

MINUTES
MARCH 21, 2006

The regular board meeting of the City of Weatherby Lake Board of Aldermen was called to order by Mayor Mike Henderson, on Tuesday, March 21, 2006 at City Hall, 7200 N.W. Eastside Drive, Weatherby Lake, Platte County, Missouri at 7:00 P.M.

Aldermen present were: Cummings, Clark, Moratz and Rittenhouse.

Also present were: City Attorney John Reddoch and nine (9) members of the public.

MINUTES:

Clark moved, second by Moratz to approve the minutes of the February 21, 2006 regular board meeting. Yeas: Rittenhouse, Cummings, Clark and Moratz. Motion passed unanimously.

MAYOR'S COMMUNICATION TO THE BOARD:

At this time Mayor Henderson notes that Ms. Bridet Green has provided him a proclamation related to Arbor Day. Mayor Henderson would proclaim April 8, 2006 as Arbor Day in the City of Weatherby Lake. Rittenhouse moved, second by Clark to proclaim April 8, 2006 as Arbor Day in the City of Weatherby Lake. Yeas: Moratz, Cummings, Rittenhouse and Clark. Motion passed unanimously.

REPORTS:

Public Works:

George Lowman, Director of Public Works, came forward to answer any questions from board members.

Information included, the "streetlight" at King Park being removed, and relocated at no additional cost to the City.

Finance:

Board members reviewed written reports reflecting current cash balances as well as the budget to actual status.

Discussion turned to un-used portion of the general fund CD previously earmarked to off-set legal fees relating to Sonoma Ridge (which has reached a conclusion). Cummings moved, second by Clark to pay out accrued sick time of 198.50 hours at the rate of \$13.13 per hour to Linda Eckerle. Discussion followed, with Alderman Moratz expressing his concern of potentially setting a precedent regarding other City employees. Yeas: Clark and Cummings. Nays: Rittenhouse and Moratz. Mayor Henderson cast his vote breaking the tie as a yea. Motion passed. Additionally, Alderman Cummings noted that VRI (current computer administrators) have provided the cost to bring the software licenses into compliance. Cummings moved, second by Clark to purchase via VRI Microsoft Office 2003 licenses in the amount of \$4,368.24, to be taken from the remaining portion of the general fund CD. Discussion followed, with the aldermen indicating that this has been a previously

discussed issue, between the City of Weatherby Lake and its previous computer administrator. Alderman Moratz indicates that this should have been handled by the previous computer administrator as had been communicated. Yeas: Rittenhouse, Moratz, Clark and Cummings. Motion passed unanimously.

Cummings moved, second by Rittenhouse to invest the balance from the general fund CD in a money market account at the best rate available. Discussion followed, with board members indicating their concern regarding any upcoming costs that could be associated with any election issues that would appear on the November ballot. These were not included in the current operating budget, after the final budget cuts. Yeas: Clark, Rittenhouse and Cummings. Nay: Moratz. Motion passed.

Alderman Rittenhouse questioned the status of taxes paid in protest by T-Mobile. Mr. Reddoch will check the status and have information for the April regular board meeting.

Police:

Board members review the written report provided. Chief McMullin came forward to answer questions. The radar trailer will again be used at various locations within the City.

Treasurer:

No information is available at this time.

Clerk:

Board members note the written report provided. Additional information/questions included delinquent water/sewer balances after a final reading is taken. Alderman Moratz would like to see information from collection agencies, as a method to pursue collections. Missouri Department of Revenue provided information showing "taxable sales" attributed to the City of Weatherby Lake in the amount of \$1,110,007.00 for 2005. Mayor Henderson indicated that he had had discussions with the "county" and DOR will no longer "hand-pick" City information, but will only be able to report such information to the municipalities if there is an identifying tax rate number. The City of Weatherby Lake does not have such a tax rate number.

Court:

Board members review the written information provided, with no additional questions.

Community Center:

Board members review the information and rental calendar provided.

Computer Administration:

Board members review the written information provided.

Planning Commission:

No information provided at this time.

Parks:

Board members note the written information provided. Discussion turned to the inconsistencies contained in the financial/budget provided by the park board treasurer. Detail information has been omitted and the overall totals do not balance. Mr. Cvetan will be contacted again, to solicit corrections/explanations.

Fire Protection District:

After the requested change in the previously considered agreement for use of city facilities, board members note the submission of the revised Cooperative Agreement

between the City of Weatherby Lake and the Weatherby Lake Fire Protection District. Rittenhouse moved, second by Cummings to approve the agreement as submitted. Yeas: Clark, Moratz, Cummings and Rittenhouse. Motion passed unanimously.

Discussion turned to the proposed ambulance district. Alderman Rittenhouse expresses her understanding that the Fire Protection District had the authority to negotiate for ambulance services as far back as 2003. Mr. Paul Gross came forward to question the legality of the fire districts conduct. Mr. Gross cited RSMO 321.620 of the statutes, further indicating his belief that the district does not have the authority to negotiate for ambulance services, raising the question of wrong doing. Mr. Gross further indicated his belief that any payments made to MAST were made erroneously, and should be paid for by the City of Weatherby Lake. Alderman Moratz indicated his belief that any allegations of wrong doing were ahead of the curve, and the straight forward facts should be taken into consideration. Mr. Neil Brown came forward to question why the City was included in the proposed district, and the possibility that the City should have taken an “opt” out position, such as Riverside. Alderman Moratz responded that the City did not have an “opt” out ability, but was included via the Mayor’s efforts as well as those of the petition signers.

Historical:

Written information provided by the committee was reviewed. The proposed homes tour is preceding, board members express their concern regarding parking along the proposed sites.

WLIC:

Information is provided from the floor by Ms. Kathy Birmingham.

ORDINANCES AND CONSIDERATION OF ORDINANCES:

Cummings moved, second by Clark to pass on the first and place on the second Bill NO. 839. Yeas: Moratz, Rittenhouse, Cummings and Clark. Motion passed unanimously.

Bill NO. 839, an ordinance appropriating and authorizing payment of General Funds of the City of Weatherby Lake, Platte County, Missouri. Cummings moved, second by Clark to pass Bill NO. 839 as Ordinance NO. 838 in the amount of \$17912.61. Yeas: Moratz, Rittenhouse, Clark and Cummings. Motion passed unanimously.

Cummings moved, second by Clark to pass on the first and place on the second Bill NO. 840. Yeas: Moratz, Rittenhouse, Clark and Cummings. Motion passed unanimously.

Bill NO. 840, an ordinance appropriating and authorizing payment of Road and Street Funds of the City of Weatherby Lake, Platte County, Missouri. Cummings moved, second by Clark to pass Bill NO. 840 as Ordinance NO. 839 in the amount of \$3,347.44. Yeas: Rittenhouse, Moratz, Cummings and Clark. Motion passed unanimously.

Cummings moved, second by Clark to pass on the first and place on the second Bill NO. 841. Yeas: Rittenhouse, Clark, Moratz and Cummings. Motion passed unanimously.

Bill NO. 841, an ordinance appropriating and authorizing payment of Sewer Funds of the City of Weatherby Lake, Platte County, Missouri. Cummings moved, second by Clark to pass Bill NO. 841 as Ordinance NO. 840 in the amount of

\$10,499.27. Yeas: Moratz, Cummings, Rittenhouse and Clark. Motion passed unanimously.

Cummings moved, second by Clark to pass on the first and place on the second Bill NO. 842. Yeas: Rittenhouse, Moratz, Clark and Cummings. Motion passed unanimously.

Bill NO. 842, and ordinance appropriating and authorizing payment of Water Funds of the City of Weatherby Lake, Platte County, Missouri. Cummings moved, second by Clark to pass Bill NO. 842 as Ordinance NO. 841 in the amount of \$16,428.32. Yeas: Rittenhouse, Clark, Moratz and Cummings. Motion passed unanimously.

Cummings moved, second by Clark to pass on the first and place on the second Bill NO. 843. Yeas: Moratz, Rittenhouse, Clark and Cummings. Motion passed unanimously.

Bill NO. 843, an ordinance appropriating and authorizing payment of Park Funds of the City of Weatherby Lake, Platte County, Missouri as previously approved by the Park Board. Cummings moved, second by Clark to pass Bill NO. 843 as Ordinance NO. 842 in the amount of \$273.16. Yeas: Rittenhouse, Moratz, Cummings and Clark. Motion passed unanimously.

Cummings moved to pass on the first and place on the second Bill NO. 844. Motion died for lack of second.

Cummings moved, second by Rittenhouse to pass on the first and place on the second Bill NO. 845. Yeas: Rittenhouse. Nays: Clark, Moratz and Cummings. Motion failed.

8:40 P.M. board members take a break.

8:50 P.M. board members return to session.

Open Floor to Visitors:

No additional comments were brought forward from the floor.

Old Business:

No information is brought forward.

New Business:

Ms. Jean McCoy, representing the Women's Club came forward to address board members. The Women's Club would donate/give the City granite counter tops, sink, faucet, range, microwave and refrigerator for the community center. Discussion followed. Cummings moved, second by Clark to accept the donation from the Women's Club pending a review by the City Attorney. Yeas: Moratz, Rittenhouse, Cummings and Clark. Motion passed unanimously.

An offer of an additional donation was received from Ms. Werthmueller to donate a painting to the City for display. Discussion followed regarding the location of a potential display area could/would be including the Mayor's office as well as town hall.

Informational signs will be placed at the entrances areas of the City for the upcoming public meeting for the ceiling increase for the tax levy on the April ballot.

The Platte County clean-up information will be place on the City's web-site.

Moratz moved, second by Rittenhouse to go into closed session pursuant to 610.021 (1, 3 & 15). Yeas: Clark, Cummings, Moratz and Rittenhouse. Motion passed unanimously.

9:10 P.M. closed session.

10:09 P.M. return to open session.

Clark moved, second by Moratz to adjourn. Yeas: Cummings, Rittenhouse, Moratz and Clark. Motion passed unanimously.

10:10 P.M. adjourn.

Mayor

ATTEST:

Juretta Goode
City Clerk