

**BOARD OF ALDERMEN MINUTES**  
**October 10, 2017**

The Board of Aldermen of the City of Weston, Missouri, met in regular session at the Weston City Hall, 300 Main Street on Monday, October 10, 2017 at 6:00 p.m. Board members Rebecca Rooney, Mark Seymour, Joyce Priddy and Joyce Burch were present with Mayor Cliff Harvey presiding. Also present were Stephen Cornelius, Water Plant Superintendent; Officer Todd Bryant, Weston Police Department; Ed Farrand, City Treasurer; and Jeremy Webb, City Attorney. Also, present for some or the entire meeting was Beth McPherson, Scott Gow, Anna Goeke, Lyle Buckler, Mary Hayworth, Baldy Darnay, Shannon Miller, Jordan Germano, Nancy Honerkamp, and Pat Egan.

Mayor Harvey led the gathering in the Pledge of Allegiance.

**Consent Agenda**

Minute Approval.

Approval of September Collector's Report.

Approval to pay September Accounts Payables.

Business License Approvals - Urban Lawncare LLC - MTS Contracting Inc.

Alderman Mark Seymour moved to accept and pass the consent agenda. Alderman Joyce Priddy seconded the motion and all were in favor.

**Concerns, Questions or Requests**

**Chamber Report** Pat Egan reported on the happenings at the Chamber over the last month. There is a group of 150 people coming to Weston on November 3. They are coordinating lunch with several restaurants in town. There was a notice sent out to all the merchants. Joe Barnhill is moving to a contracted employee, and they are expecting to hire an office replacement by the end of the week. They are still struggling to get homes for the Christmas Homes Tour, but continue to look. Mr. Egan thanked the city employees for all their help with Applefest. It was well attended. They received about \$10,108.00 in the \$1.00 donation line. He is estimating 20,000 to 30,000 people attended over the weekend. The merchant/vendor lot worked very well, so he would like to go ahead and get city approval to hold the parking lots for 2018. Alderman Rooney moved to approve the 2018 Applefest Committee request for the city hall parking lots in the 300 block of Main Street. Alderman Seymour seconded the motion, and all were in favor.

**West Platte School District- Shannon Miller-Girls on the Run 5K** Mrs. Miller explained that she was the sponsor for the Girls on the Run program at West Platte Elementary. Once a year they have a 5K run that is a \$20.00 donation, open to the public, and will be a benefit for the American Red Cross. There are currently 29 girls signed up to run. The run begins at the city hall and goes on the Weston Bluff Trail to the Weston Bend Park and returns. Alderman Burch moved to approve the Girls on the Run 5K event for Sunday, October 22, 2017 from 11:00 a.m. to 2:00 p.m. Alderman Rooney seconded, and the motion carried.

**Mo-Kan VW Club- Volksweston Event for 2018- Scott Gow** Mr. Gow explained that they are seeking permission for the 2018 event, scheduled for May 12, 2018. The event is held in the 300 and 400 block of Main Street, utilizing the city hall parking lots (north and south). The MO-KAN Club loves coming to Weston. Officer Bryant stated the Chief

had no complaint from the 2017 event and was fine with approving it for 2018 as long as there are no changes from previous years. Alderman Rooney moved to approve the 2018 Volksweston event for May 12, 2018, in the 300 and 400 block of Main and the city hall parking lots. Alderman Burch seconded the motion, and all were in favor.

**McCormick Distilling Co., Inc. – Five Farms Sampling Event – Jordan Germano** Ms. Germano requested one parking space in front of the McCormick Country Store on Main Street. They are rolling out an Irish Crème that can only be “sampled”, not sold. Mayor Harvey cautioned Jordan that anyone receiving a sample should not be walking around with alcohol. Ms. Germano replied that there would be people watching and having them throw the sample cup away. They will be directly in front of the store. Alderman Burch moved to approve the request for a caterer’s license to serve samples of Five Farms Irish Crème, directly in front of 420 Main Street from 10:00 a.m. to 6:00 p.m. Alderman Priddy seconded and the motion passed.

**Nancy Honerkamp – 848 Washington** Ms. Honerkamp stated there were five things that she wanted to be placed in the “record” regarding her property and the sidewalk construction.

1. Her north birch tree is dead from the roots being exposed during construction. She hopes that it will come back next year, but it is unlikely.
2. She asked the VF Anderson construction workers when she could put a sealant on her driveway and sidewalk, but did not receive an answer. She would like to get the sealant on before winter and needs to know if it is okay or not. The reason she was given was the paint in the concrete had to “cure”.
3. Ms. Honerkamp has photographs of her home prior to her purchasing it and there has always been a parking spot just south of the driveway. After the new sidewalk was installed she no longer has this parking space and would like to know why.
4. She is a retired police officer and is supposed to be receiving an updated ID Card from the city showing she is retired. She has not received this yet. [Mayor Harvey explained he was supposed to go sign something at the county and has not done that yet.]
5. Ms. Honerkamp reminded the Board that the punch list is still not completed as she has a crack in her sidewalk that has not been replaced.

Alderman Seymour questioned why she couldn’t put the sealant on, that it should not be a year wait for it to cure. Mayor Harvey asked about the parking spot and why it was removed, and asked for the matter to be looked in to. Alderman Burch said that every morning she passes a large pick-up truck at that location. It should always be no parking as that is a very tight spot. Honerkamp stated that if she has company or if someone is working on her house it is hard. The Board originally voted to leave all parking as is, and now she doesn’t have parking.

### **Mayor’s Announcements and Ideas**

**Buck O’Neal Bridge- Letter of Support** Mayor Harvey asked the Board to approve his letter supporting a new bridge to replace the old “Broadway Bridge”, rather than repairing it. Alderman Burch moved to approve the Mayor’s letter of support for a new bridge. Alderman Priddy seconded and the motion carried.

**MML Conference** The mayor attended the annual conference and has been placed on a Small Cell Antenna Committee. These are types of antennas that go on the top of light

and utility poles. The committee will be discussing how much municipalities should charge for these types of antennas.

**County Commissioners** The three county commissioners visited Weston and discussed with him the Humes Road Bridge. They recognize the problem and are willing to work with us to consider a solution.

**Legislative Breakfast** The mayor was on a panel for the Northland Chamber legislative breakfast. They talked about various businesses in the Northland and about Amazon coming to Platte County.

**Platte County EDC** Harvey met with Alicia Stephens, Executive Director, about what we needed to bring companies to Weston. She said land and utilities. If the city has the infrastructure stubbed out that would be a bonus.

**Missouri Mayors** Harvey attended the Missouri Mayor's meeting. They are drafting a letter to support a six-cent increase in fuel tax and a fifteen-cent increase in diesel fuel tax. The consensus is that the people are for this, but the legislature is not. It will probably be on a state-wide ballot.

**County Mayors** The county mayors are meeting regularly and discussing issues they all encounter, such as animal control and building permits. The Mayor of Riverside, Kathy Rose, is willing to help the city look at our building permit to have a clear idea of whether you can build or not build. Mike Large has said that when someone pays for a permit it is their understanding they can build without a permit. Kim Kirby refuted that statement, saying that the office never accepts payment for a building permit without checking with Mr. Large prior to. The next Mayor's meeting is November 1 at the Weston Roastery at 10:00 a.m.

**KCI Update** The next meeting is October 17 at a luncheon at the Embassy Suites. The Mayor would like to see a budget item set up to reimburse him for his meals.

**Vacation** Mayor Harvey announced he would be on vacation, out of the country, from October 19 through the 31<sup>st</sup>.

**PCEDC Business of the Year** Harvey reported he is giving the Business of the Year Award to Celtic Ranch as Terry Kast does a lot for Weston. Jeremy Webb stated his office gets a table and shares the space with the city and their guests. The luncheon is on December 8 this year.

**Buckle Up-Phone Down Challenge** Mayor Harvey stated the MoDOT initiative is to support driving without being distracted. They would like to see all schools and cities participate in this initiative. Alderman Burch moved to agree to participate in the Buckle Up/Phone Down Campaign with MoDOT. Alderman Priddy seconded and the motion passed.

### **Economic Development Issues**

**Make It Happen Committee Report** Mr. Elsea was not present for the meeting.

## Capital Improvement Project

**Washington-Spring Street Project Progress Report-** No update or pay applications.

### Old Business

**Sewer Lagoon- EPA Compliance** No report.

**Update on Land Application Project** Kim Kirby stated that the DNR has requested a change to the engineering agreement with Larkin. Larkin has approved the change, so it is on the agenda for approval.

**Wetland Delineation** Frank Norman has billed the city for partial work completed on the delineation report. We should have the final report within 7-10 days.

**Thomas Street Restroom Project Update** Alderman Seymour reported the HVAC has been installed in the building. Mike Large is getting additional quotes for the restroom fixtures, which we understand will take four to six weeks to receive. Seymour stated he has an installed quote for partitions of \$9,575.00. Alderman Rooney moved to approve the quote of \$9,575.00 for installed partitions. Alderman Priddy seconded and all were in favor.

**Personnel Meeting** Kim Kirby reminded the Mayor and Board they were holding an all employee meeting on October 12 at 4:00 p.m. A copy of the acknowledgement was in their packets if they wished to make any changes. [No changes were suggested.]

**Discussion Item- Lyle Buckler Special Use Exception Request** Alderman Priddy suggested this is what has happened so far with Mr. Buckler: (1) He tore down an old house and poured a concrete garage pad for the garage; (2) He got a deal on a metal building and saved himself some money; (3) He received his materials and applied for a permit; and (4) Mike Large turned down his application.

Kim Kirby stated that Mr. Buckler started asking about building a detached garage six month prior. She personally had given information to him with the options that he could build (attached and detached garages). Mr. Buckler had a hard time understanding the rules and was given copies of the ordinance several times. Kirby thought he had completed a building permit application, that had been approved. This exact issue had come before the Board when Dennis Whalen built his detached garage and it was not of the same facing material of his home. Mr. Whalen was forced to become compliant with the existing code, and it took over a year. Jeremy Webb commented that it was a bad idea to set precedent and go against your code. The city should be enforcing the code as it wasn't your fault that he started building prior to getting complete approval. Alderman Seymour said that if the plans didn't meet the ordinance they should not be allowed. Seymour also questioned if people knew what needed to be inspected when they were building. Kim Kirby said she felt that information was attached to the building permit application. Mr. Webb said again, that the inspector, in this case Mike Large, could not be there every day. If he shows up to check on progress and it is incorrect, the builder should be made to correct the work. Homeowners should know what the rules are, and it is unfortunate when they don't comply, but necessary to be made to comply. Kim Kirby said that Mike Large had a cease and desist letter hand delivered to Mr. Buckler, and it was her understanding that the garage continued to be built after the letter was delivered.

Mayor Harvey asked that all information on Mr. Buckler's detached garage be given to the Board of Aldermen at the November meeting.

**Discussion Item – Agri-Tourism Changes** If no discussion, an ordinance was on the agenda for passage. Alderman Seymour said he felt a 500-foot buffer was ridiculous. Jeremy Webb said that buffer was in the ordinance from the beginning. It can now be reduced on a case by case basis if there is a need.

**Roberts Roofing – Change Order #1 to Metal Roofing Agreement** Kim Kirby pointed out the changes were to the Gazebo Metal Roof in the downtown Park. Alderman Seymour pointed out several items in the change order that were not necessary; such as plywood and water proofing. Kim Kirby said she emailed out the change order to Mike Large and Alderman Seymour to review prior to the meeting. This is the first she had heard of it not being correct. Alderman Priddy moved to postpone passage of the Change Order pending further investigation. Alderman Burch seconded, and the motion carried.

### **New Business**

**Planning & Zoning Recommendation – Short Term Rental** Alderman Harvey reported this subject had been discussed in the Mayor's meetings and he has talked with Jeff Elsea as well. He does see the need to send a letter to the Governor and State Representatives.

Alderman Burch asked Jeremy Webb what he thought about an ordinance banning advertisement of a short-term rental. Mr. Webb replied that he didn't see a down side, but practically he wasn't sure how it would work. One property owner that is operating an illegal Air BnB is advertising that she rents for 30-days only. That isn't a violation of our code. It would be less difficult to prosecute a false advertisement claim than trying to prosecute someone for operating a short-term rental business. Although, advertising doesn't prove they have someone staying there. Alderman Seymour said he wasn't for it at all, that it just increases the police department's work.

Mayor Harvey asked what they thought about requiring a manager at the St. George Hotel and the Benner House B&B. Kim Kirby stated that state law governs the hotel and they aren't required at this time to have an overnight manager. Webb said if they were interested they could look to other cities for examples.

Alderman Burch moved to send a letter to the governor and our state representatives regarding Weston's oppositions to Air BnB's and the proposed legislation that would tell cities that we can't disallow short term rentals. Alderman Priddy seconded the motion and all were in favor.

### **Ordinance**

**Agri-Tourism Code Changes** Bill No. 2189 being an ordinance of the City of Weston, Missouri, regarding agricultural tourism; amending Chapter 405: Zoning Regulations; Article IV. Special Use Exceptions; Section 405.285. Agricultural Tourism was presented. Alderman Seymour moved, and Alderman Burch seconded to introduce the bill for first reading, to suspend the rules and give the readings by title only. The reading was accepted upon motion of Alderman Seymour and seconded by Alderman Priddy. Alderman Seymour moved, and Alderman Burch seconded to place the bill on second and final reading. The reading was accepted upon motion of Alderman Seymour and

seconded by Alderman Burch. Alderman Seymour moved, and Alderman Burch seconded to place the bill on final passage. The vote on the passage of said Bill was as follows: Ayes: Rooney, Seymour, Priddy, and Burch. Nays: None. The bill was signed by Mayor Harvey, for placement in the ordinance book as Ordinance No. 9.102.

**Mayor to Sign – Amendment to Engineering Agreement** Bill No. 2190 being an ordinance authorizing and directing the Mayor of the City of Weston, Missouri, to execute an amendment to the owner-engineer agreement originally dated December 14, 2015 for professional services with Larkin Lamp Rynearson for engineering upgrades to the Wastewater Lagoon System was presented. Alderman Burch moved, and Alderman Seymour seconded to introduce the bill for first reading, to suspend the rules and give the readings by title only. The reading was accepted upon motion of Alderman Burch and seconded by Alderman Seymour. Alderman Burch moved, and Alderman Seymour seconded to place the bill on second and final reading. The reading was accepted upon motion of Alderman Burch and seconded by Alderman Seymour. Alderman Burch moved, and Alderman Seymour seconded to place the bill on final passage. The vote on the passage of said Bill was as follows: Ayes: Rooney, Seymour, Priddy, and Burch. Nays: None. The bill was signed by Mayor Harvey, for placement in the ordinance book as Ordinance No. 13.346.

### **Resolution**

**Special Use Exception – Lyle Buckler** Alderman Burch moved to postpone passage of Resolution #2017-007 to the November meeting. Alderman Priddy seconded. The motion carried with Alderman Seymour abstaining.

**2017 Records Destruction** Alderman Burch moved to approve Resolution #2017-008. Alderman Seymour seconded the motion and the motion passed.

### **Treasurer's Report**

Ed Farrand, City Treasurer, gave highlights of the income and expenses for the month of September. Alderman Priddy moved to accept the Treasurer's Report. Alderman Rooney seconded, and the motion carried.

Kim Kirby pointed out Department Heads should start working on the 2018 budget numbers. In November is when the city begins this process.

### **Significant Activities Report**

**Alderman Priddy** said she had phone calls from merchants in the 400 block of Main, criticizing the decision to block off the street from 6:00 a.m. to 6:00 p.m. The event did not happen until later in the day, so customers had nowhere to Park. Future events should be considered for a different time. Officer Bryant stated that Chief Blanton had noted the same thing, that McCormick was asking for more and more street events.

**Kim Kirby** reminded everyone that the city would be closed on Friday, November 10 for Veterans Day on Saturday the 11<sup>th</sup>.

### **Closed Session**

Alderman Burch moved to go to Closed Session pursuant to RSMo Section 610.021(2) to discuss leasing, purchasing or selling of real estate; and pursuant to 610.021(3) to

discuss personnel matters. Alderman Priddy seconded the motion. The vote on the motion was Rooney, Aye; Seymour, Aye; Priddy, Aye; and Burch, Aye. Nays: none. The motion carried.

**Open Session**

Alderman Burch moved to resume open session. Alderman Priddy seconded the motion. The vote on the motion was Rooney, Aye; Seymour, Aye; Priddy, Aye; and Burch, Aye. Nays: none. The motion carried.

With no further business to discuss, Alderman Rooney made a motion to adjourn. Alderman Burch seconded, and all were in favor. The meeting adjourned at 9:04 p.m.

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Minutes prepared by Kim Kirby, City Clerk

Minutes approved November 13, 2017

Attest:

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Cliff Harvey, Mayor

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Kim Kirby, City Clerk