



WILDWOOD®

CITY OF WILDWOOD
NOVEMBER 13, 2018 RECORD OF PROCEEDINGS

CITY OF WILDWOOD
MEETING OF CITY COUNCIL
WILDWOOD CITY HALL
16860 MAIN STREET
WILDWOOD, MO 63040

The meeting was called to order at 7:00 P.M.

A roll call was taken, with the following results:

Present at Roll Call:

Mayor Jim Bowlin
Council Member Larry McGowen
Council Member John Gragnani
Council Member Don Bartoni
Council Member Ray Manton
Council Member Tammy Shea
Council Member Kevin Dillard
Council Member Katie Dodwell
Council Member Steve Taylor
Council Member Debra Smith McCutchen
Council Member Dave Bertolino
Council Member Jon Bopp
Council Member Cheryl Jordan
Council Member Tim Woerther
Council Member Greg Stine
Council Member Niles Stephens
Council Member Joe Garritano

Absent:

None

Also present:

Mr. Ryan Thomas, City Administrator
Mr. Joe Vujnich, Director of Planning and Parks
Mr. Rick Brown, Director of Public Works
Mr. John Young, City Attorney
Ms. Amanda Foster, City Clerk
Mr. Julian M.D. Jacquin, Economic Development
Manager

PLEDGE OF ALLEGIANCE

Mayor Bowlin led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes of the October 22, 2018 City Council meeting were submitted for approval. A motion was made by Council Member Gragnani, seconded by Council Member McGowen, to approve the minutes of the October 22, 2018 City Council meeting. A voice vote was taken with an affirmative result and the motion was declared passed.

PUBLIC PARTICIPATION

Public Participation and Hearing Procedures

Mayor Bowlin reviewed the guidelines for Public Participation and Public Hearing Procedures.

Ed Kohn, 1632 Shepard Road, requested two readings of Bill 2414.

Officials' Responses - None

MAYOR ANNOUNCEMENTS AND APPOINTMENTS

Announcements

Recognition of Officers Winters and Shute

Mayor Bowlin recognized Officers Winter and Shute for their actions during the 2018 BBQ Bash.

Bill #2403 – Veto Message

BILL #2403 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING PARAGRAPH 16 OF SUBSECTION A OF SECTION 110.210 OF THE CODE OF ORDINANCES OF THE CITY OF WILDWOOD BY DELETING IT IN ITS ENTIRETY; ENACTING, IN LIEU THEREOF, A NEW PARAGRAPH 16 OF SUBSECTION A OF SECTION 110.210 OF THE CODE OF ORDINANCES; AND PROVIDING FOR RULES AND PROCEDURES PERTAINING TO PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS. (Wards – All)

Mayor Bowlin read a statement regarding the veto of Bill #2403.

Discussion was held regarding the following: passage of Bill #2403; support of the Bill; avoid limits on free speech; avoid changing the rules at any meeting; limit arbitrary rules on public comments; liability to the City; council currently has authority under Ord. 210.110; be consistent with other committees; should the council go into closed session; can consider language changes at the committee level; if the Bill is vetoed, can it come back to council; Planning and Zoning public comment guidelines; need consistency with public comment

A motion was made by Council Member Taylor, seconded by Council Member Jordan calling the question shall the Bill pass the objections of the Mayor thereto notwithstanding.

A motion was made by Council Member Garritano, seconded by Council Member McCutchen to go into Executive Session with regards to Legal Actions, Causes of Action, Litigation or Privileged Communications Between the City's Representatives and its Attorneys [RSMO 610.021(1)].

A roll call vote was taken with the following results:

Ayes – McGowen, Stine, Garritano

Nays – Gragnani, Bartoni, Manton, Shea, Dillard, Dodwell, Bertolino, McCutchen, Bopp, Jordan, Woerther, Stephens

Absent – None

Abstain – Taylor

Whereupon Mayor Bowlin declared the motion failed.

A roll call vote was taken on the main motion with the following results:

Ayes – Gragnani, Bartoni, Shea, Dillard, Dodwell, Taylor, Bopp, Jordan, Woerther, Stephens

Nays – McGowen, Manton, Bertolino, McCutchen, Stine, Garritano

Absent – None

Abstain – None

Whereupon Mayor Bowlin declared the motion failed.

A motion was made by Council Member Bartoni, seconded by Council Member Dodwell, to refer Bill #2403 to the Administration/Public Works Committee to review the language and provide a new Bill to the City Council. A voice vote was taken with an affirmative result and the motion was declared passed.

Appointments

Gregg Maryniak - Board of Ethics Reappointment - (Ward One) - Term Ending July 2023

A motion was made by Council Member Manton, seconded by Council Member McGowen, to postpone the appointment of Gregg Maryniak until Mr. Maryniak can attend a Council meeting. A voice vote was taken with an affirmative result and the motion was declared passed.

Stan Parsons - Board of Ethics, Alternate Member - (Ward Eight) - Term Ending July 2020

A motion was made by Council Member Woerther, seconded by Council Member Shea, to reject the appointment of Stan Parsons to the Board of Ethics. A voice vote was taken with an affirmative result and the motion was declared passed. Manton opposed.

Richard Pfarr - Board of Ethics - (Ward Four) - Unexpired Term Ending July 2022

A motion was made by Council Member Bertolino, seconded by Council Member Dodwell, to postpone the appointment of Richard Pfarr to the Board of Ethics until Mr. Pfarr can attend a Council meeting. A voice vote was taken with an affirmative result and the motion was declared passed.

Brian Massey - Planning and Zoning Commission - (Ward Seven) - Term Ending June 2022

A motion was made by Council Member McCutchen, seconded by Council Member McGowen, to approve the appointment of Brian Massey to the Planning and Zoning Commission.

A roll call vote was taken with the following results:

Ayes – McGowen, Bartoni, Manton, Dodwell, Bertolino, McCutchen, Bopp, Garritano

Nays – Shea, Dillard, Taylor, Jordan, Stine, Woerther, Stephens, Gragnani

Absent – None

Abstain – None

Whereupon Mayor Bowlin declared the motion failed.

PUBLIC HEARINGS –

P.Z. 2-18 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040 – A request to review and consider amendments to the City of Wildwood’s Regulation of Placement of Communication Antennae and Support Structures – Chapter 430 of the City of Wildwood Municipal Code – which would thereby consider the following: amendment of existing and enactment of new regulations pertaining to the placement, installation and construction of communication and support structures, wireless facilities, and accessory equipment; administrative procedures related to the consideration thereof by the City; and the promotion of the health, safety, and welfare of Wildwood residents, all consistent with current Federal and State laws and regulations. (Wards – All)

Director of Planning Vujnich provided an overview of the Planning and Zoning Commission’s recommendation.

Discussion was held regarding the following: is this the best site; how will this affect the extension of rural internet access; could be a good effort to provide cell service

A motion was made by Council Member Stephens, seconded by Council Member Taylor, to prepare the requested legislation. A voice vote was taken with an affirmative result and the motion was declared passed. Woerther abstained.

UNFINISHED BUSINESS –

BILL #2407 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI APPROVING A CHANGE IN ZONING FROM THE NU NON-URBAN RESIDENCE DISTRICT TO THE R-3 10,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 21,600 SQUARE FOOT TRACT OF LAND THAT IS LOCATED ON THE WEST SIDE OF CENTER AVENUE, SOUTH OF MANCHESTER ROAD - P. Z. 7-18, Mike Whalen, Whalen Custom Homes, Inc. *Recommended by the Planning and Zoning Commission.* (Second Reading) (Ward - Eight)

Direct Budgetary Impact: None

A motion was made by Council Member Garritano, seconded by Council Member Stephens, for the second reading of Bill #2407. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #2407 was read for the second time by title only.

A roll call vote was taken for approval of Bill #2407 with the following results:

Ayes – Gragnani, McGowen, Bartoni, Manton, Shea, Dillard, Dodwell, Taylor, Bertolino, McCutchen, Bopp, Jordan, Stine, Woerther, Garritano, Stephens

Nays – None

Absent – None

Abstain – None

Whereupon Mayor Bowlin declared Bill #2407 approved and it became **ORDINANCE #2407**.