

**"Improving the quality of life for Aurora"**

**AURORA CITY COUNCIL MINUTES**  
*Aurora City Hall, Council Chambers*  
*Tuesday, October 25, 2016 at 6:30 p.m.*

- I. CALL TO ORDER:** Mayor Boyer called the meeting to order at 6:30 p.m.
- II. PLEDGE AND PRAYER:** Chairman Pro Tem Oplinger led the council in prayer and the Pledge of Allegiance.
- III. ROLL CALL:** *Mayor Rick Boyer*  
*Chairman Pro Tem Dawn Oplinger*  
*Councilman Steve Ramirez*  
*Councilwoman Linda Barton*  
*Councilwoman Rosemary Henderson*

All council members were noted present except Councilman Ramirez who was absent.

**IV. APPROVAL OF MINUTES:**

*Regular Session held on October 11, 2016 at 6:30 p.m.*

Councilwoman Barton moved to approve the minutes as submitted for the regular session held on October 11, 2016 at 6:30 p.m. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Boyer, Barton

NAYES: 0

ABSTAIN: Oplinger - not in attendance.

**V. APPROVAL OF APPROPRIATIONS for October**

Chairman Pro Tem Oplinger moved to approve the appropriations as submitted. Councilwoman Barton seconded the motion. Motion passed 4-0 with the following council members voting aye:

AYES: Henderson, Barton, Boyer, Oplinger

NAYES: 0

**VI. PUBLIC COMMENT**

Paul Ward thanked council, on behalf of his wife who works for Wommack Monument, for the notification of the asphaltting project scheduled for Saturday. Quick action was taken to get the grass cut along the road side before asphaltting was done by city crews. She was very appreciative.

**VII. COUNCIL FORUM**

Chairman Pro Tem Oplinger received a request from a citizen for council to consider installing a gate on Elliott into Maple Park Cemetery to slow traffic coming through the cemetery as a short cut to Elliott.

Paul Ward, Vice President of the Park Board, stated himself, the City Manager and a representative from Allgeier Martin and Associates had walked the proposed trail area trying to see the best proposal for Phase Three of the trail. It was felt that since it was the White Park Walking Trail it needed to connect to White Park. The trail will start under the underpass at White Park and skirt the fences of the three ball fields to the

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South to the box culvert on South Street. The box culvert will have to be replaced hopefully as part of the city's storm water drainage project which would allow the trail to continue on to Lincoln Street. The trail will not be able to connect with Robinson School at this time due to the increased cost of having to replace the box culvert.

For Phase Four of the trail a homeowner located at Hadley and Lincoln has agreed to donate a 20 ft. strip east of the intersection along the edge of the field to the High School.

### **VIII. OLD BUSINESS**

None

### **IX. NEW BUSINESS**

#### *A. Resolution No. 2016-1512*

*A Resolution of the City of Aurora, Missouri filing a program application with the Missouri Department of Transportation, under the Transportation Alternatives Program (TAP) for the purpose of expanding the trail system*

Councilwoman Barton moved to approve Resolution No. 2016-1512 which approves the submittal of the TAP application for Phase Three of the White Park Walking Trail. Mayor Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Henderson, Boyer, Oplinger

NAYES: 0

#### *B. Resolution No. 2016-1513*

*A Resolution of the City of Aurora, Missouri authorizing the City Manager to execute an agreement with BSN Sports for an eight row twenty-seven foot bleacher*

BSN Sports was the only bidder on the bleacher purchase. They included in their bid an alternative amount (\$18,338.82) to install the bleachers. City Manager Randall explained the bid included three options: 1) purchase of the bleacher; 2) installation of the bleachers; 3) tear out of old concrete and installation of new pad.

City Manager Randall explained city crews could do some of the work however there would always be liability on the city if the installation was installed incorrectly. It was felt it would be best if a contractor was hired to perform those functions.

Since there were no bids for construction of the concrete pad and sidewalk, Justin Janes, Park Director was asked to get quotes from a couple of local contractors. Two quotes were received from Singer Construction (\$20,087.85) and Kelly Bishop Construction (\$19,835.00). City Manager Randall informed council of the option to waive the bidding requirement on this part of the bid and accept one of the two quotes. .

Mayor Boyer moved to accept the bid from Singer Construction for the concrete work to include the concrete flume for a total bid amount of \$20,087.85. Chairman Pro Tem Oplinger seconded the motion. Motion passed with the following council members voting aye:  
AYES: Oplinger, Boyer, Henderson, Barton

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NAYES: 0

Councilwoman Barton moved to reject the portion of the bid from BSN Sports for the assembly of the bleachers (\$18,338.82). Chairman Pro Tem Oplinger seconded the motion. Motion passed with the following council members voting aye:

AYES: Oplinger, Barton, Henderson, Boyer

NAYES: 0

Councilwoman Barton moved to approve Resolution No. 2016-1513 approving the purchase of the bleachers from BSN Sports for \$17,803.39. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Oplinger, Boyer, Barton

NAYES: 0

The assembly of the bleachers will be rebid and brought back to council.

*C. Discussion/ Vote on signage for City Council Chambers*

Council discussed the options before them on lighted and unlighted signs.

Chairman Pro Tem Oplinger moved to approve the bid from Sign Tec for the lighted sign for \$2,689.99. Councilwoman Barton seconded the motion. Motion failed with council members voting as follows:

AYES: Barton, Oplinger

NAYES: Henderson, Boyer

Councilwoman Henderson moved to approve the bid from Sign Tec for the ¼" flat cut aluminum letters, unlighted, for \$978.14 which includes installation. Mayor Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Boyer, Barton, Oplinger

*D. Discussion/ Vote on amending Section 130.230 "Qualifications for Employment" of the City of Aurora's personnel policy*

This change will incorporate new verbiage into the policy to include an Equal Employment Opportunity clause as well as defining the city's application procedures. Drug screening was erroneously left out and council felt that change needed to be incorporated back into the policy as well.

Chairman Pro Tem Oplinger moved to approve amending Section 130.230 of the city's personnel policy to incorporate the stated changes. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Barton, Oplinger, Henderson

NAYES: 0

*E. Resolution No. 2016-1514*

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*A Resolution of the City of Aurora, Missouri authorizing and directing the City Manager to enter into an agreement with Williams CPA & Associates for financial reporting services*

Auditor Marshal Decker of Decker and DeGood has recommended the city to hire a CPA to get the city's books ready for yearend auditing.

Chairman Pro Tem Oplinger moved to approve Resolution No. 2016-1514 authorizing the City Manager to enter into an agreement with Williams CPA and Associates to get the city's books ready for auditing at yearend. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Boyer, Oplinger, Barton

NAYES: 0

F. *Resolution No. 2016-1515*

*A Resolution of the city of Aurora, Missouri authorizing and Directing the City Manager to execute an agreement with General Code for recodification*

Mike Perry, Sullivan Publications/General Code was present to explain that this was a great time to recodify because of changes with Senate Bill 5 there are over 900 changes to the code that need to be made for law that will take place January 1, 2017. The city will save the \$1,195 to make those changes as it will be included in the cost of the recodification. Code will be brought up to all state and federal regulations. The codification process will take 18 to 20 months to complete. Each department will go through the process with the codifier and make their recommendations for change. The draft will be brought to council for final changes and will then be adopted by ordinance. Once the process is finalized for \$795 annually the code book will be brought up to date with all current legislation. The city will then annually send in all ordinance changes for codification as it normally does.

Chairman Pro Tem Oplinger moved to approve Resolution No. 2016-1515 which authorizes the City Manager to execute an agreement with Sullivan Publications/General Code to recodify city codes. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Oplinger, Henderson, Boyer

NAYES: 0

G. *First Reading of Bill No. 2016-3088*

*An Ordinance of the City of Aurora, Missouri amending Chapter 605 "Licenses and Business Applications" by adding Article III "Special Events" to the Municipal Code of Ordinances*

This change comes from a recent event that was held in the city. The code book states that if anyone sells anything in the city they are required to obtain a business license. More people, than expected, attended this event which reinforced the need to have a permit. This would allow the city prior notification of an event. City Manager Randall stated there are numerous cities that already have this policy in place. The policy sets out the rules and regulations for special events. The most important part of the plan is vendors would be responsible,

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through the application process, to provide the city with sales tax information necessary to the Department of Revenue.

There are several exceptions to include events authorized by the city council; activities approved by the City Manager; any events where the city is a primary sponsor; regularly scheduled school activities or school events or sporting events hosted by Little League, Lawrence County Youth Soccer Association and the YMCA or Babe Ruth.

In closing City Manager Randall stated that you can't anticipate every eventually to an ordinance. Common sense and good judgement are often needed when enforcing the municipal codes.

Mayor Boyer moved to approve the first reading of Bill No. 2016-3088. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Barton, Oplinger, Henderson

NAYES: 0

H. *Resolution No. 2016-1516*

*A Resolution of the City of Aurora, Missouri authorizing and directing the City Manager to execute an agreement with Allgeier, Martin and Associates Inc. for storm water improvements of S. Lincoln Ave.*

This is a project that the city currently had budgeted. Initially it was thought city crews could just drop in a drain pipe just like they did north at Jim Carr Oil Company. However it was found that the project as much larger than anticipated. Water goes through the Mill and into a waterway behind it. Several pipes are feeding into the culvert which is old and collapsing. Sections of sidewalk have been replaced by city crews. Globbs of concrete were used to patch the area. In order to replace the culvert the city will have to work with Modot. For this reason the project will have to be properly engineered and designed.

Mike Adkinson, from Allgeier Martin and Associates was present to discuss the proposal. The old system was designed with the time frame in which it was built. Over time it has deteriorated and is in need of replacement. The areas draining into it need to be studied to see where all the drainage is coming from to get the best result. All assumptions need to be looked at to determine the present need. This study will be incorporated into an overall city master plan for storm water once completed.

City Manager Randall stated with a dedicated revenue source of the ½ cent Park/Stormwater Control Sales Tax, the city will be involved with these types of projects for the long haul as the city moves forward.

Chairman Pro Tem Oplinger moved to approve Resolution No. 2016-1516 which authorizes the City Manager to enter into an agreement with Allgeier Martin and Associates for engineering and design on the Lincoln Street project. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

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AYES: Henderson, Oplinger, Boyer, Barton  
NAYES: 0

## **X. REPORTS**

### *A. Board Liaison Reports*

Planning and Zoning

Schedule to meet November 21.

### SWMD

All grant applications are in. Several communities and organizations have applied. The bids will be awarded at a later date. City Manager Randall was appointed to a committee to help change the funding formula the legislature uses when allocating grant monies.

### *B. City Attorney Report*

City Attorney Reynolds stated he would discuss his report in closed session.

### *C. City Manager Report*

City Manager Randall reported on the following items:

- A special session is planned for 6:00 on the next council meeting date for council to view the Public Official Liability Employment Practices video. The city's insurance carrier, Midwest Public Risk, requires all public officials to have annual training on liability issues.
- City Manager Randall asked council members if they are interested in the installation of a gate at the entrance to Maple Park Cemetery. Council replied that the Police Chief needed to review the matter and report back. Councilwoman Barton thought someone needed to get Ken Ackley's opinion.
- Chief Witthuhn announced that a Citizen Police Academy will be starting in January which will eventually lead to a Neighborhood Watch Program.

## **XI. CLOSED SESSION pursuant to 610.021 (1, 3)**

*Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.*

*Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.*

Chairman Pro Tem Oplinger moved to go into Closed Session pursuant to 610.021 (1,3). Time noted 8:15 p.m.

Mayor Boyer seconded the motion. Motion passed by a roll call vote with the following council member voting aye:

AYES: Boyer, Oplinger, Henderson, Barton

Mayor Boyer moved to come back into open session time noted 8:50 p.m.

Councilwoman Henderson seconded the motion. Motion passed by a roll call vote with the following council members voting aye:

AYES: Henderson, Barton, Boyer, Oplinger

NAYES: 0

## **XII. ADJOURNMENT**

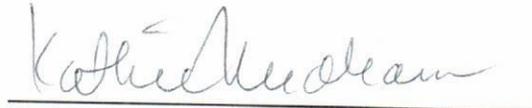
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Councilwoman Henderson moved to adjourn the meeting at 8:51p.m. Councilwoman Barton seconded the motion. Motion passed with all members voting aye.

APPROVED:

  
Rick Boyer, City Manager

ATTEST:

  
Kathie Needham, City Clerk, MMC/MPCC

*Posted by City Clerk Kathie Needham, October 21, 2016*