

"Improving the quality of life for Aurora"

*AURORA CITY COUNCIL REGULAR SESSION MINUTES
Aurora City Hall, Council Chambers
Tuesday, October 22, 2013 at 7:00 p.m.*

I. CALL TO ORDER:

Mayor Barton called the meeting to order at 7:00 p.m.

II. PLEDGE AND PRAYER:

Councilwoman Colwell led the council in prayer and the Pledge of Allegiance.

*III. ROLL CALL: Mayor Linda Barton
Chairman Pro Tem Steve Ramirez
Councilwoman Lisa Rentfro
Councilwoman Doris Colwell
Vacant*

All Council members were noted present.

IV. APPROVAL OF MINUTES:

Regular Session held on October 8, 2013 at 7:00 p.m.

Chairman Pro Tem Ramirez moved to approve the minutes from the regular session held on October 8, 2013 at 7:00 p.m. Councilwoman Colwell seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Barton, Colwell, Ramirez, Rentfro

NAYES: 0

Special Session held on October 16, 2013 at 11:00 a.m.

Councilwoman Rentfro moved to approve the minutes from the special session held on October 16, 2013 at 11:00 a.m. Mayor Barton seconded the motion.

Motion passed with the following council members voting aye on the motion:

Ayes: Rentfro, Barton, Colwell

Nayes: 0

Abstain: Ramirez Was absent from meeting.

V. APPROVAL OF APPROPRIATIONS for October

Chairman Pro Tem Ramirez questioned several hotel expenditures. He felt it was not a proper expenditure of city funds to always pay conference hotel rates.

Councilwoman Rentfro moved to approve the appropriations for October as submitted. Mayor Barton seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Ramirez, Colwell, Rentfro, Barton

NAYES: 0

VI. PUBLIC COMMENT

None

VII. COMMUNITY FORUM

Councilman Ramirez stated that he had received a disturbing email in reply to one he had sent out. A certain council member asked to go to grant writing training in Kansas

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City. They were asked over four months ago to assist the park board with a grant. Several emails transpired between Chairman Pro Tem Ramirez and the park board president discussing this matter. He alleged that the park board got tired of waiting for the council person's assistance and went out and hired an engineering company to write the grant for the tennis courts. He stated that the councilperson is not doing what they wanted to go to school for, which was to write grants. He felt the councilperson owed the city an explanation of why they used city funds and they should be responsible for repaying the city the cost of their training seminar.

Heidi Davis Ryan spoke on behalf of the park board and explained that the board did not get tired of waiting for assistance with the grant writing. The board merely felt the engineering company had more expertise in this area and they would be better equipped to write the grant for the tennis courts. Heidi stated that just because he had emails back and forth from the park board president he shouldn't have assumed the rest of the board felt that way. The board was not tired of waiting on the council person's help they just felt the engineer was more qualified to write the grant. She stated the \$100 the city paid for the council person's training wasn't going to kill the city.

Mayor Barton too reiterated that just because one seminar was taken did not qualify someone to write a grant. The tennis court grant was very complicated and not many people would know how to write it. One class is not going to teach anyone to write a grant. We now have a new city manager that has expertise in this area and we hope to use his skills.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

A. Resolution No. 2013-1274

A Resolution appointing membership to the Vacant Aurora City Council Seat

Mayor Barton stated from the time that David Price tendered his resignation from the council the city council intended to fill the vacant council seat immediately following the employment of a new city manager. Linda had served on both committees to hire a city manager and her full attention had been focused on that. The vacancies had been referred to in several editions of the paper and several candidates had come forward stating their interest in filling the position.

Chairman Pro Tem Ramirez felt that the citizens of the community had not been given a fair opportunity to file for the position. He felt that information from 3 months ago was not a proper posting of the opening. He stated that he felt that after the last several meetings there may be someone else interested in filing for the position and this decision should be put off until it was posted.

Mayor Barton asked why he hadn't stated his discontent earlier in the process. She said that council had all agreed that once the city manager had been hired the position would be filled.

Judy Dingman editor of the Aurora Advertiser stated that the city had not posted the position. She had put the information in a community post. Chairman Pro Tem Ramirez asked why we had not posted the opening. City Clerk Kathie Needham stated, if her

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memory did not fail her, she never remembered ever posting a previous opening for a city council position in the paper. Mayor Barton asked City Attorney Woodard what he thought. City Attorney Woodard asked when the agenda for the meeting had been posted. The city clerk replied last Friday. When had the applications been received? The city clerk replied the first ones in July and the most recent one was filed last week. City Attorney Woodard stated the agenda was filed in a timely manner and the council could proceed with a vote.

Mayor Barton asked each candidate to share their interest in filling the vacancy.

Gene Anderson

Gene stated that he would serve with the spirit and intent of the law being kept in mind. He was shocked to hear that the Missouri Ethics Commission was looking into prior activity from the council. He stated that he would never agree to do anything that would ever put the city in that position if elected.

Chairman Pro Tem Ramirez asked if he thought the position should be filled without proper notification. Gene replied that the city was only 6 to 7 months late making the appointment. He stated the appointment should have been made within 10 days of the vacancy. The council has taken no action to comply with the law until tonight. He said he didn't understand the delay and the vote should proceed tonight.

He was not sure if he would run again in December for the position if selected. He wanted to assist the council with getting out of the debacle they were in.

Regina Payne

Lived in Aurora all her life except for a few years. Attended school and graduated from Aurora. Operated a business in town and understood what business people face. Moved back to town in 2008 at which time she decided that she wanted to take an active interest in the town. She stated this position shouldn't be taken lightly. Council makes decisions for everyone in town and this appointment is very important.

Mayor Barton asked if selected would she run for the position and Regina replied yes. Chairman Pro Tem Ramirez asked if she felt it was proper to go ahead with a vote with improper posting for the position. Regina stated Chairman Pro Tem Ramirez was part of the council when the decision was made to wait to fill the position until a city manager was hired and you didn't have a problem with it at that time. Mayor Barton asked if selected would you run again and she said yes.

Rosemary Henderson

Applied earlier for the position the first time the city asked for interested parties to apply. Grew up and went to school and graduated in Aurora. Finishing her third term on the Airport Board.

Chairman Pro Tem Ramirez asked if she thought the position should be filled with improper notification. She replied that the seat had remained vacant far too long. She did not feel that it should be posted she stated that everyone in town knew the position was open.

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Mayor Barton handed out ballots for the council to vote for who they felt should be appointed to the position. Chairman Pro Tem Ramirez refused to vote stating he felt the process had not been handled properly.

Votes were collected and read by the city clerk. The following is the outcome of the votes:

Rosemary Henderson 2
Regina Payne 1
Gene Anderson 0

Council confirmed Resolution No. 2013-1274 by affirmation of the secret ballot vote naming Rosemary Henderson to fill the vacated council seat until April 2014.

AYES: Rentfro, Barton, Colwell

NAYES: 0

ABSTAIN: Ramirez

Rosemary will be sworn in after the next Airport Board meeting. She will need to resign her position on the airport board before she will be eligible to take the council seat. She will be sworn into office on Friday.

*B. First Reading of Bill No. 2013-2971
An Ordinance of the City of Aurora, Missouri adding Subsection D to Title II "Public Health Safety and Welfare", Chapter 215 "Offenses", Article I "Offenses Against Public Administration", Section 215.040 "Resisting or interfering with Arrest" of the Municipal Code of Ordinances*

City Attorney Woodard explained this ordinance would allow officers to be in more control when doing investigations.

Chairman Pro Tem Ramirez moved to approve the first reading of Bill No. 2013-2971. Councilwoman Colwell seconded the motion. Motion passed 4-0 with the following council members voting aye on the motion:

AYES: Barton, Colwell, Ramirez, Rentfro

NAYES: 0

X. REPORTS

A. Board Liaison Reports

Hospital Board-Doris Colwell

Inpatient care census is down. Emergency Room attendance remains good. The hospital is looking forward to its ground breaking on the new hospital next spring.

Park Board – Steve Ramirez

The board hired H Designs to write the tennis court grant for \$640. The board is continuing to work on the White Park Master Plan and is reviewing recommendations for additions such as ; another bathroom; additional parking near the pool; safety area for dropping off children around the backside of pool and horseshoe pit. The board is looking into updating the landscaping areas around trees and will be doing one park at a time. Heidi Davis Ryan recommended additional bleaches for the tennis courts. Mulch is being delivered to all parks.

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Park Board President Pettit interjected that nine semi-truck loads of mulch was being delivered to the parks for a total purchase price of \$12,000.

The park board survey is ready and has been sent to all park board members for input. The board has done a good job on their annual budget and it should have been turned in. Two pallets of bird seed has been donated to Randy Naylor at the park from Wal-Mart.

In new business the Verona school is requesting to start a baseball and softball program and would like to use the city fields. A contract will be drawn up to allow the usage. The school does not want any input in on the matter so the board is negotiating for the school to supply 1 to 2 pallets of turface for the field usage.

Solid Waste Management – Lisa Rentfro

Lisa and Doris attended the monthly meeting and awarded grants to successful applicants who completed the grant process. Councilwoman Colwell is still looking for a location to recycle paper. The Fire/Police Chiefs are looking to see if there would be an appropriate spot anywhere around the police fire facility.

B. City Manager Report

City Manager Randall reported to the council on the following items:

- Thanked the staff and community for their support on his appointment as new City Manager.
- A MoDOT meeting was held on October 16th for citizen input on overpass and grade separation projects. Several council members attended as well as several concerned citizens. Not everyone agree to the placement of the overpass but at the end of the day everyone started coming together with a consensus on ideas. Dan Salisbury explained that progress has not been made in Aurora because of the lack of consensus. He will do some drawings according to the consensus from the meeting and will return in several weeks to do another presentation. The next available funding cycle would be 2016 with construction starting in 2017. The city would have to put some local money into the project. Dan expressed reasoning on why some locations were better than others. MoDot is looking for support from the community before they move forward. MoDot is interested in keeping Hwy 39 in tact even to the extent of locating the proposed overpass in that location possibly making a slight turn toward the downtown area. On another point he felt that if the city put several phases into the plan it was feasible to look at another overpass leading into the industrial area at some future time. In return for doing the project MoDOT would be looking to the city to possibly close some crossings. The next meeting is scheduled for Nov. 7th at 6:00 p.m. at the Community Center.
- Trent White Building Inspector and City Manager Randall were discussing the 2009 comprehensive plan along with the Future Land Use Map. City Manager Randall felt this map was key to future of land development in the city. He wanted to focus on this by recirculating it to planning and zoning for review and then on to city council. Zoning changes should

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never be done arbitrarily. Case law has been quoted showing judges opinions are that zoning should not be decided without a land use map. He felt it would be good to resurrect the map and circulate it around staff and council to see if everyone agrees it adequately represents the city's views. If it does not meet with approval of the board it should be changed to represent the city's vision.

- Mulching is being placed in the parks around equipment.
- A handicap ramp is going to be constructed by the probation and parole office. The state has issued their requirements for the project.
- The public works superintendent has left over funding available in his annual budget and is looking at continuing asphaltting on Jefferson to Hadley.
- The annual budget is making progress.
- Council has requested to tour the wastewater facility along with the city manager. Friday November 1st at 10:00 a.m. has been set selected for the tour.
- Orvil Maples, Wastewater Superintendent is concerned that revenue is low and would like council to consider raising rates.
- A motor has went down in the wastewater oxidation ditch and will need with repair or replacement.
- Bank switchover from Great Southern Bank to Arvest Bank has gone very smoothly and is nearing completion.
- Improvements have been made to the website by Sherri Woods. She asked for input from the council on how many minutes and agenda's to keep on the website. Council felt a year would be appropriate.
- Fire Department assisted with fire in Madry at the catfish restaurant.

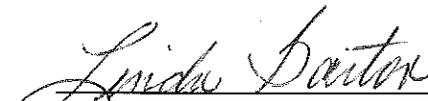
C. *City Attorney Report*

City Attorney Woodard reported that he was finishing protocol for condemnations.

XI. *ADJOURNMENT*

Councilwoman Colwell moved to adjourn the meeting at 8:15 p.m. Councilwoman Rentfro seconded the motion. Motion passed with all members voting aye on the motion.

APPROVED:



Linda Barton, Mayor

ATTEST:



Kathie Needham, City Clerk, MMC/MPCC