

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI
MONDAY, JULY 6, 2015**

INTRODUCTORY ITEMS:

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, July 6, 2015, at 7:00 p.m. in the Council Chamber. Mayor Sandy Lucy opened the meeting with roll call and Pledge of Allegiance.

Mayor:	Sandy Lucy	Present
Council Members:	Ward I	Steve Sullentrup Present
		Walter Meyer Present
	Ward II	Jeff Mohesky Present
		Mark Hidritch Present
	Ward III	Jeff Patke Present
		Greg Skornia Absent
	Ward IV	Josh Brinker Present
		Joe Holtmeier Present
Also Present:	City Attorney	Mark Piontek
	City Administrator	James Briggs
	Assistant City Administrator/ Public Works Director	Brian Boehmer
	City Clerk	Mary Trentmann
	Police Chief	Ken Hahn
	City Engineer	Dan Boyce
	Finance Manager	Mary Sprung
	Library Director	Jackie Hawes

Originals and/or copies of agenda items of the meeting, including recorded votes are available on record in the office of the City Clerk. Each ordinance is read a minimum of twice by title, unless otherwise noted.

Approval of Minutes:

* Approval of the Minutes from the June 15 & June 22, 2015 Council Meeting

A motion to accept the minutes as presented was made by Councilmember Hidritch, seconded by Councilmember Brinker, passed without dissent.

Approval and Adjustment of Agenda including Consent Agenda:

* Payments of over \$40,000 (+):

United Health Care \$130,000.00 Estimated August Health Insurance premium; LAGERS \$93,000.00 Estimated July wage benefits (3 pay periods); Ameren UE \$100,000.00 Estimated June energy usage; UMB Bank, NA. Trust \$96,638.66 Estimated July debt service payment

Sewer Revenue Bonds – 2007B; KJ Unnerstall Construction \$162,384.63 Pay Request #6 Camp Street Bridge.

- * Lewis, Rice L.L.C. May 2015 invoice
- * Final Pay Request – American Electric & Data, Inc. – Light Fixture Conversion Project
- * Final Pay Request – BusComm, Inc. – Recording Equipment
- * Change Order #2 & Final Pay Request – K.J. Unnerstall – Camp Street Improvements
- * Treasurer’s Report – February 2015
- * Liquor License Renewal: *Beining Chinese Restaurant*
- * Record Disposition Request

A motion to accept and approve the agenda including the consent agenda accordingly was made by Councilmember Mohesky, seconded by Councilmember Hidritch, passed without dissent.

PRIORITY ITEMS:

Mayor’s Presentations, Appointments & Re-Appointments

- * City Physician Reappointment:

June 30, 2015

To The City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for re-appointment as the City Physician:

Michael E. Rau, M.D. – term ending June 2016

Respectfully submitted,

Sandy Lucy

Mayor

MKT:

A motion to accept and approve the Re-appointment was made by Councilmember Brinker, seconded by Councilmember Patke, passed without dissent.

- * Board of Appeals Reappointments

June 30, 2015

To The City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for appointment as an alternate, to the Board of Appeals:

Kurt Unnerstall – Term ending June 2020

Michael Smith – Term ending June 2020

Respectfully submitted,

Sandy Lucy

Mayor

Mkt:

A motion to accept and approve the Re-appointments was made by Councilmember Patke, seconded by Councilmember Brinker, passed on a 7 to 1 vote with Hidritch voting nay.

* Library Board of Trustees Appointments – Reappointment

June 30, 2015

To The City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for re-appointment to the Library Board of Trustees:

Leon Hove – term ending June 2018

And the appointments of:

Jeff Holtmeier – term ending June 2018

Katie Schonaerts – term ending June 2018

Respectfully submitted,

Sandy Lucy

Mayor

MKT:

A motion to accept and approve the Appointments and Re-appointment was made by Councilmember Hidritch, seconded by Councilmember Patke, passed with Holtmeier abstaining.

* Police Department Reappointment

June 18, 2015

To The City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for reappointment:

<i>NAME</i>	<i>REAPPOINTED</i>	<i>TERM EXPIRES</i>
<i>Darrell Flora Patrol Officer</i>	<i>July 7, 2015</i>	<i>July 7, 2016</i>
<i>Nathan Pinter Patrol Officer</i>	<i>July 8, 2015</i>	<i>July 8, 2016</i>
<i>Chad Sloan Sergeant</i>	<i>July 15, 2015</i>	<i>July 15, 2016</i>

Respectfully submitted,

Sandy Lucy

Mayor

MT:

A motion to accept and approve the Re-appointments was made by Councilmember Hidritch, seconded by Councilmember Holtmeier, passed without dissent.

PUBLIC HEARINGS

- * Voluntary Annexation of approximately 24.81 acre tract of land located south of Missouri Route 100 right-of-way and along the proposed extension of High Street right-of-way as Senior Community District.

June 8th 2015

Honorable Mayor & City Council

405 Jefferson Street

Washington, MO 63090

Re: Kurt Unnerstall is seeking Voluntary Annexation of an approximate 24.81 acre tract of land located south of Missouri Route 100 Right-of-Way and along the proposed extension of High Street Right-of-Way as Senior Community District.

Dear Mayor & City Council:

At a regular meeting of the Planning & Zoning Commission, held on Monday, June 8, 2015, the Commission reviewed and approved the above request.

Sincerely,

Tom Holdmeier

Chairman

Planning & Zoning Commission

Mayor: Ok, this is a public hearing. Do any Councilmembers or do you have any comments or questions regarding this? This is the former Jasper tract, Kurt Unnerstall. Anyway, any questions, comments?

Holtmeier: I think it's a good use of the ground.

Mayor: Ok, it is a Public Hearing, is there anyone in the audience this evening who would like to address the Council on this item? Ok, if not, we'll have to accept this into the minutes.

Brinker: I make a motion.

Patke: I'll second.

Mayor: Ok, we have a motion by ...

A motion to accept the Public Hearing into the minutes was made by Councilmember Brinker, seconded by Councilmember Patke, passed without dissent.

- * Rezone 8.59 acres from Senior Community District to C-2 General Commercial District located at the Southeast corner of Don Avenue and High Street.

June 9, 2015

Honorable Mayor and City Council

City of Washington

Washington, Missouri

RE: Kurt Unnerstall. The applicant is seeking to rezone 8.59 acres zoned Senior Community District to C-2 General Commercial District.

Dear Mayor and Council Members:

At the regular meeting of the Planning & Zoning Commission, held on Monday, June 8, 2015 the Commission reviewed and approved the above request.

Sincerely,

Tom Holdmeier

Chairman

Planning & Zoning Commission

Mayor: Ok, this item is the tract that, at one time, the senior community was looking at, developing and now they may be moving to another location. So, the property owner is asking this tract to be rezoned from the Senior Community District to Commercial. Any comments or questions from Councilmembers? Ok, it's a public hearing so is there anyone in the audience this evening who would like to address the Council on this item? Ok, hearing none.

Brinker: I make a motion.

Holtmeier: Second.

Mayor: Ok, we have a motion by Brinker, seconded by Holtmeier to accept this item into the minutes. All those in favors, signify by saying aye.

All: Aye.

Mayor: Opposed? By your vote, you've accepted the item into the minutes. Now, isn't there a certain length in time that we have to wait now.

Jim Briggs: On the first, the voluntary annexation one, there is I think a 14 day comment period after this hearing, that they'll take written comment. After that you will get the ordinance in front of you. Kurt has requested that the ordinance on the rezoning not be passed until the annexation ordinance is passed. In case one fails, he still has a fall back location. He can request to resend his application.

Dan Boyce: Yeah, both ordinances will be on the August 3rd agenda.

Jim Briggs: Yes.

Mayor: Ok.

A motion to accept the Public Hearing into the minutes was made by Councilmember Brinker, seconded by Councilmember Holtmeier, passed without dissent.

CITIZENS DISCUSSIONS

* none

UNFINISHED BUSINESS

* none

REPORT OF DEPARTMENT HEADS

* Asphalt Trench Repair Bids:

June 26, 2015

Honorable Mayor & City Council

City of Washington

Washington, MO 63090

Re: Asphalt Trench Repair Bids

Dear Mayor & City Council:

This letter will summarize the results of recent bids received.

The two-year City contract with Dura Seal for \$169 per ton expired on June 1, 2015. The City solicited bids in May, 2015 and received one bid from N.B. West Contracting for \$446 per ton. The City rebid the contract and still only received the one N.B. West Contracting bid for the same amount. Dura Seal was contacted subsequent to the bid date and their input was that they were having problems with obtaining bonding for the contract. They further stated that had they bid, their price would have been \$350 per ton. They said that their history of performing the work indicated the need for the increase.

The City has had three contractors perform the work and never has the same contractor submit a bid for the next cycle. Input from N.B. West Contracting was that the submitted cost was necessitated by the need to mobilize at several locations for a small amount of tonnage.

Due to the above, at the June 22, 2015 Administration/Operations Committee meeting it was recommended that the City Administrator pursue in-house options to accomplish the work.

Sincerely,

Daniel E. Boyce

Staff recommends doing the work in-house.

A motion to accept and approved the Asphalt Trench Repair Bids into the minutes was made by Councilmember Patke, seconded by Councilmember Meyer, passed without.

* 1104 & 1106 North Park Drive:

June 26, 2015

Honorable Mayor & City Council

City of Washington

Washington, MO 63090

Re: 1104 & 1106 North Park Drive

Dear Mayor & City Council:

In early 2014 the City received a request from John Desmond and Brent Moreland to assist with the cost to construct curb and gutter along the frontage of their property. At the July, 2014 Traffic Committee, the committee agreed that the City should pay ½ of the estimated \$5,132.00 cost of the concrete work. The property owner's contractor recently contacted the City to schedule the work, and no record could be found of the City Council agreeing to the proposed cost share. Concerning issues discussed at the July, 2014 Traffic Committee meeting:

- 1. The City could widen the pavement to accommodate increased foot traffic without the addition of curb & gutter.*
- 2. Only minor evidence of erosion exists at the subject location. The City added grouted rip-rap in the downstream ditch and more could be added if necessary.*

The two homes are located in a subdivision created in 1997. At the time, the developer requested and was given a variance to not build curb and gutter. If curb and gutter is now requested, staff believes it is the responsibility of the property owners. This is consistent with current and past policy. The City provides: Engineering, excavation, base rock and any required pavement widening. The property owner is then responsible for the construction of the curb and gutter.

At their June 22, 2015 meeting, the Administration/Operations Committee recommended that the City policy, as stated above, be followed.

Sincerely,

Daniel E. Boyce

Cc: Brent Mooreland

John Desmond

This was discussed at the last administration/operations meeting. The recommendation is to follow the City policy. The homeowner contracts to have the curb and gutter built at his cost.

A motion to accept and approve the recommendation was made by Councilmember Holtmeier, seconded by Councilmember Brinker, passed without dissent.

* 1110 North Park Drive:

June 26, 2015

Honorable Mayor & City Council

City of Washington

Washington, MO 63090

Re: 1110 North Park Drive

Dear Mayor & City Council:

The purpose of this letter is to notify you of construction in City right-of-way, and request guidance for resolution.

Find enclosed two photos that show the encroachment. The property owner, Mr. D.L. Cooksey, has indicated that construction occurred with assumption of the right-of-way line being further from his house. Subsequent to construction, the property line was set revealing the encroachment. The situation could present future problems with road widening, utility location and wall maintenance responsibilities.

Option included either removal of the encroachment or legal commitments of the property owner to maintain and remove the wall/fence as necessary in the future.

At their June 22, 2015 meeting, the Administration/Operations Committee recommended the option of the above described property owner commitments.

Sincerely,

Daniel E. Boyce

Cc: Mr. D.L. Cooksey

Mark Piontek will draft an agreement for this.

A motion to accept and approve the recommendation was made by Councilmember Brinker, seconded by Councilmember Hidritch, passed without dissent.

ORDINANCES/RESOLUTIONS

Bill No. 15-11409, Ordinance No. 15-11418, an ordinance authorizing and directing the City of Washington, to enter into a sales contract with Modern Auto of Washington, Missouri for the purchase of a 2015 Chevrolet Silverado 2500HD Truck.

The ordinance was introduced by Councilmember Holtmeier.

This is for the Public Works department.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Mohesky-aye, Brinker-aye, Meyer-aye, Skornia-absent.

Bill No. 15-11410, Ordinance No. 15-11419, an ordinance authorizing and directing the execution of an Assignment of Special Sale Contract by and between 79 Winter Valley Drive, L.L.C. and the City of Washington, Missouri.

The ordinance was introduced by Councilmember Brinker.

This is for the purchase of the contract on 800 Locust Street. This is for just the Frick's property, not the lot behind it. The city wants to implement a stormwater improvement project.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Mohesky-aye, Brinker-aye, Meyer-aye, Skornia-absent.

Bill No. 15-11411, Ordinance No. 15-11420, an ordinance authorizing and directing the execution of an Easement Deed by and between the City of Washington, Missouri and JSA Realty, L.L.C.

The ordinance was introduced by Councilmember Holtmeier.

This is on Elm Street where Four Seasons is. There is an old stoop/step that is on the City right-of-way. By approving this ordinance they will get an easement on this.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Mohesky-aye, Brinker-aye, Meyer-aye, Skornia-absent.

COMMISSION, COMMITTEE AND BOARD REPORTS

* none

MAYOR'S REPORT

* America in Bloom judges will be here July 15 through July 17.

CITY ADMINISTRATOR'S REPORT

* Busch Creek Channel Improvements Feasibility Study Authorization:

July 1, 2015

Honorable Mayor and City Council

405 Jefferson Street

Washington, MO 63090

Honorable Mayor & City Council,

Request authorization to enter into an agreement with BFA, Inc. to perform a feasibility study for channel improvements within Busch Creek between Mo. Rte. 47 and South Elm Street.

Results from this study will allow the City to prioritize improvements with the long term goals., minimize flood damages to private properties and possibly lowering the regularly flood elevations where feasible.

It is recommended that the City Council finance this study and future costs from the Storm Water Improvement Fund.

There is currently \$2,955.00 unrestricted cash/investment in this Fund (based on the February 2015 Treasurer's Report).

Respectfully,

James A. Briggs

City Administrator

This request is in conjunction with the trailer park. A study will need to be performed to do some work on the creek bank where trailers used to sit. Staff recommendation is to have the study done by BFA. They have done the study on other sections of that creek and in other parts of town to evaluate the FEMA study that was completed.

Typo in letter, should be \$2,955,000 instead of \$2,955.00. There is actually approximately \$4,000,000 available in the fund.

Study will start at Highway 47 and will go up to Elm Street. Staff has contacted the property owners about this.

A motion to accept and approve the Busch Creek Channel Improvements Feasibility Study Authorization was made by Councilmember Holtmeier, seconded by Councilmember Brinker, passed without dissent.

- * Chamber has moved out of their location on Main Street and will be in the Fairgrounds building until at least after the Fair. After that they will move to the lower level of the old post office until their building is complete.
- * Working on issues with cell service in the basement of City Hall. They will install a booster. The Chamber will buy the booster; it will be installed by City staff.
- * Old vehicles will be sold.
- * A lot of cutting grass is being done due to the rain.
- * There was no Friday trash pickup because of the holiday; extra pickup was done on Monday for the people that forgot to put it outside on Thursday.
Code Red system will be used for future holidays to notify people of modified pickup days.

CITY ATTORNEY’S REPORT

Public vote on whether or not to hold a closed meeting to discuss personnel, legal and real estate matters pursuant to Section 610.021 RSMo (2000) passed at 7:26 p.m. on the following roll call vote; Brinker-aye, Hidritch-aye, Holtmeier-aye, Meyer-aye, Mohesky-aye, Patke-aye, Sullentrup-aye, Skornia-absent.

The regular session reconvened at 8:56 p.m.

ADJOURNMENT

With no further business to discuss, a motion to adjourn was made at 8:56 p.m. by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

Adopted: _____

Attest: _____
City Clerk

President of City Council

Passed: _____

Attest: _____
City Clerk

Mayor of Washington, Missouri