

"Improving the quality of life for Aurora"

AURORA CITY COUNCIL MINUTES
Aurora City Hall, Council Chambers
Tuesday, June 9, 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

Special Session held on May 26, 2015 at 6:00 p.m.

Councilwoman Barton moved to approve the minutes from the special session held on May 26, 2015 at 6:00 p.m. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Barton, Henderson

NAYES: 0

ABSTAIN: Marks, Ramirez (were not in attendance)

Regular Session held on May 26, 2015 at 6:30 p.m.

Chairman Pro Tem Boyer moved to approve the minutes from the regular session held on May 26, 2015 at 6:30 p.m. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

AYES: Marks, Ramirez, Barton, Boyer, Henderson

NAYES: 0

Special Session held on June 3, 2015 at 12:00 (noon)

Councilwoman Barton moved to approve the minutes from the special session held on June 3, 2015. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Barton, Henderson, Boyer, Marks

NAYES: 0

V. APPROVAL OF APPROPRIATIONS for May/June

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

AYES:

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VI. PUBLIC COMMENT

Shannon Walker, Chamber of Commerce Executive Director thanked the city for their support and participation in Light the Night festivities. This year the event will once again be held in Baldwin Park on June 20th. The park will open at 3:00 p.m. with fireworks at 9:30 p.m.

VII. COUNCIL FORUM

Councilwoman Barton stated that she had been receiving calls from citizens about the trees that are being cut down by MoDOT. She asked if anything had been put in the paper explaining the situation. She explained to the callers that this was federally mandated and the trees were removed due to the construction of new sidewalks. She requested information to be published on the matter.

Councilwoman Barton stated she had also received a complaint on geese hanging around property in the back of Ike Mc Roberts property. The home owner complained of having to clean up goose poop all the time. He felt the water being allowed to sit was drawing the geese there. The complainant stated it had been a year since he first complained and nothing had been done.

Jan Spring, owner of the property, stated they had a plan and once it dries up a ditch will be cut to allow the property to drain. People just need to be more patient.

VIII. OLD BUSINESS

A. Second and Final Reading of Bill No. 2015-3031 making Ordinance 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

Councilwoman Barton moved to approve the second and final reading of Bill No. 2015-3031 this will now be known as Ordinance No. 2015-3031. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Ramirez, Henderson, Barton, Boyer, Marks

NAYES: 0

B. Discussion/ Approval to hold circus in Baldwin Park

City Manager Randall stated he had spoken with Mr. Osiel today and the circus was going to be a fund raiser for the church youth group. He did not feel that any additional security was going to be necessary. They would call 911 if they needed help. Volunteers from the church would be utilized to help with parking. The location to date has not been firmed up. Several potential sites are being reviewed. The circus would be bringing vendors along. Animal waste would be disposed of through the trash.

Mr. Randall informed them that the vendors would be required to purchase business licenses and the Fire Chief would have to inspect the tent prior to their first show.

Shannon Walker, Chamber of Commerce said she had been talking with them and they would need a water supply and waste removal. They are presently

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awaiting approval from the saddle club to use the Rodeo Grounds. It was felt that would be a better location as it was more visible to the public. The tentative date for the circus is October 17th, 2015 which is not set in stone.

Councilman Ramirez moved to allow the circus to be held in Aurora with the site yet to be determined. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Henderson, Boyer, Marks, Ramirez

NAYES: 0

IX. NEW BUSINESS

A. Discussion/Vote on suspending demolition until later in the year

Councilman Ramirez asked to have this item put back on the agenda. According to the auditors recommendation funds should not be expended at the beginning of the year until adequate revenue has been allowed to come in. The auditor explained that just because a budget is passed it is calculated on revenue that is to come in throughout the year. He felt that expenditures for demolition should not be expended until later in the year when finances could be reevaluated.

Chairman Pro Tem Boyer felt there was a more important issue on the table with the Radio Shack building. The building is sagging on the south side and could fall at any time. Barricades have been put around it to keep the public clear. He felt that until the city knows where they stand on that no other demolition should be started.

Councilwoman Barton felt the money was budgeted for demolition of houses and she was for moving forward with that project. Councilwoman Henderson agreed.

Councilman Ramirez moved to suspend demolition of homes until later in the year. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Barton, Ramirez, Boyer, Barton

NAYES: 0

B. Discussion/Vote on putting auditing services out to bid

Councilman Ramirez stated that according to industry standards a city should change auditors every 6 to 7 years according to research he had done. He felt it should be bid out to see if any other firm was interested.

Chairman Pro Tem Boyer stated that he had heard this week that the city's auditing firm had won several awards which put them up there with the best. He asked City Clerk Needham to explain their previous conversation. She explained that council was probably unaware of what goes on behind the scenes before an audit is done. The City Treasurer, City Clerk, City Manager and City Collector are given confidential questionnaires asking questions on ethics and proprietary matters. Do they know of any fraud or unethical actions being allowed to take place? The City Manager and City Clerk are then also given an additional questionnaire on the city as a whole and asked to expound on the general well-being of the city. City Clerk Needham stated that just because we have had the

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same auditor for so many years nothing unethical is going on. Believe me he would be the first to write us up if he thought there was anything unethical happening. Council needs to understand the daily working relationship the city needs with its auditor. Things happen daily that we need advice on or guidance on how to fix a problem. This doesn't just apply to me but to the City Treasurer and the City Collector. I have worked for other city's with different auditors that the minute you call them they are like attorney's, you're on the clock and the next thing you know you've received an invoice for the phone call you just made. It's vital to have a working relationship with our auditor. Sometimes we need to talk our way through a matter and sometimes we need an immediate answer. City Manager Randall added that just because you might get a lower bid doesn't mean it would be the best bid.

Councilwoman Henderson stated it takes a couple of years for an auditor to become familiar with a client. I see saw no reason to go through putting it up fo bid when staff is happy with the auditor they have. Councilwoman Barton concurred.

Councilman Ramirez moved to bid out the auditing service for next year. Mayor Marks seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Ramirez, Marks

NAYES: Henderson, Barton

C. *Resolution No. 2015-1416*

A Resolution appointing membership to the Planning & Zoning Commission

Councilwoman Barton moved to approve Resolution No. 2015-1416 which appoints Regina Payne to the Planning & Zoning Commission with a term expiring May 31, 2019. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Barton, Henderson

NAYES: Ramirez, Marks

D. *Resolution No. 2015-1417*

A Resolution appointing membership to the Aurora Municipal Airport Board

Councilwoman Henderson moved to approve Resolution No. 2015-1417 which appoints Don Francisco to the Aurora Municipal Airport Board with a term expiring May 31, 2018. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Henderson, Ramirez, Boyer, Marks, Barton

NAYES: 0

E. *Resolution No. 2015-1418*

A Resolution appointing membership to the Aurora Housing Authority Board

Councilwoman Barton moved to approve Resolution No. 2015-1418 which appoints Charles Cary and Gary Allen to the Aurora Housing Authority Board with terms expiring May 31, 2019. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: Barton, Marks, Ramirez, Henderson, Boyer

NAYES: 0

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- F. *First Reading of Bill No. 2015-3033*
An Ordinance of the City of Aurora, Missouri authorizing the City Manager to execute a Missouri Highways and Transportation Commission State Block Grant Agreement for Airfield Pavement Maintenance (Project No. 15-091B-1)

Councilwoman Henderson moved to approve the first reading of Bill No. 2015-3033. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

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

- G. *Second and Final Reading of Bill No. 2015-3033 making Ordinance No. 2015-3033*
An Ordinance of the City of Aurora, Missouri authorizing the City Manager to execute a Missouri Highways and Transportation Commission State Block Grant Agreement for Airfield Pavement Maintenance (Project No. 15-091B-1)

Councilwoman Henderson moved to approve the second and final reading of Bill No. 2015-3033 this will now be known as Ordinance No. 2015-3033.

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

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

- H. *Discussion/Approval to hold the second annual Bike Show sponsored by C&S Cycles*
Tony Rector of C&S Cycles requested to hold a second annual Bike Show on the square in front of his place of business. City Manager Randall reported that he had informed Mr. Rector that his vendors would be required to get a business license before the day of his event. The event was held last year with no hitch.

Chairman Pro Tem Boyer made the motion to allow Mr. Rector to hold his Bike Show. Councilman Ramirez seconded the motion. Motion passed with the following council members voting aye:

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

- I. *Consider/Approve driveway entrance into Community Center in exchange for street light at Business 60 and Highway 39 Intersection*

City Manager Randall reported that MoDOT had never intended to pay for the entrance into the community center. Initially they requested the city pay for the new street light at the intersection of Hwy 60 and 39. Negotiations ensued and they agreed to construct the entrance into the community center if the city would be agreeable to pay for the street light.

Councilman Ramirez moved to approve MoDOT installing the community center entrance in exchange for the city paying for the street light at the intersection of Hwy 60 and 39 using the existing pole that is already in place. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

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

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J. *Review pool fees and vote to allow employees and council members and their families (as defined by spouse and children living at home) to use city pool free of charge*

Chairman Pro Tem Boyer moved to allow employees and council members and their families (as defined by spouse and children living at home) to use the city pool free of charge. Councilwoman Barton seconded the motion. Motion passed with the following council members voting aye:

AYES: Boyer, Henderson, Marks, Ramirez, Barton

NAYES: 0

K. *Discussion/Vote on 221 S. Madison (Radio Shack Building)*

Discussion was held on the condition of the building. The Building Board of Appeals has already voted to condemn the structure. Upon Ron Shreeve's request to the board, he asked to be given the opportunity to pull a permit to start work on the building. The board approved the request with the stipulation that if the repairs were not made within the 6 month period the building would be condemned. A permit was pulled but no repair was ever done.

City Manager Randall reported that he had instructed the police chief to issue a citation to each of the owners of the building summoning them into Municipal Court. The building is presently tied up in a divorce proceeding. The fire department took pictures of the roof area from their ladder truck which showed the hatch to be sitting to the side of the opening which is left open to the elements. Michael Singer, a local contractor, has agreed to provide 1 man and a piece of equipment to help the city demo the building.

Fire Chief Robert Ward's assessment of the building was that he doubted there would be any asbestos in it however he recommended testing be done to make sure before any demolition took place.

Mayor Marks asked City Attorney Reynolds where the city stood with the matter. City Attorney Reynolds will take the matter under advisement and will come back to council with an answer.

Councilman Ramirez moved to table this matter until the next meeting. Chairman Pro Tem Boyer seconded the motion. Motion passed with the following council members voting aye:

AYES: marks, Ramirez, Boyer

NAYES: Henderson, Barton

L. *Discussion/Vote to allow domestic fowl to reside in the city limits of Aurora (This comes to city council with a negative recommendation from Planning and Zoning)*

John Burch requested the city to allow domestic fowl in the city limits. Planning and Zoning heard the request and came to city council with a negative recommendation to deny allowing domestic fowl in the city limits.

Council stated they knew other cities allowed fowl but concurred that at this time they did not think that decision would be in the best interest of the city. Councilwoman Barton moved to deny allowing domestic fowl to reside in the city. Councilwoman Henderson seconded the motion. Motion passed with the following council members voting aye:

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AYES: Barton, Henderson, Boyer, Marks

NAYES: Ramirez

M. *Discussion/Vote to consider a recommendation from Planning & Zoning for a new street light in the center of the 300 block of East Cofield St.*

Chairman Pro Tem Boyer moved to approve the request from John Murrell to place a new street light in the center of the 300 block of E. Cofield.

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

AYES: Henderson, Ramirez, marks, Boyer, Barton

NAYES: 0

X. **REPORTS**

A. *Board Liaison Reports*

Park Board

- Election of officers was held.
- Grand Opening of White Park was discussed.
- Budget figures were reviewed.
- Donations on causmomentum went over expectations. Items will be purchased for the tennis courts with the funding.
- Rails by the skate park have been installed.
- The park board is going to be contacting Modot about curbing in White Park.
- No reduced pool passes were sold on the day of the grand opening.

Airport Board

- Two Lochner engineers attended the meeting and laid out preliminary ALP plans.

Solid Waste Management District

- Crane received a grant for hazardous waste in the amount of \$15,674.00. Their first waste disposal was held with the cost for that disposal at \$5,297.15. They will be holding another disposal day later in the year.
- Mt. Vernon will be holding a disposal day for pesticides, herbicides and fertilizers on June 20th at the Mt. Vernon Research Center.

B. *City Attorney Report*

No City Attorney Report was given.

C. *City Manager Report*

City Manager Randall reported on the following items:

- A letter was received from Lawrence County stating the Lawrence County Commission had voted to turn their dispatching over to Monett.
- Planning & Zoning has requested a joint meeting with city council to discuss junk vehicles and home occupations.
- Last week municipal court broke a record for court cases. Two hundred sixty cases were processed which put a major load on staff. If this continues additional help will be needed.

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- Modot determined that certain parts of the sidewalk on Olive Street were not AFA accessible so parts of the sidewalk were removed and new concrete installed.
- Culverts on Washington and South Streets were opened and they are running freely.
- Mercy Hospital has submitted an application for annexation into the city. Planning & Zoning will hold a public hearing on Tuesday June 16 and Council will hold its hearing on June 23rd.
- The police department is continuing to rotate its vehicles in for hail damage repair.
- Mosquito spraying will begin sometime this week.

XI. ADJOURNMENT

Chairman Pro Tem Boyer moved to adjourn the meeting at 7:55 p.m. Councilwoman Henderson seconded the motion. Motion passed with all members voting aye.

APPROVED:



David L. Marks, Mayor

ATTEST:



Kathie Needham, City Clerk, MMC/MPCC

Posted June 5, 2015 by Kathie Needham, City Clerk