

BOARD OF ALDERMEN MINUTES
April 8, 2019

The Board of Aldermen of the City of Weston, Missouri, met in regular session at the Weston City Hall, 300 Main Street on Monday, April 8, 2019 at 6:00 p.m. Board members Rebecca Rooney, Mark Seymour, Joyce Priddy and James Lowe were present with Mayor Cliff Harvey presiding. Also present were Mike Large, Superintendent of Public Works; Chief Terry Blanton, Weston Police Department; Stephen Cornelius, Water Plant Superintendent; Jeremy Webb, City Attorney; and Ed Farrand, City Treasurer. Also present for some or the entire meeting was June Kisker, Jean Robertson, Anna Goeke, Lynn Johnson, Tracy Large, Chandra & Michael Goentzel, Steven George, Jeremy Lintner, Chaz Judy, Jeff & Tracy Turney, Steve Unfred, Barbara Bless, Jeff Elsea, Rick Stout, Drew & Janelle MacDonnell, Mike Kwiatkowski, Brenda Knutson, Kim Knutson, Dan Knutson, Scot Low, Marilyn Lindahl, Jeanette Browning-Faubion, Beth McPherson, and Chuck Sebus.

Mayor Harvey led the gathering in the Pledge of Allegiance.

Consent Agenda

Minute Approval.

Approval of March Collector's Report.

Approval to pay March Accounts Payables.

Business License Approvals - J&L Properties of Weston MO

Alderman Joyce Priddy moved to accept and pass the consent agenda. Alderman Rebecca Rooney seconded the motion, and all were in favor.

Ordinance

Declaring Results of Election Bill No. 2242 being an ordinance declaring the results of the general municipal election held on April 2, 2019 was presented. Alderman Seymour moved and Alderman Rooney 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 Rooney seconded to place the bill on second and final reading. The reading was accepted upon motion of Alderman Seymour and seconded by Alderman Priddy. Alderman Seymour moved and Alderman Priddy seconded to place the bill on final passage. The vote on the passage of said Bill was as follows: Ayes: Rooney, Seymour, Priddy, and Lowe. Nays: None. The bill was signed by Mayor Harvey for placement in the ordinance book as Ordinance No. 7.214.

A plaque was presented to outgoing Alderman Mark Seymour.

Oaths of Office The oath of office was administered to Mayor Steven George, Alderman Ward I Joyce Priddy and Alderman Ward II Michael Goentzel.

Election of President of the Board and Board Liaisons Alderman Rooney nominated Alderman Joyce Priddy for President of the Board. Alderman Lowe seconded the nomination. The nomination was approved with Alderman Priddy abstaining.

Mayor George announced that liaisons are:

Police Department:	Alderman Rebecca Rooney
Water Plant:	Alderman James Lowe
Public Works:	Alderman Mike Goentzel
Planning & Zoning/Historic Preservation:	Alderman Joyce Priddy
Weston Chamber:	Alderman Joyce Priddy
West Platte Fire:	Alderman Rebecca Rooney
West Platte R II School District:	Alderman James Lowe

Check Signers Alderman James Lowe moved to establish the check signers at the City of Weston checking, money market, internet purchasing account and lock box located at the Bank of Weston as: Mayor Steve George, Alderman Joyce Priddy, City Treasurer Ed Farrand, City Clerk Kim Kirby and City Collector Tami Weaver. Alderman Goentzel seconded, and the motion passed.

Alderman James Lowe moved to re-establish the Municipal Court Checking account at the Bank of Weston with Municipal Judge Mark Ferguson, Court Clerk Kim Kirby and Assistant Court Clerk Tami Weaver. Alderman Priddy seconded, and the motion carried.

Concerns, Questions or Requests

Chamber Report Drew MacDonnell reported on happenings at the Chamber. He asked what the timeline was for replacing the awnings on the building at 526 Main St. Kim Kirby stated she remembered a conversation about the awnings but there was not an order placed. Alderman Rooney moved to expend up to \$5,000.00 on awnings for 526 Main Street to be credited from the Tourism Fund. Alderman Priddy seconded and the motion passed with all in favor.

Mayor George asked what publications the chamber was advertising in as he understood in years past that type of report was given to the city. Alderman Priddy said it was beneficial to the city to know where the \$5,000.00 grant for marketing was being spent as well. Mr. MacDonnell replied that he would get a report of that information.

Chief Blanton asked if the AppleFest would be operated in the same way as 2018. Mr. MacDonnell stated everything is the same. Alderman Lowe reminded Mr. MacDonnell a letter was sent to the Chamber from the city requesting vendors have a sales tax number and collect Weston tax. The letter asked that the Chamber make it clear to the vendors. Mr. MacDonnell informed the Board the Chamber also felt it was a big deal, that they are on board with vendors collecting the tax, and it was discussed at the AppleFest meeting.

Alderman Lowe moved to approve the Special Event Application for AppleFest 2019. Alderman Rooney seconded the motion and the motion carried.

Barbara Bless – 715 Welt St. – Water bill Ms. Bless explained that there was a miscommunication with the city collector and her water was shut off at the end of March. She had to pay a reconnection fee of \$100.00, although the last time she was shut off was five years ago. She objected to paying that \$100.00 and feels it is excessive. Most people scrounge and can't afford the \$25.00, \$50.00 or the \$100.00 reconnection fee. She requested the Board readdress this policy and consider giving residents a "time out" if they have not had a disconnection within two years. She asked for her \$100.00 to be returned, or at least \$75.00 of the fee returned. Alderman Lowe said he was inclined to refund in this case due to flooding and move of city hall. Lowe moved refund \$75.00 of

the \$100.00 reconnection fee to Barbara Bless and to reexamine at the May meeting the shut-off reconnection ordinance. Alderman Priddy seconded the motion and all were in favor.

Mo-Kan Volksweston Event Anne Goeke said she was present to ask about moving the registration location for the event to Blackhawk and Market. They recently had a conversation with the Weston Tobacco Co., who is unhappy with the registration in front of their business. They feel it blocks their customers from getting in to the shop. Several suggestions were made with the final one being a corner of the parking lot. Alderman Rooney moved to block off the corner of the parking lot at Market and Blackhawk for the Volksweston registration or allowing it in the Riverbend Gun Shop parking lot if available. Alderman Lowe seconded and the motion carried.

Ms. Goeke asked if the city had a back-up plan in mind if there was additional flooding across Main. Could it be an option to use the Thomas Street parking lot? Kim Kirby stated she suggested to Jason George that he contact the West Platte School District about using the elementary school parking lot. There would be plenty of room and he could get creative with a shuttle bus back and forth to downtown. With nice weather it should be a busy weekend in Weston and parking would be at a premium.

Marilyn Lindahl – Polish Pottery Festival Ms. Lindahl said she had her special event application for her 7th Annual Polish Pottery Festival on Saturday, May 11. Her request is to shut off Short Street from Main to Welt for vendors, and the parking spaces in front of the Chamber and her business on Main. Her insurance would be supplied by the Chamber of Commerce. Kim Kirby asked Ms. Lindahl to make sure all vendors have a Retail Sales Tax License and are given a Special Event Sales Tax license. Alderman Lowe moved to approve the request for special event for the Polish Pottery Festival on May 11, with Short Street and the parking spaces blocked off on Friday at 3:00 p.m. until Saturday at the close of the event. Alderman Priddy seconded and the motion passed.

Park Board Report

Rick Stout- Park Board President- Park Flooding Report Mr. Stout stated he was the President of the Weston Park Board and was tasked with determining the safety of the park after the flood. He thanked all the city workers for their work and said he had made many phone calls to several different government agencies, including the Platte County Health Department. The most helpful information he has found is a publication from the Centers for Disease Control which had been copied for the Mayor and Board. The real issue is the micro-fecal contaminants from the flood waters on the grass and in the mulched playground areas. Mr. Stout recommended the city close the park and consider additional signage for at least ninety (90) days. Alderman Rooney moved to keep the park closed for thirty (30) days with a review up to ninety (90) days and update at the next Board of Aldermen meeting depending on the weather, and to place additional signage at the entrances to the park. Alderman Lowe seconded the motion.

Discussion: Alderman Lowe stated a lot of people were still going in the Park so the signs should make it clear. Mike Large said he would fix it so they couldn't get in the park.

On a call for a vote on the motion, the motion carried with all in favor.

Dangerous Building Hearings

Barbara Bless – 715 Welt St. – Garage Ms. Bless told the Board she has contracted with someone to remove her garage but is waiting on his schedule to complete the work. Removal of the garage will not commence in thirty (30) days, but sometime within the next few months. Alderman Lowe moved to waive the 30-day requirement to commence work on the dangerous building/garage. Alderman Priddy seconded and all were in favor.

Jeff & Tracy Turney – 201 Welt St. – Elevator Building Jeff Turney informed the Board he always wanted to fix the elevator but was busy growing his business and repairing other buildings on the property. The only problem with the building is a hole in the roof. He thought he would get the work done in the Autumn but because of the flood it will be more likely Spring of 2020. No body uses the elevator building and it is empty. Alderman Rooney said that just like Sebus he should be allowed to give an update each month. Alderman Priddy moved to waive the 30-day requirement to commence work on the dangerous building/elevator and to request an update at each Board of Aldermen meeting from Mr. Turney. Alderman Goentzel seconded the motion. The motion carried.

Daniel & Brenda Knutson – 627 Welt St. – House Fire Mr. Knutson stated they were not granted access until March 18. They have made some progress salvaging items and cleaning up the property at the same time. They are taking their time as he and his wife and kids have all had to leave jobs to work on the house. Alderman Rooney moved to waive the 30-day requirement and to request an update from the Knutson's at each Board of Aldermen meeting. Alderman Lowe seconded the motion and the motion passed.

Aldermen Priddy told the Knutson's she was sorry for their loss.

Sebus House Chuck Sebus reported he made some progress on the dwelling. The roof has been removed and he will continue to work on deconstructing the dwelling.

Park Board Report – Continued

Mulch bids Alderman Priddy suggested waiting until the park is reopened before replacing the mulch. Alderman Rooney moved to forego the mulch replacement until the park is reopened. Alderman Priddy seconded the motion.

Discussion: Steve Unfred explained that the mulch must be taken to a certified landfill, otherwise the cost wouldn't have been so high. It is his understanding from the health department that the Department of Natural Resources says it would be contaminated. Rick Stout said the mulch pricing was obtained under the emergency bid procedures and suggests it go back to the Park Board where it belongs.

On a call for a vote of the motion, the motion carried with all in favor.

Mayor's Announcements and Ideas

Feasibility Study Results – Mike Soler Mr. Soler was not present at the meeting.

Mayor George requested permission for he and Alderman Goentzel to attend the MML Elected Officials Training in Columbia June 6 and 7. The approximate cost is \$417.75 each. Alderman Lowe moved to approve Mayor George and Alderman Goentzel to attend the MML conference at a cost not to exceed \$500.00 each. Alderman Priddy seconded and the motion passed with Alderman Goentzel abstaining.

Economic Development Issues

Make It Happen Committee Report Mr. Elsea reported he and Alderman Priddy would be attending the PCEDC Commercial Develop Day on May 6. The city would share a table with the school and chamber to show off Weston to commercial realtors. He will report on it at the May meeting.

Annexation: Alderman Priddy said she should have something at the May meeting on annexation. The city is waiting on a report from the engineer on McCormick's sewer.

Old Business

2019 Flood Update Mike Large reported that the City Hall HVAC ducts would be cleaned on Friday. He is moving things back in to the public works building. He will be attending a class next Thursday for assessing damages to buildings. Alderman Lowe asked Stephen Cornelius if he knew of any damage to the water wells. Cornelius reported he was still unable to get to the wells, but through binoculars he can see a lot of debris around the fencing of the wells. Mr. Cornelius explained that in Kansas City they treat surface water from the Missouri River. Weston treats groundwater and the wells go one hundred feet below the surface, so no way that the flood water is getting through. The motors and pumps for the wells have been raised above the highest flood point so there is no damage to the electronics.

Sewer Lagoon- EPA Compliance & Update on Land Application Project Mike Large reported he and City Clerk Kim Kirby would work on the April 28 report.

Update on Project: Mike Large reported DNR is working on revising the lagoon permit to land apply on consumptive crops.

Sewer User Rates Ordinance on the agenda for passage. No discussion from Board.

Land Purchase- Jeremy Webb said there was no reason to hold a closed session for real estate.

CMOM and DNR Inspection Letter and McCormick, Pirtle & Weston Brewery analysis: No report or update.

Humes Road Bridge Replacement Alderman Lowe said he felt it prudent to table the matter as we have a new mayor and alderman and many avenues to look in to on this bridge. There are still issues about whether we should even do the project. Alderman Rooney reiterated her stance on spending public funds for private roads. Alderman Lowe said he felt it was our cause to work on it after maintaining it for twenty plus years.

Mayor George commented that perhaps the city could hire a grant writer on a contract basis to look for bridge grants. Alderman Priddy stated she knew someone and would check in to it.

Alderman Rooney stated she wanted a legal opinion from the attorney general's office. She spoke to a real estate agent and this area doesn't open to any other area and the bridge is currently on two private lots. The city should not be using public funds to enhance private property. Jeremy Webb stated that he had given his legal opinion that it was the city's responsibility. Humes Addition may not have been considered a subdivision, but like a subdivision the city accepts the streets and infrastructure after a period of time. It is in the best interest of the city to complete the bridge. Kim Kirby commented that there were a lot of easements in Weston, such as sewer and storm water drainage, that a legal easement had never been obtained on, but it is still an easement and owned and maintained by the city. Alderman Lowe moved to postpone the Humes Road discussion until the May meeting. Alderman Priddy seconded the motion and all were in favor.

2019 Street Paving List – Alderman Rooney told the Board she had gotten some ideas to help automate the street repair process. Each street is put in a database and given a score. The tracking of the streets can help with budgeting. Parkville and Platte County have this availability and can do multiple functions with their software. For instance, when a complaint is made it ties in to a work order. Mike Large stated he would be able to talk with Bob Heim at the county about the software.

Mayor George reminded the Board they had said they would drive through their Wards and make a list of streets that needed repairs. Alderman Rooney said Cherry Street by the Catholic Church, as well as Rock Street. Barbara Bless pointed out 4th and Meek Street was a very bad intersection with potholes etc. Mike Large commented that with the city replacing the water line on Rock Street, it would be good to redo that street. Alderman Rooney moved to authorize Mike Large to seek bids for repair of Rock Street after the water line work is complete. Alderman Lowe seconded the motion and the motion carried.

Kim Kirby pointed out that Mr. Large would like to use Lamp Rynearson to get specifications for bidding the street work, but this could be costly. Large said he could do the bid paperwork and it would be close, but to do the project right the street needed curb and guttering. Alderman Goentzel questioned if it would be the entire block or just from Walnut to Spring. After a brief discussion, Goentzel moved to submit bid request for Rock Street, including curb and gutter and repaving from Walnut to Spring and as an alternate all three blocks of Rock St. Alderman Priddy seconded and the motion was approved.

Update on Burley House Market & Applefest/Chamber Letters Kim Kirby reported that during the afternoon time, Zeb Hopper with the Weston Tobacco Co. called to explain they were working on getting the 2018 list of vendors for the city but had the 2019 list and emailed it to city hall. They do agree with the city and will be ensuring that all vendors have a Retail Sales Tax License and are given a Special Event Form. Ms. Kirby stated that letters should also go to the Irishfest and Wine Festival events as they have outside vendors as well. Alderman Lowe moved to authorize Mayor George to send a letter to the Wine Festival and Irishfest event coordinators regarding vendor sales tax payments. Alderman Priddy seconded and the motion passed.

Update on Business Building-Fire Safety Inspections Jeremy Webb reminded the Board that the city did a pointed inspection for business license to check deficiencies in smoke and CO detectors, fire extinguishers etc. There is nothing in the ordinance that gives a repercussion to the business if they don't have these things. Therefore, he

suggested sending letters asking the business or building owner to remedy the deficiency, and consider changing the ordinance giving repercussion to failing this inspection.

Alderman Rooney moved to authorize a letter to each business regarding their building fire safety inspection; and to authorize Jeremy Webb to amend the ordinance giving some repercussion to the business that fails the inspection. Alderman Lowe seconded the motion and the motion carried with all in favor.

New Business

Planning & Zoning Recommendation – Lot Split Ordinance Mr. Webb told the Board that over the years there have been more and more people ask to divide their lots. The city currently has no ordinance that gives guidance in that process. We have been handling it on a case by case basis, but it was prudent to have something in the code that would give a procedure. What the city is trying to avoid is a split that ends up with a lot that is non-conforming. Kim Kirby pointed out the Planning & Zoning Commission did work on the ordinance by looking at examples from Platte County, Platte City, Parkville, and Smithville. Alderman Lowe moved to hold a public hearing at 5:30 p.m. on Monday, May 13, 2019 on the change to the zoning code for a Lot Split Ordinance. Alderman Rooney seconded the motion, and all were in favor.

April – Free Bulky Dump Day Mayor George said he felt this a good program to help keep Weston clean. Mike Large suggested Wednesday, April 24 and Saturday, April 27 as the free bulky dump days. Alderman Lowe moved to allow a Free Bulky Dump Day, or Weston Clean-up Day on Wednesday, April 24 from 4:30 p.m. to 6:30 p.m. and on Saturday, April 27 from 8:00 a.m. to 12:00 p.m. Alderman Rooney seconded the motion, and all were in favor.

Update Code Book with General Code Kim Kirby reminded the Board the budgeted amount to update the city code was \$2,400.00. Alderman Priddy moved to authorize the updating of the Weston Code Book. Alderman Rooney seconded the motion and the motion passed.

Storm Water Run-off Management Mike Large said there has been issues in the past, and he has one now. People want something done about it. The International Residential Code has certain pages that gives the city the right to make people divert the water or stop working on the project until it is complete.

Jeremy Webb stated he emailed his recommendation, which was to treat the matter the same way you have in the past. The last instance was on Spring Street between Ovaitt and Jurgens and they were told it was a civil matter. If the city has a right to step in and stop construction that wasn't done with Ovaitt and they didn't tell him to divert the water. If the Board chooses to address the matter differently then that is up to them.

Alderman Priddy said she has pictures where the tenant in the duplex can't get in the home because of the mud from construction, and the mud has covered the water meter pit several times. Is it fair to another home owner to destroy a retaining wall on their property? Priddy said it was her understanding that he did have a silt fence at one time, but it never stopped the run-off. They gutter on the house is coming straight out in the yard, not to the street.

Mr. Large stated the builder was finishing up and it was at the end of the project. Jeremy Webb said the city could not tell him to pay for damages to the neighbor. Alderman Lowe stated the city should tell the builder to fix, remedy, stop construction and reroute the water. Alderman Goentzel asked if there was an ordinance that needed updated. Jeremy Webb replied that this matter was not in an ordinance. He suggested doing something to remedy these situations before the Certificate of Occupancy comes up. Mr. Large said there was one section in the International Building Code that says he can stop construction when it affects property and the safety of the public. Alderman Rooney moved to authorize a letter to the building owner to notify them of a problem and state that they won't get a certificate of occupancy until the matter is remedied. Alderman Lowe seconded the motion.

Discussion: Mr. Webb clarified that the city is asking to write a letter but not taking further action. Rooney stated if they don't comply they can't occupy.

On a call for a vote on the motion, the motion was passed.

Mid America Regional Council Dues Alderman Lowe moved to pay the \$179.00 dues for MARC. Alderman Rooney seconded and the motion was approved.

Ordinances

Sewer User Charge Ordinance Bill No. 2243 being an ordinance of the City of Weston, Missouri, regarding Wastewater User Charge Rates, amending City of Weston Municipal Code, Title VII – Utilities Code – Chapter 715 – Section 715.040 User Charge Rates was presented. Alderman Priddy moved, and Alderman Goentzel 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 Priddy and seconded by Alderman Rooney. Alderman Priddy moved, and Alderman Goentzel seconded to place the bill on second and final reading. The reading was accepted upon motion of Alderman Priddy and seconded by Alderman Rooney. Alderman Priddy moved, and Alderman Goentzel seconded to place the bill on final passage. The vote on the passage of said Bill was as follows: Ayes: Rooney, Goentzel, Priddy, and Lowe. Nays: None. The bill was signed by Mayor George, for placement in the ordinance book as Ordinance No. 4.044.

Resolution

Authorized Representative-DNR/SRF Loan Alderman Lowe moved to approve Resolution #2019-005. Alderman Rooney seconded and the motion passed.

Mayor's Appointments

Alderman Lowe moved to accept the appointment of Paul Schwennesen to the Weston Park Board. Alderman Priddy seconded and the motion passed.

Alderman Goentzel moved to accept the appointment of Michael Kwiatkowski to the Weston Historic Preservation and Planning & Zoning Commission. Alderman Lowe seconded and the motion was approved.

Treasurer's Report

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

Mr. Farrand pointed out the 1st Quarter Budget report was attached to the treasurer's report.

Significant Activities Report

Public Works – Brush Cutter for Mini Excavator Mike Large said he wasn't prepared to discuss and would have it available for the May meeting.

Public Works – Advertising for Water Line Upgrade – Rock & Goodlet Circle Mr. Large stated the project was engineered and ready for bid. Alderman Rooney moved to put out for bid water line repairs on Rock Street from Walnut to Spring Street and Goodlet Circle. Alderman Goentzel seconded and all were in favor.

Report from P&Z- Brick & Mortar Grant Applications Kim Kirby reported the first cycle of grant applications was successful. Money was granted to two downtown property owners for major repairs to their buildings. She asked the Board to keep in mind increasing the grant monies available in 2020 as it is a great economic incentive.

Police Training – McGrath- LETSAC Conference Alderman Lowe moved to approve the training at the estimated expense of \$721.90. Alderman Priddy seconded, and the motion carried.

With no further business to discuss, Alderman Lowe made a motion to adjourn. Alderman Rooney seconded, and all were in favor. The meeting adjourned at 8:25 p.m.

Minutes prepared by Kim Kirby, City Clerk

Minutes approved May13, 2019

Attest:

Steven George, Mayor

Kim Kirby, City Clerk