



**MINUTES**

**REGULAR CITY COUNCIL MEETING**

**Thursday, February 5, 2009**

**7:00 p.m.**

**CALL TO ORDER**

A meeting of the City Council of the City of Maryland Heights was held on Thursday, February 5, 2009 at City Hall, 11911 Dorsett Road. Mayor Moeller presided and called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mr. Ken Jones, former Councilman and resident, led the Pledge of Allegiance.

**ROLL CALL**

Council Members Present

Council Members Absent

- Councilwoman Barnett
- Councilman Dirck
- Councilman Gold
- Councilman Hunt
- Councilman Johnson
- Councilwoman Nichols
- Councilman Rhea
- Councilwoman Turner

Following the call of the Roll, City Clerk M. Jones reported a quorum was present.

Also present were: J. Cova, Deputy City Clerk; M. Levin, City Administrator; T. O'Connor, Chief of Police; W. Oldroyd, Director of Community Development; H. Paperner, City Attorney; B. Pearl, Director of Public Works; M. Vaughan, Director of Parks and Recreation; and D. Watson, Director of Finance.

**APPROVAL OF AGENDA**

Moved by Councilman Gold, seconded by Councilman Dirck, and unanimously carried, to approve the agenda as submitted.

**APPROVAL OF MINUTES**

**Regular Meeting – 1/15/09**

Moved by Councilwoman Nichols, seconded by Councilman Dirck, and unanimously carried, to accept for the record the minutes of the Regular Council Meeting of January 15, 2009, as submitted.

APPOINTMENTS & PRESENTATIONS           None

PUBLIC FORUM                           None

COUNCIL COMMENTS

Announcements                       1. Finance Committee Meeting – Tues., Feb. 17, 5:30 pm, Government Center, re: Government Center Bonds  
2. Public Improvement Committee Meeting – Wed., Feb. 18, 6 pm, Government Center  
3. Group Photo, Thurs., Feb. 19, 6:30 pm, Government Center, prior to regular council meeting  
4. International Festival, Sun., Feb. 22, noon-5pm, Maryland Heights Centre

MAYOR’S REPORT

Announcements                       1. City Hall will be closed Mon., Feb. 16 for President’s Day Holiday  
2. Next Regular Council Meeting, Thurs, Feb. 19, 7:00 pm, Government Center

CITY ADMINISTRATOR’S REPORT    The City Administrator requested an executive session prior to adjournment of the meeting to discuss matters of land acquisition and sale.

CITY CLERK’S REPORT

Certification of Legislation       The city clerk certified for the record that all legislation on the Agenda as approved was posted and available for public inspection.

Invoices Report Received for the Record       The Invoices Report certified by David V. Watson, attached to and made a part of these minutes, was accepted for the record as submitted.

ATTACHMENT 2009-02-05-A: Invoices Report, pp. 1-10 in an amount of \$1,037,604.95, certified by David V. Watson, Director of Finance

Disposal of Records Request – #075       Disposal of records request #075 from Police Department, attached to and made a part of these minutes, was accepted for the record as submitted.

ATTACHMENT 2009-02-05-B: Disposal of records request #075 from Police Department

CITY ATTORNEY'S  
REPORT

The City Attorney requested an executive session prior to adjournment of the meeting to discuss matters of legal advice and potential legal issues.

NEW BUSINESS

**Res. 2009-991**  
Grant – MO Dept. of Public  
Safety (Funding –  
Enforcement of Underage  
Drinking Laws)

Resolution 2009-991 was introduced, a proposed resolution authorizing the Mayor of the City of Maryland Heights, on behalf of the City, to execute and file an application with the Missouri Department of Public Safety for a grant for funding the enforcement of underage drinking laws.

Moved by Councilwoman Barnett, seconded by Councilman Hunt, and unanimously carried, to approve Resolution 2009-991 by title only.

**Res. 2009-992**  
2009 Budget Increase –  
Capital Improvement Fund  
(Re: Purchase of Single  
Axle Trucks)

Resolution 2009-992 was introduced, a proposed resolution increasing the 2009 Capital Improvement Fund by \$11,600 to provide sufficient funds for the purchase of single axle trucks.

Moved by Councilman Dirck, seconded by Councilman Gold, and unanimously carried, to approve Resolution 2009-992 by title only.

**Bill No. 3246**  
Contract – Midwest Pool  
Management and Westport  
Pools (Aquaport)  
(Assigned Ord. No. 2009-  
3189)

Bill 3246 was introduced, a proposed ordinance authorizing the Mayor of the City of Maryland Heights, on behalf of the City, to enter into a contract with Midwest Pool Management to provide management services for Aquaport to include maintenance and repair services provided by Westport Pools, Inc.

Moved by Councilman Rhea, seconded by Councilman Dirck and unanimously carried to approve the first reading of Bill 3246 by title only, and make supporting documentation part of the record.

Moved by Councilman Dirck, seconded by Councilman Rhea to approve the second reading of Bill 3246 by title only.

The vote thereon was as follows:

Councilwoman Barnett	“Aye”
Councilman Dirck	“Aye”
Councilman Gold	“Aye”
Councilman Hunt	“Aye”
Councilman Johnson	“Aye”
Councilwoman Nichols	“Aye”
Councilman Rhea	“Aye”
Councilwoman Turner	“Aye”

Bill 3246 passed 8 Aye, 0 Nay, to be submitted to the Mayor for approval.

ATTACHMENT 2009-02-05-C: Memorandum dated February 5, 2009 to Mayor Moeller from Mary Vaughan, RE: Aquaport Operations Management Bid: 2009 Season

**Bill No. 3247**  
Contract – R. L. Mueller –  
2009 Food Service  
Products (Aquaport and  
Sportport Concessions)  
(Assigned Ord. No. 2009-  
3190)

Bill 3247 was introduced, a proposed ordinance authorizing the Mayor of the City of Maryland Heights, on behalf of the City, to enter into a contract with R. L. Mueller to provide food service products for Aquaport and Sportport concessions during the 2009 season.

Moved by Councilman Rhea, seconded by Councilman Gold and unanimously carried to approve the first reading of Bill 3247 by title only, and make supporting documentation part of the record.

Moved by Councilman Rhea, seconded by Councilman Hunt to approve the second reading of Bill 3247 by title only.

The vote thereon was as follows:

Councilwoman Barnett	“Aye”
Councilman Dirck	“Aye”
Councilman Gold	“Aye”
Councilman Hunt	“Aye”
Councilman Johnson	“Aye”
Councilwoman Nichols	“Aye”
Councilman Rhea	“Aye”
Councilwoman Turner	“Aye”

Bill 3247 passed 8 Aye, 0 Nay, to be submitted to the Mayor for approval.

ATTACHMENT 2009-02-05-D: Memorandum dated February 5, 2009 to Mayor Moeller from Mary Vaughan, RE: Food Service Products Bid: 2009 Season

**Bill No. 3248**  
Subdivision Record Plat –  
Christy’s Corner  
Subdivision (Pet. Mark  
Sinovich)  
(Assigned Ord. No. 2009-  
3191)

Bill 3248 was introduced, a proposed ordinance approving the minor subdivision record plat for Christy’s Corner Subdivision (Petition of Mark Sinovich).

Moved by Councilman Dirck, seconded by Councilman Rhea and unanimously carried to approve the first reading of Bill 3248 by title only, and make supporting documentation part of the record.

Moved by Councilman Dirck, seconded by Councilwoman Barnett to approve the second reading of Bill 3248 by title only.

The vote thereon was as follows:

Councilwoman Barnett	“Aye”
Councilman Dirck	“Aye”
Councilman Gold	“Aye”
Councilman Hunt	“Aye”
Councilman Johnson	“Aye”
Councilwoman Nichols	“Aye”
Councilman Rhea	“Aye”
Councilwoman Turner	“Aye”

Bill 3248 passed 8 Aye, 0 Nay, to be submitted to the Mayor for approval.

ATTACHMENT 2009-02-05-E: Recommendation to City Council dated January 29, 2009 from J. Wayne Oldroyd, AICP, City Planner, Re: Approval of a minor subdivision record plat for the Christy’s Corner Subdivision that divides a single parcel into two residential lots at 8 Cumberland Avenue

Executive Session – Closed Moved by Councilman Gold, seconded by Councilwoman Barnett, that the meeting be adjourned to Executive Session in accordance with RSMO 610.021 as amended, to discuss matters of acquisition and sale of property, legal advice, and potential legal issues.

The vote thereon was as follows:

Councilwoman Barnett	“Aye”
Councilman Dirck	“Aye”
Councilman Gold	“Aye”
Councilman Hunt	“Aye”
Councilman Johnson	“Aye”
Councilwoman Nichols	“Aye”
Councilman Rhea	“Aye”
Councilwoman Turner	“Aye”

Motion was declared passed 8 Aye, 0 Nay. Time of adjournment – 7:30p.m.

Open Session Resumed Moved by Councilman Gold, seconded by Councilman Rhea, and unanimously carried to resume open session. Open Session Resumed – 8:25 p.m.

Adjournment

Moved by Councilman Gold, seconded by Councilman Hunt, and  
unanimously carried to adjourn the meeting. Time of adjournment – 8:26 p.m.

---

City Clerk

---

Date Accepted