

**BOARD OF ALDERMEN**  
**141 OSAGE EXECUTIVE CIRCLE**  
**REGULAR MEETING**  
**March 11, 2015**  
**7:00 P.M.**

The meeting was called to order at 7:00 p.m. A Roll call of Board members showed the following present: Jim McBroom, Cindy Davies, Mayor Susan Gibson, Sharon Ippolito, Jerry Klipsch, and Bob Prado. Mary Scheble was excused. A quorum is present. Mayor Gibson presiding.

**Approval of Agenda**

Alderman McBroom motioned to approve the Agenda as (amended moving new business after V. Public Forum) submitted for March 11, 2015, seconded by Alderwoman Davies. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**Approval of Minutes:**

Alderman McBroom motioned, seconded by Alderman Klipsch to approve minutes dated **December 3, 2014**, as submitted. A roll call vote showed the following:

Alderman Prado	abstain	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

Alderwoman Davies motioned, seconded by Alderman Prado to approve minutes dated **January 21, 2014**, as submitted. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	abstain
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	abstain

Alderwoman Davies motioned, seconded by Alderman McBroom to approve the minutes dated **February 4, 2015**, as submitted. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	abstain
Alderwoman Ippolito	abstain	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**City Warrants** were reviewed. Alderwoman Ippolito motioned to approve the City Warrants dated March 11, 2015 in the amount submitted of \$16,318.99, seconded by Alderman McBroom. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**Sewer Warrants** were reviewed. Alderman McBroom motioned to approve the Sewer Warrants dated March 11, 2015 in the amount submitted of \$1,748.38, seconded by Alderman Klipsch. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**PAYROLL REPORTS** were reviewed.

#### **PUBIC FORUM**

Public Forum portion of the meeting was opened. There were no public comments.

#### **New Business**

Business License Request for Cicerelli's Service, LLC, Heating and Air Conditioning Service Company by Owner David Cicerelli, located at 3610 Scheble Dr.

Alderman Klipsch made a motion to approve the business license for Cierelli's Service, LLC, seconded by Alderwomen Ippolito. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

Business License Request for El Mariachi Mexican Restaurant, by Owners Cinthya Rodriquez and Juan Gallardo, located at 4587 Hunter Lane.

Alderman Klipsch made a motion to approve the business license for El Mariachi Mexican Restaurant (memorializing the vote done via email due to the cancellation of regular meeting because of weather conditions), seconded by Alderwoman Davies. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**LEGISLATION – Unfinished Business**

There was no unfinished business.

**LEGISLATION**

**BILL NO. 853-15**

Alderman McBroom motioned to read **Bill NO. 853-15**, seconded by Alderwoman Davies. A voice vote showed all in favor. Alderman McBroom read **Bill NO. 853-15**, and motioned to read **Bill NO. 853-15** a second time, seconded by Alderman Klipsch. A voice vote showed all in favor. Alderman McBroom read **Bill NO. 853-15** and motioned, seconded by Alderman Klipsch to approve **BILL NO. 853-15** AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF BYRNES MILL; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INLCUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VILAITON THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE. A roll call vote showed all in favor.

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

**City Administrator’s Report**

**City Administrator Perney** reported:

- The Missouri Senate has passed SB-5 and it is now in the House and could be passed in the next few days. Introduced by Senator Eric Schmitt, 15th, the bill modifies distribution of traffic fines and court costs collected by municipal courts.

This act reduces the threshold at which a city, town, or village must send excess revenues from traffic violations to the Director of the Department of Revenue ("Director") to be distributed annually to the schools of the county in the same manner other penalty proceeds are distributed from 30% to 20% beginning January 1, 2016, or the first day of the fiscal year immediately following for any municipality with a fiscal year start date other than January first. This act further reduces the threshold to 10% beginning January 1, 2017, or the first day of the fiscal year immediately following for any municipality with a fiscal year start date other than January first.

As filed, in two years the City of Byrnes will only be allowed to collect 10% of its Budget from municipal court fines and any excess of that sent to the State. This will mean a 20% decrease in revenue and create a \$210,000 budget deficit. This City of Byrnes Mill will have to find a way to make up for the lost income or make drastic cuts. It could mean we will no longer be able to support our Police Department and court system. We will have to lay off 6 to 9 people to make our budget balance. If that happens, there will be more drunk drivers, traffic accidents and the City’s crime rate will increase, taking property values down. Looks to me like the bad guys come up winners in this case.

ACTION ALERT – Everyone’s assistance is needed! All are urged to PLEASE FORWARD THIS INFORMATION TO ALL CONCERNED CITIZENS AND TO CONTACT YOUR STATE REPRESENTATIVE AND SEANTOR LETTING THEM KNOW THAT YOU OPPOSE SB-5.

- Karen Veron (a long time Byrnes Mill resident) has asked the Board if she could place a bench or tree in the park in honor of her husband who has terminal cancer. Husband is being cremated and wants a place and plaque for his children to go instead of cemetery. The Board agreed that she could and she should contact Tony Whitby to have it placed.
- Community Clean-Up Day is scheduled for Saturday, April 25, 2015 at 8:00 a.m. The City needs someone to head this up again...Jim or John, any volunteers? Jim McBroom volunteered to Chair the Community Clean-up Day again this year.

### **Department Head Reports**

#### *Police Department Report*

**Chief Gary Dougherty** was excused and did not report.

#### *Public Works Department Report*

**Public Works Director Tony Whitby** had nothing to report.

### **COMMISSION REPORTS**

**Planning & Zoning Chairwomen Ann Walters** reported that the commission had completed their work on the Fence Ordinance per the Board’s request and a draft of the new Fence Ordinance has been submitted.

### **Old Business**

**Lead Remediation** – There will be a Community Forum on the Proposed Phase 1 Project at Byrnes Mill City Park for Remediation of the Lower Floodplain Bench on March 25, 2015, from 7-9 p.m. at the Byrnes Mill Municipal Complex.

**Fence Ordinance** - A draft of the Fence Ordinance Section 400.490 that Planning and Zoning proposed was passed out and discussed. The Board requested that the last section on “Special Fences” be removed or incorporated into the Residential Zones section. They felt it would be an arbitrary process that should be done through the Board of Adjustment. In addition, some Board members spoke out against having a permit and inspection process included in the ordinance. Agreed upon changes will be made and be brought back at the next meeting.

### **Mayor’s Report**

**Mayor Gibson** had nothing to report.

Alderwoman Davies motioned, seconded by Alderman Prado to adjourn the meeting. A roll call vote showed the following:

Alderman Prado	aye	Alderman Klipsch	aye
Alderwoman Ippolito	aye	Alderwoman Scheble	excused
Alderwoman Davies	aye	Alderman McBroom	aye

The meeting was adjourned at approximately 8:45 p.m. The next regular meeting of the Board of Alderman will be on March 18, 2015, at 7:00 p.m.

APPROVED THIS 18<sup>th</sup> DAY OF March 2015

**Jim McBroom Presiding Officer of The  
The Board of Aldermen**



**Susan Gibson, Mayor**

Attest:

  
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Larry Perney, City Administrator