

6:30 P.M. Work Session on Bidding Practices



AGENDA
WARRENTON BOARD OF ALDERMEN
Tuesday, September 1, 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, **September 1, 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:

- **Amendment to Zoning Code, Chapter 415 regarding Flood Damage Prevention (ADM 40).**

- 1. Open meeting
- 2. Open and Executive Session Minutes of August 4, 2009
- 3. Work Session Minutes of August 18, 2009 - Chamber of Commerce
- 4. Executive Session Minutes of August 18, 2009
- 5. Work Session Minutes of August 25, 2009 - Fair Board
- 6. Hearing from the Public
- 7. Board of Aldermen Comments
- 8. Mayor's Report to the Board
 - a. Appoint to Extension Center Board
- 9. Cochran Engineering - Booster Station progress report
- 10. Band Permits; Rock for Hope Concert - Norman McFadden
- 11. Approval to close portions of Market, Main and Pinckney Streets for the Warrenton High School Homecoming Parade on 10/8/2009
- 12. Request for Approval of a Retail Liquor by the Drink Picnic License for the JDF (Juvenile Diabetes Research) on Saturday, September 26, 2009 at the Warren County Fairgrounds
- 13. Mr. Yeager - Water Connection to New House in Hidden Lakes
- 14. Terri Thorn, Director of Operations/Finance Officer
 - a. Accounts Payable
 - b. Tourism Commission Recommendations
 - c. General Electrician Bid
- 15. Rob Hamlin, Public Works Director
 - a. Update on Pedestrian Bridge
 - b. Commercial Meters
- 16. Patrick Randolph, Recreation Director
 - a. Printer Bid
- 17. Davis Bernard, Chief of Police
 - a. Park Vandalism Response
 - b. Request for approval for capital purchase of police vehicles
 - c. Request for approval for capital purchase of CVSA purchase
 - d. Approval for Children at Play sign
- 18. Jim Daly, Building Commissioner
 - a. Building Report
 - b. Explanation of Ord. #53-09 "Flood Damage Prevention"
 - c. Trash Dumpster Enclosure Enforcement
- 19. Michelle Schlenther, Economic Development Director
 - a. Update on the Neighborhood Stabilization Project

- 20. Deb Jett, Human Resources Director
 - a. Policy on Background Checks
- 21. Brad Busekrus, Maintenance and Grounds Director
 - a. Mower Bid
- 22. Bills to Ordinance:
 - a. Bill No. 53-09 Ord amending Chapter 415 "Flood Damage Prevention"
- 23. Executive Session - Litigation
- 24. Executive Session - Real Estate
- 25. Executive Session - Personnel
- 26. 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 28th day of August, 2009

Melody Rugh

City

Clerk

**Next regular meeting of the Warrenton Board of Aldermen
September 15, 2009 at 7:30 p.m.**

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BE IT REMEMBERED that on this 1st day of September, 2009, it being the first 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 meeting for September 1st, 2009, of the Warrenton Board of Aldermen. The first item that we have this evening is the Public Hearing. That is in regard to an amendment to Zoning Code, Chapter 415, regarding Flood Damage Prevention. Any comments from the public in regard to the Public Hearing on the Zoning Amendment, flood damage? Hearing none, we will officially close the Public Hearing and open the meeting. The first item we'll cover is the Open and Executive Session minutes of August the 4th, 2009.

ALDERMAN CULLOM: I'll make a motion that we approve the Open and Executive Session minutes of August the 4th, 2009, as presented.

ALDERMAN CLARK: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Clark to approve the Open and Executive Session Minutes of August the 4th, 2009, as presented by the City Clerk. 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. The next item is the Work Session minutes of August 18th, 2009. And that was a Work Session scheduled with the Chamber of Commerce.

ALDERMAN FLAKE: Motion to approve the Work Session minutes of August 18th, 2009, with the Chamber of Commerce.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: I have a motion by Alderman Flake, seconded by Alderman Dreyer to approve the Work Session minutes of August 18th, 2009. 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. The final set of minutes -- well, something else. We also have Executive Session minutes from August 18th, 2009.

ALDERMAN KENDALL: I make a motion we approve the Executive Session minutes from August 18th, 2009.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, seconded by Alderman Tallo to approve the Executive Session minutes from August 18th, 2009, as submitted by the City Clerk. 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. And now we'll move to the final minutes for approval this evening, and that is the Work Session minutes of August 25th, 2009, and that was a Work Session with the Warren County Fair Board.

ALDERMAN FLAKE: Motion to approve the Work Session minutes of August the 25th, 2009, with the Fair Board.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Flake, seconded by Alderman Cullom, to approve the Work Session minutes of August 25th, 2009. Questions or comments? Roll call vote.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN CLARK: Abstain; I was absent.

ALDERMAN DREYER: I abstain; I was absent.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

MAYOR COSTELLO: Motion carries 4 to 0, with two abstentions. And then we'll move on to Item No. 6, which is hearing from the public. We offer the opportunity to anyone from the public to address the Board with any questions, comments, or remarks that you might have that are not covered on this evening's agenda. Anyone from the public?

Move on, then, to Item No. 7, the Board of Aldermen comments. Anyone from the Board? Hearing none, we'll move, then, to the Mayor's Report to the Board. And the one item that I do have for you this evening is the appointment to the Extension Center Board. I had a request from Gabrielle that she be removed from that Board. She's going to be working -- is it on her master's?

TERRI THORN: Uh-huh.

MAYOR COSTELLO: And she'll be spending a lot of time at school in the evenings, and so she has asked to step down from that. And we have an offer from Brad Busekrus to step into that position and serve, and that is who I would give you as my appointment to the Extension Center Board, Brad Busekrus.

ALDERMAN CULLOM: I make a motion to -- yeah.

ALDERMAN TALLO: So moved.

ALDERMAN CULLOM: Second.

ALDERMAN TALLO: Sorry.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Cullom to approve the Mayor's appointment of Brad Busekrus to the Extension Center Board -- and that's the University of Missouri Extension Center board. 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.

ALDERMAN CULLOM: Thanks for agreeing to do that, Brad.

BRAD BUSEKRUS: Oh, it's no problem at all.

ALDERMAN FLAKE: Yes, congratulations.

MAYOR COSTELLO: Move on, then, to Item No. 9. I have Kurt Daniels with us this evening with Cochran Engineering to give us an update on our Booster Station and give us a progress report. Kurt?

KURT DANIELS: Good evening, Board. I appreciate your time tonight. Just to give you an update, I think we got all good news. Last time we met was August 4th. We had submitted a D&R, made some calls to D&R; on August 7th, they had signed the permit. So as of August 7th, we did have the permit. We didn't get it till about the 24th, but that's just the process.

We have sent out all the packets. Friday, we'll meet at 10:00 a.m. to go ahead and open the bid packets to see what the bids are on this. We'll do this here with Rob; we'll go ahead and review the bids. At that point, probably sometime mid next week, late next week, we will decide who's the best candidate, what manufacturer we want to go with. So one thing we could do on that is depending on what you do. I think your next Board meeting would be the 15th. If we wanted to move that up a little bit and get you guys to agree to a manufacturer, sign a contract, to go ahead and award the bid, we could do that. There's quite a bit of work to be done prior to the equipment coming in. I don't think the lead times are going to overlap. There's going to have to be some site grading, some building pads, foundations, building put up, and so on and so forth. So that's something we could throw out there. If it was late next week, the following week, or wait till the 15th to get the bid we think is the best one out there in front of you.

MAYOR COSTELLO: I guess the magic question, Kurt, is will we pick up a week by bringing the Board together a week early? If not, then I think we can probably just wait till the regular meeting.

KURT DANIELS: It depends on how fast the building can go up. And I mean, it's -- I don't know that we gain can a week. I mean, if things went really well and everything started rolling, we'd always rather have the equipment in and have the building done and sitting there. I don't know if that's going to be the case. I'd say there's probably a 10 to 20 percent chance maybe it'll get done. I think we're about a six- to eight-week lead time on a lot of the equipment, so I think the building's going to take somewhere in that amount of time. So we're probably going to be right in line --

MAYOR COSTELLO: And you're going to know who the low bidder is and probably let them know that they're a low bidder?

KURT DANIELS: That day, we'll just announce the bids. We'll get together and make sure all the bids are apples to apples. I mean, if they sit

there and listen, they'll know who the low bidder was. And as long as they bid everything that was applicable, then they'll know leaving that.

MAYOR COSTELLO: I don't see a real need, unless you have something contrary, that we would meet just for that. It sounds like we've got quite a bit of work to do. Plus, you'll likely know the bidder? And the -- you know, you should be able to let them know what your recommendations are going to be, you know, unless there's something really unusual about their bid.

KURT DANIELS: And we could make sure that the lead time fits in. And if for some reason, I -- hey, the week would help us, we could always get in touch with you and say, hey, let's go ahead and move this up.

MAYOR COSTELLO: Right, yeah. Right.

KURT DANIELS: So if that's the -- if that's what you guys would like to do, that's fine with us, and I think that works well. And so --

MAYOR COSTELLO: That'll give you time to review and --

KURT DANIELS: Exactly.

MAYOR COSTELLO: -- and then we'll be ready to go on the 15th of the month. Unless you, you know, if at some juncture, you see that there's a real benefit by us calling a special meeting, I'm more than happy to do that, but as you just heard the number of minutes we approved from last month, we've been keeping these folks busy.

KURT DANIELS: Yeah. No, I don't -- we'll look at them. If something comes up, we'll let Rob know and get with you guys. But we'll probably will be okay. We just wanted to throw out that that was an option. Once we look at the bids, we're going to go over all the building with Rob to make sure it's what you guys are looking for. Depending on the manufacturer, we could reduce the size of the building before we go ahead and just stamp the final print on the building. So -- but at this point, I think everything's on go. We'll know on Friday the final bids, and at this point, I think we're moving forward, and you should start seeing some dirt turn very, very quick.

MAYOR COSTELLO: And we're -- you know, our intention, obviously -- you're aware; I don't know if the public is -- but we intend on building our own building, so we're not going to have to wait for bids to come in. So we should be able to get that up fairly quickly. Brad and his staff are totally capable of making that happen. So --

BRAD BUSEKRUS: Uh-huh.

KURT DANIELS: So -- and we'll talk about that on Friday as far as getting the grading package and all, start moving, getting the site prepped, getting gravel in, getting ready for the foundation and all that. So I mean, that's stuff that, as quick as you guys are ready, we're pretty -- we can move.

MAYOR COSTELLO: Okay. What else, Kurt?

KURT DANIELS: I think that's about it. I'm moving forward, and other than that, I think that's where we are.

MAYOR COSTELLO: Well, I know that you have other things to do on Tuesday evenings. But I appreciate you coming up. And I think it's helpful to the Board to get an update. So --

KURT DANIELS: No problem.

ALDERMAN CULLOM: We especially like the good news.

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: Apparently, when you come, it's always the good news, though.

(INDISCERNIBLE - TALKOVER)

KURT DANIELS: Chris and Jeff are definitely the technical gurus on boosters, so --

ALDERMAN TALLO: Yeah.

KURT DANIELS: Yeah, they are the ones that -- they're in it day in and day out, so --

ALDERMAN TALLO: No, I appreciate all your work. Thank you.

KURT DANIELS: Glad to do it.

(INDISCERNIBLE - TALKOVER)

ALDERMEN: Thank you.

ALDEMAN CULLOM: Thanks, Kurt.

MAYOR COSTELLO: Thank you.

KURT DANIELS: Thank you.

MAYOR COSTELLO: All right. We'll move, then, to Item No. 10, Band Permits. I presume this is as in merchant's license for our Rock for Hope Concert. Mr. McFadden?

NORMAN MCFADDEN: Good evening, ladies and gentlemen.

ALDERMEN: Hi.

(INDISCERNIBLE - TALKOVER)

NORMAN MCFADDEN: Yeah, I was wanting to talk to you, because you know, most of these bands, all the bands are coming up here for a long ways to play at your fine town, you know, to raise money for our hospitals. And I was wanting to talk to you about maybe waiving the \$10.00 fee for them, because you know, a lot of them are just trying to make gas; they're going to sell a couple CDs. And they're not going to sell much, just a couple CDs and stuff like that, just to make a little gas for driving up here. Some of them come a long way -- from Mississippi, Nebraska, and all over the place -- and it'd just help them out, so I just thought I'd come before you and ask you to maybe --

MAYOR COSTELLO: Well, I don't know the Board's opinion on that, but my opinion is that we have the permit process for a couple reasons. And part of it is, number one, so that the City of Warrenton knows what's being sold in its community to our citizens.

NORMAN MCFADDEN: Yeah.

MAYOR COSTELLO: And secondly is that if there is a issue that comes up -- not particularly on, obviously, CDs, but we've had this in the case of the fair, and then we've had it in other events -- that if there is a product that's sold that harms someone, we don't have any way of

knowing who that is. I don't think \$10.00 is an exceptional amount for a weekend event. As I indicated to you when you came before the Board and asked for the tourism funds, the City of Warrenton has to be blind in regard to what this funding is used for. Your Hope concert, Rock for Hope concert is certainly -- sounds like a good event, fund raiser, but that cannot be what our government looks at when we're issuing these tourism funds.

We have to look at the recommendation that came from the Tourism Commission. And you -- I think you were given \$2,100.00 for advertising. That advertising expense isn't about Rock for Hope; it's about bringing tourism into our city. And to look at it in any other way and to ask that it -- that we give a break because it's a fund raiser, I think we're making a mistake.

NORMAN MCFADDEN: Well, the reason I ask, most of the bands, you know, they need a tax ID, and they're just -- most of the bands, they're just bands; they don't have tax ID's or anything like that.

MAYOR COSTELLO: Uh-huh.

NORMAN MCFADDEN: But all the booths, now, every booth we got out there have filed the paper, and they have paid their \$25.00.

MAYOR COSTELLO: Well, as I understood it, you were wanting to sell -- the band -- individual bands were wanting to sell items, and the comment was made they wouldn't come unless they could sell some things. Well, that doesn't sound to me like they're going to be selling one or two CD's. I -- you know, and I don't know and don't care how many they sell. I don't have any control over that; don't have any control of how you set this up to bring bands in. I don't have any knowledge or control over what you're making for doing this, if you're making anything.

NORMAN MCFADDEN: I'm a volunteer; I don't get anything.

MAYOR COSTELLO: Well, but do you understand what -- the City has to treat everyone the same, or as much as we can, and that's what we attempt to do. And I -- you know, again, the Board might have a total different view of this, but --

NORMAN MCFADDEN: Well, it's always a honor to come before you guys. You're all good people and everything, so whatever you go for, we'll try to abide by it.

ALDERMAN TALLO: I just -- I don't understand why \$10.00 would keep a band from coming.

NORMAN MCFADDEN: Well, it's not the \$10.00; the \$10.00 is not a big problem. It just -- most of them, you know, they're bands and they don't have a tax ID number. So if they don't have a tax ID number, they can't fill out these papers and sell their merchandise.

ATTORNEY GRAVILLE: And I just want to reiterate to the Board, and just for the public, understand, the tax ID number is a State statute that was passed. We are required, before we can issue a license -- a merchant's license or a vendor's license -- we are required to verify that there's either a No Tax Due or a State tax ID number. And some cities are not being as vigilant in enforcing this, and I'm not commenting on anybody immediately surrounding us. But the City of Warrenton, I mean, it's just been very clear what the State statute says: that you have to verify that number, or a No Tax Due, before you can issue the vendor's license. If we don't do it, we're violating the State statute, which is a requirement of the Department of Revenue. So that requirement is not as much something imposed by the City as much

it is to a new statutory requirement that's been put in place by the Missouri legislature. And you know, all merchants -- you know, we've had a very transitional period this year, with merchants having to make sure that they have their No Tax Due or their State tax ID number in place. And we've worked with a lot of merchant's -- merchants that are here year-round -- to make sure that this has gone as seamless as it can, because it's definitely a change in law. And it does have some imposition on small merchants or seasonal merchants, but it is a requirement by State statute. And I just want to reiterate that, because there's this misconception that that's not required, but that's a State statute requirement, not a City requirement: Before we can issue the license, we have to have that information, in order to comply with Missouri law.

NORMAN MCFADDEN: Okay.

MAYOR COSTELLO: Does anyone on the Board differ from that? Or --

ALDERMAN CULLOM: No, I think you stated it very well.

ALDERMAN CLARK: You did a fine job.

ALDERMAN KENDALL: Thank you, Mayor.

NORMAN MCFADDEN: Okay. I was just wanting to know. Now, could I ask him something just for a minute?

MAYOR COSTELLO: Oh, absolutely.

NORMAN MCFADDEN: I'm not real good on stuff like this, but if they don't -- could they use -- they can't use their social number on that at all?

ATTORNEY GRAVILLE: You'd have to contact the Missouri Department of Revenue.

NORMAN MCFADDEN: I can contact them.

ATTORNEY GRAVILLE: The only thing that we require is the No Tax Due or the Missouri State tax Id number; correct, Terri?

TERRI THORN: Correct.

ATTORNEY GRAVILLE: One of those two. So however they go about getting that is really between that individual merchant and the Department of Revenue. But that's what we need in order to meet our State statute requirements, as a municipality.

NORMAN MCFADDEN: Okay. That's fine.

ATTORNEY GRAVILLE: So I would -- I would encourage you to get on the Missouri Department of Revenue website. They've got multiple information and numbers you can do. I'm sure they've been dealing with a lot of merchants with this new law, so I'm sure that's a question they'll be readily, easily able to answer and try to make it convenient for your vendors coming in.

NORMAN MCFADDEN: Okay. I just needed to know about that. Thank you.

ATTORNEY GRAVILLE: Thank you.

MAYOR COSTELLO: Good luck.

NORMAN MCFADDEN: Thank you for your time.

ALDERMAN FLAKE: Yeah, good luck.

MAYOR COSTELLO: All right. Move on, then, to Item No. 11, the approval to close portions of Market, Main, and Pinckney Streets for the Warrenton High School Homecoming Parade on October the 8th, 2009.

ALDERMAN KENDALL: I'll make a motion that we approve the request to close portions -- I don't know exactly what -- just portions of Market, Main, and Pinckney Streets for the high school homecoming parade on October 8th, 2009.

ALDERMAN CLARK: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, seconded by Alderman Clark to approve the request from the Warren R-3 Schools we close portions of Market, Main, and Pinckney Streets for the Warrenton High School Homecoming Parade on October 8th, 2009. Questions or comments?

ALDERMAN CULLOM: Is this -- are they also going to be required to tape off the street for the parade, for the safety? It's gotten to where it's -- last year, it was about as big as the Warren County Fair with having the people downtown, and the kids were out there in the middle of the road. And I think it's just a good idea that we -- before all the major parades like this, that they need to -- because that is so much safer when they've got that -- taping up their -- even if it means to the point, eventually, that we provide this -- and get something that we can permanently loan out to somebody when we're going to have a parade. I just think it's a good idea.

MAYOR COSTELLO: Well, maybe we want to look at doing that as part of the deposit process.

CHIEF BERNARD: The challenge that we would have with --like the homecoming parade, with it being in the evening like that, we're not going to have the assistance of having the -- Catch the Glow where we get the street shut down and we can have that blocked off.

ALDERMAN CULLOM: Yeah, I understand it'd be a lot more difficult to do it.

CHIEF BERNARD: It would -- yeah, I -- we can't --

ALDERMAN CULLOM: But I -- for the safety -- I mean, there were just too many kids out there in the middle of the road last year.

CHIEF BERNARD: Oh, I know.

ALDERMAN CULLOM: And they had -- and also, they need -- they will not be able to throw out stuff --

CHIEF BERNARD: Exactly. We can see what we can come up with. Like I said, that will be the challenge.

ALDERMAN CULLOM: Yeah, I know it will be.

CHIEF BERNARD: We won't have that advantage of having the -- especially with, you know, downtown and --

ALDERMAN CULLOM: Uh-huh.

CHIEF BERNARD: -- and the -- a weekday like that.

ALDERMAN CULLOM: Yeah, it's a -- like a late evening instead of --

CHIEF BERNARD: What is it, a five -- 5 o'clock parade?

CHIEF BERNARD: Yes.

TERRI THORN: It says 6:00 p.m. on the application.

MAYOR COSTELLO: Yeah, that's a challenge as you get businesses that are in operation during the time that the parade.

ALDERMAN CULLOM: It was really very unsafe last year the way the kids were all out there in the middle of the road because we didn't have it like we had for the fair parade.

MAYOR COSTELLO: Chief, we got a little time to work on that. Why don't you give us a report back on what you think would be the best direction on that at our next meeting.

CHIEF BERNARD: Will do.

MAYOR COSTELLO: A motion on the floor to approve closing Market, Main, and Pinckney for the Warren High School Homecoming Parade on October 8th, 2009. 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. Item No. 12, request for approval of a Retail Liquor by the Drink Picnic License for the Juvenile Diabetes Research on Saturday, September 26th, 2009, at the Warren County Fairgrounds.

ALDERMAN CLARK: I make a motion to approve the liquor license.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Clark, seconded by Alderman Tallo to approve the liquor license request from the Juvenile Diabetes Research group on Saturday, September 26th, 2009, and that will be at the Warren County Fairgrounds. 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. We move on to Item No. 13, Mr. Yeager with Hidden Lakes Lane. He's sent us a description of the request

for a water connection to a new house in Hidden Lakes. I believe Mr. Yeager is here.

FRED YEAGER: Yeah, my name is Fred Yeager, and I purchased some property on Hidden Lakes Lane, just outside the city limits. And one of the -- there's two houses -- one of the houses is connected to the City of Warrenton's water system. The other house was a new house under construction that was about half-finished when I purchased the property as a whole.

I -- the older house is not a problem; it's connected and working -- occupied. When I came to get the water connected for the other house, that's when I found out that there was a problem with getting -- because it was outside the city limits. So before I could make that happen, they said I would need to first get approval from the Montgomery County Water District. And I did go and talk to them; received a letter back from Rich Moore, stating that, yes, that would be okay, since I owned the two properties. And then later, I was asked to go back and get an approval from their Board of Directors. And they met on August the 11th, 2009, and approved that, and I sent a letter in to the City, saying that it's okay with them.

Now the two attorneys, Mr. Joel Brett from Montgomery County, and Chris Graville for Warrenton, have discussed this at length -- is that right -- by now?

ATTORNEY GRAVILLE: Yeah. What we were -- when I -- just for clarification for the Board, when I contacted Joel Brett about the letter Joel was unaware of it.

FRED YEAGER: Yes.

ATTORNEY GRAVILLE: And so he just wanted to make sure that they had a formal resolution that was put in place to allow us to provide services to this residence. And so it was approved by his Board. That was his main concern, because he was unaware of it, and he sits on the Board. So they have subsequently passed that resolution. Really, at this point in time, I think ultimately, it's fully within the Board's discretion to allow this connection to the water service.

And I think really -- there was a memo provided by -- I don't know if you had a chance to see this memorandum -- by our Public Works Director, Rob Hamlin. And I think, really, the question comes down for the Board members, number -- well, first and foremost, do you all want to provide this service outside the city limits, because it's not in the city limits? And it doesn't appear -- we've met as a staff on it -- it doesn't appear there would be a way to annex this property into the city, because there's a property blocking it. You know, really, the only other thing is -- I don't know, Rob, if you want to discuss your recommendation, and Mr. Yeager, since he hasn't talked to you, what your intention is, where you want to hook up to, and everything like that.

FRED YEAGER: Well, I want to hook up, you know, wherever I was -- it was indicated that I would need to hook up. You know, I'm willing to make the connection and run the line to the house; it's just a matter of where would be the best place. I understand it's in the road, in the gravel road in front of the property -- or it's actually on the property; there's a easement for the road. So you know, I don't think that would be an issue as far as hooking it up.

ROB HAMLIN: One of the issues with that line is that it's too small of a line to carry any more houses. So you would actually -- the service line would really need to run to our water main on Route MM, back to the new

house, Mr. Yeager's. You can see a map on this -- on your second page of our -- my memo.

And basically, what runs down Hidden Lakes Lane is a small line, and you already have a -- I believe there's five houses already being served on that line. So --

FRED YEAGER: What is the size of the line?

ROB HAMLIN: It's -- it -- we don't know for sure. At some -- we -- it's indicated to us it's two-inch.

FRED YEAGER: Yeah, that's what I thought.

ROB HAMLININ: We -- it's not our line, from my understanding. It's -- it is connected to our water main with a three-quarter-inch. So it's really -- it's a really small service line to be serving five houses in the first place. But City Code requires at least one -- three-quarter-inch for one home. So in any case, in order to meet City Code, you'd have to have a three-quarter-inch connection of your own to the city main, not to -- and that's the -- the line that runs down Hidden Lakes itself is not a city main line.

FRED YEAGER: Then you're talking about back up at the highway, a --

ROB HAMLIN: Yes.

FRED YEAGER: -- half-mile away or whatever?

ROB HAMLIN: Yeah, yeah.

MAYOR COSTELLO: Do you have a copy of the memo --

FRED YEAGER: No, I don't. No --

MAYOR COSTELLO: Yeah, I think the -- as Rob mentioned in his findings -- there's four findings that he reported back to the Board on August 3rd. And while he was doing that, we were trying to make sure that the Water District was, indeed, good with us providing service in their area.

And the recommendation is -- I'll just read it: "Mr. Yeager will need to connect a water service line from his home to the City of Warrenton water main, located on the south side of Highway MM. A meter pit should be set within ten feet of the utility easement. Location and selection shall be in accordance with Warrenton City Code 705.110, 705.130, and 705.180. The water service line shall be maintained by the homeowner from the meter pit to the residence. It will also be Mr. Yeager's responsibility to obtain all necessary easement for the water service line prior to connection."

And then, if you look on the second page of that, Mr. Yeager, there is a layout showing you exactly what the recommendation is. And I think the biggest concern, as Mr. Hamlin just reported, it's probably a two-inch line by the time it gets down the road to you, but it's serviced by a three-quarter-inch.

FRED YEAGER: Yeah, there's lots of water pressure. I ran a temporary garden hose over to the new house to check all the plumbing out, and there's adequate plumbing -- I mean, adequate pressure there, but -- you know, I just wish I'd have known months ago, so I could have a well drilled, because --

MAYOR COSTELLO: Well, we wish we would have known months ago, but --

FRED YEAGER: Yeah.

MAYOR COSTELLO: -- you know, these are -- these are situations that occurred probably long before anyone sitting here this evening was here. But I mean, I think the first thing I'd want to know from you is who owns the line that you're drawing the service from? Is it -- apparently, it's --

FRED YEAGER: It's not the City's?

MAYOR COSTELLO: No, that's --

FRED YEAGER: Well -- but the City provides the water to that home, and collects the revenue. What --

MAYOR COSTELLO: It is connected to a City line, but you know, you're clearly outside the city limits.

FRED YEAGER: Yeah.

MAYOR COSTELLO: And we don't own this line, we don't -- and that's why we don't have much information on it.

FRED YEAGER: Well, who -- So nobody knows who owns the water line?

MAYOR COSTELLO: I would -- I would bet you that that line was installed by property owners throughout the years and was a community -- just like a community well, only it -- this was a community line that was installed.

FRED YEAGER: Well, if I had the owners association in there approve it, then could I hook to it?

MAYOR COSTELLO: I don't know if you -- well, you certainly can't hook to it without us selling the additional water. But I would think that you could have the homeowners association get together to update it. That would be beneficial to everybody out there if it -- if it had a properly sized line. And the other issue we've got here is Rob is, you know, a little bit with his hands tied, because we're trying to figure out a line that we don't own that's already in the ground. We don't have the right to dig it up or, you know, to even find out if -- but the best information we have is that it's a three-quarter-inch line. And I presume Rob obtained that from talking to --

FRED YEAGER: A three-quarter? I thought it was a two-inch line?

ROB HAMLIN: It's a three-quarter inch where it's connected. And we do know that for sure, because of the way --

(INDISCERNIBLE - TALKOVER)

ROB HAMLIN: -- at the -- at the county shed, because when we did the county shed tap, we did find -- we did find it there, and it was three-quarter-inch. Rumor has it that it changes to two-inch on up in the roads, on up the -- on up the road a little ways. So that's -- but that's rumor. We could never find where it -- where it actually changed to two-inch; we only found where it was three-quarter-inch.

ALDERMAN CLARK: It would still be fed by a three-quarter-inch though.

ROB HAMLIN: Exactly.

MAYOR COSTELLO: -- I don't know how many homeowners, different homeowners you've got out there and what kind of organization you have, if any, but --

FRED YEAGER: Well, there is -- there is an organization. I -- you know, it's pretty loosely held together, but you know, they share on the road maintenance and things like that. I can't imagine a three-quarter-inch water line feeding five houses or seven houses, whatever's out there.

ROB HAMLIN: It's actually common in -- in water districts, you'll find a lot of times where they'll have a three-quarter-inch tap, and they'll change over to a two-inch line for friction loss, running a long distance. They probably do have decent pressure, but if everybody's using water at once, they'll lose volume, and it'll -- if everybody turns their showers on and at nighttime take showers about the same time, or Saturday morning, to do the laundry, they'll notice a significant water drop. And it simply that we require a three-quarter-inch tap for any new service; that is the standard today. And it -- you simply -- that won't provide a three-quarter-inch tap for the house; that will be tapping off an existing line itself.

FRED YEAGER: My question is: On the three-quarter connection up at Highway MM, did somebody actually dig down and look at that? How do you know it's a three-quarter connection?

ROB HAMLIN: Yes, when we dug there to install the water service for the city -- or the -- sorry -- the county barn, we --

FRED YEAGER: When was that?

ROB HAMLIN: -- we found it last year.

FRED YEAGER: Last year?

ROB HAMLIN: Yes.

FRED YEAGER: Well, all right. I guess, I'm -- there's nothing I can do about it then?

ROB HAMLIN: No.

MAYOR COSTELLO: Well, unless your homeowners -- or you know, your association --

(INDISCERNIBLE - TALKOVER)

FRED YEAGER: Well, I mean, I've got this house finished. I got a tenant was supposed to move in yesterday, and you know, I'm way beyond -- I've been three months trying to get water connection. And I can't afford to, you know, wait another two or three months and then have something else come up. So at this point, I guess I'm just -- I guess I have to drill a well. I don't know what else to do. So thanks for your time.

MAYOR COSTELLO: All right. Thank you, Mr. Yeager. All right. We'll move on to Item No. 14, Terri Thorn, Director of Operations/Finance Officer. Terri?

TERRI THORN: Good evening. The first item I have for you is approval of last month's accounts payable. The total is \$211,547.58. Just a note for you that this does include a payment to American Oasis, which was the company that we experienced some difficulties with on our flooring in the remodeled section of City Hall. We have held a 5 percent retainage on this payment, just to make sure that we don't have additional issues that need to be addressed.

ALDERMAN CULLOM: I'll make a motion that we follow the recommendation of the Finance Director /Director of Operations, and pay the bills.

ALDERMAN FLAKE: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Flake, to approve payment of the bills that are submitted on the accounts payable, and retain 5 percent on our flooring payment for the remodeling of the old part of City Hall. Questions or comments? Roll call vote.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN CLARK: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN DREYER: Yes.

MAYOR COSTELLO: Motion carries 6 to 0.

TERRI THORN: My next item for you is the recommendation from the Tourism Commission. They met on August 25th. There were three requests in front of them for that meeting. All three were requests for Interstate 70 attraction signs: one from Days Inn, one from China House Buffet, and one from Relax Inn. All three requests total \$1,200.00. There was a total of \$4,800.00 in the tourism budget for these attraction signs, and they had previously spent \$400.00. So all of these do fit within their budget, and they did recommend approval of all three requests.

ALDERMAN TALLO: I make a motion that we go along with the recommendation of the Tourism Committee to give the \$400.00 to each company -- Days Inn, China House Buffet, and Relax Inn -- for signage along Interstate 70, for a total of \$1,200.00.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Dreyer to approve the recommendation of the Tourism Commission in regard to Interstate 70 attraction signs, a total of \$1,200.00, \$400 each to Days Inn, China Buffet -- China House Buffet, and Relax Inn. 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. And before we move very far away from the Tourism Commission, we are still looking for a replacement member on the Tourism Commission. That person simply has to be a businessperson who lives in the city of Warrenton. So if the Board has any suggestions, please let me know that. All right.

TERRI THORN: And lastly, we have the bid for general repair electrician. We did do this a little bit different this year than what we previously did as far as a part of what was in our bid specifications was that they actually bill us for calls -- not emergency calls, but regular calls -- on a quarter-hour interval basis, so that if they only spend a quarter of an hour here, we're only billed a quarter of an hour or to the closest quarter of an hour. This is something that we added to the bid specs this year. Everything else is the same as last year. Low bidder was D.C. Electric, at a rate of \$50.00 per hour for both emergency and regularly hourly rates. There is no basic trip charge, and he did agree to the quarter-hour interval billing.

MAYOR COSTELLO: And your recommendation is?

TERRI THORN: To go with the low bidder of D.C. Electric.

ALDERMAN CULLOM: I'll make a motion that we follow the recommendation of the Director of Operations/Finance Officer to accept the bids from D.C. Electric, LLC.

ALDERMAN FLAKE: I'll second that. And there was a total of four bidders on that situation.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Flake to accept the recommendation of the Director of Operations and Finance Officer and to award our general repair electrician bid to the low bidder, D.C. Electric, LLC. And his basic price is \$50.00 per hour. Questions or comments?

ALDERMAN CLARK: Who was our contractor last year?

TERRI THORN: With D.C. Electric.

MAYOR COSTELLO: And by the way, we did have bids from, in addition to D.C. Electric, JR Handyman, LLC, Excel Electrical Contracting, LLC, and Electrical Solutions, and D.C. Electric was the low bidder.

GARY MILLER: I have a question

MAYOR COSTELLO: Roll call vote.

CITY CLERK RUGH: Alderman Tallo?

ALDERMAN FLAKE: There's a question -- he's got a question about this.

MAYOR COSTELLO: Yes, sir. Your question?

GARY MILLER: Are they licensed electricians? Was that a requirement?

TERRI THORN: I believe so, yes.

GARY MILLER: I was just curious if they were licensed.

TERRI THORN: I believe that was part of our bid specifications.

MAYOR COSTELLO: And your name, sir, for the record?

GARY MILLER: Gary Miller, I'm with Electrical Solutions.

MAYOR COSTELLO: All right. Any other questions? 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.

TERRI THORN: That's all I have for you this evening.

MAYOR COSTELLO: Any questions for Terri? Move on, then, to Item No. 15, Rob Hamlin, our Public Works Director. Rob?

ROB HAMLIN: Good evening, Mayor, and Board. The first item I have is an update on the pedestrian bridge. You'll notice this week that they are basically hanging all the trusses. They've got the water line hung on there, the electrical conduit. The lag bolts for the structure will be also installed during this week. Once those are in next week, sometime around the 8th or 9th. Depending upon whenever they -- or what date they get the crane in here, they will actually set the truss on -- across the railroad. So it's moving forward, moving forward really quickly.

MAYOR COSTELLO: And you know, if the Board members have not been by to see the structure, it's pretty impressive.

ROB HAMLIN: Yeah.

MAYOR COSTELLO: It's large. Basically, we've got an entire block of Wabash Street blocked off. Don't be shocked. It is a -- what's the finish? What'd they call it -- something natural. But basically, it's a rust finish.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: So when you go out there, you need not ask when we're going to paint it. It will be a natural rust finish for its existence. And if you look at how intricate the structure is, it would be a job maintaining that and keeping it -- keeping the paint on it if that were the case. It's also impressive to look at the new structure compared to the old one and how many upright supports it took when it was built to hold that same length of structure up, compared to this new one. So it's quite a piece of engineering. But I encourage you to -- any of you -- you can stop right at the Methodist Church or Booneslick Regional Planning. And the old bridge is still open, so you can walk across and take a look at it. But they're making good progress; it's worth taking a look at. And I think we're hearing -- what would you say, next --

ROB HAMLIN: Somewhere around the 8th or 9th, so they should have it -- start to set it with the crane. So they'll set it right onto the pedestals.

MAYOR COSTELLO: Anybody who's interested in that, that'd probably a -- quite a sight to see them setting up.

ALDERMAN FLAKE: It's quite a bit bigger bridge than the one that's there now.

MAYOR COSTELLO: Yeah, and a lot wider.

ALDERMAN FLAKE: Yeah, uh-huh.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: I think something bigger than a Volkswagen could fit across it.

(INDISCERNIBLE - TALKOVER)

ALDERMAN CLARK: I could arrange for a semi to try it out.

MAYOR COSTELLO: I don't think that'd be good.

ROB HAMLIN: It was designed for a small truck --

ALDERMAN FLAKE: Yeah.

ROB HAMLIN: -- actually, truly. Yeah, a small -- a pickup.

(INDISCERNIBLE - TALKOVER)

ROB HAMLIN: The next thing I have is commercial meters. One issue we've ran into on -- as you can see by my memo, we wanted to come to the Board to just ask for some guidance on what to do with situations where we have commercial meters out there larger than the 5/8ths typical residential meters, where the -- where it's up to the owners to maintain these meters themselves. And the issue is, is that they're old, they're wore out, they're not tracking all the water. And although we -- we've had a handful of these that we've notified the owners, tried to work with them, but we're not getting responses. I guess I'm asking guidance from the Board: What shall we do? I don't want to go out and disconnect these customers without at least first talking -- you know, I don't know what to really, our Code doesn't have anything specifically that addresses this. And it is clear, though, that with meters that are worn out and they're dragging that we do lose money on those.

ALDERMAN CULLOM: Anyone have any suggestions?

TERRI THORN: Well, Rob had told me when he brought this to me that typically, in other cities where he's been, they'll provide the notice, which we've done, and after a certain period, if there's no response, then they disconnect their water. But that's not been a practice we've done in this city before and did not want to take that approach until you all had a chance to approve that, since it's not addressed in our Code.

MAYOR COSTELLO: How many many meters like that are you talking about,

ROB HAMLIN: Yeah, it's really not that many. It's probably a handful; I'm going to say five that we're -- have problems right now. But the problem -- the issue is, it's five this month, but it may be five more two months from now that we discover. And it's

MAYOR COSTELLO: And in those situations, Rob, what is the typical replacement cost to the business owner or property owner?

ROB HAMLIN: If it's a one-inch, it's going to cost them somewhere around probably \$180.00, \$200.00 for a replacement meter. If it's two-inch or larger, they're going to -- they're going to basically have it rebuilt. They're going to contact a company and have them basically put a jumper in or take the guts out of it, send it in, have it rebuilt, and bring it back. And it's probably going to cost them anywhere from \$400.00 up to \$1,200.00 if it's a six-inch or so size meter. They're not cheap to fix. But keeping that in mind, we try to make very sure that they're not

tracking the water correctly before we put that burden upon a commercial account.

MAYOR COSTELLO: So you're saying, contrary to what we hear, when water meters wear out, they don't run faster; they run slower.

ROB HAMLIN: Yeah. Yeah, they do run slower. Our current practice is to send them letters and try everything we can to work with the customer to get them to change them out. But there -- again, there's just some that just simply don't respond.

ALDERMAN TALLO: So since we've never actually shut water off, that's not part of the notice?

ROB HAMLIN: Right, that's not part of the notice. I think we may have mentioned it could lead to disruption of water service maybe in the past or -- but we never actually do -- really did it. And so I want to be sure that, you know, before we would ever take that action that we -- if -- you know, if the Board is really willing to go that far, it's -- that's what -- they'll be on the -- it's something I want from you all to know that's okay.

MAYOR COSTELLO: Of this handful that you have what's the breakdown in size?

ROB HAMLIN: Mostly one-inch.

MAYOR COSTELLO: So in most cases, we're talking \$180.00 to \$200.00?

ROB HAMLIN: Right. You know, or some cities that cover one-inch, where they cover the maintenance of the one-inch size, which takes in a great number of the commercial meters. Two-inch and larger are the -- they're the ones that get more expensive to do. And that's where usually you have something that's going to be like a -- usually a school or a commercial restaurant or something like that; it's going to be the larger on ones like that. You know, that's another option is to say we're going to take of the one-inch. But that is something you'd have to consider in your budget as well.

MAYOR COSTELLO: So in the current scenario, we -- assuming you don't have another handful in the wings --

ROB HAMLIN: Right.

MAYOR COSTELLO: -- the Board -- the City could be out \$1,000.00 to \$1,200.00 --

ROB HAMLIN: Right.

MAYOR COSTELLO: -- if we replace them ourselves.

ROB HAMLIN: Another option is that we could easily provide you with a list each month -- each month or every couple of months when we have some of these that come due and we can't get a response out of them and --

MAYOR COSTELLO: I really don't think the board wants to know.

ROB HAMLIN: Okay.

MAYOR COSTELLO: And you guys correct me if I'm wrong. I don't think they want to go out and hassle somebody to replace their water meter.

(INDISCERNIBLE - TALKOVER)

ALDERMAN TALLO: Well, I'd be willing to work with the customer. I mean, I don't --

ALDERMAN CULLOM: But isn't that what we're already doing? We're already working with them. I mean, we're giving them the chance to do something, and they're --

ALDERMAN TALLO: Well, I meant financially work with them.

ROB HAMLIN: This handful has received at least three notices so far, the ones that we have notified.

(INDISCERNIBLE - TALKOVER)

ALDERMAN CULLOM: Oh, you mean like us buy them and they pay us back or what are you talking about?

ALDERMAN DREYER: Split the cost? I don't know; I mean, I just hate to --

MAYOR COSTELLO: Or we put them in and we ---

ALDERMAN TALLO: So every time we turn around --

ALDERMAN CULLOM: Do they pay a deposit or anything when it --

ROB HAMLIN: Well, when they very first get the meter, of course, they pay a deposit when they get the service, but not on the meter itself.

MAYOR COSTELLO: The deposit, it was based on whether they paid a bill, though, not on the water meter wearing out.

TERRI THORN: Right, but when a commercial customer comes on, they provide their own meter. But we're not involved in the commercial customer. It's their meter from the beginning

ALDERMAN TALLO: Right, so they -- that was my question. They own the meter, correct?

MAYOR COSTELLO: Right. Unless it was a residential property that changed to commercial; we've got some of those too.

TERRI THORN: But wouldn't those all be three-quarter if they were originally residential?

MAYOR COSTELLO: No, I doubt it.

TERRI THORN: No.

MAYOR COSTELLO: No. You've got -- I mean, in the older parts of town you've got -- we've probably got a variety of situations. Rather than the Board -- this is all new to us this evening. You don't need an absolute decision on it tonight, do you?

ROB HAMLIN: No. If you need more information of any kind, I'll be glad to gather that for you -- how many -- you know, for example, the number of one-inch meters we have on our system, I'll be glad to put that together and bring it back to the Board next meeting. I just --

MAYOR COSTELLO: That would be helpful, because then they would know, when they're voting, what the total exposure they're -- we're putting the City on it for -- if they decided, for example, that we would provide one-inch -- up to one-inch meters, even if it was a commercial account, they know the total exposure that they're putting on the City.

So -- and unless the Board has a real strong desire to pull the trigger on this tonight, I think we probably ought to sleep on it and kind of give it some thought and maybe come up with some other ideas. And I think the more information you can provide us, the better.

ROB HAMLIN: Right. And again, I didn't know which way the Board would want to go on this at all, so I just really brought this in blind too, just like you're seeing it blind. So I didn't know what information, -- or otherwise, I would have -- I didn't want to bring everything tonight. But --

MAYOR COSTELLO: Yeah, I probably own a couple meters, and I didn't -- very honestly didn't know that the City didn't provide commercial. So I don't know if the Board --

ROB HAMLIN: Okay. I will put more information together and bring it back to you then.

ALDERMAN TALLO: I'd rather not make a decision tonight, because I think we're all kind of not sure right now, so --

ALDERMAN FLAKE: I think give us a little more information, Rob.

ROB HAMLIN: Okay.

ALDERMAN CLARK: I think some information on -- I would like to know is how many -- how much dollars are we possibly losing by the meters not registering right.

ALDERMAN CULLOM: Yeah, not registering right.

ROB HAMLIN: And it's not only that. It's the time spent going out and rereading these meters, because they're not -- they're difficult to read, because, for examples, as they get old and moisture gathers in the lens of them, and you can't see the numbers correctly, they don't make sense when we get them in here, and we have to go back out and read them again, so you lose labor time. I mean, there are some -- they are costing us time and probably money on both sides. So --

ALDERMAN CULLOM: This might be something that maybe we want to do a workshop before, and we can really discuss it, like we did tonight.

ROB HAMLIN: Okay.

MAYOR COSTELLO: Yeah, it'd be helpful if you'd bring dinner. Anything else, Rob?

ROB HAMLIN: I do have -- let's see -- Lake Chateau. I do want to remind the residents of Lake Chateau, Thursday that they'll need to park off the streets, because we'll have the paving crew coming in to pave the roads out there. We were hoping to get it done last week, but the weather didn't allow that to happen. With all the rain, it set the crews back. But this Thursday, they will be paving that first section there, that middle section and if anybody needs assistance getting out of the driveways, because while the crews are working there, there's going to be some uneven surfaces, just call into the City Hall, and they'll get ahold of the guys out there and have them help them out, make sure that they get the cars out.

ALDERMAN TALLO: Are they hoping to do that in one day?

ROB HAMLIN: They're going to try to do it all in one day.

ALDERMAN TALLO: Okay.

ROB HAMLIN: Yes.

ALDERMAN TALLO: Thank you.

ROB HAMLIN: So we'll --

MAYOR COSTELLO: Anything else?

ROB HAMLIN: I believe that is it.

MAYOR COSTELLO: At this juncture, before we introduce Patrick's portion of the meeting, I want to bring the public up to date. The Work Session earlier this evening, the Board of Aldermen determined that they want to stay with the current bidding process that the City has used, and that is that in a normal circumstance, we will look at the low and -- lowest and best bidder, without regard to whether they are a local bidder, whatever that is. It doesn't mean that this Board doesn't have the right to accept something other than the lowest bid, but hopefully, there would be a good logic in that it's a -- the next bid or the bid that they select is a better product for whatever reason -- service -- than the low bid. So there will be no change in City policy in terms of adding a local bidder provision to our bidding requirements. And also, Terri, do we have anything scheduled early for the 15th?

TERRI THORN: I do not believe so.

MAYOR COSTELLO: Then pencil in a Work Session to discuss the replacement of commercial water meters. Anything else for Rob? We'll move on, then, to Item 16, Patrick Randolph, our Recreation Director. Patrick?

PATRICK RANDOLOPH: Yes, good evening, Board and Mayor. In the package this evening, I have a bid tab for the color printer bid; that is a capital item for the 2000 year -- 2009 year budget. It's my recommendation to go with the low bid, with Worldwide Technology, Inc., in the amount of \$706 for the purchase of a new color printer.

ALDERMAN TALLO: These are all the same printers that we're bidding?

PATRICK RANDOLOPH: Yes, they are. All of them -- with an exception to one, I believe, there's -- I believe it --

ALDERMAN TALLO: There's a shipping charge on one.

PATRICK RANDOLOPH: Yeah, they're all the same. They're all the same exact printer. We did have one bid that came in that was not of the same specifications; therefore, it's not listed.

ALDERMAN TALLO: And you said this is budgeted?

PATRICK RANDOLOPH: Yes, sir, it was a 900 -- we had budgeted for the amount of \$900.00.

ALDERMAN TALLO: All right. With that, I'll say we put a motion in, the recommendation of the Recreation Director to go with Worldwide Technologies, Inc., for a Xerox Phaser 8560-N printer, in the amount of \$706.00.

ALDERMAN FLAKE: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Flake to approve the recommendation of the Recreation Director and accept the low bid for a Xerox Phaser 8560-N printer from Worldwide Technology, Inc.,

for a total of \$706.00, and they are the low bidder. 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.

PATRICK RANDOLOPH: That's all I have for you this evening, with the exception to remind the Board that this is our final weekend for the pool, so hopefully, it'll warm up enough that maybe it might be used a little more this year. It's kind of a different summer, but other than that, that's all I have unless there's any questions.

MAYOR COSTELLO: Any questions for Patrick?

ALDERMAN TALLO: Thank you.

PATRICK RANDOLOPH: Thank you.

MAYOR COSTELLO: Move on, then, to Item 17, Davis Bernard, our Chief of Police. Davis?

CHIEF BERNARD: Good evening. The first thing I have for the agenda this evening is the park vandalism response that has been put together since the last meeting. Over the last year and eight months, the City has received about \$8,000.00 worth of damage for vandalism in all the parks in the city. Not all the parks were affected though. The parks that were affected, it was \$8,000.00, with Lakeview being the hardest hit, at \$3,000.00; Dyer, \$2,500.00; and Walton Ball Park, \$1,400.00. We are not seeing the dollar amounts that we did last year, but we're still seeing incidents -- roughly about the same numbers of what's been reported to the Police Department. We are aware that there's a lot of things that probably weren't reported. If, you know, the toilets were stuffed up, the -- you know, the maintenance crew went ahead and took care of that, and a lot of those numbers aren't reflected in the numbers that we have.

So in order to combat this problem, hopefully, an all-encompassing outline has been put together, a program to try to impact this. The first item is increased officer presence, which it's kind of a misnomer. It's actually getting the officers out of the cars to walk through -- physically walk through the parks, just not when they're going to secure the parks. Over the past year, we've had them driving through the parks more often, but now we're going to actually have them get out of the cars throughout their shift and physically check the facilities. We're going to enhance that by utilizing animal control officers when they are out driving around, looking for animals at large, looking for violations. They're going to be stopping by at least a couple times during their shifts and walking through and checking these facilities also. They're not to insert themselves if they see any problems; they're to go ahead and make contact with the dispatcher and have an officer come out and handle the situation.

Cooperative effort with all City departments to actually let everyone know that there is a problem out there and enlist them in helping us by

having more eyes out there. Again, you know, if they see an issue, if they see a problem, not to insert themselves in it but to go ahead, contact law enforcement, and we'll go ahead and handle it. Also, we'll be looking at providing some training for the people in Public Works, Maintenance, etc., just on being good witnesses, what to look for, if they do see problems, go ahead and how to report those issues that they do observe. And we're also encouraging that all incidents get reported to the Police Department so that we can more accurately track what's actually going on. I mean, even if it's a toilet stuffed up or, you know, all the paper towels were ripped out and thrown about the floor that somebody just has to clean up, go ahead and report that as well as the, you know, along with the large vandalisms.

We're continuing to explore some types of -- some type of a camera surveillance system. There's a lot of factors that affect the selection of a system. You have the price; some systems are very, very expensive. Are you going to be able to conceal this; you know, where are you going to be able to place that? Those are challenges in the different facilities; you don't always have power there like you need it. Reliability. The functionality of it; whether, you know, you want low light, infrared. Again, concealability in that. So, again, that's something that we're continuing to look into on that part of it.

Partnering with the media and getting the message out to the public that we are having these problems up there. I'm fairly sure that the public-at-large is probably not aware that didn't see the meeting -- last Board meeting that this problem is going on. They're probably out there using the facilities and just think everything's okay, where, you know, we're going to look at using the very -- various media outlets -- the newspaper, radio, Channel 3, website -- to put that information out there that -- to be good citizens, they see some problems, who they should contact, how they contact, and again, not to insert themselves, but to go ahead and contact. Again, it just enhances our coverage, gives us more eyes out there, hopefully, to report some of these problems.

Another partnership we're looking at again with the public is what we're calling a Park Watchers Program. We're looking for people who -- civically minded, that, you know, they're taxpayers, these are their parks, and that they'll want to help us out. What the program is going to be set up to do is that if these park watchers, they're using the facilities -- this is not going to be something where we're going to be organizing patrols and assign them to go to this park or that park -- it's just that when they're using the different facilities, if they do see something, crimes in progress, vandalism, if they note that there's some safety issues with equipment or tree limbs, concrete, you know, you name it, they can go ahead and contact the proper authorities -- again, not to insert themselves in the situation; we give them some training on being good witnesses. And you know, these volunteers, you know, like I said, again, they're -- with just using -- well, I shouldn't say using them, but for having them to report for us when they're out there with the property, there's going to be some parts that's going to get more coverage, such as Binkley Woods, than a park like Lakeview Park down there, where it's primarily used for games and ball practices and stuff like that. So we're not going to get total overall coverage with that, but that's just going to enhance the other efforts that we're working on.

That program will be administered by the Police Department, and we're going to come up with a login system that we're tracking the participation of those park watchers. Also, we're going to have them fill out an application and have a background check run on them, just for the fact that we don't want any surprises. We don't want to sign someone up into the Park Watchers Program, then all of a sudden down the

road realize that there's something in their background that's going to be very embarrassing for the City.

So we're really hoping that, you know, this overall effort will help us to have a more direct impact on the situation than what we're currently doing.

MAYOR COSTELLO: Two questions: When do you expect to get that program -- the Park Watchers Program operational?

CHIEF BERNARD: Hopefully, I will have a -- I've got a model policy that, hopefully, I'll be able to bring to the next Board meeting, with your approval, and we can get that going. We've already got a couple interested parties in being involved in that program; in fact, I spoke with one today. And that's my goal is to get that launched before the end of September.

MAYOR COSTELLO: And then, the second question, you've answered a little bit: How successful do you think you're going to be in getting volunteers, and what efforts are you going to be using to attract volunteers?

CHIEF BERNARD: Again, we'll be using the media. Again, we -- well, we can also use those people who are interested in the program to reach out to additional people to get them to come into the program. I know, speaking with Patrick, he has -- has had contacts with, you know, people in the past expressing concerns with the facilities and everything else, and hopefully, through that resource, we can bring more people into the program.

MAYOR COSTELLO: Okay. Questions from the Board?

ALDERMAN FLAKE: Well, I think you got some good ideas here, Chief. I think it's going to work, and I think we need all the help we can get, and I think if you would get out and advise us -- and advise the public and get them up to speed on this situation, the more eyes we got out there the better, and whatever they see, they can contact the police, and maybe we can curb some of the problems we've been having. I think it sounds like some good ideas.

ALDERMAN CULLOM: Yes, I do too. I also have one to report. I was at Khoury League Saturday, late afternoon, and the back water fountain -- and you all may already know this -- is so full of rocks and things that the water won't even go down; it just sits there in the water fountain.

BRAD BUSEKRUS: And it actually just drains -- that's all it does. It just -- there's no drain to it. It's -- when it was put in, that's what it was designed.

ALDERMAN CULLOM: Oh, really?

BRAD BUSEKRUS: It's just a pipe full of rocks is all it is.

ALDERMAN CULLOM: But the rocks don't -- nothing goes down. It just --

BRAD BUSEKRUS: Okay. We'll, I'll check that.

ALDERMAN CULLOM: It's not -- it looks more like a bird bath than a water fountain.

BRAD BUSEKRUS: Well, the -- actually, the pipe just goes inside there, and it's only that far off the ground. It just --

BRAD BUSEKRUS: It was an old style, and that's something that we're going to look into replacing all these. So we'll see if we can't take care of it.

MAYOR COSTELLO: Anything else?

ALDERMAN CULLOM: Thank you, Brad.

MAYOR COSTELLO: Thanks, Chief. Move on to the next item, then.

CHIEF BERNARD: Next item, the -- is the proposal to purchase two new 2010 Impala patrol cars from Don Brown Chevrolet. The quote that I received from them was \$67,135.00 for the purchase of the vehicles, the purchase of the emergency equipment, including the DVDs, and then the installation of the equipment at their facility. It'll be the same package that we had -- we got from them last year. The big difference is going to be that these will have the hubcaps on them.

UNIDENTIFIED MALE: (Indiscernible).

CHIEF BERNARD: Well, it's going to brighten up the side of the cars; it'll lighten them up. The other ones with the -- just the hub covers on them, it's just too dark, so --

MAYOR COSTELLO: And I presume two things: One, this is a budgeted item?

CHIEF BERNARD: Correct.

MAYOR COSTELLO: And two, this is going to replace two cars?

CHIEF BERNARD: Yes.

ALDERMAN CLARK: I have a question, on these new cars, I was kind of going through the -- your list of things you're adding to it. It looks like installed video -- and a new radar that's included in it, stuff like that?

CHIEF BERNARD: Yes.

ALDERMAN CLARK: Those are items that have to be replaced with each new car now?

CHIEF BERNARD: No, they don't have to be replaced in each new car. We're going from a video tape system to a DVD system. So we've got -- we bought two brand new ones last year, and we'll buy two more this year. And then we'll eventually -- we'll recycle out all the old -- the DVD systems. And hopefully, we'll be able to possibly mount those in a couple, you know, additional cars down the road. You know, I don't know; it depends on how they hold up. The same way with the radar systems; the older cars that we're replacing have got the older radars in them, the custom radars, and we're moving away from those. But hopefully, the -- those radar systems, again, down the road, hopefully, they can transfer to at least one other new vehicle.

MAYOR COSTELLO: Any other questions? What media does the new video system use?

CHIEF BERNARD: They're the DVDs.

MAYOR COSTELLO: They are DVDs?

ALDERMAN CULLOM: I'll make a motion that we follow the recommendation of the Chief of Police to buy the two new vehicles for \$67,135.00, and that's all equipped.

ALDERMAN FLAKE: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Flake to approve the recommendation by the Chief of Police to purchase two new vehicles, fully equipped, for \$67,135.00; that is the cost of a State -- approved State bid from Don Brown Chevrolet. 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.

CHIEF BERNARD: Okay. The next item is a request, a capital budget purchase item, is the CVSA, the Computer Voice Stress Analyzer. I'm requesting that we be allowed to purchase the Viper brand CVSA. Currently, we're using the NITV brand computer, a voice stress analyzer. The laptop computer that was purchased for this was purchased in 2001. It was a proprietary system; we bought the computer with the program already installed from NITV, and for, you know, the last nine years, they were the only game in town. Rich Black, he got his instructor recertification for the -- or operator recertification for the CVSA just recently, and he got to experience the Viper system, and he was very impressed with the Viper system. So that's the reason why there's only two systems that we brought for you tonight; that's the only two systems that are in existence right now.

NITV -- excuse me -- would -- with a trade-in of the old unit, we'd be able to purchase a new unit from them for \$3,195.00. With the -- currently, the Viper system right now is running a program that they would sell us a system for \$2,570.00, plus the shipping on it, that's basically using the competitor's product. We did contact Troy P.D., who's currently using Viper. They were very, very pleased with their system so far. It came highly recommended, and you know, I -- like I say, I did include the letter that Rich Black issued, and he was impressed with the ease of operation, and there were some other issues with the system that he thought was superior to the NITV computer voice stress analyzer.

MAYOR COSTELLO: I notice that the NITV unit has a four-year service plan for \$300.00. Is there something similar on the Viper?

CHIEF BERNARD: Well, let me look here. That was one of the things that I requested with the quote --

ALDERMAN CULLOM: Three years.

(INDISCERNIBLE - TALKOVER)

CHIEF BERNARD: -- that I haven't got with them yet.

MAYOR COSTELLO: Ah, okay, three year --

ALDERMAN CULLOM: Three years parts and labor.

MAYOR COSTELLO: -- parts and labor warranty.

(INDISCERNIBLE - TALKOVER)

ALDERMAN CULLOM: It's included in the price.

MAYOR COSTELLO: It's on the Viper, on the last item. Is that the same as the service contract, only a year shorter than the NITV?

CHIEF BERNARD: Yes.

MAYOR COSTELLO: Do they offer a service program after three years?

CHIEF BERNARD: Well, again, like I said, I requested the quote from them, and this is what I printed off their website. The gentleman I spoke to, I was gone last week, he was gone this week, so we haven't been able to hook up to get those -- the shipping and handling, what the total cost is going to be.

MAYOR COSTELLO: Well, the front cover sheet talks about \$2,570.00, and then the back of this --

ALDERMAN KENDALL: That's for the Viper.

ALDERMAN CULLOM: Yeah.

ALDERMAN KENDALL: The CVSA is the \$2,895.00, right, Chief?

CHIEF BERNARD: Pardon me?

ALDERMAN KENDALL: On the invoice, the last page on the invoice?

ALDERMAN CULLOM: But then the Viper on the second page, says \$2,495.00.

MAYOR COSTELLO: \$2,495.00.

(INDISCERNIBLE - TALKOVER)

CHIEF BERNARD: Well, like you said, I will --

MAYOR COSTELLO: How great a need are you -- can you get by with this current system till next meeting?

CHIEF BERNARD: Yes, we can; we have been.

MAYOR COSTELLO: I mean, I don't hear any objection to going with the best system we get for the best money, but I mean, we probably need a little more information as to how we're going to service it after that third year and what the actual price -- the correct price is. Is the Board good with that?

ALDERMEN: Uh-huh.

MAYOR COSTELLO: All right.

CHIEF BERNARD: And the last thing I had tonight, there was a request for a Children at Play street sign for South Side. There is -- is there three houses there in that area, I believe, right before you get to Morrissey Street, that have children? A couple of houses have fairly young children there. One of the houses there, they're getting older, but a resident requested that they be considered for a Children at Play sign on South Side.

ALDERMAN KENDALL: Where did you say it was, Chief?

CHIEF BERNARD: It's on South Side, there at Morsey and --

MAYOR COSTELLO: It's on the south side -- yeah, on the south side of Morsey.

ALDERMAN KENDALL: Oh, okay.

CHIEF BERNARD: -- in that area.

MAYOR COSTELLO: Counselor, do we need an ordinance on that particular street as to a Children a Play sign?

ATTORNEY GRAVILLE: No, you guys could vote to do it; that's fine, because there's no -- it's just a warning sign. If somebody violates it, you can't write them up a citation, so --

MAYOR COSTELLO: Do we have a motion?

ALDERMAN CULLOM: I'll make that motion.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Tallo to approve the Children at Play sign to be placed on South Side, near Morsey.

CHIEF BERNARD: Yeah, in that area. We haven't identified exactly where it would go yet, but that's --

MAYOR COSTELLO: You'll get with the Public Works Director and get that done? 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. Okay.

CHIEF BERNARD: And that's all I have this evening.

MAYOR COSTELLO: Any questions for the Chief? Thank you.

ALDERMAN CULLOM: Thank you.

MAYOR COSTELLO: Move on, then, to Item 18, Jim Daly, our Building Commissioner. Jim?

JIM DALY: Good evening, Mayor, and the Board.

ALDERMAN CULLOM: Good evening.

JIM DALY: The first item I have is your monthly building permit record. Any questions on that? And the second item I have is an explanation of the Flood Damage Prevention ordinance that you'll be adopting at the end

of the meeting, towards the end of the meeting. That's simply a -- is the FEMA and SEMA, and they have a -- changed their maps and updated their stuff for flood plain -- flood insurance programs that the State has and that they can participate in. We have new maps and digital information, and that will go into effect November 4th. And for us to be part of that, we have to adopt this new ordinance that replaces our old flood plain ordinance. And our attorney has approved it, and you'll -- you guys will be approving that later on in the meeting.

JIM DALY: It's basically just a new flood plan ordinance that we have to have in place to participate when it goes into effect November 4th. And if y'all like the new maps, which really, basically, haven't changed much, and they're -- I have them in my office. And they will have a digital format also to go in the GIS program.

MAYOR COSTELLO: So we need a motion to --

JIM DALY: I believe that we do it at the end of the meeting.

TERRI THORN: It was an ordinance.

ALDERMAN CULLOM: He's explaining the ordinance to us before we get to there. Thank you, Jim.

JIM DALY: And then my last item, as you may or may not know, I have been out giving away these -- a courtesy letter pertaining to trash enclosures. And I have pretty much stuck to the plan that I have outlined for you in the last two or three meetings, and we're probably needing a point of enforcement, and I thought the Board might want to have some discussion and give me direction as to what exactly you want to do and when you want to do it.

MAYOR COSTELLO: Well, contrary to the probably popular belief, that this item was scheduled when the agenda was put together for discussion last Friday -- prior to last Friday -- and it was not a reaction to Town Talk. If any of you've seen the *Journal*, there's already Town Talk items in there about the enclosures for the commercial trash Dumpsters. I know that several of the Aldermen have received phone calls from business owners, complaining that they got -- basically, the timing is difficult for a lot of the business owners because of the economy that we're in. And I heard one of the Aldermen earlier this evening make a comment that I think is probably right on target, that perhaps what we should do -- I think the notification letters are good -- letting the business owners understand that that ordinance is there and has been there, but it's just been recently that the City of Warrenton itself got all of our trash receptacles and containers in enclosures. And I think that, realistically -- Brad, how long did it take us to do that?

BRAD BUSEKRUS: Rob's crew did the majority of ours.

MAYOR COSTELLO: Was it a year?

TERRI THORN: It was at least a year, Mayor.

ROB HAMLIN: Yeah, I think the time we started it.

MAYOR COSTELLO: So the comment I heard, and the one that makes sense, too, is that I think the notification process needs to continue, but I think we should develop some type of a time frame, a reasonable time frame to allow compliance. I heard from one business owner that owns a strip -- a small strip mall that it's going to cost him about \$3,000. Both are retired individuals, and they do not have the ability to construct that in any way, shape, or form themselves, and I think one of

the fencing centers gave them a price of around \$3,000.00 to build that enclosure.

The other alternative, and I think that Jim has pointed it out, that several businesses, that I'm aware of, is that some of these businesses have a Dumpster simply because they -- a Dumpster was about the same price as two toters. So I think you'll also have the opportunity that some of these businesses will go to a toter, which doesn't require the enclosure.

And then the third issue that I think that the Board will need to be thinking about is you do have some businesses in the old part of downtown that are on -- the buildings are built up to the lot line, because that was allowed, and still is in the old part of the community. They can't build an enclosure on their own property, so we're going to have to figure out whether you want it on a City alley, or whether there's -- they're able to reach some agreement with a neighbor to either share a Dumpster or -- or I think we'll -- they'll -- so it'll be few and far between, but Jim, I think you will have a couple of those to deal with, where they just don't have any property that they own that they can put their own enclosure on.

And so I think the logical thing to do would be to put some time frame together, whether that be 12 months, 18 months, whatever number you feel comfortable with, if you -- if you buy into that argument that it took us, as a government, at least a year to get all our Dumpsters enclosed and out of view, so to spring this on our businesses right now is probably not the best timing for them.

ALDERMAN TALLO: I agree. I think it's -- I think a year would be sufficient. I think if we stretch it too long, some people may forget. But I think that it's a very good idea to give them at least up to a year, because even 90 days is kind of short notice for that kind of expense. And like you said, not all can construct something themselves.

MAYOR COSTELLO: Alderman Clark?

ALDERMAN CLARK: I think on some of this, we might have to rethink our ordinance, that there's some of them that -- businesses that I've been to that their Dumpsters are around back. They've got a privacy fence on two sides of them, and the building, and the only way you can possibly see their Dumpster is -- if you would go around back behind their building. And like you said, in our old part of town, they can't build on their own property, and that's going to be a problem. And plus, you lose parking spaces. And you know, where's those metered parking spaces -- so I'm -- my suggestion is to, you know, to come back and rethink on our ordinance, on how we -- if we want to change our ordinance to somehow comply or grandfather some of the -- some of the people in.

ATTORNEY GRAVILLE: Alderman Clark, one of the things that is available, there's -- one of the lesser use variances in front of the Board of Adjustment is a variance from the Building Code, which I'm sure is where the enforcement's coming from. Is it a Building Code?

JIM DALY: It's actually from the Board.

ATTORNEY GRAVILLE: From the what?

JIM DALY: P&Z.

ATTORNEY GRAVILLE: P&Z? So they could request a variance if there's something unique to their property. So there is a vehicle through which

they could request a variance from the requirement that they have it enclosed, if there is a -- you know, a unique --

ALDERMAN CLARK: So on our sites plans and stuff, it's supposed to have that on there?

ATTORNEY GRAVILLE: Absolutely, yeah.

ALDERMAN CLARK: And we've -- but we've approved some, and they -- in the last year or two have built, and they're not in compliance?

ATTORNEY GRAVILLE: Well, they should have --

MAYOR COSTELLO: Yeah, they should be--

ATTORNEY GRAVILLE: -- the enclosure there, you know.

MAYOR COSTELLO: This is mostly on old --

ATTORNEY GRAVILLE: Old properties.

MAYOR COSTELLO: -- properties and old businesses --

ALDERMAN CLARK: No, this -- we're -- I'm talking new -- brand new buildings, or less than a year or two old.

MAYOR COSTELLO: Hmm.

ATTORNEY GRAVILLE: Well, those ones should be, and they should have had that as part of the site planning process. But the older properties, when you talk downtown, I mean, if -- you know, before you get into changing the ordinance, I mean, it may be something you might want to have a Work Session on, but they absolutely have a right to apply for a variance on it and say, "Our property is so unique, we can't enclose a trash Dumpster, and we need a trash Dumpster; it's out of necessity," and they could absolutely appeal to the Board of Adjustment -- you know, appeal their hardship to the Board of Adjustment. There is a vehicle, and I just wanted to let the Board know that if somebody really is -- has a hardship that's unique to their property, they can absolutely bring that issue to the Board of Adjustment and put that in front of them.

TERRI THORN: And I believe, Alderman Clark, that in that part of the Code, it talks about where the Dumpster is visible from other property. So if it's in a location behind there, and it's not visible from adjoining properties, I believe that's addressed, if I'm not mistaken, in that part of the Code.

ALDERMAN CLARK: Well, some -- these people got notices. So --

TERRI THORN: So are we paying attention to that part of it, Jim? Because if it's not visible from the adjacent property, then it could only require it on two sides or one side or --

MAYOR COSTELLO: One of the issues that one of the haulers indicated to me, and I hadn't thought about this, is if you enclose a Dumpster on three sides -- let's say it's backed up against the building -- it isn't just an enclosure you have to install. You've got to put a concrete pad down, because that trash truck can only get so close to the enclosure. So you have to be able to pull -- physically roll that Dumpster out. So that's the other aspect I hadn't thought about is that -- and in particular, some of those older buildings downtown, that most all of those are on gravel parking lots. And what they're doing now is they're backing that truck right up to it, hooking it, and dumping it into the

trash truck. So -- but it sounds like there's probably some provision already in the ordinance; we just need to take a look at it.

ATTORNEY GRAVILLE: I think it's probably one of those things that those individual owners probably need to contact Jim, and then we need to work as a staff to look at their issues and see what's there.

ALDERMAN CLARK: So they can come and talk to Jim and work out or come before the P&Z to get a variance?

MAYOR COSTELLO: Well, it sounds like you could -- yeah, there could be language in there already that it wouldn't even require the P&Z. But what we don't want to do here is shoot the messenger. Jim is doing exactly what was requested of him.

ALDERMAN CLARK: Well, the part of it that I'm worried is if they're \$3,000.00 that is significant amount of money.

MAYOR COSTELLO: It's substantial, yeah.

ALDERMAN CLARK: And I'm all -- I don't want to drive any more businesses away from Warrenton.

ALDERMAN CULLOM: No, and I agree with you. And I think we -- and with Phil -- I think that we need to give them the same amount of time that the City had to get those in compliance. We -- it's just no more than fair, even if --

MAYOR COSTELLO: Well, we do have -- you know, we also have some areas where -- and I think Alderman Dreyer would attest to this -- we do have areas where we've got a Dumpster sitting out in the middle of a parking lot, the lid's up, and it's blowing over onto residential properties. And those certainly need to be made aware that this ordinance needs to be complied with. So it sounds like it's going to be a, you know, a learning process and a process of educating the business owner on what the requirements are.

ALDERMAN CLARK: But I still think we need to come back and examine the ordinance.

MAYOR COSTELLO: Well, maybe we need to do a workshop, so everybody understands exactly what's required.

ALDERMAN CLARK: Because it -- even like, the way you say, within a subdivision, with the Dumpster up and everything, an enclosure is not necessarily going to keep the trash from blowing around. That's a safety issue or similar issue.

MAYOR COSTELLO: The enclosure will do more than you think. And I've got two properties that have the enclosure on it, and if the enclosure is built properly, it's tall enough, then a lid being open is going to be less of a problem, I think.

ALDERMAN DREYER: Yeah, the ones out there where I'm at, they used to have an enclosure around that would blow around like that, but then it just rotted and fell over, and now there's trash everywhere.

ATTORNEY GRAVILLE: I mean, Mayor, if we can get the information about -- when it comes to these property issues, it's a lot easier to address it when we know the specific and we can look at it, so -- because it's always so unique to that particular property. So if we can get an idea of what these are, we can kind of look at it and kind of see what's going on with them, see if there's visibility issues and whatnot, but

when you talk generally, it's very easy to come up with a hypothetical that says well --

MAYOR COSTELLO: Right.

ATTORNEY GRAVILLE: -- this is to one extreme or another. But really, if you can get us that information or encourage those people to come forward in the Building Department as a staff, we can review the situation and make some recommendations to you all, now that we have an idea of your general direction.

MAYOR COSTELLO: So am I hearing that -- well, the first thing we're going to do is put a one-year grace period, if you will, or time frame that they be required, under the current ordinance; so that takes care of what Jim's working on now. And those notifications have been out, and you don't have to start your enforcement, which is what you were talking about earlier.

ALDERMAN CULLOM: But we would like to encourage those that are in the front yards of people or facing people's front yards, if they would please comply earlier than a year, because these are the ones that started the whole process is that we had some that were right out by the road and facing people's front yards. And this is why we even looked into what we had and enforcing it. And Jim, I really appreciate all that you've done on this.

ALDERMAN FLAKE: I think we've got to stay consistent as much as we can with the ordinance, because since the letters have went out, I know some of the business owners and property -- different property owners have installed the screening already, and they're -- some of them's in progress or process right now. So I think we've got to stick as close to the ordinances as we can. I understand in some places there are going to be some difficult things and maybe some variances granted. But you know, the people that's investing the money and putting it out there now, they expect everybody else to cooperate and do the same thing.

MAYOR COSTELLO: And it's part of the beautification process, and no doubt that it's an improvement.

ALDERMAN FLAKE: Jim, you furnished us with a list. Are you still working on a list for additional places in town? I mean --

JIM DALY: As you can tell by the list, this is a --

ALDERMAN FLAKE: -- are you going to file another list?

JIM DALY: This was a list I just kept in my truck, and on some days when I actually made plans to deliver these notices, you can kind of tell it was kind of geographically located. And some of them just random; when I'd happen to see one, then, okay, I'll just -- I -- while I'm here, I'll pass those out. I plan -- I can still continue to hand out these courtesy notices.

ALDERMAN FLAKE: Right.

JIM DALY: And I'm doing them all in person; they're not just finding them. Or there maybe had been a few that weren't -- that weren't available when I noticed the Dumpster. But I plan to continue to just keep notifying people. I mean, I can address the most obvious ones, I guess, at the Board's direction.

ALDERMAN FLAKE: Some of the people have made comments to me that they received a notice, and then they know other people that haven't received notices, and they're wondering, you know, what's going on. So --

JIM DALY: Well, that was my plan. I had to not -- maybe not to inundate our local fence people, or not to think like anybody's being picked on. It's just a slow process of presenting it to the public.

ALDERMAN TALLO: Well, I think that giving them a year now, I think if we decided on that, I think that will help you out too as far as getting notices out. And while I'm thinking about it, I wanted to thank you on that one that was removed finally. I think it was removed a couple three weeks ago that we discussed, in that one parking lot up there on Main Street.

JIM DALY: Okay.

ALDERMAN TALLO: Yeah, thanks for getting that done; appreciate it.

MAYOR COSTELLO: Okay. Do -- I think we would need a motion to request a 12-month implementation period.

ALDERMAN TALLO: So moved.

ALDERMAN CLARK: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Clark to authorize a 12-month implementation period on the trash Dumpsters Enclosure Enforcement Code.

ALDERMAN CULLOM: So what you're saying is that they be done by September the 1st of 2010?

ALDERMAN TALLO: Sure.

MAYOR COSTELLO: Any questions? 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. And again, Jim, as Alderman Cullom mentioned, I'd still like the encouragement. Obviously, there's not going to be any absolute enforcement for 12 months.

JIM DALY: Okay. Will do.

MAYOR COSTELLO: Anything else, Jim?

JIM DALY: That is all I have for you this evening.

MAYOR COSTELLO: Thank you.

ALDERMAN FLAKE: And there's -- well, one other thing with this Dumpster situation. I know of several around town that they do have the screen up, but the gates have been knocked off; they're just laying up against the sides. So there needs to be some maintenance -- you know, taking care of them and keep them in shape.

JIM DALY: I know several those are vacant properties.

MAYOR COSTELLO: Anything else? Michelle Schlenther, our Economic Development Director, Item No. 19.

MICHELLE SCHLENTHER: Good evening. The only I have for you to tonight is an update from Steve Etcher with regard to the Neighborhood Stabilization Program. You should have received notification on that in your packet. It's just going to be an update of what's been going on. They've sent out bids and had the appraiser review the -- appraiser, title insurance, hazardous material inspection, and housing inspection. So they are moving along on that.

MAYOR COSTELLO: Okay.

ALDERMAN CULLOM: Thank you, Michelle.

ALDERMAN TALLO: Thank you, ma'am.

MICHELLE SCHLENTHER: Thank you.

(INDISCERNIBLE - TALKOVER)

MAYOR COSTELLO: Anything else, Michelle?

MICHELLE SCHLENTHER: That's all.

MAYOR COSTELLO: Thank you. All right. We'll move on, then, to Item No. 20, Deb Jett, our Human Resources Director. Deb?

HUMAN RESOURCES DIRECTOR DEB JETT: Good evening. I just have the request for approval on the policy on background checks. This simply expands our policy a little. The policy that we had before was very minimal. It simply we would do a -- the background check, and we would do a driver's license check on the employee. So this one gets a little more extensive. It says that we're going to do an extensive background and criminal check on new employees, that we will do a motor vehicle on new employees, and that we will do a credit check on anyone handling finances.

MAYOR COSTELLO: Counselor, do we need to have a motion to approve that policy?

ATTORNEY GRAVILLE: Yes.

ALDERMAN KENDALL: I'll make a motion that we accept the changes for the policy on background checks.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: A motion by Alderman Kendall, seconded by Alderman Tallo to accept the recommendation from our Human Resources Director in regard to background checks for employment. 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. Next item is Item No. 21, Brad Busekrus, our Maintenance and Grounds Director. Brad?

BRAD BUSEKRUS: Good evening, Board, Mr. Mayor. Tonight I have my bid tabs for a mower for the cemetery. And it is my recommendation that we go with Mordt Tractor and Equipment for Option 1-A. It's the model 329 with a 61-inch rear discharge and a premier air ride seat. I had \$10,000.00 in my budget for this mower. I have funds in my cemetery account to make up the difference. This is an option that, at the time we -- the amount was put in there, I did not know about this option, and this is something that I was -- that I'm going to try to get on every mower that we get from now on. The seat is -- the one we test-drove had this on it, and it's amazing the difference between sitting on a regular mower for six hours and sitting on this one for six hours. I have Darrell Potthast with Mordt Tractor here; he can attest to it. And I also -- the literature that I gave you this evening is the actual seat that we will be installing on it. And the reason -- the mower has to be made with the seat on it. It's not an option that we can get later on; it has to be manufactured with this seat on it.

ALDERMAN TALLO: Well, I'll make a motion to go along with the recommendation of the Grounds and Maintenance Director for the Option A model 329 with 61-inch rear discharge and premier air ride seat from Mordt Tractor and Equipment for the total of \$10,259.00, which was the low bid out of three.

ALDERMAN CULLOM: I'll second that.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Cullom, to accept the recommendation of the Maintenance and Grounds Director for the purchase of a Grasshopper rear-discharge mower with premier air ride seat from Mordt Tractor and Equipment, low bid of \$10,259.00. Questions or comments? My comment is I did not know that Grasshopper was using Kubota motors.

DARRELL POTTHAST: Yes, they have, for -- I've been with Grasshopper 19 years, and they've had Kubota motors since '89 or '90.

MAYOR COSTELLO: Is that right?

DARRELL POTTHAST: In a gas and a diesel; so in both of the three-cylinder engines. I've probably sold more gas engines than I have the diesels.

BRAD BUSEKRUS: We have one of the -- or we have one diesel and the rest are all gas is what we have now.

MAYOR COSTELLO: Thank you, Darrell. Very good. 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.

ALDERMAN TALLO: Thanks, Darrell. Good seeing you.

ALDERMAN CULLOM: Yeah.

MAYOR COSTELLO: I actually wanted to comment that I appreciate you being here this evening. Something that we're going to encourage in the future on all of our bids, that particularly the low bidder and anyone else interested in the outcome of the bids should be here. I think it would have helped resolve issues in the past where there were questions about a product or a service. I was appreciative of seeing the electrical contractor here this evening, and that's -- I think it solves a lot of problems if we have --

BRAD BUSEKRUS: I got to admit, Darrell brought this motor out twice to us, once this spring and then once, what, a couple weeks ago what two or three weeks ago, and we tried it at different locations -- or different tallness of grass and how it operated in between, and it made a big factor in what we were going to do.

MAYOR COSTELLO: Great.

BRAD BUSEKRUS: Appreciate it.

MAYOR COSTELLO: Sure.

DARRELL POTTHAST: Just one correction for Brad. I'd like to thank the Board and Brad for inviting me. There's just one correction I do want to make. You can buy this part of this machine without that -- without the seat and add it later. But cost-wise, you'll probably have twice your -- compared, you know what it would be ordering it with the seat. Also, I did check, and with the approval that we have the lowest bid and it's approved tonight, there's a truck -- it would be shipped the week of the 7th. So we could easily say two weeks from now, we've got a mower for you.

ALDERMEN: Thank you.

MAYOR COSTELLO: Thanks again for being here, Darrell; appreciate it. All right. The next item is Item No. 22, bills to ordinance, and that's the ordinance that Mr. Daly was trying to explain to us when we weren't paying attention.

ALDERMAN KENDALL: I'll call for the first reading of Bill No. 53-09.

ALDERMAN DREYER: Second.

MAYOR COSTELLO: Motion by Alderman Kendall, seconded by Alderman Dreyer to introduce the first reading of Bill No. 53-09.

CITY CLERK RUGH: An ordinance amending Chapter 415 of Title IV of the Municipal Code of the City of Warrenton, Missouri, pertaining to Flood Damage Prevention, and adapting a new, amended Chapter 415 of Title IV of the Municipal Code of the City of Warrenton, Missouri.

ALDERMAN FLAKE: Call for second and final reading and passage of Bill No. 53-09.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Flake, seconded by Alderman Cullom for the second and final reading and passage of Bill No. 53-09.

CITY CLERK RUGH: An ordinance amending Chapter 415 of Title IV of the Municipal Code of the City of Warrenton, Missouri, pertaining to Flood Damage Prevention, and adapting a new, amended Chapter 415 of Title IV of the Municipal 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. Terri?

BILL NO. 53-09

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 415 OF TITLE IV OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI PERTAINING TO FLOOD DAMAGE PREVENTION AND ADOPTING A NEW AMENDED CHAPTER 415 OF TITLE IV OF THE MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI.

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

SECTION I. That Chapter 415 of Title IV of the Municipal Code of the City of Warrenton, Missouri pertaining to Flood Damage Prevention is hereby amended and a new amended Chapter 415 of Title IV of the Municipal Code of the City of Warrenton, Missouri is hereby adopted and shall be in words and figures as set forth on Exhibit A attached hereto and made a part of hereof.

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

SECTION III. 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 1st day of September, 2009

Fred Flake
President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 1st day of September, 2009.

Greg Costello
Mayor

ATTEST:
Melody Rugh
City Clerk

(EXHIBIT A ON FILE AT OFFICE OF CITY CLERK)

TERRI THORN: We have litigation and personnel.

ALDERMAN CULLOM: I make a motion we go into Executive Session for the discussion of litigation and personnel.

ALDERMAN TALLO: Second.

MAYOR COSTELLO: Motion by Alderman Cullom, seconded by Alderman Tallo to go into Executive Session for the discussion of litigation and personnel. Questions or comments? Roll call vote.

ALDERMAN CLARK: Yes.

ALDERMAN DREYER: Yes.

ALDERMAN FLAKE: Yes.

ALDERMAN CULLOM: Yes.

ALDERMAN TALLO: Yes.

ALDERMAN KENDALL: Yes.

ALDERMAN TALLO: I make a motion we adjourn.

MAYOR COSTELLO: Motion carries 6 to 0.

ALDERMAN CULLOM: Yeah. I have a question.

ALDERMAN TALLO: Oh, I'm sorry. I jumped the gun there.

ALDERMAN CULLOM: I have a question. Patrick, on -- I know it's on the calendar, and I've been asked about this, the Warrenton pool closes Monday. The -- is it open Monday?

PATRICK RANDOLOPH: It's open Monday.

ALDERMAN CULLOM: It's open.

PATRICK RANDOLOPH: Monday will be the last day.

ALDERMAN CULLOM: Okay. That's what I told them I thought it was, but I did mean to ask tonight. Thank you.

ALDERMAN TALLO: Motion to adjourn.

ALDERMAN CULLOM: Second.

MAYOR COSTELLO: Motion by Alderman Tallo, seconded by Alderman Cullom to adjourn. Questions or comments? All in favor, signify by saying aye.

ALDERMEN: Aye.

MAYOR COSTELLO: Opposed?

The meeting was adjourned at 9:22 p.m.

Melody Rugh
City Clerk

Minutes Approved: _____

Greg Costello, Mayor

Melody Rugh, City Clerk