

City of Arnold, Missouri

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Public Hearing  
Council Chambers

April 19, 2007  
7:30 P.M.

- A. An Ordinance Approving a Rezoning a Tract of Land in the City of Arnold, Missouri, Identified as “Arnold Industrial Park Plat 3” and “Pleasant Valley Terrace Block One” From R-3 and Flood Plain to C-3. (See Agenda Item 7B).
  - B. An Ordinance Amending and Replacing Ordinance No. 14.395 Which Rezones a Tract of Land in the City of Arnold, Missouri, Identified as the Arnold Crossroads and Identified Further in Exhibit A from C-3 to C-4 Commercial. (See Agenda Item 7C).
  - C. An Ordinance Approving a Preliminary Plat Titled Fawn Hills. (See Agenda Item 7D).
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Council Meeting

Amended Agenda

Following the Public Hearing

- 1. Pledge of Allegiance
- 2. Opening Prayer
- 3. Roll Call
- 4. Acceptance Of Minutes:
- 5. Acceptance Of Warrants:
- 6. Business From the Floor
- 7. Ordinances

April 5, 2007

Payroll Warrants # 1001; General Warrant #5449

- A. **Bill No. 2230:** An Ordinance Authorizing the Issuance of a Promissory Note by the City of Arnold, Missouri; and Approving Certain Documents and Actions in Connection with the Issuance of the Note.
- B. **Bill. No. 2231:** An Ordinance Approving a Rezoning a Tract of Land in the City of Arnold, Missouri, Identified as “Arnold Industrial Park Plat 3” and “Pleasant Valley Terrace Block One” From R-3 and Flood Plain to C-3.
- C. **Bill No. 2232:** An Ordinance Amending and Replacing Ordinance No. 14.395 Which Rezones a Tract of Land in the City of Arnold, Missouri, Identified as the Arnold Crossroads and Identified Further in Exhibit A from C-3 to C-4 Commercial.
- D. **Bill No. 2233:** An Ordinance Approving a Preliminary Plat Titled Fawn Hills.

8. Resolutions
  - A. **Resolution No. 07-14:** A Resolution Reappointing Diane Waller as City Clerk.
  - B. **Resolution No. 07-15:** A Resolution to Enter in to a Contract for Church Road East Improvements.
  - C. **Resolution No. 07-16:** A Resolution to Enter in to a Contract for Church Road West Improvements.
9. Motions
  - A. **A Motion Regarding Group Health Insurance.**
  - B. **A Motion Regarding Professional Engineering Consulting Services.**
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
  - A. **Advance America Cash Advance Centers, Payday Loan for Water Tower Place, Planning Commission Recommendation.**
15. Adjournment

**Next Regular Council Meeting: May 3<sup>rd</sup> at 7:30 pm**

April 17, 2007

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Mayor Mark Powell called the meeting to order at 7:51 p.m. Opening prayer was a silent prayer. Those present per roll call taken by City Clerk Diane Waller: Powell, Vinson, Crisler, Moritz, Venable, Amato, Deckman, Cooley, Ems, Unrein, Waller, Holden, McKenzie (excused), Boone, Sweeney, Shockey, Blue, and Hall.

**ACCEPTANCE OF THE MINUTES:**

Al Ems moved to accept the minutes of the April 5, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes, Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read payroll warrant #1001. Butch Cooley moved to pay payroll warrant #1001 pay period ending April 6, 2007 in the amount of \$214,710.88 if the monies are available. Seconded by Al Ems. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

City Clerk Diane Waller read general warrant #5449. Butch Cooley moved to pay general warrant #5449 in the amount of \$613,007.13 if the monies are available. Seconded by Al Ems. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Cooley, yes; Deckman, yes; 8 yeas, motion carried.

**BUSINESS FROM THE FLOOR:**

Bernie Wilde, 3533 Swan Circle South and a member of the Arnold Historical Society distributed flyers regarding the upcoming benefit Car Show to be held at Wal-mart on April 28, 2007 and invited all to attend.

Gerald Poor, 3593 Swan Circle South, requested assistance in seeing that the grass gets cut and the property maintained at the Strawberry Creek Nature area. Randy Crisler offered to see this was handled.

**ORGANIZATION OF THE COUNCIL – ELECTION OF MAYOR PRO-TEM AND OTHER COMMITTEE/BOARD ASSIGNMENTS:**

Mayor Powell announced the assignments as follows:

Planning Commission – Bill Moritz  
Parks and Open Space Committee – Claude “Butch” Cooley  
Recreation and Fitness Committee – Al Ems  
Green Thumb – Claude “Butch” Cooley

CCI Board – Joyce Deckman  
Police Pension Review Board – Al Ems  
Jefferson County EDC – Matt Unrein  
Jefferson County Municipal League – Matt Unrein  
Tourism Commission – Randy Crisler  
Commission on Aging and Disabilities – Paul Vinson  
Chamber of Commerce – Randy Crisler  
Arnold EDC – Phil Amato  
Liquor Committee – David Venable, Bill Moritz, Joyce Deckman

Randy Crisler moved to accept the Council appointments as recommended by Mayor Powell. Seconded by Al Ems. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

Mayor Powell then asked for nominations for Mayor Pro-Tem.

Joyce Deckman nominated Phil Amato.

Phil Amato added complimentary remarks about Al Ems, his service to the city, what an honor it has been to serve with him and his intention to nominate Al Ems for the Mayor Pro Tem position. He stated, if Mr. Ems accepted, Mr. Amato would withdraw his own name.

Mr. Ems, acknowledged his intent to accept with “I got the time”. Phil Amato withdrew his name from the nomination.

David Venable offered a motion to close nominations and accept by acclamation Al Ems as Mayor Pro Tem. Seconded by Joyce Deckman. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems (abstain), 7 yeas, motion carried.

Mayor Powell complemented both Amato and Ems for their years of service to the Arnold community.

#### **ORDINANCES**

Mr. Vinson stated he would not support Bill #2230 and #2231 because of the use of Eminent Domain.

**BILL #2230 AN ORDINANCE AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE BY THE CITY OF ARNOLD, MISSOURI, AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE NOTE** was read twice by City Clerk, Diane Waller. Roll call vote: Vinson, no; Crisler, yes; Moritz, yes; Venable, yes; Amato, abstain; Deckman, yes; Cooley, yes; Ems, yes; 6 yeas, 1 nay, 1 abstention, ordinance passed.

BILL #2231 AN ORDINANCE APPROVING A REZONING OF A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED AS BEING PARTS OF LOTS 1 AND 2 OF "ARNOLD INDUSTRIAL PARK PLAT 3" AND PARTS OF LOTS 1, 2,3, AND 4, AND ALL OF LOTS 5 AND 6 OF PLEASANT VALLEY TERRACE BLOCK ONE" from R-3 AND FLOOD PLAIN TO C-3 was read twice by City Clerk, Diane Waller. Roll call vote: Vinson, yes;Crisler, yes; Moritz, yes; Venable, no; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 7 yeas, 1 nay, ordinance passed.

BILL #2232 AN ORDINANCE RE-ZONING A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI IDENTIFIED AS THE ARNOLD CROSSROADS AND IDENTIFIED FURTHER IN EXHIBIT A FROM C-3 to C-4 COMMERCIAL was read twice by City Clerk Diane Waller. Roll call vote: Vinson, no; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 7 yeas, 1 nay, ordinance passed.

BILL #2233 AN ORDINANCE APPROVING A PRELIMINARY PLAT TITLED FAWN HILLS was read twice by City Clerk Diane Waller. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes, Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, ordinance passed.

#### **RESOLUTIONS**

RESOLUTION #07-14, A RESOLUTION REAPPOINTING DIANE C. WALLER AS CITY CLERK was offered by Al Ems. He then so moved. Seconded by Randy Crisler. Roll call vote: Vinson, yes; Crisler, yes; Venable, yes; Moritz, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

RESOLUTION #07-15, A RESOLUTION AUTHORIZING AN AGREEMENT WITH JOKERST PAVING AND CONTRACTING, INC. FOR CONSTRUCTION OF CHURCH ROAD I-55 TO JEFFCO BLVD was discussed.

Phil Amato suggested a motion to amend this and award to the second lowest bidder, N. B. West, as the lowest and best bid. He felt it very important for the safety of our residents to complete the Church Road project (I-55 to Jeffco) with no delays. This is a high traffic arterial road and emergency vehicles will need access. N.B. West was the lowest bidder on the next resolution (I-55 to Old Lemay Ferry) and having one contractor for this road project should insure continuity and less chance for any delays. Jokerst did not bid on both projects. Attorney agreed.

Mr. Amato offered a motion to amend this resolution #07-15 and change it to reflect authorizing an agreement with N.B. West for construction of Church Road I-55 to Jeffco in the amount of \$1,109,237.49, the lowest and best bid. Seconded by Joyce Deckman. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

RESOLUTION #-7-15 , A RESOLUTION AUTHORIZING AN AGREEMENT WITH N. B. WEST FOR CONSTRUCTION OF CHURCH ROAD I-55 TO JEFFCO was offered by Phil Amato. He then so moved. Seconded by Joyce Deckman. Roll call vote: Vinson, yes; Crisler,

yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas., resolution passed.

RESOLUTION #07-16, A RESOLUTION AUTHORIZING AN AGREEMENT WITH N.B. WEST FOR CONSTRUCTION OF CHURCH ROAD – I- 55 TO OLD LEMAY FERRY was offered by Al Ems. He then so moved. Seconded by Randy Crisler.

Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas.

Bill Moritz left Council Chambers at 8:27 pm.

### **MOTIONS**

A motion regarding Group Health Insurance was discussed. Due to the vast increase in premiums, (16.06%) the cost for the city to continue with the current health plan needs to be looked at to see if there is another more affordable option. Informational meetings have been held with full time employees to explain the differences in the proposed PPO plan and the offering of new vision and dental plan options. Matt Unrein is suggesting city enroll in the \$1000 deductible Mercy PPO plan for the 2007 plan year and also recommends adding a plan option for two additional voluntary dental insurance plans and a voluntary vision insurance plan. Employees wishing to participate will pay for these additional plans in their entirety.

Al Ems offered a motion to proceed with the proposed change and contract with the Mercy PPO plan and the additional voluntary plans. Seconded by Randy Crisler. Roll call vote: Vinson, yes; Crisler, yes; Moritz, (out of room); Venable, no; Amato, no; Deckman, yes; Cooley, yes; Ems, yes; 5 yeas, 2 nays, 1 out of the room. Motion carried.

Bill Moritz returned to Council Chambers at 8:31 pm

A motion regarding professional engineering consulting services was discussed.

The Pomme Creek Golf Course is in need of a permanent water supply for irrigation. Consulting engineering services are critical to assessing an identified free resource. The MSD wells located at Pomme Pump Station near the Meramec River produces adequate water supply for the golf course. The pump station has a 10' wide sewer line easement running west alongside Pomme Creek right through the middle of Pomme Creek Golf Course. Because time is of the essence, city needs to waive normal bidding procedures and award Jacobs this consulting project. Jacobs will provide the critical advice, permits and construction plans necessary to get water to Pomme Creek for use on the greens.

Phil Amato offered a motion to waive standard bidding procedures, as time is of the essence, and authorize the Mayor to sign an agreement for professional engineering consulting services with Jacobs Engineering not to exceed \$8900.00. Seconded by Paul Vinson. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

## **NEW BUSINESS**

There was no new business

## **OLD BUSINESS**

There was no old business

## **COMMITTEE REPORTS**

Randy Crisler reported the Liquor committee had met tonight.

Applebees on Big Bill Rd had petitioned to serve alcohol in an outside dining area and has met the city requirements. Committee recommends city approve this license so they may pursue a state license. Randy Crisler offered a motion to approve this outdoor/patio license. Seconded by Joyce Deckman. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes, 8 yeas, motion carried.

Randy Crisler also was asking clarification and authorization regarding VFW's liquor licensing. The VFW has applied for the renewal of their current license and it appears they will be relocating around the first of July to the Church Road address. Since their current license expires June 30 and they have paid the renewal fee for that location, it's been suggested to waive the liquor fee for the new location and transfer the license address. They will however, still need to comply with the requirements for the new location. City will be waiving additional fees, mirroring the state and county action by transferring the address with no additional fees.

Randy Crisler offered a motion to waive new liquor application fee for 2007 for VFW Church Road location, providing all other requirements are met and apply the renewal fee previously paid for the Big Bill location. Seconded by Butch Cooley. Roll call vote: Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; 8 yeas, motion carried.

## **COUNCIL AND WARD REPORTS**

Ward 4 - Butch Cooley - Referring to the condition in the ordinance approving Fawn Hills, questioned how the dollar amount would be computed when determining how much money would be contributed to the sidewalk fund in lieu of the sidewalk requirement. Mary Holden responded there is a formula used to calculate.

Ward 1 – Paul Vinson – He commented on the poor condition of the lane striping on Richardson Road. Mary Holden will discuss with contractor. Mr. Blue offered we may need to consider another option of in-pavement reflectors but that would have to be in next budget year. Mr. Vinson also commented on the potential public safety issues at the Fox High School interesection and asked police to monitor the vehicles and their behaviors at the entrances/exits of the campus when teens arrive and depart the campus.

Ward 4 – Al Ems – congratulated the 4 winners of the recent election.

Ward 1 – Randy Crisler – No report

Ward 2 – Dave Venable – No report

Ward 3 - Joyce Deckman – No report

Ward 2 - Bill Moritz – No report

Ward 3 - Phil Amato – Thanked the citizens of Ward 3 for their support

Attorney Robert Sweeney – no report

Matt Unrein – no report

Greg Hall – no report

Mary Holden – Referred to agenda item involving Advance America Cash Advance Centers, Payday Loan for Water Tower Place, and the Planning Commission Recommendation of denial for the conditional use permit. Council voiced no objections so denial stands.

Treasurer Scott Gowan – No report

Jeff Blue – No report

Susie Boone – Reported Insurance Company MIRMA has recommended the removal of the diving board at Ferd B. Lang Park and unless directed otherwise, she will proceed to eliminate this safety issue by having the hazard removed.

Chief Shockey – Reported Police Department has received federal grants for speed enforcement and as such will be heavily patrolling the interstate from now until the end of this summer.

Motion to adjourn was offered by Randy Crisler. Seconded by Dave Venable.

Voice vote: motion carried.

Meeting adjourned at 8:39 pm.

Respectfully submitted,

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City Clerk