Ryan made a motion declaring the property at 422 Sappington Bridge be deemed a dangerous building. Alderman Wessler seconded the motion and it carried unanimously.

260 East Euclid

Written Notifications

260 E. Euclid Notices Sent City records show that James & Mary Carter own the unoccupied property and on June 4, 2012 a letter was mailed notifying them that the property was being deemed a dangerous building and to vacate the building and repair or demolish said building within thirty-days from the receipt of the letter. No response was received. The City then sent a certified letter on August 15, 2012 and received the certified letter receipt on September 1, 2012. On November 7, 2012 the property owners were notified that a hearing had been scheduled for December 18, 2012 at 7:00 p.m. in the council room at City Hall, Sullivan, Missouri with the purpose being to determine whether or not the Board of Aldermen would order the house at 260 East Euclid demolished as recommended by Code Administrator Dan King. The city received the certified letter receipt back showing that this letter had been refused. The city then published the hearing notice for this property in the *Sullivan Independent Newspaper* on November 28, 2012; December 5, 2012; and, December 12, 2012.

Advertisement in Local Paper

Findings of Fact

Findings of Fact According to City Code Section 510.020 dealing with the definition of a dangerous building, all buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the defects listed are to be deemed a "dangerous building." For 260 East Euclid, the following sections were referenced:

City Code Violations

- 1) City Code 510.020.1
Those with interior walls or other vertical structural members that list, lean or

buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

City Code
Violations
260 E. Euclid

- 2) City Code 510.020.9
Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

Evidence Supporting Finding of Facts

Evidence of
Danger

Code Administrator Dan King reported that external visual inspections revealed the following for 260 East Euclid:

- 1) The foundation is failing.
- 2) Vegetation is growing from inside to the outside of the structure.
- 3) Structural members are exposed to the elements.

Motion
Declaring
Dangerous

Board Action

No one was present at the hearing claiming to represent the property owner and no input was offered. Alderman Watz made a motion declaring the property at 260 East Euclid be deemed a dangerous building. Alderman Kase seconded the motion and it carried unanimously.

231 N. Center

Written Notifications

231 N. Center
Notices Sent

City records show that William Nelson owns the unoccupied property and on September 7, 2012 a letter was mailed notifying them that the property was being deemed a dangerous building and to vacate the building and repair or demolish said building within thirty-days from the receipt of the letter. The city received the certified letter receipt on September 8, 2012 which was signed by James H. Nelson. On November 7, 2012 the property owner was notified that a hearing had been scheduled for December 18, 2012 at 7:00 p.m. in the council room at City Hall, Sullivan, Missouri with the purpose being to determine whether or not the Board of Aldermen would order the house at 231 North Center demolished as recommended by Code Administrator Dan King. The city received the certified letter receipt back showing that this letter had been refused. The city then published the hearing notice for this property in the *Sullivan Independent Newspaper* on November 28, 2012; December 5, 2012; and, December 12, 2012.

Findings of Fact

Findings of Fact

According to City Code Section 510.020 dealing with the definition of a dangerous building, all buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the defects listed are to be deemed a "dangerous building". For 260 East Euclid, the following sections were referenced:

City Code
Violations

- 1) City Code 510.020.2
Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty-percent (50%) damage or deterioration of the non-supporting enclosing or outside walls or covering.

- City Code
Violations
231 N. Center
- 2) City Code 510.020.8
Those that have parts thereof that are so attached that they may fall and injure members of the public or property.
 - 3) City Code 510.020.9
Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this City.

Evidence of
Danger

Evidence Supporting Finding of Facts
Code Administrator Dan King reported that external visual inspections revealed the following for 231 North Center:

- 1) The structure roof is collapsing.
- 2) The floor has collapsed.
- 3) Roof of the main structure is deteriorating.

Motion
Declaring
Dangerous

Board Action
No one was present at the hearing claiming to represent the property owner and no input was offered. Alderman Alexander made a motion declaring the property at 231 North Center be deemed a dangerous building. Alderman Ryan seconded the motion and it carried unanimously.

Hearings
Adjourned

HEARINGS ADJOURNED
Being no further input, Alderman Ryan made a motion declaring the hearings be adjourned. Alderman Watz seconded the motion and it carried unanimously. The hearing adjourned at 7:30 p.m.



Regular Meeting
Attendance

CALL TO ORDER
Roll Call
Mayor Thomas D. Leasor called the council meeting to order in the Council Room at City Hall, 210 West Washington at 7:30 p.m. Roll call was then taken and attending the meeting were Alderman Ward Two Craig Kase, Alderman Ward Two Jason Alexander, Alderman Ward Three Dennis Watz, and Alderman Ward One Mike Ryan, Jr., and Alderman Ward One Tony Wessler. Alderman Ward Three Jarrett Dace was unable to attend. 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 with special remembrance of the Newtown, Connecticut shooting victims as well as the Washington County Sheriff Deputy gunned down in the line of duty.

Agenda **AGENDA APPROVAL**
Alderman Kase made a motion to approve the agenda as submitted. Alderman Alexander seconded the motion and it carried unanimously.

Minutes **MINUTES APPROVED**
Notes from the council meeting held December 4, 2012 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Watz seconded the motion and it carried unanimously. Notes from the closed meeting held December 4, 2012 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Watz seconded the motion and it carried unanimously.

STANDING COMMITTEE REPORTS

Planning & Zoning

Rezoning 217 North Church

P&Z
Rezone
217 N. Church
P&Z met on December 11, 2012 and held a public hearing on a rezoning request from Corey & Melissa Martin, 217 North Church Street. They requested their property be rezoned from R-2 to C-1. P&Z recommended approval. (This request was approved later on in the meeting by ordinance.)

SIMV Subdivision

SIMV Plat
P&Z recommended approval of a plat submitted by Sheltered Industries of the Meramec Valley submitted for a minor subdivision. SIMV Subdivision was previously Airport Executive Industrial Center Plat 2. This subdivision plat combines two lots into one. The property is currently zoned M-1. (See ordinance passed later on in the meeting.)

Airport Capital
Improvements
Airport Board
The Airport Board is working on a capital improvement plan for 2013.

CITY ADMINISTRATOR

Enhanced Enterprise Zone

EEZ Public
Hearing 1/8/13
In review of the EEZ application, it was determined that the proposed area contained one taxing entity that had not been notified by certified letter of the last EEZ public hearing. The city has been advised that it would be best to re-send the taxing entities certified letters and to conduct another EEZ public hearing on January 8, 2013. Administrator Hardy recommended that the Board of Aldermen cancel the January 1, 2013 meeting due to the New Year's Day holiday and schedule a council meeting on January 8, 2013 where an EEZ public hearing can be held along with any other business that may arise. Alderman Ryan made a motion to approve the City Administrator's recommendation. Alderman Alexander seconded the motion and it carried unanimously.

Street Department - Flatbed Trailer Bids

Street Flatbed
Trailer
Bids were advertised and opened on December 13, 2012 for a new DT22-2EP (or equal) flatbed trailer for the Street Department. The bids are briefly summarized as follows:

	<i>Name/Address</i>	<i>Make</i>	<i>Model</i>	<i>Total Bid</i>	<i>Delivery Date</i>
Street Flatbed Trailer Stillwater	1) Stillwater, Inc. Sullivan, MO	Still	Deckover Pintle 24K	\$8,850.00	4 weeks
	2) JCB of St. Louis St. Peters, MO	Redi-Haul	R2529PFE	\$10,662.00	6 weeks
	3) Ditch Witch Sullivan, MO	Belshe	DT22-2EP	\$10,800.00	45 days

The lowest qualifying bid was from Stillwater, Incorporated in the amount of \$8,850. The budgeted amount was \$12,000. Alderman Alexander made a motion to approve the bid from Stillwater. Alderman Ryan seconded the motion and it carried unanimously.

Property & Liability Insurance Renewal - January 1, 2013

Property &
Liability
Insurance 2013

After reviewing the current property insurance renewal options, City Administrator J.T. Hardy recommended remaining with Netherlands Insurance Company (America First Insurance) at this time. The expiring premium was \$23,598 and the renewal premium is \$32,764. After reviewing the current liability insurance renewal options, he also recommended receiving insurance through Missouri Rural Services Corporation Savers P&C Insurance Company at \$125,290. The expiring premium from Continental Western was \$132,961. He reported that the quote from MoPERM was too high: \$192,261 for liability and \$58,076 for property. The Board stated no objections.

ISO (Insurance Services Office) Review

ISO Rating
Improvement

Code Administrator Dan King reported that the ISO rating of a community has a direct effect on the insurance premiums that individuals pay on their homes and especially on commercial buildings. He stated that the lower the ISO rating on a scale of 1 to 10, the better the insurance rates are, generally. Sullivan recently had their residential rating reduced from "4" to "3". The ISO generally reviews communities about every five years. The City Administrator reported that the ISO ratings in Franklin County were as follows:

<i>Entity</i>	<i>Residential</i>	<i>Commercial</i>
Franklin County	4	4
Pacific	9	9
St. Clair	5	5
Sullivan	3	3
Union	5	4
Washington	3	3

Private Grant - Missouri Baptist Hospital

Private Grant
Received
MoBap Hospital

Emily Zelch extended thanks to the Board of Aldermen on behalf of Missouri Baptist Hospital and the Sullivan Chamber of Commerce for city participation as a collaborative partner in a "Healthy Sullivan Coalition" program. The coalition received private grant funding in the amount of \$304,437 to be distributed over a five-year period. Administrator Hardy reported that this program fosters increased access to and consumption of fresh fruits and vegetables, and to make Sullivan a safe, walkable, bikeable community.

CITY ATTORNEY

Closed Session

Closed Session

City Administrator Hardy reported he had some matters concerning litigation, real estate, and

personnel.

December 2012
Invoices
Approved

FINANCE COMMITTEE

December 2012

Alderman Kase reported he reviewed the monthly bills for December 2012 and made a motion to approve payment in the amount of \$1,173,934.47. Alderman Ryan seconded the motion and it carried unanimously.

ORDINANCES

SIMV Subdivision

SIMV Plat
Approved

Bill No. 3555 sponsored by Alderman Jarrett Dace, being an ordinance approving Sheltered Industries Meramec Valley (SIMV) Subdivision in the City of Sullivan, Franklin County, and authorizing the City Clerk to execute said plat was introduced and read two times. The question was asked, "Shall Bill No. 3555 become Ordinance No. 3555?" The aldermen were polled and voted as follows: Alderman Tony Wessler, aye; Alderman Dennis Watz, aye; Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman Craig Kase, aye; and Alderman Jarrett Dace (absent). Passage of this ordinance approved a minor subdivision at the corner of Highway AF and Airport Road that combined two lots into one lot. The property is currently zoned M-1 and is owned by Sheltered Industries of Meramec Valley, Incorporated.

Zoning Change - 217 N. Church

Zoning Change
217 N. Church
R-2 to C-1

Bill No. 3556 sponsored by Alderman Jarrett Dace, being an ordinance to amend Chapter 400 of the Codified Code of the City of Sullivan, Missouri, and to amend the Zoning Map described in Chapter 400 and establishing the effective date of this ordinance was introduced and read two times. The question was asked, "Shall Bill No. 3556 become Ordinance No. 3556?" The aldermen were polled and voted as follows: Alderman Craig Kase, aye; Alderman Jason Alexander, aye; Alderman Jarrett Dace, (absent); Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; and Alderman Tony Wessler, aye. Passage of this ordinance approved rezoning property owned by Corey & Melissa Martin located at 217 North Church from R-2 to C-1. P&Z held a public hearing on December 11, 2012 and recommended approval of the rezoning request.

MAYOR INPUT

P&Z Resignation - Siwak

Siwak P&Z
Resignation

Mayor Leasor reported that Mr. Robert Siwak submitted his resignation from Planning & Zoning due to the fact that his evening time commitments has made his attendance at P&Z rather sporadic. He thanked the Mayor & Board for his appointment, noting that it had been a learning experience that gave him a better insight into how P&Z worked. His term expires May 2013.

P&Z Appointment - Jones

Jones P&Z
Appointment

Mayor Leasor then appointed Mr. David Jones to fill the unexpired term of Mr. Siwak on Planning & Zoning. Alderman Ryan made a motion to approve the Mayor's appointment. Alderman Watz seconded the motion and it carried unanimously.

CITY CLERK INPUT

2013 Municipal
Election Filings

2013 Municipal Election

Filing for mayor, collector, judge and one alderman each for wards one, two & three opened on Tuesday, December 11, 2012 at 8:00 a.m. Filings to date were as follows:

- Mayor:* Tom Leasor
- Collector:* Staci Pfeuffer & Judy McPherson
- Judge:* (Incumbent David Smith hasn't filed yet.)
- Ward One:* Mike Ryan, Jr.
- Ward Two:* Craig Kase
- Ward Three:* Dennis Watz

The filing deadline is Tuesday, January 15, 2013 at 5:00 p.m. The election is to be held April 2, 2013.

CLOSED SESSION

Closed Session

The time was approximately 7:50 p.m., and Alderman Alexander made a motion to adjourn into closed session with closed records and closed votes to discuss matters concerning litigation, real estate, and personnel. Alderman Ryan seconded the motion and it carried with a roll call vote as follows: Alderman Mike Ryan, Jr., 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 18, 2012 two matters concerning real estate and two matters concerning litigation were discussed with no results to report at this time. Two matters concerning personnel were discussed with the Board taking the following action:

Blankenship
Street Foreman

1) A motion was made and duly seconded to approve a recommendation from Street Commissioner Larry Cuneio to promote Dean Blankenship to Foreman effective January 3, 2013 at a pay grade of 11-5 (\$17.92 per hour), contingent upon him obtaining a Class "A" CDL. He will replace Charles Clonts, Jr. who plans on retiring January 2, 2013. The motion carried unanimously with a roll call vote as follows: Alderman Jason Alexander, aye; Alderman Mike Ryan, Jr., aye; Alderman Dennis Watz, aye; Alderman Tony Wessler, aye; and Alderman Craig Kase, aye.

Shelton
Retirement

2) James Shelton announced his retirement on Tuesday, December 18, 2012. His last day will be January 4, 2013. His position was a semi-skilled one in the Street Department. Mr. Shelton's position will be advertised both internally and externally as soon as possible.

RETURN TO OPEN

Return to Open

The Board reconvened into open session at approximately 9:00 p.m.



Adjourn

ADJOURN

Being no further business at this time, Alderman Watz made a motion to adjourn. Alderman Alexander seconded the motion and it carried unanimously. The meeting adjourned at approximately 9:00 p.m.

DRAFT