

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF  
ALDERMEN OF TWIN OAKS, ST. LOUIS COUNTY, MISSOURI  
WEDNESDAY, DECEMBER 7, 2016**

The first regular meeting of the Twin Oaks Board of Aldermen was called to order at 7:10 pm in the Board Room of the City Office. Roll Call was taken:

Aldermen: Russ Fortune – yea Lisa Eisenhauer – arrived at 7:40 p.m.  
Jeff Graves – yea Tim Stoeckl - yea  
Dennis Whitmore – yea

Also Present: Paul Rost, City Attorney  
Kathy Runge, City Administrator/Clerk

Permanent records are kept of all minutes and ordinances. Each ordinance is read a minimum of two times by title, unless otherwise noted.

**SWEAR IN MAYOR AND ALDERMEN**

Administrator Runge swore in Russ Fortune as Mayor of the City of Twin Oaks. Administrator Runge then swore in Dennis Whitmore, Tim Stoeckl and Jeff Graves as Aldermen of the City of Twin Oaks.

**ELECT PRESIDENT OF THE BOARD**

Mayor Fortune stated that the Board needed to elect a President of the Board, who would step in and run the meetings in his absence. However, he would like to wait until Trustee Eisenhauer arrived to have the full Board present for the vote.

**APPROVAL OF THE AGENDA**

Mayor Fortune made two changes to the Agenda. He added under Special Discussion d) Harboring Wild Animal ordinance and e) Landesign change order. With no other changes, Aldermen Whitmore made a motion to approve the agenda as amended, seconded by Trustee Graves and the motion passed on a roll call vote as follows: Aldermen Whitmore-yea, Graves-yea, Stoeckl-yea.

**REPORT OF COMMITTEES/COMMISSIONS/CONTRACTORS**

**Police Report:** Officer Maxwell reviewed the November, 2016, police report with the Board. He stated that there was one domestic disturbance; it was handled quickly and without incident by the night patrol.

Officer Maxwell stated that his observation of the traffic on Crescent was staying consistent. Everyone is doing as they should. He contributed this, in part, to the presence of the radar signs. He believed it made people more aware of their driving.

**Financials:** Jeff Blume, Financial Advisor, reviewed the Financial Statements for October, 2016. Discussion ensued. The Board accepted the Financial Statements as submitted.

**Pond Depth:** Wes Theissen of BFA, reviewed the findings of the pond depth report. Discussion ensued. Mayor Fortune stated that the Board will need to be looking into dredging the Lake in the near future. Wes stated that there is a technology in which the lake may not need to be drained for the dredging. He stated he would look into it.

Mayor Fortune asked Wes about the triple inlet repair. Wes stated that he had spoken with someone from MSD who indicated that MSD has a program which would help with the cost of repairs on the triple inlet. He will report back to the Board once he hears from MSD.

#### **SWEAR IN MAYOR AND ALDERMEN (Cont.)**

Trustee Eisenhower arrived at 7:40 p.m. Administrator Runge administered the oath of office to Trustee Eisenhower.

#### **ELECT PRESIDENT OF THE BOARD (Cont.)**

Mayor Fortune asked for nominations for Board President. Aldermen Graves nominated Aldermen Whitmore. With no other nominations the election of Aldermen Whitmore as President was unanimous.

#### **UNFINISHED BUSINESS**

**Draft Regulations for Use of City Streets by Commercial Trucks:** Attorney Rost reviewed the draft regulations concerning the use of the City streets by commercial trucks. He reminded the Board that at the last meeting the focus of the discussion was on weight limits. Discussion ensued.

Attorney Rost stated that the easiest solution at this time would be to pass the portion of the regulations stating that crossing of the curb is not allowed within the City at the next meeting.

## NEW BUSINESS

**Bill No.16-01-An Ordinance Choosing To Have The Aldermen Of The City of Twin Oaks Elected At Large Instead Of By Ward And Establishing Terms Of Office Of The Mayor And Aldermen:** First reading of Bill No. 16-01 was read. Aldermen Whitmore asked for a clarification from Attorney Rost concerning terms of office for cities. Aldermen Whitmore motioned to approve Bill No. 16-01, seconded by Aldermen Eisenhauer and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-01 Being duly passed becomes Ordinance No. 16-01.

**Bill No.16-02-An Ordinance Amending Section 100.010 And Article I Of Chapter 110, Administration, Of The Municipal Code Of Twin Oaks Pertaining To The Transition To Fourth Class City:** First reading of Bill No. 16-02 was read. Aldermen Eisenhauer motioned to approve Bill No. 16-02, seconded by Aldermen Stoeckl and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-02 Being duly passed becomes Ordinance No. 16-02.

**Bill No.16-03-An Ordinance Of The City Of Twin Oaks Establishing The Offices Of Chief Of Police And Collector As Appointed Offices:** First reading of Bill No. 16-03 was read. Aldermen Whitmore motioned to approve Bill No. 16-03, seconded by Aldermen Stoeckl and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-03 Being duly passed becomes Ordinance No. 16-03.

**Bill No.16-04-An Ordinance Creating The Position Of City Administrator/City Clerk And Appointing Kathy Runge To That Position:** First reading of Bill No. 16-04 was read. Aldermen Whitmore motioned to approve Bill No. 16-04, seconded by Aldermen Eisenhauer and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-04 Being duly passed becomes Ordinance No. 16-04.

**Bill No.16-05-An Ordinance Adopting And Enacting A New Chapter 210, Offenses, Of The Municipal Code Of Twin Oaks; Repealing Existing Code Chapter 210; And Providing When This Ordinance Shall Become Effective:** First reading of Bill No. 16-05 was read. Aldermen Eisenhauer gave a brief overview of how these regulations, SB 491, came into effect. Aldermen Whitmore motioned to approve Bill No. 16-05, seconded by Aldermen Stoeckl and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-05 Being duly passed becomes Ordinance No. 16-05.

**Bill No.16-06-An Ordinance Adopting An Annual Budget For The City Of Twin Oaks For The Year 2017:** First reading of Bill No. 16-06 was read. Aldermen Whitmore motioned to approve Bill No. 16-06, seconded by Aldermen Graves and the motion passed on a roll call vote as follows: Aldermen Graves-yea, Eisenhauer-yea, Stoeckl-yea and Whitmore-yea. Mayor Fortune stated that Bill No. 16-06 Being duly passed becomes Ordinance No. 16-06.

### SPECIAL DISCUSSION

**Use Tax on the Ballot:** Aldermen Whitmore stated that the Use Tax needed to be placed on the April 2017 ballot. Attorney Rost explained to the Board that there were flaws in the Use Tax regulations as it was written now and that postponing putting the Use Tax issue on the ballot may be advisable at this time. Attorney Rost recommended putting the Use Tax discussion on the May, 2017, agenda for review after the legislative session.

**Attorney's Report:** Attorney Rost updated the Board regarding the Tracphone lawsuit. He stated that at this time the City does not collect gross receipts on Tracphone. Attorney Rost stated that he composed a letter stating that the City wanted to opt out of the litigation to be sent to the Tracfone counsel.

Aldermen Whitmore moved that the City opt out of the Tracphone litigation, seconded by Aldermen Stoeckl and the motion passed with the unanimous vote of the Board of Aldermen present.

Attorney Rost reviewed the Amicus brief that was written on the Havlack hearing. He stated that the brief was short and written well.

**Harboring a Wild Animal Ordinance:** Mayor Fortune informed the Board that after looking at the City code, the City had regulations on harboring wild animals. He suggested that the Board add to those regulations to include feeding of deer and providing salt licks. Discussion ensued.

**Landesign Change Order:** Mayor Fortune explained the change order for Landesign who is working on the creek restoration project. Aldermen Whitmore motioned to approve the change order, seconded by Aldermen Eisenhauer. Hearing no objections the motion passed unanimously.

### CHAIRMAN AND TRUSTEE COMMENTS:

**City Pamphlet:** Aldermen Whitmore shared a pamphlet the Village distributed to the residents in 1998. The pamphlet contained pertinent phone numbers and helpful information. Aldermen Whitmore thought that the City may want to update the pamphlet

and distribute to the residents. It was decided that most of this information is on the website and at this time not to update the pamphlet.

Aldermen Graves gave a brief overview to the Board about the Government Affairs & Transportation Forum he attended. The forum was sponsored by the West County Chamber of Commerce.

Mayor Fortune reminded the Board that there will be a Public Hearing on January 4, 2017 for the Big Bend Square development. Mayor Fortune gave an overview of the approval process for the development. He stated that Chairman Loesche of the Planning and Zoning Commission was okay with a vote on January 4, 2017 without approved Planning and Zoning minutes.


### **FINAL CITIZEN COMMENTS**

There were no additional citizen comments.

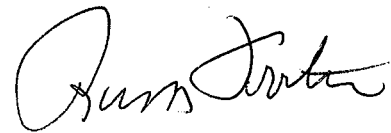
### **ADJOURNMENT**

There being no further business, Trustee Stoeckl motioned to adjourn the regular meeting at 8:49 p.m., seconded by Trustee Graves and the motion passed with the unanimous consent of the Board of those present.

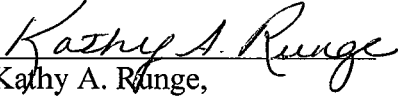
Drafted By:

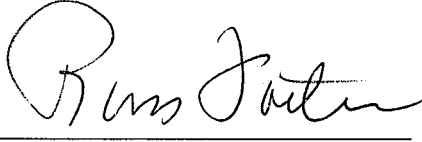
  
Theresa Gonzales,  
Administrative Assistant

Date of Approval: 12-21-16



ATTEST:

  
Kathy A. Runge,  
City Administrator/Clerk

  
Russ Fortune,  
Mayor, Board of Aldermen