

City of Arnold, Missouri

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Public Hearing  
Council Chambers

February 5, 2009  
7:30 p.m.

1. An Ordinance Approving a Record Plat Titled "Licavoli Estates".

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Council Meeting  
Council Chambers

Immediately Following the Public Hearing

Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **January 22, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1048 - General Warrant #5492**
6. Business From the Floor
7. Ordinances
  - A. **Bill No. 2335:** An Ordinance Approving a Record Plat Titled "Licavoli Estates".
8. Resolutions
  - A. **Resolution No. 09-08:** A Resolution Announcing a Water Conservation Grant Program.
9. Motions
  - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation Pursuant to RSMo Section 610.021 (1).
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

**Next Work Session Meeting: February 12<sup>th</sup> at 7:00 p.m.**  
**Next Regular Council Meeting: February 19<sup>th</sup> at 7:30 p.m.**

**REGULAR MEETING**

**February 5, 2009**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:37 PM**

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Mayor Pro-Tem Randy Crisler called the meeting to order at 7:37 PM.

The Pledge of Allegiance was recited.

Mr. Crisler asked for a moment of silence in honor of those who lost their lives in the attack at Kirkwood City Hall last February.

Mr. Crisler then asked that two Scouts in the audience be recognized. Andrew Harper and Samuel Alexander of Troop 419 at Immaculate Conception were in attendance and were working on their Citizenship in the Community badges.

He also welcomed a number of young adults from the group Trend of the Windsor Middle School who had just completed a tour of our City Hall and were now in attendance for the council meeting.

Those present per roll call taken by City Clerk Diane Waller: Powell (excused), Moritz, Crisler, Amato, Cooley, Hay, Poor, Deckman, Ems (excused), Unrein, Waller, Hull-Bettalle, Lewis, Sweeney, Boone, Shockey, Blue, Freese, and Hall.

#### **ACCEPTANCE OF THE MINUTES:**

Bill Moritz moved to **accept the minutes of the January 22, 2009 meeting** if there are no deletions, errors, or corrections. Seconded by Matt Hay. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman (abstain); Ems (excused): 6 yeas, 1 abstention, motion **carried**.

#### **ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read payroll warrant **#1048**. Joyce Deckman moved to pay **payroll warrant #1048** pay period ending January 23, 2009, in the amount of \$242,861.89 if the monies are available. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, **motion carried**.

City Clerk Diane Waller read general warrant **#5492**. Butch Cooley moved to pay **general warrant #5492** in the amount of \$452,958.80 if the monies are available. Seconded by Joyce Deckman. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused) 7 yeas, **motion carried**.

## **BUSINESS FROM THE FLOOR**

**Miss Taylor Coggins**, 43 Ozark Lane, accompanied by her dad, requested the city assist her in providing recycling bins for 9 classrooms at her school, Firm Christian Foundations Academy. Ms. Waller will be in contact with her to see what city can do.

**Jim Edwards**, 3403 Boca Raton voiced his complaints about our trash service since the recycling has been missed numerous times in his subdivision.

Randy Crisler stated he and Bill Moritz had met with Veolia to discuss ongoing problems and they are under contract and we should see improvements or other action would be taking place.

**Mr. Rodgers**, 861 Morningside, commented on an article in a local paper about the city.

**Brian Waldrop**, 3273 Telegraph, informed everyone there is a clean stream effort scheduled for February 28 targeting Tzar Woods area and they do not need city assistance for that one but do need help with the March 7 winter cleanup. He was asking for the standard support from the city, as the city has provided in the past.

Phil Amato offered a motion and so moved that **city assist with the March 7 clean up by providing personnel, equipment and services as city has done in the past** and so moved. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused). 7 yeas, motion carried.

**Dan Kroupa**, 2090 Kroupa Drive, expressed his thanks to all involved in the Mr. Black episode.

**Norm Moss**, 2270 Fawn, echoed the sentiments of Mr. Kroupa. He thanked the Chief and added Arnold Police Department handled it well and he is grateful for everything they did.

Mr. Amato suggested a resolution be prepared to honor and again thank the other agencies that help protect us. Chief stated we had assistance from St. Louis County, Jefferson County and the Highway Patrol.

Doris Borgelt, 653 Louisa, referred to a letter she had received from Ms. Waller advising her the documents she had requested regarding an investigation were not available.

Chief Shockey reiterated to Ms. Borgelt those documents are protected and are not public record right now.

## **ORDINANCES**

**Bill No. 2335 AN ORDINANCE APPROVING A RECORD PLAT TITLED "LICAVOLI ESTATES"** was read twice by City Clerk Diane Waller. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes, Ems (excused), 7 yeas, **ordinance passed.**

## **RESOLUTIONS**

**Resolution No. 09-08 A resolution announcing a Water Conservation Grant Program was discussed.**

Mat Hay did not feel this offered any benefit to those on septic. Mr. Moritz expressed his concern about fraud in enforcing the program. Poor added his concerns. Amato explained how city is charged by MSD by the flow coming into the treatment plant and anything we can do to reduce this, was a plus. City Treasurer Freeze offered his concerns, comments and suggestions. Matt Unrein assured all that city would do everything they could to avoid fraud in implementing the program.

Matt Hay offered a motion and he so moved **to take the rebate program to a work session.** Seconded by Jerel Poor. Roll call vote: Moritz, yes; Crisler, no; Amato, no; Cooley, no; Hay, yes; Poor, yes; Deckman, no; Ems (excused), 3 yeas, 4 nays, **motion failed.**

More discussion. The additional requirement of the UPC code was added to application.

Mr. Amato stressed safeguards must be in place before program is enacted.

**Phil Amato moved on Resolution No. 09-08 A resolution announcing Water Conservation Grant Program** and he so moved. Seconded by Joyce Deckman. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, no; Poor, no; Deckman, yes, Ems (excused) 5 yeas, 2 nays, **Resolution passed.**

## **MOTIONS**

A motion to hold a closed session immediately following this meeting for the purpose of discussing litigation pursuant to Mo Revised State Statute 610.021 (1) was offered by Bill Moritz and he so moved. Seconded by Butch Cooley. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused); 7 yeas, motion carried.

## **NEW BUSINESS/OLD BUSINESS**

Mr. Moritz brought up the snipe sign ordinance.

He was advised that Mary Holden and Mr. Unrein have been working on this and will be presenting for discussion at the next work session.

Mr. Cooley questioned if contractors would be able to place signs regarding their new developments from Friday to Sunday. Discussion followed.

Jerel Poor offered a motion and so moved to suspend the ordinance to allow the placement of the signs from Friday to Monday morning. Seconded by Matt Hay. Roll call vote: Moritz, yes; Crisler, no; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused), 6 yeas, 1 nay, motion carried.

Moritz added the program recognizes these issues and the snipe committee is allowing these signs temporarily until this is all worked out.

Jerel Poor questioned the issues with trash service not providing pickups.

Attorney Sweeney stated the contract has been reviewed regarding Veolia not picking up as required. Their lack of performance is unacceptable and the contract allows monetary recuperation for the city. He is working on this now.

Matt Hay expressed concern about recycling being missed frequently. Mr. Unrein acknowledged this is true and the staff is recording all misses, as we need the documentation to pursue monetary recuperation from Veolia for these repeated misses.

## COMMITTEE REPORTS

Bill Moritz stated there had been a liquor meeting earlier this evening and committee reviewed the application from Richard Bryant, Managing Officer for the Tilted Kilt, 139 Arnold Crossroads. Mr. Moritz is recommending council approve the license application to sell **intoxicating liquor by the drink and on Sunday**. Mr. Moritz offered a motion to approve the liquor license application for **Richard Bryant, Managing Officer for the Tilted Kilt, 139 Arnold Crossroads** and so moved. Seconded by Joyce Deckman. **Roll call vote:** Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused) 7 yeas, **motion carried**.

## REPORTS FROM MAYOR AND COUNCIL

Ward 4 – Al Ems – Excused

Ward 4 – Butch Cooley – Complimented the street department for their work during the snowstorms.

Ward 2– Bill Moritz – Thanked the Chief and asked that he pass thanks on to his officers for their role in the shooting incident in the park.

Ward 1 – Randy Crisler – No report

Ward 2 – Jerel Poor - Thanked the street department and reported he had received numerous trash complaints.

Ward 3 – Joyce Deckman – No report

Ward 1– Matt Hay - Thanked our Scouting visitors for attending tonight and shared he is an eagle Scout and the benefits of scouting. Thanked the Street department

Ward 3 – Phil Amato – Also thanked the Boy Scouts, the Windsor students, street department and Arnold Police Department. He also indicated he will be preparing some ordinances for review in the next work session. Offered his condolences to the family of Lillian Mangelsdorf who died yesterday. She had been instrumental in starting Jefferson College and had been active in the community.

## ADMINISTRATIVE REPORTS

Treasurer Paul Freeze – Thanked the street department. Reported he had read the financial reports and encouraged everyone to take a look at them.

Attorney Sweeney – No Report

Matt Unrein – Referred to the memo he had provided council regarding transportation grant funds. He now needs council direction and authorization to proceed. A motion was offered by Bill Moritz **to authorize the Mayor to execute a not to exceed contract with CBB Engineers for \$3000 to fill out the application paperwork for the Mo State Rd and Astra Way coordinating project** and he so moved. Seconded by Butch Cooley. Roll call vote: Moritz, yes; Crisler, yes; Amato, yes; Cooley, yes; Hay, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, motion carried.

Mr. Unrein also reported the first quarter municipal services bills should be mailed tomorrow and explained the additional informational flyers that will be placed with each bill.

Mr. Hay questioned what happens if someone has a large bill due to large water usage as a result of a leak. Mr. Unrein advised city will review documentation (contractor invoices, etc) provided to us by the property owner and accounts will be credited accordingly.

Diane Waller – No Report.

Greg Hall – Provided an update on the Ozark Bridge and reported delivery is expected February 27<sup>th</sup>. Announced the 3 Dog Night concert is almost sold out.

Christie Hull-Bettalle – No Report

Jeff Blue – Thanked everyone for their kind remarks and will pass them on. He added with a snow event, personnel from many departments are involved – parks, storm water, animal control, street, public works. He also provided a breakdown of expenses as a result of the 1/26/2009 snowstorm.

Deborah Lewis – No Report

Susie Boone – Announced that our Mayor Powell has been selected as the Missouri Parks and Recreation Association 2009 Public Official Achievement Award recipient and will receive this recognition March 12, 2009 in Kansas City.

Chief Shockey – Thanked everyone for the comments and said they are appreciated. He shared that during the shooting event, every Arnold Police Officer worked and that says a lot for them and he feels they are a great team. He will pass the comments on.

A motion to adjourn was offered by Bill Moritz. Seconded by Jerel Poor.  
Voice vote: all yeas, meeting adjourned at 8:37 pm.

Respectfully submitted,

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City Clerk