

# DRAFT NOTES OF COUNCIL MEETING

July 21, 2015

(Subject to Approval at the August 4, 2015 Meeting)

## CALL TO ORDER

Attendance

### Roll Call

Mayor Dennis Watz called the council meeting to order in the Council Room at City Hall, 210 West Washington, Sullivan, Missouri at 7:00 p.m. Roll call was taken and attending the meeting were Alderman Ward One Tony Wessler, Alderman Ward Two Jason Alexander, Alderman Ward Two T.J. Carey, Alderman Ward Three Paul McCulloch, Alderman Ward One Mike Ryan, Jr., and Alderman Ward Three Bobby Maupin. Also attending were City Attorney Justin Head, 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 Alexander made a motion to approve the amended agenda as submitted. Alderman Ryan seconded the motion and it carried unanimously.

## MINUTES APPROVED

Minutes

Notes from the council meeting held July 7, 2015 were presented. Alderman McCulloch made a motion to approve the minutes as submitted. Alderman Ryan seconded the motion and it carried unanimously. Notes from the closed meeting held July 7, 2015 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Wessler seconded the motion and it carried unanimously. Notes from the special council meeting held July 7, 2015 were presented. Alderman Ryan made a motion to approve the minutes as submitted. Alderman Alexander seconded the motion and it carried unanimously.

## REQUESTS AND PETITIONS

Marching  
Festival Parade  
9/26/15

### Sullivan Encore Music Boosters - Parade

Sullivan High School Band Director Chuck Moore submitted a request to hold the annual Marching Band Festival on Saturday, September 26, 2015 from approximately 10:00 a.m.-12:30 p.m. The parade route will begin at the skating rink in Jim Bottomley Park and end at the elementary school on Taylor Street. Alderman Maupin made a motion authorizing the parade as requested contingent upon it being sanctioned by emergency services. Alderman Ryan seconded the motion and it carried unanimously.

### Liquor License - Parties by Fritz, LLC (Sullivan Country Club Restaurant)

Liquor Licenses  
Country Club  
Restaurant

Mr. Fritz White submitted an application for a liquor by-the-drink license with Sunday sales at a restaurant-bar, located at 11 Country Club Drive. Alderman McCulloch made a motion to approve the license, contingent upon approval by the State of Missouri and approval of their city business license. Alderman Maupin seconded the motion and it carried unanimously.

## STANDING COMMITTEE REPORTS

### Planning & Zoning

P&Z Public Hearings

Vacating Lilac Lane

Conditional Use Permit Meramec Group

*Public Hearings - Meramec Industries (Conditional Use) & Isgriggs (Vacate ROW Lilac Lane)*  
P&Z held two public hearings on July 14, 2015: 1) Meramec Group, 338 Ramsey Street requested a conditional use permit that would allow them to build a new industrial building on an adjoining lot located at 541 Second Street; and, 2) James & Annette Isgriggs of 1035 Elmont Road and Richard & Marilyn Wright of 480 Scottsdale requested the City of Sullivan, vacate a forty (40) foot street right-of-way (Lilac Lane) adjacent to their properties at the north end of Scottsdale Drive. Planning & Zoning granted the conditional use permit for Meramec Group. The vacation request for Isgriggs (next to Lot 12—which they own & abuts St. Matthews Lutheran Church property) was denied. Church representatives stated that they wanted the option of multiple access points to their property, indicating this land could possibly be developed at a later date. The vacation next to the Wrights property (which was Lot 10 of Scottsdale Addition) was recommended for approval. (See Ordinance No. 3685 passed later on in the meeting.)

Airport Fly-In 08/15/2015

### Airport Board

Administrator Hardy reported that the Airport Board met on July 8, 2015 where the main topic was plans for the upcoming Fly-In scheduled for August 15<sup>th</sup>, 2015.

## CITY ADMINISTRATOR

### Pipeline License - BNSF Railroad

Railroad Pipeline Agreement

A supplemental agreement with Burlington Northern Sante Fe Railroad was presented (see Ordinance No. 3686) which would renew the railroad protective liability insurance and change the carrier pipe size from 10" to 16". This water main will service Sullivan Industrial Park East.

### Airport Pavement Maintenance - Consultants

Airport Runway Project Consultants

A supplemental agreement with Crawford, Murphy & Tilly was presented (see Ordinance No. 3687) which would add construction phase services such as inspections to the current agreement for the pavement maintenance and airfield remarking project at the Sullivan Regional Airport. This agreement would increase the fixed fee from \$2,295.47 to \$6,429.90 with the maximum fee payable increasing from \$19,280 to \$56,380. It was noted that these fees are at least 90% grant reimbursable.

## CITY ATTORNEY

### Closed Session

Closed Session

City Attorney Justin Head and City Administrator J.T. Hardy reported they had some matters concerning personnel and real estate.

## FINANCE COMMITTEE

### July 2015

July 2015 Monthly Bills

Alderman Maupin reported he reviewed the monthly bills for July 2015 and made a motion to approve payment in the amount of \$1,464,431.14. Alderman Ryan seconded the motion and it carried unanimously.

**ORDINANCES**

**Vacating Portion Lilac Lane (Street Right-of-Way)**

Lilac Lane Street  
ROW Vacated

Bill No. 3685 sponsored by Alderman Tony Wessler, being an ordinance of the City of Sullivan, Missouri, vacating a portion of a forty (40) foot street right-of-way on Lilac Lane adjacent to the north end of Scottsdale Lane in Scottsdale Addition bordering Lot Eleven (11) in the City of Sullivan, Franklin County, Missouri; and reserving a utility easement thereon was introduced and read two times. The question was asked, "Shall Bill No. 3685 become Ordinance No. 3685?" The aldermen were polled and voted as follows: Alderman Jason Alexander, aye; Alderman Paul McCulloch, aye; Alderman T.J. Carey, aye; Alderman Mike Ryan, Jr., aye; Alderman Bobby Maupin, aye; and Alderman Tony Wessler, aye. Passage of this ordinance vacated a 40' X 129.82' (±) street right-of-way at the end of Scottsdale Drive along the eastern side; and, reserved a utility easement on the entire tract of ground for the maintenance, installation, construction, repair and relocation of utilities including but not limited to water, sewer, electric and drainage as are now or may be in the future located on this easement. In conjunction with the retention of said utility easements, no permanent structures shall be placed on said easement. P&Z held a public hearing on this July 14, 2015 and recommended approval.

**BNSF Railroad - Water Main (10" to 16")**

Railroad Pipeline  
Agreement &  
Liability

Bill No. 3686 sponsored by Alderman Paul McCulloch, being an ordinance approving a supplemental agreement to a twenty-five year pipeline license agreement with Burlington Northern Sante Fe Railroad Company which agreement allows the city to construct and install a sixteen-inch pipeline in lieu of a ten-inch pipeline to be located under the railroad for the purpose of carrying water 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. 3686 become Ordinance No. 3686?" The aldermen were polled and voted as follows: Alderman T.J. Carey, aye; Alderman Mike Ryan, Jr., aye; Alderman Bobby Maupin, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; and Alderman Paul McCulloch, aye. Passage of this ordinance approved a supplemental agreement with BNSF to change the size of a water main under the railroad from 10" to 16". This water main will service Sullivan Industrial Park East. The agreement also renews liability insurance with the railroad.

**CMT - Airport Runway Maintenance Project**

Airport Runway  
Project CMT  
Agreement #1

Bill No. 3687 sponsored by Alderman Paul McCulloch, being an ordinance approving Supplemental Agreement No. One with Crawford, Murphy & Tilly, Incorporated which agreement deals with professional services for airport runway maintenance at the Sullivan Regional Airport in the City of Sullivan, Missouri; and, authorizing the Mayor to execute was introduced and read two times. The alderman were polled and voted as follows: Alderman Bobby Maupin, aye; Alderman Tony Wessler, aye; Alderman Jason Alexander, aye; Alderman Paul McCulloch, aye; Alderman T.J. Carey, aye; and Alderman Mike Ryan, Jr., aye. Passage of this ordinance added construction phase services, such as inspections, to the current agreement with CMT that deals with pavement maintenance & airfield remarking. This increased the fixed fee from \$2,295.47 to \$6,429.90 with the maximum fee payable increased from \$19,280 to \$56,380. These fees are at least 90% grant reimbursable.

Amendment #7  
Menard Closing  
Extension 9/1/15

**Amendment #7 - Menard Extension (9/1/15)**

Bill No. 3688 sponsored by Alderman Paul McCulloch, being an ordinance approving the Seventh Amendment of a purchase and sale agreement with Menard, Incorporated which amendment extends the purchase agreement to September 1, 2015 on property (formerly known as the “Tyree Tract”) containing 122.7(±) acres, more or less, located along the East South Service Road in the City of Sullivan, Missouri; and, authorizing the Mayor to execute was introduced and read two times. Some discussion was held about closing date for the transaction. Staff noted that Menard is waiting on a permit from Fish & Wildlife, however everything else seems to be moving forward as planned. Following this discussion the question was asked, “Shall Bill No. 3688 become Ordinance No. 3688?” The aldermen were polled and voted as follows: Alderman Jason Alexander, aye; Alderman Paul McCulloch, aye; Alderman T.J. Carey, aye; Alderman Mike Ryan, Jr., aye; Alderman Bobby Maupin, aye; and Alderman Tony Wessler, aye. Passage of this ordinance approved extending the purchase & sale agreement with Menard from August 1, 2015 to September 1, 2015.

**ALDERMEN INPUT**

Elmont &  
Springfield Traffic  
Signalization

**Traffic Signal - Springfield & Elmont Intersection**

Alderman Carey reported he received a call asking when the signalization of Springfield & Elmont would take place. Administrator Hardy reported that this intersection is under the care and ownership of the State of Missouri and does not belong to the City of Sullivan. However MoDOT has funded the project---but it was put in the fiscal year that doesn’t start until October 1, 2015. The city wanted to go ahead and do the project earlier and get reimbursed by the State of Missouri, but this was soundly rejected. This project involves STP funding which comes from taxes paid by fuel purchases. City Engineer Robert Schaffer added that the design has been approved to go out to bid after October 1, 2015. He noted that the signal’s timing will be synchronized with pedestrian traffic as well as the traffic signal east of it (located next to Jim Bottomley Park & behind Cracker Barrel).

Nuisance & Legal  
Process

**Nuisances**

Alderman McCulloch reported he has received some complaints about nuisances, particularly some dwellings along Elm Street. Alderman Alexander reported he has also received some calls that complained about the length of time it takes to get them resolved—noting that one has been on the books since September/October 2014. Administrator Hardy reported that some of these issues require a procedure involving dangerous buildings, which he noted can be rather lengthy.

**MAYOR INPUT**

City of Rolla  
Nuisance Law

**Nuisances**

Mayor Watz reported that he has obtained a copy of the City of Rolla’s nuisance ordinance. After reviewing it, he felt it was efficient. Their ordinance may also be suitable as a model for the City of Sullivan with some changes pursuant to Missouri State Statutes. Mayor Watz reported that basically their nuisances are handled through Code Administration instead of Municipal Court. In response to complaints that some property owners felt they were “being picked on”, Administrator Hardy stated that if the city notices a code violation, staff takes action.

IDA **IDA Appointment**  
 Appointment Industrial Development Authority President Charles Betz recommended reappointing Blake Penberthy as a director with the IDA. Mayor Watz made this appointment noting that his term would end May 2021. Alderman Ryan made a motion to approve the Mayor’s appointment with Alderman Alexander seconding it. The motion carried unanimously.

EEZ **Enhanced Enterprise Zone**  
 Appointments Mayor Watz reappointed Mr. Tim Reinhold to a second term on the EEZ Board. Alderman Reinhold & Dace Maupin made a motion to approve this appointment with Alderman Carey seconding it. The motion carried unanimously. Mayor Watz also reappointed Mr. Jarrett Dace to a second term on the EEZ Board with Alderman Ryan making a motion to approve the Mayor’s appointment. Alderman Maupin seconded the motion and it carried unanimously. These are five-year terms and both will end July 2020.

James Schatz **James K. Schatz Memorial Bridge**  
 Bridge Signs Mayor Watz reported that new signs were placed today (July 21, 2015) on either side of the Elmont Overpass which has been renamed the *James K. Schatz Memorial Bridge*. Mayor Watz thanked State Representatives Dave Hinson & Dave Schatz as well as Speaker of the House Tim Jones for their endeavors on renaming the Elmont Overpass. City Administrator J.T. Hardy reported that the city will check with MoDOT to see if it would be okay to put some Schatz signs next to the city’s logos (which are currently on the sides of the bridge). Mayor Watz also requested family members be notified as the city would like to do a presentation to the family honoring former Mayor Schatz.

**CLOSED SESSION**

Closed Session The time was approximately 7:55 p.m. and Alderman McCulloch made a motion to adjourn into closed session to discuss three matters concerning personnel and four matters concerning real estate. Alderman Alexander seconded the motion and it carried with a roll call vote as follows: Alderman Bobby Maupin, aye; Alderman Paul McCulloch, aye; Alderman T. J. Carey, aye; Alderman Jason Alexander, aye; Alderman Mike Ryan, Jr., aye; and Alderman Tony Wessler, aye.



**CLOSED RESULTS**

Closed Results As a result of the closed meeting held July 21, 2015 one matter concerning personnel and four matters concerning real estate were discussed with no final results to report at this time. Two more matters concerning personnel were also discussed with the Board taking the following actions:

- Michael Jones  
 Hired W&S
- 1) A motion was made and duly seconded to hire Michael Jones as a semi-skilled laborer at a Grade 9(1) \$13.95 per hour starting on August 5, 2015, contingent upon proper paperwork and drug testing results. The motion carried unanimously with a roll call vote as follows: Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman

T.J. Carey, aye; Alderman Paul McCulloch, aye; Alderman Tony Wessler, aye; and, Alderman Bobby Maupin, aye.

Zachary Hudson  
Transfer to Patrol

- 2) A motion was made and duly seconded to authorize the transfer of Mr. Zachary Hudson from the Communications Division in the Police Department to the Patrol Division with a paygrade change to Grade 10(3) \$16.28 per hour. The motion carried unanimously with a roll call vote as follows: Alderman Mike Ryan, Jr., aye; Alderman Jason Alexander, aye; Alderman T.J. Carey, aye; Alderman Paul McCulloch, aye; Alderman Tony Wessler, aye; and, Alderman Bobby Maupin, aye.

Return to Open

**RETURN TO OPEN**

The Board reconvened into open session at approximately p.m.



Adjourn

**ADJOURN**

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