

# City of Arnold, Missouri

Council Meeting  
Council Chambers

April 21, 2011  
7:00 p.m.

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## Amended Agenda

1. Pledge of Allegiance:
2. Opening Prayer: Oasis Church – Mike Costello
3. Roll Call
4. Acceptance Of Minutes: **April 7, 2011**
5. Acceptance Of Warrants: **Payroll Warrant #1105 - General Warrant #5545**
- 5.5 Organization of the Council
  - A. Election of Mayor Pro-Tem.
  - B. Appointment of Committee/Board Assignments.
6. Business From the Floor
7. Ordinances:
  - A. **Bill No. 2463:** An Ordinance Amending Chapter 13, Article II, Section 13-20(b)24-4 of the Code of Ordinances, pertaining to Police Procedures.
  - B. **Bill No. 2464:** An Ordinance Amending Section 23-23.9 of the Code of Ordinances known as “Schedule I. Electric Traffic-Control Signals” Relating to Electronically Operated Traffic Signals.
8. Resolutions:
  - A. **Resolution 11-10:** A Resolution Authorizing the Mayor to Enter into a Two-Year Contract with the Jefferson County Community Partnership (JCCP) for Reimbursement for the Jeffco Express Bus Route.
  - B. **Resolution 11-11:** A Resolution Reappointing Diane C. Waller as City Clerk.
  - C. **Resolution 11-12:** A Resolution Granting an Easement to Public Water Supply District #1.
  - D. **Resolution 11-13:** A Resolution Establishing a Policy Authorizing the Tourism Commission to Partner with Certain Charitable Organizations.
9. Motion:
  - A. A Motion Awarding a Contract for Carnival Rides, Games and Food for the 2011 Arnold Days Festival.

B. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation and Real Estate Pursuant to RSMo Section 610.021 (1), (2).

10. New Business:

11. Old Business:

12. Committee Reports:

13. Reports from Mayor and Council:

14. Administrative Reports:

A. 2011-03/04, Conditional Use Permit for Fast Food Restaurant, Lot 6 of The Arnold Crossroads (Abuts Hwy 141), Planning Commission Recommendation for Approval.

15. Adjournment

**Next Regular Council Meeting May 5, 2011 at 7:00 p.m.  
Next Work Session Meeting May 12, 2011 at 7:00 p.m.**

April 18, 2011  
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Mayor Ron Counts called the meeting to order at 7: 08 pm.

The Pledge of Allegiance was recited.

Mr. Mike Costello from Oasis Church offered the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Counts, Borgelt, Lang, Moritz, Edwards, Amato, Freese, Kownacki, Moss, Unrein, Waller, Holden, Lewis, Sweeney, Boone, Shockey, Baker, Kroupa and Hall.

**ACCEPTANCE OF THE MINUTES:**

Bill Moritz moved to **accept the minutes of the April 07, 2011 meeting** if there were no deletions, errors or corrections. Jim Edwards seconded the motion. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Motion carried.**

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read **Payroll warrant #1105**. Paul Freese moved to **pay payroll warrant #1105 in the amount of \$237,741.97** if the monies are available. Seconded by Ken Moss. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Motion carried.**

City Clerk Diane Waller read **general warrant #5545**. Jim Edwards moved to **pay general warrant #5545 in the amount of \$287,625.81** if the monies are available. Seconded by Cricky Lang. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss; yes; 8 yeas, **Motion carried.**

**ORGANIZATION OF THE COUNCIL**

Mayor Counts asked for a nomination for Mayor pro tem. He indicated Mr. Amato

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yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Motion carried.**

A roll call vote was then taken to nominate Phil Amato as Mayor pro-tem: Borgelt, no; Lang, no; Moritz, no; Edwards, no; Amato, abstain – He was advised he needed to vote so he changed his vote to yes; Freese, yes; Kownacki, no; Moss, yes; 5 yeas, 3 yeas. Nomination failed.

A roll call vote was then taken to select Bill Moritz as Mayor pro-tem: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, no; Kownacki, yes; Moss, yes; 7 yeas, 1 nay. Nomination passed.

Mayor announced his suggested appointments and committee assignments for the upcoming year and asked for a motion to accept. Bill Moritz offered **a motion to accept the appointments** and so moved. Seconded by Cricky Lang if the misspelling of her name is corrected.

Bill Moritz made a motion to close nominations and Jim Edwards seconded this.

There are now two motions on the floor so Mr. Edwards and Mr. Moritz withdrew their motion.

Brief discussion. Original motion offered by Bill Moritz was amended to now reflect accept the appointments offered by mayor and accept the appointments by acclamation. Second was amended also.

#### BUSINESS FROM THE FLOOR

The Mayor explained how anyone could speak for up to 3 minutes on any matter of city business after first identifying themselves and stating their address. He also reiterated the necessity of using the speaker cards.

**Mrs. Kate Hegger**, 1645 Trinity Circle, presented a document and asked it to be included in the record (attached). She expressed concerns about meth making labs at the Value Place hotel.

Chief Shockey responded to this by adding the police have found paraphernalia to make meth but not an active meth lab.

**Mrs. Bernie Wilde**, 3533 Swan Circle South, informed council of the need for city assistance at the old cemetery on Richardson Road - a mirror would help with safe access in and out. Also commented about signs missing from St. John's Church and wants them returned.

**Mr. Doug Draper**, 3231 Burning Tree, Festus, Mo, owner of Jaguar Trails of Arnold wanted city to review his water and sewer bills as he feels his vacancy and occupancy do not meet with the fees that he is being charged.

**Mrs. Candice Throm**, 80 Hickory Bluff Lane, voiced her opinion that Value Place needs to be shut down and reported our police can be used elsewhere explaining other vandalism in the city. Chief advised her that Value Place is paying for off duty officers.

**Mrs. Michelle Hohmeier**, 3569 Swan Circle South, directed comments at the seating arrangements and advised council members they need to work for the people and work together, try to get along.

**Mr. Bob Boyer**, Jefferson County Council, congratulated all and told them to work together. Announced he was having a Town Hall Forum at Simpson Elementary School on Wednesday, May 4 from 7 to 9 and invited everyone to attend.

#### ORDINANCES

**BILL NO. 2463 AN ORDINANCE AMENDING CHAPTER 13, ARTICLE II SECTION 13-20(b) 24-4 OF THE CODE OF ORDINANCES** was read twice by City Clerk Diane Waller. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Ordinance passed.**

**BILL NO. 2464 AN ORDINANCE AMENDING SECTION 23-23.9 OF THE CODE OF ORDINANCES KNOWN AS 'SCHEDULE I. ELECTRIC TRAFFIC-CONTROL SIGNALS' RELATING TO ELECTRONICALLY OPERATED TRAFFIC SIGNALS** was read twice by City Clerk Diane Waller. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Ordinance passed.**

#### RESOLUTIONS

**RESOLUTION 11-10 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A TWO-YEAR CONTRACT WITH THE JEFFERSON COUNTY COMMUNITY PARTNERSHIP (JCCP) FOR REIMBURSEMENT OF THE JEFFCO EXPRESS BUS ROUTE** was offered by Bill Moritz and he so moved. Seconded by Jim Edwards. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Resolution passed.**

**RESOLUTION NO. 11-11 A RESOLUTION REAPPOINTING DIANE C. WALLER AS CITY CLERK** was offered by Jim Edwards and he so moved. Seconded by Bill Moritz. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Resolution passed.**

**RESOLUTION NO. 11-12 A RESOLUTION GRANTING EASEMENTS TO PUBLIC WATER SUPPLY DISTRICT NO. 1** was offered by Paul Freese and he so moved. Seconded by Bill Moritz. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Resolution passed.**

**RESOLUTION NO. 11-13 A RESOLUTION ESTABLISHING A POLICY AUTHORIZING THE TOURISM COMMISSION TO PARTNER WITH CERTAIN CHARITBLE ORGANIZATIONS** was offered by Jim Edwards and he so moved. Seconded by Cricky Lang. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **Resolution passed.**

## **MOTIONS**

A motion awarding a contract for carnival rides, games, and food for the 2011 Arnold days festival was discussed.

A motion **to waive normal bid procedures and award contract to Premier as the best and most qualified for the 2011 Arnold Days festival** was offered by Paul Freese and he so moved. Seconded by Cricky Lang. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas **motion carried.**

Since there were new council members, Attorney Sweeney reiterated the purpose of closed sessions and the importance of confidentiality.

A motion **to hold a closed session immediately following the city council meeting for the purpose of discussing litigation and real estate** pursuant to RSMO Section 610.021 (1), (2) was offered by Ken Moss. Seconded by Bill Moritz. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes; 8 yeas, **motion carried.**

Matt Unrein referred to the conditional use permit that was on agenda, adding the applicants are in the audience and he apologized for not addressing this earlier in the meeting. He asked if this could be discussed at this point rather than waiting until later in the meeting. Doris Borgelt offered a motion and so moved **to amend agenda to now discuss item 14-A CUP 2011-00304.** Seconded by Cricky Lang. Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, yes; Freese, yes; Kownacki, yes; Moss, yes, 8 yeas, **motion carried.**

Mary Holden spoke briefly about the application, providing background and identifying the new business as Panda Express. Mr. Unrein explained how the application stands approved unless council takes action against it tonight and a motion would be needed to do that. No action was taken so it stands approved.

## **NEW BUSINESS**

Ken Moss referred to a comment made previously by Ms. Hohmeier regarding the seating arrangement as assigned by the Mayor. The Mayor responded he is willing to change

the seating at the next meeting so those representing their wards can be seated next to each other.

Mr. Moss also asked about the St. Louis County Mechanical Code and would like that review it with the City of Arnold's at a work session. Mr. Unrein advised staff could review this and get back to council and then have a work session.

Doris Borgelt thanked the voters of Ward 1 and said she looks forward to working with everyone.

Phil Amato recognized that 3 county council members had been in the audience. Mr. Boyer was still present and another Mr. Charles Groetke of District 4 introduced himself.

### **OLD BUSINESS**

None

### **COMMITTEE REPORTS**

Ken Moss shared his experience with the Adult Easter Egg Hunt and how it was better and bigger than previous year. He complimented all involved and shared how many in the age group of 21-60 had been at the hunt and also patronized our businesses after the event.

Paul Freese added we might want to look at future concerts that would appeal to this age group.

Dan Kroupa stated he and Mr. Bish had gone to the EDC meeting and were meeting with the new director, Pat Lamping. Mary Holden will join them and they hope to establish a good rapport.

Bill Moritz thanked all the local businesses that had sponsored the egg hunt.

### **REPORTS FROM MAYOR & COUNCIL**

**Mayor Counts** – Mayor welcomed the new additions to the council.

**Ward 4 – Sandra Kownacki** - No Report.

**Ward 4 – Ken Moss** - Congratulated the 3 new council members and welcomed Bill Moritz back as a council member.

**Ward 1 – Doris Borgelt** – No Report.

**Ward 3 – Paul Freese – No Report**

**Ward 2 – Bill Moritz -** Congratulated the newly elected, thanked the residents of Ward 2 and others that had helped him. He shared how he had prevailed over Jim Edwards a few years ago; they have had their differences, but now work well together for the best interest of the city. Also thanked those who have cleaned up the Richardson Cemetery. He expressed appreciation to the Boy Scouts who were involved in the flagpole dedication for Andy Darnell of Troop 419 at Pomme Creek golf course.

**Ward 2 – Jim Edwards –** Welcomed the newly elected and wished them the best.

**Ward 1 – Cricky Lang –** Announced a bike shop was coming to Arnold and thanked Dan Bish for his efforts.

**Ward 3 – Phil Amato –** Thanked the voters in ward 3.

#### **ADMINISTRATIVE REPORTS**

**City Administrator Matt Unrein –** Welcomed the newly elected.

**City Clerk Diane Waller –** Explained the ordinance passed earlier this month authorizing the billing of the Ozark NID and she now has been asked by one participant to use the benefit offered in Resolution No.04-21. This would allow him 20 years to pay instead of the normal 10. She reported she had discussed this with city attorney and he advised taking this to council for their direction. Attorney elaborated on this and discussion followed.

Bill Moritz offered a **motion to authorize this one participant to extend his payment to 20 years** and he so moved. Seconded by Cricky Lang. It was clarified if any others wanted this option, this would have to come before council again. Attorney indicated the Resolution would need to be changed to allow it to be done differently.

Roll call vote: Borgelt, yes; Lang, yes; Moritz, yes; Edwards, yes; Amato, abstain (stating he felt he had a conflict of interest) Attorney advised him to vote as his business relationship with someone in the NID was not a conflict of interest. Amato no; Freese, yes; Kownacki, yes; Moss, yes, 7 yeas, 1 nay **motion carried.**

**Chief Shockey -** No Report.

**Susie Boone –** Announced the Meramec River is rising and reported on the success of the Adult Easter Egg Hunt.

**Mary Holden –** Reminded all of the June 8<sup>th</sup> Open House for the Comprehensive plan.

**Bryson Baker –** No Report.



**Bob Sweeney** – Reported Armstrong Teasdale approached him and Jerel Poor had approached Matt Unrein regarding a potential conflict of interest. Mr. Poor would like to use Armstrong Teasdale for a case in which he is involved – separate from the case for which the city is using the firm. Mr. Sweeney needs authorization from council to waive any conflict of interest. The firm would be using different personnel for the separate cases.

Cricky Lang offered a **motion to allow this action** and she so moved. Seconded by Ken Moss. Roll call vote: Borgelt, yes; Lang, yes; Moritz, no; Edwards; no; Amato, no; Freese, no; Kownacki, yes; Moss, yes; 4 yeas, 4 nays, **tie vote** Mayor **indicates he has no problem with this and breaks the tie.**

**Deborah Lewis** – Offered some reading material on GASB 54 to those on the Finance Committee.

**Greg Hall** - Reported on the Aging and Disability Meeting and they have received more donations for the Beacon Program. The program is doing well.

At 8:22 pm Mayor announced a 10-minute recess before entering closed session.

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Came out of close session at 9:27 and a motion to close meeting was offered by Jim Edwards and seconded by Bill Moritz.

Voice Vote: all yeas.

Meeting ended at 9:27 pm

  
Diane Waller, City Clerk

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 4/21/2011

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BILL NO - RESOLUTION - MOTION

	ROLL CALL	ACCEPT 4/7/11 MINUTES	ACCEPT PAYROLL WARRANT #1105	ACCEPT GENERAL WARRANT #5544	MOTION TO CLOSE NOMINATIONS FOR MAYOR PRO-TEM	VOTE FOR AMATO PRO- TEM
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR:</b> RON COUNTS	PRESENT					
<b>COUNCIL:</b> DORIS BORGELT	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> CRICKY LANG	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> BILL MORITZ	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> JIM EDWARDS	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> PHIL AMATO	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> PAUL FREESE	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> SANDRA KOWNACKI	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> KEN MOSS	PRESENT	YES	YES	YES	YES	YES
<b>ADMINISTRATOR:</b> MATT UNREIN	PRESENT	<b>PARKS DIR:</b> SUSIE BOONE		PRESENT		
<b>CITY CLERK:</b> DIANE WALLER	PRESENT	<b>POLICE CHIEF:</b> ROBERT SHOCKEY		PRESENT		
<b>COM DEV DIR:</b> MARY HOLDEN	PRESENT	<b>PUBLIC WORKS:</b> BRYSON BAKER		PRESENT		
<b>FINANCE DIR:</b> DEBORAH LEWIS	PRESENT	<b>TREASURER:</b> DAN KROUPA		PRESENT		
<b>CITY COUNSELOR:</b> BOB SWEENEY	PRESENT	<b>DIR. OF ADMIN.:</b> GREG HALL		PRESENT		

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING: REGULAR**

**DATE: 4/21/2011**

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**BILL NO - RESOLUTION - MOTION**

	VOTE FOR MORITZ PRO-TEM	ACCEPT ORDINANCE NO. 2463	ACCEPT BILL NO. 2464	ACCEPT RESOLUTION NO. 11- 10	ACCEPT RESOLUTION NO. 11-11	ACCEPT RESOLUTION NO. 11-12
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR: <u>RON COUNTS</u></b>						
<b>COUNCIL: <u>DORIS BORGELT</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>CRICKY LANG</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>BILL MORITZ</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>JIM EDWARDS</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>PHIL AMATO</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>PAUL FREESE</u></b>	NO	YES	YES	YES	YES	YES
<b>COUNCIL: <u>SANDRA KOWNACKI</u></b>	YES	YES	YES	YES	YES	YES
<b>COUNCIL: <u>KEN MOSS</u></b>	YES	YES	YES	YES	YES	YES
<b>ADMINISTRATOR: MATT UNREIN</b>						
<b>CITY CLERK: DIANE WALLER</b>						
<b>COM DEV DIR: MARY HOLDEN</b>						
<b>FINANCE DIR: DEBORAH LEWIS</b>						
<b>CITY COUNSELOR BOB SWEENEY</b>						
		<b>PARKS DIR:</b>		<b>SUSIE BOONE</b>		
		<b>POLICE CHIEF:</b>		<b>CHIEF SHOCKEY</b>		
		<b>PUBLIC WORKS:</b>		<b>BRYSON BAKER</b>		
		<b>TREASURER:</b>		<b>DAN KROUPA</b>		
		<b>DIR. OF ADMIN.</b>		<b>GREG HALL</b>		

**CITY OF ARNOLD, MISSOURI**

**MEETING:** REGULAR

**DATE:** 4/21/2011

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**BILL NO - RESOLUTION - MOTION**

	ACCEPT RESOLUTION NO. 11-13	MOTION TO WAIVE NORMAL BID PROCEDURES AND AWARD BID TO PREMIER FOR ARNOLD DAYS	MOTION TO HOLD CLOSED SESSION	MOTION TO AMEND AGENDA TO NOW DISCUSS ITEM 14-A CUP 2011-00304	MOTION TO AUTORIZE ONE PARTICIPANT TO EXTEND NID PAYMENT	MOTION TO AUTHORIZE SWEENEY TO WAIVE CONFLICT OF INTEREST WITH ARMSTRONG TEASDALE
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR:</b> RON COUNTS						
<b>COUNCIL:</b> DORIS BORGELT	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> CRICKY LANG	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> BILL MORITZ	YES	YES	YES	YES	YES	NO
<b>COUNCIL:</b> JIM EDWARDS	YES	YES	YES	YES	YES	NO
<b>COUNCIL:</b> PHIL AMATO	YES	YES	YES	YES	NO	NO
<b>COUNCIL:</b> PAUL FREESE	YES	YES	YES	YES	YES	NO
<b>COUNCIL:</b> SANDRA KOWNACKI	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> KEN MOSS	YES	YES	YES	YES	YES	YES
<b>ADMINISTRATOR:</b> MATT UNREIN						
<b>CITY CLERK:</b> DIANE WALLER						
<b>COM DEV DIR:</b> MARY HOLDEN						
<b>FINANCE DIR:</b> DEBORAH LEWIS						
<b>CITY COUNSELOR:</b> BOB SWEENEY						
		<b>PARKS DIR:</b> SUSIE BOONE				
		<b>POLICE CHIEF:</b> CHIEF SHOCKEY				
		<b>PUBLIC WORKS:</b> BRYSON BAKER				
		<b>TREASURER:</b> DAN KROUPA				
		<b>DIR. OF ADMIN.</b> GREG HALL				

# *Missouri Revised Statutes*

## **Chapter 441 Landlord and Tenant Section 441.236** August 28, 2008

### **Disclosures required for transfer of property where methamphetamine production occurred.**

441.236. In the event that any premises to be rented, leased, sold, transferred or conveyed is or was used as a site for methamphetamine production, the owner, seller, landlord or other transferor shall disclose in writing to the prospective lessee, purchaser or transferee the fact that methamphetamine was produced on the premises, provided that the owner, seller, landlord or other transferor has knowledge of such prior methamphetamine production. The owner shall disclose any prior knowledge of methamphetamine production, regardless of whether the persons involved in the production were convicted for such production.

(L. 2001 H.B. 471)

\*This section was enacted by both H.B. 471 and S.B. 89 & 37 during the 1st Regular Session of the Ninety-first General Assembly, 2001. Due to possible conflict, both versions are printed here.

### **Methamphetamine production, landlord to disclose to tenant such production and certain criminal convictions.**

441.236. 1. In the event that any premises to be leased by a landlord is or was used as a site for methamphetamine production, the landlord shall disclose in writing to the tenant the fact that methamphetamine was produced on the premises, provided that the landlord had knowledge of such prior methamphetamine production. The landlord shall disclose any prior knowledge of methamphetamine production, regardless of whether the persons involved in the production were convicted for such production.

2. A landlord shall disclose in writing the fact that any premises to be leased by the landlord either was the place of residence of a person convicted of any of the following crimes, or was the storage site or laboratory for any of the substances for which a person was convicted of any of the following crimes, provided that the landlord knew or should have known of such convictions:

- (1) Creation of a controlled substance in violation of section 195.420, RSMo;
- (2) Possession of ephedrine with intent to manufacture methamphetamine in violation of section 195.246, RSMo;

*Include  
for the record  
per Ms. Heggen*

*Rec'd  
during meeting  
of 4-21-11*

(3) Unlawful use of drug paraphernalia with the intent to manufacture methamphetamine in violation of subsection 2 of section 195.233, RSMo;

(4) Endangering the welfare of a child by any of the means described in subdivision (4) or (5) of subsection 1 of section 568.045, RSMo; or

(5) Any other crime related to methamphetamine, its salts, optical isomers and salts of its optical isomers either in chapter 195, RSMo, or in any other provision of law.

(L. 2001 S.B. 89 & 37)

\*This section was enacted by both H.B. 471 and S.B. 89 & 37 during the 1st Regular Session of the Ninety-first General Assembly, 2001. Due to possible conflict, both versions are printed here.

## *Missouri Revised Statutes*

### **Chapter 442 Titles and Conveyance of Real Estate Section**

**442.606** August 28, 2008

#### **Methamphetamine production, seller of property to disclose to buyer such production and certain criminal convictions.**

442.606. 1. In the event that any parcel of real property to be sold, exchanged or transferred is or was used as a site for methamphetamine production, the seller or transferor shall disclose in writing to the buyer or transferee the fact that methamphetamine was produced on the premises, provided that the seller or transferor had knowledge of such prior methamphetamine production. The seller or transferor shall disclose any prior knowledge of methamphetamine production, regardless of whether the persons involved in the production were convicted for such production.

2. A seller or transferor of any parcel of real property shall disclose in writing the fact that any premises to be sold or transferred either was the place of residence of a person convicted of any of the following crimes, or was the storage site or laboratory for any of the substances for which a person was convicted of any of the following crimes, provided that the seller or transferor knew or should have known of such convictions:

(1) Creation of a controlled substance in violation of section 195.420, RSMo;

(2) Possession of ephedrine with intent to manufacture methamphetamine in violation of section 195.246, RSMo;

(3) Unlawful use of drug paraphernalia with the intent to manufacture methamphetamine in violation of subsection 2 of section 195.233, RSMo;

(4) Endangering the welfare of a child by any of the means described in subdivision (4) or (5) of subsection 1 of section 568.045, RSMo; or

(5) Any other crime related to methamphetamine, its salts, optical isomers and salts of its optical isomers either in chapter 195, RSMo, or in any other provision of law.

(L. 2001 S.B. 89 & 37)

## *Missouri Revised Statutes*

### **Chapter 640 Department of Natural Resources Section**

**640.040** August 28, 2008

#### **Cleanup of controlled substance laboratories--rules--fund.**

640.040. 1. The department of natural resources may provide the resources and personnel to assist in the cleanup and disposal of the hazardous substances including, but not limited to chemicals intended for use in or resulting from the manufacture or production of controlled substances.

2. The department of natural resources may recover the costs of such cleanup and disposal from the parties responsible for the manufacture or production of controlled substances.

3. The department of natural resources may adopt such rules as are necessary for the implementation and operation of this section.

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

5. There is hereby created in the state treasury the "Controlled Substances Cleanup Fund", which shall contain any funds designated for controlled substances cleanup, including, but not limited to, funds derived from private gifts and grants as well as federal and state grants, payments and appropriations. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the fund shall not lapse. Interest received on such deposits shall be credited to the controlled substances cleanup fund.

# MAYORAL COMMITTEE APPOINTMENTS

Planning Commission – Jim Edwards

Parks and Leisure Service Board—Bill Moritz and Cricky Lang

Police Pension Review Board – Ken Moss

Jefferson County EDC – Matt Unrein

Jefferson County Municipal League – Matt Unrein

Tourism Commission – Phil Amato

Commission on Aging & Disabilities—Sandra Kownacki

Chamber of Commerce – Ken Moss

Liquor Committee – Bill Moritz, Jim Edwards, Sandra Kownacki

Finance/Budget Committee - Paul Freese, Ken Moss, Dan Kroupa, Ron Counts, Matt Unrein, Debbie Lewis, John Brazeal, Chief Robert Shockey Phil Amato, and Doris Borgelt

Sewer Rate Review Committee—Bill Moritz, Dan Kroupa, Ron Counts, Debbie Lewis, Matt Unrein, John Brazeal, and Phil Amato

Economic Development Committee—Ken Moss, Dan Kroupa, Ron Counts, Mary Holden, Matt Unrein, Vern Sullivan, Tom Dixon, Sue Fribis and Doris Borgelt