

"Improving the quality of life for Aurora"

AURORA CITY COUNCIL MINUTES

Aurora City Hall, Council Chambers

Tuesday, May 26, 2015 at 6:30 p.m.

I. CALL TO ORDER:

Mayor Marks called the meeting to order at 6:30 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 Rick Boyer

Councilman Steve Ramirez

Councilwoman Linda Barton

Councilwoman Rosemary Henderson

All council members were noted present.

IV. APPROVAL OF MINUTES

Regular Session held on May 12, 2015 at 6:30 p.m.

Councilwoman Barton moved to approve the minutes from the regular session held on May 12, 2015 at 6:30 p.m. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Henderson, Marks, Ramirez, Barton

NAYES: 0

V. APPROVAL OF APPROPRIATIONS for May

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

AYES: Marks, Ramirez, Boyer, Henderson

NAYES: 0

ABSTAIN: Barton (Invoice in the bill list)

VI. PUBLIC COMMENT

Judy Dingman, Aurora Advertiser asked for clarification on whether council had decided to pick up leaves and limbs. City Manager Randall stated council only took action on not picking up limbs.

Council discussed citizens raking leaves into gutters and clogging drains. City Manager Randall explained that would fall under the nuisance ordinance and those types of instances should be summoned into court.

VII. COUNCIL FORUM

Mayor Marks felt the citizens of the community were under the misconception that since the city purchased the leaf vacuum that we were going to be picking up leaves. What were the grant stipulations when the equipment was purchased? City Manager Randall explained the process the public works was using to pick up leaves before the leaf vacuum was purchased. Steve Woods stated they were picking up 600 tons of leaves per year. Mayor Marks said that he had been told by the public works department that it

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took more manpower to operate the new machinery than it did to pick up leaves the old way and they didn't like it. City Manager Randall stated the machine was purchased to assist them with their job.

Councilwoman Henderson stated that it was cheaper to operate as it grinds up the leaves during the process. Councilwoman Barton agreed it was cheaper than using the street broom to sweep them. The broom is very expensive to replace.

Council agreed it was against city code for citizens to sweep leaves into the street and they should be cited and summoned into court.

Councilwoman Barton stated since she was no longer going to participate on Planning and Zoning there were a couple of things left hanging. She wanted a joint session between council and planning and zoning to talk about junk cars and business licenses.

City Manager Randall explained that whether it is business licenses or junk cars there are always citizens that think they should be grandfathered. In regards to business licenses there are people that have operated their business for many years. You updated your ordinance last year and they don't think they should have to come into compliance. Retail sales of any kind are not allowed to be sold in residential areas. There are extreme examples and then there are gray areas. It's all hard enforce.

Councilman Ramirez stated that since the audit the auditor said you shouldn't spend money just because it's in the budget. Money doesn't usually come in until later in the year. He felt that demolition of derelict homes should be put off until later in the year when council could see a clearer picture of where the city was financially. He asked that this matter be put on the next council agenda for discussion.

Chairman Pro Tem Boyer stated that three council members had viewed the Public Officials Liability DVD that was required by the city's insurance company and that the other two council members needed to watch the DVD after the meeting if they had time.

Councilman Ramirez requested the discussion of the city auditing to be on the next council agenda.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

- A. Request from Empire District Electric to change street light out at 607 Oaknoll Drive from a 175W MV Open Bottom to a 150W HPS Open Bottom*

Councilman Ramirez moved to approve Empire's request to change out the street light at 607 Oaknoll. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Barton, Henderson, Boyer, Marks

NAYES: 0

- B. Request from Empire District Electric to change street light out at Birchwood Trailer Park from a 175W MV Open Bottom to a 150W HPS Open Bottom*

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Chairman Pro Tem Boyer moved to approve Empire's request to change out the street light at Birchwood Trailer Park. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson Ramirez, Marks, Boyer, Barton

NAYES: 0

C. Request from Empire District Electric to change street light out at Highland near Business 60 from a 175W MV Open Bottom to a 150W HPS Open Bottom

Councilman Ramirez moved to approve the request from Empire to change out the street light at Highland near Business 60. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Henderson, Barton, Boyer, Marks

NAYES: 0

D. Resolution No. 2015-1414

A Resolution of the City of Aurora, Missouri requesting and granting authorization for Records Disposal

Councilwoman Barton moved to approve Resolution No. 2015-1414 authorizing the city clerk to dispose of certain records that have met their minimum retention period per Missouri Revised Statutes Chapter 109.

Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

AYE: Barton, Henderson, Boyer, Marks, Ramirez

NAYES: 0

E. First Reading of Bill No. 2015-3031

An Ordinance of the City of Aurora, Missouri amending Chapter 210 "Animals and Dogs" Article II "Animal Regulations", by amending Section 210.140 "Size and Cleanliness of Shelters", and by adding Section 210.150 "Limitation on Number of Cats or Dogs Kept as Pets" to the Municipal Code of Ordinances

Council discussed the changes to the ordinance. Councilman Ramirez noted an instance where a friend took him to another neighbor's house and showed him that the property owner possessed 9 dogs. Pictures were taken and given to the code enforcement officer. They were told they could not use the evidence he would have to see it for himself. City Attorney Reynolds substantiated that a picture was not sufficient the code enforcement officer would have to observe it for himself to be admissible in court. The citizen could file a complaint and the case could be prosecuted using that person as a witness.

Councilwoman Barton moved to approve the first reading of Bill No. 2015-3031. Councilwoman Henderson seconded the motion. Motion passed 4-1 with the following council members voting aye:

AYES: Henderson, Marks, Boyer, Barton

NAYES: Ramirez

F. Discussion/ Vote on Creamery purchase

City Manager Randall stated he was in the process of trying to get estimates and information for the council on asbestos removal, demolition of the building and rehabbing the falling brick. The Mayor stated the City Attorney explained that the letters for redemption did not have to be sent

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out right now. City Manager Randall explained that the title search had already been done and was only good for so long. If we wait to issue the letters for redemption the title search may have to be redone.

Councilman Ramirez moved to not move forward on the purchase of the Creamery until all numbers and information was in for review. Mayor Marks seconded the motion. Motion passed with the following council members voting aye on the motion:

AYES: Boyer, Ramirez, Marks

NAYES: Henderson, Barton

G. *First Reading of Bill No. 2015-3032*

An Ordinance of the City of Aurora, Missouri authorizing the City Manager to execute a Missouri Highways and Transportation Commission Municipal Agreement for Business 60 and Route 39 Public Improvements Job#J7P2207B

The purpose of this municipal agreement is for public improvements such as sidewalk rehab. Present sidewalks along Routes 39 & 60 will be rehabbed. Sidewalks will not be required to be installed in places where they are not present now.

MoDOT has stated that trees will be removed that are located between the street and the sidewalks.

Judy Dingman, Aurora Advertiser inquired whether the city would be held to the same standard on replacing existing sidewalks along the streets the city paves. City Manager Randall stated the city would be held to the same standard.

Chairman Pro Tem Boyer moved to approve the first reading of Bill No. 2015-3032. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Boyer, Barton, Marks, Henderson

NAYES: 0

H. *Second and Final Reading of Bill No. 2015-3032 making Ordinance No. 2015-3032*
An Ordinance of the City of Aurora, Missouri authorizing the City Manager to execute a Missouri Highways and Transportation Commission Municipal Agreement for Business 60 and Route 39 Public Improvements Job#J7P2207B

Councilman Ramirez moved to approve the second and final reading of Bill No. 2015-3032 this bill will now be known as Ordinance No. 2015-3032. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Ramirez, Boyer, Marks, Barton

I. *Resolution No. 2015-1415*

A Resolution appointing membership to the Board of Zoning Adjustment

Councilman Ramirez moved to approve Resolution No. 2015-1415 appointing Aaron Hilton to another term on the Board of Zoning Adjustment. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

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AYES: Barton, Marks, Ramirez, Henderson, Boyer

J. Discussion/Approval to hold circus in Baldwin Park

Vince Osiel who requested to hold the circus was not able to attend the meeting.

Councilman Ramirez moved to put this matter on the next council for discussion. Chairman Pro Tem Boyer seconded the motion. Motion passed with all members voting aye.

X. REPORTS

A. Board Liaison Reports

No reports given.

B. City Attorney Report

Reported that his first quarter of being employed the municipal court was running effectively. The City Manager is very cooperative to work with and he felt the city ran great.

C. City Manager Report

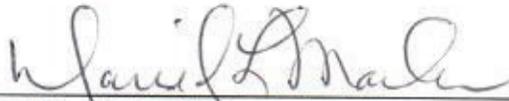
City Manager Randall reported on the following items:

- The police department has started their zone policing.
- A structural engineer is reviewing the cracks in the Police Fire Facility.
- Limbs are still being put at curbside for collection. It has been advised that the code enforcement officer needs to advise the residents it is their responsibility to remove them and if not done in a certain time frame cite them into court.
- Has attended Rotary and the Lions Club meeting to discuss the impending sales tax proposition.

XI. ADJOURNMENT

Councilman Ramirez moved to adjourn the meeting at 8:00 p.m. Chairman Pro Tem Boyer seconded the motion. Motion passed with all members voting aye.

APPROVED:



David L. Marks, Mayor

ATTEST:



Kathie Needham, City Clerk, MMC/MPCC