

**City of St. Clair  
#1 Paul Parks Drive  
St. Clair, MO 63077  
Public Hearing  
March 1, 2010**

**Mayor Blum called the meeting to order at 6:45 p.m.**

**Roll Call:**

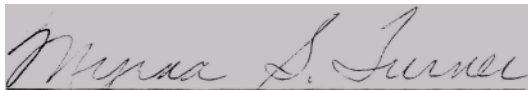
City Clerk, Chris Fawe called the roll. Present were Mayor Blum, Administrator Arndt, Alderman Tate, Alderman Marrocco, Alderman Counts, Alderman Pierce and Attorney Voss.

Mayor Blum stated that the purpose of the Public hearing is to consider public testimony concerning the proposed rezoning change request for Lots 10,11,12,13 & 14-Block 3 Hibbard Subdivision from C-2, General Commercial to R- 1C, One- family residential. The Planning and Zoning Commission conducted a Public Hearing on this issue on February 8, 2010 at 7 p.m. They are recommending the approval of this rezoning request. This hearing was originally scheduled for Tuesday February 16, 2010, but was postponed due to a lack of quorum. Attached is exhibit A

**St. Clair Planning &  
Zoning Commission**

**February 8, 2010**

**The Planning & Zoning Commission recommends that the City Council approve the zoning change from C-2, Central Business District, to R-1c, Single Family District for the property located at Lay Street and North Street. Legal Description: Lots 10, 11, 12, 13 & 14-Block 3 Hibbard Subdivision.**



**Myrna Turner  
President  
Planning & Zoning**

**Public Comments:** There were no public comments

**Adjournment:** Meeting adjourned at 7:00 p.m.

**City of St. Clair  
#1 Paul Parks Drive  
St. Clair, MO 63077  
City Council Meeting  
March 1, 2010**

**Mayor Blum called the meeting to order at 7:00 p.m.**

**Roll Call:**

City Clerk, Chris Fawe called the roll. Present were Mayor Blum, Administrator Arndt, Alderman Marrocco, Alderman Tate, Alderman Pierce, Alderman Counts and Attorney Voss.

Mayor Blum led everyone in the Pledge of Allegiance.

**Consent Agenda:**

Mayor Blum asked for approval of the monthly bills from January 29, thru February 25, 2010 the Board of Alderman meeting minutes from February 1, 2010, Board of Alderman meeting minutes from February 16, 2010 (lack of quorum) and the Public Hearing minutes from February 16, 2010 (lack of quorum) and the Collector's Report for January 2010.

Mayor Blum asked if everyone had a chance to review the bills and if there were any questions.

**Alderman Tate made the motion to approve the Consent Agenda as submitted and Alderman Marrocco provided the second.**

**Motion carried by voice vote.**

**Awards and Recognition:**

1. Mayor Blum stated the business of the month is Jerron's Restaurant.

**Ordinances and Resolutions**

1. **Bill No. 2010-06- AN ORDINANCE REPEALING APPENDIX A AND APPENDIX B OF THE CITY OF ST. CLAIR'S CODIFIED ORDINANCES AND ADOPTING A NEWLY REVISED APPENDIX A, APPENDIX B, AND APPENDIX C OF THE CITY OF ST. CLAIR'S CODIFIED ORDINANCES ATTACHED HERETO AS EXHIBIT A.**

Alderman Marrocco introduced Bill No. 2010-06 for 1st and 2nd reading twice by title only. Mayor Blum read Bill No.2010-06 twice by title only. Alderman Tate made the motion to approve Bill number 2010-06 as read and Alderman Marrocco provided the second.

Mayor Blum asks if there were any questions before the vote.

**Board Polls as follows:**

<b>Alderman Tate</b>	<b>AYE</b>	<b>Alderman Marrocco</b>	<b>AYE</b>
<b>Alderman Pierce</b>	<b>AYE</b>	<b>Alderman Counts</b>	<b>AYE</b>

***Bill 2010-06 becomes Ordinance 1573***

**2. Bill No. 2010-07-AN ORDINANCE REZONING PROPERTY OWNED BY TERRY W. BOLAND LOCATED AT LOT 10, 11, 12, 13 AND 14 IN HIBBARD SUBDIVISION.**

Alderman Tate introduced Bill No. 2010-07 for 1st and 2nd reading twice by title only. Mayor Blum read Bill No.2010-07 twice by title only. Alderman Marrocco made the motion to approve Bill number 2010-07 as read and Alderman Counts provided the second.

Mayor Blum asks if there were any questions before the vote.

**Board Polls as follows:**

<b>Alderman Tate</b>	<b>AYE</b>	<b>Alderman Marrocco</b>	<b>AYE</b>
<b>Alderman Pierce</b>	<b>AYE</b>	<b>Alderman Counts</b>	<b>AYE</b>

***Bill 2010-05 becomes Ordinance 1572***

**3. Bill No. 2010-08- AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CORPORATION OF ST. CLAIR, MISSOURI TO ENTER INTO AN AQUATIC EXAMINER SERVICE AGREEMENT WITH AMERICAN RED CROSS FOR THE PROVISION OF ON-SITE LIFEGUARD EVALUATIONS FOR THE 2010 SEASON.**

Alderman Marrocco introduced Bill No. 2010-08 for 1st and 2nd reading twice by title only. Mayor Blum read Bill No.2010-08 twice by title only. Alderman Marrocco made the motion to approve Bill number 2010-08 as read and Alderman Counts provided the second.

Mayor Blum asks if there were any questions before the vote.

**Board Polls as follows:**

<b>Alderman Tate</b>	<b>AYE</b>	<b>Alderman Marrocco</b>	<b>AYE</b>
<b>Alderman Pierce</b>	<b>AYE</b>	<b>Alderman Counts</b>	<b>AYE</b>

***Bill 2010-08 becomes Ordinance 1575***

**4. Resolution No. 2010-03- A RESOLUTION ADOPTING A REVISED PERSONNEL POLICY MANUAL.**

Alderman Pierce made the motion to approve Resolution 2010-03 and Alderman Marrocco provided the second. **Motion carried by voice vote.**

**Unfinished Business:**

**1. St. Clair Home Owner Rehabilitation Project**

Administrator Arndt stated applications for the local grant project are still being accepted. Eligible applicants have to live within the St. Clair City limits, own their own home, and make less than \$33,950.00 for a household of two or less; or less than \$39,040.00 for a household of three or more. There have been 51 applications received at City Hall to date. The City in partnership with Farmers & Merchants Bank and the Federal Home Loan Bank is making 100 grant awards available in 2010. He and Building Inspector Joe Davis will be going through these applications tomorrow and will send out letters to let the applicants know whether they qualify or not. There will be a training seminar on April 10, 2010 at the Community Center.

**2. Pseudoephedrine**

Mayor Blum stated that some time ago Sergeant Grellner made a presentation to the Board of Alderman, (with the exception of Alderman Tate) which was an emotional and accurate presentation. Mayor Blum stated he wanted to let the Board think about this and have time to talk with their constituents and feel confident about the way to proceed. Mayor Blum asked each Alderman to express their point of view. Alderman Marrocco stated there is only one pharmacy in town that sells pseudoephedrine, you are required to sign for it, and are required to have a valid current identification with a local address. Alderman Marrocco stated she felt the way sales are monitored now is fine and sees no reason to require a prescription. Alderman Counts stated a prescription should be required, if it is for a legitimate reason you will be able to get a prescription from your Doctor, and she feels the City should do everything they can to stop the over the counter sales. Alderman Tate stated there are tight controls on the one place in town to purchase the pseudoephedrine and he does not feel if the City passed an ordinance on the selling of pseudoephedrine that it would stop anyone from going to a neighboring city or county to purchase it there. Alderman Pierce stated you could go on the internet and purchase pseudoephedrine without a prescription, and feels this would be a hardship on the people that use this. He feels the signature list of the people signing and purchasing the pseudoephedrine is not being followed through on, that it is just a hard copy left lying underneath a desk. Chief Hammack stated he has a list of everyone that bought pseudoephedrine at Rexall over the last 13 months. There were 1246 boxes sold in this time span, 381 were sold to known meth offenders, 365 boxes were sold to citizens inside the city limits, about 900 boxes were sold to citizens outside the city limits. There are people from Union, Dittmer, Bourbon, Sullivan and Stanton on the list. Out of the 365 boxes sold to citizens inside the city limits, 191 boxes were sold to people who were not meth offenders or 79 individuals. If pseudoephedrine would be restricted to prescription purchase, only 79 individuals out of 4500 would be affected in the City limits. Chief Hammack stated most individuals who wanted pseudoephedrine could call their Doctor for a prescription without having to go in for an appointment.

### **Rebuttal**

Alderman Marrocco asked Chief Hammack if there were more overdoses from heroin since the pseudoephedrine has been restricted. Chief Hammack stated the overdoses started over a year and a half ago. Alderman Marrocco asked if there could be a list at the pharmacies of people not to sell pseudoephedrine to. Chief Hammack stated the pharmacy could do this on their own but they cannot be told to do this. Alderman Counts stated she did not feel that is the responsibility of the employees at the pharmacies to monitor sales, that we as leaders of the City should make a stand and not leave it on the pharmacies. Alderman Counts stated if we can stop one meth lab, it would be worth it. Alderman Tate stated statistics from Chief Hammack were very interesting to hear. He thought it would affect more people that lived in the City. Alderman Tate stated he would like to have the statistics in

writing so he could show the citizens in the community while talking about this issue. Alderman Pierce stated he would like to see another alternative, he did not want to do this at the expense of the person who needs it and he would not go against his constituents. Mayor Blum stated he believed this is a state or federal issue and feels they should be the ones to mandate this, but by voting for an ordinance, he feels we are supporting law enforcement and are getting on the bandwagon to curb meth use in our area.

**Mayor Blum asked for a poll of the board whether to pursue an ordinance to ban pseudoephedrine in the City limits of St. Clair.**

**Board Polls as follows:**

<b>Alderman Tate</b>	<b>YES</b>	<b>Alderman Marrocco</b>	<b>No</b>
<b>Alderman Pierce</b>	<b>No</b>	<b>Alderman Counts</b>	<b>YES</b>

**Mayor Blum broke the tie with a yes vote to pursue the ordinance.**

**New Business:**

**1. One-Day Liquor License Permit.**

Holy Trinity Lutheran Church is seeking a one-day liquor license permit for March 20, 2010. The required background check on Russell Jackson is complete.

**Alderman Marrocco made the motion to approve the one-day liquor license permit for Holy Trinity Lutheran Church and Alderman Pierce provided the second. Motion carried by voice vote.**

**2. Spice/K2**

Mayor Blum asked Chief Hammack to address the board on spice or K- 2. Chief Hammack stated this is an organic material classified as an herb but it is sprayed with a synthetic chemical that causes individuals to have the same effect of smoking marijuana. Chief Hammack stated he did not know a lot about it, that it was new to them. He felt it was something that needs to be looked into. Mayor Blum asked City Attorney Kurt Voss if there was a possibility of drafting an ordinance on banning this particular substance. Attorney Voss stated he did not know what the substance is and he doesn't claim to be a chemist, but he feels as a City you always have the ability to pass ordinances on the health, safety and welfare of citizens as long as it is not contradictory to state law, United States Constitution or the Missouri Constitution. The Board asked to pursue an ordinance to prohibit the sale or possession of spice/K2 (an herb sprayed with synthetic chemicals) products within the City Limits of St. Clair and gather more research and information.

**Alderman Counts made the motion to pursue an ordinance to prohibit the sale or possession of spice/K2 products within the City Limits of St. Clair and gather more research and information and Alderman Pierce provided the second. Motion carried by voice vote.**

**City Attorney: Kurt Voss – none**

**Departmental Reports:**

**1. Administrator Jim Arndt**

**A.) Bond Committee Meeting**

Administrator Arndt apologized for having the bond committee meeting at 6:00 p.m. in the boardroom before the Public Hearing, stating the meetings were scheduled very tight. He stated the meeting went well and there will be another meeting in about 2 weeks.

**B.) Franklin County Backstoppers**

The Backstoppers will be having a fundraiser on Friday June 11, 2010 at the Meramec Lake Golf Course. Steve Pelton is the local contact and asked Mayor Blum to participate for this event.

**C.) Request from the Administration**

The Administration is requesting to remove Lynn Wagoner from the Parks and Recreations Board stating she has not been to a meeting since June '09.

**Alderman Marrocco made the motion to remove Lynn Wagoner from the Parks and Recreation Board and Alderman Pierce provided the second. Motion carried by voice vote.**

**D.) Challenge Program**

St. Clair's Challenge Students are asking the Board to participate in a challenge program to conserve water. The students will be contacting City Collector, Lynne Huff, after the program to see if the program succeeded in conserving water.

- 2. **Public Works: Butch Terry**- no report
- 3. **Police Department: Chief Hammack**- no report
- 4. **Building Inspector: Joe Davis** – no report
- 5. **Planning and Zoning: Myrna Turner** - absent
- 6. **Parks: Kim Arndt** – absent

**Other Business:**

**Mayor and Board Members** - none

**Public Participation:** - none

**Motion for Executive Session:** none

**Next Scheduled Meeting:** Monday March 15, 2010 at 7:00 p.m.

**Adjournment:** Mayor Blum called for a motion to adjourn the meeting at 7:50 p.m. **Alderman Pierce made the motion to adjourn and Alderman Tate provided the second.**

**Motion carried by voice vote.**

Date Approved **3/15/2010**

Attest:

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City Clerk Chris Fawe

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Mayor Ron Blum

\_\_\_\_\_  
Administrator James Arndt