

REGULAR MEETING OF THE BOARD OF ALDERMEN
August 21, 2007

The Regular Meeting of the Board of Aldermen of the City of Warson Woods was held on Tuesday, August 21, 2007 at the City Hall, 10015 Manchester Road. The following members of the Board were present:

Mayor E. William Bergfeld, Jr.
Gordon Gosh
Judy Pohl
Mike Andrews
Matt Witte
David Aitken
George Bruenning
Larry Howe

Absent: Mark Wittich

Also present were City Attorney, Marvin Young, Assistant City Attorney, Paul Rost, Treasurer, Bill O'Neil, Chief Robert Stanczak, City Clerk, Kathy Mahany, Building Commissioner, Elijah Cunningham, City Engineer, Ken Lichtenheld and Park Commissioner, Gerry Murphy. Mayor Bergfeld called the Meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING- Setting the Tax Rate for 2007 and Title IV "Land Use"
Mayor Bergfeld opened the Public Hearing by stating that the 2007 Tax Rates are as follows; \$0.3340 Residential and \$0.3740 Commercial. Hearing no public comments he went on to the second item for discussion under Public Hearing Title IV "Land Use". City Attorney Paul Rost explained the ordinance would let the City exercise certain limited authority relating to operation of video services providers and providing supplementary regulation of the placement of facilities within the City. After a short discussion the Mayor closed the Public Hearing at 7:12 p.m.

MINUTES

REGULAR BOARD MEETING—July 17, 2007

Alderman Gosh moved, seconded by Alderman Pohl, that the Minutes be accepted as submitted. On Voice Vote, the motion was unanimously approved.

MSD MEETING—July 18, 2007

Alderman Pohl moved, seconded by Alderman Gosh, that the Minutes be accepted as submitted. On Voice Vote, the motion was unanimously approved.

REGULAR BOARD MEETING—August 21, 2007
PLANNING & ZONING MEETING—July 19, 2007

Alderman Pohl moved, seconded by Alderman Andrews, that the Minutes be accepted as submitted. A short discussion was held. On Voice Vote, the motion was unanimously approved.

TREASURER'S REPORT—July 2007

Alderman Gosh moved, seconded by Alderman Witte that the Treasurer's report be received as submitted. On Voice Vote, the motion was unanimously approved.

BILLS AND RECURRING DISBURSEMENTS TO BE APPROVED

Alderman Andrews moved, seconded by Alderman Gosh, that the Bills with the addendum be approved as submitted. On Voice Vote, the motion was unanimously approved.

GLENDALE FIRE REPORT—No action required.

WARSON WOODS POLICE REPORT—No action required

PETITIONS, REQUESTS AND COMPLAINTS—Continued until Mayor's comments.

MISC. REPORTS

COLLECTOR—Kathy Mahany, nothing to report.

BUILDING COMMISSIONER—Elijah Cunningham reported 5 permits were issued during the month, including a deck, bathroom remodel and new home construction at 1630 Andrew. Total value of the permits is \$450,000.00. 1001 North Dr. is requesting a building permit for a major renovation and a P&Z meeting is scheduled for September 6, 2007 at 7:00 p.m. There has been one permit denial for 1480 Dearborn. They are requesting to build a non masonry garage and he expects they will appeal to the Board of Adjustment.

PARK COMMISSIONER—Gerry Murphy stated he wanted to discuss having a gazebo built in Royal Oaks Park. He will take it up then as it is further down on the agenda.

CITY ENGINEER—Ken Lichtenheld reported the park is nearly complete. The sprinkler system should be completed tomorrow and seeding should begin. The projected cost is \$261,900.00. The additional charges are for additional tree removal, approximately \$12,000.00 for piping, new light fixtures and water fountains. The contractor will give the City drawings showing where all the pipes, water lines and electrical are located.

Next he said he wanted to clear up some myths regarding the park. The walkways in the playground area meet ADA standards. Only the walkways on the west side of the play area and the new stairs leading to the fire pit do not meet ADA standards. He went on to say he does not consider these two areas to be part of the new playground area and they are not required to meet ADA standards.

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CITY ENGINEER--Cont.

Lastly he stated they considered installing sod along the sidewalks but he thinks seeding only will work just as well. A discussion was held regarding not opening the park until the grass was stable because of the upcoming Fall Festival.

CITY ATTORNEY—Marvin Young—nothing to report.

ASST. CITY ATTORNEY—Paul Rost, nothing to report.

TREASURER—Bill O'Neil, nothing to report.

MAYOR— E. William Bergfeld, Jr. began by addressing the residents concerns about commercial vehicles in residential areas. Alderman Witte stated he agrees with the residents concerns and would like to see some change made to the current code. Lee Schmelzle, 1442 Michele Dr., Bill James, 1415 Michele Dr., discussed their concerns regarding the previously discussed home business and vehicle located at 1441 Michele Dr. A lengthy discussion followed with the Mayor and Board. In conclusion the Mayor stated the Board will keep considering some type of change but the City must be aware of unintended consequences with regulating residents' vehicles.

Next the Mayor informed the Board that he has been in contact with Vector Control regarding mosquito spraying. He stated Vector Control sprays the City on a set schedule, approximately once a month. He said they no longer respond to calls. Alderman Gosh also stated the larvacide that is sprayed is not harmful to humans or animals.

Lastly the Mayor stated he has been in contact with MSD regarding the signs which were put up along the creek. He said it was explained to him that there a few homes along the creek that at certain times raw sewage can become mixed in the creek that is why the EPA has mandated these signs. The City will be receiving map showing which homes but it may be awhile. He also said a representative from MSD will be at our September regular board meeting to discuss a proposed rate increase, the lawsuit with the EPA and these signs.

OLD BUSINESS-

Ordinance Amending Exercising Certain Limited Authority Relating to Operation of Video Services Providers and Providing Supplementary Regulation of the Placement of Facilities of Video Service Providers and other Utilities Maintaining Facilities within the City. Alderman Howe moved, seconded by Alderman Andrews that Bill 1451 was read two times by title only becomes Ordinance No.1402.

After discussion by Roll Call, the Vote was as follows:

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 OLD BUSINESS Cont.
 Bill No. 1451

	Ayes	Nays	Abstain	Not Present
Andrews	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Howe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Witte	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 7-0.

Ordinance Amending the Fiscal Budget for 2006-2007. Alderman Witte moved, seconded by Alderman Andrews that Bill 1455 was read two times by title only becomes Ordinance No.1401. By Roll Call, the Vote was as Follows:

	Ayes	Nays	Abstain	Not Present
Witte	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Howe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Andrews	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 7-0.

MISC. OLD BUSINESS—no action required.

NEW BUSINESS –

Ordinance Establishing the 2007 Tax Rates. Alderman Witte moved, seconded by Alderman Andrews that Bill 1452 was read two times by title only becomes Ordinance No.1398.

By Roll Call, the Vote was as Follows:

	Ayes	Nays	Abstain	Not Present
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Witte	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

NEW BUSINESS--Cont.

Bill No. 1452

	Ayes	Nays	Abstain	Not Present
Bruenning	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Howe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Andrews	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 7-0.

Ordinance Establishing Procedure to Disclose Potential Conflict of Interest. Alderman Gosh moved, seconded by Alderman Howe that Bill 1453 was read two times by title only becomes Ordinance No.1399.

By Roll Call, the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Howe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Witte	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Andrews	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 7-0.

Ordinance Amending Chapter 270 “Community Tree Standards”. Alderman Gosh moved, seconded by Alderman Pohl that Bill 1454 was read two times by title only becomes Ordinance No.1400.

By Roll Call, the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Howe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Witte	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Andrews	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 7-0.

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Leaf Vacuuming Services.

After discussion it was decided that Alderman Aitken would contact Hendel Lawn care Inc. to post their offer on the website for residents to sign up for leaf vacuuming service.

Shelter for Royal Oak Park.

After discussion Alderman Witte moved, seconded by Alderman Bruenning to not pursue additional information on building a gazebo in Royal Oak Park. On Voice Vote the motion was unanimously approved.

Discussion of making the Warson Woods Codes available on line. Alderman Pohl moved, seconded by Alderman Aitken to enter into a contract with Sullivan Publications to put the Warson Woods Code on line. On Voice Vote the motion was unanimously approved.

Resolution

At this time Mayor Bergfeld called The Park Commissioner, Gerald W. Murphy, up to the podium. He then read the Resolution naming the Warson Woods Tennis Courts, the Gerald W. Murphy tennis courts aloud.

MISC. NEW BUSINESS

Alderman Pohl asked if there had been any more inquiries regarding the open Walgreens space. The Mayor answered no not to his knowledge.

Alderman Witte gave his letter of resignation to the Mayor. The Mayor asked the Board accept Alderman Witte's resignation. Alderman Andrews moved, seconded by Alderman Aitken to accept Alderman Witte's resignation. On Voice Vote, the motion was unanimously approved.

Mayor Bergfeld then asked the Board to Appoint Mike Dell'Orco as Alderman Ward 4 to fill the term of Alderman Witte. Alderman Howe moved, seconded by Alderman Pohl to accept the Mayor's Appointment of Mike Dell'Orco as Alderman Ward 4 to fill the term of Alderman Witte. On Voice Vote, the motion was unanimously approved.

Mayor Bergfeld then asked the Board to accept the Appointment of Mike Andrews as Chairman of the Finance Committee and Mike Dell'Orco as Chairman of the Parks and Beautification Commission. Alderman Gosh moved, seconded by Alderman Howe to Appointment of Mike Andrews as Chairman of the Finance Committee and Mike Dell'Orco as Chairman of the Parks and Beautification Commission. On Voice Vote, the motion was unanimously approved.

Alderman Gosh graciously thanked Matt Witte for his service as Alderman Ward 4.

Chief Stanczak stated Detective Giacobelli is up for his step increase. Alderman Pohl moved, seconded by Alderman Gosh to give Detective Giacobelli his step increase. On Voice Vote, the motion was unanimously approved.

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Adjournment

Alderman Gosh moved, seconded by Alderman Aitken, the meeting is adjourned. On Voice Vote, the motion was unanimously approved. The meeting closed at 8:15 P.M.

Respectfully submitted,

Kathy Mahany
City Clerk

E. William Bergfeld, Jr.,
Mayor