

**MINUTES
CITY OF SUGAR CREEK
BOARD OF ALDERMEN MEETING
SUGAR CREEK CITY HALL
103 S. STERLING
SUGAR CREEK, MISSOURI
MONDAY, APRIL 25, 2016**

Meeting for the City of Sugar Creek, Missouri, Board of Aldermen was called to order by Mayor Matthew Mallinson, April 25, 2016 at 7:30 p.m., with the following present participating in the Pledge of Allegiance.

ROLL CALL

Members Present

Matthew Mallinson, Mayor
Stanley J. Sagehorn, Alderman
Joseph D. Kenney, Sr., Alderman
Lorcan Doyle, Alderman
Robert A. Ray, Alderman

Staff Present

Christopher Soule, Police Chief; Matt Kline, Police Captain; Pat Casey, Fire Chief; Ed Layton, Director of Public Works; Linda Martinovich, Finance Officer; Ron Martinovich, City Administrator; Paul Loving, Building Official; Connie Dickinson, Parks and Recreation; Bob Buckley, City Attorney; Jana Olivarez-Dickerson, City Clerk; Marilyn Evans, Deputy City Clerk.

III. CONSENT AGENDA

- A. Approval of Minutes of the April 11, 2016 Council Meeting.
- B. Approval of Claims Ordinance No. 05-16
- C. Consider approval of a temporary liquor license for limited sale of intoxicating liquor by the drink (beer and wine coolers) for the Sugar Creek Fair and Festival Board during the annual Sugar Creek Slavic Festival on June 10 and 11, 2016. Fee for the License will be \$25.00.
- D. Consider approval of the use of the Mike Onka Memorial Building by the Sugar Creek Fair and Festival Board for the week of June 5–12, 2016. Fee shall be \$150.00.

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE THE CONSENT AGENDA AS ABOVE. SECOND BY ALDERMAN DOYLE.**

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

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|-------------|--------------------------|----------------|-------------|
| YEA: | ALDERMAN SAGEHORN | NAY: | NONE |
| | ALDERMAN KENNEY | ABSENT: | NONE |
| | ALDERMAN DOYLE | | |
| | ALDERMAN RAY | | |

IV. PUBLIC ITEMS NOT LISTED ON AGENDA

A. Business from the floor – Comments or concerns from Sugar Creek residents.

Resident Jim Cooper, said he has a young man who will clean up (kill weeds with herbicide, trim bushes, clear the hill to be able to view river) Wayne City Landing and wondered if the City would donate to the Eagle Scout Project. Mayor Mallinson asked when this would be performed as Mr. Cooper answered as soon as this weekend. Mr. Cooper does have permission from Lafarge to clean up the area. Also only the adults will use the herbicide for the weeds. Resident Jack Lasater donated cash to pay for the supplies.

Resident Nathan Athans, wanted to bring to the Board's attention the intersection of Gill and Sterling. It is difficult to see with vehicles parked at the bar at that location and wondered if it could be made into a 3-way stop. He felt it was a dangerous intersection. The Board did not feel it would be possible to install a stop sign at that location due to the layout. Alderman Kenney asked for Police Chief Soule to look at that intersection and come up with suggestions and bring forward at the next meeting.

Resident Linda Mikulich asked the Board what their three top vision priorities were for the City. The Board answered things such as viability, livability, safety and City services. Ms. Mikulich said there are boarded up buildings along the main street of Sugar Creek and the City does not look like a town but rather a town going out of business. She asked if there is a time frame on repairing the buildings. Paul Loving, Building Official, answered it was dependent upon the extent of the repair and he gives an opportunity to the party involved to respond in a reasonable amount of time. Ron Martinovich, City Administrator, said the code addresses decent, safe and sanitary but not esthetics as what Ms. Mikulich is discussing. Ms. Mikulich asked how does the Board expect the other ordinances to be enforced (i.e., front yard gardens) if the City does not maintain the main street of Sugar Creek. Mayor Mallinson urged her to be patient since the City had just partnered with the Missouri Main Street organization and felt there will be some progress over the next several months.

V. MAYOR'S REPORT

- A. Consider approval of Bill No. 04-21-16 Ordinance No. 3990 amending the Zoning Ordinance of the City of Sugar Creek by adding thereto Section 32A to permit raising of chickens under certain restrictions in certain areas. Paul Loving, Building Official.
(adopt)

First reading was approved on Monday, April 11, 2016.

Now, therefore, **ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 3990 AS ABOVE. SECOND BY ALDERMAN RAY.**

Paul Loving, Building Official, said it was up to the Board if any stipulations needed to be change. Mayor Mallinson felt a rooster should be allowed because it could be enforced by the noise ordinance.

Alderman Kenney stated the residents of Sugar Creek do not want roosters in the City. Alderman Doyle has reviewed other City ordinances and they also do not allow roosters.

Sandy Mikulich said that the ordinance did not state how quickly action would be taken if a resident did not get a permit and has violated the restriction and conditions set forth. Alderman Doyle answered it would be in line with other ordinances which is within 30 days.

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

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| YEA: ALDERMAN SAGEHORN | NAY: NONE |
| ALDERMAN KENNEY | ABSENT: NONE |
| ALDERMAN DOYLE | |
| ALDERMAN RAY | |

B. Consider approval of Bill No. 04-22-16 Ordinance No. 3991 amending the Code of Ordinances by amending Section 6-3 thereof regarding keeping of livestock in the City of Sugar Creek. Paul Loving, Building Official.

(adopt)

First reading was approved on Monday, April 11, 2016.

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 3991 AS ABOVE. SECOND BY ALDERMAN KENNEY.**

Paul Loving, Building Official, stated this amends what is allowed through the zoning ordinance.

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

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| YEA: ALDERMAN SAGEHORN | NAY: NONE |
| ALDERMAN KENNEY | ABSENT: NONE |
| ALDERMAN DOYLE | |
| ALDERMAN RAY | |

C. Consider approval of Bill No. 04-24-16 Ordinance No. 3993 amending the Code of Ordinances by amending 18-499 (a) (3) thereof which prohibits parking of vehicles and trailers in certain areas. Chris Soule, Chief of Police

(adopt)

First reading was approved on Monday, April 11, 2016.

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 3993 AS ABOVE. SECOND BY ALDERMAN DOYLE.**

Christopher Soule, Chief of Police, stated this is the final draft amending the ordinance regarding parking of vehicles and trailers on the grass. It has to be on a concrete slab. Bob Buckley, City Attorney, stated this was focusing on vehicles and trailers parking on the grass only. If a trailer is parked

in the driveway then that would be another issue. Alderman Sagehorn clarified that this was to get rid of trailers being parked in the grass whether empty or loaded with items.

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

YEA: ALDERMAN SAGEHORN NAY: NONE
ALDERMAN KENNEY ABSENT: NONE
ALDERMAN DOYLE
ALDERMAN RAY

- D. Consider approval of Renewal for Blasting Permit for Audubon Materials, LLC DBA Central Plains Cement Co. Sugar Creek Deep Mine (Cement Plant) 2200 N. Courtney Road Sugar Creek, MO 64058 for 2016-2017. The fee shall be \$1,000.00 Chief Patrick Casey

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE RENEWAL FOR BLASTING PERMIT FOR AUDUBON MATERIALS, LLC AS ABOVE. SECOND BY ALDERMAN SAGEHORN.**

Pat Casey, Fire Chief, explained this is the blasting permit for the Deep Mine from Eagle. It expires the end of April 2016 and the new permit will be active for a year. He has the monies paid and received their Certificate of Insurance. This is an annual renewal. Alderman Sagehorn asked if there are periodic inspections if the explosives are being stored properly. Fire Chief Casey answered yes.

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

YEA: ALDERMAN SAGEHORN NAY: NONE
ALDERMAN KENNEY ABSENT: NONE
ALDERMAN DOYLE
ALDERMAN RAY

- E. Consider approval of Blasting permits renewal for Kansas City Aggregate LLC, DBA Talon Concrete and Aggregates, 16400 East Kentucky Road Sugar Creek, MO 64058 for 2016-2017. The fee shall be \$1,000.00 Chief Patrick Casey

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE RENEWAL FOR BLASTING PERMIT FOR KANSAS CITY AGGREGATE, LLC AS ABOVE. SECOND BY ALDERMAN KENNEY.**

Pat Casey, Fire Chief, explained this is for the Kentucky Road Quarry Operation at the Old Cedar Crest Property. He has received monies and Certificate of Insurance. This mine has approximately 1.5 years left on the agreement.

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

YEA: ALDERMAN SAGEHORN NAY: NONE

ALDERMAN KENNEY **ABSENT: NONE**
ALDERMAN DOYLE
ALDERMAN RAY

A. Mayor's Report

- City of Independence has agreed to pay their Mayor \$40,000 per year with car allowance of \$6,000 and insurance. The Aldermen will make \$20,000 per year with a \$6,000 car allowance and insurance. He pointed out to the public that the Sugar Creek Board of Aldermen take a lot of abuse and work very hard and are not making \$20,000 a year and insurance.
- The Business of Civic Club has tried to put together a flyer/brochure advertising all the businesses in the City. He felt this might be something to consider supporting.

B. Aldermen Reports

Alderman Ray

- He went to the 911 Banquet and was amazed how many were in attendance.

Alderman Doyle

- The appearance of the main street of Sugar Creek is of great concern. He would like to know what action can be done to improve the appearance. He knows the legalities on this issue is difficult. Bob Buckley, City Attorney, said a house across the street from him has been boarded up for 8 years and he has done some research on it. An investor had purchased the property but is doing nothing with it. He stated there are cities that have passed ordinances that prohibit boarding up windows of houses and buildings. Mayor Mallinson stated the Missouri Main Street has created programs to help residents with what the community wants to have done. Alderman Doyle is frustrated dealing with negligent landlords and property owners who don't seem to care about their properties.

Alderman Kenney

- No report.

Alderman Sagehorn

- He asked for the Board's thoughts to have residents plant their gardens in the empty lots throughout the City. Alderman Doyle was worried about liability issues. Mayor Mallinson asked if there was even a need for more community gardens. Sandy Mikulich did not know if there was an additional need for this as two community gardens plots have not been rented as of yet.
- He is also frustrated with the vacant houses issue. Paul Loving, Building Official, is frustrated with the houses that go into foreclosure status because the agents do not care and won't do anything with the properties. Mayor Mallinson said that the City of Kansas City has ordinances if a house is vacant it has to be registered with the Police Department and a fee per month is applied, but the City of Sugar Creek being a fourth class city cannot do that. Alderman Sagehorn asked by boarding up the houses and buildings what it costs the City. Chief Soule said the cost has been cut by a fourth due to just boarding up the front and back doors with windows still intact.

C. Staff Reports

1. City Administrator – Ron Martinovich

- He had thought the provisions related to issuance of a building permit had previously been passed, which was not. The City Attorney had added the provisions into the ordinance and will bring forward at the next Council meeting.

2. City Clerk – Jana Olivarez-Dickerson

- Sunshine request from Inter City News was received last week. There were several requests for agreements and requests for communications between the City and three different companies. She had sent information stating there will be investigations along with the cost estimate of approximately \$100.00. A waiver of these costs has been requested by Inter City News. According to the Missouri State Statutes prior to producing copies of requested records, the person requesting the records may request the public governmental body to provide an estimate of the cost. She asked the Board if the fees should be waived or reduced.

Alderman Kenney asked for the estimated cost. Jana Olivarez-Dickerson, City Clerk, answered \$100. Alderman Kenney stated if the City of Sugar Creek charges other companies then it would need to be consistent across the board. The Board was in agreement to charge the company \$100.

3. Police Chief – Christopher Soule

- After the big storm last year that resulted in flooding, Jackson County declared it a disaster area and the County came up with a damage total of \$4.2 million in combination with the surrounding cities. In the future, the City will need to keep better documentation to receive full reimbursement. A deposit from FEMA in the amount of \$14,903.66 was issued to the City of Sugar Creek. Alderman Sagehorn asked where those fund would be placed. This money will be put into the General Fund account.
- Received DARE grant in the amount of approximately \$28,900.
- Received COMBAT money and will report to receive the remainder until December 2016.
- Clay County had a few Crown Vic vehicles and had given the City of Sugar Creek a vehicle since they are phasing them out.
- His team had been out enforcing tall grass issues.
- The department had received a new computer server and had conducted an update recently.
- 911 Banquet was a success last week. Jana Olivarez-Dickerson, City Clerk, requested pictures of that event.

4. Public Works Director – Ed Layton

- He thanked the Board for their constant consideration regarding insurance coverage. He had given the Board a proposal January 2016 to consider bringing up salaries for certain employees. He would like the Board to review. The Board agreed they will review the proposal.

5. City Treasurer/Finance Officer – Linda Martinovich

- The budget for 2017 will be sent to the departments the first week of May.
- The 6-month report will be in *The Examiner* on Wednesday.

6. Building Official – Paul Loving

- April 14 the Planning Commission had a Public Hearing regarding Dollar Tree proposal at 11222 US 24 Hwy. There are two areas of concern that is being discussed with the Civil Engineer. There were two individuals who had personal concerns about the amount of water that could leave the area. The site does have a retention basin at the location, but might not be large enough. MoDOT is involved with the ingress/egress to the Dollar Tree site with concerns to safety. He hoped to have this worked out by next meeting and will bring the site plan before the Board and an ordinance at the May 23 meeting. The contract calls for Dollar Tree to purchase the property in June 2016 upon site plan approval.

Alderman Sagehorn asked which direction the retention basis will drain. Mr. Loving answered the majority will drain to the west and to some degree to the north. He does not want it to drain any additional water than necessary due to the drainage ditch no longer functional.

Alderman Sagehorn asked if the large sewer located at Sterling and Lexington could be used to take more water. Ed Layton, Public Works Director, did not know if it could be used. Ron Martinovich, City Administrator, stated there are open ditches in that area but the water runs into other areas before reaching this location. Alderman Sagehorn felt new additions could be added. The City Administrator said there is a storm sewer system on 24 Hwy that goes under Sterling and drains west but MoDOT intentionally capped it due to water problems that were further west. He thinks communication needs to be opened to MoDOT about this situation.

7. Parks and Recreation – Connie Dickinson

- Organizing t-ball events and in the need for coaches. Schedules have been sent out. The Independence School District is allowing the City of Sugar Creek to use Roper Stadium for coach pitch.

Alderman Sagehorn was curious the amount of children participating in t-ball. Ms. Dickinson answered 78 total. Alderman Kenney asked how much per child as she said \$20 and it is more of an instructional course.

8. Fire Chief – Pat Casey

- He went to the Kansas City Public Library, for a Missouri Main Street connection meeting, aimed at free space in public spaces. The Main Street aspect of it was not discussed as much but more of the City zone. He felt a group needed to be formed to discuss improvement of City property. He will bring forward a PowerPoint presentation at the next meeting.
- Had started commercial fire inspection.

Motion for a Closed Executive Session after the next scheduled Council Meeting on May 9, 2016, at City Hall in the Mayor's Office, for the purpose of discussing litigation, acquisition of property and personnel matters and those records are closed.

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE A CLOSED EXECUTIVE SESSION AFTER THE NEXT SCHEDULED COUNCIL MEETING ON MAY 9, 2016. SECOND BY ALDERMAN KENNEY.**

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

YEA: ALDERMAN SAGEHORN NAY: NONE
ALDERMAN KENNEY ABSENT: NONE
ALDERMAN DOYLE
ALDERMAN RAY

OLD BUSINESS

Alderman Kenney brought up the insurance issue that was brought up earlier in the meeting. If employees want to payout for their coverage then they should be able to do so. For family coverage, he recommended the City pay \$1,300 per month per family. Tier II City will pay 85% and employees will pay 15% of the HMO. The City Administrator confirmed the City would pay \$85.15 on Tier II as Alderman Kenney answered yes. For individual employee HMO II coverage, the City will pay \$577.67 per month and if an employee chooses another plan they can buy up to pay for that plan. The City will pay on the plan chosen by the Board and any other coverage that the employee chooses will have to pay the difference. Jana Olivarez-Dickerson, City Clerk, asked if an employee selected the High Deductible Savings plan as an individual, instead of \$50 per month if the money (full year) \$600.00 could be put into an account at enrollment time? Alderman Kenney answered no due to an employee may not be employed at that location for the entirety of a year. Ms. Olivarez-Dickerson will have two meetings to educate employees regarding the new insurance policies and rate changes effective July 1, 2016.

Now, therefore, **ALDERMAN KENNEY MADE A MOTION FOR FAMILY COVERAGE THAT THE CITY WILL PAY 85% OF TIER II AND FAMILY COVERAGE PLANS. FOR INDIVIDUAL RATES, THE CITY WILL PAY \$577.67 PER EMPLOYEE/PER MONTH FOR HUMANA II PLAN. EMPLOYEES WILL BE ABLE TO BUY UP TO ANOTHER PLAN IF THEY CHOOSE SECOND BY ALDERMAN RAY.**

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

YEA: ALDERMAN SAGEHORN NAY: NONE
ALDERMAN KENNEY ABSENT: NONE
ALDERMAN DOYLE
ALDERMAN RAY

NEW BUSINESS

Mayor Mallinson is in the process of appointing Suzie Kenney to the KC Library Board.

OTHER BUSINESS

Ed Layton, Public Works Director, asked if a person can go to his department to talk to the employees regarding the new insurance policy. Jana Olivarez-Dickerson, City Clerk, stated when the Public Works Department attends the luncheons and talk with MPR that she would like for them to be educated about the insurance policy prior to the luncheon meetings. She agreed that she will go to the department to discuss and provide education.

ADJOURNMENT

There being no further business to be conducted, **ALDERMAN DOYLE MOVED THAT THE MEETING ADJOURN. SECOND BY ALDERMAN KENNEY.**

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

| | | | |
|-------------|--------------------------|----------------|-------------|
| YEA: | ALDERMAN SAGEHORN | NAY: | NONE |
| | ALDERMAN KENNEY | ABSENT: | NONE |
| | ALDERMAN DOYLE | | |
| | ALDERMAN RAY | | |

UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED, AND THE MEETING ADJOURNED AT 9:00 P.M.

Respectfully submitted,

Jana J. Olivarez-Dickerson
City Clerk