

6:30 P.M. Work Session with Chamber of Commerce Board



**AMENDED AGENDA**  
**WARRENTON BOARD OF ALDERMEN**  
**Tuesday, August 18, 2009**  
**7:30 P.M.**  
**Warrenton City Hall Chambers**  
**200 West Booneslick**

Public notice is hereby given that a meeting of the Warrenton Board of Aldermen will be held at City Hall, 200 West Booneslick, Warrenton, Missouri, on Tuesday, **August 18, 2009** at 7:30 P.M. to consider and act upon the matters on the following agenda and such other matters as may be presented at the meeting and determined to be appropriate at that time.

**Public Hearing:**

- **Zone Change for 600 Block of West Booneslick (ZC-22)**
  - **Amend the Zoning Code, Chapter 405 regarding vacation vehicles, and vacation vehicle lot or park. (ADM38)**
  - **Levying and imposing a tax for the calendar and fiscal year of 2009 for general municipal and public park purposes.**
1. Open meeting
  2. Work Session Minutes from July 21, 2009 - Booneslick Regional Planning Commission
  3. Hearing from the Public
  4. Board of Aldermen Comments
  5. Mayor's Report to the Board
  6. Introduction of New Employee James Auer
  7. Dan Dieckman, Park Board President
    - a. Trees at the Athletic Complex
    - b. Walking trail around Spector Lake
  8. Becky McCollum, Planning and Zoning Coordinator
    - a. Zone Change (ZC-22) 600 block of West Booneslick
    - b. Boundary adjustment (SUB-44) 600 block of West Booneslick
    - c. Amendment to Chapter 405 regarding vacation vehicles and vacation vehicle lot or park (ADM38)
  9. Terri Thorn, Director of Operations/Finance Officer
    - a. Disposal of Scrap Metal
    - b. Work Session on bidding policies-September 1, 2009
  10. Rob Hamlin
    - a. July Public Works Report
    - b. Traffic concern at Walnut Hollow & Hwy. AA
    - c. Sidewalk on Steinhagen from Ashland to Wabash
  11. Patrick Randolph, Recreation Director
    - a. Athletic Complex restrooms
  12. Davis Bernard, Chief of Police
    - a. Monthly Reports
  13. Jim Daly, Building Commissioner
  14. Michelle Schlenther, Economic Development Director
    - a. Market Street Sidewalk Enhancement Project Bids
  15. Deb Jett, Human Resources Director
    - a. Bid for forms printing
  16. Brad Busekrus, Maintenance and Grounds Director
  17. Bills to Ordinance:
    - a. Bill No. 50-09 Amendment to Chapter 405 regarding vacation vehicles and transient amusement activities. (ADM38)
    - b. Bill No. 51-09 Ord. readopting the procedure for disclosing potential conflicts for certain official as required by state statute requirements
    - c. Bill No. 52-09 An Ordinance levying and imposing a tax for the calendar and fiscal year of 2009.

- 18. Executive Session - Litigation
- 19. Executive Session - Real Estate
- 20. Executive Session - Personnel
- 21. Adjournment

Copy of the above Bills will be available for public inspection prior to the meeting.

This meeting is open to the public.

Pursuant to Section 610.022 RSMo, the Board of Aldermen of the City of Warrenton, Missouri, subject to a motion duly made and adopted, may also close the public meeting and hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: 610.021(1) Legal Actions, Causes of Action, Litigation or Privileged Communications between the City's representatives and its attorneys; 610.021(2) Leasing, purchasing or sale of real estate; 610.021(3) Hiring, firing, disciplining or promotion of an employee of a public governmental body or other matters as permitted by Chapter 610.

If you have any special needs as addressed by the ADA, please contact City Hall at 636 456-3535

Dated and posted this 14<sup>th</sup> day of August, 2009

Melody Rugh

City Clerk

**Next regular meeting of the Warrenton Board of Aldermen  
September 1, 2009 at 7:30 p.m.**

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**BE IT REMEMBERED** that on this 18<sup>th</sup> day of August, 2009, it being the third Tuesday of the month, was set for the regular meeting. The following proceedings were had and made of record. The roll call of officers was as follows: Aldermen Dreyer, Flake, Cullom, Tallo, Kendall and Clark.

MAYOR COSTELLO: I'd like to call to order the regularly scheduled Warrenton Board of Aldermen meeting for August 18th, 2009. The first item on the agenda will be the Public Hearing for the Zone Change for the 600 Block of West Booneslick -- zone change for the 600 block of West Booneslick. Are there any questions or comments in regard to the zoning change? Yes, sir?

RAYMOND WELGE: Yes, I'm Raymond Welge, with Millbrook Development; we own the property below that. Will I get a chance to speak later on in the --

MAYOR COSTELLO: Yes, sir. And you're welcome to --

RAYMOND WELGE: -- when it comes up?

MAYOR COSTELLO: Yes, and you're welcome to make any comments.

RAYMOND WELGE: Okay. All right. I'll hold my comments till then. I just want to know if I'd even have a chance to speak later on.

MAYOR COSTELLO: Well, I think I better address that now.

ATTORNEY GRAVILLE: Well, I don't think he owned -- you don't own the property that's the subject of the rezone, correct?

RAYMOND WELGE: No, just the property --

ATTORNEY GRAVILLE: Just the surrounding property? Then it's probably more appropriate for him to talk at this point in the Public Hearing.

MAYOR COSTELLO: That's fine.

ATTORNEY GRAVILLE: Yeah.

MAYOR COSTELLO: If you would, Mr. Welge, you can step to the podium and -- and you have stated your name as Raymond Welge.

RAYMOND WELGE: I'm Raymond Welge, with Millbrook Development Corporation. And first, I need to give you a little history on the property down there.

It's Hillcrest Subdivision, what you're talking about rezoning. In '87, we rezoned half of it, because we owned half of it as private property. Hillcrest Subdivision came in being in 1922, and I doubt whether their ordinance has ever been repealed. I don't know if this property in question to be rezoned has been consolidated from the old lots or not.

But anyway, I have three concerns. The first one is drainage. There is a main drainage that comes down from the Booneslick right through that property. It goes -- you probably can't see it from here, but --

MAYOR COSTELLO: We have -- Mr. Welge, the property in question will be on the

ALDERMAN TALLO: It's behind you here.

MAYOR COSTELLO: -- monitor screen behind you, and then also on the screen across the --

RAYMOND WELGE: Okay.

BECKY MCCOLLUM: Melody, can you --

MELODY RUGH: This is the License Bureau. This building right here is the License Bureau.

ALDERMAN TALLO: Okay.

MELODY RUGH: Is this the property right here?

BECKY MCCOLLUM & RAYMOND WELGE: No.

MELODY RUGH: How much further over?

BECKY MCCOLLUM: You need to go over just a little bit, as if you're going West. No, the other way. Go back this way.

MELODY RUGH: All right.

RAYMOND WELGE: This property here. Right here, drainage comes down this side of the property and cuts back across the bottom of it, right down this lot line. We've had problems in the past. The last big rain we had, it flooded one of our houses right here, because this is Millbrook Avenue -- I don't know if it ever got vacated or not. They said the last time we had any difficulty that they were going to vacate this, but -- and just make it into a utility easement here. The sewage line runs up here; they took the gas line out.

Anyway, the drainage comes down here and down here. I had to get the city to reopen the ditch across here. And there's a culvert under the street here, or this street here, and it comes down to Millbrook Branch. So I have a big concern about the drainage. That property is really not suitable to build a house on. The real estate agents always tried to sell it that you can get a zoning change, because this is the second time we've been here in ten years on the same property, the same arguments.

MAYOR COSTELLO: Is that Pinckney Street?

ALDERMAN CULLOM: No.

RAYMOND WELGE: No, that's -- this is Celia Lane, this is Booneslick.

MAYOR COSTELLO: Or Celia -- I'm sorry -- yeah, Celia.

RAYMOND WELGE: This is the old county shed.

MAYOR COSTELLO: Right.

RAYMOND WELGE: The city limit's way out here, at the end of the property.

ALDERMAN CULLOM: And which house was it that you said has been flooded?

RAYMOND WELGE: 615 Celia.

ALDERMAN CULLOM: Celia. Okay.

RAYMOND WELGE: It's light flooding, and it's the first time it ever happened, but that was because when they redid, when they took the old gas line out, they left kind of a dam there on that street. I talked to the City and the maintenance people, and they came with a backhoe and opened it up. So hopefully, that won't happen.

Drainage is the first problem. The second problem is, why C-3, commercial, highway commercial? And they only want to put a storage shed there, supposedly. Is this a form of block busting, because this whole thing has always been R-1 residential. When we developed in '87 and we subdivided, we asked to go industrial, and they said, "Oh, no way. That's got to be R-1." Now here we are later, the second time around, and we're trying to make it commercial again.

My point is it should be referred back to the Zoning Commission, look at the whole area, and say what they're going to do with the whole area, not just one lot. I have no objection to them putting the storage shed up there, but along with C-3, there's many, many things it can be used for. And once you make it C-3, they can do anything they want with it that's allowed in C-3. I know -- I don't think I have to read it off; I think that a lot of you know what C-3 is: highway commercial. That's about it.

MAYOR COSTELLO: So that you -- I thought you said you had three concerns: drainage, why C-3. Was there another -- something else?

RAYMOND WELGE: Yeah, why does the Zoning Commission -- I think they missed the boat on this one, because --

MAYOR COSTELLO: Did you attend the meeting?

RAYMOND WELGE: No.

MAYOR COSTELLO: No.

RAYMOND WELGE: I came to the meeting, and the sign on the door said "Postponed." And the next time I called, it was during the fair, they said, "Oh, we had a meeting last night; it was approved. You have a chance to come to City Council and talk about it."

MAYOR COSTELLO: Okay. Well, I mean, the meetings are posted in --

RAYMOND WELGE: No, I didn't get a letter.

MAYOR COSTELLO: -- in the -- public meeting. So --

RAYMOND WELGE: Well, when they postponed it, they just never notified us again about --

MAYOR COSTELLO: All right. So those are the two reasons: drainage and --

RAYMOND WELGE: The two main reasons --

MAYOR COSTELLO: Okay.

RAYMOND WELGE: -- drainage and being all the way commercial, highway commercial.

MAYOR COSTELLO: All right. I want to make sure that for the record, that we understand your objections, because I thought when you talked about drainage in the initial comments you made, you said something to the effect that Realtors had told people that they could build a house there before, and you didn't think the house was suitable, but -- the lots weren't suitable for a house.

RAYMOND WELGE: Because the lots weren't big enough for a house with the -- with the drainage in it. You'd have to fill in -- you'd have to do a lot of landfill to build something there. They've already done some landfill right now.

MAYOR COSTELLO: But I want you to understand that the City currently, if someone came in and requested a building permit to build a house there --

RAYMOND WELGE: Yeah.

MAYOR COSTELLO: -- we're going to issue the building permit.

RAYMOND WELGE: Oh, yeah, yeah.

MAYOR COSTELLO: Okay.

RAYMOND WELGE: In fact, that's fine.

MAYOR COSTELLO: But I thought I understand you to stay that the City --

RAYMOND WELGE: See, I'm in a quandary; I find myself in a strange position. We wanted to originally go industrial or something like that, and here I am up here now arguing to keep it R-1.

MAYOR COSTELLO: But that was 20 years ago. I mean, we can't --

RAYMOND WELGE: Yeah. Right.

MAYOR COSTELLO: I don't think we can fix that.

RAYMOND WELGE: And like what has happened, you moved -- they moved the county shed across the county line from our property, so now we got a industrial on the back side of it; they moved from front side to back side. The 911 building is up the hill, and there's -- in that whole area there's only R-3, or four houses and the six or seven houses along the Booneslick.

MAYOR COSTELLO: Maybe that's not unusual. If you look at Highway 47, south of Veterans Memorial --When I came here, there were trees along the street and --

RAYMOND WELGE: Right.

MAYOR COSTELLO: -- it's not going to stay exactly the same; it's -- there are going to be a transition over time. Anything else, Mr. Welge?

RAYMOND WELGE: No. My question is, is the -- back then, I know you -- well, you were here then.

MAYOR COSTELLO: Right. '86.

RAYMOND WELGE: But back then, we couldn't go that route. So now, 20 years later, we want to take one lot and make it commercial out of the whole Hillcrest Subdivision back there.

MAYOR COSTELLO: Well, we will have our Planning and Zoning officer hopefully respond to some of the comments. And then you want to doing starting with the agenda as part of the --

ATTORNEY GRAVILLE: Yeah, absolutely.

MAYOR COSTELLO: This is to allow you --

RAYMOND WELGE: Right.

MAYOR COSTELLO: -- just what you're doing. That's -- and I'm pleased that you came, and hopefully, we'll get some answers.

RAYMOND WELGE: Well, that's why I asked if -- would I get to speak later on or would I -- I assumed I --

MAYOR COSTELLO: A Public Hearing is just that. That's part of the record, and the City Clerk will have that comments.

RAYMOND WELGE: All right. Well, we'll go on the record as objecting to the zoning change.

MAYOR COSTELLO: Absolutely. Thank you, Mr. Welge.

ATTORNEY GRAVILLE: Mayor, and I would just add, for purposes of this Public Hearing, that we make a part of the Public Hearing the minutes from the Planning and Zoning, even though they're unapproved for this Public Hearing, and also make a part of the record for the Public Hearing the zoning code for the City of Warrenton, the ordinances.

MAYOR COSTELLO: All right. So be it. Yes, someone else, please?

SHARON OWENBY: I'm Sharon Owenby. I live right across the street. I live -- this is (pointing at the map) the property right here is mine; this is the property we're talking about. My biggest concern is that right past my property is Butler Supply. There is a crest in the road right there. This gentleman's going to be coming in with tractor-trailers, dropping off supplies. My concern is the traffic does not -- the speed limit's 30 miles an hour; 90 percent of the people do not drive 30 miles an hour. They come from that direction, they hit that crest, they have the tractor-trailer hanging out in the road. If he's -- the -- that properties probably not very wide as far as the driveway that's going to go in there. If he gets hung up and he's hanging halfway out in the road, you've got a problem. And I don't know if any of you have ever gone -- have gone out and physically looked at it, but that could be an issue. That's a --

MAYOR COSTELLO: Are you also in opposition to a change?

ALDERMAN CULLOM: Would you point out your house again, Sharon?

SHARON OWENBY: My property is right here. And then this here is Butler Supply. And right here is where the crest in the road is, right there.

ALDERMAN CULLOM: Thank you.

MAYOR COSTELLO: Anyone else? Any other comments? All right. We'll officially, then, close the Public Hearing on the Zone Change for the 600 Block of West Booneslick and move on to the next item, which is amending -- to amend the Zoning Code, Chapter 405, regarding vacation vehicles and vacation vehicle lot or park, ADM38. And again, this is a Public Hearing in regard to that change, and that's a change in our -- any questions or comments in regard to -- from the public in regard to that change? Hearing none, we will officially close that Public Hearing, and then open the final Public Hearing for this evening, and that is the levying and imposing a tax for the calendar and fiscal year of 2009 for the general, municipal, and public park purposes. And Terri, it probably would be helpful if you wanted to cover the tax that we actually had for '08 and the proposed tax for 2009.

TERRI THORN: Sure. There were some changes in the valuations, which directly affect what the tax rate arrives at when it's completed, and it's done with a spreadsheet that comes from the State, and you put in your valuation numbers.

Valuations changed in new construction for real estate taxes for 2008 to 2009 by just under \$50,000 in valuations for real estate. For personal property, the change was \$3.6 million less than the prior year's valuations.

There was some new construction added in the real estate side of just over \$1.4 million. So valuations are what drives how the rate is established. The new rate and revenues proposed for 2009: Proposed general fund revenues are \$269,116.00. The park revenues are \$159,495.00. Proposed tax rates per 100 evaluation are: for the general fund, .2648, and for the park, .1569, for a total tax rate of .4217.

MAYOR COSTELLO: So a little over \$0.42 per \$100.00 assessed valuation. And how does that compare with last year?

TERRI THORN: Those are both minor increases, Mayor. I'm sorry, I did not bring with me the 2008 rates.

MAYOR COSTELLO: It's right around the \$0.40 cent mark or something, wasn't it?

TERRI THORN: It was just about like 40.19 is what the rate was. So it is a minor increase, driven by the decrease in valuations.

MAYOR COSTELLO: Okay. Was the personal property reduction, was that primarily out of factories and that -- sort of inventory reduction, or do you know?

TERRI THORN: When we get these rates from the County Clerk, we really don't get specifics of those at this point in time of the year. We will have, later on in the year, the ability to compare, in fact, if we wanted to, business by business, what's there. But we don't have that ability at the current time to do that.

MAYOR COSTELLO: And that's affected by what they have on hand at the year-end --

TERRI THORN: As of January 1.

MAYOR COSTELLO: Right. Okay. Any questions or comments from the public in regard to the levying and imposing of tax for the calendar and fiscal year of 2009? Hearing none, we will officially close the Public Hearing. Move on, then, to the regular agenda. The first item we have is the Work Session Minutes, as submitted from the City Clerk, for July 21st, 2009. This was the Work Session with the -- Steve Etcher, with Booneslick Regional Planning. Any questions, comments, changes, or corrections to the Work Session Minutes, as submitted?

ALDERMAN KENDALL: I make a motion we approve the Work Session Minutes from July 21st, 2009.

ALDERMAN CLARK: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, second by Alderman Clark to approve the Work Session Minutes from July 21st, 2009. Council agreed to a Planning Commission, as submitted by the City Clerk -- Any questions? Any comments? Roll call vote?

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

MAYOR COSTELLO: Motion carries 6 to 0. The next item on the agenda is to open the meeting to the public to hear any comments from the public or remarks or questions that are not covered on this evening's agenda. We ask that if your comments or remarks take more than five minutes that you asked to be placed on a future agenda. Any questions or comments from the public? Yes, sir?

STAN SHELTON: I've got a -- I'm Stan Shelton. I am on -- part of Planning and Zoning, but I'm here as just Stan Shelton. As we all know, we've had problems at the Post Office -- parking and the traffic through where they drop mail off. I've got a suggestion. I've talked to the Postmaster; he's open to suggestions or whatever. But if you can pull up -- the Post Office is here; (pointing to map) here's our mailboxes that creates a problem. If they would remove these and put them someplace else -- people that come here, they're only coming here to drop off mail; they're not going into the Post Office. So they do not have to be there. And I talked to the Postmaster. No, they really don't have to be there, and it's just thought as a convenience. But as we all know, this is a problem.

If these are removed, though, could we have pull-in parking, which would increase the parking for the Post Office? And as we all know, the Post Office is -- no money, they're not going to do anything; this would be up to the City. The Postmaster said, "Come up with something that the City could take care of this." To me, you already got the concrete poured here; to make parking spaces could be, you know, pretty simple, but cost-wise, I have no idea.

Come in here, what I would only suggest with the mailboxes is put it on a one-way street, where people that can pull down, can go to the left-hand side and mail their letters. A spot that I would think of is down here by Friedens Church, is a one-way street going off of Main there.

JASON EMMERSON: And I'm here.

STAN SHELTON: And you're here.

JASON EMMERSON: Yes.

MAYOR COSTELLO: I think the pastor told us earlier he expects to own that street someday, so I'm don't know.

STAN SHELTON: But you know, the good citizen that Pastor is, that -- or some other place. But anyway, that's just a suggestion, but something here. Whereas, we all know, the Post Office is going to be with us probably another 20 years; they're not going to do anything. So it --

MAYOR COSTELLO: First of all, let me say, I, appreciate you being here, and we welcome comments and suggestions from our citizens; that's really where some of the best ideas come from.

MAYOR COSTELLO: Having said that, there is a previous Postmaster out there somewhere who came up with the very idea that we are faced with right now as a way to solve some of the problems. I don't recall the year, but it hasn't been more than four or five years that this concrete runway -- Jerry, you probably know, but -- you know, what it was -- that was all lawn, at one time.

ALDERMAN CULLOM: It's been more -- it's been more, because I've been retired for six years, and it was there when I was there.

MAYOR COSTELLO: There you go. See, time flies when you're having fun.

ALDERMAN CULLOM: Yeah. I think it's already been eight or nine years.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: It's been recent history that this change was made, and someone thought this was a fix. It is clear to everyone who's lived in our community very long that what is needed with our Post Office is more parking. And the obvious suggestion for years is to buy an adjoining residence, level

it, and make a parking lot. We've never been able to get that fact or idea through to the Post Office.

STAN SHELTON: But what you're just suggesting is buying up residents.

MAYOR COSTELLO: Uh-huh.

STAN SHELTON: The cost there -- the cost of removing the sidewalk and putting it next to the building, you know, cost-wise, which nobody has any money, but it was something -- easy -- the easiest fix to do. The mailboxes, to me -- and they are -- I'm -- just a suggestion that they're there just because it's convenient for people downtown and for the community to drop off.

ALDERMAN CULLOM: But I don't think you're going to get the Postal Service to agree to put them on another street someplace else, because when the Post Office closes, someone has to go out and tap those boxes, and that would mean they would have to get into a vehicle and go drive -- and at that point, there's no one there that is still -- is a carrier that would be in a vehicle. So the -- your idea -- I mean, Jason doesn't have to worry about, I don't think, us putting them on Thurman, because I don't think the Postal Service would go along there. And at one point, those boxes had been in the back, -- they've been a variety of places on that lot. But when a new Postmaster comes in, they decide to change it, and that's how it gets changed.

MAYOR COSTELLO: Yeah. I think you also have another -- I mean, I -- and I'm not opposed to trying anything to see if it -- if there's some room to figure out something that'll work better. But I do think, Stan, there is an additional problem other than the mailboxes, and that is --

MR. STAN SHELTON: Yeah.

MAYOR COSTELLO: -- the general parking is just too small. There are a number of people who traditionally go to the Post Office first thing in the morning and go to their P.O. Box and pick up their mail, and there's no adequate parking, in my opinion, for that, and particularly when you look at the number of postal vehicles that are parked on premises. So I think we really have two different issues. Whether this would solve an issue by being able to remove that driveway and put angle parking, I don't know; I think it'd be worth looking at. But I really believe Alderman Cullom, who spent a number of years --

ALDERMAN CULLOM: Twenty-five.

MAYOR COSTELLO: -- 25 years in the Postal Service, probably has a better idea of how difficult it is to get things done. And I --

STAN SHELTON: And Jerry, you probably did Saturday deliveries.

ALDERMAN CULLOM: Yes.

STAN SHELTON: Now they'll probably go away.

ALDERMAN CULLOM: And 25 years ago, they were saying that. They -- 25 years ago, when I first got in the Postal Service, they were saying no Saturday delivery. So I mean, you -- it just seems like the same thing keeps cycling in the Postal Service.

STAN SHELTON: But it -- to me, we've got to ask, because otherwise nothing's going to change there.

ALDERMAN CULLOM: Right.

MAYOR COSTELLO: But here's what I would like to do -- and I know we're past our five minutes. If we can't -- we have difficulty keeping track of who the Postmaster is, and we really don't ever get to know that person. If you have had conversations with the Postmaster, and he'd be willing to sit down with any number of the Board members, myself, you, we'd be more than happy to sit down and see what we could brainstorm to --

STAN SHELTON: I think that'd be --

MAYOR COSTELLO: -- to see if we could come up with a solution.

STAN SHELTON: I'm more than willing to set up a meeting -- some way put us together and see what we can come up with.

MAYOR COSTELLO: Absolutely, yeah.

STAN SHELTON: Okay.

MAYOR COSTELLO: Give us the -- give us a time, and we'll try to -- like we'll meet right here in Public Meeting, and maybe he needs -- the Postmaster, or he or her need to hear what the public feels the demand is, what the need is. Obviously, the amount of mail being delivered is going down and down and down because of emails and text messaging and all the other things that our kids are teaching us. So at any rate --

STAN SHELTON: Well, very good. I'm -- I will do that and get back to you and see what we can do.

MAYOR COSTELLO: And again, I appreciate your interest.

STAN SHELTON: Thank you.

ALDERMAN TALLO: Yes, we do.

MAYOR COSTELLO: Thank you.

ALDERMAN CULLOM: We do.

MAYOR COSTELLO: All right. Any other comments from the public? We'll move on, then, to the Board of Aldermen. We always offer them the same opportunity for any comments they might have to the public that are not on this evening's agenda.

ALDERMAN FLAKE: Well, I'd just like to say that since our dedication Saturday, I've had a lot of good comments come from the people out in the public about our new facility here, how they feel about it, which they really approve; they think it's great. So I think we did a good thing by improving our working conditions for our employees as well as for the residents of the city, and I think this building will serve the city well for many years to come.

ALDERMAN CULLOM: And I would like to thank everyone who attended. It was well attended, and I appreciate everyone who came out; I think we all do. Anyway --

MAYOR COSTELLO: Anyone else from the Board members? Hearing none, then we'll move on to Item No. 5, the Mayor's Report. And rather than duplicate what Alderman Flake and Alderman Cullom said, I echo that. And the only thing I would like to add to that is a big thank you to all of the employees --

ALDERMAN FLAKE: Yes.

MAYOR COSTELLO: -- who worked very diligently to make the event come off as smoothly as it did. I want to thank all of you, and I also want to say to you that we recognize a handful of employees who were assigned the task of making a lot of things happen, and they did a great job in doing that. But I want everyone else to know that we also appreciate your efforts. Many of you weren't asked, because of the departments you're in or what your area of expertise is. But we do appreciate all the support. I know the inconvenience that you went through while we were in the construction period, because we moved everybody into the old part of City Hall, and there was a lot of dust and hammering and all of those things. But don't think for a minute that the Board or myself don't recognize all of your efforts. But we did try to -- without making the program overly long, we wanted to make sure we recognized those individuals who were especially attached to that project. So, again, we thank you all. And hopefully, it will serve the City well, and bring us to a

new level of professional performance that -- the likes of which the public hasn't seen in the past. Again, thank you.

All right. We'll move on, then, to Item No. 6, and that is the introduction of a new employee, James Auer.

CHIEF BERNARD: Alderman Dreyer, Alderman Flake, Alderman Cullom, Alderman Tallo, Alderman Kendall, Alderman Clark, and Mayor Costello, I'd like to introduce you to your new employee, James Auer. James, our Board.

EVERYONE: Welcome aboard.

ALDERMAN FLAKE: Glad to have you.

MAYOR COSTELLO: It's good to know the guy that frisks you when you come in.

ALDERMAN CULLOM: Yeah.

MAYOR COSTELLO: Welcome aboard.

MR. AUER: Okay. Thank you.

MAYOR COSTELLO: Next, we'll move on, then, to Item No. 7, Dan Dieckmann, our Park Board President. Dan?

DAN DIECKMANN: Good evening, Mr. Mayor, and good evening to all the aldermen and women. If you wouldn't mind passing one of these out to everybody. Thank you.

My name is Dan Dieckmann, and I want to start off by getting my agenda, and I'd actually like to start off -- thanks, Patrick -- by commending the current Park Board. We've just got a fantastic group of ladies and gentlemen on the Board right now that are working hard, and I'd like just to commend them and say thanks to all of them for their hard work.

Our current Park Board balance is \$45,990.00, and I have two projects that I'd like to address the Board this evening and hopefully get approval for. The first one is our Athletic Complex, which I handed you the sheet. If you look, the darkened X's with circles around them are the 14 trees that we planted in spring of 2008. One of those trees did not make it, due to some drought conditions, and the installer will be replacing that tree come October. The rest of them are doing well.

The highlighted areas are 20 other locations that we'd like to plant trees this fall. We wanted to do a big installation here for a couple of reasons. One is that we don't want to continue coming back in the next upcoming years. Second is that we're using this park a lot, and we'd like to get some shade established for baseball, for soccer, for future teams, and our future families that are using this. So we're asking for 20 trees, and we're asking to use the same service that we used last time, which is Roland Lenzenhuber. And they're out of Jonesburg, and it's Forest Lawn Nursery. And for 20 trees to be installed, planted, and also mulched, they're \$225.00, so a total of \$4,500.00. We'd like to plant some maple, locust, and oak out there, and they'll replace the one that died at no cost. So with the Board's approval, we'd like to go forward with \$4,500.00 to do this in mid-October time frame. And I'm not sure of the protocol, if I'm supposed to ask or just throw this out there for next meeting or how this works.

ALDERMAN KENDALL: I don't recall. Dan, did we go out for bids on those last trees?

ALDERMAN CULLOM: Yeah.

ALDERMAN KENDALL: We did?

ALDERMAN CULLOM: Yes, they did.

ALDERMAN KENDALL: All right.

ALDERMAN CULLOM: Because they had several different prices.

ALDERMAN KENDALL: I can't remember.

ALDERMAN TALLO: They outbid everybody, so --

MAYOR COSTELLO: Can you get some bids together?

DAN DIECKMAN: I did.

MAYOR COSTELLO: And so they'll be okay for our code?

DAN DIECKMAN: Sure. Sure, I can do it.

MAYOR COSTELLO: Well, why don't we do this -- does the Board, overall, support the effort to expand the number of trees out there?

ALDERMAN CLARK: Well, my question would be probably to Brad on the trees. Is there any problem with the maintenance end of it, where they're located and stuff?

BRAD BUSEKRUS: Well, this is the first I've seen it. There's going to be a couple of issues, because we're going to have to do some trenching in between these fields with this water. The reason that some of those trees this year were changing colors so soon is Roland and I went out there and looked at it, and there was too much water standing in those things. So now that I think all the ground has finally settled, and we kind of know where the low spots is where these -- on these ends out here on Hickory Lick Road. If we can -- I don't know if our schedule's going to be able to get this dug out and these drains put in out here, but we might have to move those, shift those just a little bit, you know, so they're not in the actual line of that water drainage, where it comes out. These would be the only ones that I would have, the ones along Hickory Lick. The rest of them --

MAYOR COSTELLO: Those four right out there --

BRAD BUSEKRUS: Yes, uh-huh, the four right out there on the road. I mean, we can move those a little bit, and maybe we can wait and plant them just a little bit later?

DAN DIECKMAN: Shift them off-center a little bit? Okay.

BRAD BUSEKRUS: Yeah, just because there's -- we have a little water problem right now coming down; they're not draining. We need to get back in there with the track hoe and dig those out and get that water to drain out into the ditch.

DAN DIECKMAN: Okay.

MAYOR COSTELLO: Well, Brad, maybe that's an area we ought to pay particular attention to, because that road will be improved at some point.

BRAD BUSEKRUS: But these are behind the fence, so I mean, these are on the right side.

MAYOR COSTELLO: These are on the right side?

BRAD BUSEKRUS: Yeah, these are on the right side.

MAYOR COSTELLO: Okay.

BRAD BUSEKRUS: I'm taking that's on -- yeah, there's -- you know, the fence is right there. And we have a water line also that runs along through there and cable -- phone is out there too, also. So --

MAYOR COSTELLO: If I'm hearing you, you want to either eliminate those or just the left ones

BRAD BUSEKRUS: I think we can just shift them over a little bit, if we could. It's not --

MAYOR COSTELLO: Sure.

BRAD BUSEKRUS: Unless there's a reason -- I mean, if we can shift them just a little bit up the hill or something, to the east there, I think that would maybe work a little better; we won't be getting all that water coming off the fields.

MAYOR COSTELLO: So you're good with the rest of them?

BRAD BUSEKRUS: Yeah, the rest of them look fine. I think they'll be in an ideal spot there.

MAYOR COSTELLO: So the question, then, would be if the Board supports a request to -- the proposal?

ALDERMAN CLARK: I support the idea of -- if Brad wants to take a little more time to just double-check these things and --

BRAD BUSEKRUS: I think he's just fine.

ALDERMAN CLARK: -- while at the same time, we're getting the bids and stuff might be a good idea. So don't put a tree where it's not going to work.

MAYOR COSTELLO: With that in mind, and the fact we'll get some bids --

DAN DIECKMAN: Sure.

MAYOR COSTELLO: -- I'll be glad to do that. Everybody good with that?

ALDERMAN DREYER: Uh-huh.

ALDERMAN FLAKE: Uh-huh.

ALDERMAN CULLOM: Uh-huh.

ALDERMAN TALLO: Uh-huh.

ALDERMAN KENDALL: Uh-huh.

ALDERMAN CLARK: Uh-huh.

MAYOR COSTELLO: No opposition? Okay.

DAN DIECKMAN: Okay, great. I'll bring around bids next time.

MAYOR COSTELLO: Get the bids to us. Go through Terri's staff, to get some documentation, and then you won't have to put in the paper. We'll get some bid requests out, get back in, and when it's approved, you can return again.

DAN DIECKMANN: Good. Excellent. Thank you. The next I'd like to talk about is our Binkley Park and Spector Lake Project. We started working on this about a year ago, and we've done some work over there already that everyone's aware of. But our ultimate goal here is the paving of that path that walks around the lake itself, because it's highly utilized -- a lot of people out there with baby buggies, bikes, and kids want to use that path and not have to walk in the dirt and the mud around the lake.

So what we've worked on so far is pricing of that pathway around the lake, and then also a short path that comes off that and goes directly up to those restroom facilities, and then a handicapped-accessible path down to the dock as well, so everybody can utilize the entire park there.

We're looking at 8 feet wide and 4 inches thick of rock for a base, which comes to \$2,335.00. And then on top of that, 8 feet wide and 2 inches thick of asphalt, which comes to \$10,974.00. So roughly a total of \$13,309.00.

Now, the reason that this pricing is pretty good is that we worked with Rob, and pending his future schedule. We would like to, and if he can do it and if the City approves it, use his crews for the installation of this project itself. That would save us quite a bit of cost from not having to hire someone. So I spoke with Patrick and Rob, and this fall's probably not a good time, I believe, for Rob's schedule, but hopefully, I'd like to get something on the books for this next spring that we can go to the formal bid process around the January time frame, have it completed, have him ready to roll on something come March, April, whenever it's a good time for the asphalt plans and for doing the work.

MAYOR COSTELLO: Well, that's music to my ears. I've started walking in Binkley Woods in the mornings, and that last stretch across the dam sure gets your feet wet with morning dew. So that would be a nice improvement to the park system. Okay. I don't know how the Board feels about it, but I think that would really benefit -- it appears, by the way, that Spector Lake looks pretty clear, at least when I've been there --

ALDERMAN CULLOM: That's good.

ALDERMAN FLAKE: Good.

MAYOR COSTELLO: -- I saw that the mud that was removed previously by the contractor, that looks like that's holding to me. Is that --

BRAD BUSEKRUS: It looks good.

MAYOR COSTELLO: Yeah.

BRAD BUSEKRUS: It looks better. And it's going to take about a year to clear up, but I think by mid or late next summer, it's going to be looking really good out there. Get some grass established -- that would be a project too. So --

MAYOR COSTELLO: It's a nice facility. A lot of people use it, by the way.

MAYOR COSTELLO: Yeah, this is Park Board money funds. Part of the -- during the Public Hearing this evening, when Terri talked about the taxation, that is a separate tax the City receives that goes directly to the park fund. So, what do you think, folks?

ALDERMAN FLAKE: Sounds good.

ALDERMAN CULLOM: I think it sounds like a good idea, because I know you're not the only ones over there walking.

ALDERMAN FLAKE: Oh, no. There's a lot of people using the park area.

ALDERMAN CULLOM: It's well used for walking.

ALDERMAN TALLO: Well, I sit in on these meetings with the Park Board, and all these projects, both of these especially, have been well thought out and discussed. And so when Danny comes and talks to us, they don't know what we're going to do, but I think it's a great idea.

(INDISCERNIBLE - TALKOVER)

DAN DIECKMANN: Good. I'll just work with Terri on getting bids come January time frame, and I'll come back and talk to you then.

MAYOR COSTELLO: Thank you.

ALDERMAN CULLOM: Hopefully, Rob and his crew will have the time to do it. I know right now they're very busy, so --

ROB HAMLIN: That's why we're holding out for the spring. We'll try to work it in the best we can.

ALDERMAN CULLOM: Thank you, Rob.

MAYOR COSTELLO: And thank you and the Park Board; pass on our thanks for their services.

DAN DIECKMANN: I will. I will. Thank you for having me tonight.

ALDERMAN CULLOM: Uh-huh, you're welcome. Thank you.

MAYOR COSTELLO: Thank you. All right. We'll move on, then, to Item No. 8, Becky McCollum, our Planning and Zoning Coordinator. Becky?

BECKY MCCOLLUM: Good evening. The applicant, Mr. Bill Houck is not in attendance this evening, but he had submitted to Planning and Zoning for his Lawn Tech Company to have a boundary adjustment and zone change that was previously shown. Melody, could you show this please?

His request for the boundary adjustment and zone change for these two lots, the boundary adjustment would create one larger lot, totaling approximately .082 acres. Our code does not allow a contractor's equipment or supply shed in this current R-2 zone. In reference to the zone change, section 405.350(b) states:

"Except for the extension of existing district boundaries, no change in zoning classification to a commercial or industrial category, which involves an area of less than 2 acres, shall be created by any zoning amendment."

Planning and Zoning discussed the adjacent area across West Booneslick, which is an existing C-3 commercial zone -- and that would be the property of Butler Supply. After examining and discussing the comprehensive plan, and considerable review, it was determined that the boundaries of the northwest corner of the western R-2 lot clearly abuts the existing C-3 district by approximately 40 feet. Conclusion of the Planning and Zoning Commission was that this property could be considered an extension of the existing district boundaries and be eligible for a rezone to the C-3 highway commercial district. This motion was approved 8 to 0, with 2 absent, for both the boundary adjustment and the zone change.

According to the applicant at that time -- and again, he's not here this evening -- he wished to just have a storage shed for his landscape equipment. He would not be doing any type of retail sales. He simply wanted some kind of enclosed building to put his lawnmowers, weed eaters, his trailer, and would be coming and going from that facility to go conduct his lawn maintenance business.

ALDERMAN TALLO: This whole thing will under roof?

BECKY MCCOLLUM: Yes.

ALDERMAN TALLO: Nothing on the outside at all?

BECKY MCCOLLUM: No, sir. And it was discussed that with it being -- bounding a residential district, if it would be a proposed commercial district, at the site plan level, we could place conditions on landscaping, to create a good barrier; things of that nature could be enforced.

MAYOR COSTELLO: Well, let's -- we have Mr. Welge here, and he asked a couple different questions, and Mrs. Owenby also had concerns. And the first that we want to touch on is why C-3, and hopefully, you just heard the answer to that. It is eligible for C-3. It doesn't mean it has to be zoned C-3, but it's eligible for C-3 -- eligible to be considered for C-3.

The first question and concern you had was on drainage, and I've been here a little bit longer than I'd like to admit at times, Mr. Welge, but since the

time that your subdivision was developed back in the '80s, the City has come up with a requirement for a site plan for each and every development that we look at. Part of the site plan is a storm water drainage requirement. And I didn't want to touch on it too much in a Public Hearing, because this isn't the proper place that that be discussed. Before anything would be allowed out there, the applicant would have to come before the Planning and Zoning Commission and the City Board and present a site plan, a professionally drawn site plan with a storm water plan drawn up with it.

And I only bring this up to you because we have to be careful in this life to watch what we wish for. The fact is that under the C-3 request -- whether C-3 is what you desire out there or need out there is another question. But under the C-3 request, there will be a great deal more concern and attention paid to storm water than if somebody just built a house. So it's an opportunity that the storm water issue that you just experienced can be resolved. And the resolution to storm water, when they present the site plan, is that they have to calculate where the water is going to go, how long it needs to be retained. And they'll actually size a retention pond -- almost on every site plan we see anymore, there's a retention basin that has to be included.

So whether or not that addresses your concerns and makes you happy about it -- for it, against it -- but I think we do need to at least make sure that you're aware that that is part of the process today that was not -- even when I left office after 12 years as mayor in 1998, there was no requirement for storm water drainage on any project, let alone a commercial project.

As far as the traffic concerns that Mrs. Owenby was concerned about -- it doesn't sound like in this particular case that tractor-trailers are going to be part of the issue. But what I do want to point out something that Mr. Welge commented that he's absolutely correct about, and that is, this isn't a request to put in a lawn maintenance company; this is a request to rezone his property for C-3. So this property owner could be approved and own the property for six months and another buyer come along and buy it from him, and they are eligible to put in anything that's in that C-3 zone. So you have to -- you know, we want to go into this eyes open, and that is an exactly correct statement that Mr. Welge made.

Now, when it's a change in occupancy, a different use, they have to go through the same site plan for a new business. But certainly, this is not just a request for a lawn maintenance company; it's a request for a change in zoning in C-3. Was most of that correct when I said that?

BECKY MCCOLLUM: Yes, sir.

MAYOR COSTELLO: Yes?

MR. RAYMOND WELGE: Does everybody know what C-3 really entails -- permits? You can permit a dance hall, boat storage, different shops. I mean, as the mayor said, it can go on and on. That's why I'm opposed -- why C-3? Why not just give him conditional use for that, if you could?

MAYOR COSTELLO: I don't think -- is this particular use that this gentleman is trying to go to -- well, two things, I think, first of all. If it wasn't C-3, it would absolutely be spot-zoning, which would -- is not allowable; that's number one. It adjoins a C-3; it's probably the technical reason that it's C-3.

BECKY MCCOLLUM: Yes, he's asking for contractor storage.

MAYOR COSTELLO: Right.

BECKY MCCOLLUM: And that's permitted in certain commercial zones. But because that property is less than two acres, as the Mayor said, it couldn't just be a little spot of C-1, C-2.

RAYMOND WELGE: And so is a dance hall, a C-3.

MAYOR COSTELLO: But now, there are certain things, Mr. Welge, that are listed in C-3 but that they're conditional uses that -- it's like rezoning it again; they have to go in front of the Planning and Zoning Commission. Not everything that you're talking about is an allowed use. Certainly, there's an expanded list that is allowed, and you're welcome to read those items that you have in front of you.

RAYMOND WELGE: I don't want to take up your time; there's about 40 of them.

MAYOR COSTELLO: Yeah, but there's significant uses.

RAYMOND WELGE: Yeah.

MAYOR COSTELLO: But just as far as the storm water issue, I think you actually could be in a better situation --

RAYMOND WELGE: I understand that.

MAYOR COSTELLO: -- with this than with the single-family homes.

ATTORNEY GRAVILLE: Mayor, if I can, I also want to point out, because I don't want to -- make sure there's -- I don't know if there's some confusion here, but this is the applicant requesting this change, not the City requesting this change.

RAYMOND WELGE: Yes, I understand.

ATTORNEY GRAVILLE: Yeah.

RAYMOND WELGE: I understand.

ATTORNEY GRAVILLE: I mean, would you be interested in any of your lots there to be C-3 at some point in time?

RAYMOND WELGE: Probably. If you go with C-3 on this, we'd probably apply for all of them to go with C-3.

ATTORNEY GRAVILLE: So, I mean, if this gets approved, you'd probably be okay if that -- your whole lot --

RAYMOND WELGE: The whole lower half is what we have.

ATTORNEY GRAVILLE: You'd want to see that go C-3?

RAYMOND WELGE: Sure. Once you cross that -- into that residential area, you might as well go that way. It makes the property more valuable. That's -- you're new here, but I've been here -- this is the third time on rezoning. People buy it around the edges, and they come in for, as you said, spot-zoning and this and that, and it's a fight every time. And the ultimate goal all the time has been, in the end, they want to sell it as a commercial property. First, they'll tell you bed and breakfast; they'll tell you a storage shed. The next thing you know, they want to sell it as commercial; that's the ultimate goal.

MAYOR COSTELLO: Well, and of course I've been around here not nearly -- I'm not a Warren Countian -- like you are --

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: -- a native; I've only been here since the mid-seventies. But again, I've seen situations where people -- just because something is commercial or industrial, particularly in this economy, doesn't make it worth more money.

RAYMOND WELGE: Right.

MAYOR COSTELLO: At times, it makes it unmarketable, because the demand for commercial is significantly lower now than it's been any time since I can remember living here.

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: So I don't know that that's your stated goal, and I don't challenge or question someone's motives of why they want to do something.

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: I'm kind of glad that we have interest in our community to build homes or bring business. But certainly, I understand your concerns, and they're valid concerns.

ATTORNEY GRAVILLE: I do have one more question. Have you looked and see if there -- to see if there's any deed restrictions on the property, because the city wouldn't typically look at that or consider that?

RAYMOND WELGE: With what we should do?

ATTORNEY GRAVILLE: Well, restrictions on -- like when it was subdivided, whether there was restrictions put on the property, as part of the original subdivision. It may be something you want to check, especially if you want to consider --

MR. RAYMOND WELGE: Well, planning and Zoning came in about the same time we developed; it all happened at once.

ATTORNEY GRAVILLE: Well, no, what I'm talking about is --

RAYMOND WELGE: It happened early in the --

ATTORNEY GRAVILLE: -- right -- when you subdivided, what some -- especially if some older subdivisions have really restrictive ones, where they record, as part of the subdivisions, deed restrictions on there that say you can't have this or you can't have that; that's a different kind of level. And the only reason I point that is you kind of mentioned that; it may be something you want to look at if -- in, you know, the subdivision, which would probably be a document you'd find at the Recorder of the -- Recorder of Deeds.

RAYMOND WELGE: Yeah, I have the old Hillcrest one right here.

ATTORNEY GRAVILLE: It probably wouldn't be the plat map. It would probably be like a list of --

RAYMOND WELGE: Well, they have the ordinance right on the side of it.

ATTORNEY GRAVILLE: Okay.

RAYMOND WELGE: So you're welcome to look at it.

ATTORNEY GRAVILLE: Okay.

MAYOR COSTELLO: Becky, did you have any more information?

BECKY MCCOLLUM: No, I was must going to say that would be great that we could review that.

ATTORNEY GRAVILLE: But it wouldn't make a difference in the decision, because it would be different --

RAYMOND WELGE: Right, right.

ATTORNEY GRAVILLE: Yeah.

MAYOR COSTELLO: You're talking about his subdivision property?

ATTORNEY GRAVILLE: Right, subdivision covenants.

MAYOR COSTELLO: Yeah. Questions or comments from the Board? The property in question is one with the little hand on it, that Melody is showing.

ALDERMAN CULLOM: Is there two of them or just one?

BECKY MCCOLLUM: There are two lots, both .041, and he -- if the zone change -- the proposed zone change would be acceptable, then he wishes to do a boundary adjustment to combine the two lots, to be able to put the storage shed and meet all the requirements of setbacks.

RAYMOND WELGE: I have another question.

MAYOR COSTELLO: Yes?

RAYMOND WELGE: On that old plat, it shows right down the middle, where he wants to combine, there was a Center Street, and it said, "Vacate." Does that mean -- I'm just asking a question -- does that mean the City deeded it back to the property owner; is that what that means?

MAYOR COSTELLO: If what you're saying is accurate that it has been done, yes.

RAYMOND WELGE: Yes. Okay.

MAYOR COSTELLO: And what typically happens, Mr. Welge, is when we vacate an alley, most of the old alleys in the city are 14 feet wide. And so when you vacate -- a city vacates an alley, and we don't do that very often anymore, especially if you've got an easement that runs through it --

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: -- but if you've got a property owner on each side of the alley, seven feet goes to one, and seven feet goes to the other.

RAYMOND WELGE: Thank you.

MAYOR COSTELLO: So that's probably vacated.

(INDISCERNIBLE - TALKOVER)

BECKY MCCOLLUM: Are you talking about Millbrook, sir?

MR. RAYMOND WELGE: No, Center Avenue.

BECKY MCCOLLUM: Center Avenue.

MAYOR COSTELLO: Well, this is the street. Yeah, this is actually a 40-foot-wide street, and that apparently has been vacated, according to the plat.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: Any other questions or comments?

ALDERMAN TALLO: So aside from what he wants to put there, we're strictly voting on just the rezoning?

MAYOR COSTELLO: Correct.

ALDERMAN TALLO: So the shed is really out of the picture?

ALDERMAN CULLOM: Yeah, it's strictly anything that's allowable in that zone.

ALDERMAN TALLO: Yeah.

MAYOR COSTELLO: Anything that's allowable in the zone, and you would also review a site plan showing the building location and the storm water

accommodations, sidewalks, anything that's pertinent to the site plan. Were you at the P & Z meeting?

ALDERMAN CULLOM: No, I was not. And I couldn't really hear the meeting very well when I tried to watch it.

ALDERMAN CLARK: You're still against the change to what the Mayor explained about the water retention.

RAYMOND WELGE: Yes.

ALDERMAN CULLOM: Now, is the hand in the right place now? (on the map)

CITY CLERK RUGH: Yes, there is two lots.

ALDERMAN CULLOM: It's those two lots there?

RAYMOND WELGE: I'm against the zoning change. I'm not against them putting that building there, but I'm against the zoning change, that they can make a commercial in a residential area.

(INDISCERNIBLE - TALKOVER)

RAYMOND WELGE: Isn't across the street a stretch to say it's adjacent to a commercial district.

BECKY MCCOLLUM: Well, sir, that was discussed, and the old, comprehensive plan was brought up.

ATTORNEY GRAVILLE: What we did, it -- if you look at this map right here, just so -- for the public's information, the reason that this is -- I know you guys are all worried about me getting up -- the reason that this is actually applicable is we actually went back to the comprehensive plan. In our comprehensive plan, there are some streets that are unzoned, and in our comprehensive plan, for whatever reason, this street is like right through the center -- is where these -- is where this -- the zoning district changes. And so this yellow here is actually in the middle of the street, the purple's actually in the middle of the street. So there's about 40 feet here that adjoins there, and it goes right in the middle, so it actually doesn't join. We made sure we looked at that, because -- to make sure that, you know, I know one of the City's big things is we have the ordinance against spot-zoning. But this does have the adjacent (indiscernible) to meet these ordinance requirements, the -- part of the -- under the comprehensive plan, which would be in the document -- that would be the --

MAYOR COSTELLO: Okay, folks, that's what you get the big bucks for -- your decision.

ALDERMAN CULLOM: Melody, could we go back and see the houses, the map that has the houses on it?

MAYOR COSTELLO: It's that rough-looking lot.

CITY CLERK RUGH: These two lots.

ALDERMAN CULLOM: Okay. I think that's somebody's driveway.

MAYOR COSTELLO: She's on the eastern border of the lot in question.

ALDERMAN TALLO: Mr. Welge, the one that you live in is on Celia?

RAYMOND WELGE: No, no. No, they're rental properties.

ALDERMAN TALLO: Oh, they are?

RAYMOND WELGE: They've been that way for 20 years.

ALDERMAN CULLOM: But there's residential on both sides of this?

ALDERMAN TALLO: Thank you.

RAYMOND WELGE: Yes.

ALDERMAN CULLOM: And that that doesn't have a resident, that's what -- that's the piece of property we're talking about?

RAYMOND WELGE: Okay.

ALDERMAN TALLO: Correct, it does not have a building on it at all.

ALDERMAN CULLOM: Okay. It doesn't have any building on it.

RAYMOND WELGE: Yes, correct.

MAYOR COSTELLO: And that's what -- what is it, a total of eight old city lots; I think they're about 47 feet wide?

ALDERMAN CULLOM: It looks like it -- 53.

ATTORNEY GRAVILLE: Now, I also want to point out, part of the traffic concern about the highway is -- that's something else that will be -- the ingress-egress off the roadway -- will be considered in the site plan process. So before they can put anything out there, before they can do anything out there, they're going to have to submit a -- you know, essentially, they're ingress-egress, which is part of the site plan process review as well, and that'll be something that'll be considered in that part of the process too.

ALDERMAN CULLOM: Okay. And we also have to --

ALDERMAN TALLO: We also have to get a --

SHARON OWENBY: My concern was there is -- I don't -- that you can't see on there, but there's a big creek on the one edge of that property that takes up part of that property, and that -- it's not as wide as it really looks on that map.

RAYMOND WELGE: That was my drainage concern.

SHARON OWENBY: Because I -- on my side of the street, when it storms real heavy, my sidewalk, my -- the ditch builds up and floods over Highway M right there. And that --

ATTORNEY GRAVILLE: Well, I think -- the Mayor's point is that'll be something they'll have to do the calculations on and look at the -- and probably, hopefully, come up with a better solution than what's already there, because they will have to get a storm water plan to do the improvements on the amount of water that's there and, you know, coming off the property. So -- and hopefully -- I mean, I don't want to try to predict it, but it may actually get better, because they are having to do a commercial-style storm water plan.

MAYOR COSTELLO: Yeah. The other issue that will be covered -- not by us but by MODOT -- is they will be required to put in a commercial entrance. And if you've ever seen that occur -- I've had one experience with it -- the State requires very wide aprons now.

ALDERMAN CULLOM: That's what I was going to say.

(INDISCERNIBLE - TALKOVER)

RAYMOND WELGE: A 60-foot minimum.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: If you want to see what it looks like, there's a lot just east of the current outlet center that is one that I was involved in, and we spent a lot of money on concrete so MODOT would approve the entrance. That might

help with the situation as far as what your concern was with getting vehicles in and out; not that it sounds like this particular use is going to be brought up, but MODOT doesn't let you ingress or egress off of their highway without going through a lot of permits.

RAYMOND WELGE: Well, there's two lots -- or there's the one that divides.

MAYOR COSTELLO: Well, it looks to me like there's a total of eight lots originally, and it's down --

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: -- I think it goes right down the middle, Mr. Welge. It --

RAYMOND WELGE: Yeah.

MAYOR COSTELLO: There's four -- you know, it's old city lots.

RAYMOND WELGE: Uh-huh.

MAYOR COSTELLO: It looks like they were about 47 feet wide at the time, or maybe a little less than that. So it looks like he's going to put four old lots --

BECKY MCCOLLUM: Old lots, yes.

MAYOR COSTELLO: Old lots.

BECKY MCCOLLUM: Narrow strips of lots.

MAYOR COSTELLO: Right. Any other questions or comments? Becky, can you -- since Alderman Cullom wasn't able to attend the meeting, and didn't -- apparently, the --

BECKY MCCOLLUM: Alderman Flake was, but I'd be happy to answer any questions.

MAYOR COSTELLO: Alderman Flake, were you there?

ALDERMAN FLAKE: I was there.

MAYOR COSTELLO: Were any of these issues discussed, or do you know what came up during that meeting?

ALDERMAN FLAKE: Not a whole lot of discussion, no. Not a lot. Not like's been discussed here this evening, to the best of my recollection.

MAYOR COSTELLO: Thank you.

RAYMOND WELGE: Was there any opposition that night at the meeting?

BECKY MCCOLLUM: No, sir, none.

ALDERMAN FLAKE: No.

BECKY MCCOLLUM: No, sir.

RAYMOND WELGE: As I said, I came to the meeting --

RAYMOND WELGE: -- but there was a sign on the door, "Postponed," and I was never notified when the meeting was. And I happened to call the next day, after the fair started. They said, "Oh, we had the meeting last night; it was approved." So I never had a chance.

MAYOR COSTELLO: Well, this was one of the few meetings -- and I would -- I'd like to be critical, because that canceled because they didn't have a quorum -- but we have a very dedicated Planning and Zoning Commission, and they give up their time, just as the Park Board and many of the other committees and boards do, and this is the first time I can recall, in recent history, where

they weren't able to have the meeting because they didn't have a quorum that night. And it was also upsetting to the applicant, by the way, who was scheduled and ready to go also. This is just the world we live in; goes by way too fast, too many meetings. Becky, did you have anything to add?

BECKY MCCOLLUM: No, sir, unless Chris does have anything.

ATTORNEY GRAVILLE: Nothing to add.

MAYOR COSTELLO: I believe -- correct me if I'm wrong, Counselor -- what we need is. We have a recommendation from Planning and Zoning to approve, so we need is a positive motion to approve, and that motion would then need to be approved or defeated, and that is how the proposal would be disposed of one way or the other.

ALDERMAN CLARK: Does it get disposed of by no motion?

MAYOR COSTELLO: No.

ATTORNEY GRAVILLE: Yeah, I mean, my preference would be that somebody move to the bring it to the table. I mean, ultimately, we can wait five, ten minutes, if no motion's made. But it's probably a better point of order to -- for someone to move, and then second it and then have a vote -- make the motion in the positive. I mean, you can dispose of it; it's just how long you wait. And ultimately, the Mayor will decide how long he'll consider or entertain a motion, and then close the floor.

ALDERMAN CLARK: I guess with that said -- it's not that I'm in favor of it, but I guess so we can get this thing off center, I'll make a motion to approve the zoning change.

ALDERMAN CULLOM: Not that I'm in favor of it, I will second it.

MAYOR COSTELLO: Motion by Alderman Clark; second by Alderman Cullom to approve the zoning change, as recommended by the Planning and Zoning Commission. Now, questions or comments?

ALDERMAN FLAKE: Well, I'll just say, we've got a very qualified Planning and Zoning Commission. When -- through the years that I've sat here, very seldom -- when they make a recommendation, there's been one or two times that we voted against it. We usually follow the recommendation, because they pretty thoroughly go through it, and -- before they'll make the recommendation. I'd just like to say that.

ALDERMAN CULLOM: And I agree with that. I do wish, though, that they would have got to hear the other side of the story.

ALDERMAN FLAKE: That's true.

ATTORNEY GRAVILLE: I will say if -- in the P&Z meeting, one of the things that was -- I think the -- Ms. Gagliano was very familiar with the area and kind of explained to it as kind of -- and I can't really -- I would misquote her if I stated that -- but there was discussion over the nature of this area and kind of how it's transitioned into kind of a different area. So it's not that they just -- there was no comments on it and just voted on it. There was a relatively lengthy discussion of it, and I just want to make sure that's clear for the Board, that they didn't just gloss over it, that they really did discuss it and that -- it was really -- a lot of it was based on -- the applicant was present at that point in time to present and answer a lot of questions and, I think, alleviate some of the concerns. Obviously, the applicant's not here tonight. And then also the fact that, you know, like I said, Ms. Gagliano was very familiar with the area and had a lot of observations just of, you know, the development of it and how much residential was really there, and you know, I think shed a light on -- a lot of light on it. So I just want to make that for -- on behalf of P&Z.

MAYOR COSTELLO: Any questions or comments?

ALDERMAN CULLOM: And I appreciate that fact, but as I look at this -- it's surrounded by residential; except for that one little corner that's across the street; houses, on both side -- are houses.

MAYOR COSTELLO: Any other questions or comments? Roll call vote?

ALDERMAN FLAKE: No.

ALDERMAN CULLOM: No.

ALDERMAN TALLO: No.

ALDERMAN KENDALL: No.

ALDERMAN CLARK: No.

ALDERMAN DREYER: No.

MAYOR COSTELLO: Motion fails 0 to 6. Okay?

ATTORNEY GRAVILLE: All right.

MAYOR COSTELLO: All right? And that being voted on, then I presume we do not need to vote on the Amendment to the --

ATTORNEY GRAVILLE: You know, I would suggest to the Board that maybe we postpone that to the next meeting that considers Planning and Zoning items, in order for Becky to --

MAYOR COSTELLO: Well, because the applicant might not want the lots put together.

ATTORNEY GRAVILLE: Right.

BECKY MCCOLLUM: Correct.

ATTORNEY GRAVILLE: Or he may still want to proceed with that, so I -- you know, if maybe someone could make a motion to postpone it, so Becky can inform him, and then we'll see that on the next P&Z agenda next month.

MAYOR COSTELLO: And depending on what the lot size is, you know, it's possible that he could put two houses there --

ATTORNEY GRAVILLE: Yeah.

MAYOR COSTELLO: -- so you might want to let him --

ATTORNEY GRAVILLE: Yeah.

ALDERMAN CULLOM: So moved.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Well, I don't -- I just think we don't need to pick that up, do we? We don't need to vote on the one --

ATTORNEY GRAVILLE: Well, it's on the agenda for tonight, so I was just thinking for -- to just --

(INDISCERNIBLE - TALKOVER)

ATTORNEY GRAVILLE: -- make a motion to postpone it till the next meeting that we consider (indiscernible).

ALDERMAN CULLOM: So moved.

ALDERMAN TALLO: I second.

MAYOR COSTELLO: Motion by Alderman Cullom, second by Alderman Tallo, to table the Item No. C, the Amendment to Chapter 405 regarding --

ALDERMAN CULLOM: No, B.

MAYOR COSTELLO: -- B, Boundary Adjustment (SUB-44), the 600 block of West Booneslick. Questions or comments? Roll call vote.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

MAYOR COSTELLO: Motion carries 6 to 0 to table the Boundary Adjustment. And then the final issue with -- on Becky's section of the meeting is the Amendment to Chapter 405 regarding vacation vehicles and vacation vehicle lot or parking.

BECKY MCCOLLUM: Well, this amendment is a proposal to clarify our definitions of vacation vehicles and their usage, specifically in regards to temporary mobile living quarters, permits currently issued by the Building Department for transient amusement activities. Planning and Zoning discussed whether there should be any other allowed usages of vacation or RV vehicles, and we came up with a plan to add to the definition -- the existing definition: "Vacation vehicles shall be allowed, as provided for in Section 500.030."

And the addition of this last sentence to our definition will cross-reference to our Building Department Policy, and that will be the format used to regulate vacation vehicles as temporary living quarters. And the permit would be issued for transient amusement activities usage only. Staff worked to compile this type of permit and structure for the occasional case of the circus or a carnival or a fair or such, to obtain a permit to allow a very limited living quarters for the vacation vehicles. And specifically, we also came up with a transient amusement activities definition to be proposed as our code, and that would be: "An amusement, recreational, or entertainment type of business organization operating at one venue for a fixed and short period of time. A carnival, circus, rodeo, fair, or traveling exhibition would all be examples of transient amusement activities." This definition would be added to our code during this ongoing process of updating our definitions and format of Appendix A.

On the second page was your corresponding Building Department Policy, and under the temporary mobile living quarters permit for transient amusement activity, it referred to that definition, and specifically: "These types of transient amusement activities may operate under one temporary mobile living quarters permit for a maximum period of seven days per site per calendar year. Transient amusement activities such as these may include self-contained mobile living quarters for operating staff within the seven-day maximum permitted period, and no utility hookups for city water or sewer shall be allowed. A site cleanup deposit of \$500 per structure will be required if on City property only."

So the second page is basically our in-house handling of how we would work the permits in the future. But the previous page is the actual changing of the code with the change of that definition and the proposed adding of the second definition.

MAYOR COSTELLO: Any questions or comments with regard to the Amendments to Chapter 405?

ALDERMAN CLARK: I have a question on the vacation vehicle paragraph at the very bottom. It says that "vehicles may not be connected to the trailer"; do you see that? It goes on to say, the -- "or park in any required front yard." Could you explain that to me?

BECKY MCCOLLUM: This was brought up at Planning and Zoning as well, as every lot has a front yard, depending on which way the house was built or specified, or the newer subdivisions definitely have a clear front.

ATTORNEY GRAVILLE: And I believe it was part of the old definition, wasn't it?

BECKY MCCOLLUM: Yes, that is all correct.

ATTORNEY GRAVILLE: Yeah.

BECKY MCCOLLUM: This is all the old definition, Alderman Clark, except for that last sentence that we would tie into the building.

ATTORNEY GRAVILLE: And I think we -- didn't we bring a revision -- was that front yard we brought -- but there is a corresponding definition of what a front yard is in the zoning code; I just don't have it right in front of me. I can get that if you want, so I can read it for you. Do you want me to go get it?

ALDERMAN CLARK: Okay. Well, my question would be is, let's say a vacation vehicle parked in the front, in a driveway, and is that allowed?

BECKY MCCOLLUM: Alderman Clark, I did find the definition for front yard -- yard front.

ALDERMAN CLARK: Okay.

BECKY MCCOLLUM: "A yard extending between side lot lines and across the front of a lot, and being the minimum horizontal distance between the street or lot line and the principal building or any projections thereof, other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street the front door faces."

ALDERMAN CULLOM: But does that mean -- can it park -- can it be parked in the driveway? Yeah.

ATTORNEY GRAVILLE: We've sat down and gone through these front and side yards, corner lots and if you draw them out, they'll make sense, but you've got to sit down and draw them out.

ALDERMAN KENDALL: A whole front yard can be drawn, and that driveway.

ALDERMAN CLARK: I know where my house is located -- and I'm on the corner lot -- my -- they told me my address was where the driveway went in; not in front of the house, but where the driveway came off the road. So according to what you just said, I could park a recreational vehicle there. What I'm worried about, and what I'm getting at, is are we going to the point where we're -- we don't allow people to park their recreational vehicle in their driveway?

ATTORNEY GRAVILLE: Well, we've never been allowed to --

ALDERMAN CLARK: where they got to be parked behind something or offsite?

ATTORNEY GRAVILLE: You've never -- the definition of the Zoning Code has never allowed connection to utilities on -- at the residence or parking in the required front yard. So that's actually something that's always been in the definition that we didn't change or come out, assuming that -- you know, that that -- that's just the way it's always been. So we added this section at the bottom, really -- you know, when it came up with the Laborers for Christ, the issue kind of came before the Board. So if you actually want us to look at that required front yard -- and it's been -- I mean, you know, we sat down as

a staff and kind of went through all our yard definitions. Jim's probably the expert on it, so I'd actually pass your corner question to Jim. Are you there?

(INDISCERNIBLE - TALKOVER)

JIM DALY: I am here.

(INDISCERNIBLE - TALKOVER)

JIM DALY: No, what you have on a corner lot is your building lines also extend to both streets, so that the front of your building is facing the one street, and that is definitely the front of your lot. That's the front of it. I don't care where your driveway is, your front door establishes the front of your building.

ATTORNEY GRAVILLE: See, I told you he was the expert on it. No, we actually sat down and looked at these front yards, side yards, to make sure that they made sense, because we had the through lots and everything like that. But you have never been allowed -- never is not the right word -- but our current code does not allow parking in the front yard. And I think that's been enforced. Don't quote me on that, but I think we've enforced that regularly over the last couple of years. And I don't know when this definition was adopted that didn't allow parking in the front yard of a residence. So if you want us to do that, that actually would be a different change that's in front of you all tonight, and we could look at making that change if that's something you would want us to do.

ALDERMAN KENDALL: So when you're speaking of the yard, you're speaking of grass?

ALDERMAN CULLOM: No. The driveway.

ALDERMAN KENDALL: The driveway?

ATTORNEY GRAVILLE: Driveway too, absolutely.

ALDERMAN CULLOM: So what you're saying is that people with their driveway that comes off the front of their house, no one can ever come visit them with a recreational vehicle and park in their driveway, even if they're not staying overnight or anything?

ATTORNEY GRAVILLE: Like I -- well, the way the ordinance reads right now, the -- it can't be used as living quarters or be parked in any required front yard. So it can't be parked in your --

ALDERMAN CULLOM: Driveway?

ATTORNEY GRAVILLE: -- in your driveway; yeah, that's correct. That's the way the ordinance is written now. We didn't -- we did not -- make that change.

ALDERMAN CULLOM: I realize that you didn't change that.

ATTORNEY GRAVILLE: Yeah.

ALDERMAN CULLOM: It's always been that way.

ATTORNEY GRAVILLE: I made that point. Yeah, it's always been that way.

ALDERMAN CLARK: You can park it out in the middle of the street, but you can't park it out in your driveway?

ATTORNEY GRAVILLE: I don't know if you can park it in the street or not; I'd have to look at the other sections of --

ALDERMAN CLARK: There's no restrictions, are there?

ATTORNEY GRAVILLE: But that may -- there may be some restrictions on that in the traffic code.

ALDERMAN CULLOM: So if most of us had someone come and visit us in one, they'd have to park -- instead of getting off the street and parking safely in your driveway, they'd have to park out there on the street --

ALDERMAN CLARK: Or behind your --

(INDISCERNIBLE - TALKOVER)

ATTORNEY GRAVILLE: He's still got a way to find that street, but it's --

(INDISCERNIBLE - TALKOVER)

ATTORNEY GRAVILLE: But it's definitely -- I mean, that, you know --

ALDERMAN KENDALL: It's in his front yard.

ATTORNEY GRAVILLE: I will tell you that we dusted off that vacation vehicle definition when the Laborers for Christ came with the church --

(INDISCERNIBLE - TALKOVER)

ATTORNEY GRAVILLE: -- who eventually withdrew their request. So it was like -- it was not one that we had looked at fairly frequently, but what we were really trying to address were some of the questions raised by P&Z and the Board to try to bring that definition --

MAYOR COSTELLO: So, would you like a little time to clarify this, or are you ready to go? Good job?

ALDERMAN CULLOM: No, I --

MAYOR COSTELLO: Or what?

ALDERMAN CULLOM: What they've changed is not what I had questioned; it was what was already there.

ALDERMAN CLARK: Yeah.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: So make a motion to approve that?

ALDERMAN TALLO: So moved.

ALDERMAN CLARK: Second.

MAYOR COSTELLO: Moved by Alderman Tallo, second by Alderman Clark to approve the recommendation to Amend Chapter 405. Any questions or comments? Roll call vote.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

MAYOR COSTELLO: Motion carries 6 to 0. Becky, do you have anything else?

BECKY MCCOLLUM: Very brief. The sign variance, Variance 21 for the Kentucky Fried Chicken. I went before the Board of Adjustment at the last meeting. The sign variance was for a variance in pole sign height, then also total maximum

square footage; the variance for the right-of-way was withdrawn. Condition of the approved Kentucky Fried Chicken Restaurant site plan was for the applicant to originally conform to or site code or request a sign variance.

Both of those variances, for the height and also for the square footage, was approved by the Board of Adjustment. A condition of this approval was that the existing message board on the pole sign, as submitted, would need to be raised to the minimum height of a 10-foot clearance, as per our code, and to alleviate any visibility issues for traffic on 47. A final condition of the sign variance approval was as follows: "If any future growth or expansion by City or State on North Highway 47 required the Kentucky Fried Chicken sign to be relocated, the cost of such relocation would be at the owner's expense."

MAYOR COSTELLO: Thank you. Any questions for Becky?

ALDERMAN CULLOM: That doesn't require any action there, so --

MAYOR COSTELLO: No.

ALDERMAN TALLO: Thanks for all your information tonight.

BECKY MCCOLLUM: Very good. Thank you.

MAYOR COSTELLO: Moving on, then, to Item No. 9. Terri Thorn, our Director of Operations and Finance Officer.

TERRI THORN: I only have two quick things for you this evening. Just a request to allow our Public Works Department to haul away and dispose of the scrap metal that has accumulated down at their maintenance shed. Ron estimates that that's probably a dump truck load, and we'd like to just take that to the salvage, dispose of it, and then put that money into the general fund. But it does require approval to dispose of it in that fashion.

ALDERMAN KENDALL: So moved.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, second by Alderman Cullom to approve the proposal by Terri, the Director of Operations' request to dispose of scrap metal at the maintenance shed, and that the funds from that go into the general revenue fund. Questions or comments? Roll call vote.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

MAYOR COSTELLO: Motion carries, 6 to 0.

TERRI THORN: My next item is just a reminder, or a question. We had talked about having a work session on bidding policies. Proposed date is September 1st, which is our next meeting, as a work session prior to that meeting. Perhaps --

MAYOR COSTELLO: 6:30?

TERRI THORN: You tell us.

ALDERMAN TALLO: So moved.

ALDERMAN TALLO: That will be subject to change, right?

MAYOR COSTELLO: Yeah, we don't need a motion for that.

TERRI THORN: Just schedule it.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: I would like to advise the Board to put your thinking caps on and kind of see where you come down on the issue of local bidding, because that is specifically what we'll be talking about. And procedures, whether you're interested in putting procedures in place that give a local bidder a percentage of benefit; in other words, if you're a local bidder, that you're a -- anyone that's not a local bidder has to be 10 percent better on price. I also want you to be thinking about the definition of a local bidder, because that can be pretty interesting. We just went through this with the rock bid -- or whether it's something you choose to not implement at all. But there are -- other cities do have local bidding policies. It's -- I think it is a reasonable thing to at least consider, so just be thinking about how you might define a local bidder.

TERRI THORN: Yes. And then a reminder that we do have a work session next Tuesday -- that is the 25th of August -- and it is at 7:00 p.m.

MAYOR COSTELLO: And that is with the Fair Board.

TERRI THORN: Fair Board.

ALDERMAN CULLOM: That was already on our calendar, wasn't it?

TERRI THORN: Yes.

ALDERMAN KENDALL: And that's here, Terri?

TERRI THORN: Yes, here in our chamber.

MAYOR COSTELLO: And you're going to set that up with the same arrangement as we have this evening here?

ALDERMAN CULLOM: Uh-huh.

TERRI THORN: That's our plan.

MAYOR COSTELLO: Great. Thank you, Mr. Welge.

RAYMOND WELGE: Mayor, I thank you, sir, and the Board and employees for your time, to be able to speak this evening. Thank you.

TERRI THORN: And then, Mayor, did you want to discuss the time capsule and how we'd like to handle that?

MAYOR COSTELLO: Yes. Not for very long, but we'll discuss it for just -- now. As all of you know, we opened the time capsule from 1987 -- From August 12th, 1987, at our Open House. We found some interesting things in there. What I propose we do is put all of the items that were in the time capsule from 1987 in a separate envelope, put it back in the time capsule. And I'm offering you the opportunity for the next 30 days or so to think about things that you'd like to put in the capsule for the next time it's open, and we're probably not here. So I offer you and the public the opportunity to an item or two in there. We found some very interesting things: a cigarette from one of our former, now-deceased Board members, Lamar Futch, a good alderman, very dedicated to the City. But he had a cigarette that he dedicated to all the nonsmokers. And we found 51 cents in the capsule, a copy of the Warrenton News Journal.

ALDERMAN TALLO: Did the 51 cents signify anything?

MAYOR COSTELLO: Well, we think it did, but we're not sure. We think it probably represented the age of one of the alderman. But we found an

interesting thing. There was a copy of the budget of the fiscal year of 1902. The City's total expenditures were \$1,300 and some-odd dollars for the entire year. But again, I offer each and every one of you the opportunity to have something placed in that. And then in about 30 days or so, we'll ask that it be resealed and soldered up again. And my proposal would be to place it back behind the plaque that it came from, which is in the old part of the City Hall. And offer the City employees the opportunity to place items in there also. Just try to keep it small.

ALDERMAN TALLO: Well, the old clock would be too large to put in there, I guess. We should have kept that clock.

MAYOR COSTELLO: I think we destroyed that.

ALDERMAN TALLO: I don't think we did; I think the ex-mayor might have.

MAYOR COSTELLO: Anything else?

TERRI THORN: That's all I have, Mayor. Thank you.

MAYOR COSTELLO: Thank you. Next, move to Item No. 10. Rob Hamlin, our Public Works Director. Rob?

ROB HAMLIN: Good evening. The first thing on my list is the July Public Works Report. I'd just point out a couple things I wanted to add, that we did test all eight bacteriological samples in the water system, and that the wastewater treatment plant performed well within its limits for the month of July. If there's -- I ask if there's any questions maybe the Board might have about the Public Works Report.

ALDERMAN TALLO: So the chlorination's working?

ROB HAMLIN: It's up and going, working great. Knock on wood.

ALDERMAN TALLO: We got good test results and everything is good.

ROB HAMLIN: Yes, everything's -- all the bacteriological samples have been coming back good. They've been feeding as they're supposed to; the chlorine's feeding correctly. So it's looking good.

ALDERMAN TALLO: Great. Thank you, Rob.

ROB HAMLIN: Thank you. Any other questions on my report?

ROB HAMLIN: The second thing I had was the Board had asked the Police Chief and I to look at Walnut Hollow and AA regarding traffic concerns. And Chief went out there and looked at that, as well as I did, and we agree that there is kind of a hump along the road there that does obstruct the view of the westbound traffic. And we're working with Dennis Beldner, the developer out there, to see what we can get done. Jim has spoke to Mr. Beldner. Being as he's a developer, it's more -- Jim's the one in contact with him more lately, and Jim might be able to update you on the last few conversations that he had with him.

JIM DALY: Yes, I spoke with Dennis Thursday. He was not aware of the situation out there. He advised me that he would go out there last Friday and look at it and call me back. He did not call me back. I tried to reach him yesterday and today. I finally called Jeff Mullens, his excavator contractor, and I believe Dennis is out of town right now, which is why he's not on the phone. But in talking with Jeff, I discovered that apparently, there's a very large stump by this utility pole. And they had tried to get it out before, and it was disturbing the power pole to such a point that they quit. And they would like to coordinate with AmerenUE, get ahold of Jay Lewis, and coordinate with them to try to look into this problem a little deeper and get it taken care of.

MAYOR COSTELLO: All right.

ALDERMAN TALLO: Yeah, if they remove too much dirt, it would compromise that pole. I'm sure that is what they're worried about.

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: Yeah, because so much has to be underground.

MAYOR COSTELLO: Has someone contacted Mr. Sida, the original individual that brought this to our attention?

ROB HAMLIN: I tried the number you gave me the other day, and unfortunately, it didn't work right. I'm going to have to get that -- recheck that number with you.

MAYOR COSTELLO: Okay. I think they're in the book.

ROB HAMLIN: Yeah.

MAYOR COSTELLO: It's under Raymond Sida. And he was one of the individuals that was out to the Public Hearings when that development was approved, and they expressed concern about the site visibility issue, and we were sure that it would be taken care of. So if you'll go -- let him know we're working on that.

ROB HAMLIN: I will.

MAYOR COSTELLO: And I think it's a good idea to get in touch with Ameren and see if we can't get that coordinated with the developer.

ROB HAMLIN: Okay. Item C is the sidewalk on Steinhagen, from Ashland to Wabash. This is where the new pedestrian bridge is going in. On the north side of the pedestrian bridge, along Steinhagen, I would like to replace that sidewalk going along the -- it'd be the west side of the road. That sidewalk is pretty much overall busted up pretty bad, especially on the end of it where it meets -- I guess it's basically on both sides of it, really, it's busted up pretty bad. So we estimate that to be about \$2,890.00 to replace that with a 4-foot-wide sidewalk, so that when the new walk bridge goes in, it'll be all a nice, new sidewalk all the way up that block. That's something I'd ask for the board to approve and to use the funds out of the sidewalk -- capital sidewalk line item for that. I know there's \$25,000.00 in the capital sidewalk plan.

MAYOR COSTELLO: What's the amount there, Rob?

ROB HAMLIN: \$25,000.00.

MAYOR COSTELLO: Okay. This is the money that's set aside every year to make that sidewalk replacement part of the budget; there's certainly funds for that.

ALDERMAN CLARK: I'll make a motion that we approve the sidewalk from Ashland to Wabash to be replaced.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Clark, second by Alderman Tallo to approve the recommendation of the Public Works Director that we spend approximately \$2,890.00 and replace the sidewalk from Steinhagen -- on Steinhagen, from Ashland to Wabash. Any questions or comments? Roll call vote?

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

ROB HAMLIN: I have a couple other items, just updates to give you. First thing is on the booster station, I did receive news today from Cochran Engineering that they had heard from D&R that their plans were already reviewed, and they believe -- Cochran believes that they'll receive the permit, if not by the end of this week, sometime next week. So the booster station looks like it's off the top of dead center, anyway, and moving along. We will be -- about the time that finishes -- we have also advertised for the equipment; that'll go out in next week's paper. It'll be open on September 4th on the equipment bids. The other thing is that we'll probably be finishing up the first part of the asphalt job out on -- out at Lake Chateau. So that'll put our crew really about in line with getting started on the piping for that project. And then it -- when we finish up, of course, Brad's crew will step in and start on the building. So I -- hopefully, we can synchronize this thing pretty well through the fall and get this project moving along.

ALDERMAN TALLO: Hey, Rob?

ROB HAMLIN: Yes?

ALDERMAN TALLO: Will that be overlaid for -- I mean, from where you're stopped right now with the rock --

ROB HAMLIN: Yes.

ALDERMAN TALLO: -- that's going to be overlaid, and then you'll start the other section?

ROB HAMLIN: Yes.

ALDERMAN TALLO: Okay.

ROB HAMLIN: That is -- that's currently scheduled to be overlaid on the 26th, or next Wednesday.

ALDERMAN TALLO: Okay. Thank you.

ROB HAMLIN: So you should have new asphalt, given the weather holds out.

ALDERMAN TALLO: I was asked whether they're going to wait and do the whole thing together or what. And I wasn't quite sure, so I told them I'd find out.

ROB HAMLIN: Yeah, we bid it in separate parts --

ALDERMAN TALLO: Okay.

ROB HAMLIN: -- just in case we got into a bad fall or, you know, a wet year, or something like that.

ALDERMAN TALLO: Great. Thank you.

ROB HAMLIN: Another update is that the pedestrian bridge, we'll be driving the pilings the day after tomorrow. So they should -- they're going to be moving along on that and getting the piers in and everything for the rest of this week. So things are going to be moving along right -- at a good pace over on the pedestrian bridge.

ALDERMAN TALLO: That's good.

MAYOR COSTELLO: Do any of the Board members want to have lunch with me over there?

ALDERMAN CLARK: Are you serving?

MAYOR COSTELLO: Absolutely. We'll celebrate.

ROB HAMLIN: That's all I have for you tonight.

MAYOR COSTELLO: Thank you.

ALDERMAN CULLOM: I have a question. On your July report, Major Products Completed "S. attended meeting regarding the bad water lines in town." Who was that meeting with?

ROB HAMLIN: It was with Cochran Engineering. Basically, what we did was we went over a map of our water system and basically pointed out the areas to Cochran Engineering, so we can start to put together a five-year supervised program. That'll be something that's in our budget for this year, and it will be coming back to you later this year to discuss. A supervised program is basically where we say, "We have these bad lines in town, and over the next five years, we would like to replace them," and we get one permit, so we don't have to go back to D&R every time we want to do a water line replacement.

MAYOR COSTELLO: Good idea.

ALDERMAN FLAKE: Uh-huh.

ALDERMAN CULLOM: Thank you.

MAYOR COSTELLO: Any other questions for Rob? Good news, Rob. Thank you. And I'll try to get you the correct number. We'll grab a phone book, it's a AA address, it's probably a Wright City address, but it's probably a mile from that site --

ROB HAMLIN: Okay. If you have an address, I'll be glad to go out and just talk to him one-on-one instead --

MAYOR COSTELLO: Okay. All right. Thank you. All right. Moving on to Item No. 11, Patrick Randolph, our Recreation Director. Patrick?

PATRICK RANDOLPH: Good evening, Board. In your packet, I have provided a memo to the Board, to discuss the use of the Warrenton Athletic Complex restroom facilities during the hours -- or during the week, between the hours of 3 o'clock to 8 o'clock in the evening, for the use of the facility has increased quite a bit, compared to what it had been in years past, with fall soccer being full swing.

The current practice of the restroom facilities at the Athletic Complex, being as the facility sits so far on the outside of town, the common practice was to leave the restroom facilities closed; we've had some concerns of vandalism to the park.

My bringing this to you tonight is to discuss it with you and to be able to determine what direction you would like for me to go with the request of the public wanting to have the facility open for their use during the week.

MAYOR COSTELLO: Go ahead.

ALDERMAN KENDALL: My personal feeling is that they should be open. I mean, I'm thinking we could probably pay somebody for close to what you're paying for that --

MAYOR COSTELLO: Portable --

ALDERMAN KENDALL: -- I guess that Port-O-Potty or whatever it's called to kind of be there and lock up and --

PATRICK RANDOLPH: All the other parks are open --

ALDERMAN KENDALL: Yeah.

PATRICK RANDOLPH: -- at the same type of facilities.

ALDERMAN KENDALL: I just --

PATRICK RANDOLPH: And I'm opposed to it.

ALDERMAN TALLO: I agree with Alderman Kendall. I would agree with doing that if we could have someone onsite, because --

ALDERMAN KENDALL: I mean, could you have like one of your seasonal workers -- I mean, what would it be, about 15 hours a week or --

PATRICK RANDOLPH: It would be -- it would be, I would say --

ALDERMAN KENDALL: Three to five hours a day?

PATRICK RANDOLPH: -- about 25 hours a week.

ALDERMAN KENDALL: Twenty-five? Five --

PATRICK RANDOLPH: Have someone there all the time?

ALDERMAN KENDALL: -- is it five hours a day?

PATRICK RANDOLPH: [Nods affirmatively].

ALDERMAN CLARK: Do we have much much trouble with our facilities that we have open?

(INDISCERNIBLE - TALKOVER)

BRAD BUSEKRUS: Yes, horrible.

ALDERMAN CLARK: I mean, those are open during daylight hours, aren't they?

(INDISCERNIBLE - TALKOVER)

BRAD BUSEKRUS: Yeah, and we've always had.

(INDISCERNIBLE - TALKOVER)

ALDERMAN CLARK: I want to know your opinion.

BRAD BUSEKRUS: On leaving it open?

ALDERMAN CLARK: Uh-huh.

BRAD BUSEKRUS: I wouldn't do it.

ALDERMAN CLARK: You wouldn't do it?

BRAD BUSEKRUS: No, absolutely not. Too far out of the way. Lakeview last week, four days in a row, they totally destroyed it. I mean, it's a never-ending thing. And out there, with that, no, I would be totally against it.

ALDERMAN KENDALL: Brad, is it going on while there are people at the fields?

BRAD BUSEKRUS: It's going on anytime. It's going on during the day; I mean, we've been down there at noon and they've been destroyed. We go at 3 o'clock, we go at six -- or 9 o'clock in the morning, they've already got it destroyed. It -- there's no set pattern to it. It's -- I mean, the hecklers, it's a weekly thing that we -- that one of our parks has not had some kind of vandalism done to it.

ALDERMAN KENDALL: Are we catching these --

BRAD BUSEKRUS: I think Patrick caught some that --

PATRICK RANDOLPH: I caught four individuals -- four young individuals last week at Khoury Park, where they were tearing up the facility, shoving toilet paper in the stools and backing them up, and paper towels on the ceiling, and that kind of -- oh, it was a -- it was a mess, and I had reported it to the Chief and provided him with a list of names. I mean -- so, and that was in -- that was in town. And of course, those are the things that have gone on since my time here that have discouraged leaving the facility open to the public. And I would like -- I understand what you're saying, and I support the same thing; I think that they should be able to use the facility. However, do I think that in leaving it open, we're not going to run into issues where we -- comparable to many other parks -- spray-painting the walls in the facility itself? I mean, you can't provide a camera system to catch them in the act, naturally. And perhaps that's one of the reasons why they choose to tear up our restroom facilities, because what's to say they're going to get caught? You just have to be there time -- time it right and catch them. So --

ALDERMAN CLARK: I know also over at Dyer Park, we've been trying to get them because they really get that.

BRAD BUSEKRUS: Oh, yeah, Dyer. I mean, all of them. Lakeview has been the main one, it seemed like; it always has been. They've, you know, destroyed the water faucets, had it flooded. The police called me the one night I was working up here at 8 o'clock. I had to go down there and shut the water off out at the pit, and you know, I've had to leave the facility closed for a couple days, because, I mean, you know, we just didn't have time to get down there to get to it, but that's Lakeview is a never-ending, Dyer, Khoury League. You know, it's just -- They tried to burn the place down.

ALDERMAN KENDALL: Is this common in other communities?

BRAD BUSEKRUS: I mean, this is normal.

PATRICK RANDOLPH: You know, I've worked --

ALDERMAN KENDALL: Is this isolated to Warrenton? What the heck's going on here?

PATRICK RANDOLPH: I don't think so. I think it's --

ALDERMAN KENDALL: It's scary.

PATRICK RANDOLPH: I mean, it happens, you know, anywhere, I'm sure. In my experience in recreation, 17 years, I've never -- honestly have not seen vandalism at the rate where we have it here, unfortunately. I think Warrenton's a wonderful city; however, I am discouraged by the amount of vandalism that goes on.

ALDERMAN KENDALL: Can we have the young people we caught paint the others that are messed up?

ALDERMAN CLARK: It's not necessarily just young people.

ALDERMAN KENDALL: I mean, come on, there's something we've got to do to stop it.

PATRICK RANDOLPH: The ages of the kids that I caught last week range -- there's a six-year-old, two seven-year-olds, and an eight-year-old.

(INDISCERNIBLE - TALKOVER)

ALDERMAN CULLOM: Really young --

PATRICK RANDOLPH: Yeah.

ALDERMAN CLARK: -- if they had to clean it up, they may not do it again.

PATRICK RANDOLPH: I had them clean it up --

PATRICK RANDOLPH: I had them clean it up when I was there and called the parents. The parents came over. I discussed with the parents and I informed the parents that I'd be providing the Chief with some names and numbers.

ALDERMAN DREYER: Did they pay for it?

PATRICK RANDOLPH: They did not pay. There was not anything -- any damage done; I mean, no more than cleaning it up. I caught them in the act of doing it, so I'm sure it would have been a lot worse if --

-

ALDERMAN KENDALL: No, I think they need to clean it and paint it.

(INDISCERNIBLE - TALKOVER)

ALDERMAN KENDALL: If they could keep it clean for the next two months or something.

ALDERMAN DREYER: A can of cleanser -- if their parents pay for it, and --

(INDISCERNIBLE - TALKOVER)

ALDERMAN KENDALL: Share that information with their friends; maybe they wouldn't --

ALDERMAN FLAKE: Well, I think that's kind of an isolated area out there too. There's not that many people live around that area, so it's going to be open for some mischief or --

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: If we had a Port-O-Potty, since there's more activity, it would probably be cheaper than trying to clean up or --

PATRICK RANDOLPH: I was mentioning in the memo there. We have one Port-O-Potty.

ALDERMAN TALLO: Right. I'm saying add one more possibly.

PATRICK RANDOLPH: We have one Port-O-Potty.

ALDERMAN TALLO: Right, but I'm saying add one more, possibly.

PATRICK RANDOLPH: Oh, add another one, right.

ALDERMAN TALLO: Since there isn't -- like you said, because we opened it up this year for practices, correct?

PATRICK RANDOLPH: Right.

ALDERMAN KENDALL: How do those -- they're not destroying those?

PATRICK RANDOLPH: I have no -- I'm not out there. I did check -- I have been out the last couple of weeks to visit, just to see the conditions of the Port-O-Potty, and it wasn't in bad condition when I was out there.

ALDERMAN KENDALL: Yeah.

PATRICK RANDOLPH: I did notice the increased use, and having done so, I had contacted the company.

ALDERMAN KENDALL: Well, I mean, the children that are tearing up these restrooms --

BRAD BUSEKRUS: No, they don't tear that up, no.

ALDERMAN KENDALL: They don't mess with that?

BRAD BUSEKRUS: But we have it secured to the pavilion. They can't tip it over.

PATRICK RANDOLPH: Yeah, it's secure to the pavilion.

ALDERMAN CLARK: Well, I have to say, until I heard your guys comment, I was all in favor of open them up. But now you got me -- I'm thinking maybe we need to --

(INDISCERNIBLE - TALKOVER)

ALDERMAN KENDALL: It's just a shame that our children in our community are destroying --

(INDISCERNIBLE - TALKOVER)

BRAD BUSEKRUS: Well, our boat dock down at Lakeview, they've taken the foam out from underneath it.

ALDERMAN KENDALL: That's a shame.

BRAD BUSEKRUS: Our boat dock has actually been floating out in the middle, and we had to go out and retrieve it and bring it back. And that was done like three days in a row.

ALDERMAN TALLO: Where at? Lakeview?

BRAD BUSEKRUS: Lakeview; the boat dock. Or -- excuse me -- the Spector Lake.

ALDERMAN TALLO: I was going to say, we got a lake out here that I don't know about? Spector. Got you.

(INDISCERNIBLE - TALKOVER)

BRAD BUSEKRUS: But the -- Spector Lake, the boat dock has been -- they've actually almost tipped it over to get the foam out from underneath it, and then took -- broke the cables and pushed the boat dock, the ramp, and everything out to the center. I had to go get a boat -- had to get my boat to bring it back in and resecure it, three times.

PATRICK RANDOLPH: I would like to point out, too, the conditions of the playground equipment. We had from the last couple of years the photos that I've provided the Board, if you'll recall those photos, of the vandalism done to that. I'm just -- I'm -- whatever direction you choose, I'll gladly do. I think the public should be able to use the facility; it's their facility. However, too, I can't say that I would be here addressing the Board in this short period of time of discussing vandalism in the park. And so, whatever direction you choose, I'd gladly do.

ALDERMAN TALLO: Well, I agree, Patrick. But putting good money after bad, that doesn't make any sense either.

PATRICK RANDOLPH: Right.

ALDERMAN TALLO: So, I mean, you want to keep it open for them; at the same time, you don't want to be taking tax dollars and spending it over and over again on the same problem. So-

ALDERMAN CLARK: Is this something the Chief could work on and try to --

DAVIS BERNARD: Oh, we've been working on it, and I'll be bringing a proposal to you at the first meeting in September on something else that we're going to try to do that I've been working with Patrick on to combat this problem.

MAYOR COSTELLO: Good. What's your pleasure until, obviously, this fall season is what Patrick has brought to your attention?

ALDERMAN KENDALL: Well, it's unfortunate, I -- and I hope that the paper can maybe put in there, because I know people are going to be calling Patrick, saying, "Why can't we leave them open? Why did you decide not to leave them open?" And if it's known public that we can't. It's just a -- just a shame.

ALDERMAN FLAKE: After the discussion we've had here, I'll make a motion not to open the restrooms at the Athletic Complex.

ALDERMAN KENDALL: Second.

MAYOR COSTELLO: Motion by Alderman Flake, second by Alderman Kendall to request that the -- direct that the restroom not be opened at the Athletic Complex from the hours of 3:30 till 8:00 in the evening for this fall season, during practice hours. Any questions or comments -- and due to the amount of vandalism.

ALDERMAN TALLO: I've got a question. Do we need to look at the other facilities, since it seemed like -- or can we discuss that?

MAYOR COSTELLO: Let's get this motion taken care of first.

ALDERMAN TALLO: We can't -- we can't bring that one up? This is strictly for the Athletic -- okay.

MAYOR COSTELLO: Any questions or comments? Roll call vote.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

MAYOR COSTELLO: Motion carries 6 to 0. Is there -- is there any reason to think we need to add another Port-O-Potty?

PATRICK RANDOLPH: I'm getting ready -- I was fixing to comment on that to the Board. I think it would be the right thing to do, with the amount of use we have right now in the fall season, to place out an additional unit, about a -- two units; I think that that would be appropriate.

ALDERMAN KENDALL: And put them in different locations? Like -- you know what I'm saying? If --

PATRICK RANDOLPH: Uh-huh.

PATRICK RANDOLPH: I think that the --

ALDERMAN KENDALL: Because I know I've seen kids run -- they run into the bathroom.

PATRICK RANDOLPH: Right now where we have it placed right by the pavilion area, because it's centrally located between the ball the baseball fields and the soccer fields.

ALDERMAN TALLO: Yeah, (indiscernible - talkover).

ALDERMAN KENDALL: Oh, that's true.

PATRICK RANDOLPH: And also, too, we'd want to put it in a place where we could anchor it, as Brad said -- asked.

ALDERMAN KENDALL: Secure it? Yeah.

PATRICK RANDOLPH: And the easiest way to do that is with the concrete, I would imagine. So --

ALDERMAN KENDALL: Yeah.

PATRICK RANDOLPH: -- I will be making a contact -- phone contact tomorrow to have another unit brought out.

MAYOR COSTELLO: I know they're covered under your budget, so you shouldn't have any problems.

PATRICK RANDOLPH: [Nods affirmatively].

MAYOR COSTELLO: All right?

PATRICK RANDOLPH: That's all I have for this evening, unless you there are questions from the Board.

ALDERMAN CULLOM: And Phil had a question about the other --

ALDERMAN TALLO: Do we need to take a look at those? I mean, as far as hours of --

MAYOR COSTELLO: Well, what I'd like to do -- see us do if we can is -- the Chief and Patrick have been talking about ways to combat the vandalism -- is let them come back with a -- to the plan for us. I hate to see us shut down all the facilities we've got. I mean, that's the -- kind of defeats the --

BRAD BUSEKRUS: It happens at all hours. I mean, it's not --

ALDERMAN TALLO: That was my -- going to be my next question, is there a particular time frame. But I -- no problem; I can wait.

MAYOR COSTELLO: And Chief, you know, when you're looking at that, obviously, patrolling is one of the issues. You know, if we need a recommendation to start putting some cameras -- obviously, we can't put cameras inside the facilities, but the boat docks that are at issue, and if we need some cameras in the park, much as I hate to see the Big Brother method, but you know, we've got to do something to get this under control.

DAVIS BERNARD: We've discussed that option also.

ALDERMAN DREYER: How did that work when they had the cable TV -- had the -- their head in down there by the pool? Isn't that with the camera up on those towers?

MAYOR COSTELLO: It worked pretty well.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: It showed up on Channel 3 when there wasn't anything else playing.

ALDERMAN CULLOM: Uh-huh.

ALDERMAN DREYER: I just wonder if that would deter the vandalism or not.

MAYOR COSTELLO: Yeah, that -- we caught some of them. We had no problems with that

BRAD BUSEKRUS: Caught quite a few of them because I could lay in bed, if I hear -- heard them at night, I'd just turn on Channel 3, and sure enough, there were kids --

(INDISCERNIBLE - TALKOVER)

ALDERMAN CLARK: I used to watch it and see if --

(INDISCERNIBLE - TALKOVER)

JASON EMMERSON: Yeah, it's better than some of the stuff that's on TV these days.

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: So this was on 3?

(INDISCERNIBLE - TALKOVER)

BRAD BUSEKRUS: Yeah, it was Channel 3 -- yeah, Charter had it, put it up there, kind of for their facility and --

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: If it's okay with you --

ALDERMAN TALLO: Yes, sir. That's fine.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: -- we'll probably come back with a comment as to -- plan to see if we can get this thing under control.

ALDERMAN TALLO: That's fine. Thank you.

PATRICK RANDOLPH: Mayor, I would like to point out to the Board a reminder that -- now that the school is going in session this week that our municipal pool will be opening up at 3 o'clock during the week and -- 3:00 till 8:00, and then 3:00 till 9:00 on Fridays, Saturdays, noon to 9:00, and Sundays, noon to 8:00, till the end of the season, September 7th. Then it's closed, lights out.

MAYOR COSTELLO: Thank you, Patrick.

PATRICK RANDOLPH: Thank you.

MAYOR COSTELLO: Davis Bernard, our Chief of Police. Davis?

DAVIS BERNARD: One more time, I just had the monthly reports for you at this meeting. I will keep you busy in September.

MAYOR COSTELLO: Any questions for the Chief?

ALDERMAN FLAKE: Thanks for the report. It's good.

MAYOR COSTELLO: Hearing none, we'll move on, then, to Item 13. Jim Daly, our Building Commissioner.

JIM DALY: Good evening, Mayor, Board, and I have nothing on the agenda for this evening.

MAYOR COSTELLO: Any questions or comments for Jim?

(INDISCERNIBLE - TALKOVER)

ALDERMAN CULLOM: He's been busy though.

MAYOR COSTELLO: He has.

ALDERMAN CULLOM: Keep up the good work.

ALDERMAN FLAKE: Uh-huh.

ALDERMAN KENDALL: Heard any repercussions on the fencing or the coverage for the trash?

JIM DALY: Yes.

ALDERMAN KENDALL: I'm sure you would have.

TERRI THORN: She just had to go there.

JIM DALY: She just had to go there.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: Where have you been? Out of town, obviously.

ALDERMAN KENDALL: I hadn't heard -- I haven't heard from anybody, that I know.

(INDISCERNIBLE - TALKOVER)

ALDERMAN DREYER: I haven't either.

JIM DALY: It's been going fairly well, I think. I'm handing out like a courtesy-type letter to all the businesses to let them know that it is coming down the pipe. So I think a lot of them are going to probably voluntarily comply with the ordinance, and we probably won't have too much trouble. So when I'm going to start doing the enforcement, I hope to give it two to three weeks to see what's going to happen. And I haven't spoken with every property owner yet, but I've handed out probably about 30 letters a day. So we just -- I'm just trying to wait and see what's going to happen voluntarily before we have to start giving out 30-day notices.

ALDERMAN KENDALL: Good.

MAYOR COSTELLO: Anything else for Jim?

ALDERMAN KENDALL: No.

MAYOR COSTELLO: Item 14, Michelle Schlenther, our Economic Development Director. Michelle?

MICHELLE SCHLENTHER: Good evening. And tonight, I'd like to bring before you - - you have some bid openings for Market Street Sidewalk Enhancement Project. We had four individuals bid for the project, with the low bidder being Karrenbrock Construction and the high bidder being Bill Sullivan Excavation. And I'd like to recommend to you tonight that we go with Karrenbrock Construction for the construction of the Market Street Sidewalk Enhancement.

MAYOR COSTELLO: And that bid amount is?

MICHELLE SCHLENTHER: It is \$76,949.50.

MAYOR COSTELLO: And that is considerably lower than Butler, right?

MICHELLE SCHLENTHER: Yes.

ALDERMAN CLARK: I make a motion that we approve the recommendation of Karrenbrock Construction on \$76,949.50.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Clark, second by Alderman Tallo to accept the low bid of Karrenbrock Construction for the Market Street Sidewalk Project, for \$76,949. Questions or comments? Roll call vote.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

MAYOR COSTELLO: Motion carries 6 to 0. Michelle, do we have the opportunity to still access any of the funds that are left from that?

MICHELLE SCHLENTHER: I can look into that for you and let you know.

MAYOR COSTELLO: What?

MICHELLE SCHLENTHER: I will look into that and let you know.

MAYOR COSTELLO: Okay. So wasn't there \$120,000 or so left in that budget?

TERRI THORN: No, remembering, though, that we will have some of those funds expended for engineering costs for this project.

MAYOR COSTELLO: Right.

ALDERMAN FLAKE: When can they start?

MICHELLE SCHLENTHER: Once I have -- since we're approved, I will be sending a letter to Robert Manzke at MODOT, and he -- once he receives the letter, he will request concurrence and award. And since Karrenbrock is actually a preapproved -- they're on MODOT's preapproved list, hopefully, it should go very smoothly.

MAYOR COSTELLO: Okay. Anything else?

MICHELLE SCHLENTHER: Yes, I have some good news for you. We have -- in regard to the Homeland Security Grant, the generator and automatic transfer switch have been ordered for the new City Hall building, and we have received the automatic transfer switch, and the generator is tentatively scheduled to be shipped September 15th.

MAYOR COSTELLO: Anything else, Michelle?

MICHELLE SCHLENTHER: That is all I have this evening.

MAYOR COSTELLO: Any questions from the Board?

ALDERMAN TALLO: Thanks, Michelle.

MAYOR COSTELLO: Any comments from the Board?

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: Yeah, keep up the good work. Let me rephrase that.

MAYOR COSTELLO: Moving on, then, to Item No. 15, Deb Jett, our Human Resources Director, Ms. Jett.

DEB JETT: Good evening, everybody. You have in front of you the monthly report. And you also have in front of you a bid tab. We went out to bid strictly for our business forms. The low bid was Lackman Graphics; the high bid was Missourian Publishing. It is my recommendation that we go with Lackman Graphics, for two reasons: They are the low bid, and they are also local.

ALDERMAN TALLO: I make a motion to go with the recommendation of the Human Resource Director to accept its low bid from Lackman Graphics of \$3,259.00.

ALDERMAN FLAKE: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, second by Alderman Flake to accept the recommendation of the Human Resources Director in our bid for forms

printing and award that to Lackman Graphics, for a low bid of \$3,259.00. Any questions or comments? Roll call vote.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

MAYOR COSTELLO: Motion carries 6 to 0. Deb?

DEB JETT: Yeah, that's it.

MAYOR COSTELLO: Any questions for Deb?

ALDERMAN TALLO: Can I make a comment?

MAYOR COSTELLO: Absolutely.

ALDERMAN TALLO: Thank you.

MAYOR COSTELLO: Any other comments?

ALDERMAN CULLOM: Thanks, Deb.

ALDERMAN TALLO: We need a break.

MAYOR COSTELLO: Yeah, we should have a break. We should have had a break a long time ago.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: All right. We'll move on, then, to Item No. 16, Brad Busekrus, our Maintenance and Grounds Director.

BRAD BUSEKRUS: The only thing I have is we did go out for bids for a new rear-discharge mower for the cemetery. The bids are supposed to be back the 26th, and when I get back off vacation, I will have a recommendation for you.

ALDERMAN CLARK: Vacation?

ALDERMAN CULLOM: We gave you a vacation?

(INDISCERNIBLE - TALKOVER)

ALDERMAN CLARK: Has that be approved?

(INDISCERNIBLE - TALKOVER)

ALDERMAN KENDALL: Yes. We forgot to tell you, we're going to be working on this recreation center next week, so you won't be able to take your vacation.

ALDERMAN CLARK: I thought you left for vacation Saturday?

BRAD BUSEKRUS: No, I just went and cleaned the boat up to get ready to go on vacation.

MAYOR COSTELLO: Oh, you went to (indiscernible)?

BRAD BUSEKRUS: Right.

ALDERMAN CLARK: Oh, boy, that's exciting.

MAYOR COSTELLO: Well deserved. Enjoy your vacation.

BRAD BUSEKRUS: I will.

MAYOR COSTELLO: Thanks for -- again, for all your help.

BRAD BUSEKRUS: Thank you.

ALDERMAN TALLO: Thanks a lot.

MAYOR COSTELLO: All right. We're down to Item 17, Bills to Ordinance.

ALDERMAN KENDALL: Call for the first reading of Bill No. 50-09.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, second by Alderman Dreyer for the introduction and first reading of Bill No. 50-09.

CITY CLERK RUGH: An ordinance amending section 400.050 of Chapter 400 of Title V of the Municipal Code of the City of Warrenton, Missouri, regarding definitions.

ALDERMAN FLAKE: Call for second and final reading and passage of Bill No. 50-09.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Flake, second by Alderman Cullom for the second and final reading and passage of Bill No. 50-09.

CITY CLERK RUGH: An ordinance amending section 400.050 of Chapter 400 of Title V of the Municipal Code of the City of Warrenton, Missouri, regarding definitions.

MAYOR COSTELLO: Any questions or comments? Roll call vote.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

**BILL NO. 50-09**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 400.050 OF CHAPTER 400 OF  
TITLE IV OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON,  
MISSOURI REGARDING DEFINITIONS**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON,  
MISSOURI, AS FOLLOWS:

SECTION I. That Section 400.050 of Chapter 400 of Title IV of the  
Municipal Code of the City of Warrenton, Missouri is hereby amended by  
changing the definition of "Vacation Vehicle" which shall read as follows:

VACATION VEHICLE: All vehicles used or constructed for use as  
conveyances upon public streets and highways and duly licensable as such, and  
constructed for human occupancy as dwellings or sleeping places for one (1) or

more persons, provided further this definition shall refer and include all portable contrivances used or intended to be used generally for temporary living and sleeping quarters and capable of being moved by its own power, towed or transported by another vehicle, including camping trailers of any sort and pick-up campers; however such vehicle may not be connected to utilities at the owner's property site or used as living quarters there or parked in any required front yard. Vacation vehicles shall be allowed as provided for in Section 500.030.

SECTION II. That Section 400.050 of Chapter 400 of Title IV of the Municipal Code of the City of Warrenton, Missouri is hereby amended by adding the definition of "Transient Amusement Activities" which shall read as follows:

TRANSIENT AMUSEMENT ACTIVITIES: An amusement, recreational or entertainment type of business or organization operating at one venue, for a fixed and short period of time. (A carnival, circus, rodeo, fair or travelling exhibition would all be examples of transient amusement activities.)

SECTION III. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. This Ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 18th day of August, 2009.

Fred Flake  
President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 18th day of August, 2009.

Greg Costello  
Mayor

ATTEST:

Melody Rugh  
City Clerk

ALDERMAN TALLO: Call for the first reading of Bill No. 51-09.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, second by Alderman Dreyer for the introduction and first reading of Bill No. 51-09.

CITY CLERK RUGH: An ordinance readopting Chapter 130, conflicts of interest of the Code of the City of Warrenton, Missouri.

ALDERMAN FLAKE: Call for the second and final reading and passage of Bill No. 51-09.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Flake, second by Alderman Cullom for the second and final reading and passage of Bill No. 51-09.

CITY CLERK RUGH: An ordinance readopting Chapter 130, conflicts of interest of the Code of the City of Warrenton, Missouri.

MAYOR COSTELLO: Questions or comments? Roll call vote.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

**BILL NO. 51-09**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE READOPTING CHAPTER 130 "CONFLICTS OF INTEREST" OF THE CODE OF THE CITY OF WARRENTON, MISSOURI**

WHEREAS, the Revised Statutes of the State of Missouri require that personal financial disclosure statements and conflicts of interest be readopted every two years.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON, MISSOURI, AS FOLLOWS:

SECTION 1: Section 130.010 "Declaration of Policy" of the Warrenton Municipal Code is hereby readopted:

**SECTION 130.010: DECLARATION OF POLICY**

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City. (R.O. 2006 §130.010; Ord. No. 694 §I, 8-27-91; Ord. No. 778 §I, 9-7-93; Ord. No. 818 §I, 8-15-94; Ord. No. 850 §I, 8-15-95; Ord. No. 891 §I, 9-3-96; Ord. No. 953 §I, 9-2-97; Ord. No. 1031 §I, 9-1-98; Ord. No. 1097 §I, 9-7-99; Ord. No. 1144 §I, 8-15-00; Ord. No. 1207 §I, 8-21-01; Ord. No. 1281 §I, 9-3-02; Ord. No. 1337 §I, 8-19-03; Ord. No. 1541 §I, 8-16-05; Ord. No. 1715 §I, 8-7-07)

SECTION II: Section 130.020 "Conflicts of Interest" of the Warrenton Municipal Code is hereby readopted:

**SECTION 130.020: CONFLICTS OF INTEREST**

The Mayor or any member of the Board of Aldermen who has a substantial personal or private interest, as defined by State law, in any measure, bill, order or ordinance shall disclose on the records of the Board of Aldermen the nature of the interest. (R.O. 2006 §130.020; Ord. No. 694 §II, 8-27-91; Ord. No. 778 §II, 9-7-93; Ord. No. 818 §II, 8-15-94; Ord. No. 850 §II, 8-15-95; Ord. No. 891 §II, 9-3-96; Ord. No. 953 §II, 9-2-97; Ord. No. 1031 §II, 9-1-98; Ord. No. 1097 §II, 9-7-99; Ord. No. 1144 §II, 8-15-00; Ord. No. 1207 §II, 8-21-01; Ord. No. 1281 §II, 9-3-02; Ord. No. 1337 §II, 8-19-03; Ord. No. 1541 §II, 8-16-05; Ord. No. 1715 §I, 8-7-07)

SECTION III: Section 130.030 "Disclosure Reports" of the Warrenton Municipal Code is hereby readopted:

**SECTION 130.030: DISCLOSURE REPORTS**

Each elected official, the Chief Administrative Officer, the Chief Purchasing Officer and the general counsel (if employed full-time) shall

disclose the following information by May first (1st) if any such transactions were engaged in during the previous calendar year:

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, that date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and
2. The date and identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility services to the City, and other than transfers for no consideration to the City; and
3. The Chief Administrative Officer and the Chief Purchasing Officer also shall disclose by May first (1st) for the previous calendar year the following information:
  - a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;
  - b. The name and address of each sole proprietorship that he/she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he/she was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;
  - c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver. (R.O. 2006 §130.030; Ord. No. 694 §III, 8-27-91; Ord. No. 778 §III, 9-7-93; Ord. No. 818 §III, 8-15-94; Ord. No. 850 §III, 8-15-95; Ord. No. 891 §III, 9-3-96; Ord. No. 953 §III, 9-2-97; Ord. No. 1031 §III, 9-1-98; Ord. No. 1097 §III, 9-7-99; Ord. No. 1144 §III, 8-15-00; Ord. No. 1207 §III, 8-21-01; Ord. No. 1281 §III, 9-3-02; Ord. No. 1337 §III, 8-19-03; Ord. No. 1541 §III, 8-16-05; Ord. No. 1715 §I, 8-7-07)

SECTION IV: Section 130.040 "Filing of Reports" of the Warrenton Municipal Code is hereby readopted:

**SECTION 130.040: FILING OF REPORTS**

The reports shall be filed with the City Clerk and with the Ethics Commission. The reports shall be available for public inspection and copying during normal business hours. (R.O. 2006 §130.040; Ord. No. 694 §IV, 8-27-91; Ord. No. 778 §IV, 9-7-93; Ord. No. 818 §IV, 8-15-94; Ord. No. 850 §IV, 8-15-95; Ord. No. 891 §IV, 9-3-96; Ord. No. 953 §IV, 9-2-97; Ord. No. 1031 §IV, 9-1-98; Ord. No. 1097 §IV, 9-7-99; Ord. No. 1144 §IV, 8-15-00; Ord. No. 1207 §IV, 8-21-01; Ord. No. 1281 §IV, 9-3-02; Ord. No. 1337 §IV, 8-19-03; Ord. No. 1541 §IV, 8-16-05; Ord. No. 1715 §I, 8-7-07)

SECTION V: Section 130.050 "Financial Interest Statements - When Filed" of the Warrenton Municipal Code is hereby readopted:

**SECTION 130.050: FINANCIAL INTEREST STATEMENTS -- WHEN FILED**

The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:

1. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment;
2. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that any member of the Board of Aldermen may supplement the financial interest statement or report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement. (R.O. 2006 §130.050; Ord. No. 694 §V, 8-27-91; Ord. No. 778 §V, 9-7-93; Ord. No. 818 §V, 8-15-94; Ord. No. 850 §V, 8-15-95; Ord. No. 891 §V, 9-3-96; Ord. No. 953 §V, 9-2-97; Ord. No. 1031 §V, 9-1-98; Ord. No. 1097 §V, 9-7-99; Ord. No. 1144 §V, 8-15-00; Ord. No. 1207 §V, 8-21-01; Ord. No. 1281 §V, 9-3-02; Ord. No. 1337 §V, 8-19-03; Ord. No. 1541 §V, 8-16-05; Ord. No. 1715 §I, 8-7-07)

SECTION VI. This Ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 18th day of August 2009.

Fred Flake

President, Board of

Alderman

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 18th day of August, 2009.

Greg Costello

Mayor

ATTEST:

Melody Rugh

City Clerk

ALDERMAN KENDALL: Call for the first reading of Bill No. 52-09.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, second by Alderman Tallo for the introduction and first reading of Bill No. 52-09.

CITY CLERK RUGH: An ordinance levying and imposing a tax for the calendar and fiscal year of 2009 for federal, municipal, and public parks purposes.

ALDERMAN FLAKE: Call for second and final reading and passage of Bill No. 52-09.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: Motion by Alderman Flake, second by Alderman Dreyer for the second and final reading and passage of Bill No. 52-09.

CITY CLERK RUGH: An ordinance levying and imposing a tax for the calendar and fiscal year of 2009 for federal, municipal, and public parks purposes.

MAYOR COSTELLO: Any questions or comments? Roll call vote.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

**BILL NO. 52-09**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE LEVYING AND IMPOSING A TAX FOR THE CALENDAR AND FISCAL YEAR OF 2009 FOR GENERAL MUNICIPAL AND PUBLIC PARK PURPOSES.**

BE IT ORDAINED by the Board of Aldermen of the City of Warrenton, Missouri, as follows:

SECTION I. There is hereby levied and imposed for the calendar and fiscal year of 2009 for the general municipal purposes a tax upon all real and personal property within the corporate limits of the City at the rate of twenty-six forty-eight percent (\$.2648) on each ONE HUNDRED DOLLARS (\$100.00) assessed valuation.

SECTION II. There is hereby levied and imposed for the calendar and fiscal year of 2009 for the establishment and maintenance of free public parks within the City a tax upon all real and personal property within the corporate limits of the City at the rate of fifteen sixty-nine percent (\$.1569) on each ONE HUNDRED DOLLARS (\$100.00) assessed valuation.

SECTION III. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. A cancellation of any part of this Ordinance by judgment or other orders shall in no way affect any of its other provisions, which shall remain in full force and effect.

SECTION V. This Ordinance shall take effect and be in full force from and after the passage and approval hereof.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 18th day of August, 2009.

Fred Flake  
President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 18th day of August, 2009.

Greg Costello  
Mayor

ATTEST:

Melody Rugh  
City Clerk

MAYOR COSTELLO: Terri, what do we have for Executive Session?

TERRI THORN: We have personnel.

ALDERMAN CULLOM: I make a motion we go on to Executive Session for the discussion of personnel.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, second by Alderman Tallo that we move to the Executive Session for the discussion of personnel. Any questions or comments? Roll call vote.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

ALDERMAN TALLO: I make a motion we adjourn.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, second by Alderman Cullom that we adjourn. All in favor signify by saying aye.

ALDERMEN: Aye.

MAYOR COSTELLO: Opposed? So be it.

The meeting was adjourned at 9:32 p.m.

Melody Rugh  
City Clerk

Minutes Approved: \_\_\_\_\_

\_\_\_\_\_  
Greg Costello, Mayor

\_\_\_\_\_  
Melody Rugh, City Clerk