

City of Arnold, Missouri

Council Meeting  
Council Chambers

April 2, 2009  
7:30p.m.

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AGENDA

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **March 19, 2009 & March 23, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1052 - General Warrant #5496**
6. Business From the Floor
7. Ordinances
  - A. **Bill No. 2338: An Ordinance Authorizing the Issuance of Real Property Tax Increment Revenue Bonds and Authorizing and Approving Certain Documents and Actions in Connection with the Execution and Delivery of the Bonds.**
  - B. **Bill No. 2339: An Ordinance Authorizing the Execution of a Fifth Amended and Restated Redevelopment Agreement and a Third Amended and Restated District Development Agreement.**
8. Resolutions
9. Motions
  - A. **Outdoor Pool Contract**
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

Next Regular Council Meeting April 16, 2009 at 7:30 p.m.  
Next Work Session Meeting April 9, 2009 at 7:00 p.m.

**REGULAR MEETING**

**April 2, 2009**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:30 PM**

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Mayor Mark Powell called the meeting to order at 7:30 pm.

The Pledge of Allegiance was recited.

Mr. Powell asked for a moment of silence or silent prayer in honor of Lance Corporal Mike Walker from Arnold. He was injured in Iraq and has been recuperating and will be returning home this week.

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

Mayor Powell announced there had been a public hearing advertised for tonight but it has been cancelled. P & Z had tabled the topic at their meeting.

**ACCEPTANCE OF THE MINUTES:**

Bill Moritz moved to **accept the minutes of the March 19, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: Poor, yes; Crisler (abstain); Hay, yes; Ems (excused); Cooley, yes; Amato, yes; Deckman yes; Moritz, yes; 6 yeas, motion carried.

Bill Moritz moved to **accept the minutes of the special meeting March 23, 2009** if there are no other deletions, errors, or corrections. Seconded by Joyce Deckman. Roll call vote: Poor, yes; Crisler (abstain); Hay, yes; Ems (excused); Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 6 yeas, motion carried.

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read **payroll warrant #1052**. Bill Moritz moved to pay **payroll warrant #1052** pay period ending March 6, 2009, in the amount of \$241,062.46 if the monies are available. Seconded by Matt Hay. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried**.

City Clerk Diane Waller read **general warrant #5496** Bill Moritz moved to pay **general warrant #5496** in the amount of \$543,990.73 if the monies are available. Seconded by Butch Cooley. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Cooley, yes, Amato, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried**.

## **BUSINESS FROM THE FLOOR**

**Jerry Buchannan**, 823 Beechwood, addressed his comments at Mr. Poor and Mr. Hay regarding their recent vote during the special meeting. He felt they had blocked the passing of Mr. Amato's bill to lower the sewer rates for residents by increasing the base use.

**Doris Borgelt**, 653 Louisa, asked how much the city pays in storm water fees and remarked about landscaping referred to in Mr. Cooley's political advertisement. She was confused as she thought Drury had committed money for some landscaping.

**Brian Waldrop**, 3273 Telegraph, thanked those involved for assisting in the recent Clean Stream efforts and provided statistics on what had been picked up.

**Gary Luebbers**, 1890 Edgemont, thanked Mayor Powell for his years of service. Had questions concerning the televising of council meetings, as he knows of some municipalities that do televise the meetings. Also did not agree with the article in the paper indicating Ferd B Lang Pool would be closing. He asked that the closing of the pool not be allowed to happen.

**Scott Dunn**, Ozark Mobile Home Park, reported on a 4-car accident that he witnessed at Church Rd and Jeffco. It was his opinion; this was a result of the driver stopping suddenly at a yellow light for fear of running a red light. He implied if the red light cameras were a safety issue and not a revenue issue, why doesn't the city get 100% of the monies being collected.

**Ms. Coolidge**, Aspen Lane, questions why the councilpersons couldn't be allowed to vote by proxy when they know they will be missing a meeting. She added she is also disappointed that she has been asking if she is living on a city dump and city officials are not giving her an answer.

Mayor addressed her concern about the dump and stated he did not think there was ever a dump where her trailer park is located.

Attorney Sweeney clarified voting by proxy is prohibited by state statute and that council members must be present to vote.

**Jim Edwards**, 3338 Boca Raton, clarified "blocking" referred to earlier as not having enough votes.

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Note: The ordinances below were read as Bill No. 2338 and 2339 respectively. They have since been renumbered in the next numerical sequence as Bill No. 2339 and 2340. Bill No. 2338 had previously been assigned and voted on and was incorrectly used again.

**Bill No. 2339 AN ORDINANCE AUTHORIZING THE EXECUTION OF A FIFTH AMENDED AND RESTATED REDEVELOPMENT AGREEMENT AND A THIRD AMENDED AND RESTATED DISTRICT DEVELOPMENT AGREEMENT IN CONNECTION WITH THE REDEVELOPMENT PLAN FOR THE ARNOLD TRIANGLE REDEVELOPMENT AREA was discussed.**

Mr. Carl Ramey, Stifel Nicolaus, spoke briefly and summarized.

Mr. Mark Grimm, Gilmore and Bell, spoke and provided highlights.

Questions and discussion followed.

City Clerk Diane Waller read **Bill No. 2339** twice. Roll call vote: Poor, no; Crisler, yes; Hay, no; Ems (excused); Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 5 yeas, 2 nays, **ordinance passed.**

**Bill No. 2340 AN ORDINANCE OF THE CITY OF ARNOLD, MISSOURI, AUTHORIZING THE ISSUANCE OF REAL PROPERTY TAX INCREMENT REVENUE BONDS (ARNOLD TRIANGLE REDEVELOPMENT PROJECT) SERIES 2009A SALES TAX INCREMENT REVENUE BONDS (ARNOLD TRIANGLE REDEVELOPMENT PROJECT), SERIES 2009B AND TAXABLE SUBORDINATE TAX INCREMENT REVENUE BONDS (ARNOLD TRIANGLE REDEVELOPMENT PROJECT), SERIES 2009C; AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE BONDS** was read twice by City Clerk Diane Waller. Roll call vote: Poor, no; Crisler, yes; Hay, no, Ems (excused); Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 5 yeas, 2 nays, **motion carried.**

## RESOLUTIONS

No resolutions

## **MOTIONS**

A bid to approve materials and labor for the pools at the Recreation Center was discussed. This is necessary to comply with federal requirements. There is only one vendor in the area that can provide this service. A motion was offered by Bill Moritz to **accept the bid from Westport Pools in the amount of \$23,284 for the purpose of complying with the Virginia Graeme Baker Act** and he so moved. Seconded by Butch Cooley. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

## **NEW BUSINESS**

Matt Hay referred to a state statute regarding sewer rate charges requiring a public hearing and questioned this. Attorney Sweeney stated city is not regulated by Public Service Commission.

## **OLD BUSINESS**

No old business was brought up.

## **COMMITTEE REPORTS**

Bill Moritz reported the Liquor Committee had met this evening and reviewed a request from **Dylan's to get city approval to apply to the state for an extension of premise license** for specific dates. Committee was recommending approval and offered this in the form of a motion and so moved. Seconded by Matt Hay. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

## **REPORTS FROM MAYOR AND COUNCIL**

Ward 1 – Matt Hay – No report

Ward 4 – Al Ems – Excused

Ward 2– Bill Moritz – Thanked the Mayor for his past service

Ward 1 – Randy Crisler – Thanked the Mayor for his services. Explained that due to a serious accident involving a family member he had to leave during the last council meeting and was unable to attend the special meeting. Thanked all that have offered their support during this time.

Ward 2 – Jerel Poor - Thanked the Mayor for all he has done.

Ward 3 – Joyce Deckman – Also thanked the Mayor for all has done.

Ward 4 – Butch Cooley – Stated is has been a pleasure working with the Mayor and thanked him for all that he has done.

Ward 3 – Phil Amato – Acknowledged the death of former Fox C-6 teacher, Mike Morgan and extended condolences to the family. Thanked the Mayor for everything he has accomplished.

#### **ADMINISTRATIVE REPORTS**

Attorney Sweeney – No report but added it has been a pleasure working with the Mayor.

Matt Unrein – Dittoed the remarks made thanking the Mayor and reported 2 new restaurants are scheduled to open in Water Tower on April 15<sup>th</sup>. Also reported the weather has caused delays with the opening of the Wal-Mart Super Center and it is now expected to open in mid-October.

Diane Waller – Echoed the remarks made thanking the Mayor and reported her office is now accepting Senior Utility Rebates during the month of April. She had provided the media information but the Leader printed some incorrect information. She added applications are available on line and in the lobby of City Hall.

Susie Boone – Thanked the Mayor

Mary Holden - Thanked Mayor Powell and announced the city has issued a demo permit for the Stuart Building.

Jeff Blue – No Report

Deborah Lewis – No report

Susie Boone – Thanked the Mayor and extended an invitation for all to see the upcoming adult Easter Egg Hunt Saturday night.

Greg Hall - Echoed the remarks thanking the Mayor and added he has enjoyed working with him the past 6 years. Reported the condemnation was granted for the Ozark Bridge.

Paul Freeze – Dittoed the remarks thanking the Mayor.

Chief Shockey – Also thanked the Mayor and expressed his appreciation shown for the support the Mayor has shown to his staff.

A motion to adjourn was offered by Jerel Poor. Seconded by Butch Cooley. Voice vote: all yeas, meeting adjourned at 8:22 pm.

Respectfully submitted,

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City Clerk