

REGULAR MEETING OF THE BOARD OF ALDERMEN
August 19, 2008

The Regular Meeting of the Board of Aldermen of the City of Warson Woods was held on Tuesday, August 19, 2008 at the City Hall, 10015 Manchester Road. The following members of the Board were present:

Mayor E. William Bergfeld, Jr.
Mike Andrews
Mike Dell'Orco
George Bruenning
David Aitken
Larry Howe
Gordon Gosh
Mark Wittich
Judith Pohl

Absent:

Also present were City Attorney, Paul Rost, Treasurer, Bill O'Neil, City Clerk/Collector, Kathy Mahany, Chief Robert Stanczak, Acting Building Commissioner and City Engineer Ken Lichtenheld, and Park Commissioner, Jerry Murphy. The Mayor called the Meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

Eric Schmidt of Glendale introduced himself to the Mayor and Board. He stated he is the Republican Candidate for the State Senate.

PUBLIC HEARING SETTING THE 2008 REAL ESTATE TAX RATE

Mayor Bergfeld opened the Public Hearing at 7:01p.m. Hearing no comments he closed the Public Hearing at 7:02 p.m.

MINUTES

REGULAR BOARD MEETING—July 15, 2008

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

REGULAR BOARD MEETING—August 19, 2008

TREASURER'S REPORT—July 2008

Alderman Gosh moved, seconded by Alderman Pohl 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 Gosh moved, seconded by Alderman Howe, 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- Vince Fausek, 521 Gascony Way, discussed corporate advertisement on company vehicles parked in resident's driveways.

COLLECTOR—Kathy Mahany, nothing to report.

ACTING BUILDING COMMISSIONER—Ken Lichtenheld reported that 5 permits were issued for a total of \$56,000.00. Four projects were in Ward 1 and one project was in Ward 4.

PARK COMMISSIONER—Gerry Murphy stated that there are two projects being completed at this time. One, the contractor will repair the cracks in the newly resurfaced tennis courts and the other is the clean out of the creek bed. Both of these projects should be complete by next month. He then stated the September Board meeting will be his last as he will be moving to California.

CITY ENGINEER—Ken Lichtenheld reported that the fence has been installed on the new retaining wall by the tennis courts. Today the sidewalk was poured behind the Schweigert's home at 649 Flanders. He stated he is trying to find someone with AT&T to have the hole at the AT&T box behind the Police Department filled in. Next he informed everyone he was going to ask for permission from the residents at 1635 Andrew to use their property as access to the park so there would be limited damage to the park while the drainage and fire pit work are being done. Alderman Wittich asked what was going to be done for the Robben property at 601 Flanders. Mr. Lichtenheld said during the last Board meeting the Board voted not to do that work. Alderman Wittich asked how much the work would cost. Mr. Lichtenheld said he did not remember off the top of his head but he would get the figures for him. Next he stated the bids are in for the 2008 street work. He received 3 bids and they are as follows; R.V. Wagner, \$98,403.50, Southern Ditching & Excavation, \$78,508.10 and Infrastructure, \$97,560.50. It is his recommendation to award the contract to Southern Ditching & Excavation. A short discussion followed. Lastly, he stated that the City Attorney wrote a letter to Missouri American Water asking them to fix the leak at St. Matthews Church and also to get excavation permits when doing work in the City. They have complied with our requests.

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CITY ATTORNEY—Paul Rost reported that T-Mobile has now filed a law suit regarding cellular phone tax. The Mayor then stated that St. Louis County Municipal League has sent back the 5% the City agreed to pay from the last cellular phone tax lawsuit. A short discussion followed. Alderman Gosh moved, seconded by Alderman Wittich to send the \$1,768.03 back to the St. Louis County Municipal League. On Voice Vote, the motion was unanimously approved.

TREASURER—Bill O’Neil, nothing to report.

MAYOR— E. William Bergfeld, Jr. discussed spending \$1,000.00 for a commercial appraisal on a proposed building for a City Hall.

OLD BUSINESS

Ordinance Amending the Budget for 2007-2008. Alderman Andrews moved, seconded by Alderman Gosh, that Bill 1474 was read two times, after a short discussion Bill No. 1474 becomes Ordinance No. 1423.

By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Dell’Orco	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
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> X </u>	<u> </u>	<u> </u>	<u> </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 8-0

Discussion of the Warson Woods Swim Club.

Alderman Wittich informed the Board that he, the Mayor, the City Engineer, Anthony Hasek and Jim Lewis met with Pete Merten from H.R. Green and discussed options for the flooding situation at the pool. The outcome being Mr. Merten will evaluate the situation and propose a solution at no charge.

Misc. Old Business-Nothing to report.

REGULAR BOARD MEETING—June 17, 2008

NEW BUSINESS

Ordinance Establishing the 2008 Tax Rate. Alderman Andrews moved, seconded by Alderman Howe, that Bill 1479 was read two times, becomes Ordinance No. 1424.

By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Gosh	<u>X</u>	_____	_____	_____
Andrews	<u>X</u>	_____	_____	_____
Dell'Orco	<u>X</u>	_____	_____	_____
Bruenning	<u>X</u>	_____	_____	_____
Pohl	<u>X</u>	_____	_____	_____
Howe	<u>X</u>	_____	_____	_____
Wittich	<u>X</u>	_____	_____	_____
Aitken	<u>X</u>	_____	_____	_____

The Ordinance was announced passed. 8-0

Ordinance Establishing Procedure for Potential Conflict of Interest. Alderman Gosh moved, seconded by Alderman Andrews, that Bill 1480 was read two times. Bill No. 1476 becomes Ordinance No. 1420. By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Howe	<u>X</u>	_____	_____	_____
Andrews	<u>X</u>	_____	_____	_____
Gosh	<u>X</u>	_____	_____	_____
Bruenning	<u>X</u>	_____	_____	_____
Pohl	<u>X</u>	_____	_____	_____
Dell'Orco	<u>X</u>	_____	_____	_____
Wittich	<u>X</u>	_____	_____	_____
Aitken	<u>X</u>	_____	_____	_____

The Ordinance was announced passed. 8-0

Alderman Howe moved, seconded by Alderman Pohl that the Mayor appoint John Lord as Municipal Judge, Ed Crites as Provisional Municipal Judge and change the Judge salary from \$200.00 per month to \$250.00 per month. On Voice Vote, the motion was unanimously approved.

At this time the Mayor informed the Board that the Park Commissioner, Jerry Murphy will be leaving next month and the new Park Commissioner will be Linda Schweigert, 649 Flanders. He then stated that our Building Commissioner, Elijah Cunningham has resigned due to health issues and the Ken Lichtenheld has been the Acting Building Commissioner. He has asked Dan Wilson if he would like to fill the position but he has not heard back from him to date.

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Ordinance Entering into a Contract with Southern Ditching and Excavation Company for the 2008 Street Repairs. Alderman Wittich moved, seconded by Alderman Gosh, that Bill 1481 was read two times becomes Ordinance 1426. By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Gosh	<u>X</u>	_____	_____	_____
Andrews	<u>X</u>	_____	_____	_____
Dell’Orco	<u>X</u>	_____	_____	_____
Bruenning	<u>X</u>	_____	_____	_____
Pohl	<u>X</u>	_____	_____	_____
Howe	<u>X</u>	_____	_____	_____
Wittich	<u>X</u>	_____	_____	_____
Aitken	<u>X</u>	_____	_____	_____

The Ordinance was announced passed. 8-0

Ordinance Amending Chapter 505 Construction Generally by Repealing and Adding a New Section 505.060 and Section 505.209. Alderman Wittich moved, seconded by Alderman Howe, that Bill 1482 was read two times becomes Ordinance 1427. By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Pohl	<u>X</u>	_____	_____	_____
Andrews	<u>X</u>	_____	_____	_____
Dell’Orco	<u>X</u>	_____	_____	_____
Bruenning	<u>X</u>	_____	_____	_____
Gosh	<u>X</u>	_____	_____	_____
Howe	<u>X</u>	_____	_____	_____
Wittich	<u>X</u>	_____	_____	_____
Aitken	<u>X</u>	_____	_____	_____

The Ordinance was announced passed. 8-0

Ordinance Amending Chapter 215 Entitled “Offences” and Chapter 250 Entitled “Parks”. Alderman Dell’Orco moved, seconded by Alderman Pohl, that Bill 1483 was read two times becomes Ordinance 1428. By Roll Call the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Howe	<u>X</u>	_____	_____	_____
Andrews	<u>X</u>	_____	_____	_____
Dell’Orco	<u>X</u>	_____	_____	_____
Bruenning	<u>X</u>	_____	_____	_____

REGULAR BOARD MEETING—August 19, 2008
 Bill No. 1483 Cont.

	Ayes	Nays	Abstain	Not Present
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pohl	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Wittich	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Aitken	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The Ordinance was announced passed. 8-0

MISC. NEW BUSINESS

Alderman Pohl asked if there were any further inquiries about the old Walgreens property. The Mayor answered no. Next she said that several residents expressed their appreciation for the added mosquito spraying.

Alderman Gosh stated the O’Fallon Missouri has a new O’Reilly’s auto parts store and it has generated \$5,000.00 in sales tax revenue it’s first month of operation.

Next he stated the attended a Community response meeting at Glendale. He said that it was a faith based meeting with area churches being asked to become involved in the event of an earthquake or viral emergency. Next he informed everyone that several dead and or dangerous trees have been removed for different locations in the City. Alderman Pohl asked him if there any C.E.R.T. Training sessions scheduled. He said yes they will be held on October 23, 24 & 25th and there will be another “Ready in 3” meeting this fall. Alderman Wittich said the Fall Festival plans are moving forward.

Alderman Howe asked the City Attorney to look into our ordinances regarding parking commercial vehicles being housed in the City.

Adjournment

Alderman Andrews moved, seconded by Alderman Pohl, the meeting is adjourned. On Voice Vote, the motion was unanimously approved. The meeting closed at 7:50 P.M.

Respectfully submitted,

Kathy Mahany, CMC, MRCC
 City Clerk

E. William Bergfeld, Jr.,
 Mayor

