

**MINUTES
CITY OF SUGAR CREEK
BOARD OF ALDERMEN MEETING
SUGAR CREEK CITY HALL
103 S. STERLING
SUGAR CREEK, MISSOURI
MONDAY, AUGUST 8, 2016**

Meeting for the City of Sugar Creek, Missouri, Board of Aldermen was called to order by Mayor Matthew Mallinson, August 8, 2016 at 6:30 p.m., with the following present and two students leading in the Pledge of Allegiance.

ROLL CALL

Members Present

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

Member(s) Absent

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; Mike Sanders, City Attorney; Marilyn Evans, Deputy City Clerk.

III. CONSENT AGENDA

- A. Approval of Proclamation Back to School
- B. Approval of City Council Meeting Minutes for June 27, 2016
- C. Approval of City Council Meeting Minutes for July 11, 2016
- D. Approval of Claims Ordinance No. 09-16

Now, therefore, **ALDERMAN KENNEY 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: ALDERMAN RAY
ALDERMAN DOYLE	

IV. PUBLIC ITEMS NOT LISTED ON AGENDA

- A. Oath of Office administered to Police Officer Nicole Amer- Mayor
 - Mayor Mallinson swore in the new police officer, Nicole Amer.
- B. Presentation of Certificates to Yard Beautification Winners – Mayor
 - Mayor Mallinson presented Virginia Maglich and Krystal Thompson certificates for an outstanding job in yard beautification.
- C. Business from the floor – Comments or concerns from Sugar Creek residents.
 - Jerry Zevecke, 926 N. High Street, is the Chairman for Park & Rec Advisory Board. He read a letter from the Park & Rec Advisory Board outlining their duties and concerns. He said they are concerned that the gym renovation is not in the best interest of Sugar Creek. Mayor Mallinson said that this would not increase taxes. The source of funding will be through federal funds from the Department of Economic Development, from a private source and sales tax. Mayor Mallinson recommended the City Administrator be present at the next Park & Rec Advisory Board meeting to share the information and answer questions.
 - Brittney Farmer said that her parents own Sterling Bowl and their 25th wedding anniversary has passed. She wanted to know if price can be discussed to rent out the Onka Hall on August 26 for her parents surprise party. Alderman Kenney did not want to give special rates on a case-by-case basis because it will start a domino effect with others. Mike Sanders, City Attorney, agreed with Alderman Kenney and felt that it might open up legal issues as well in the future.

V. MAYOR'S REPORT

- A. Consider approval of Bill No. 08-41-16 an Ordinance providing for the compensation of the Temporary Judge and providing for the salary of the regular judge when the Temporary Judge serves under Section 19-39 and 19-40. Ron Martinovich, City Administrator
(first reading)

Now, therefore, ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-41-16 AS ABOVE. SECOND BY ALDERMAN DOYLE.

Ron Martinovich, City Administrator, said that alternate judges have served on several occasions with due to Judge Helm not able to attend; however, with no compensation. He wanted the Board to focus on a compensation for alternative judges but the previous City Attorney had added there be a deduction for Judge Helm in the event an alternative serves.

Mike Sanders, City Attorney, referred to Section 1 which contemplates if Judge Helm was not able to attend for the entire docket. If there is a conflict of the City Judge that it would be on an individual basis. For example, 150 cases on the docket and 1 case the alternate judge would sit in for that matter and receive full compensation.

Mayor Mallinson felt this needed to be reviewed further and suggested first reading only.

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

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

B. Consider approval of Ordinance No. 4010 (Bill No. 08-41-16) as stated above.
(adopt) *Tabled until a future meeting.*

C. Consider approval of Bill No. 08-42-16 an Ordinance approving an invoice from ALT, Inc. and authorizing the Finance Officer to pay the invoice. Chief Chris Soule
(first reading)

Now, therefore, ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-42-16 AS ABOVE. SECOND BY ALDERMAN KENNEY.

Chief Chris Soule stated this ordinance is the first payment in the amount of \$5,575 to ALT, Inc. This is covered under insurance. This is the temporary tower. Have received approval from local FCC to move to the Police Department and the building will be abandoned and no longer in use.

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

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

D. Consider approval of Ordinance No. 4011 (Bill No. 08-42-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN RAY MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4011 AS ABOVE. SECOND BY ALDERMAN DOYLE.**

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

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

E. Consider approval of Bill No. 08-43-16 an Ordinance authorizing the purchase of a 2016 Dodge Charger Patrol Vehicle. Chief Chris Soule
(first reading)

Now, therefore, ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-43-16 AS ABOVE. SECOND BY ALDERMAN SAGEHORN.

Chief Chris Soule have taken many cars and made them into police cars. The department is in need of new vehicles, equipment and cameras.

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

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

- F. Consider approval of Ordinance No. 4012 (Bill No. 08-43-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4011 AS ABOVE. SECOND BY ALDERMAN KENNEY.**

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

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

- G. Consider approval of Bill No. 08-44-16 an Ordinance authorizing the purchase of equipment for the 2016 Dodge Charger from Stalker Radar. Chief Chris Soule.
(first reading)

Now, therefore, ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-44-16 AS ABOVE. SECOND BY ALDERMAN KENNEY.

This was discussed in Item E.

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

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

- H. Consider approval of Ordinance No. 4013 (Bill No. 08-44-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4013 AS ABOVE. SECOND BY ALDERMAN SAGEHORN.**

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

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

- I. Consider approval of Bill No. 08-45-16 an Ordinance authorizing the purchase of equipment for the 2016 Dodge Charger from Watch Guard. Chief Chris Soule.
(first reading)

Now, therefore, **ALDERMAN SAGEHORN MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-45-16 AS ABOVE. SECOND BY ALDERMAN DOYLE.**

This was discussed in Item E.

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

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

- J. Consider approval of Ordinance No. 4014 (Bill No. 08-45-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4014 AS ABOVE. SECOND BY ALDERMAN SAGEHORN.**

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

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

- K. Consider approval of Bill No. 08-46-16 an Ordinance authorizing the purchase of equipment for 2016 Dodge Charger from Microman Industries. Chief Chris Soule.
(first reading)

Now, therefore, **ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-46-16 AS ABOVE. SECOND BY ALDERMAN DOYLE.**

This was discussed in Item E.

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

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

L. Consider approval of Ordinance No. 4015 (Bill No. 08-46-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4015 AS ABOVE. SECOND BY ALDERMAN KENNEY.**

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

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

M. Consider approval of Bill No. 08-47-16 an Ordinance approving the appointment of Michael D. Sanders as City Attorney for the City of Sugar Creek, Missouri. Mayor Matt Mallinson
(first reading)

Now, therefore, ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-47-16 AS ABOVE. SECOND BY ALDERMAN SAGEHORN.

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

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

N. Consider approval of Ordinance No. 4016 (Bill No. 08-47-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN SAGEHORN MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4016 AS ABOVE. SECOND BY ALDERMAN KENNEY.**

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

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

Michael Sanders stated he had been a resident of Sugar Creek for 4 years. He felt this city has a bright future, has great leadership and he is honored to be asked to serve.

- O. Consider approval of Bill No. 08-48-16 an Ordinance approving a contract for Legal Services between the City of Sugar Creek, MO and the Law Firm of Humphrey, Farrington & McClain, P.C. and authorizing the City Administrator to execute the contract on behalf of the City. Ron Martinovich, City Administrator
(first reading)

Now, therefore, ALDERMAN KENNEY MOVED THAT THE GOVERNING BODY APPROVE FIRST READING OF BILL NO. 08-48-16 AS ABOVE. SECOND BY ALDERMAN DOYLE.

Ron Martinovich, City Administrator, said this agreement are the same terms with Bob Buckley's firm. Only exception is the cancellation provision of 60 days included.

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

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

- P. Consider approval of Ordinance No. 4017 (Bill No. 08-48-16) as stated above.
(adopt)

Now, therefore, **ALDERMAN DOYLE MOVED THAT THE GOVERNING BODY APPROVE ORDINANCE 4011 AS ABOVE. SECOND BY ALDERMAN KENNEY.**

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

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

VI. BOARD ITEMS

- A. Mayor's Report
- He is pleased that Mike Sanders has joined the Board as City Attorney.
- B. Aldermen Reports
- Alderman Doyle
- No report.
- Alderman Kenney
- Asked for a report on Energy Audit Savings.
- Alderman Sagehorn
- No report.
- C. Staff Reports

1. City Administrator – Ron Martinovich
 - The sign for 24 Hwy and Sterling is still in progress.
 - He thanked the Board for the opportunity to attend the Missouri Main Street Conference.
 - He had sent out information regarding Refuse Collection Services. The plan was to have formal consideration by August 22. The contractual service rate is \$12.91 per hour per month plus street cleaning and administrative cost will be in addition. He felt they will be within the current rate without an adjustment. The announcement will be included in the September newsletter.
2. Deputy City Clerk – Marilyn Evans
 - Next Council meeting is August 22.
3. Police Chief – Chris Soule
 - ATL is covered under insurance because it is expense of the tower. Everything spent on FCC will be applied to the insurance claim. The amount of \$14,000 was paid on the claim and expenses currently are under \$10,000.
4. Public Works Director – Ed Layton
 - No report.
5. City Treasurer/Finance Officer – Linda Martinovich
 - She attended the Main Street Conference. She had a lot of interaction with other cities. It was an interesting event and she thanked for the opportunity to attend.
 - The sewer rates will be adjusted on residential customer bills at the end of August. This is based on the winter water consumption from October to March.
6. Building Official – Paul Loving
 - Ordinance No. 2382, Dangerous Buildings – there has been enforcement actions taken. The following he has received no response and 30 days after this report he is required to bring an ordinance before the Board to declare it as an unsafe structure: 114 S. Willow. The address of 512 and 512 ½ S. Willow will be purchased on the Jackson County delinquent tax sale that occurs on August 15. There are 5 other addresses that action will be taken soon: 516 S. Willow, 303 S. Forest, 548 S. Carlisle, 3405 N. River and 11528 Lexington. Based on history and previous communications, he felt that these will need to be torn down by the City.
 - Dollar Tree should start breaking ground soon.
 - He suspects a house on North River with sewer problems. He has sent letter to the resident and waiting for response. Mike Sanders, City Attorney, felt this might need to be discussed in more detail in a closed session meeting. New sewer district suggested.
7. Parks and Recreation - Connie Dickinson
 - Mike Onka had approximately 400 attendees for the Paranormal conference
 - Starting to work on the Family Fall Festival.

- Missouri Main Street involvement – she wants to work with other departments to have it on Sterling and the parking lot at the Heritage Center.
- She received email from Independence Pioneers Chapter of DAR. They requested to do a memorial celebration at the 911 Memorial. They would like to leave a wreath. The Board was in agreement to have the celebration.

8. Fire Chief – Pat Casey

- No report.

Motion for a Closed Executive Session after the next scheduled Council Meeting on August 22, 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 AUGUST 22, 2016. SECOND BY ALDERMAN SAGEHORN.**

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

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

OLD BUSINESS

Chief Soule said that Nathan Alkins came to him regarding Gill and Sterling being a hazardous location. Chief Soule investigated the site he could not find a reason for it to be a hazardous location; however, he extended the fire zone out 6 feet for better vision.

NEW BUSINESS

No report.

OTHER BUSINESS

No report.

ADJOURNMENT

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

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

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

**UPON A ROLL CALL VOTE, THE MOTION WAS APPROVED, AND THE MEETING
ADJOURNED AT 8:55 P.M.**

Respectfully submitted,

Marilyn Evans
Deputy City Clerk