

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
CITY OF NEW MELLE, ST. CHARLES COUNTY, MISSOURI
WEDNESDAY, MARCH 16, 2011**

Call to Order:

A Regular Meeting of the Board of Alderman of the City of New Melle was held on Wednesday, March 16, 2011 at 7:00 P.M. The meeting was held at the New Melle City Hall, located at 145 Almeling Street, New Melle, Missouri.

Mayor:	Ernest Arteaga	Present
Aldermen: Ward I	Donald Hendrich	Present
	Janet Jokisch-Messig	Present
Ward II	Doug Bice	Present
	Linda Ginther	Present

Also Present:	Police Chief	Aaron Burkemper
	City Clerk	DeeAnn Burwitz
	City Attorney	Stephanie Karr
	Boone Country Connection	Dianne Sudbrock

All stood and recited the Pledge of Allegiance.

Open Forum:

Sudbrock asked questions regarding a lawsuit filed against the City as to representation, insurance coverage and any cost to constituents.

Karr stated the City's general liability insurance company, MOPERM (Missouri Public Entity Risk Management), has assigned an attorney to represent the City in this case with no additional costs to the constituents.

Approval of Minutes – February 7th & 16th, 2011:

Jokisch-Messig noted a typographical error to be corrected on page 7 of the February 16th minutes.

On motion of Alderman Hendrich, second by Alderman Jokisch-Messig, the Aldermen voted 4 "Aye" to approve the minutes of the 02/07/11 as submitted and 02/16/11 as corrected.

Police Report:

Bice noted significant increases in traffic stops for various violations.

Burkemper stated part of that was due to DWI and Seat Belt Enforcement grants and that often times a traffic stop for one thing leads to additional violations such as no proof of insurance.

Jokisch-Messig asked if tickets or warnings were issued for the seat belt violations.

Burkemper stated tickets were issued for seat belt violations which is a \$10 fine. Often times officers will give warnings for equipment violations such as a headlight or taillight out. He reported that he and Officer Jones attended crisis intervention team training and that Officer Nixon was in his second week of drug recognition expert training.

Code Enforcement Officer Report:

Arteaga stated a need to seek counsel from the City Attorney regarding Mr. Short's property. However, that would be done at a different time.

Jokisch-Messig asked for a status update on Dive Stop and the removal of the aircraft and buildings.

Arteaga stated that when David Cruz withdrew his request for site plan approval, he said he would remove the plane and buildings by the end of March.

Karr stated that Mr. Short has a court date in April regarding nuisance abatement which will occur before the Board's next business meeting.

Financial Report – February 2011:

Ginther stated she didn't see the relativity between the monthly and year-to-date columns of the income statement reports. She would also like to see the profit and loss statement budget versus actual to show the budget column in one twelfth increments according to the month being reported.

Karr and **Hendrich** explained that due to uncontrollable inconsistencies and fluctuations of income and expenses on a monthly basis make it virtually impossible to accurately forecast budget figures by month.

Hendrich agreed that the financial reporting is less than ideal. However, government entities operate much differently than households and businesses.

Business:

1. Repeal Ordinance #309 – 2010 Budget Amendment (due to incomplete documentation when voted upon)

Karr stated the repeal was incorporated into Bill #320 so when Bill #320 is passed, Ordinance #309 will automatically be repealed.

2. Bill #320 – 2010 Budget Amendment (with complete documentation)

On motion of Alderman Bice, second by Alderman Hendrich, to have the first reading, short form. On a call by the Mayor for the Ayes and Nays, the Aldermen voted 4 "Aye" to hear the first reading, short form.

After the first reading, Alderman Hendrich made a motion, second by Alderman Bice, to approve the first reading. On a call by the Mayor for the Ayes and Nays, the Aldermen voted 4 "Aye" to approve the first reading, short form.

On motion of Alderman Bice, second by Alderman Hendrich, to have the second reading, short form. On a call by the Mayor for the Ayes and Nays, the Aldermen voted 4 "Aye" to hear the second reading, short form.

After the second reading, Alderman Hendrich made a motion, second by Alderman Bice, to approve the second reading. On a call by the Mayor for the Ayes and Nays, the Aldermen voted 4 "Aye" to approve the second reading, short form.

Alderman Hendrich made a motion, second by Alderman Bice, to approve Bill No. 316 as an Ordinance. On a roll call vote, the motion passed as follows:

ALDERMAN DOUG BICE -	AYE
ALDERMAN DON HENDRICH -	AYE
ALDERMAN JANET JOKISCH-MESSIG -	AYE
ALDERMAN LINDA GINTHER -	AYE

BILL NO. 320 IS NOW ORDINANCE NO. 310.

3. Allocation of Proceeds from Sale of Police Car

Proposed proceeds distribution, prepared by Alderman Bice and incorporated herein as "Exhibit A", was on the table for discussion.

Jokisch-Messig expressed concern as to whether the City would have the funds next year to maintain the proposed salary increases and asked if there were other police needs that these funds could be used for.

Bice stated the Board's consensus has been all along to invest in the City's employees and not things with these funds. The Board had stated publicly its intent to invest in people and not things.

Jokisch-Messig suggested investing in employees by using these funds for training rather than salary increases noting that DeeAnn, Aaron and other officers have gone to training recently.

Burkemper stated police officer training needs are already covered thru a couple of sources; one part being from court costs.

Karr explained that a portion of court costs are placed in a restricted fund that according to state law can only be used for police training.

Burkemper stated thru a subscription to the Eastern Missouri Police Academy where a flat fee per officer per year is paid and with that subscription fee, the majority of officer training offered thru this academy are at no additional charge. Another portion of the court costs are paid to the state towards the Peace Officer Standards Training fund and at the end of the year the state uses a formula to redistribute these funds and this distribution generally covers the cost of subscription to the Eastern Missouri Police Academy. Therefore, police training needs are very well covered by existing means.

Ginther asked how these figures were calculated.

Bice stated he used the time each person had been a permanent employee of the City by cumulative hours since their start date. From that he derived the percentage from which he calculated the amount given to each employee. (eg. Total Cumulative Service Hours = 28,782 Hrs; Chief Burkemper = 18,240 Service Hrs. (63%) = \$4,347/24 = \$181/pay period) Since the City is not allowed to give bonuses, this was the most factual and objective way he found equitably allocate the available funds.

Hendrich stated regardless of what the City's financial position would be in future years, the funds to be allocated will cover this years salaries which is what the Board had agreed to do with them.

Burkemper reiterated steps his department has done to cut costs to the City such as willingly giving up an asset by selling a police car, willingly decreased budget line items for 2011 which is generally unheard of, and within the first quarter of the year, the department has reduced its part time staff by two positions. The intent is to keep costs to a minimum by recruiting volunteer reserves rather than employing part time officers.

Bice stated this proposal is as impartial and unbiased as he could make it where it's proportionalized on length of service with cumulative hours worked and nothing else.

Jokisch-Messig asked when the pay raises would take effect.

Bice stated it could be done retroactively from January 1, 2011 or from a certain date forward; whatever the Board should decide.

Hendrich stated it made sense to go retroactive to the first of the year since the figures presented represent the total funds available allocated over the course of twelve months. The City's fiscal year coincides with the calendar year as well.

Sudbrock asked what if one of the employees quits during the year? Is the raise tied to the individual or to rank?

Bice stated it's tied to the individuals based on their service time.

Karr stated whenever a new employee is hired; their rate of pay is based on what the Board approves for that person and/or position.

Discussion ensued around "what if" questions regarding effects of the proposed raises and/or unused funds if current employees leave the City's employment during the year.

Arteaga suggested that the Board consider implementing a salary schedule for the Police Department based upon rank.

Burkemper stated that practice was actually very common in most departments and welcomed the idea.

On motion of Alderman Bice, second by Alderman Hendrich, the Aldermen voted 4 "Aye" to approve pay raises; in accordance with "Exhibit A" (attached); identifying the proceeds of the police car (\$6,900); and as it pertains to City of New Melle permanent employees; retroactive to January 1, 2011; reflected changes to the budget will be appropriated into the existing salary line items.

4. Review & Approval of Capital Fund Expenditures:

A. Fireproof Safe

Hendrich asked the City Attorney if she saw any problem with accumulating and storing money in a safe at city hall. He qualified his request based upon information the City Clerk had learned from the conference she recently attended and the feeling from many there was that money should not be kept at city hall overnight or at all.

Burwitz stated she was told by many city clerks that deposits are done on a daily basis regardless of the size of the deposit. One city clerk had been thru a state audit and was told that no money should be kept at the city hall.

Karr stated that in an ideal world, that would be the case, but practically speaking, New Melle doesn't bring in the amount of cash that other cities do. She saw no problem with keeping cash in a safe until it reaches a certain level, to be established by the Board, at which time a deposit would be made.

Bice stated a concern that our building is likely not as secure as other city halls would be.

Discussion ensued and also evolved around other storage needs (ie. records, computer backups, etc.)

Burwitz suggested digitalizing records to be stored offsite and "on the cloud" as it was referred to by many vendors at the conference.

Discussion ensued regarding methods and costs associated with offsite storage.

Burwitz asked for the Board's consideration to seal off the current doorway to the storage room and create a new doorway near where she sits so she has straight and direct access to the storage room without needing to go around her desk and the public where she could easily be trapped in the storage room.

Burkemper stated it's important from a safety perspective because DeeAnn is really cornered back there and could be trapped easily.

Hendrich stated this issue had been discussed some time ago.

Arteaga stated he was more concerned with getting a safe and was anxious to get the safe here.

Further discussion had and the issue of relocating the doorway would be considered at a later date. Mayor and Aldermen went into storage room to assess possible location for safe to be put.

Arteaga "Okay, we've already approved purchasing the safe. Now I guess it's to... move on it. Does anybody have any additional comments about that?"

Hendrich "Did you find a place to put it?"

Arteaga "Yes, at least temporarily. And we'll put that on future agendas... about your doorway, so we can address it properly instead of off the cuff right now. So can we go ahead and order the safe?"

Karr "You already approved the expenditure and I think tonight was just to get a consensus on which one to pick."

Arteaga "Okay, and everybody in agreement to what?"

Hendrich "The bigger one."

Jokisch-Messig "The bigger one, yeah."

Arteaga "I don't see any negative comments here... so what you suggested, DeeAnn, is what we'll go with."

B. Drop Box

Arteaga stated the drop box was an old issue and not something he asked to be placed on tonight's agenda.

Burwitz stated Alderman Bice requested the drop box be placed on the agenda along with the safe.

Hendrich agreed that this issue had been kicked around long enough and it would be of great service to the constituents and general public.

On motion of Alderman Jokisch-Messig, second by Alderman Hendrich, the Aldermen voted 4 "Aye" to approve purchase and installation of a thru-the-wall drop box not to exceed \$550.

5. Consider Donation of 2003 Ford Explorer for Police Department

Burkemper "Do you all still have the specs that I emailed out regarding the vehicle?"

Hendrich "There's a copy in our packet."

Burkemper "Our connection with this is Adam Jones, our latest full time officer; his father works for the Union Pacific Railroad. This is a vehicle they were retiring and simply wanted to get rid of this one; the leasing company didn't want it back and it's available for adoption."

Arteaga "That's the one outside; right?"

Burkemper "Right. His dad let him drive it out here just in case somebody would want to see it first hand. I took it out and drove it; it's very smooth."

Bice "How many miles?"

Burkemper "It has 149,000 on it now."

Bice "Any maintenance related items... do we have a maintenance record on it?"

Burkemper "The only major points that they told me about are the ball joints. It has new brakes and rotors all way around. It's current on oil changes according to the sticker in the window."

Bice "It looks like it's in great shape."

Burkemper "The tires, which was one of my bigger concerns, actually has about 80% on them."

Jokisch-Messig "How much for insurance?"

Burkemper "Insurance on the low end, if we got liability and medical only, was what DeeAnn... about \$550?"

Burwitz "\$503."

Jokisch-Messig "A year or every 6 months?"

Burwitz "Annually."

Burkemper "If we did full coverage like we have on the Crown Victoria's, it was a little over \$800... right DeeAnn?"

Burwitz "\$877.23 for full coverage."

Bice "What's your recommendation for insurance coverage for this vehicle?"

Karr "For this one, just liability is fine."

Arteaga "What kind of gas mileage and stuff like that? Because fuel is going to be an added cost to our budget."

Burkemper "Two points on that; first of all, it's a V6 as opposed to a V8 so that's going to save you on fuel economy. However, this vehicle is not going to be used for patrol like our sedans are. It would be used periodically for patrol to keep it lubed and charged up. Our main focus, with the snow we've had this year, is to use it in inclement weather and it's something we could decal as a DARE unit."

Jokisch-Messig "Does it use special gas?"

Burkemper "Just regular unleaded. We have all the equipment we need too. How you see it out there is how it's going to come to us... light bar and everything. We

have radio for it, we have radar for it, we have a camera system for it; we don't need any extra equipment."

Bice "Well, it sounds like a no brainer."

Burkemper "If something did break on it, and we didn't want to repair it, we could just sell it."

Bice "I'm of the mindset that you might want to use that more than your sedan from the standpoint of mileage, maintenance and fuel."

Burkemper "That's something to consider. We don't do much of any high speed anything out here so the fact that it's an SUV really wouldn't be a detriment to us."

Bice "Right... just a thought."

Jokisch-Messig "How much would insurance be? Oh, we covered that already."

Burkemper "Low end just over \$500 and high end \$875."

Arteaga "I know it's a different situation but what bothers me about it is... you know, it's a two-edged sword. I just love everything you said here... especially making it a DARE unit. I like that idea but on the flip side, we just got rid of a vehicle and now we're adding another one back in. I mean, even though you're not using it as a patrol vehicle it's still going to be... the negatives... the only negatives I can see are going to be the maintenance, gas and whatever happens... you know, brakes, ball joints and stuff like that. That would mean we would have to adjust the budget for that and that's my only concern."

Bice "He just told you if you don't want to do anything to that rig, don't do anything to it. Operate on your two sedans. What I was saying is leave one of your sedans out and use that instead. To me, you're going to have less maintenance; you're going to have better fuel economy with that than with the sedans. But you don't have to do that Ernie... the only thing you're going to pay extra really is your insurance. Don't pigeon-hole yourself into thinking that way."

Burkemper "The big thing, I think, you know there's at least five streets in this town that when it snows, you just don't go down it because you won't come back up. You get stuck at the bottom and one of them is Cooperwyck in Fiddlestix and trust me, I've been there many times and been frustrated on each and every one of them."

Jokisch-Messig "I'm sure some of the cul-de-sacs aren't the easiest to get around in either."

Burkemper "The only good one is Sycamore Creek because they're dedicated streets and the county plows them."

Bice "But again Ernie, do this under the context of

Arteaga "Well it's a double-edged sword."

Bice "Wait... do it under the context that I'm only going to maintain two vehicles for you Aaron. We're only going to maintain two for you. So you pick the two, knowing you're going to run all three but I'm only going to maintain two based on the budget. That's how you do it."

Burkemper stated he would install all necessary equipment himself so the City wouldn't incur any expense for outfitting it.

Arteaga "It's up to the Board... whatever they want to do."

On motion of Alderman Bice, second by Alderman Hendrich, the Aldermen voted 4 "Aye" to accept donation of 2003 Ford Explorer to be insured with liability only and no increase to vehicle maintenance budget.

6. Contract with State for Seat Belt Enforcement Grant

Burkemper stated Stephanie had reviewed the contract. The grant would be used for officers to work at their overtime rate specifically for seat belt enforcement and would not respond to other calls except in the case of an emergency. He stated that his was the only agency west of the Mississippi that's participating in this that was offered this grant. We didn't ask for this grant; they offered it to New Melle Police Department specifically.

Karr stated many cities are rushing to establish seat belt ordinances in order to qualify for certain grants where New Melle established this ordinance over a year ago. She approved of the contract as written and presented.

On motion of Alderman Jokisch-Messig, second by Alderman Bice, the Aldermen voted 4 "Aye" to approve contract with State of Missouri for seat belt enforcement grant.

7. Approval of Liquor License – New Melle Lakes Golf Course

Burwitz stated she held the completed application along with the required documentation required of them if the Board wished to view it. New Melle Lakes Golf Course is requesting a full liquor license.

Arteaga asked if they were fined for being late in applying for their liquor license.

Karr stated no as long as they did not sell liquor during the time period that their liquor license had lapsed.

Burwitz noted that the liquor license has been typed as being valid from March 16, 2011 thru December 31, 2011 instead of January thru December.

Jokisch-Messig asked if they still paid the full price.

Burwitz stated yes; the full liquor license fee had been paid in full.

On motion of Alderman Hendrich, second by Alderman Bice, the Aldermen voted 4 "Aye" to approve 2011 Liquor License for New Melle Lakes Golf Course.

Review and Approval of Bills:

Arteaga questioned payment to Botz, Deal & Company.

Burwitz retrieved the invoice and payment stub in question and presented it to the Mayor to view.

Arteaga stated the break down of services provided on that invoice resulting in the total of \$920.

Arteaga questioned amounts paid to Commerce Bank in addition to monthly bank charges.

Burwitz explained the amounts he was questioning were the bimonthly payroll taxes.

On motion of Alderman Bice, second by Alderman Jokisch-Messig, the Aldermen voted 4 "Aye" to approve bills as paid.

CLOSED SESSION:

On motion of Alderman Bice, second by Alderman Jokisch-Messig, to go into Closed Session Pursuant to Sec. 610.021(1), RSMo (LEGAL ACTIONS, CAUSES OF ACTION, LITIGATION OR PRIVILEGED COMMUNICATIONS BETWEEN THE CITY'S REPRESENTATIVES AND ITS ATTORNEYS), at 8:33p.m., upon roll call vote as follows:

ALDERMAN DOUG BICE -	AYE
ALDERMAN DON HENDRICH -	AYE
ALDERMAN JANET JOKISCH-MESSIG -	AYE
ALDERMAN LINDA GINTHER -	AYE

On motion of Alderman Hendrich, second by Alderman Bice, to adjourn Closed Session and reconvene Open Session, at 8:47p.m., upon roll call vote as follows:

ALDERMAN DOUG BICE -	AYE
ALDERMAN DON HENDRICH -	AYE
ALDERMAN JANET JOKISCH-MESSIG -	AYE
ALDERMAN LINDA GINTHER -	AYE

Adjournment: *On motion of Alderman Bice, second by Alderman Jokisch-Messig, the Aldermen voted 4 "Aye" to adjourn the Regular Meeting at 8:47p.m.*

Submitted,

Approved,

DeeAnn Burwitz, City Clerk

Ernest Arteaga, Mayor