

"Improving the quality of life for Aurora"

AURORA CITY COUNCIL REGULAR SESSION AGENDA

Aurora City Hall, Council Chambers

Monday, July 14th, 2014 at 7:00 p.m.

I. CALL TO ORDER:

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

II. PLEDGE AND PRAYER:

Councilman Ramirez led the council in prayer and the Pledge of Allegiance.

III. ROLL CALL: Mayor David L. Marks

Chairman Pro Tem Linda Barton

Councilman Steve Ramirez

Councilwoman Lisa Rentfro

Councilwoman Rosemary Henderson

All Council members were noted present.

IV. APPROVAL OF MINUTES:

Regular Session held on June 23, 2014 at 7:00 p.m.

Chairman Pro Tem Barton moved to approve the minutes from the regular session held on June 23, 2014 at 7:00 p.m. Councilman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Marks, Ramirez, Rentfro, Barton

NAYES: 0

Special Session held on July 7, 2014 at 6:00 p.m.

Councilman Ramirez moved to approve the minutes from the special session held on July 7, 2014 at 6:00 p.m. Councilwoman Rentfro seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Marks, Ramirez, Rentfro, Barton

NAYES: 0

V. APPROVAL OF APPROPRIATIONS for June/July

Councilwoman Henderson moved to approve the appropriations as submitted for June/July. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Henderson, Ramirez, Marks, Rentfro

NAYES: 0

ABSTAIN: Barton (Invoice in the bill list)

VI. PUBLIC COMMENT

Charley Richardson will be hosting a car show on September 20th. He requested to close off the square and Madison to Olive for the event. Council will take that into consideration farther down on the agenda.

VII. COUNCIL FORUM

None

VIII. OLD BUSINESS

"Improving the quality of life for Aurora"

- A. *Second and Final Reading of Bill No. 2014-3005 making Ordinance No. 2014-3005
An Ordinance amending Title IV "Land Use" Chapter 400 "Zoning Regulations" Article I
"General Provisions" Section 400.130 "R-1" Single Family Residential District" of the
Municipal Code of Ordinances*

Chairman Pro Tem Barton moved to approve the second and final reading of Bill No. 2014-3005; this bill will now be known as Ordinance No. 2014-3005.

Councilwoman Rentfro seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Rentfro, Henderson, Barton

NAYES: Ramirez, Marks

- B. *Second and Final Reading of Bill No. 2014-3006 making Ordinance No. 2014-3006
An Ordinance of the City of aurora, Missouri amending Title IV "Land Use" Chapter 400
"Zoning Regulations" Article IV "Special Classes" Section 400.350 "Special Use Permit" of the
Municipal Code of the City of Aurora, Missouri*

Councilwoman Henderson moved to approve the second and final reading of Bill No. 2014-3006; this bill will now be known as Ordinance No. 2014-3006.

Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Rentfro, Henderson

NAYES: Marks, Ramirez

- C. *Second and Final Reading of Bill No. 2014-3007 making Ordinance No. 2014-3007
An Ordinance of the City of Aurora, Missouri vacating Front Street from the West side of
Morgan Avenue to the East side of Harrison Street*

Councilman Ramirez moved to approve the second and final reading of Bill No. 2014-3007; this bill will now be known as Ordinance No. 2014-3007. Motion passed with the following council members voting aye on the motion:

AYES: Ramirez, Barton, Henderson, Rentfro, Marks

NAYES: 0

IX NEW BUSINESS

- A. *Plaque Presentation to Ken Ackley in appreciation for his efforts at Maple Park Cemetery*

Mayor Marks presented Ken Ackley with a rosewood plaque signifying the city's appreciation for his work at Maple Park Cemetery and for his valiant effort to pay tribute to all veterans who have served their county.

- B. *Dennis Lawrence is purchasing the property at 409 E. College and has received a waiver from Lawrence County for the taxes owed against the property. He is asking the City to waive all penalties and interest that have been assessed against the property and in return he will pay all back taxes owed against the property (§320.15). All fees and interest were assessed against the former owner not Dennis Lawrence.*

Chairman Pro Tem Barton moved to waive all penalties and interest against the property at 409 E. College per Dennis Lawrence's request. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Henderson, Barton, Rentfro, Marks

NAYES: 0

"Improving the quality of life for Aurora"

- C. *Charlie Richardson, Charlie's Upholstery, is hosting a car show on September 20th from 600 p.m. to 10:00 p.m. and is asking the city for permission to close off the entire square and Madison down to Olive (leaving the intersections open)*

Earlier in the meeting Charley Richardson requested council to close off the square on September 20th for a car show.

Councilman Ramirez moved to approve Mr. Richardson's request to close off the square and Madison to Olive on the evening of September 20th from 6:00 p.m. to 10:00 p.m. leaving the intersections open at all times. Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Rentfro, Barton, marks, Henderson

NAYES: 0

- D. *Resolution No. 2014-1350
A Resolution of the City of Aurora, Missouri authorizing the Mayor to execute an agreement with TechRadium Inc.*

Councilman Ramirez moved to approve Resolution No. 2014-1350. Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Henderson, Ramirez, Rentfro, Marks, Barton

NAYES: 0

- E. *Approval for Diamonds and Diva's concert to shoot fireworks during the event*

With the previous council decision to not allow fireworks to be shot off except on the fourth of July it was anticipated that all other events would have to have council approval to shoot fireworks. With the anticipated date in September for the Diamonds and Divas Concert City Council will need to approve their request to shoot fireworks.

Councilwoman Henderson moved to allow the Diamonds and Divas Concert to shoot fireworks during the concert. Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Barton, Marks, Ramirez, Henderson, Rentfro

NAYES: 0

- F. *Discussion/ Approval of MoDOT proposal on Business 60 (Church) and Hwy 39 (Elliott)*
MoDOT has been looking for an avenue to expand Business 60 and Highway 39 intersection for years. The owner of the property where the old convenience store is located is willing to donate enough land to expand that intersection. The owner has been on slotted with demands from EPA and DNR to clean up the gas leak that had been leaking for some period of time prior to her ownership of the property. This year she has dug up the old tanks and replaced the dirt around the tanks. She would like to get rid of the property however she is willing to donate enough land to MoDOT to complete their intersection widening project. In return for her donation she is asking to have the convenience store and the house next to it demolished.

MoDOT is asking the city to pay for the demolition of the convenience store and the house located on the other side of the store. MoDOT is willing to bid

"Improving the quality of life for Aurora"

out the project and front the money for the project. In return MoDOT would expect for the city to reimburse them the full cost of the demolition. The anticipated demolition cost is \$50,000 not taking into consideration there is asbestos siding on the house next door. At this time no estimate has been given for the additional cost to remove the asbestos.

City Manager Randall asked council what they would like to do. Councilman Ramirez asked if the project could be pushed off until the next budget year. The City Manager replied that he doubted it could be. MoDOT wanted an answer as soon as possible. He also stated that the city had adequate reserves on hand that could be used to fund the project.

Chairman Pro Tem Barton moved to offer MoDOT \$50,000 to do the entire project. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Ramirez, Rentfro, Barton, Marks, Henderson
NAYES: 0

G. Resolution No. 2014-1351

A Resolution of the City of Aurora, Missouri authorizing the Mayor to execute the contract awarding the bid to APAC-Missouri, Inc. on the STP 1102(704) White Park Trail Project

Councilman Ramirez moved to approve Resolution No. 2014-1351 awarding the bid to APAC-Missouri, Inc. on the White Park Trail Project. Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Ramirez, Marks, Rentfro, Barton
NAYES: 0

H. Resolution No. 2014-1352

A Resolution to authorize the Mayor to execute a User Agreement by and between the City of Aurora, the Aurora Park Board and the Lawrence County Youth Soccer Association

Councilman Ramirez stated that the contract needed revising. The Park Board did not make the agreement with LCYSA the city did. City Clerk Needham stated that she did originally have those revisions in the contract however when she had discussed the matter with the park board president she thought it should be the identical contract that was originally given to them previously only with the dates changed so she revised the contract to reflect her thoughts.

Councilwoman Henderson moved to approve Resolution No. 2014-1352 as amended. Chairman Pro Tem Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Rentfro, Marks, Henderson
NAYES: Ramirez

I. First Reading of Bill No. 2014-3009

An Ordinance of the City of Aurora, Missouri, amending Chapter 220 "Nuisances", Article II "Weeds and Wild Growth", Section 220.090 "Weeds, Other Grasses-Excessive Growth Prohibited" of the Municipal Code

This ordinance was brought forth from the council wanting to reduce the time on the notification process for tall weeds and grass. Discussion had been held on the time frame between notice and actual mowing. Eddie Breeding previously

"Improving the quality of life for Aurora"

brought to council's attention that the grass height was tearing up contractors mowers.

The present ordinance requires a 10 day notification then if no action an additional 14 to 21 days before it could go to court. The new code would do away with the ten day notification and immediately jump to issuing the citation. The individual would then have 14 days to pay the fine before court and if they did, once a year, the citation would be dismissed. This would be to keep abuse from happening. The fine was reset to \$50 to \$500 per incident. The present ordinance does not differentiate between a lot with a house or an un improved lot.

Councilman Ramirez thought there should be some distinction, in the ordinance, on the height of the grass on improved lots and unimproved lots.

Chairman Pro Tem Barton moved to approve the first reading of Bill No. 2014-3009. Councilwoman Henderson seconded the motion. Motion died with the following council votes:

AYES: Barton, Henderson

NAYES: Rentfro, Ramirez, Marks

J. Second and Final Reading of Bill No. 2014-3009 making Ordinance No. 2014-3009 An Ordinance of the City of Aurora, Missouri, amending Chapter 220 "Nuisances", Article II "Weeds and Wild Growth", Section 220.090 "Weeds, Other Grasses-Excessive Growth Prohibited" of the Municipal Code

First reading failed so no action taken on this item.

X. REPORTS

A. Board Liaison Reports

SWMD

Linda attended this meeting on July 8th. Table Rock Lake was awarded a \$5,000 grant for cleanup.

Hospital Board

Linda attended the board meeting on July 10th. Fourteen projects were reviewed and are on hold. The new hospital ranks at number 5 on the list. The new facility may have to be put on hold for a while longer. A hospital survey shows 85% patient satisfaction and the hospital has received a 5 start plaque from its employee satisfaction survey. Gale Pate was elected President and Steve Kahre Vice President.

City Manager Randall reported that Allegeier Martin is going out to bid and will start spending hospital funds after the project starts.

Park Board

Trail construction will be starting soon. There was a \$2,300 profit from the 5K run. Construction on the tennis court in White Park should be completed by July 28th. Complaints have been received on the hours of the pool from people that would like to swim after work. Complaints have also been received from persons that have walked their dogs in Baldwin Park and allowed them to leave residue behind. Bids are being redone on the basketball court in Oak Park after the first

"Improving the quality of life for Aurora"

bid yielded no bids. Bids will be opened on July 28th. It has been reported that the Farmers Market Vendors are parking on park property and leaving ruts. Code stated no one is allowed to drive on park property. Will review this at a later date when consideration will be given to a new location for the Farmers Market.

City Manager Randall did initiate a conversation about locking Baldwin Park after the park board stated it was a concern and they would like to explore that possibility. In checking with Steve Woods it was found that there are other users other than the school that uses that facility. Steve thought it would be better to identify the users and try to work out a solution. The school superintendent wants to meet with the park board president and Grant Baker about the fields. The board would like the school to cost share in fencing the fields and having one main gate for an entrance. At the present time admission is not charged however; this would allow for that to happen. There has been a lot of vandalism at the concession stand and the fencing might stop some of that.

B. City Attorney Report

City Attorney Petrus reported that the Court Clerk had put numbers together that showed an increase in tickets from 2013 (780 total) to 2014 (639 ytd). More volume is going through the courts than last year. He wasn't sure of the old arrangements but he thought is really put the court in a bad spot when the court clerk had to run downstairs to retrieve paperwork that was needed to proceed. Everything comes to a standstill until she can return and proceed. He felt that with the increased work load it was not working for her to have to work from two locations.

City Manager Randall stated a dummy computer had been installed in the upstairs office so that she could use her computer.

C. City Manager Report

City Manager Randall reported on the following items:

- Police Chief Witthuhn is running background checks on 5 officers and will be hiring one soon.
- Police car #230 has been backed into and has a dented bumper.
- Empire District Electric is moving electric pole around tennis court in White Park
- Other street department crews are marking center line on streets being prepped for asphaltting.
- Building permits are up in comparison to 2013. Last year a total of 106 permits were issued and to date 110 have been issued.
- Three of the six homes scheduled for demolition have been completed.

XI. CLOSED SESSION pursuant to 610.021 (1)

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

Councilwoman Rentfro moved to go into Closed Session pursuant to 610.021 (1) at 8:10 p.m. Chairman Pro Tem Barton seconded the motion. Motion passed by a roll call vote with the following council members voting aye:

AYES: Henderson, Marks, Ramirez, Rentfro, Barton

NAYES: 0

"Improving the quality of life for Aurora"

Councilman Ramirez moved to go into Open Session at 8:30 p.m. Mayor Marks seconded the motion. Motion passed by a roll call vote with the following council members voting aye:

AYES: Marks, Ramirez, Henderson, Rentfro, Barton

NAYES: 0

Open Session

Councilwoman Rentfro reported on her attendance at the last Marionville City Council meeting and the Lawrence County Commission meeting for the 911 tax.

She also reported Dollar General was looking at Verona as a possible new location.

XII. ADJOURNMENT

Councilwoman Henderson moved to adjourn the meeting at 8:40 p.m. Chairman Pro Tem Barton seconded the motion with all members voting aye.

APPROVED:

David L. Marks, Mayor

ATTEST:

Kathie Needham, City Clerk, MMC/MPCC

Posted July 11, 2014 by Kathie Needham, City Clerk