

**CITY OF BELLEFONTAINE NEIGHBORS  
BOARD OF ALDERMEN MEETING MINUTES  
November 15, 2018**

**MEETING WAS CALLED TO ORDER BY** Mayor Robert J. Doerr at 7:30 p.m. Copies of all ordinances and resolutions to be considered at the meeting were made available for public inspection prior to the time of consideration by the Board of Aldermen.

**PLEDGE OF ALLEGIANCE TO THE FLAG** was led by Mayor Doerr.

**PRESENT:** Mayor Robert J. Doerr, Attorney Helmut Starr (sitting in for City Attorney Kevin O'Keefe), City Collector Dr. Mark Tranel, Chief Jeremy Ihler, City Clerk Deni Donovan, Alderwoman West, Alderwoman Reed, Alderman Merz, Alderman Jordan, Alderman Christian, Alderwoman Dailes; and Alderwoman Avant-Elliott.

**ABSENT:** Alderman Herl, City Attorney Kevin O'Keefe

**APPROVAL OF THE AGENDA:** Alderman Jordan moved for the approval of the Agenda, seconded by Alderman Christian. Motion carried unanimously.

**PRESENTATION OF THE UNAPPROVED MINUTES:** Alderman Merz moved for approval of the November 1, 2018, Minutes of the Board of Aldermen Meeting, seconded by Alderwoman West. Alderwoman Avant-Elliott wanted to amend the sentence in a statement made by the City Clerk regarding the viewing of the October 4, 2018 Board of Aldermen minutes to:

The City Clerk **ADD: "indicated she"** did review the video, **ADD: "but did not confirm what was actually stated by Alderman Jordan"**.

**Upon the roll being called the votes were cast as follows:** Alderwoman West; no; Alderman Merz, yes; Alderman Jordan, no; Alderwoman Dailes, yes; Alderwoman Reed, yes; Alderman Christian, no; and Alderwoman Avant-Elliott, yes.

With a 4-3 vote, the motion passed.

**MEETING OPEN TO THE PUBLIC:**

Mayor Doerr opened the meeting to the public and asked if anyone in the audience would like to make any comments, with a 3-minute time limit, beginning with Public Hearing comments.

**PUBLIC HEARING:** To hear comments to rezone the property at 9266 Lewis & Clark Blvd. and a request for a Conditional Use Permit. Discussion followed.

**JOHN SCHEBAUM, CIVIL ENGINEER, BFA ENGINEERING, 1578 HWY 19 SOUTH, HERMANN, MO:** Reintroduced himself and asked if there were any questions of him.

**MARCIE GOODEN, 94XX DUENKE DRIVE:** She was told the hours of operation would be 5:00 a.m. to 12:00 p.m., seven (7) days a week. Drive-thru and inside should be the same hours. She asked why that location. Mr. Schebaum stated usually a broker finds the land and brings it to the tenant; the traffic count is important.

**ALDERWOMAN WEST:** Commented that typically the drive-thru is usually opened longer than the inside. It may be left up to the tenant.

**MILDRED PERRY, 93XX DUENKE DRIVE:** Questioned if Bellefontaine residents would get priority during the hiring process. Mr. Schebaum didn't know; the tenant will probably host a job opening and look at the qualified persons in the area.

Alderman Merz made a motion to close the Public Hearing and open it up to general comments, seconded by Alderman Christian. Motion carried.

Discussion followed about the Public Hearing.

Alderwoman Dailes made a motion to recess the Public Hearing and continue it to the next Board of Aldermen Meeting on December 6, 2018, at 7:30 p.m. at Bellefontaine Neighbors City Hall, seconded by Alderwoman Avant-Elliott.

Discussion followed as to why the recess; Alderwoman Dailes said it was due to the snow and cold. Attorney Starr explained the city does not need to resend out notices. Mr. Schebaum said due to the delay, the approvals from other agencies will be put on hold. Alderwoman Dailes stated she would resend an email to Ward 4 constituents asking for questions or input; she would forward to Mr. Schebaum. The City could extend the timeline by a vote of the Board. The input from the public could change the outcome, but there needs to be a record of why in terms of the CUP. Mr. Schebaum said the Board could forward him any questions from the public beforehand so he can be prepared. He will talk to the Developer and invite him to the December 6<sup>th</sup> meeting.

By a vote of 4-3, the motion carried; Alderman Merz, Alderman Christian, and Alderwoman West opposed.

**KATHY MASON, 10XX DONNELL AVENUE:** Passed out addressed, stamped envelopes to everyone and asked they send a birthday wish to her sister.

Mayor Doerr asked if anyone had any other comments. Since there were none, the meeting was brought back to the Board.

**TREASURER'S REPORT:** The Board reviewed the July, 2017, through September, 2018, report. City Treasurer was excused. Alderwoman Reed brought up the different ways the City Treasurer's (accrual basis) and City Collector's (cash basis) reports are done. **ADD: Alderwoman Reed suggested both be done on a cash basis.** Mayor Doerr will discuss it with them.

**INVOICES OVER \$500:** The City Clerk noted a correction on page 3, under RCCEEG, item #5227 (Detention) should be item #5227 (Contracts and Warranties). The salt shed is out for bid.

Alderwoman Reed moved to pay invoices 1 through 30, dated November 13-14, 2018, in the amount of \$201,557.10, seconded by Alderman Merz. Motion carried; Alderwoman Dailes opposed; she did not have time to review the bills due to the delay in receiving them.

**INVOICES UNDER \$500:** Informational only – November 13-14, 2018, in the amount of \$6,832.47.

**COLLECTOR'S REPORT:** The Board reviewed the October, 2018, Collector's reports. Dr. Tranel stated it has been requested that his report contain the current month's total for each category of cash income.

- The liquor license renewal application letters have been sent out;

- The Occupational license application letters will be mailed out by the next meeting; and
- The Retail Merchants and Manufacturer's 2019 license application letters will be sent out the end of December for 2018; it's based on their yearly sales.

**BUILDING INSPECTOR:** The Board reviewed the October, 2018, report. Joe Raben reported on the following issues:

- Inspections and reinspections continue;
- Numerous sewer lateral projects;
- Reviewing Chicken•Fish Restaurant project;
- Renovations continue at the Snack Shop located at 1200 Darr Drive; and
- McBride continues to build homes in Harbor Landings – one more left to go.

There is a tree which fell on the house located on Cabot Drive; Joe said they are having a difficult time finding the owner. Alderwoman Dailes asked Joe to find out if a house on Marias has an Occupancy permit. A discussion on a board used to close up a part of the opening around the window air conditioner which is painted the same color as the siding vs. being labeled a board up.

Joe answered he inspects rental properties the same as home-owned properties. The concern of whether two (2) day cares have been state approved; Mayor Doerr will follow up the Building Department. It is not common practice for the city to be notified. Can the city make it mandatory to have day cares state licensed? **ADD: Alderwoman Reed asked Mayor Doerr, in his capacity as Mayor, can he instruct the Building Department to make it mandatory to contact the State as part of their duties.** Discussion followed. Discussion ensued on how building inspections are done now compared to years ago - owners vs. renters. Joe said there are more challenges now than ever before.

**CHIEF OF POLICE:** The Board reviewed the October, 2018, Police report. Chief Ihler reported on the following:

- The Evidence Mgr-Support Coordinator position has been posted as requested; he is ready to fill the position.
- All PD personnel were paid with Prop P funds beginning in January, 2018 except for the Chief of Police. His pay was adjusted sometime in August due to the Board putting him on probation in January. He asked if he would be compensated back to January, 2018.

Alderwoman Avant-Elliott made a motion to go into a closed session to discuss for personnel matters per Section 610.021(3) and legal matters per Section 610.021(1), seconded by Alderwoman Dailes. Motion carried.

**Upon the roll being called the votes were cast as follows:** Alderwoman West, no; Alderwoman Reed, yes; Alderman Merz, no; Alderman Jordan, yes; Alderman Christian, no; Alderwoman Dailes, yes; and Alderwoman Avant-Elliott, yes.

With a 4-3 vote, the motion carried.

- He asked for Board approval to send a PD representative to Crime Analysis Skills Training next March for five (5) days at a cost of \$595 which will be taken out of drug forfeiture funds; it will be held locally. Alderwoman Reed West made a motion to approve Chief Ihler's request, seconded by Alderman Merz.

Chief Ihler gave an explanation for the training. The representative will be Major Applegate. There is currently \$103,305 in the drug forfeiture account.

Motion carried.

- #5214 is the line item for operating equipment 2018-2019 budget; there is a line item for Tasers. He asked for Board approval to replace the current Tasers under one (1) contract instead of buying ala cart which would be more expensive. The total 5-year plan cost will be \$38,440. He would recommend the city contract with Axon. The Chief will send the information to the City Attorney to prepare a Bill for the city to enter into an agreement.
- Discussion on the Chaplain's Program training sessions.

Mayor Doerr noted that accidents are up on the highway.

**CITY ATTORNEY:** Mr. Starr had no report given.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

The reading of Bill No. 2529 has been postponed to the December 6, 2018 Board of Alderman Meeting due to agreement by consent.

**BILL NO. 2529 – INTRODUCED BY ALDERWOMAN DAILES**

**AN ORDINANCE REZONING PROPERTY LOCATED AT 9266 LEWIS AND CLARK BOULEVARD FROM THE “C-1” ZONING DISTRICT TO THE “C-2” ZONING DISTRICT AND GRANTING A CONDITIONAL USE PERMIT FOR OPERATION OF A FAST FOOD RESTAURANT WITH A DRIVE THROUGH.**

**REPORT OF THE MAYOR:**

- He congratulated the Street crew on the great job clearing the streets after the snow storm – he is very proud of them;
- The Rec Center is hosting the Silver Bells Dinner on December 6<sup>th</sup>. Tickets are \$12 and are on sale now.
- The city received the Notice to Proceed; the Ashbrook Project began on November 7<sup>th</sup>. The project should be finished by May, 2019. Alderman Jordan gave an update on the project steps and timeline.

**REPORT OF THE ALDERMEN:**

**ALDERWOMAN REED:** She questioned the process of tabling Bill 2529 vs. agreeing by consent. Attorney Starr explained the Board is controlling the Agenda. Also, the Bill followed the Public Hearing. She thanked all for coming to the meeting tonight. Kudos to the Street Department.

At this time, Mayor Doerr asked for Board approval to hire a special Prosecutor; The City Prosecutor had to recues himself from a case due to a conflict of interest. Mr. Craig Smith is from the St. Louis County Prosecutor's office. Discussion followed as to the specifics.

Alderman Christian made a motion to approve the hiring a special Prosecutor, seconded by Alderman Jordan.

Discussion followed as to why it was a conflict of interest. There were questions from the Aldermen as to who and what the issue was; it was not determined. The vote needs to be made in public. The fee will be \$200/hour for a single case. This is time sensitive. With a 5-2 vote, the motion carries; Alderwoman Dailes and Alderwoman Avant-Elliott opposed.

**ALDERMAN MERZ:** Happy Thanksgiving to all.

**ALDERMAN JORDAN:** No report given.

**ALDERMAN CHRISTIAN:** Good job on the streets and Happy Thanksgiving.

**ALDERWOMAN DAILES:** Happy Thanksgiving. A resident on Oran is still having issues with the pit bull next door. Chief Ihler will look into it. She asked the Board if she could put an insert into the Rec Center brochure for the Black History Celebration; she was told to get pricing.

**ALDERWOMAN AVANT-ELLIOTT:** Thanked everyone for voting. Happy Thanksgiving. She reminded everyone to get ready for the next local election which will be for Mayor.

**ALDERWOMAN WEST:** Reminded everyone the Kwanzaa Event will be December 29<sup>th</sup> from 2:00-6:00 p.m. It will be family oriented. Due to the holidays, the Public Safety Commission will not meet until January 24<sup>th</sup> at 6:30. The meeting to discuss revising the fence ordinance will be held on November 28<sup>th</sup> at 6:00 p.m. The meeting is to discuss revising and/or changing the current fence ordinance.

**MARK TRANEL, CITY COLLECTOR:** From the Special Administrative Board, have a very fulfilling Thanksgiving holiday.

**MEETING OPEN TO THE PUBLIC:**

Mayor Doerr opened the meeting to the public and asked if anyone in the audience would like to make any comments, with a 3-minute time limit.

**MARCIE GOODEN, 94XX DUENKE DRIVE:** There is a home on Waldorf which has had their garage door down for a long time; it is currently a Court issue now. She believes the city should work on its rules and regulations. She said not all renters are bad. She would like more speed limit signs posted since the city does not have any speed bumps. She will email Mayor Doerr pictures of the specific locations where needed.

Mayor Doerr brought the meeting back to the Board.

Alderman Jordan made a motion to adjourn the meeting, seconded by Alderwoman Reed. Motion carried unanimously.

**MEETING ADJOURNED:** Meeting adjourned at 9:10 p.m.

**ATTEST:**

  
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Deni Donovan, City Clerk

Approved by the Board of Aldermen on December 6, 2018