

**MINUTES**  
**BOARD OF ALDERMEN MEETING**  
**Monday, May 11, 2009 – 7:00 P.M.**

MAYOR PAUL MARTI  
ALDERMAN CRAIG BACH  
ALDERWOMAN MAUREEN GRAVES  
ALDERMAN CHRIS GRAVILLE  
ALDERMAN ANDREW STEWART  
CITY ATTORNEY HELMUT STARR  
CITY ADMINISTRATOR/CLERK DEBORAH LEMOINE

MEETING CALLED TO ORDER- by Mayor Marti at 7:00 p.m. at the Webster Groves Christian Church.

ROLL CALL- showed that all Board members were present.

APPROVAL OF THE APRIL 13, 2009 BOARD OF ALDERMEN MINUTES- Mayor Marti asked if there were any comments regarding the April 13, 2009 Board of Aldermen minutes as submitted. There being none, Mayor Marti requested a motion for the approval of the minutes as submitted. Alderman Stewart so moved, seconded by Alderman Bach. The Board voted 4-0 in favor of the approval.

TREASURER'S REPORT AND APPROVAL OF THE MAY 2009 VOUCHER  
Treasurer Funk reviewed the finance report. The May voucher was reviewed. Alderwoman Graves moved to approve the voucher and Alderman Bach seconded the motion. The Board voted 4-0 in favor of approving the voucher. The Board scheduled their budget workshop for May 26 at 5p.m. at the treasurer's office in advance of a public hearing on the budget on June 8 at 7p.m.

CITIZEN COMMENTS- A written citizen comment regarding culvert graffiti was reviewed. By motion of Alderman Graville, seconded by Alderman Stewart and unanimously approved by the Board, Code Enforcement Officer Hanser was authorized to spend up to \$1,000 to have it cleaned. A Harwood Lane resident requested a "No Outlet" sign which Code Enforcement Officer Hanser will obtain. Correspondence from a Holmes resident regarding sidewalks was also reviewed.

RESOLUTION 2009-4 A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF OAKLAND, COUNTY OF ST. LOUIS, STATE OF MISSOURI, ACCEPTING THE ABSTRACT OF THE ANNUAL CITY ELECTION HELD ON THE 7TH DAY OF APRIL, 2009 AS RETURNED TO THE CITY BY THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY  
The resolution was moved by Alderwoman Graves and seconded by Alderman Stewart. The Board voted 4-0 in favor of the resolution.

ADMINISTRATION OF OATHS OF OFFICE FOR NEWLY ELECTED OFFICIALS

Alderman Graves, Alderman Graville and Mayor Marti were sworn into office.

ORDINANCE NUMBER 768-SECOND READING

AN ORDINANCE RENEWING AND EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO UNION ELECTRIC COMPANY D/B/A AMERENUE, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE, AND USE ALL EQUIPMENT, FACILITIES, DEVICES, MATERIALS, APPARATUS OR MEDIA INCLUDING BUT NOT LIMITED TO DUCTS, LINES, PIPES, HOSES, CABLES, CULVERTS, TUBES, POLES, TOWERS, WIRES, CONDUITS, CONDUCTORS, MANHOLES, TRANSFORMERS UNDERGROUND VAULTS, SWITCHGEAR, CAPACITORS, RECIEVERS AND TRANSMITTERS, WITH ALL NECESSARY OR APPROPRIATE APPURTENANCES AND APPLIANCES IN CONNECTION THERWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF OAKLAND AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING AND DISTRIBUTING ELECTRICITY WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH. Alderman Graville moved for the second reading and subsequent passage of Ordinance 768, which Alderman Graves seconded, a quorum was confirmed and Attorney Starr read the ordinance, following a general discussion and confirmation of a quorum the ordinance passed 4-0.

ORDINANCE NUMBER 771

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF OAKLAND, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

Alderman Stewart moved for the first and second reading and subsequent passage of Ordinance 771, Alderman Bach seconded the motion, a quorum was confirmed and the ordinance was read by Attorney Starr. There was no discussion. A quorum was confirmed and Attorney Starr read the ordinance a second time. The ordinance passed 4-0.

### SPECIAL DISCUSSION

1. Holmes Avenue Update. Alderman Bach and the City Administrator gave an update on the Holmes project and the Board agreed to send another letter to the City of Glendale outlining the status of the project and explaining that due to Glendale's objection to the use of right of way in their City that the street and sidewalk will end at City limits. A general discussion was had regarding the ways in which trees might be preserved as the project proceeds.

2. Alderman Bach gave a report on the proposed street repair list for 2009. A general discussion was had and Alderman Bach agreed to revise the list which would be sent to Tom Weis do a cost estimate. Alderman Stewart moved and Alderwoman Graves seconded a motion to approve up to \$2,500 for Weis do this work, the motion was approved 4-0.

3. A Culvert Update was given by Attorney Starr who had reviewed documents provided to the City. A stair-step approach to legal research was discussed and it was determined that Attorney Starr would check in with the Board each time \$5,000 was reached, with the first phase of research being factual. Alderman Graville explained the need for legal research. Alderman Graville moved that that Board authorize Attorney Starr to spend up to \$5,000 for legal fees plus the cost of title company fees for fact finding. Alderman Stewart seconded the motion which carried 4-0.

4. Ceremony for Backstoppers Memorial. The invitation list and order of the ceremony were reviewed, as was the placement of a tent and chairs, and the need for a microphone. The ordering of these items was authorized by the Board.

5. A Park Improvement Update was given by the City Administrator and the Board authorized the addition of mowing expenses for the new Minturn Park property to the existing landscape contract at a cost of \$40 per mowing. The Board authorized the clean-up along Frisco at an expense of \$750-\$1,000. The Board authorized the City Administrator to send out bid requests as prepared by SWT for the irrigation work at Backstoppers Park.

6. Possible City Survey was tabled until a later date.

7. Possible City Movie Night was discussed and it was decided to wait until a later date, possibly after Minturn Park is completed.

8. City Administrator's Report. The report was reviewed. A new fax machine purchase was approved by the Mayor. Street files will be moved to the storage facility this

summer and the large copy machine returned to the dealer for the best price available. A tentative picnic date was set for October 10, pending the date of the North Glendale Fun Fair. Federal Stimulus funds were discussed and the City Administrator was advised not to spend time pursuing programs with only limited changes of success, any more promising opportunities will be reviewed in the future. City Maintenance issues were discussed and will be referred to Code Enforcement Officer Hanser. The City is still waiting on the County to determine recycling cart grant amounts. The Spring Newsletter will be sent this month. Appointments needed for next year were reviewed.

#### REPORTS FROM MAYOR AND ALDERMEN

Mayor Marti commended Alderman Stewart on the completion of his graduate work.

Alderman Graves noted that there are 2 crabapple trees dying at a home on Fortune Lane and the possibility of removing them ahead of the Holmes work was discussed and will be brought up with the engineer. Compliance issues on Fortune Lane were referred to Code Enforcement Officer Hanser. Mayor Marti agreed to check with Chief Plummer about the specific locations of municipal patrols in the City.

Alderman Bach had no additional comments.

Alderman Graville had no additional comments.

Alderman Stewart had no additional comments.

#### MISCELLANEOUS

A move to adjourn the open meeting and move into closed session pursuant to RSMO 610.010(2) to discuss real estate and negotiated contracts was made by Alderman Stewart, seconded by Alderman Graville and carried 4-0 by a roll call vote Alderman Bach-yes, Alderman Graves-yes, Alderman Graville-yes, Alderman Stewart-yes..

These minutes accepted as submitted this 8<sup>th</sup> day of June, 2009.

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Deborah LeMoine  
Interim City Administrator/Clerk

**MINUTES**  
**BOARD OF ALDERMEN MEETING-CLOSED SESSION**  
**Monday, May 11, 2009 – 7:00 P.M.**

MAYOR PAUL MARTI  
ALDERMAN CRAIG BACH  
ALDERWOMAN MAUREEN GRAVES  
ALDERMAN CHRIS GRAVILLE  
ALDERMAN ANDREW STEWART  
CITY ATTORNEY HELMUT STARR  
CITY ADMINISTRATOR/CLERK DEBORAH LEMOINE

A move to enter into closed session pursuant to RSMO 610.010(2) to discuss real estate and negotiated contracts was made by Alderman Stewart, seconded by Alderman Graville and carried 4-0 by a roll call vote Alderman Bach-yes, Alderwoman Graves-yes, Alderman Graville-yes, Alderman Stewart-yes..

The acquisition of right-of-way easements (TSCLs) along Holmes Avenue was reviewed. The Draft Acquisition Strategy prepared by the City Administrator was reviewed and the Board agreed with the strategy. The City Administrator was authorized to schedule an open house with refreshments for owners who need to sign TSCLs to meet with the engineer, a tentative date of 6/15, 16 or 17 was discussed but no date can be set until A-date is given. A meeting with other residents who do not require a TSCL will be held later, after the row process, to review the procedures for construction. Outdoor solutions will be asked to have an arborist review the value of trees to be removed and give estimates for appropriate replacements ahead of that meeting. Although not all properties require a TSCL, the City wants Outdoor to look at all trees to be lost, not just those requiring a TSCL. The desire to save trees where possible was discussed, including the possibility of jogging around trees in some locations. The City Administrator was asked to talk with the engineer about the weight of equipment on root balls. It was determined that in terms of spending our row dollars, the emphasis would be on trees and landscapes, attempting to replace what we must take out with emphasis on aesthetics of area landscape. It was determined that the City Administrator would organize the acquisition process, which is not a part of her normal job duties for the City, and track those hours separately for purposes of seeking reimbursement under the grant.

Next, Mayor Marti explained his proposal to swap land along Minturn with the City as set forth in his drawing. Mayor Marti then excused himself from the remainder of the meeting. Attorney Starr reviewed the legal aspects of the offer. The City would quit claim a 10' strip to the Mayor, and the Mayor would quit claim a 37' strip to the City. The swap would make the park property on the other side of the creek more viable for

park use, would create conforming residential lots on Minturn, and can be done by boundary adjustment. The Board discussed the merits of the offer and the City's goals for a viable park property in that area of the City and determined that the offer was in the best interests of the City. It was decided to place the issue on the open agenda for the June 6 meeting to allow a full, public discussion before proceeding.

The Meeting was adjourned in Mayor Marti's absence.