

CITY OF SHREWSBURY
BOARD OF ALDERMEN
WORK SESSION OF THE BOARD OF ALDERMEN
March 25, 2014

A Work Session of the Board of Aldermen of the City of Shrewsbury, Missouri was held at 6:00 p.m. this 25th day of March, 2014 in the Aldermanic Chambers of City Hall for the transaction of such business that may come before the Board.

There were present:

Mayor Felicity Buckley
Alderman Elmer Kauffmann
Alderman Mike Travaglini
Alderdwoman..... Chris Gorman
Alderman Ed Kopff
Alderman Rick Steingrubby

There were also present:

City Attorney Michael Daming
Director of Finance Danielle Oettle
Street Superintendent Tony Wagner
Fire Chief..... Bill Fox
Police Chief..... Jeff Keller
Director of Parks & Recreation..... Chris Buck
City Clerk..... Carly West

Roll Call

Mayor Buckley opened the meeting and City Clerk Carly West commenced with the roll call. A quorum of the Board was present.

Approval of Minutes

Mayor Buckley introduced the minutes of the March 11, 2014 Regular Session and opened the floor for discussion. There being no discussion, Alderdwoman Gorman made a motion to approve the minutes as revised. Alderman Kopff seconded the motion, and it passed unanimously.

Hear Citizens

None.

Radio Shack Sign Request

Mayor Buckley introduced the sign request for Lighting Service, Inc. on behalf of Radio Shack and stated that City staff had no concerns about the sign. There being no discussion, Alderman Steingrubby made a motion to approve the sign request. Alderman Kopff seconded the request, and it passed unanimously.

Police Department Tactical Equipment Bid Presentation

Chief Keller stated that \$9,772.99 for tactical equipment had been included in the budget, pending the receipt of a Law Enforcement Block Grant. He reported that they had received a check in the amount of \$8,795.67 from the State for that Grant, so they would be purchasing equipment from three different vendors. From

Starr Uniforms, who have the New York State contract, they would be purchasing ballistic helmets, rifle plate carriers, double duty pistol magazines, and AR-15 magazine pouches, and rifle plates in the amount of \$6,184.00. From Patrick's Uniforms, who have the Florida State contract, they would be purchasing the ballistic shield in the amount of \$2,497.13. Finally, from Galls.com, they would be purchasing turn-out bags in the amount of \$804.80. Chief Keller stated that the amount of the purchase was \$287.04 less than was authorized by the grant, so that amount would be returned to the State. Alderman Kauffmann made a motion to approve Chief Keller's request as stated. Alderman Kopff seconded the motion, and it passed unanimously.

Ordinances

Mayor Buckley reminded the Board of the process that she would like them to following introducing and passing bills. She stated that typically, a topic is brought up, then a sample ordinance is distributed and discussed at a work session. She stated that the proceeding ordinance had been given back in February for review, comments, questions, and concerns. A first reading, and sometimes a second and passage would be scheduled after that. She asked that, if anyone has any questions or concern between the discussion and the first reading, that those be addressed as soon as they arise so as not to hold up the legislative process. She understands that concerns arise, but that it's helpful for those to be brought up before the reading.

(Bill No. 2769)

Mayor Buckley re-introduced Bill No. 2769, a bill amending certain sections of Title IV: Land Use, Chapter 420: Plan Commission by amending Chapter 420.030: Duties. Mayor Buckley stated that Alderman Kauffmann had raised concerns about Plan Commission members being allowed to go on a resident's property in order to fulfill their obligations as the Plan Commission. She stated that that authority was granted by State Statute, and the bill presented actually narrowed the scope of what authority was allowed them. She stated that the section was needed in order for the Plan Commission members to serve the community effectively, and that it would not allow any sort of digging or work on private property without the owner's permission. She stated that if the City were unable to get in touch with a resident to get permission, it would hold up the City's ability to perform necessary functions.

Alderman Kauffmann stated that he had a problem with that section and that he believed it was trespassing. He stated that residents should be contacted if someone needed to go on their property because they are afraid of strangers going on their property. Mayor Buckley stated that these were concerns related to in-house procedure and it was already a matter of procedure to make every effort to contact a property owner before going on their property, even in emergency situations. She stated that it was also important to protect the citizens' rights to have the Planning and Zoning of their community done in an efficient and thorough manner and to make sure those Commissioners were able to carry out their duties effectively. She reiterated that the authority granted by this ordinance was very narrow and confined to things necessary for the Plan Commission to carry out their duties. She also stated that no one had any concerns with this authority when the bill was discussed, which is why it was moved forward to a first reading.

Alderman Kauffmann stated that he would be voting against the bill and stated that he believed that the County Assessor did not go on property that they were surveying or assessing, but that they did it from the edge of the land. Mayor Buckley stated that State Statutes allowed for this authority. Alderman Kauffmann asked if this had ever been challenged in court and that many State Statutes are found to be invalid in court.

Alderman Travaglini asked if Alderman Kauffmann had ever received complaints about Plan Commission members going on private property, and stated that in his years as Alderman, he had never received a complaint of that type. Alderman Kauffmann stated that he had, but did not want to give any information regarding the complaints he had received. Alderman Kopff asked if the complaints had been about City employees or about someone outside the City. Alderman Kauffmann stated that he had received complaints about both. Alderman Kopff asked if, in the situations where it had been City employees, if attempts had been made to contact the property owner. Alderman Kauffmann stated that he did not know. Alderman

Kopff stated that it was his understanding that procedurally, attempts were usually made. Alderman Kauffmann stated that employees do not always follow procedures correctly. Mayor Buckley stated that the Board should not be making ordinances based on what bad employees might do, and that if an employee had done something improper, it would need to be addressed. She stated that she felt the bill was restrictive and actually protected residents, because it allowed the Plan Commission members to complete their responsibilities thoroughly.

Alderman Kauffmann stated that surveying could be done from outside the property lines. Mayor Buckley stated that she had never done surveying, and asked Alderman Kauffmann if he had and if he could explain to her how that was done. Alderman Kauffmann stated that he had not done any surveying, and Alderman Travaglini stated that surveyors needed to be able to go on the property they were surveying so they could, for example, survey the back property lines. He pointed out that if the surveyor could not go on the property they were surveying, they might need to go on the neighboring private property. Alderman Kauffmann stated that would depend on how the property was laid out. Mayor Buckley stated that this was for situations where the only way to complete the task was to go on the property. She stated that in cases where there was a property line in question or a development that was in dispute, it would be necessary to have good, accurate surveying done.

Alderman Kopff stated that he was not aware of any incidents recently where City employees were accused of abusing the authority described in the bill. He stated that he felt the procedures were being followed properly, and if not, it needed to be addressed. Mayor Buckley agreed and asked if there was a particular project or situation that Alderman Kauffmann could cite where residents had complained. Alderman Kauffmann stated that if he were to give any information, the resident that had complained could be identified. Alderman Kopff asked when it had occurred, and Alderman Kauffmann stated that it had been a year or two earlier or possibly five years earlier. Alderman Kopff asked if it had been City employees being complained about, and Alderman Kauffmann stated that in some cases it had been City employees, and in other cases, it had been individuals outside the City. Alderman Kopff stated that the Board would need to know if procedures had not been followed. Alderman Travaglini asked if Alderman Kauffmann had brought up the complaint to anyone, and Alderman Kauffmann stated that he had simply listened to the complaint. Mayor Buckley stated that she hoped that in the future, she would bring complaints like that forward so they could be addressed properly.

Mayor Buckley reiterated that ordinances weren't passed to cater to worst-case scenarios and that the authority granted by this bill was very narrow. Alderman Kopff stated that if this authority were challenged in court, the City would modify the Code to comply with that ruling.

A motion was made by Alderman Travaglini, seconded by Alderman Steingrubby, and, with Alderman Kauffmann voting "nay," passed in accordance with Section 79.130 as approved by the General Assembly of the State of Missouri, to read the Bill by Title only for the first reading. The Mayor opened the floor for discussion. There being no discussion, a motion was made by Alderman Travaglini, seconded by Alderman Kopff, and, with Alderman Kauffmann voting "nay," passed in accordance with Section 79.130 as approved by the General Assembly of the State of Missouri, to read the Bill by Title only for the second and final reading. Mayor Buckley opened the floor for final discussion. There being no discussion, Alderman Travaglini made a motion that Bill No. 2769 be adopted to become Ordinance No. 2760. Alderman Steingrubby seconded the motion and upon roll call, the following vote was recorded. Alderman Kauffmann, "Nay"; Alderman Travaglini, "Aye"; Alderwoman Gorman, "Aye"; Alderman Kopff, "Aye"; and Alderman Steingrubby, "Aye".

There being a majority of votes in favor, the Mayor declared the motion passed and that Bill No. 2769 was adopted as Ordinance No. 2760.

(Bill No. 2773)

Mayor Buckley introduced Bill No. 2773, a bill amending Merchant License fees and reminded the Board of previous discussions regarding this bill. Mayor Buckley asked if there was any discussion. There being no discussion, a motion was made by Alderman Kopff, seconded by Alderwoman Gorman, and unanimously passed in accordance with Section 79.130 as approved by the General Assembly of the State of Missouri, to read the Bill by Title only for the first reading. The Mayor opened the floor for discussion. There being no discussion, a motion was made by Alderman Kopff, seconded by Alderwoman Gorman, and unanimously passed in accordance with Section 79.130 as approved by the General Assembly of the State of Missouri, to read the Bill by Title only for the second and final reading. Mayor Buckley opened the floor for final discussion. There being no discussion, Alderman Kopff made a motion that Bill No. 2773 be adopted to become Ordinance No. 2761. Alderwoman Gorman seconded the motion and upon roll call, the following vote was recorded. Alderman Kauffmann, "Aye"; Alderman Travaglini, "Aye"; Alderwoman Gorman, "Aye"; Alderman Kopff, "Aye"; and Alderman Steingrubby, "Aye".

There being a majority of votes in favor, the Mayor declared the motion passed and that Bill No. 2773 was adopted as Ordinance No. 2761.

Discussion

Mayor Buckley stated that there was an update on the abandoned vehicle ordinance that had been previously discussed. She stated that the initial goal had been to get unlicensed vehicles that had become derelict and a nuisance off of private property. She explained that there was a concern about how far delinquent a license could be before it was cited, and stated that procedures in-house would be the same as nuisance violations in that there would be a notice sent to the owner, the owner would have an opportunity to correct the problem and generally a second notice was sent if it was not corrected, and only then would it be sent to the courts. Mayor Buckley stated that there needed to be some flexibility and that a car that was totally wrecked and just left on someone's property would be dealt with differently than one that simply had one day lapsed tags. She stated that a provision had been added that referenced that the license plate had to be 60 days delinquent from the first day of the month in which it is due. She stated that there are extenuating circumstances, as with anything, that cannot all be enumerated. She also explained that the enforcement of license plate renewals would not change for vehicles in operation, but that for vehicles on private property that were not being used, there would be a sort of 60-day grace period.

Alderman Kauffmann stated that he would like to read the final copy before he made a decision. Mayor Buckley answered that she understood that, but asked if he had any concerns in principle with the caveat that she had just explained. Alderman Kauffmann asked what would be done about a person who was saving a car for her nephew that had tags that were more than 60 days expired. Mayor Buckley answered that it would either need to be in a garage or she would not be able to keep the car. Alderman Kauffmann stated that some people did not have garages and asked how that particular situation would be handled. Mayor Buckley answered that she would get a notice, she would be given a certain amount of time to remedy the situation, and she would hope that the person would call her nephew and explain that cars with delinquent tags were not allowed in Shrewsbury and he needed to pick the car up. She explained that while this was not under the nuisance violation, it would be handled the same way procedurally, and that cars needed to be in a garage or they couldn't stay. She explained that there were people who had derelict cars on their property and even cases where people were storing things in derelict cars, and that the consensus of the Board had been that something needed to be done about this problem.

Alderman Kauffmann wanted to make sure there would be some time before the person in question received a summons to court. Mayor Buckley reiterated that a notice would be sent well before it got referred to the courts. She explained that court is reserved for those who refuse to cooperate.

Alderman Kopff stated that it was similar to any situation where someone could not meet a deadline, and that the residents who call and are trying to work with the City will be given some leeway, but those who ignore

the notices will not. Alderwoman Gorman stated that, for the community's sake, derelict cars needed to be dealt with in a timely manner. Alderman Kopff stated that over the past couple of years, nuisances had been handled very well. Mayor Buckley gave the example of a resident who had their garage damaged in a storm, and explained that they were working with their insurance company, so the City was granting more leniency in the timeframe for making the repairs. She asked if there were any other concerns about the bill.

Alderman Kauffmann stated that he would make his decision after he reads the bill. Mayor Buckley asked if he had any concerns in principle with what was being presented. Alderman Kauffmann stated that his only concern was the resident he mentioned earlier who was saving a car for her nephew. Mayor Buckley suggested that Alderman Kauffmann speak with the resident and alert her that the Board was going to be considering this bill and that she might need to act accordingly.

Mayor Buckley stated that the next topic of discussion was some enforcement provisions that would be introduced in the near future, and that it would be very similar to the updates that have been happening in previous months. She stated that there would be some that would directly affect the redevelopment project, such as overnight parking and sleeping in cars or adding new fire lanes to the schedule in the Code, so those would be need to be in place in a timely manner. She emphasized that there would be copies of the bills at work sessions so everyone could review and discuss them before they were considered.

Mayor Buckley stated that work would be beginning on the business page on the website, and asked if anyone had seen any that they would like us to emulate. She stated that the staff would be working on this in-house and researching what the best design would be.

Mayor Buckley introduced the topic of disbanding the Public Safety Commission. She stated that they had not met for at least the past seven years, and it was on the books without being utilized at all. Alderman Kauffmann asked who was on the commission, and Mayor Buckley answered that she did not have the list of members. Alderman Kauffmann asked what the purpose of the commission had been and that he did not remember a Board called that. Chief Keller answered that it had been the Police Board but that the name had been changed by the Board of Aldermen, and it was currently called the Public Safety Advisory Commission. Mayor Buckley stated that since the change had occurred, it had never been used. She stated that when issues arise, the Board goes to the in-house experts instead of relying on resident input. She stated that she was not against the idea of getting input from residents, but that she was dubious about having a commission on the books that never meets.

Alderman Travaglini asked if it could be an ad hoc committee, and Mayor Buckley said that would be possible, but that those people would need to be kept up with. Alderman Travaglini asked if it was possible to have an ad hoc committee without having defined members, but instead appoint members if the commission needed to meet. City Attorney Mike Daming answered that the Code does not obligate the commission to meet on a yearly basis, so it basically already is an ad hoc commission.

Mayor Buckley asked the Board what they would like to do with this commission. She stated that some of the members had left town, and it seemed odd to her to have a commission like that. Alderman Kauffmann stated that they should be notified if they are going to be disbanded, and Mayor Buckley stated that she would not be doing that until the Board had decided what to do about it.

Alderman Steingrubby stated that if they had not met in over 6 years, they might already think their commission had been disbanded. Mayor Buckley stated that she had received a resignation, which was what prompted her to put this issue on the agenda. Alderman Travaglini asked about officially disbanding the current commission but then officially turning it into an ad hoc committee with no particular members.

Mayor Buckley clarified that Alderman Travaglini liked the concept and having one on the books, and that it was already formed the way that Alderman Travaglini was suggesting, as they weren't obligated to meet at all. She suggested that she could call the current members to touch base and see what their interest levels were.

Mayor Buckley referenced the traffic commission that formerly existed, and Alderman Kauffmann stated that some people thought that commission still existed and that they were still on it. Mayor Buckley stated that the City relies on experts for issues such as traffic and public safety and has since she has been an official. Alderman Kauffmann stated that the traffic commission had met quite often, and Mayor Buckley added that the need for that had subsided once the Kenrick condos had all been completed.

Alderman Travaglini asked if the same thing needed to happen to the traffic commission, and Mayor Buckley answered that it had been formally disbanded. Alderman Travaglini asked if they needed to see if there were any other boards or commissions that were still in place that had not met for years.

Mr. Daming clarified that while the Public Safety Advisory Commission was ad hoc, it was still a standing commission, and had strict membership numbers and requirements. He stated that these requirements could be changed if the Board wished. Mayor Buckley stated that her concern was if an issue arose and they were bound to those specific people when a town hall type of meeting would be better. She asked how the Board wanted to deal with this issue.

Alderman Gorman stated that she liked the way the Parks Board had held their public forum the previous night, and that she did not see the need to continue with a commission that had been basically defunct for so long. She asked if their time with the commission had been expired, and Mayor Buckley answered that they were automatically reappointed.

She asked how the Board wanted to proceed, and stated that if they were going to keep the commission the same, new members would need to be appointed. Alderman Kopff stated that they might want to revise the requirement. Alderman Travaglini stated that he felt it should be revised to make it an ad hoc commission to the fullest extent it could be ad hoc, and that way they could appoint whoever they wanted whenever they wanted. Mayor Buckley stated that they would put some thought into it and revisit the issue in the future.

Alderman Kauffmann asked what commissions were required to meet, and Mr. Daming answered that only the Plan Commission was required to meet yearly.

Mayor Buckley stated that the Historical Society was having a fundraiser to have people donate to become members. She stated that Alderman Scherer would be acting as Board liaison to the Historical Society. She also reported that the Society would be selecting new officers, and the current officers would be working for the Historical Society but would not be running it after the first year.

Alderman Kauffmann asked how many members there were, and Mayor Buckley answered that they had not focused on gaining members for the first year, but had worked on becoming established before working on specific projects.

Old Business

None.

New Business

Chief Fox announced that the CERT class had finished, and there were 20 graduates. He stated that the graduation would be at the April Regular Session, and that the previous class was going to begin a tradition of putting on a celebration for the following class after each graduation.

Mayor Buckley reported on the Parks Board had held an open house for residents to provide input on the 10-year-plan, and that the event had gone very well. She stated that there were around 30 people in attendance. She also reported that Beth Parker, who is a horticulturist, had agreed to head up the beautification efforts of the City.

Adjournment

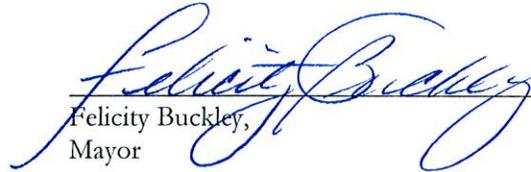
Alderman Travaglini made a motion to adjourn the regular meeting. Alderman Kauffmann seconded the motion, and it passed unanimously. The Work Session was adjourned at 7:50 p.m.

Respectfully submitted,



Carly West,
City Clerk

ATTEST:



Felicity Buckley,
Mayor