

**City of St. Clair
#1 Paul Parks Drive
St. Clair, MO 63077
City Council Meeting
July 19, 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 Dierker and Attorney Voss.

Mayor Blum thanked everyone for attending the meeting.

Mayor Blum led everyone in the Pledge of Allegiance.

Consent Agenda:

Mayor Blum asked for approval of the monthly bills from July 1, thru July 15, 2010, the Board of Alderman meeting minutes from July 6, 2010, the Collector's Report for June 2010 and the Semi-annual Financial Statement for January 1, 2010-June 30, 2010.

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

Motion carried by voice vote.

Awards and Recognition:

1. Mayor Blum stated the Business of the month for July is Household Sales and Leasing and Alderman Tate presented Dennis Nevills with his award.
2. Mayor Blum stated the St. Clair Community Pride Award for the month is for three recipients:
 - 1.) Tim and Cathy Hamilton, 460 St. Clair Street, no one was present to accept the award.
 - 2.) First Baptist Church, 450 East Springfield, Alderman Pierce presented the award to Phil Turner and David Richardson.
 - 3.) Fiat Apartments, 1507 N. Commercial, Alderman Marrocco presented the award to Paula Dace.

Ordinances and Resolutions:

1. **Resolution 2010-07 – A RESOLUTION ESTABLISHING A 5 YEAR CAPITAL IMPROVEMENTS PLAN FOR THE PERIOD OF 2011-2015, INCLUSIVE.**

Alderman Marrocco made the motion to approve Resolution 2010-07 establishing a 5 year capital improvements plan and Alderman Pierce provided the second. ***Motion carried by voice vote.***

Unfinished Business:

1. Appointment of Building Inspector

Mayor Blum thanked Building Inspector Joe Davis for all of his hard work he has given the City. Mayor Blum stated the last appointment, Mr. Taylor took another job and himself and Administrator Arndt is recommending to the Board to appoint Jeremy Crowe as the new Building Inspector to replace Joe Davis. Administrator Arndt stated Mr. Crowe was the second choice and he would like him to start work on July 20, 2010.

Alderman Marrocco made the motion to appoint Jeremy Crowe as the new Building Inspector and Alderman Dierker provided the second.

Alderman Tate, Marrocco and Dierker voted Aye on the motion, Alderman Pierce voted Nay. *Motion carried*

New Business:

1. Review and Discussion of Administrator Personnel Duties and Powers

Mayor Blum stated the Administrator is seeking clarification from the Board concerning his assigned personnel duties and powers pursuant to Codified City Ordinance Section 2-117 and Section 2-118. Administrator Arndt stated he would like to make sure he is operating how the Board wants him to operate. Administrator Arndt stated from the Missouri Revised Statutes Chapter 79 section 79.110 states the mayor and board of alderman of each city governed by this chapter shall have the care, management and control of the city and its finances, and shall have power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such as they shall deem expedient for the good government of the city. Administrator Arndt stated Chapter 79 section 79.190 states the mayor shall sign the commissions and appointments of all city officers elected or appointed in the city, and shall approve all official bonds unless otherwise prescribed by ordinance. Administrator Arndt stated Chapter 79 section 79.230 states the mayor, with the consent and approval of the majority of the members of the board of aldermen, shall have power to appoint a treasurer, city attorney, city assessor, street commissioner and night watchman and such other officers as he may be authorized by ordinance to appoint. Administrator Arndt stated the personnel policy manual page 1-policy number 2.3 states the appointing authority of the position to be filled and/or his/her designee shall evaluate all applicants. Administrator Arndt stated the City's codified ordinance section 2-117 of his position states-*personnel systems*, the city administrator shall, under the supervision of the mayor and if so directed by the mayor and a majority of the board of aldermen, act as the personnel officer of the city. Administrator Arndt stated this is how he has been operating, but if the Board would like to change this it is within your right.

Mayor Blum opened the subject to the Board of Alderman.

Alderman Marrocco apologized to Alderman Pierce for the heated discussion at the previous meeting, but she is still comfortable with Administrator Arndt reviewing the applications and bringing back the recommendations to the Board. Alderman Marrocco stated until recently there has not been any issues on hiring, when Chief Hammack or Butch Terry has made recommendations, they have always listened to their recommendations. Alderman Marrocco stated she does not have any problem with the ordinance or personnel policy as it is.

Alderman Tate stated he feels Administrator Arndt is doing a great job and he has never been given a reason to doubt or question his decisions. Alderman Tate stated he does not have a problem with the way the hiring practices are.

Alderman Dierker stated he did research of his own on how other cities operate, and found

out that all but one city was like our code of ordinance and the city administrator brings to the board his recommendation and the board will make the final decision. Alderman Dierker stated Administrator Arndt is doing an excellent job and he would like to see the ordinance stay as it is.

Alderman Pierce stated the policy numbers were not state law they are ordinance, anything that goes above state law is not right. Alderman Pierce stated the state law says a reminder that only the Board of Alderman can make decisions for the city. Alderman Pierce stated not one of the Board members has seen a resume on anybody here, and who's to say what they are. Alderman Pierce stated we have not spoken with any of them. Alderman Marrocco stated nor did we with any of the other people we have employed within the last four years.

Alderman Pierce stated the board had executive session on the hiring of Building Inspector Joe Davis and City Clerk Chris Fawe. Alderman Marrocco stated she was asked to be a designee and to sit in on interviews. Alderman Pierce stated according to what he has read the Board of Alderman was supposed to be in on the hiring. Alderman Pierce stated the Public Works Director signed a contract before the Board knew about it. Alderman Marrocco asked Alderman Pierce why he did not come to the city hall and ask to see the applications and resumes. Alderman Pierce stated he feels it is his job to go through the resumes or at least to pick an applicant. Alderman Marrocco stated the Mayor knows what a building inspector entails, and she has confidence that he and Administrator Arndt could pick the right candidate to bring before the Board. Alderman Pierce stated it makes you wonder when people get a job like this, without the board's approval to start with, what else is involved.

Mayor Blum stated he is stopping the discussion. Alderman Pierce stated he figured he would. Mayor Blum stated Alderman Pierce you are the reason I'm stopping this discussion, because it seems that you sit in that seat to benefit Mr. Pierce. Mayor Blum asked Alderman Pierce if he would like him to elaborate on this. Alderman Pierce stated sure. Mayor Blum stated the lawn mowing contracts from a few months back that Alderman Pierce worked for the company and when asked, stated that he would work for them again. Mayor Blum stated you are not allowed to vote on those contracts. Alderman Pierce stated I was not working for them at the time. Mayor Blum stated that does not matter, if there is future possibility of employment while you are sitting in that seat, then you cannot vote on that contract.

Alderman Pierce stated then you show me that. Mayor Blum stated he could. Mayor Blum stated Alderman Pierce was digging a deep hole, Alderman Pierce stated he has been covered up before. Mayor Blum stopped the discussion. Mayor Blum stated, the one point he wanted to make was Alderman Pierce had a double standard, when Administrator Arndt brings a recommendation to the Board he almost consistently votes no, but when Alderman Marrocco asked about Police Chief Hammack bringing a recommendation to the Board, Alderman Pierce states, I don't need to know that. Mayor Blum stated that is a double standard.

Alderman Pierce stated Chief Hammack is a department head. Alderman Marrocco, Tate and Dierker stated Administrator Arndt is a department head also.

Mayor Blum asked the Board if they would like to amend or adjust the code of ordinance as they exist. **Alderman Marrocco made the motion to keep the ordinance for the City Administrator as they are and Alderman Dierker provided the second.**

Board Polls as follows:

Alderman Tate	AYE	Alderman Marrocco	AYE
Alderman Pierce	NAY	Alderman Dierker	AYE

Motion carried

2. St. Clair Merchants Committee Festival Request

Lori Gratzner, with the St. Clair Merchants Committee Festival, is requesting Board approval to host a Street Festival on September 18, 2010 from 2:00 p.m. until 9:00 p.m. with the street closed from Springfield to Kitchell. Alderman Dierker stated for future reference the City has Boo Bash in October and was wondering if this event could be scheduled sometime in the months of January thru June. Lori Gratzner stated there is an activity between January and June, there is an Easter Celebration event that was started this year. Lori Gratzner stated there are no contributions that are asked from the businesses, vendor booths are used by choice. Lori Gratzner stated she would like to invite Alderman Dierker to a St. Clair Merchants Committee meeting. Administrator Arndt ask if the other businesses have been notified yet. Lori Gratzner stated they were going to talk to editor Nathan Woodside, and there has been a date picked for this to be put in the newspaper along with letters passed out to the businesses inviting them to a separate meeting for their input. Administrator Arndt stated the City would still need the trash requirements and insurance information.

Alderman Tate made the motion to approve the St. Clair Merchants Street Festival on September 18, 2010 and Alderman Pierce provided the second. Motion carried by voice vote.

3. St. Clair Athletic Boosters Liquor Permit Application

Mayor Blum stated Vicky Enyart with the St. Clair Athletic Boosters is requesting a one day liquor license permit for a fundraiser event to be held on July 24, 2010 from 6 p.m. to 11 p.m. at the Holy Trinity Lutheran Church.

Alderman Marrocco made the motion to approve the one day liquor license permit and the second was provided by Alderman Dierker. Motion carried by voice vote.

City Attorney: Kurt Voss –Attorney Voss stated he will be sending the Board an update concerning ongoing telecommunications litigation settlements regarding T-Mobile, Charter and Alltel about forthcoming ordinances.

Departmental Reports:

1. Administrator Jim Arndt

- A.) Administrator Arndt stated Billy Masson; a member of the Park Board has moved outside the City limits and has asked to resign from the Park Board. Alderman Marrocco made the motion to accept the resignation of Billy Masson from the Park Board and Alderman Dierker provided the second. Motion carried by voice vote.
- B.) Administrator Arndt stated he would like to schedule the employee picnic for Friday August 13, 2010 at noon at the small pavilion in Orchard Park.
- C.) Administrator Arndt stated the Missouri Municipal League Dinner is this Wednesday July 21, 2010 at the Union City Park. Social hour starts at 6:00 p.m. and dinner at 7:00 p.m.
- D.) Administrator Arndt stated Tuesday July 20, 2010 will be the second FHLB seminar in the Board room from 5:30 p.m.-7:30 p.m. Administrator Arndt stated the City is at the half way mark of being completed.
- E.) Administrator Arndt stated he is asking the Board for an approval for a home occupation permit for Dana Tate, 1370 Oakridge Estates, pursuant to the City regulations. Administrator Arndt stated she has paid her fee and the Planning and Zoning has approved her request. **Alderman Dierker made the motion to approve the home**

occupation permit for Dana Tate and Alderman Pierce provided the second.

Board Polls as follows:

Alderman Tate ABSTAINED Alderman Marrocco AYE

Alderman Pierce AYE Alderman Dierker AYE

Motion carried

2. **Public Works: Julia Schiermeyer-** Julia stated all of her reports were covered in the weekly update.
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:

1. Alderman Dierker stated he would like to thank Building Inspector Joe Davis, he knows he has done a wonderful job. Mayor Blum stated he will be missed and wished Joe the best of luck with his future endeavors.

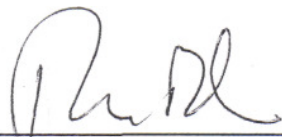
Public Participation: none

Motion for Executive Session: none

Re-Opening of Open Meeting

Next Scheduled Meeting: Monday August 2, 2010 at 7:00 p.m.

Adjournment: Mayor Blum called for a motion to adjourn the meeting at 7:35 p.m. **Alderman Marrocco made the motion to adjourn and Alderman Dierker provided the second. Motion carried by voice vote.**



Ron Blum, Mayor

Date Approved **8/2/2010**

Attest:



Chris Fawe, City Clerk



James Arndt, City Administrator