

**MINUTES
CITY OF SUGAR CREEK
BOARD OF ALDERMEN MEETING
SUGAR CREEK CITY HALL
103 S. STERLING
SUGAR CREEK, MISSOURI
MONDAY, JUNE 13, 2016**

Meeting for the City of Sugar Creek, Missouri, Board of Aldermen was called to order by Mayor Matthew Mallinson, June 13, 2016 at 6:30 p.m., with the following present participating in the Pledge of Allegiance led by Katie Lemay.

ROLL CALL

Members Present

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

Staff Present

Christopher Soule, Police Chief; 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 May 23, 2016 Council Meeting.
- B. Approval of Claims Ord. 07-16

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.

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.

Susan Davis, Courtney Committee of Sugar Creek, had mentioned the proposed trash service stating she lives the closest to the landfill and is familiar with the Republic Company. The dealings in the community have been very good with Republic. She would be pleased if Republic service could be adopted which would include the containers they provide to residents, both trash and recycle bins.

She has had some communication with the City Administrator regarding parking spaces for the upcoming Labor Day event. She has a concern that there is a written agreement that will cover any damage to her property and neighboring residents near the event location.

She has heard there has been application of the City to seek approval from MoDOT for creation of Port Authority. The Port Authority has assumed a great deal of authority over areas that previously were not under the normal domain port authority and the City of Kansas City has commented that the Port Authority has exceeded its original intent. The language MoDOT would approve into the ordinance is very inclusive and very pervasive and wide-reaching. It is of great concern to her that it would be surrendering of powers to an entity that the taxpayers would not agree to surround powers to. She understood that this proposal could include all of the land in the City and not limited to the river. This will affect many residents and she was extremely disappointed that residents were not notified.

Manny Barca, State Representative Candidate, said he was present to listen in and learn about the issues of the City.

Bill Haman. Sugar Creek resident, is extremely disturbed and agreed with the comments made by Susan Davis. He repeated that the public was not informed until the Agenda came out on Friday. If this ordinance is passed it would create a political subdivision in the State of Missouri. The Board will be advocating responsibility to all the voters of Sugar Creek if this commission is created. This will give the committee the right to raise sales tax and real estate tax without the Board of Aldermen's approval, even eminent domain for condemnation of properties. The Board of Aldermen were elected to serve and protect the people of Sugar Creek. A public meeting needs to be conducted alerting the public of the situation.

He continued that the proposed ordinance stated the City pledges City Staff and all other resources necessary, whether financial or otherwise, to report the success of the Port Authority. If a Port Authority is created and becomes active, he asked how much of Sugar Creek's treasurers will have to be put into this. Where will the money come from? There was mention of a huge support for the Port Authority; however, no one has heard of the Port Authority. He wondered who the supporters were for this.

He asked for status regarding changing the age to purchase tobacco to 21. Bob Buckley, City Attorney, had doubts whether the City is able to do that. A Fourth Class City can only do what is permitted by statute and cannot do what the State prohibits. He has concerns regarding the legality of the issue.

He also brought up the issue of helping with river navigation and connecting docks which was mentioned in the proposed Port Authority ordinance. The river has a huge potential for recreation and would be welcomed. He does not think the City needs assistance from a Port Authority.

Mark O'Renack has experience working with EDC and several agencies in Kansas City on development projects. He said this issue could go either way; it could be good or bad economic tool. He felt seeing the ordinance might answer a lot of questions.

Leonard Fulbright, N. River Blvd., would like the Aldermen to explain why action would be taken without including constituents. Mayor Mallinson said that per the ordinance the Board does not engage in a conversation at this point of the meeting.

V. MAYOR'S REPORT

A. Consider approval of Bill No. 06-30-16 an Ordinance approving expenditure of \$11,000 by the Sugar Creek Police Department with Ironheart High Performance Dogs, LLC. Chief Chris Soule
(first reading)

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 06-30-16 AS ABOVE. SECOND BY ALDERMAN DOYLE.**

Chris Soule, Police Chief, explained this was an ordinance approving \$11,000 to Ironheart regarding the canine unit. Donations will help with the cost. He has currently received \$6,000 and a pledge on the remaining amount.

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

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

B. Consider approval of Ordinance No. 3999 (Bill No. 06-30-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 3999 AS ABOVE. 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		

C. Consider approval of Bill No. 06-31-16 an Ordinance accepting a proposal from Air-Tech to provide HVAC services to the City of Sugar Creek. Paul Loving, Building Official.
(first reading)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 06-31-16 AS ABOVE. SECOND BY ALDERMAN RAY.**

Paul Loving, Building Official, has reviewed the HVAC maintenance contract with Midwest Mechanical Contractors (MMC) and revealed there has been double paying in regard to repair work. He had asked for a new proposal from MMC and also Air-Tech. MMC agreed to reduce their preventative maintenance contract from \$16,000 per year to \$14,000 per year (\$40,000 per year for HVAC total).

Air-Tech gave a proposal for HVAC work at time and material cost only with a not-to-exceed amount of \$20,000 per year. The contract has been cancelled with MMC. The hourly rate would be \$125.00 with a trip charge at \$59.00

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 Ordinance No. 4000 (Bill No. 06-31-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4000 AS ABOVE. 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		

E. Consider approval of Bill No. 06-32-16 an Ordinance approving an agreement with Wil-Pav to complete roadway and joint repairs at various locations in Sugar Creek and make repairs to Courtney Atherton Road and authorizing the City Administrator to sign the agreement. Ed Layton, Director of Public Works.
(first reading)

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

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

F. Consider approval of Ordinance No. 4001 (Bill No. 06-32-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4001 AS ABOVE. SECOND BY ALDERMAN SAGEHORN.**

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

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

G. Consider approval of Bill No. 06-33-16 an Ordinance approving a Section 125 Flexible Benefit Plan adoption agreement with American Fidelity Assurance Company and authorizing the City Administrator to execute the agreement of behalf of the City. Jana Olivarez-Dickerson, City Clerk (first reading)

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

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

City Clerk Jana Dickerson indicated that this was an Ordinance approving the 125 Flexible Spending Plan that a number of employees are enrolled in. We are required to enter into a contract with American Fidelity each year.

H. Consider approval of Ordinance No. 4002 (Bill No. 06-33-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4002 AS ABOVE. 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

I. Consider approval of Resolution No. 03-16 Creation of the Sugar Creek Port Authority, a Local Port Authority pursuant to Chapter 68 of the Revised Statutes of Missouri. Mike Sanders

PULLED FROM THE AGENDA PRIOR TO THE MEETING

J. Consider approval of Bill No. 06-34-16 an Ordinance amending the Code of Ordinances by adding Section XIV to Chapter 2 which establishes a Port Authority in the City of Sugar Creek. Mike Sanders
(first reading)

K. Consider approval of Ordinance No. 4003 (Bill No. 06-34-16) as stated above.
(adopt) **PULLED FROM THE AGENDA PRIOR TO THE MEETING**

- L. Consider approval of Bill No. 06-35-16 an Ordinance authorizing the Mayor to convey an Easement to Laclede Gas Company across LaBenite Park. Ron Martinovich, City Administrator (first reading)

City Administrator Ron Martinovich indicated that this would be only approval of First Reading of the Ordinance as the final legal description of the Easement was not available by this meeting. If the Easement is available it will be brought to the following meeting on June 27, 2016.

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

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

- M. Consider approval of Ordinance No. 4004 (Bill No. 06-35-16) as stated above.
(adopt) FIRST READING ONLY OF THIS ORDINANCE.

VI. BOARD ITEMS

A. Mayor's Report

Mayor Mallinson indicated that he has appointed Susie Kenney to the Kansas City Public Library Executive Board.

He appointed Jim Cooper as the recipient of the Missouri Municipal League Leadership Award and the event honoring Mr. Cooper will be at the Adams Pointe Conference Center in Blue Springs on July 21, 2016.

Mayor Mallinson, indicating he was appointing Mr. Bob Buckley, City Attorney as the Truman Heartland Citizen of the Year.

B. Aldermen Reports

Alderman Ray

Wanted to make sure that signs are in the works? Also asked about a grinder on cement city road prior to the Truman Cup in July.

Alderman Ray indicated that he wanted the Building Official to look into the Buildings on Sterling 405 -409 the windows are still boarded up and he would like to see these complete before the Fourth of July Parade. He stated that the owner has had plenty of time to get these windows repaired.

Alderman Doyle

Wanted to thank all those who helped make the Slavic Festival a success. He also indicated that he appreciated the citizens speaking from the audience.

Alderman Kenney

Indicated that with ideas and projects that are brought before the board they attempt to do anything to push the City forward much thought and process that goes into the decisions that the Board must make. He expressed his sincere thanks to Bob Buckley who announced the he is resigning as our

City Attorney after 35 years of service. Joe has enjoyed working with Mr. Buckley for more than 15 years.

Alderman Sagehorn

Indicated that the Board of Aldermen is concerned with protecting the citizens and the City. Asked about the drone at the Slavic Festival and the Police indicated that it belonged to the department.

C. Staff Reports

1. City Administrator – Ron Martinovich

Indicated that the City has been contacted by Federal authorities and was informed that the City has the highest quality of River mass transit.

City Clerk – Jana Olivarez-Dickerson

Mentioned the Missouri Main Street meeting which will be held on Thursday, June 23, 2016 at 6:30 p.m. at the Mike Onka Memorial Bldg.

2. Police Chief – Chris Soule

Chief Soule indicated that he has been receiving donations for the new canine dog. He received a \$5,000 check for the American Legion Ladies organization and a \$1,000 donation from the Men's American Legion organization.

The Fourth of July parade will begin at 11:00 a.m. he has asked that all elected officials appear on time for the lineup.

Also discussed a possible grant for portable repeater from the State Emergency Management Organization. This would be a zero cost to the City.

3. Public Works Director – Ed Layton

No Report

4. City Treasurer/Finance Officer – Linda Martinovich

Reported that the new Toshiba Multi-Function Copier/Scanners have been installed at both City Hall and Public Safety Buildings. Marilyn Evans was thanked for doing all the research on the machines and finding the best deal for the two departments. She was thanked for saving the City Money.

5. Building Official – Paul Loving

BP Bridge Construction may begin soon.

6. Parks and Recreation – Connie Dickinson

Connie indicated that the Picnic in the Park was on Tuesday, June 14, 2016 it was going to be moved inside since it has been so hot in the afternoon. Reported on T-Ball and indicated that photos of the kids have been taken and the banquet will be June 21st at Roper Field.

7. Fire Chief – Pat Casey

Chief Casey indicated that there was an injury accident on Friday June 10, 2016 on 291 with a rollover truck he thanked all those who assisted. He indicated that he is going to sell a 40 year old pumper he will set a minimum bid and will advertise several different places including an antique firetruck website.

Motion for a Closed Executive Session after the next scheduled Council Meeting on June 27, 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.

OLD BUSINESS

NEW BUSINESS

OTHER BUSINESS

ADJOURNMENT

Respectfully submitted,

Jana J. Olivarez-Dickerson,
City Clerk