

City of Arnold, Missouri

Public Hearing
Council Chamber

April 6, 2017
7:00 p.m.

A. NOTE: The Public Hearing is to Address Modifications to the Following Codes: Building Code, Residential Code, Mechanical Code, Electrical Code, Plumbing Code, Property Maintenance Code, and the Fuel Code.

City Council

Immediately Following the Public Hearing

Agenda

1. Pledge of Allegiance:
2. Opening Prayer: Oasis Church – Pastor Pat Krepps
3. Roll Call
4. Business from the Floor:
5. Consent Agenda
 - A. Minutes from **March 2, 2017.**
Minutes from **Special Meeting March 9, 2017.**
 - B. Payroll Warrant **#1259 in the Amount of \$261,078.58**
Payroll Warrant **#1260 In the Amount of \$253,864.55**
Payroll Warrant **#1261 in the Amount of \$264,642.08**
 - C. General Warrant **#5686 in the Amount of \$795,339.62**
General Warrant **#5687 in the Amount of \$967,930.76**
6. Ordinances:
 - A. **Bill No. 2659:** An Ordinance Amending Chapter 500, Section 500.020 of the Code of Ordinance Amending the Building Code, the Residential Code and the Property Maintenance Code.
 - B. **Bill No. 2660:** An Ordinance Amending Chapter 503, Section 503.010 and Section 503.030 of the Code of Ordinance Amending the Plumbing Code.
 - C. **Bill No. 2661:** An Ordinance Amending Chapter 505, Section 505.010 and Section 505.030 of the Code of Ordinances Amending the Plumbing Code.

- D. **Bill No. 2662:** An Ordinance Amending Chapter 510, and Section 510.010 and Section 510.020 of the Code of Ordinances Amending the Mechanical Code.
- E. **Bill No. 2663:** An Ordinance Establishing Chapter 512 of the Code of Ordinances Creating a Fuel Gas Code.

7. Resolutions:

- A. **Resolution No. 17-09:** A Resolution Authorizing the Release of an Easement.
- B. **Resolution No. 17-10:** A Resolution Authorizing the Mayor to Enter into A Contract with Spencer Contracting to Provide Construction Services for Tenbrook Sidewalks (Project SRTS-INF-H32F(105)).
- C. **Resolution No. 17-11:** A Resolution Appointing Trisha McCutchen to the Historic Preservation Commission.
- D. **Resolution No. 17-12:** A Resolution Authorizing the Mayor to Enter into a Contract with TraMar Contracting, Inc. to Provide Street Striping Services for Section of Old Lemay Ferry Road for the City of Arnold, MO.
- E. **Resolution No. 17-13:** A Resolution Authorizing the Mayor to Enter into An Agreement with Action Landscaping for Code Enforcement Grass Cutting Services for 2017-2018 Season.
- F. **Resolution No. 17-14:** A Resolution Authorizing the Mayor to Enter into a Contract with Peters-Eichler Mechanical Inc. to Provide an HVAC System for the Arnold Recreation Center.

8. Motion

- A. 2017-01, Conditional Use Permit for S & J Snow Cone Stand at Tenbrook Plaza 776 Jeffco Blvd. (Corner of Jeffco and Tenbrook).
- B. 2014-37 Extension for C-4 Development Plan, Five Star Auto Body Parcel- West Outer Road.
- C. 2017-02, Conditional Use Permit for a Shaved Ice Stand at 1857 Jeffco Blvd
- D. A Motion to Approve the Destruction of the Attached List of Files.

9. Reports from Mayor, Council, and Committees:

10. Administrative Reports

11. Adjournment

**Next Regular City Council Meeting April 20, 2017 7:00 p.m.
Next Work Session April 13, 2017 at 7:00 p.m.**

April 6, 2017
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Mayor Ron Counts called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited.

Sonya Stevenson from Church in Action offered the opening prayer.

Mayor Counts requested a moment of silence in honor of councilman EJ Fleischmann's grandfather, John Fleischmann, who recently passed away.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Owens, Cooley, Amato, McArthur (excused), Plunk, Sullivan, Fulbright, Fleischmann (excused), Richison, Holden, Sweeney, Boone, Blattner, Kroupa (arrived at 7:33 p.m.) and Chief Shockey.

SPECIAL PRESENTATIONS

MISSOURI AMERICAN WATER

Tim Ganz and Mark Radecky from Missouri American Water updated council on the work that is being done in the city regarding updates to the sewer lines. Work has begun upsizing the sewer pipes on Keywest and they will be moving north from there. The goal is to alleviate backups and overflow issues in that area. They are replacing 12" pipe with 15" pipe, which will significantly increase the flow rate. American Water has also completed approximately 2 miles of pipe lining in the Bayshore and Maxville areas. Mayor Counts reminded everyone that one of the conditions of sale for the sewer system was that American Water invests \$5 million in improvements over the next few years.

HOCHSCHILD, BLOOM & COMPANY LLP

Tammy Alsop from Hochschild, Bloom and Company spoke to council concerning the 2016 fiscal year-end audit results. Ms. Alsop reminded council that the city has received the GFOA award for 27 years. Once again the city has received an unmodified opinion on the audit, which is the highest opinion a city can receive. Bryan Richison stated that last year the city had a very good fiscal year. Revenue came in higher than budgeted and all departments did an excellent job maintaining and managing their budget. The Rec Center also had an excellent year. Mr. Richison reminded council that when he started in 2013 the total city debt was \$79 million. That debt is now down to \$44 million. Mayor Counts thanked Mr. Richison and staff for all their hard work. Mr. Amato stated that the Rec Center should be considered a "quality of life" facility, not necessarily a big source of revenue. The fact that the Rec Center did well last year shows that Susie Boone and her staff have done an excellent job.

BUSINESS FROM THE FLOOR

Sara Riley – 3109 Rosedale – Thanked council for the street repair work that is being done. Ms. Riley informed council that the Rosedale Subdivision has submitted their Cooley-Fulbright City Beautification Grant application. Ms. Riley is a new trustee for Rosedale Subdivision and she stated that she looks forward to working with the city.

Ray Schmidt – 2110 Cromwell Court – Informed council that the Defense Mapping Agency on Vogel has installed generators on their roof and the sound emitted from them reaches 70 decibels or higher. He would like to have some sort of noise reduction procedure put in place. Bryan Richison stated that he will contact Defense Mapping, but they are a federal agency and we may not have much jurisdiction over them.

CONSENT AGENDA

- A. MINUTES FROM THE FEBRUARY 16, 2017 MEETING**
- B. PAYROLL WARRANT NO. 1258 IN THE AMOUNT OF \$254,649.68**
- C. GENERAL WARRANT NO. 5685 IN THE AMOUNT OF \$329,507.65**

Butch Cooley made a motion and so moved to approve the consent agenda.

Seconded by Jason Fulbright. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Consent agenda approved.**

ORDINANCES

BILL NO. 2657 – AN ORDINANCE AMENDING CHAPTER 100, ARTICLE II, SECTION 100.140 OF THE CODE OF ORDINANCES AMENDING THE GENERAL PENALTY was read twice by City Clerk Tammi Casey. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Ordinance passed.**

BILL NO. 2658 – AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF ARNOLD, COUNTY OF JEFFERSON, STATE OF MO; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE was read twice by City Clerk Tammi Casey. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Ordinance passed.**

RESOLUTIONS

RESOLUTION NO. 17-06 – A RESOLUTION AUTHORIZING THE PURCHASE OF A PORTABLE SALT CONVEYOR FOR THE CITY OF ARNOLD

Butch Cooley made a motion and so moved to approve Resolution No. 17-06. Seconded by Phil Amato. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Resolution approved.**

RESOLUTION NO. 17-07 – A RESOLUTION AUTHORIZING THE PURCHASE OF MOSQUITO CHEMICALS FOR THE CITY OF ARNOLD

Jason Fulbright made a motion and so moved to approve Resolution No. 17-07. Seconded by Vern Sullivan. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Resolution approved.**

MOTIONS

- A. A MOTION TO APPROVE THE FIREWORKS DISPLAY FOR THE ANNUAL BLOCK PARTY TO BE HELD ON MAY 12, 2017 AT THE ST. JOHN'S LUTHERAN CHURCH, 3517 JEFFCO BLVD.**

Phil Amato made a motion and so moved to approve the fireworks display for St. John's Lutheran Church. Seconded by David Owens. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Motion carried.**

**B. A MOTION TO HOLD A CLOSED SESSION IMMEDIATELY
FOLLOWING THE CITY COUNCIL MEETING FOR THE PURPOSE OF
DISCUSSING REAL ESTATE PURSUANT TO RSMo SECTION
610.002(2)**

Butch Cooley made a motion and so moved to approve holding a closed session after the council meeting. Seconded by Jason Fulbright. Roll call vote: Owens, yes; Cooley, yes; Amato, yes; McArthur (excused), Plunk, yes; Sullivan, yes; Fulbright, yes; Fleischmann (excused); 6 Yeas: **Motion carried.**

REPORTS FROM MAYOR, COUNCIL AND COMMITTEES

Mayor Counts – Encouraged everyone to attend the Rotary Pancake Breakfast being held this Saturday at First Baptist Church of Arnold from 7:00 a.m. to 12:00 p.m.

Vern Sullivan – Ward 3 – Stated that work has begun at Arnold Tenbrook and Jeffco and it is going well.

Phil Amato – Ward 3 – Stated the Veterans Park project has been discussed for the past few years. He would like the city to work with the committee regarding the land that was sold to them to get the project moving forward.

ADMINISTRATIVE REPORTS


Bryan Richison – Informed council that he initially interviewed 16 candidates for the Parks and Recreation Director position. He brought back 5 for a second interview with a panel consisting of himself, Mayor Counts, Gary Plunk and Dan Kroupa.

Mayor Counts announced a ten minute recess before going into Closed Session.

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Closed Session ended at 8:37 p.m.

A motion to adjourn the meeting was made by Butch Cooley. Seconded by Vern Sullivan. Voice vote: All yeas.

Meeting adjourned at 8:37 p.m.



City Clerk Tammi Casey, MRCC

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 3/2/2017

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BILL NO - RESOLUTION - MOTION

		ROLL CALL	CONSENT AGENDA	BILL NO. 2657	BILL NO. 2658	RESOLUTION NO. 17-06	RESOLUTION NO. 17-07
COUNCIL MEMBERS:							
MAYOR	<u>RON COUNTS</u>	PRESENT					
COUNCIL:	<u>DAVID OWENS</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>BUTCH COOLEY</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>PHIL AMATO</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>BRIAN MCARTHUR</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
COUNCIL:	<u>GARY PLUNK</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>VERN SULLIVAN</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>JASON FULBRIGHT</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	<u>EJ FLEISCHMANN</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
CITY ADMINISTRATOR	BRYAN RICHISON	PRESENT	PARKS DIR:		SUSIE BOONE		PRESENT
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:		ED BLATTNER		PRESENT
COM DEV	MARY HOLDEN	PRESENT	TREASURER:		DAN KROUPA		PRESENT
CITY ATTORNEY	BOB SWEENEY	PRESENT	POLICE DEPT.		CHIEF SHOCKEY		PRESENT

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 3/2/2017

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BILL NO - RESOLUTION - MOTION

		MOTION TO ALLOW FIREWORKS AT ST. JOHN'S LUTHERAN CHURCH BLOCK PARTY	MOTION TO HOLD CLOSED SESSION				
COUNCIL MEMBERS:							
MAYOR	RON COUNTS						
COUNCIL:	DAVID OWENS	YES	YES				
COUNCIL:	BUTCH COOLEY	YES	YES				
COUNCIL:	PHIL AMATO	YES	YES				
COUNCIL:	BRIAN MCARTHUR	EXCUSED	EXCUSED				
COUNCIL:	GARY PLUNK	YES	YES				
COUNCIL:	VERN SULLIVAN	YES	YES				
COUNCIL:	JASON FULBRIGHT	YES	YES				
COUNCIL:	EJ FLEISCHMANN	EXCUSED	EXCUSED				
CITY ADMINISTRATOR	BRYAN RICHISON			PARKS DIR:	SUSIE BOONE		
CITY CLERK	TAMMI CASEY			PUBLIC WORKS:	ED BLATTNER		
COM DEV	MARY HOLDEN			TREASURER:	DAN KROUPA		
CITY ATTORNEY	BOB SWEENEY			POLICE DEPT.	CHIEF SHOCKEY		

Mayor Ron Counts called the special meeting to order at 7:26 p.m.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Ron Counts, Fleischmann, McArthur, Cooley, Owens (excused) Amato, Fulbright, Sullivan, Plunk, Richison, Holden (excused), Sweeney, Blattner, Kroupa and Chief Shockey.

RESOLUTIONS

RESOLUTION NO. 17-08 – A RESOLUTION APPROVING A COOLEY-FULBRIGHT BEAUTIFICATION PROGRAM GRANT FOR THE ROSEDALE SUBDIVISION

Butch Cooley made a motion and so moved to approve Resolution No. 17-08. Seconded by Jason Fulbright. Roll call vote: Fleischmann, yes; McArthur, yes; Cooley, yes; Owens (excused); Amato, yes; Fulbright, yes; Sullivan, yes; Plunk, yes; 7 Yeas: **Resolution passed.**

MOTION

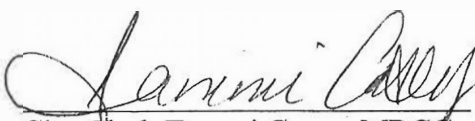
A. A MOTION TO HOLD A CLOSED SESSION IMMEDIATELY FOLLOWING THE SPECIAL MEETING FOR THE PURPOSE OF DISCUSSING PERSONNEL PURSUANT TO RSMo SECTION 610-21 (3)

Butch Cooley made a motion and so moved to hold a closed session immediately following the special meeting. Seconded by Gary Plunk. Roll call vote: Fleischmann, yes; McArthur, yes; Cooley, yes; Owens (excused); Amato, yes; Fulbright, yes; Sullivan, yes; Plunk, yes; 7 Yeas: **Motion carried.**

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Closed session ended at 7:47 p.m.

A motion to adjourn the meeting was made by Vern Sullivan. Seconded by Butch Cooley.

Meeting adjourned at 7:47 p.m.


City Clerk Tammi Casey, MRCC

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: SPECIAL MEETING

DATE: 3/9/2017

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BILL NO - RESOLUTION - MOTION

		ROLL CALL	RESOLUTION NO. 17-08	MOTION TO HOLD CLOSED SESSION			
COUNCIL MEMBERS:							
MAYOR	RON COUNTS	PRESENT					
COUNCIL:	EJ FLEISCHMANN	PRESENT	YES	YES			
COUNCIL:	BRIAN MCARTHUR	PRESENT	YES	YES			
COUNCIL:	BUTCH COOLEY	PRESENT	YES	YES			
COUNCIL:	DAVID OWENS	EXCUSED	EXCUSED	EXCUSED			
COUNCIL:	PHIL AMATO	PRESENT	YES	YES			
COUNCIL:	JASON FULBRIGHT	PRESENT	YES	YES			
COUNCIL:	VERN SULLIVAN	PRESENT	YES	YES			
COUNCIL:	GARY PLUNK	PRESENT	YES	YES			
CITY ADMINISTRATOR	BRYAN RICHISON	PRESENT	PARKS DIR:				
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:	ED BLATTNER			PRESENT
COM DEV	MARY HOLDEN	EXCUSED	TREASURER:	DAN KROUPA			PRESENT
CITY ATTORNEY	BOB SWEENEY	PRESENT	POLICE DEPT.	CHIEF SHOCKEY			PRESENT

Mayor Ron Counts called the meeting to order at 7:00 p.m. Those in attendance as noted by City Clerk Tammi Casey; Mayor Counts, Fleischmann, McArthur, Cooley, Owens (excused), Amato, Fulbright, Sullivan, Plunk, Richison, Holden (excused), Sweeney, Blattner, Kroupa (arrived 7:03 p.m), Chief Shockey.

SOLAR ECLIPSE

Don Ficken from the St. Louis Astronomical Society spoke regarding the upcoming total eclipse which will take place on Monday, August 21, 2017. The last time there was a total solar eclipse in St. Louis was in 1442 and it will not happen in St. Louis again until the year 2505. The moon will be traveling at 1500 miles per hour in which the path of totality will be 70 miles wide and will last for two minutes. Mr. Ficken informed council that there will be a Solar Eclipse Expo on June 17, 2017 at the Greensfelder Recreation Complex in Queeny Park. It will include exhibits, presentations by eclipse experts and children's activities. This event is set up to prepare everyone for this historic event.

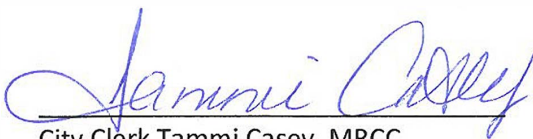
Teresa Kohut and Peggy Allen from Arnold's Parks and Recreation Department presented their departments' ideas to council regarding the event. They are suggesting a festival to be held on August 19th through August 21st. It would include items such as an "eclipse of the sun run", children's crafts, movies, music and inflatables, just to name a few. They would also have eclipse T-shirts and glasses for sale.

Bryan Richison explained to council that the city has also taken into consideration the possibility of an increase in traffic congestion and emergency response calls.

Butch Cooley made a motion and so moved to adjourn the meeting. Seconded by EJ Fleischmann.

Voice vote: All yeas.

Meeting adjourned at 7:23 p.m.


City Clerk Tammi Casey, MRCC

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: WORK SESSION

DATE: 3/9/2017

PAGE: 1

BILL NO - RESOLUTION - MOTION

		IN ATTENDANCE					
COUNCIL MEMBERS:							
MAYOR	<u>RON COUNTS</u>	PRESENT					
COUNCIL:	<u>EJ FLEISCHMANN</u>	PRESENT					
COUNCIL:	<u>BRIAN MCARTHUR</u>	PRESENT					
COUNCIL:	<u>BUTCH COOLEY</u>	PRESENT					
COUNCIL:	<u>DAVID OWENS</u>	EXCUSED					
COUNCIL:	<u>PHIL AMATO</u>	PRESENT					
COUNCIL:	<u>JASON FULBRIGHT</u>	PRESENT					
COUNCIL:	<u>VERN SULLIVAN</u>	PRESENT					
COUNCIL:	<u>GARY PLUNK</u>	PRESENT					
CITY ADMINISTRATOR	<u>BRYAN RICHISON</u>	PRESENT	PARKS DIR:				
CITY CLERK	<u>TAMMI CASEY</u>	PRESENT	PUBLIC WORKS:	<u>ED BLATTNER</u>			PRESENT
COM DEV	<u>MARY HOLDEN</u>	EXCUSED	TREASURER:	<u>DAN KROUPA</u>			ARRIVED 7:03
CITY ATTORNEY	<u>BOB SWEENEY</u>	PRESENT	POLICE DEPT.	<u>CHIEF SHOCKEY</u>			PRESENT

CITY OF ARNOLD, CITY COUNCIL, APRIL 6, 2017 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ADOPTION OF THE 2015 INTERNATIONAL BUILDING, RESIDENTIAL,
PROPERTY MAINTANENCE, PLUMBING, MECHANICAL, FUEL AND GAS,
AND 2014 NATIONAL ELECTRICAL CODE
DATE: MARCH 31, 2017
CC:

Staff is pleased to present five ordinances for the Council consideration and adoption of the 2015 International Building, Residential, Property Maintenance, Plumbing, Mechanical, Fuel and Gas and the 2014 National Electrical Code.

The ninety (90) day review period was advertised at the end of December 2016. Our Building Commissioner along with Staff has worked on the review and drafting of the amendments that take into consideration quite a few of the Home Builders Association suggested changes to the codes.

Please note, the 2015 Fuel and Gas code is a new addition and Staff recommends it's adoption.

AN ORDINANCE AMENDING CHAPTER 500, SECTION 500.020 OF THE CODE OF ORDINANCES AMENDING THE BUILDING CODE, THE RESIDENTIAL CODE AND THE PROPERTY MAINTENANCE CODE.

WHEREAS, the international building code, international residential code and the property maintenance code have been updated in 2015; and

WHEREAS, the staff has reviewed the updates and recommends the adoption of these updates; and

WHEREAS, a public comment period, as required by statute, has been provided;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Chapter 500, Section 500.020 is hereby repealed and replaced with the following:

“A. *International Building Code.* A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Building Code, 2016 Edition" and appendices E, G, H and I as published by the International Code Council is hereby adopted as the Building Code of the City of Arnold, Missouri regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, unless otherwise modified by this Chapter.

1. Notwithstanding provisions of the International Building Code requiring the issuance of certificates of use and occupancy, such certificates shall be termed certificates of compliance.

2. Notwithstanding provisions of the International Building Code to the contrary, procedures for giving notice of unsafe conditions and correction orders shall be as provided in the International Property Maintenance Code 2015, except in the case of declaration of nuisance. Procedures for giving notice of declaration of nuisance shall be as provided in Chapter 515 of this Code.

3. Notwithstanding provisions in the International Building Code to the contrary, the right to appeal orders to correct unsafe conditions shall be as provided in the International Property Maintenance Code 2015, except as provided in Chapter 515 of this Code in the case of dangerous buildings.

4. Amendments to the International Building Code 2015.

a. *Section B105.5* and *B105.6* is amended to read in its entirety as follows:

"Section 105.5 Expiration, extension, revocation of permits shall be administered in accordance with Section 500.060, Article I, Chapter 500, Arnold Code of Ordinances."

b. *Section B108.6 Refunds* is hereby amended to read in its entirety as follows:

"Section 109.6 — Refunds: Shall be administered in accordance with the adopted building department fee schedule."

c. *Section B113.4* is hereby amended to read in its entirety as follows:

"114.4 — Violations Penalties: Shall be governed as prescribed in Section 500.070, Article I, Chapter 500, Arnold Code of Ordinances."

d. *Section B115* is hereby amended to read in its entirety as follows:

"116 — Unsafe Structures and Equipment: Shall be defined and administered in accordance with Chapter 515, Arnold Code of Ordinances."

e. *Section B112.3* is hereby amended to read in its entirety as follows:

"113.3 — The Board of Appeals: Shall consist of members appointed by the Mayor in accordance with Section 500.120, Article I, Chapter 500, of the Arnold Code of Ordinances."

f. *Section B201.4* is hereby amended to read in its entirety as follows:

"201.4 Terms not defined: Where terms are not defined through the methods authorized by this Section, such terms shall have ordinarily accepted meanings such as the context implies or failing that as ascribed in the Webster's Tenth New Collegiate Dictionary, as revised."

g. *Section B3412.2 Applicability* is hereby amended by inserting the date of (October 2, 1972) as the effective date of Building Codes within the City of Arnold, Missouri.

B. *International Residential Code*. A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Residential Code, 2015 Edition" and appendices A, B, C, D, E, G, H, I, J, K, No, O, P, Q, and U as published by the International Code Council is hereby adopted as the Residential Code of the City of Arnold, Missouri regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, unless otherwise modified by this Chapter.

1. Notwithstanding provisions of the International Residential Code requiring the issuance of certificates of use and occupancy, such certificates shall be termed certificates of compliance.

2. Notwithstanding provisions of the International Residential Code to the contrary, procedures for giving notice of unsafe conditions and correction orders shall be as provided in the International Property Maintenance Code 2015, except in the case of declaration of nuisance. Procedures for giving notice of declaration of nuisance shall be as provided in Chapter 515 of this Code.

3. Notwithstanding provisions in the International Residential Code to the contrary, the right to appeal orders to correct unsafe conditions shall be as provided in the International Property Maintenance Code 2015, except as provided in Chapter 515 of this Code in the case of dangerous buildings.

4. Amendments to the International Residential Code 2015:

a. *Section 101.1 Title* is amended by inserting "The City of Arnold".

b. *Section 102.5 Appendices* is amended by the addition of Section 102.5.1

Appendices adopted as follows:

"Section 102.5.1 Appendices Adopted. Appendix H is hereby adopted as part of this code."

c. *Section 105.5* and *105.6* is amended to read in its entirety as follows:

"105.5 Expiration, extension, revocation of permits shall be administered in accordance with Section 500.060, Article I, Chapter 500, Arnold Code of Ordinances."

d. *Section 113.1* and R11.33 is deleted without replacement.

e. *Section 113.3* is hereby amended to read in its entirety as follows:

"112.3 The Board of Appeals shall consist of members appointed by the Mayor in accordance with Section 500.120, Article I, Chapter 500, of the Arnold Code of Ordinances."

f. *Table 301.2 (1) Climatic and Geographic Design Criteria* is completed by the establishment and insertion of the following design criteria:

Ground snow load	20 PSF
Wind speed	90 MPH
Seismic design category	D,0
Weathering	Severe
Frost line depth	30 inches
Termite	Moderate to heavy
Winter design temp	6 degrees F
Ice shield	yes
Flood hazards	Date of current FIRM panels (April 05, 2006)
Air freezing index	0 — 1,000
Mean annual temp.	54 degrees F

g. 302.13 Fire Protection Floors: Amend as follows:

Section 3.1: The aggregate area of the unprotected floor assembly does not exceed 100 square feet per HVAC zone. Section 3.2: Areas of the floor assembly covered by HVAC

metal plenum, trunk lines, and steel structural beams shall be considered protected. Gypsum wallboard membrane shall be installed as close as possible to the above listed items.

h. Section 306 is amended to add the following:

306.5 Floor Drain. All basements shall have a floor drain within ten (10) feet of the heating/cooling system(s) and water heater. The floor drain shall comply with Chapter 27.

i. 311.7.5 Landings for stairways shall be amended as follows: There shall be a floor or landing at the top or bottom of each stairway. A top landing is not required where a stairway of four or fewer risers is located on the exterior side of the door, provided that door does not swing over the stairway.

Exception: A floor or landing is not required at the top of an interior or exterior flight of stairs, including stairs in an enclosed garage, provided a door does not swing over the stairs. A flight of stairs shall not have a vertical rise larger than twelve (12) feet (3,685 mm) between floor levels or landings. The width of each landing shall not be less than the width of the stairway served. Every landing shall have a minimum dimension of thirty- six (36) inches (914 mm) measured in the direction of travel. For remodeling projects in existing homes, stair tread and riser will be allowed to mimic previous or existing conditions.

j. Section 403.1(4) Light frame construction table is added .

Table 403.1(4)
Minimum Width of Concrete, Precast, or Masonry Footings (inches)
for Light-Frame Construction with Pre-Fabricated Roof Trusses^{a,b,c}

	Load-Bearing Value of Soil (psf)			
	1500	2000	3000	>4000
Conventional light-frame construction with pre-fabricated trusses				
<u>1 story</u>	<u>12</u>	<u>12</u>	<u>12</u>	<u>12</u>
<u>2 story</u>	<u>15</u>	<u>12</u>	<u>12</u>	<u>12</u>
<u>3 story</u>	<u>23</u>	<u>17</u>	<u>12</u>	<u>12</u>
4-inch brick veneer over light frame or 8-inch hollow concrete masonry				
<u>1 story</u>	<u>12</u>	<u>12</u>	<u>12</u>	<u>12</u>
<u>2 story</u>	<u>21</u>	<u>16</u>	<u>12</u>	<u>12</u>
<u>3 story</u>	<u>32</u>	<u>24</u>	<u>16</u>	<u>12</u>
8-inch solid or fully grouted masonry				
<u>1 story</u>	<u>16</u>	<u>12</u>	<u>12</u>	<u>12</u>
<u>2 story</u>	<u>29</u>	<u>21</u>	<u>14</u>	<u>12</u>
<u>3 story</u>	<u>42</u>	<u>32</u>	<u>21</u>	<u>16</u>

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa

a. Spread footings shall be same thickness as the wall (minimum of 8 inches).

- b. Where minimum footing width is 12 inches, use of a single wythe of solid or fully grouted 12-inch nominal concrete masonry units is permitted.
 - c. Snow Load or Roof Live Load shall not exceed 20 psf. If load exceeds 20 psf, designs must be completed by a licensed design professional.
- k. Section 404.1.3.2: Amend as follows:

Table 404.1.2(10) Concrete Foundation Walls

<u>Maximum Wall Height</u>	<u>Maximum Depth of Unbalanced Backfill</u>	<u>Minimum Nominal Wall Thickness</u>
<u>7'-0"</u>	<u>6'-0" or less</u> <u>7'-0"</u>	<u>8"</u> <u>10" (Note a)</u>
<u>8'-0"</u>	<u>6'-0 or less</u> <u>7'-0"</u> <u>8'-0"</u>	<u>8" (Note a)</u> <u>8" (Note a)</u> <u>8" (Note a)</u>
<u>9'-0"</u>	<u>6'-0" or less</u> <u>7'-0"</u> <u>8'-0"</u> <u>9'-0"</u>	<u>10" (Note b)</u> <u>10" (Note b)</u> <u>10" (Note b)</u> <u>10" (Note b)</u>

Note a: Concrete foundation walls may be constructed a minimum of nominal 8 inches thick where the wall height from the top of the footing to the top of the wall does not exceed 8 feet. A minimum of two #4 reinforcing bars shall be placed horizontally in the top and bottom of the foundation wall. A minimum of two #5 reinforcing bars shall be provided around all window and door openings in concrete foundation and basement walls; bars shall extend a minimum of 24 inches beyond the corners of the openings.

Note b: Concrete foundation walls may be constructed a minimum of nominal 10 inches thick. A minimum of two #5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall. A minimum of two #5 reinforcing bars shall be provided around all window and door openings in concrete foundation and basement walls; bars shall extend a minimum of 24 inches beyond the corners of the openings.

The concrete minimum nominal wall thickness shall be 8 inches for foundation walls in soil classes SC, MH, ML-CL and inorganic CL when the maximum wall height is 8 feet.

The concrete minimum wall thickness shall be 10 inches for foundation walls in soil classes SC, MH, ML-CL and inorganic CL when the maximum wall height is 9 feet.

The concrete minimum wall thickness shall be 12 inches for foundation walls in soil classes SC, MH, ML-CL and inorganic CL when the maximum wall height is 10 feet.

- 1. Section 507.2.4 Deck lateral load connection. Is amended by the addition of an exception as follows:

Exception: All decks that are 100 square feet or less.

m. Section 602.7.5 Supports for headers. Revise as follows: Headers shall be supported on each end with one or more jack studs or with approved framing anchors in accordance with Table 602.7(1) or 602.7.(2). The full-height stud adjacent to each end of the header shall be end nailed to each end of the header with four-16d nails (3.5 inches x 0.135 inches). The minimum number of full-height studs at each end of a header shall be in accordance with Table R602.7.5.

**Table R602.7.5
Minimum Number of Full Height Studs at Each End of Headers in Exterior Walls^a**

Header Span (feet)	Maximum Stud Spacing (inches) [per Table R602.3 (5)]	
	16	24
≤3'	1	1
4'	2	1
8'	3	2
12'	5	3
16'	6	4

Maximum Header Span (feet)	Ultimate Design Wind Speed and Exposure Category	
	<140mph, Exposure B or <130mph, Exposure C	≤115mph, Exposure B ^b
4	1	1
6	2	1
8	2	1
10	3	2
12	3	2
14	3	2
16	4	2
18	4	2

- For header spans between those given above, use the minimum number of full-height studs associated with the larger header span.
- The tabulated minimum number of full-height studs is applicable where jack studs are provided to support the header at each end in accordance with Table

R602.7.(1). Where a framing anchor is used to support the header in lieu of a jack stud in accordance with footnote “d” of Table R602.7.(1), the minimum number of full-height studs at each end of a header shall be in accordance with requirements for wind speed <140mph, Exposure B.

n. Section 602.12 Simplified Bracing shall be amended as follows:
Item 3: Wall height shall not be greater than a nominal 12 feet when using the minimum required bracing lengths specified in Table 602.12.4.

o. Section 602.12.2 Sheathing materials:
Item 1. Change “3/8” to “7/16”.

p. Chapter 11, Section N: Delete in its entirety except: (Section N1102.2.13: Sunrooms) (Section N1102.4.2: Fireplaces) (Section N1102.4.4: Fuel Burning Appliances) (Section N1108.1(R502.1) Additions) (Section N1109.1 (R503.1) Alterations) (Section 1111.2: (R505.2) Change of Occupancy).

q. *M1305.1.4.1 Ground clearance.* Is amended as follows: Equipment and appliances supported from the ground shall be level and firmly supported on a concrete slab or other approved material extending not less than two (2) inches above the adjoining ground. Such support shall be in accordance with the manufacture's installation instructions. Appliances suspended from the floor shall have a clearance of not less than six (6) inches from the ground.

r. Section M1301.2, M1301.3, M1301.4, M1301.5 General Mechanical System Requirements: Omit in its entirety.

s. Section M1307.2 Anchorage of appliances: Omit in its entirety.

t. Section M1401.3 Equipment and appliance sizing: Amended as follows.
Heating and cooling equipment shall be sized in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies.

u. Section M1502.4.2 Duct installation for dryers: Omit the following:
(and shall be mechanically fastened or with similar fasteners that protrude into the inside of the duct.)

v. Section M2105.4 Piping and tubing materials standards: Amend and add:
(However, polyvinyl chloride (PVC) and chlorinated polyvinylchloride (CPVC) shall not be used on geothermal ground loops both inside and underground.)

w. *Section N1102.4.3 Fireplaces.* Is amended to read: New wood-burning fireplaces shall have outdoor combustion air.

C. *Property Maintenance Code.* A certain code, at least one copy of which is on file in

the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Property Maintenance Code, 2015 Edition" and all appendices as published by the International Code Council is hereby adopted as the Property Maintenance Code of the City of Arnold, Missouri for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of said Property Maintenance Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section. Except as otherwise provided in the Code of Ordinances, it shall be the duty of the Building Inspector to inspect existing structures and exterior property areas in a manner and to the extent necessary to carry out the provisions of the International Property Maintenance Code 2015.

1. Inspections of the interior and exterior of structures and premises shall be conducted upon receipt of written requests for issuance of certificates of compliance. Inspections may be conducted as the result of observations or complaints of violations of the International Property Maintenance Code 2015. Inspections conducted as the result of such observations or complaints shall be limited to the exterior of the structure and its premises, except in those cases where there are reasonable grounds to believe that a structure may be a dangerous building as set out in Chapter 515 of this Code. Inspections of the interior and exterior of structures and premises may also be made upon the written request of the owner or occupant of a structure.
2. Notwithstanding provisions of the International Property Maintenance Code 2015 to the contrary, regulation of weeds shall be as provided in Chapter 220, Article II of the Code of Ordinances.
3. Notwithstanding provisions of the International Property Maintenance Code 2015 to the contrary, regulation of motor vehicles shall be as provided in Chapter 220 of the Code of Ordinances.
4. Notwithstanding provisions of the International Property Maintenance Code 2015 to the contrary, a family shall be defined as provided in the zoning ordinance, except that foster children shall be included within the definition of family.
5. Amendments to the International Property Maintenance Code 2015:
 - a. *Section 106.4 Penalty.* Is hereby amended to read in its entirety as follows: *Violations; Penalties* shall be governed as prescribed in Section 500.070, Article I, Chapter 500, Arnold Code of Ordinances.

b. *Section 107.1 Notice to owner is hereby amended to read in its entirety as follows:*

107.1 Notice to owner or to person or persons responsible: Whenever the Code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Chapter 515, Arnold Code of Ordinances.

c. *Section 111.2 Membership of Board.* Is hereby amended to read in its entirety as follows:

The Board of Appeals shall consist of members appointed by the Mayor in accordance with Section 500.120, Article I, Chapter 500, of the Arnold Code of Ordinances.

d. *Section 304.3* is hereby amended by the addition of a new paragraph, *304.3.1*, enacted in the following words:

“304.3.1 Color, Location, Material. All numbers required by Section 304.3 shall be of a contrasting color to the background upon which they are affixed. Numbers shall be permanently affixed with standard hardware items, no adhesives, temporary fasteners such as wire, velcro or other means shall be accepted. Numbers shall be located within six (6) feet of the main entry door or immediately over the garage door. When the numbered structure is located more than one-hundred (100) feet from the right-of-way, or the required number location does not face the right-of-way, or the numbers are obscured by intervening landscaping, topography or other structures or features, the numbers shall be displayed adjacent to the driveway or entrance to the premises and in the form and fashion as herein stated, in addition to being displayed on the structure.”

e. *Section 304.14* is hereby amended by inserting the dates of (April 1 to December 1).

f. *Section 308.2* is hereby amended by the addition of a new paragraph *308.2.1*, as follows:

Section 308.2.1. Inspection and Extermination Log. The owner of any multiple residential occupancy structure shall be responsible for the accurate maintenance of an inspection and extermination log. The extermination log shall indicate as a minimum the name of the extermination company, the date of their inspection, unit, or grounds that were treated, any notorious observations of rodents or insects, and any complaints from occupants regarding infestation. The log shall be available for inspection by the Community Development Director at all times during normal business hours. The log is subject to periodical review as required to confirm compliance with Section 308.2. An Occupancy Permit shall not be issued when it is found that the structure or portion thereof has not been exterminated in accordance with Section P308.2.

g. *Section 602.3* is hereby amended by inserting the dates of (September 1 to May 31).

h. *Section 602.4* is hereby amended by inserting the dates of (September 1 to May 31).

i. *Section 605.2* is hereby amended in its entirety as follows:

P605.2. Receptacles. Every habitable space in a dwelling shall contain at least two (2) separate and remote receptacle outlets. Every laundry area shall contain at least one (1) grounded type receptacle. Every bathroom shall contain at least one (1) receptacle. All receptacles in the following locations shall have ground-fault circuit-interrupter protection for personnel:

(1) All bathroom receptacles.

(2) All garage and grade-level portions of unfinished accessory buildings used for storage or work areas. Exception No. 1: Receptacles that are not readily accessible.

Exception No. 2: A single receptacle or a duplex receptacle for two (2) appliances located within dedicated space for each appliance that, in normal use, is not easily moved from one place to another, and that is cord-and plug-connected in accordance with NEC 2014.

(3) *Outdoors. Exception:* Receptacles that are not readily accessible and are supplied from a dedicated branch circuit for electric snow-melting or deicing equipment as covered in Article 426 NEC 2014 shall be permitted to be installed in accordance with the applicable provisions of Article 426.

(4) *Crawl spaces.* Where the crawl space is at or below grade level.

(5) *Unfinished basements.* For purposes of this Section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exception No. 1: Receptacles that are not readily accessible.

Exception No. 2: A single receptacle or a duplex receptacle for two (2) appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord-and plug-connected in accordance with NEC 2014.

(6) *Kitchens.* Where the receptacles are installed to serve the countertop surface .

(7) *Wet bar sinks.* Where the receptacles are installed to serve the countertop surfaces and are located within six (6) feet of the outside edge of the wet bar sink.

j. *Section 703* is hereby amended by the addition of a new paragraph 703.3 enacted in the following words:

703.3 Private garages. Openings between a private garage, as defined in the Building Code listed in Chapter 8, and the residence shall be equipped with either solid wood

doors not less than 1 3/8 inch in thickness or twenty (20) minute fire rated doors or equivalent. Further the garage shall be completely separated from the residence and its attic area by a minimum five-eighths (5/8 type X) inch Gypsum Board or equivalent applied to the garage side.

k. Notwithstanding provisions of the International Building Code, International Residential Code and the International Property Maintenance Code 2015 to the contrary, plumbing installation shall be in accordance with the code adopted in Chapter 505 of the Code of Ordinances.

l. Notwithstanding provisions of the International Building Code, International Residential Code and the International Property Maintenance Code 2015 to the contrary, the appeals board provided in Section 500.120 shall hear all appeals relative to the enforcement of such codes.

m. Notwithstanding other provisions of the International Property Maintenance Code 2015 to the contrary, home occupations as defined in the zoning ordinance of the City of Arnold, Missouri, as may from time to time be amended, shall not require an inspection, nor shall the structure be required to be brought into compliance under the International Property Maintenance Code 2015 as a condition of the issuance of a merchants or manufacturers license as required by the ordinances of the City.

n. *Section 2503.6 Shower liner test.* Is deleted without replacement.

o. Section 2603.4 Pipes through foundation walls: Omit the following.
(The sleeve shall be two pipe sizes greater than the pipe passing through the wall.)

p. Section 2801.8 Water heater bracing: Amend as follows:
Water heaters (can) be strapped if a wall or structure is available to be used.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS ____ DAY OF _____,
2017.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

BILL NO. 2660

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 503, SECTION 503.010
AND SECTION 503.030 OF THE CODE OF ORDINANCES
AMENDING THE PLUMBING CODE.

WHEREAS, the national electrical code has been updated; and

WHEREAS, the staff has reviewed the updates and recommends the adoption of these updates; and

WHEREAS, a public comment period, as required by statute, has been provided;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Chapter 503, Section 503.010 is hereby repealed and replaced with the following:

“A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The National Electric Code, 2014 Edition" and all appendices as published by the National Fire Protection Association is hereby adopted by reference as the Electrical Code for the City of Arnold and shall govern all electrical work performed on and after the effective date of this Chapter. Electrical systems lawfully existing on the date of adoption of this Chapter shall be permitted to continue without change except as is specifically covered by this code, the Property Maintenance Code, and other building codes adopted, or as is deemed necessary by the Code Official for the general safety and welfare of the occupants and public; each and all of the regulations, provisions, conditions and terms of said Electrical Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, unless otherwise modified by this Chapter.”

Section 2. Chapter 503, Section 503.030 is hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS ____ DAY OF _____,
2017.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

AN ORDINANCE AMENDING CHAPTER 505, SECTION 505.010
AND SECTION 505.030 OF THE CODE OF ORDINANCES
AMENDING THE PLUMBING CODE.

WHEREAS, the International Plumbing Code has been updated in 2015; and

WHEREAS, the staff has reviewed the updates and recommends the adoption of these updates; and

WHEREAS, a public comment period, as required by statute, has been provided;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Chapter 505, Section 505.010 is hereby repealed and replaced with the following:

“A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Plumbing Code, 2015 Edition" and appendices C, D, and E as published by the International Code Council is hereby adopted as the Plumbing Code of the City of Arnold, Missouri regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of said Plumbing Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, unless otherwise modified by this Chapter.”

Section 2. Chapter 505, Section 505.030 is hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS _____ DAY OF _____,
2017.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

AN ORDINANCE AMENDING CHAPTER 510, SECTION 510.010
AND SECTION 510.020 OF THE CODE OF ORDINANCES
AMENDING THE MECHANICAL CODE.

WHEREAS, the International mechanical Code has been updated in 2015; and

WHEREAS, the staff has reviewed the updates and recommends the adoption of these updates; and

WHEREAS, a public comment period, as required by statute, has been provided;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Chapter 510, Section 510.010 is hereby repealed and replaced with the following:

“A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Mechanical Code, 2015 Edition" and all appendices as published by the International Code Council is hereby adopted as the Mechanical Code of the City of Arnold, Missouri regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of said Mechanical Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Chapter, unless otherwise modified by this Chapter.”

Section 2. Chapter 510, Section 510.020 is hereby repealed and replaced with the following:

“A. *Section 101.1* is hereby amended by the insertion of (The City of Arnold, Missouri).

B. *Section 510.6.5 Make up air required.* Is amended to read as: Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute shall be provided with makeup air system, be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

C. *Table 603.* Is amended to read as follows:

Type of Duct	Size (in)	Min. Thickness (in)	Galv. Gauge	Alum B&S Gauge
Round, enclosed rectangular exposed	14 or	0.013	30	26

Type of Duct	Size (in)	Min. Thickness (in)	Galv. Gauge	Alum B&S Gauge
rectangular	less			
	over 14	0.016	28	24
	14 or less	0.016	28	24
	over 14	0.019	26	22

D. *Section 603.9 Joints and seams.* Joints of duct systems shall be made substantially airtight in an unconditioned area by means of tapes, mastics, liquid sealants, gasketing or other approved closure systems. Closure systems used with rigid fibrous glass ducts shall comply with UL181A and shall be marked 101A-P for pressure-sensitive tape, 181 A-M for mastic or 181 AOH for heating-sensitive tape. Closure systems used with flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked 181B-FX for pressure-sensitive tape or 181B-M for mastic. Duct connections to flanges of air distribution system equipment or sheet metal fittings shall be mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metal ducts shall have a contact lap of at least one and one-half (1 1/2) means of at least three sheet-metal screws or rivets equally spaced around the joint. Closure systems used to seal metal ductwork shall be installed in accordance with the manufacture's installation instructions.

E. *Section 106.2 Permit not required.* Is hereby amended by the addition of item "9", as follows:

9. Repairs, maintenance, and seasonal services of mechanical equipment and appliance shall not require permits.

F. *Section 111* is hereby created titled *LICENSING OF MECHANICAL CONTRACTORS.*

111.1. Licenses required:

- a) A person who is not a licensed mechanical contractor or licensed individual shall not engage in or perform the work pertaining to this code.
- b) The "license" as used in this Section means a current valid mechanical contractor or individual license that has been issued by any one (1) of the following State of Missouri political subdivisions: City of St. Louis, St. Louis County, Jefferson County, and St. Charles County. Any mechanical contractor license from another jurisdiction may be accepted by the Community Development Department upon submission of satisfactory proof that the license issued by such jurisdiction meets the same licensing standards of the jurisdictions cited above.

111.1.2. Illegal use of names.

- a) No person shall allow his name fallaciously to be used in or by another person for the purpose of obtaining permits, or for doing business or work under such mechanical contractor license. Every licensed person shall notify the Community Development Department of the address of his place of business and the name under which such business is conducted. The Community Development Department shall be given immediate notice of any change in business address or name.

- b) For the purposes of this section, it shall be unlawful for a licensed mechanical contractor to obtain a mechanical permit and allow another person or persons who is not individually licensed to complete work under his license. Nothing in this section shall be construed, however, to prohibit a licensed mechanical contractor from obtaining a mechanical permit and then subcontracting to another licensed mechanical contractor or licensed individual, if the subcontractor has all required insurance and bonding. Such subcontracted work shall similarly be subject to the provisions of this Section. The building official may require the submission of suitable proof that the licensed mechanical contractor directly employs the persons performing the mechanical work and that the person performing the mechanical work is individually licensed.

111.1.3. Bonding.

- a) Before a permit shall be issued to a person performing in the capacity of a mechanical contractor, he/she shall be required to file with the Community Development Department a surety bond in the amount of five thousand dollars (\$5,000.00). The bonds required herein shall be reviewed by the city attorney and shall be conditioned upon, and shall be given for faithful observance of all ordinances, laws, rules and regulations adopted for the protection of the public health and safety pertaining to mechanical installations and shall indemnify the city, or any other governmental agency or any other person as may be required, for any damage or injury sustained through the negligence of such mechanical contractor, his servants, agents, or employees in performing mechanical work and shall indemnify the city, or any other governmental agency any other person as may be required, for any damages or injury sustained resulting from the failure to perform mechanical work in a careful and workmanlike manner in conformity with this Code.

111.2. License Exemption:

The following work shall not require licensing as required by this Section.

- a) A homeowner performing mechanical work on his/her permanent residence.

- b) Work on a facility performed by directly employed personnel of the facility owner.
- c) System installation, start-up, warranty service or warranty repair work that is performed by personnel employed, trained and certified by the manufacturer of the system being serviced, repaired or replaced.
- d) Demolition, when the fuel source has been disconnected following industry safety standards.”

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS ____ DAY OF _____, 2017.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

AN ORDINANCE ESTABLISHING CHAPTER 512 OF THE CODE OF ORDINANCES CREATING A FUEL GAS CODE.

WHEREAS, the International Fuel Gas Code has been updated in 2015; and

WHEREAS, the staff has reviewed the updates and recommends the adoption of these updates; and

WHEREAS, a public comment period, as required by statute, has been provided;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1. Chapter 512, is hereby established as follows:

“Section 512.010 International Fuel Gas Code.

- A. A certain code, at least one copy of which is on file in the office of the City Clerk of the City of Arnold, Missouri, being marked and designated as "The International Fuel Gas Code, 2015 Edition" and all appendices as published by the International Code Council is hereby adopted by reference as the Fuel Gas Code for the City of Arnold and shall govern the conditions and maintenance of all property, buildings and structures, to provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and to provide for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures or as is deemed necessary by the Code Official for the general safety and welfare of the occupants and public; each and all of the regulations, provisions, conditions and terms of said Fuel Gas Code on file in the office of the City of Arnold are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, unless otherwise modified by this Chapter.

Section 512.020 Amendments to the 2105 International Fuel Gas Code.

- A. Section 2408.4 (350.7) Clearances from grade. Is amended to read as: Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending not less than two (2) inches above adjoining grade or shall be suspended not less than six (6) inches above adjoining grade. Such supports shall be installed in accordance with the manufacture's installation instructions.
- B. Section 2412.9. Is omitted and amended as follows: All gas piping will be identified with yellow markings or an identification tag approved by the AHJ.

Section 512.030 **Violation – Penalties.**

- A. Whenever in the Code adopted in this Chapter or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any such provision of this Code or ordinance shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days, or both.
- B. Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.
- C. In addition to the penalty hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.
- D. The term "*misdemeanor*", wherever the same may be used in this Code of Ordinances, shall be construed to mean and to stand in lieu of the words "*a violation of this Code of Ordinances*".

Section 512.040 through Section 512.400. (Reserved)"

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS ____ DAY OF _____, 2017.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

**CITY OF ARNOLD, CITY COUNCIL
APRIL 6, 2017 MEETING**

TO: MAYOR COUNTS AND CITY COUNCIL
FROM: CHRISTIE HULL BETTALE
SUBJECT: EASEMENT VACATION FOR RAISING CANES
DATE: 3/31/2017
CC: BYRAN RICHISON AND MARY HOLDEN

REQUEST

Premier Civil Engineering requested a vacation 2~5 foot easements along an old platted property line.

ANALYSIS

The portion of easement exists along an old property line that bisected the current Raising Canes Parcel. Attached for reference are the request, vacation document, and exhibit. Staff has investigated the request and the City does not have infrastructure located within the easement. The easement in this location is not needed and will not be of benefit to the City in the future. Public Works is in agreement with the recommendation.

The approval by Council will vacate the City's use of the easement. The applicant is coordinating with other utilities separately for their approvals as needed.

RECOMMENDATION

Staff recommends approval of the request.

RESOLUTION NO. 17-09

A RESOLUTION AUTHORIZING THE RELEASE OF
AN EASEMENT

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor is hereby authorized to execute the vacation of 2~5 foot easements on Lot Line between Lots a & B of HBH Properties Subdivision as recorded in PB 78 PG 26 of the Jefferson County records, City of Arnold, Jefferson County Missouri. A copy of the easement vacation document and plat exhibit is attached hereto and made a part hereof by reference.

Mayor Ron Counts

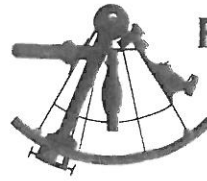
ATTEST:

City Clerk Tammi Casey

Date: _____

3/31/2017

Z:\CITYDOCS\RESOLUTN\17-XX Vacate @Raising Caines



**PREMIER CIVIL
ENGINEERING**

308 TCW COURT
LAKE ST. LOUIS, MO 63367

February 10, 2017

Mayor Ron Counts
City of Arnold, MO
2101 Jeffco Blvd.
Arnold, MO 63010

Re: Easement Vacation Request
HBH Properties Subdivision
Project No. 163201

Mayor Counts,

Attached for your review is an exhibit to vacate the 5' wide easements in the HBH Properties Subdivision. Please consider this submittal as a request by the owner for consideration for the vacation of the said easements.

Should you require any additional information or have any questions, please call 314-925-7453.

Sincerely,

Debbie L. Stosz

TO WHOM IT MAY CONCERN:

Easement Vacation by and between BIPA, LLC and The City of Arnold, MO.

We hereby request the vacation of portions of the 5' wide easements on the Lot Line between Lots A & B of HBH Properties Subdivision, a subdivision recorded as Plat Book 78 Page 26 of the Jefferson County records, said portions of existing easements are shown as hachured on the attached "Exhibit A".

IN WITNESS WHEREOF, the above named parties have signed these presents this _____ day of _____ 2017.

BIPA, LLC

City of Arnold, MO.

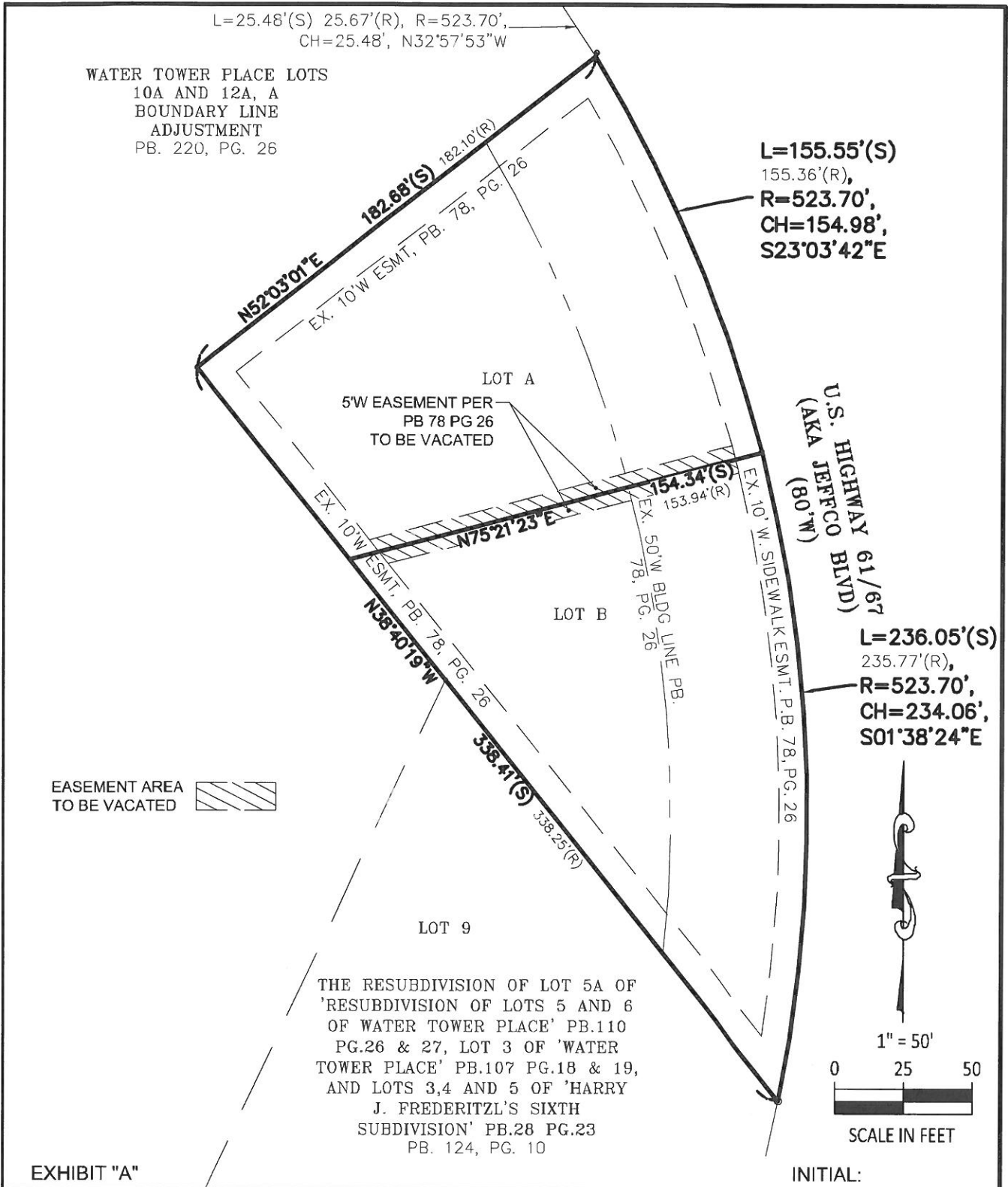
William S. Hale, Member

Ron Counts, Mayor

Notary

Date

RAISING CANE'S - ARNOLD, MISSOURI



EASEMENT VACATION EXHIBIT

A TRACT OF LAND BEING LOTS A AND B OF 'HBH PROPERTIES SUBDIVISION' AS RECORDED IN PLAT BOOK 78, PAGE 26 AND BEING PART OF U.S. SURVEY 2991, TOWNSHIP 43 NORTH, RANGE 6 EAST, JEFFERSON COUNTY, MISSOURI

STATE of MISSOURI

)SS

COUNTY of JEFFERSON

On this _____ day of _____, 2017, before me appeared

William S. Hale, member of BIPA, LLC a Missouri limited liability company to me known to be the person described in, and who executed the foregoing instrument, and acknowledged said instrument to be the free act and deed of said limited liability company.

In Testimony, Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

Print Name

My Commission Expires: _____

STATE of MISSOURI

)SS

COUNTY of JEFFERSON

On this _____ day of _____, 2017, before me appeared

Ron Counts, Mayor with the City of Arnold, Missouri to me known to be the person described in, and who executed the foregoing instrument, and acknowledged said instrument to be the free act and deed of said limited liability company.

In Testimony, Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

Print Name

My Commission Expires: _____

**CITY OF ARNOLD, CITY COUNCIL
APRIL 6, 2017 MEETING**

TO: MAYOR COUNT AND CITY COUNCIL
FROM: CHRISTIE HULL BETTALE
SUBJECT: RESOLUTION FOR CONTRACT WITH SPENCER CONTRACTING –
SAFE ROUTES TO SCHOOL, TENBROOK ROAD PROJECT
DATE: 3/31/2017
CC: BYRAN RICHISON AND MARY HOLDEN

The City staff advertised a Request for Bid for Constructing Tenbrook Road Sidewalk Improvements and the bid opening was February 21, 2017. Six responses were received. Spencer Contracting, an Arnold, Missouri, MoDOT certified contractor was the lowest bid. The total bid amount and the proposed total contract amount is **\$319,351.16**. The second low bidder was RV Wagner. Attached is the bid tabulation.

The low bid received by Spencer Contracting was about \$87k below the Horner & Shifrin construction cost estimate. The second low bid from RV Wagner was about \$23k below the Horner & Shifrin construction cost estimate. These bids should validate the final Horner & Shifrin construction cost estimate (\$406,397.90). The Disadvantage Business Enterprise (DBE) goal is 11%. The lowest and second lowest bidders appear to have met this DBE goal.

The MoDOT concurrence in award for contract was received 3/8/17.

The City's current Budget Balance for the project is \$309,115.10. Federal grant funding is approved for \$250,000.00 any costs above the federal grant amount (for construction and construction services) will be the responsibility the local public agency, as budgeted.

After contracts are executed, a pre-construction meeting with the City, Contractor, MoDOT, utilities and Horner & Shifrin will be scheduled at the City of Arnold's office followed by a site visit.

Staff requests the City of Arnold City Council approve the Resolution to execute the contract with Spencer Contracting. Attached is the Spencer Contracting bid.

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
A CONTRACT WITH SPENCER CONTRACTING
TO PROVIDE CONSTRUCTION SERVICES FOR
TENBROOK SIDEWALKS (PROJECT SRTS-INF-H32F(105))

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor be and is hereby authorized to enter into a contract agreement with Spencer Contracting to provide construction services for the Tenbrook Sidewalks and improvements in the amount of the actual costs incurred plus a predetermined fixed fee of \$319,351.16.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____

ITEMIZED BID FORM
Tenbrook Road Sidewalk Improvements

LINE	ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
		ROADWAY ITEMS:				
1	2022010	REMOVAL OF IMPROVEMENTS	LS	1	35290.-	35290.-
2	2071000	LINEAR GRADING CLASS 1	STA	25	1013.-	25325.-
3	3040504	TYPE 5 AGGREGATE BASE (4 IN. THICK)	SY	667	9.42	6283.14
4	4011209	BITUMINOUS PAVEMENT MIXTURE PG64-22 (SP-1)	TON	36.4	217.66	8358.14
5	4013000	BITUMINOUS PAVEMENT MIXTURE PG64-22 (BASE)	TON	76.6	140.03	10726.30
6	4071005	TACK COAT	GAL	20	.01	.20
7	4081010	PRIME-LIQUID ASPHALT RC 70 OR MC 30	GAL	130	.01	1.30
8	5021106	CONCRETE PAVEMENT (6 IN. NON-REINFORCED)	SY	312	63.08	19680.96
9	6039902	ADJUST TO GRADE WATER METER	EACH	1	155.25	155.25
10	6039903	ADJUST TO GRADE WATER VALVE	EACH	1	143.75	143.75
11	6042010	ADJUSTING MANHOLE	EACH	3	517.50	1552.50
12	6049902	ADJUST TO GRADE SINGLE CURB INLET WITH NEW INLET STONE	EACH	4	862.-	3448.-
13	6049903	ADJUST TO GRADE DOUBLE CURB INLET WITH NEW INLET STONE	EACH	1	1035.-	1035.-
14	6079902	REMOVAL AND RELOCATION OF MAILBOX	EACH	12	75.-	900.-
15	6089902	SINGLE INLET FLUME	EACH	4	1400.-	5600.-
16	6089904	DOUBLE INLET FLUME	EACH	1	1488.-	1488.-
17	6091010	CONCRETE CURB (6 IN. HEIGHT) TYPE S	LF	2540	26.-	66040.-
18	6092021	INTEGRAL CURB (OVER 6 IN. HEIGHT) TYPE A	LF	49	6.90	338.10
19	6131014	FULL DEPTH PAVEMENT SAWCUT	LF	3187	1.48	4716.76
20	6149902	15 IN. PVC SURFACE DRAINAGE INLET	EACH	1	1405.-	1405.-
21	6169901	CHANNELIZING DEVICE	LS	1	3289.-	3289.-
22	6169905	CONSTRUCTION SIGNS	LS	1	862.50	862.50
23	6181000	MOBILIZATION	LS	1	8458.-	8458.-
24	6274000	CONTRACTOR FURNISHED SURVEYING AND STAKING	LS	1	7590.-	7590.-
25	7261018	18 IN. PIPE GROUP A	LF	24	100.-	2400.-
26	7269903	8 IN. PVC	LF	169	33.53	5666.57
27	7320818A	18 IN. OR ALLOWED SUBSTITUTE GROUP A FLARED END SECTION	EACH	1	456.55	456.55
28	7329902	POP-UP EMITTER	LF	5	75.-	375.-
29	8061007A	CURB INLET CHECK	EACH	16	86.25	1380.-

LINE	ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
30	606101B	SILT FENCE	LF	555.3	2.13	1182.79
31	8061022	TYPE II DITCH CHECK	EACH	3	126.50	379.50
		PAVEMENT MARKING:				
32	620600B	4 IN. WHITE ACRYLIC WATERBORNE PAVEMENT MARKING PAINT	LF	2467	1.65	4070.55
33	6206001B	4 IN. YELLOW ACRYLIC WATERBORNE PAVEMENT MARKING PAINT	LF	222	1.65	366.30
34	6206106	ACRYLIC WATERBORNE PAVEMENT MARKING PAINT, 6 IN., WHITE	LF	129	2.75	354.75
		LANDSCAPING/STREETSCAPING:				
35	6071011A	CHAIN-LINK FENCE (48 IN.)	LF	30	48.15	1444.50
36	8051000A	SEEDING - COOL SEASON MIXTURES	ACRE	0.2	15000.00	3000.00
		PEDESTRIAN FACILITIES:				
37	6081010	CONCRETE CURB RAMP	SY	510	76.62	39076.20
38	6081012	TRUNCATED DOMES	SF	305	17.25	5261.25
39	6086004	CONCRETE SIDEWALK, 4 IN.	SY	803	50.10	40230.30
40	6089905	CONCRETE SIDEWALK, ON CULVERT	SY	12	85.00	1020.00
	TOTAL	WRITTEN: THREE HUNDRED NINETEEN THOUSAND THREE FIFTY ONE & 16/100	NUMBERS:			319351.16

TENBROOK ROAD SIDEWALK – ADDENDUM #1
City of Arnold, MO
Federal Project SRTS-INF-H32F(105)
February 17, 2017

This addendum is hereby made part of the contract documents of the above referenced project. This addendum supplements and/or amends the originally issued documents and all related addenda.

The City of Arnold is making the following modifications and/or clarifications to the contract documents for this project:

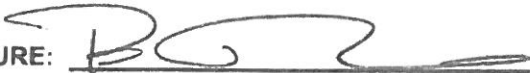
1. A question was posed at the pre-bid meeting asking if there would be an option for the sidewalk to be poured monolithic with the adjacent curb. The City's response is the sidewalk must be poured separate as indicated in the drawings.
2. Some areas of the specifications indicate the bid guaranty shall meet the requirements of Section 102 of the Missouri Standard Specifications for Highway Construction. Section 102 refers to a bid guaranty amount of no less than 5% of the amount of the bid. However, the amount of the bid guarantee for this project shall be no less than 10% of the amount of the bid as stated on the Invitation for Bids.

Attachments:

- Pre-Bid Meeting sign-in sheet.

ACKNOWLEDGEMENT OF ADDENDUM #1

The bidder will acknowledge receipt of this Addendum and acceptance of its conditions by signing this Addendum and including it with the bid.

SIGNATURE: 

TITLE: Project Manager

COMPANY: Spencer Contracting Co.

DATE: 2-17-17

RESOLUTION NO: 17-11

A RESOLUTION APPOINTING TRISHA MCCUTCHEN TO THE HISTORIC
PRESERVATION COMMISSION

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that Trish McCutchen is hereby appointed to the Historic Preservation Commission to serve the remainder of a one-year term, terminating on November 1, 2017 or until a successor has been appointed and qualified.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____

**CITY OF ARNOLD
AGENDA ITEM SUMMARY**

AGENDA ITEM

7 D

NAME OF TOPIC/PROJECT: Restriping of a section of Old Lemay Ferry Road from Pearl Drive to Pomme Road.

SUMMARY EXPLANATION: Restriping of the referenced section of Old Lemay Ferry Road to improve traffic flow through the area with the removal of existing street striping.

RECOMMENDED ACTION: Approval

Why is this action necessary? City Council needs to approve the contract agreement with the striping contractor to undertake this work.

What does this action accomplish? Restripe the Old Lemay Ferry pavement from Pomme Road to Pearl Drive.

Positive impacts and to whom? The general public who drive on Old Lemay Ferry Road.

Negative impacts and to whom? None that we are aware of.

ADDITIONAL COMMENTS:

SUMMARY OF VENDOR/CONSULTANT/CONTRACTOR

Name: TraMar Contracting, Inc.	Previous city contracts: No
Transaction amount: \$16,832.50	MBE/WBE Participation: N/A
Transaction type: Contract	
Comments:	

SUMMARY OF SELECTION PROCESS

Number of bidders: One	Low bid: \$16,832.50	High bid: No other bids
Comments:		

SUMMARY OF BUDGET/COST

Budgeted amount: NA	Addl. funding required: Not at this time
Comments:	

RESOLUTION NO. 17-12

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH TRAMAR CONTRACTING, INC. TO PROVIDE
STREET STRIPING SERVICES FOR A SECTION OF OLD LEMAY FERRY
ROAD FOR THE CITY OF ARNOLD.

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor be, and is hereby authorized to enter into a contract with TraMar Contracting, Inc. to undertake the restriping of a section of Old Lemay Ferry Road for the City of Arnold.

A copy of said contract is attached hereto and made a part hereof reference.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk, Tammi Casey

Date: _____

BID PROPOSAL FORM
 CITY OF ARNOLD, MISSOURI
 OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT

TO: CITY OF ARNOLD
 ARNOLD, MISSOURI

Pursuant to and in compliance with your Request for Bids dated March 22, 2017 and the other documents related thereto, the undersigned hereby proposes to furnish all tools, labor, equipment and material and perform all work necessary for undertaking the OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT all required by and in strict conformance with the Bid Specifications and addenda No. 1 to 1 inclusive at the unit & lump sum prices listed herein.

NOTE: Each Street Striping work total price will be determined by actual in place field measured quantities. The Contractor and the City shall measure and record quantities jointly to determine the final total cost.

SECTION 1: Removal of Existing Pavement Markings		\$ <u>4,000.00</u> Four Thousand & 00/100 Dollars
SECTION 2:		
Four (4) inch Yellow LF Solid Line	1,286 feet	\$ <u>1,286.00</u> One Thousand Two Hundred Eight-six & 00/100 Dollars
Six (6) inch White Solid Line	2,662 feet	\$ <u>5,324.00</u> Five Thousand Three Hundred Twenty-four & 00/100 Dollars
Twenty-four (24) inch White Pvmt Mk	29 feet	\$ <u>145.00</u> One Hundred Forty-Five & 00/100 Dollars
Twelve (12) inch White Pvmt Mk	951 feet	\$ <u>2,377.50</u> Two Thousand Three Hundred Seventy-seven & 00/100
SECTION 3: Type 2 Preformed marking Tape (Grooved)		
Left / Right Arrows	(2 each)	\$ <u>700.00</u> Seven Hundred & 00/100 Dollars
SECTION 4: Provide all MUTCD work zone signage, construction barrels, flagmen & other as required		
		\$ <u>1,500.00</u> One Thousand Five Hundred & 00/100 Dollars
SECTION 5: Temporary paving marking tape		
		\$ <u>1,500.00</u> One Thousand Five Hundred & 00/100
TOTAL COST SECTIONS 1 – 5		\$ <u>16,832.50</u> Sixteen Thousand Eight Hundred Thirty-two and 50/100 Dollars

Special Notes:

Should the Contractor plan to use any subcontractors for the work, list as appropriate below and provide telephone numbers.

N/A

Contractor is to provide at least three (3) references (Names and Telephone Numbers)

Chris Scanlon (Pace Construction)	314-565-1583
Name	Phone Number
Cecilia Cain (Apex Paving Company)	573-331-7561
Name	Phone Number
Chuck Risley (Gershenson Construction)	636-549-0202
Name	Phone Number

The Undersigned understands and agrees the quantities shown herein are estimated, that payment shall be made on a unit cost basis.

The Undersigned understands and agrees that the City of Arnold may, at its discretion, elect to add and/or delete quantities, at any time during the contract period.

The Undersigned understands that items incidental to the project including but not limited to mobilization, testing/certification, cleaning and sweeping, traffic control, and final cleanup are included in the above unit costs as well as any other miscellaneous work as required to provide a complete work product.

Suitable bid security in the amount of Sixteen Thousand Eight Hundred Thirty-two & 50/100 Dollars (\$ 16,832.50) as called for in the Advertisement of Bids accompanies this Bid. This sum is to be forfeited to the City of Arnold if the party, or parties, making this Bid fail to enter into contract with approved securities within ten (10) days after the award of the Contract has been made.

The undersigned has examined the Plans and Specifications and the location of the project and has satisfied self as to the work to be done and the conditions under which it must be carried out.

NAME OF BUSINESS _____

(If an individual)
SIGNATURE OF BIDDER _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If Co-partnership)
FIRM NAME _____

SIGNATURE _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If a Corporation)
CORPORATE NAME TraMar Contracting, Inc.

SIGNATURE Margaret M. McFarland

BUSINESS ADDRESS 3051 Mercantile Industrial Drive, St. Charles MO 63301

TELEPHONE NO. (636) 255-0808

STATE OF MISSOURI)
) ss
COUNTY OF St. Charles)

OSHA AFFIDAVIT

Before me, the undersigned Notary Public, personally came and appeared Margaret M. McGrath
(NAME-PRINTED)
President of TraMar Contracting, Inc.
(POSITION) (NAME OF COMPANY)

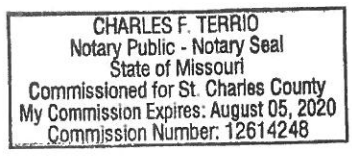
(a corporation) (a partnership) (a proprietorship) and, after being duly sworn, did depose and say that all provisions and requirements set out in Section 292.675, Missouri Revised Statutes, pertaining to the 10-hour OSHA construction safety training of workmen employed on public works projects have been fully satisfied and there has been no exception to the full and complete compliance with said provisions and requirements. The referenced OSHA training is necessary in carrying out the contract and work in connection with **OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT** at the City of Arnold in Jefferson County, Missouri. Said training of all project workmen has been or will be undertaken within 60 days of commencement of construction of the project. The Contractor is to provide to the City copies of OSHA certifications cards of each project workman.

Margaret M. McGrath
(SIGNATURE)

Subscribed and sworn to before me this 28th day of MARCH, 2017

Charles F. Terrio
Notary Public

My commission expires on: Aug 5 2020



STATE OF MISSOURI)
)
COUNTY OF St. Charles) ss

AFFIDAVIT OF AMERICAN PRODUCTS PURCHASE

Comes now before me Margaret M. McGrath as President of TraMar Contracting, Inc.
(NAME) (OFFICE HELD) (COMPANY NAME)

being duly sworn on his/her oath, affirms that said company has complied with Missouri State Law Section 34-353 RSMo regarding the purchase of manufactured good or commodities used or supplied in the performance of the City of Arnold's **OLD LEMAY FERRY ROAD - STREET SECTION RE-STRIPING PROJECT.**

I also affirm that TraMar Contracting, Inc. did not and would not knowingly
(COMPANY NAME)

purchase or supply manufactured goods or commodities used on the aforementioned City of Arnold project, being compliant with the law. In affirmation thereof, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to penalties provided under Section 575.040 RSMo).

Margaret M. McGrath
SIGNATURE (PERSON WITH AUTHORITY)

Margaret M. McGrath
(PRINTED NAME)

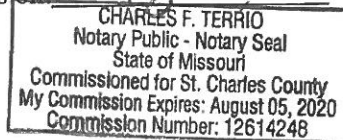
President
(TITLE)

3/29/2017
(DATE)

Subscribed and sworn to before me this 28th day of MARCH, 2017

Charles F. Terrio
Notary Public

My commission expires on: Aug 5 2020



NON COLLUSION FORM

Margaret M. McGrath being duly sworn in oath deposed and states:

- I. That in connection with this procurement,
a. The prices in this bid have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor;
b. The prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening directly or indirectly to any other bidder; or to any competitor; and,
c. No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition.
II. The undersigned further states:
a. He is the person in the bidders' organization responsible within that organization for the decision as to the prices being bid herein and that he has not participated, and will not participate, in any action contrary to (I) (a) through (I) (c) above.
b. He is not the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (I) (a) through (I) (c) above, and as their agent does hereby so certify; and he has not participated, and will not participate in any action contrary to (I) (a) through (I) (c) above.
III. The Contractor hereby attests to their intent to comply with the American with Disabilities Act. (ADA).
IV. It is expressly understood that the foregoing statements, representations, and promises are made as a condition to the right of the bidder to receive payment under any award made hereunder.

For Corporations

Margaret M. McGrath
(NAME, INDICATE IF CORPORATION, PARTNERSHIP OR SOLE PROPRIETOR)

(Corporate Seal)

President
(OFFICE HELD IN BIDDER)

ORGANIZATION)

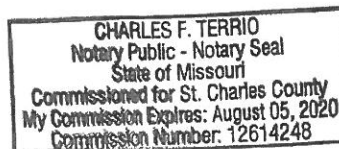
ATTEST:

By _____

Subscribed and sworn to before me this 28th day of March, 2017

Charles F. Terrio
Notary Public

My commission expires on: Aug 5, 2020



Affidavit of Work Authorization

Comes now Margaret M. McGrath (name) as President (office held) first being duly sworn, on my oath, affirm TraMar Contracting, Inc. (company name) is enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to "OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT" for the duration of the contract, if awarded in accordance with RSMo Chapter 285.530(2). I also affirm that TraMar Contracting, Inc. (company name) does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services related to OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT for the duration of the contract, if awarded.

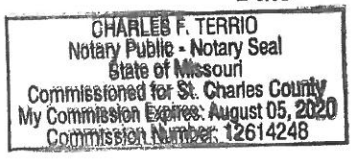
In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

Margaret M. McGrath Signature Margaret M. McGrath Printed Name

President Title 3/28/2017 Date

Subscribed and sworn before me the 28th day of MARCH. I am commissioned as a notary public within the county of St. Charles. State of Missouri and my commission expires on Aug 5, 2020.

Charles F. Terrio Signature of notary 3/28/17 Date



Hold Harmless Agreement

To the fullest extent permitted by law, TraMar Contracting, Inc., hereafter referred to as Contractor, agrees to indemnify, defend and hold harmless the City of Arnold, its officers, agents, volunteers, invitees, lessees and employees from and against any and all suits, claims, damages losses and expenses, including but not limited to attorneys' fees, court costs or alternative dispute resolution costs arising out of or related to any such suit, claim, damage, loss or expense involving an injury to a person or persons, whether bodily injury or other personal injury (including death), or involving an injury or damage to property (including loss of use or diminution in value), but only to the extent that such suits, claims, damages, losses or expenses were caused by the negligence or other wrongdoing of Contractor, or of any supplier or subcontractor, or their agents or employees, directly or indirectly, regardless of whether caused in part by the negligence or wrongdoing of CITY or any of its agents or employees.

Pursuant to the requirements of the bid and contract for **OLD LEMAY FERRY ROAD-STREET SECTION RE-STRIPING PROJECT**, Contractor shall purchase and maintain the following insurance, at Contractor's expense:

- Commercial General Liability Insurance with a minimum limit of \$1,000,000 each occurrence/\$2,000,000 general aggregate written on an occurrence basis. If Contractor maintains higher limits than the minimums required, the CITY requires and shall be entitled to coverage for the higher limits maintained by Contractor.
- Workers Compensation Insurance with statutorily limits required by any applicable Federal or State law and Employers Liability insurance with minimum limit of \$1,000,000 per accident.

Contractor shall make CITY an additional insured on each policy of insurance that Contractor is required to maintain. Similarly, Contractor shall require insurance with the same coverage and limits from its subcontractors and suppliers, and their insurance policies shall be endorsed to name the same additional insureds as required of Contractor. Any coverage available to CITY as a named insured shall be secondary, so that the coverage to the CITY as an additional insured on the policies maintained by Contractor and Contractor's subcontractors is primary and non-contributory. CITY reserves the right to selectively trigger any one or more insurance policies that afford CITY coverage, whether as a named insured or as an additional insured. Contractor agrees that CITY shall be provided at least thirty (30) days advance written notice of any cancellation or rescission of any policy that Contractor or any of its subcontractors or suppliers is required to maintain under the contract documents. Prior to commencing work, Contractor shall provide CITY certificates of insurance and endorsements evidencing the required coverage. CITY's receipt or review of any certificate of insurance reflecting that Contractor or one of its subcontractors or suppliers has failed or may have failed to comply with any insurance requirement shall not constitute a waiver of any of CITY's insurance rights under the contract documents, with all such rights being fully and completely reserved by the CITY.

No provision of this agreement shall constitute a waiver of the CITY's right to assert a defense based on the doctrines of sovereign immunity, official immunity or any other immunity available under law.

Margaret W. Wilkerson
CONTRACTOR

3/28/2017
DATE

CITY OF ARNOLD CITY COUNCIL, APRIL 6, 2017 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CODE ENFORCEMENT GRASS CUTTING BID
DATE: MARCH 24, 2017
CC:

The City placed a bid for code enforcement grass cutting and we received one response from the company currently doing our code enforcement grass cutting, Action Landscape. Staff is recommending we go with Action Landscape since we have worked with them for the past few years and they were the only one to bid.

Below is additional information from Jeff Preis of the Health Department regarding the bid.

Recently we out for bid for code enforcement grass cutting services for the 2017-2018 seasons. We added a few additional requirements for pricing to get a better feel on what companies are charging for code enforcement properties.

Action Landscaping was the only bid received out of ten that were mailed out [in addition to advertising]. We have used this company for the past two years with only a few problems. Since we only received one bid, I would like to recommend going with Action Landscaping for the 2017-2018 season. Attached is a copy of the bid received from this company.

Respectfully,

Jeff Preis

Staff recommends we award the contract to Action Landscaping since we have been working with them for the last two years and they provided the only bid.

RESOLUTION NO. 17-13

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH ACTION LANDSCAPING FOR CODE
ENFORCEMENT GRASS CUTTING SERVICES FOR 2017-2018 SEASON

BE IT RESOLVED. By the Council of the City of Arnold, Missouri that the Community Development Department, is hereby authorized to accept the grass cutting bid from Action Landscaping for code enforcement grass cutting services for the 2017-2018 season.

A copy of said bid is attached hereto and made a part hereof reference.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____



2858 Seckman Road
 Imperial, MO 63052
 Phone 636.296.7469
 Fax 636.287.8833

2/28/2017

*SPRING / SUMMER SEASON 2013
 LAWN PROPOSAL SUBMITTED TO:*

City of Arnold Health Dept.
 2912 Arnold Tenbrook Rd.
 Arnold, Mo 63010
 Attn: Jeff Preis 636-282-2387

Action Landscaping, Inc. proposes to furnish materials, labor, and equipment necessary for lawn service for the coming season for the property above as follows:

Grass cutting for city weed control ordinance for 2017 and 2018. Pricing as follows:

	<u>8"</u>	<u>14"</u>	<u>18"</u>	<u>24"</u>
Small property 0-5,000 sq. ft.	\$30	\$40	\$50	\$65
Medium property 5,000 to 8,000 sq. ft.	\$35	\$45	\$60	\$75
Large property 8,000 to 10,000 sq. ft.	\$40	\$50	\$70	\$85
Property of one acre	\$50	\$65	\$90	\$105
Property exceeding one acre	\$65	\$80	\$100	\$115

** Over 24" call for pricing---1-Laborer and weed eater \$40 per hour

** Price to move debris is \$100 per hour for crew of 3 for hand carryable items only.

** Track maching and brush hog \$95/ per hour for heavy items or super tall grass.

Action Landscaping, Inc. has all necessary insurance and maintains City of Arnold Business License.

Business References:

Anheuser Busch-Inbev Metal Container Corp. 30 years
 Browning Arms on Tenbrook Rd.
 Public Water Supply District #1

PAYMENT TERMS Lawn service accounts are billed monthly with terms of net 30 from date of service for all open "accounts". A service charge of 1.5% will be charged for all past due accounts. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will become an extra charge over & above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control; such as extreme weather. We are as careful as possible.. Action Landscaping, Inc. carries liability and workman's compensation insurance on all employees. We are also licensed by the State Department of Agriculture.

ACCEPTANCE OF PROPOSAL Action Landscaping, Inc. is hereby authorized to furnish all material, equipment, and labor necessary to complete the work described above, for which the undersigned is a lawful representative of the company for which the work is being done. This proposal expires 30 days from origination.

 Signature

 Date



The City of
Arnold *Missouri*

Date: March 30, 2017
To: Mayor and City Council
From: David Crutchley, Parks Superintendent
Subject: Arnold Recreation Center HVAC Replacement

The City placed a request for bids for the replacement of the Arnold Recreation Center HVAC system.

The budget for this project for this fiscal year is \$300,000.

Three companies submitted completed bids as follows:

#1 - Peters-Eichler Mechanical Incorporated - \$299,000

#2 - Sheet Metal Contractors Incorporated (SMCI) - \$314,270

#3 - Haberberger Mechanical (varied bids) – between \$306,240 and \$344,240

All companies are more than capable of completing the bid request. In consideration of the budget, I would like to recommend Peters-Eichler Mechanical Incorporated with a submitted bid of \$299,000.

RESOLUTION NO. 17-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH PETERS-EICHLER MECHANICAL TO
PROVIDE AN HVAC SYSTEM FOR THE ARNOLD RECREATION
CENTER

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor be, and is hereby authorized to enter into a contract with Peters-Eichler Mechanical Inc., Inc. to provide an HVAC replacement system for the Arnold Recreation Center.

A copy of said contract is attached hereto and made a part hereof reference.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk, Tammi Casey

Date: _____

HVAC Replacement - RecCtr

Bid opening: March 28, 2017 10:00 a.m.

3 bids received

Dave Crutchley; Tammi Casey; Deb Lewis

	Contractor	Location	Option	Price
1	Peters-Eichler Mechanical	St Louis, MO		299,000.00
2	SMCI	Desoto, MO		314,270.00
3	Haberberger Mechanical	Affton, MO	4 units at 1 time	306,240.00
4	Haberberger Mechanical	Affton, MO	2 units at a time	314,240.00
5	Haberberger Mechanical	Affton, MO	1 unit at a time	344,240.00
6				
7				
8				
9				
10				

EXHIBIT A

BID FORM

HVAC REPLACEMENT FOR ARNOLD RECREATION CENTER

Please fill out this cost response form so that the City may accurately compare different bids without having to interpret vendor's cost presentations. If desired, attach additional cost data, including itemizations.

Company Name: Peters-Eichler Mechanical, Inc.

Date: March 28, 2017

City of Arnold
2101 Jeffco Boulevard
Arnold, Missouri 63010

Mayor and City Council Members:

In accordance with the advertisement inviting Bids for HVAC Replacement for Arnold Recreation Center to the City of Arnold, subject to the conditions and requirements of the Contract and the Product Specifications including Addenda Nos. 0, _____, and 0, hereto attached, which so far as they relate to the Bid, are made a part of it, the undersigned herewith proposes to begin the specified work within ten (10) days after receipt of notice to proceed, for the following unit prices:

HVAC Replacement for Arnold Recreation Center as described above in specifications in this bid (Trane Manufacturer).

\$ 299,000

ADD \$3592 5 year parts warranty

Name of Equal Manufacturer

N/A

\$ N/A

SIGNATURES ON NEXT PAGE

The Undersigned understands and agrees that the City of Arnold may, at its discretion, elect to delete areas, prior to the notice to proceed.

The Undersigned understands that items incidental to the project including but not limited to any final cleanup and disposals are included in the above costs.

The undersigned has examined the Specifications for, and the location of, the project and has satisfied himself as to the work to be done and the conditions under which it must be carried out.

NAME OF BUSINESS Peters-Eichler Mechanical, Inc.

(If an Individual)
SIGNATURE OF BIDDER _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If Co-Partnership)
FIRM NAME _____

SIGNATURE _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If a Corporation)
CORPORATE NAME Peters-Eichler Mechanical, Inc.

SIGNATURE 

BUSINESS ADDRESS 3115 Sutton Boulevard St. Louis, MO 63143

TELEPHONE NO. (314) 647-4023

EXHIBIT A.

BID FORM

HVAC REPLACEMENT FOR ARNOLD RECREATION CENTER

Please fill out this cost response form so that the City may accurately compare different bids without having to interpret vendor's cost presentations. If desired, attach additional cost data, including itemizations.

Company Name: Haberberger Mechanical

Date: 3-28-17

City of Arnold
2101 Jeffco Boulevard
Arnold, Missouri 63010

Mayor and City Council Members:

In accordance with the advertisement inviting Bids for HVAC Replacement for Arnold Recreation Center to the City of Arnold, subject to the conditions and requirements of the Contract and the Product Specifications including Addenda Nos. N/A, _____, and _____, hereto attached, which so far as they relate to the Bid, are made a part of it, the undersigned herewith proposes to begin the specified work within ten (10) days after receipt of notice to proceed, for the following unit prices:

HVAC Replacement for Arnold Recreation Center as described above in specifications in this bid (Trane Manufacturer).

Option #1: 1 Crane Hoist (4 units at one time)	\$ <u>306,240</u>
Option #2: 2 Crane Hoist (2 units at a time)	\$ <u>314,240</u>
Option #3: 4 Crane Hoist (1 unit at a time)	\$ <u>344,240</u>

- Please note that pricing are not to be construed as divisible.
- Completion date will to be based on equipment delivery.

SIGNATURES ON NEXT PAGE

The Undersigned understands and agrees that the City of Arnold may, at its discretion, elect to delete areas, prior to the notice to proceed.

The Undersigned understands that items incidental to the project including but not limited to any final cleanup and disposals are included in the above costs.

The undersigned has examined the Specifications for, and the location of, the project and has satisfied himself as to the work to be done and the conditions under which it must be carried out.

NAME OF BUSINESS Haberberger Mechanical

(If an Individual)
SIGNATURE OF BIDDER _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____


(If Co-Partnership)
FIRM NAME _____

SIGNATURE _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If a Corporation)
CORPORATE NAME Haberberger Inc. Mechanical Contractors

SIGNATURE 

BUSINESS ADDRESS 9744 Pauline Place, Affton, MO 63123

TELEPHONE NO. 314-631-3324

BID BOND

Conforms with The American Institute of Architects, A.I.A. Document No. A-310

KNOW ALL BY THESE PRESENTS, That we, Haberberger, Inc.

9744 Pauline Place, St. Louis, MO 63123

_____ as Principal, hereinafter called the Principal
and the Western Surety Company

of 530 Maryville Center Drive, Suite #310, St. Louis, MO 63141

_____, a corporation duly organized under
the laws of the State of South Dakota, as Surety, hereinafter called the Surety, are held and firmly bound unto

City of Arnold
2101 Jeffco Blvd., Arnold, MO 63010

_____ as Obligee, hereinafter called the Obligee,
in the sum of Ten Percent of Bid Amount -----

Dollars (\$ 10% of Bid Amount) , for the payment of which sum well and truly to be made, the said Principal and the said
Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Arnold Recreation Center HVAC Replacement

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee
in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with
good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in
the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the
Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such
larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this
obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 28th day of March, 2017.

Julia Torbeck

Witness

Kin Cornell

Witness

Haberberger, Inc.

(Seal)
Principal
Secretary

Title

Western Surety Company
By Brandi Bullock

Brandi Bullock

Attorney-in-Fact

NON COLLUSION FORM

Mark Haberberger being duly sworn in oath deposed and states:

- I. That in connection with this procurement,
 - a. The prices in this bid have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor;
 - b. The prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening directly or indirectly to any other bidder; or to any competitor; and,
 - c. No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition.

- II. The undersigned further states:
 - a. He is the person in the bidders' organization responsible within that organization for the decision as to the prices being bid herein and that he has not participated, and will not participate, in any action contrary to (I) (a) through (I) (c) above.
 - b. He is not the person in the bidder's organization responsible within that organization for the decision as to the prices being bid herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to (I) (a) through (I) (c) above, and as their agent does hereby so certify; and he has not participated, and will not participate in any action contrary to (I) (a) through (I) (c) above.

- III. The Contractor hereby attests to their intent to comply with the American with Disabilities Act. (ADA).
- IV. It is expressly understood that the foregoing statements, representations, and promises are made as a condition to the right of the bidder to receive payment under any award made hereunder.

For Corporations

Mark Haberberger
(NAME, INDICATE IF CORPORATION,
PARTNERSHIP OR SOLE PROPRIETOR)

(Corporate Seal)

Secretary
(OFFICE HELD IN BIDDER)

ORGANIZATION: Haberberger, Inc

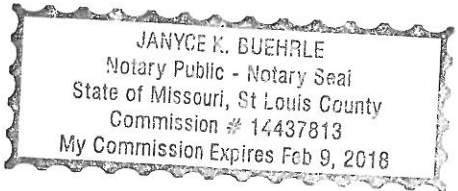
ATTEST: Dean AuBachon

By Dean AuBachon

Subscribed and sworn to before me this 28th day of March, 2017

Janyce K. Buehle
Notary Public

My commission expires on: February 9, 2018



Affidavit of Work Authorization

Comes now Mark Haberberger (name) as Coop Sec. (office held) first being duly sworn, on my oath, affirm Haberberger Inc (company name) is enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to **THE ARNOLD RECREATION CENTER HVAC REPLACEMENT PROJECT** for the duration of the contract, if awarded in accordance with RSMo Chapter 285.530 (2). I also affirm that Haberberger Mech (company name) does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services related to **THE ARNOLD RECREATION CENTER HVAC REPLACEMENT PROJECT** for the duration of the contract, if awarded.

In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

[Signature]
Signature

Mark Haberberger
Printed Name

Secretary
Title

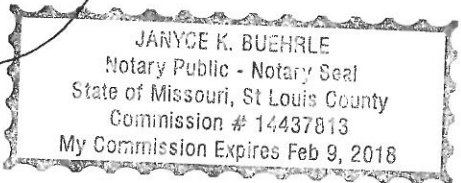
3/28/2017
Date

Subscribed and sworn before me the 28th day of March, 2017. I am commissioned as a notary public within the county of St. Louis. State of Missouri, and my commission expires on

February 9, 2018.

[Signature]
Signature of notary

March 28, 2017
Date



Hold Harmless Agreement

To the fullest extent permitted by law, Haberbersey INC., hereafter referred to as Contractor, agrees to indemnify, defend and hold harmless the City of Arnold, its officers, agents, volunteers, invitees, lessees and employees from and against any and all suits, claims, damages losses and expenses, including but not limited to attorneys' fees, court costs or alternative dispute resolution costs arising out of or related to any such suit, claim, damage, loss or expense involving an injury to a person or persons, whether bodily injury or other personal injury (including death), or involving an injury or damage to property (including loss of use or diminution in value), but only to the extent that such suits, claims, damages, losses or expenses were caused by the negligence or other wrongdoing of Contractor, or of any supplier or subcontractor, or their agents or employees, directly or indirectly, regardless of whether caused in part by the negligence or wrongdoing of CITY or any of its agents or employees.

Pursuant to the requirements of the bid and contract for **HVAC Replacement Project**, Contractor shall purchase and maintain the following insurance, at Contractor's expense:

- Commercial General Liability Insurance with a minimum limit of \$1,000,000 each occurrence/\$2,000,000 general aggregate written on an occurrence basis. If Contractor maintains higher limits than the minimums required, the CITY requires and shall be entitled to coverage for the higher limits maintained by Contractor.
- Workers Compensation Insurance with statutorily limits required by any applicable Federal or State law and Employers Liability insurance with minimum limit of \$1,000,000 per accident.

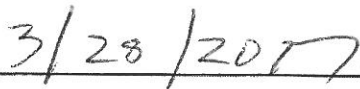
Contractor shall make CITY an additional insured on each policy of insurance that Contractor is required to maintain. Similarly, Contractor shall require insurance with the same coverage and limits from its subcontractors and suppliers, and their insurance policies shall be endorsed to name the same additional insureds as required of Contractor. Any coverage available to CITY as a named insured shall be secondary, so that the coverage to the CITY as an additional insured on the policies maintained by Contractor and Contractor's subcontractors is primary and non-contributory. CITY reserves the right to selectively trigger any one or more insurance policies that afford CITY coverage, whether as a named insured or as an additional insured. Contractor agrees that CITY shall be provided at least thirty (30) days advance written notice of any cancellation or rescission of any policy that Contractor or any of its subcontractors or suppliers is required to maintain under the contract documents. Prior to commencing work, Contractor shall provide CITY

certificates of insurance and endorsements evidencing the required coverage. CITY's receipt or review of any certificate of insurance reflecting that Contractor or one of its subcontractors or suppliers has failed or may have failed to comply with any insurance requirement shall not constitute a waiver of any of CITY's insurance rights under the contract documents, with all such rights being fully and completely reserved by the CITY.

No provision of this agreement shall constitute a waiver of the CITY's right to assert a defense based on the doctrines of sovereign immunity, official immunity or any other immunity available under law.



CONTRACTOR



DATE

STATE OF MISSOURI)
COUNTY OF _____) ss

AFFIDAVIT OF AMERICAN PRODUCTS PURCHASE

Comes now before me Mark Haberer as Corp Sec. of Haberberger
(NAME) (OFFICE HELD) (COMPANY NAME)

being duly sworn on his/her oath, affirms that said company has complied with Missouri State Law Section 34-353 RSMo regarding the purchase of manufactured good or commodities used or supplied in the performance of the City of Arnold's **ARNOLD RECREATION HVAC REPLACEMENT PROJECT**.

I also affirm that Haberberger Inc (company name) did not and would not knowingly purchase or supply manufactured goods or commodities used on the aforementioned City of Arnold project, being compliant with the law. In affirmation thereof, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to penalties provided under Section 575.040 RSMo).

[Signature]
SIGNATURE (PERSON WITH AUTHORITY)

Mark Haberer
(PRINTED NAME)

Corp Sec.
(TITLE)

3/28/17
(DATE)

Subscribed and sworn to before me this 28th day of March, 2017.

[Signature]
Notary Public

My commission expires on: 02/09/2018

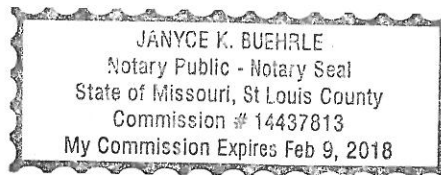


EXHIBIT A

BID FORM

HVAC REPLACEMENT FOR ARNOLD RECREATION CENTER

Please fill out this cost response form so that the City may accurately compare different bids without having to interpret vendor's cost presentations. If desired, attach additional cost data, including itemizations.

Company Name: Sheet Metal Contractors, Inc.

Date: March 28, 2017

City of Arnold
2101 Jeffco Boulevard
Arnold, Missouri 63010

Mayor and City Council Members:

In accordance with the advertisement inviting Bids for HVAC Replacement for Arnold Recreation Center to the City of Arnold, subject to the conditions and requirements of the Contract and the Product Specifications including Addenda Nos. None, _____, and _____, hereto attached, which so far as they relate to the Bid, are made a part of it, the undersigned herewith proposes to begin the specified work within ten (10) days after receipt of notice to proceed, for the following unit prices:

HVAC Replacement for Arnold Recreation Center as described above in specifications in this bid (Trane Manufacturer).

\$ 314,270⁻

Name of Equal Manufacturer

N/A

\$ _____

SIGNATURES ON NEXT PAGE

The Undersigned understands and agrees that the City of Arnold may, at its discretion, elect to delete areas, prior to the notice to proceed.

The Undersigned understands that items incidental to the project including but not limited to any final cleanup and disposals are included in the above costs.

The undersigned has examined the Specifications for, and the location of, the project and has satisfied himself as to the work to be done and the conditions under which it must be carried out.

NAME OF BUSINESS Sheet Metal Contractors, Inc.

(If an Individual)
SIGNATURE OF BIDDER _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If Co-Partnership)
FIRM NAME _____

SIGNATURE _____

BUSINESS ADDRESS _____

TELEPHONE NO. _____

(If a Corporation)
CORPORATE NAME Sheet Metal Contractors, Inc.

SIGNATURE *L.P. Hodges, Sr.*

BUSINESS ADDRESS 1661 Veterans Drive, PO Box 700, DeSoto, MO 63020

TELEPHONE NO. 636.337.2150



March 24, 2017

**ARNOLD RECREATION
HVAC REPLACEMENT**

**BID CLARIFICATIONS
BID DATE 3/28/17**

1. 5-Year compressor only warranty is included per rooftop and MUA unit spec. There is no labor allowance after first year.
2. The RTU's and MUA will ship approximately 10 weeks after approval of shop drawings by owner. We will complete work in the 60 days allotted from the time the units arrive on the job site.
3. Certified Air Balancing is NOT included.
4. We will reclaim Freon and put into owners tanks.
5. Trane has included commissioning of systems and it is included in our bid.

CITY OF ARNOLD CITY COUNCIL, APRIL 6, 2017 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: 2017-01, CONDITIONAL USE PERMIT FOR S & J SNOW CONE STAND, AT TENBROOK PLAZA, 776 JEFFCO BLVD. (CORNER OF JEFFCO AND TENBROOK) PLANNING COMMISSION RECOMMENDATION
DATE: MARCH 28, 2017
CC:

Request

Mr. Joseph X Sorg, Jr is requesting permission to open a snow cone stand at 776 Jeffco Blvd located in Tenbrook Plaza at Jeffco Blvd and Tenbrook Road from mid-March until early September. Attached is the application, site plan of location, aerial of the site, and written information regarding the use.

Summary

The Planning Commission held a public hearing and considered this request at their March 14, 2017 meeting. No one spoke at the public hearing and minimal discussion during the regular meeting. The Commission voted 8-0 to forward a recommendation of approval with the below findings and conditions:

Findings:

1. The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
2. The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

Condition:

1. Building permits required for the placement of the stand, electric, etc.
2. Jefferson County Health Department permit required.
3. All structures, tables, trash containers, etc. must be located at least fifty feet from the front property line.
4. The tables, trash containers, etc. may not create an obstruction for vehicle traffic.

5. A written agreement is provided to the City regarding the use of restrooms for the employees of the snow cone stand.
6. The conditional use permit is good for two years and will expire on the last day of October 3, 2016.
7. The area is kept clean of trash and debris that may result from the snow cone stand.
8. The hours of operation are from 1:00 p.m. to 10:00 p.m.
9. The trailer is removed on or before October 1, 2017 and 2018.
10. The operation may open March 1 of each year of the conditional use permit.
11. All necessary permits are issued in conjunction with opening the snow cone stand.

Analysis

This request is similar to the previous snow cone stand request for this location and other stands in the City. The proposed location of this snow cone stand is the exact location as the one previously approved for this site. There were no issues in the past and Staff does not anticipate issues with this request.

The conditional use will be good until October 1, 2018. This will allow time for the application to close the stand and remove from the property. The proposed hours of operation are seven days a week, 1:00 pm to 10:00 pm.

When reviewing a conditional use permit, the following must be taken into consideration:

The use is deemed consistent with good planning practice.

The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.

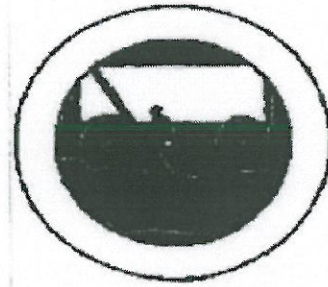
The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.

3/14/17 - P&Z Meeting
2/21/17
Sign 2/27/17

label ✓ OK

Community Development Department
City of Arnold
2101 Jeffco Blvd.
Arnold, MO 63010
636-282-2378
636-282-6677 Fax



CONDITIONAL USE PERMIT
APPLICATION

File Number 2017-01

\$400.00 Fee Paid

APPLICANT/CONTRACT PURCHASER

OWNER:

S&J Sno-Ball Custard Shop Inc.
Name Joseph X Sorb Jr.

Tenbrook, LC
Name

5249 Liberty School Road
Address, City, State, Zip Hillsboro, MO 63050

PO Box 528, St. Albans, MO 63073
Address, City, State, Zip

314-960-3048
Telephone Number

636-458-0545
Telephone Number

Facsimile Number

636-458-7650
Facsimile Number

Site plan attached
Jeffco Blvd. & Tenbrook
Property Address (or nearest intersection)

C-2, Commercial
Zoning of property

Proposed Use: Sno-Cone Stand

Adjacent Zoning/Uses

North _____ South _____ East _____ West _____

02/07/2017
Date of application

Signature of Applicant

Meeting date targeting
Larry W. Jones
Signature of Owner
Larry W. Jones
Managing Member

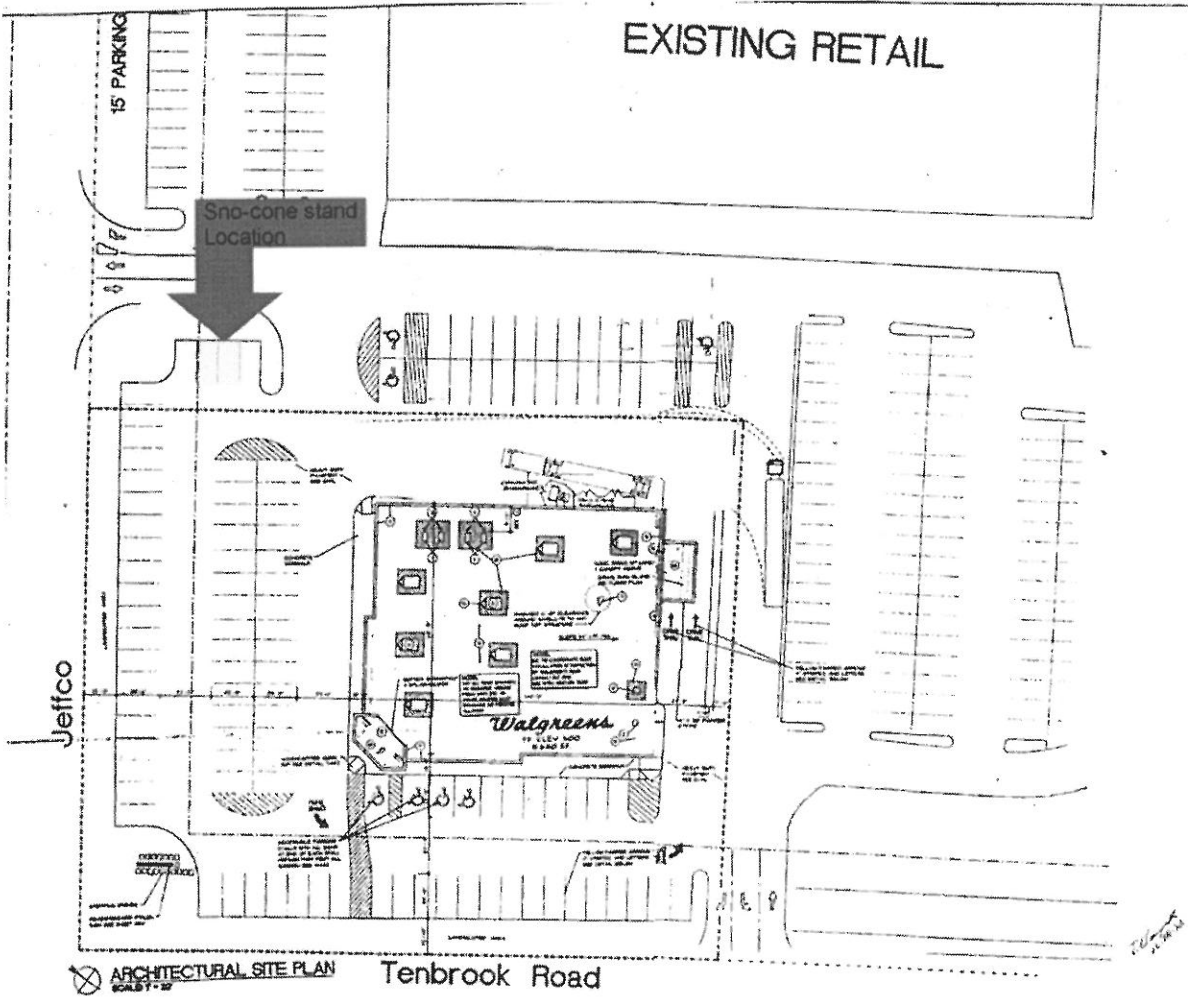


100 50 0 100 Feet



EXHIBIT A

Site Plan



**PROPOSED SPOT FOR S&J SNO-BALL
CUSTARD SHOP INC.**

**WALGREENS PARKING LOT AT 776 JEFFCO BLVD ARNOLD
MO. TENBROOK PLAZA.**

AT THE CORNER OF TENBROOK RD AND JEFFCO

OWNERS OF PROPERTY

JONES REALTY

531 HAWK POINT DR POBOX 528 ST.ALBANS MO 63073

636 458-0545 FAX 636 451-6392

NEAR BY BUSINESS'S

WALGREENS

FOX C-6

NAPA AUTO PARTS

SALVATION ARMY

UMB ATM

METRO BUSINESS COLLEGE

ORLANDO FAMILY PRODUCE

PROPOSED BUSINESS

FAMILY OWNED BUSINESS SINCE 1989. S&J
SNO-BALL CUSTARD SHOP INC. THIS
LOCATION WOULD BE USED FOR SNOWCONE
RETAIL

BUSINESS

OWNER OF BUSINESS

JOSEPH X SORG JR

314 960-3048

SNJ2091@GMAIL.COM

5249 LIBERTY SCHOOL ROAD

HILLSBORO MO 63050

WE HAVE 3 OTHER LOCATIONS. ARNOLD
(CUSTARD SHOP) OPEN ALL YEAR. 2 MOBILE
UNITS IN HIGH RIDGE. OPEN ONLY DURING
SUMMER

HOURS OF OPERATION

OPEN MID MARCH. CLOSE EARLY SEPT. OPEN
7 DAYS A WEEK 1PM TO 10PM

MOBILE UNIT (TRAILER)

TRAILER INFO

TRAILOR SIZE. 7 FOOT WIDE. 15 FEET LONG.

TO SECURE TRAILER. WE WILL HAVE 4 MOBILE HOME STAKES UNDER TRAILER AND WILL ALSO HAVE BLOCKS UNDER THE WHEELS.

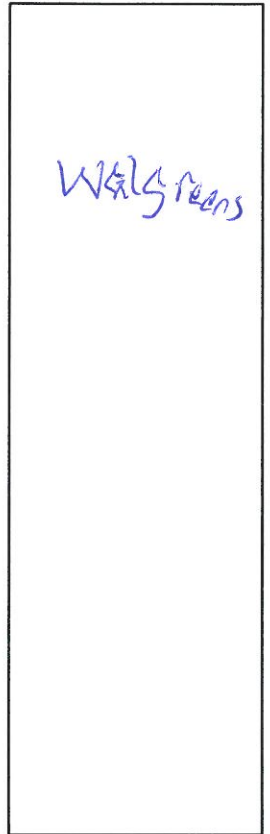
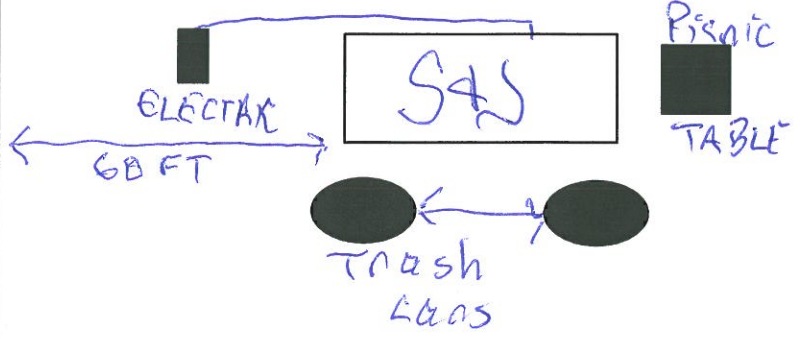
FOR OUR CUSTOMERS WE HAVE 4 LIGHTS. 2 IN THE REAR OF BUILDING AND 2 IN FRONT OF BUILDING.

WATER & GREY WATER

FOR CLEANING WE WILL BE USING LARGE CONTAINERS OF WATER FROM SAMS. WE HAVE A WATER STORAGE CONTAINER IN TRAILER WITH A HOT WATER HEATER AND A PUMP THAT FEEDS OUR HAND WASHING SINK AND OUR 3 COMPARTMENT SINK. WE HAVE A GREY WATER STORAGE TANK THAT WILL BE PROFFESIONALY DRAINED EVERY OTHER WEEK OR AS NEEDED.

TENBROOK FLAZA

ENTER



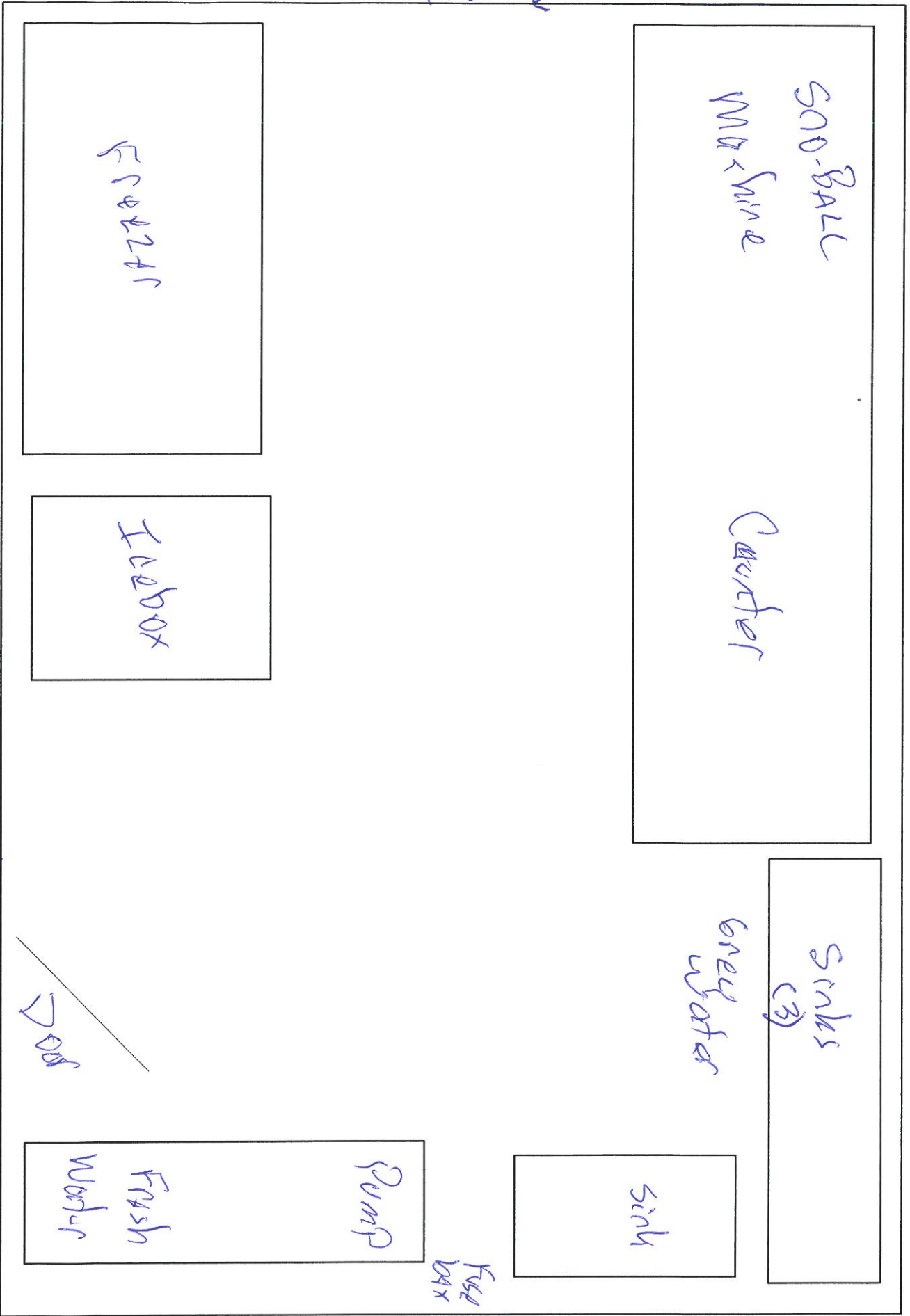
PARKING

Jeffco

Tenbrook RD

ENTER

S&J Trailer



55XL

FUSE BOX

Window

JOB

FRIGIDAR

ICEBOX

Pump

Fresh Water

Sink

grey water

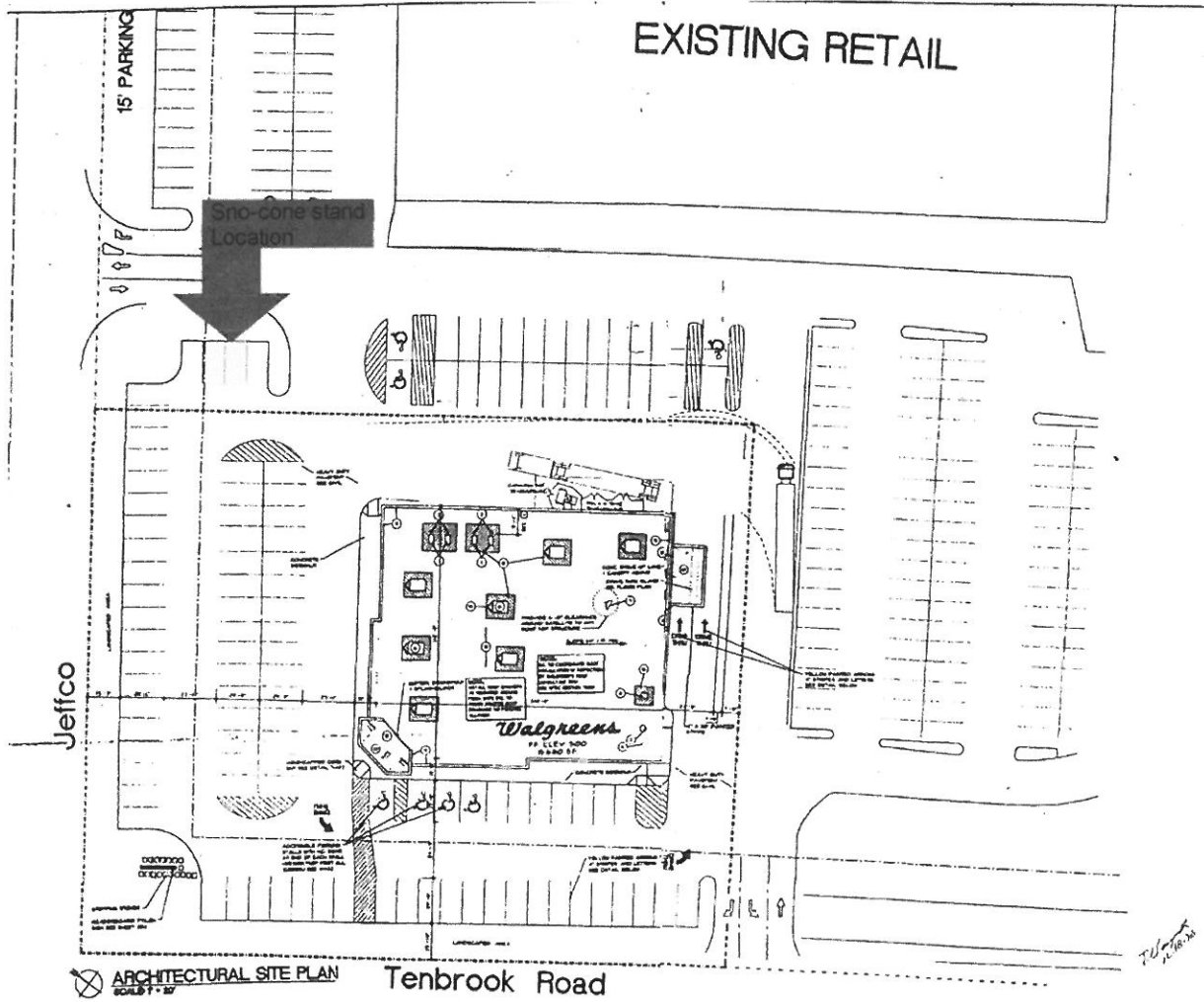
Sinks (3)

Caulter

SNO-BALL
Mox-Sine

EXHIBIT A

Site Plan



CITY OF ARNOLD, CITY COUNCIL, APRIL 6, 2017 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: 2014-37 EXTENSION FOR C-4 DEVELOPMENT PLAN, FIVE STAR AUTO BODY PARCEL-WEST OUTER ROAD, PLANNING COMMISSION RECOMMENDATION
DATE: MARCH 24, 2017
CC:

REQUEST

Eric Hummel with Five Star Automotive has requested an extension for his C-4 Development Plan.

SUMMARY OF THE PLANNING COMMISSION

The Planning Commission considered this request at their March 14, 2017 meeting. There was discussion surrounding undetermined changes to the building footprint and whether or not those needed formal approval. A determination could not be made since there was nothing submitted for Staff review. After the discussion, the Commission voted 8-0 to forward a recommendation of extending the approval until June 1, 2018.

ANALYSIS

The current status of this project is that Mr. Hummel has an approved Site Improvement Plan and Grading Permit. Grading has progressed but has been halted for some time, storm water systems are not constructed, and sanitary sewer main is complete. The Building Department has not seen, reviewed or issued a building permit as of yet; however, Mr. Hummel addresses this item along with an estimated timeline in his request letter. The request letter is included with this staff report.

With that said, the requirements of the approved Rezoning and C-4 ordinance are identified in Section 2. Of Bill 2604 Ordinance 14.489, this is attached for reference. "The Developer shall have until the date, which is two years following the effective date of this Ordinance, to file final development plans (the "Final Development Plan") with the Planning Commission. Substantial construction or development of the Property must be commenced no later than eighteen months following the effective date of this Ordinance."

Per Section 405.340 "C-4" Planned Commercial District which allows for an extension, "...submission of final development plans and completion of construction may be extended by the City Council for cause."

Staff is presenting this request to the Planning Commission for their review and recommendation to City Council. The two year expiration date is April 2, 2017. Mr. Hummel is requesting for the approval of an extension with an expiration date of June 21, 2018.



February 28, 2017

Extension Request for C-4 Land Development

The property identified as Lot 1 of Hummel Properties, A Consolidation Plat Of A Tract Of Land Being Part Of Lot 27 Of U.S. Survey No. 2991 In Townships 42 And 43 North, Ranges 5 And 6 East, 5th Principal Meridian, City Of Arnold, Jefferson County, Missouri.

City of Arnold,

I am formally requesting an extension for the development of my new Five Star Auto Body facility. The C-4 approval is set to expire on 4/2/17 and I will not be able to meet the deadline. While I had hopes of a completed project at this time, it has just not been possible.

I have had a couple setbacks causing delays but have recovered and plan to proceed with a new General Contractor, Innovative Building Concepts out of Washington, MO. My initial budget has been substantially exceeded causing additional delays but since concerns have been resolved and feel confident and comfortable with proceeding.

We are currently waiting for finalized building plans from my Architect. I propose to have finalized drawings to staff by May 1st for review. With staff approval we would like to break ground by August to have a completed project by Jan1, 2018. While I am confident we can achieve this I would like to have the extension approved through spring of 2018, just in case.

I genuinely appreciate your consideration of this extension and the initial approval of my project and feel you will be more than satisfied with the completed project if request is approved. Please contact me with any questions or concerns.

Sincerely,

Eric Hummel

636-282-5600

ehummel@fivestarautobody.com

2014-37

Bill NO. 2604

Ordinance NO. 14.489

AN ORDINANCE REZONING A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED AS LOT 1 OF HUMMEL PROPERTIES, A CONSOLIDATION PLAT OF A TRACT OF LAND BEING PART OF LOT 27 OF U.S. SURVEY NO. 2991 IN TOWNSHIPS 42 AND 43 NORTH, RANGES 5 AND 6 EAST, 5TH PRINCIPAL MERIDIAN, CITY OF ARNOLD, JEFFERSON COUNTY, MISSOURI

WHEREAS, an application to rezone a tract of land known as Lot 1 Of Hummel Properties, A Consolidation Plat Of A Tract Of Land Being Part Of Lot 27 Of U.S. Survey No. 2991 In Townships 42 And 43 North, Ranges 5 And 6 East, 5th Principal Meridian, City Of Arnold, Jefferson County, Missouri to C-4 Commercial has been submitted to the City of Arnold, and

WHEREAS, the proper public hearings have been held, pursuant to City Ordinance and the laws of the State of Missouri, and

WHEREAS, the Planning Commission has submitted its report and recommendation to the City Council on the proposed rezoning from R-4 to C-4 Commercial, and

WHEREAS, the Council finds that this rezoning request meets the conditions in that the extension of the C-4 boundary appear to meet the code requirements for buffering commercial from residential; there has been a notable change in the area to warrant the zone change; and our Comprehensive Plan indicates this area as a commercial node and while auto body is a service, there will be a limited commercial component to the auto body business.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1: The property identified as Lot 1 Of Hummel Properties, A Consolidation Plat Of A Tract Of Land Being Part Of Lot 27 Of U.S. Survey No. 2991 In Townships 42 And 43 North, Ranges 5 And 6 East, 5th Principal Meridian, City Of Arnold, Jefferson County, Missouri is rezoned from R-4 to C-4 Planned Commercial and will be developed in accordance with the provisions of this ordinance, Exhibit A and other applicable laws of the City of Arnold.

Section 2. The Developer shall have until the date, which is two years following the effective date of this Ordinance, to file final development plans (the "Final Development Plan") with the Planning Commission. Substantial construction or development of the Property must be commenced no later than eighteen months following the effective date of this Ordinance.


Section 3. Approval of the Preliminary Development Plan, in accordance with Section 6, C-4 Planned Commercial District of the City's Zoning Code, is hereby granted, subject to the conditions, rules, regulations and restrictions as set forth in Exhibit A and the condition outlined below:

1. Michael Garrett, ISA Certified Arborist, recommendation of minor grading, root pruning and nutrition plan to the cluster of trees identified as 188, 189, 190, 191, 192, 193 and 195 must be followed.
2. Any trees indicated to be saved that die within two years from completion must be replaced with caliper for caliper.
3. No bare bulbs, exposed wall packs, etc. are allowed. All lighting must be shielded and down cast to prevent light trespass.
4. A contribution to the sidewalk fund will be required at the time of any permits being applied for.
5. We will need proof of all easement vacations prior to the issuance of any permits.
6. Suggest using natives for the buffer strip such as cedars.

Section 4: The property identified as Lot 1 Of Hummel Properties, A Consolidation Plat Of A Tract Of Land Being Part Of Lot 27 Of U.S. Survey No. 2991 In Townships 42 And 43 North, Ranges 5 And 6 East, 5th Principal Meridian, City Of Arnold, Jefferson County, Missouri is hereby subject to the rules and regulations as outlined in Exhibit A and shall be the governing document for the proposed project. Where rules and regulations are not specified in the Exhibit A, then the codes of the City of Arnold shall govern.

Section 5 This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS 2nd DAY OF APRIL 2015.

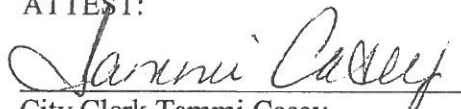


Presiding Officer of the Council



Mayor Ron Counts

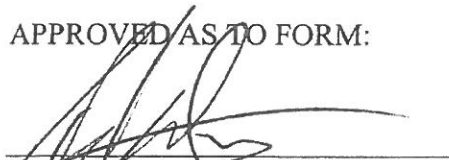
ATTEST:



City Clerk Tammi Casey

1st reading: 4/2/15
2nd reading: 4/2/15

APPROVED AS TO FORM:



City Attorney Robert Sweeney

March 26, 2015

Z:\CITYDOCS\ORDINANC\c4fivestar.doc

CITY OF ARNOLD, CITY COUNCIL, APRIL 6, 2017 MEETING

TO: THE PLANNING COMMISSION
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: 2017-02, CONDITIONAL USE PERMIT FOR A SHAVED ICE STAND AT 1857 JEFFCO BLVD
DATE: MARCH 23, 2017
CC:

Request

Mr. and Mrs. Talbert, applicant, have submitted for approval of a conditional use permit to operate a shaved ice stand at 1857 Jeffco Blvd., on the site of the existing car wash. The shaved ice stand is 7 feet by ten feet and is proposed to be located in a parking stall in front of the space that was slated to be one of the two dog wash spaces (but never built) along with a table and chairs. The hours of operation are proposed daily from 12 p.m. to 10 p.m. March 1st through October 31st. They are requesting approval for as long as possible. Attached are the application, site plan, pictures of the shaved ice stand, aerial of the site and response to the criteria used to review a conditional use permit.

Summary

The Planning Commission held a public hearing and considered this request at their March 28, 2017 meeting. No one spoke during the public hearing and there was no discussion during the regular meeting. The Commission voted 9-0 to forward a recommendation of approval with the below findings and conditions:

Findings:

1. The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
2. The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

Conditions:

1. The approval is granted for March 1 through October 31.
2. The shaved ice stand must be removed from the site on or before November 7 of each year.
3. The shaved ice stand may not be placed on the site before March 1.
4. The conditional use permit is approved per this plan for a period of three (3) seasons running through to November 7, 2019.
5. Hours of operation are daily 12 p.m. till 10 p.m.

6. The shaved ice stand must be located a minimum of five (5) feet from the existing building.
7. The area is kept clean of trash and debris that may result from the snow cone stand.
8. All necessary permits are issued in conjunction with opening the snow cone stand. Specifically Jefferson County Health and Rock Community Fire Protection District.

Analysis

This the same location as last year and operated without issues. The site looks crowded on paper since this is a copy of the commercial site plan approval from 2004 showing the required parking for the car wash. In reality, the entire parking is rarely, if ever, at capacity. And with the nature of the shaved ice stand, parking for customers appears to be accommodated on site.

Please verify that the applicant is able to use the existing trashcans for the car wash and has access to the restroom on site.

The applicant has indicated they would like approval for the longest possible period. Based on their operation last year and lack of issues, Staff recommends approval of the conditional use for three (3) years (including this year and running through 2019), expiring on November 7, 2019.

A final comment is the shaved ice stand may not be located closer than 5 feet to the existing building per our Building codes.

When reviewing a conditional use permit, the following must be taken into consideration:

The use is deemed consistent with good planning practice.

The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.

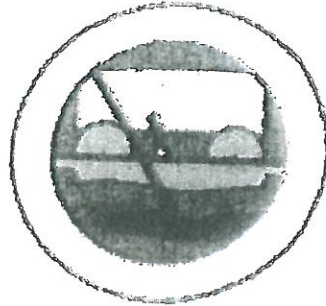
The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.

~~0013013~~

Community Development Department
City of Arnold
2101 Jeffco Blvd.
Arnold, MO 63010
636-282-2378
636-282-6677 Fax

3/28/17
4/1/17



CONDITIONAL USE PERMIT
APPLICATION

File Number 2017-02

\$400.00 Fee Paid 3/2/17

APPLICANT/CONTRACT PURCHASER

OWNER:

Travis Talbert

Jeff Unnerstall

Name

Name

710 La Marite Dr Manchester MO 63021

1857 Jeffco Blvd Arnold, MO 63010

Address, City, State, Zip

Address, City, State, Zip

636-484-0876

314-769-7643

Telephone Number

Telephone Number

N/A

N/A

Facsimile Number

Facsimile Number

1857 Jeffco Blvd

Property Address (or nearest intersection)

Zoning of property

Proposed Use: Shaved Ice Stand

Adjacent Zoning/Uses

North

South

East

West

Date of application

Meeting date targeting

Travis Talbert

Jeff Unnerstall

Signature of Applicant

Signature of Owner

R&M Tropical Sno will operate from March 1st through October 31st each year. The hours of operation will be from 12pm to 10pm daily.

I would like to apply for the longest possible permit at this time, the maximum allowed.

1. Consistent with good planning practice;
2. Can be operated in a manner that is not detrimental to the permitted developments and uses in the district;
3. Can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area;
4. Deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.

1. R&M Tropical Sno has been consistent with the City of Arnold's planning practice and has maintained the precedent that has been previously set by other businesses in the area.
2. R&M Tropical Sno can and will be operated in a way that causes no conflict to other permitted developments and uses in the district. The business will be placed in such a way that no

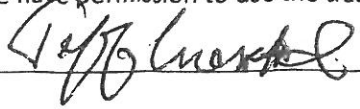
issues will arise in other businesses or permitted locations within the district out of respect for the city of Arnold and the businesses themselves. We have no interest in detracting from others in the surrounding area. We will also draw more business to the area as shaved ice is very popular.

3. R&M Tropical Sno will operate in a way that is visually compatible with the surrounding area through the use of our physical building and how we treat the surrounding area. Our building is visually a premium unit that will help make the surrounding area look friendly, pretty and fun, which also aligns with the current visual aspects of the neighborhood. Also as a business, all trash and spills will immediately be cleaned up to preserve the visual aspects of the district.

4. R&M Tropical Sno is both essential and desirable for promoting the public health, safety, and general welfare of the city of Arnold

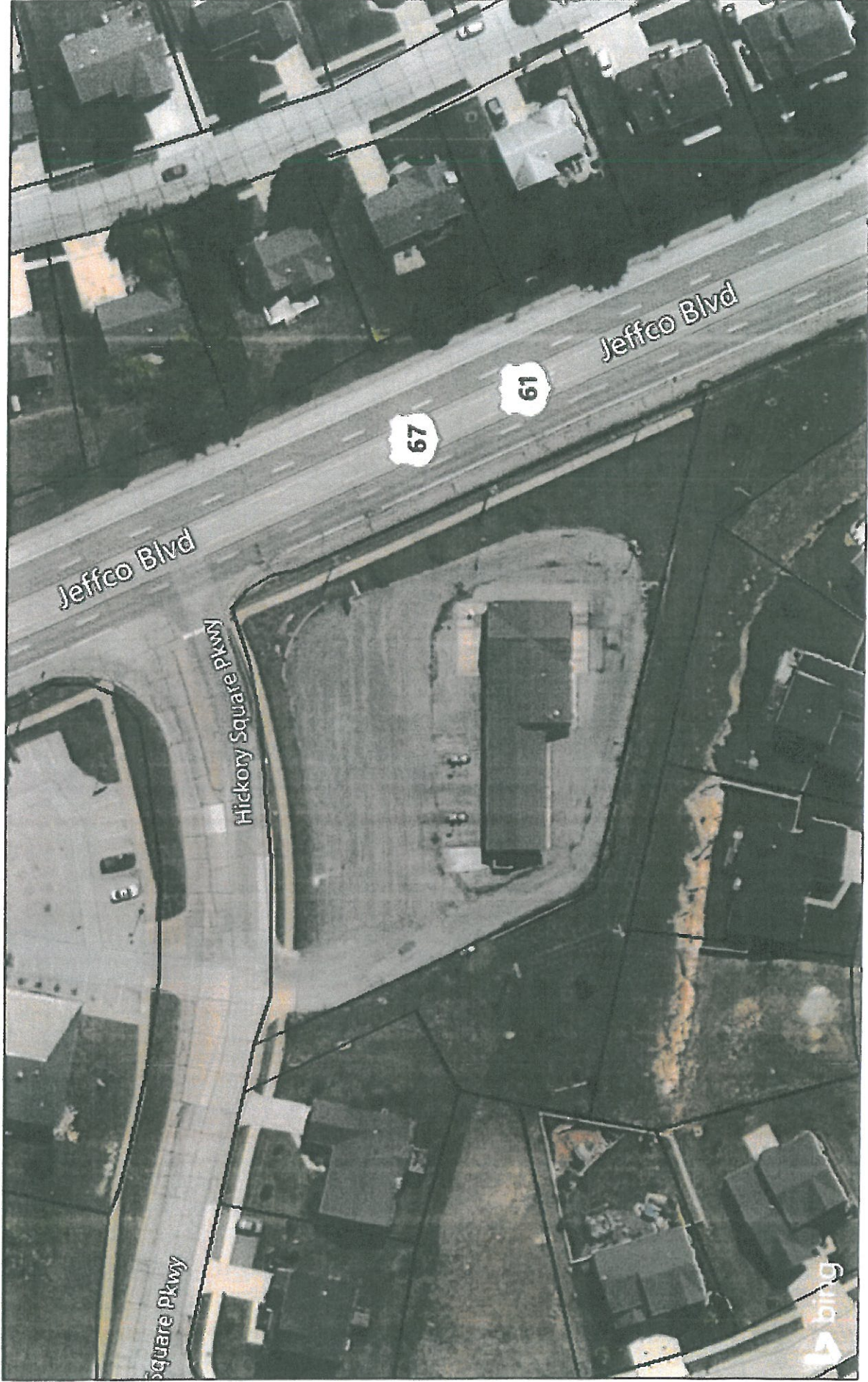
because shaved ice stands help promote community. We can provide a well lit and safe area for the community to gather and enjoy a nice summer treat. We can also promote exercising as we are within walking distance of many neighborhoods. We have two other locations and we have learned from experience that they are great places to have kids meet their friends in a safe environment, and hang out for a while. We enjoy watching our kids grow up from year to year, and eventually begin to work at Tropical Sno. We bring employment to the area, as well as revenue for the city. We have never had any issues at any of our locations it has always been a positive experience. It's also a great hang out for adults.

We have permission to use the trash bin and the restroom at the car wash at 1857 Jeffco Blvd. & Parking lot.

A handwritten signature in black ink, appearing to read 'Jeffco', is written over a horizontal line.

Signature

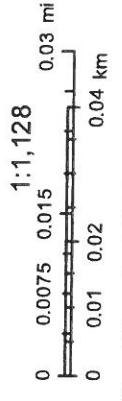
City of Arnold MO Online GIS Base Map Viewer



March 23, 2017

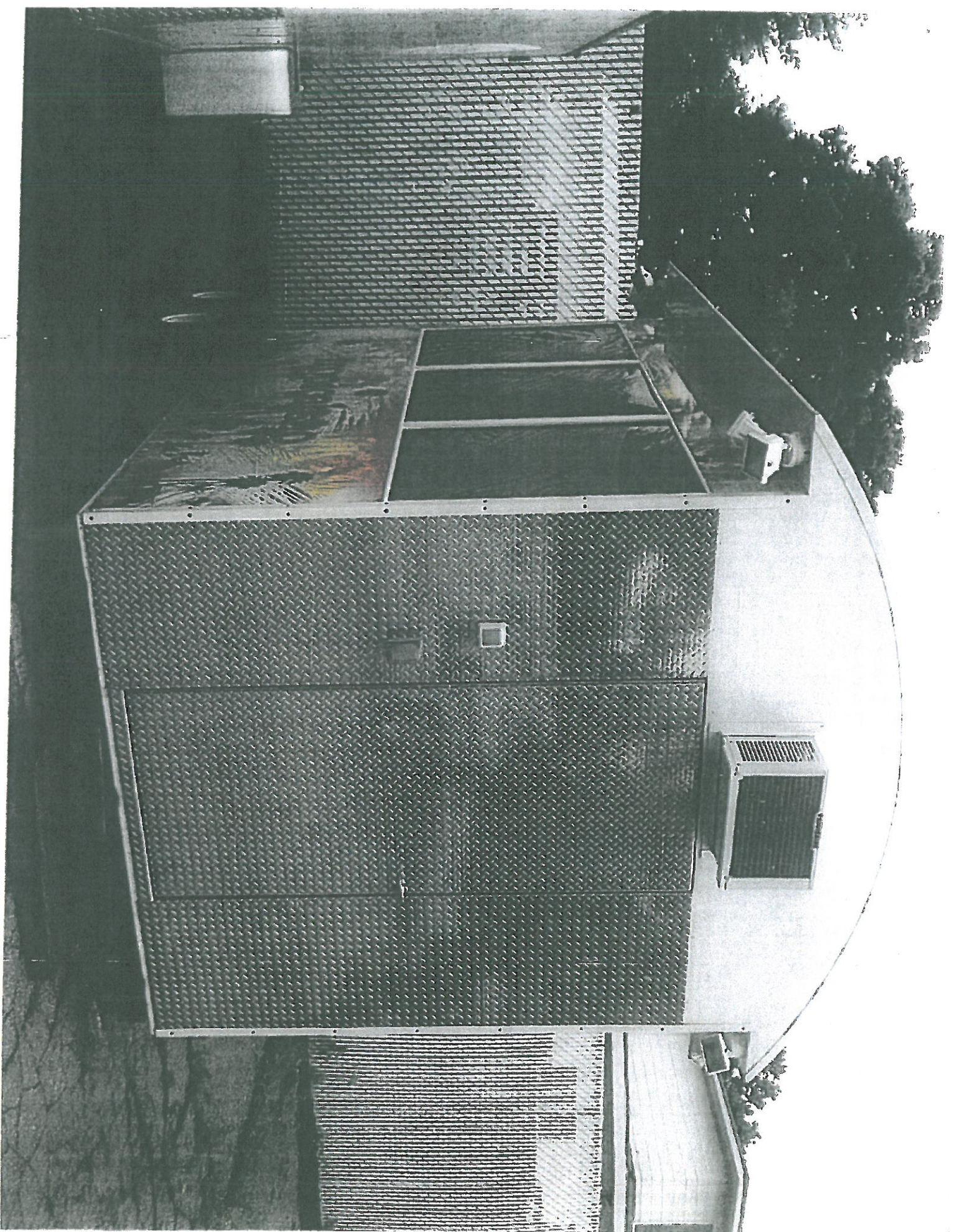
Jefferson County Parcels - Property

Arnold City Limits



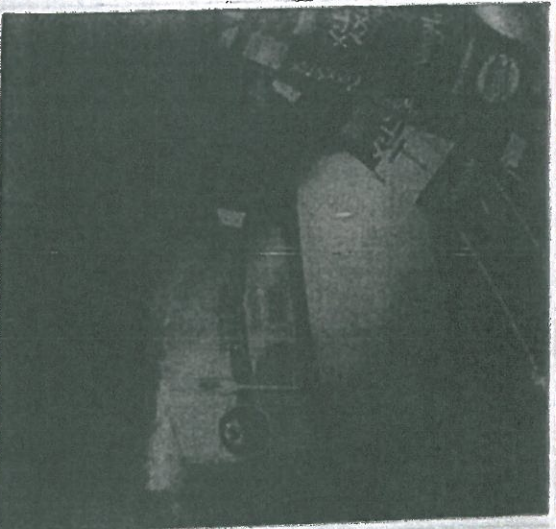
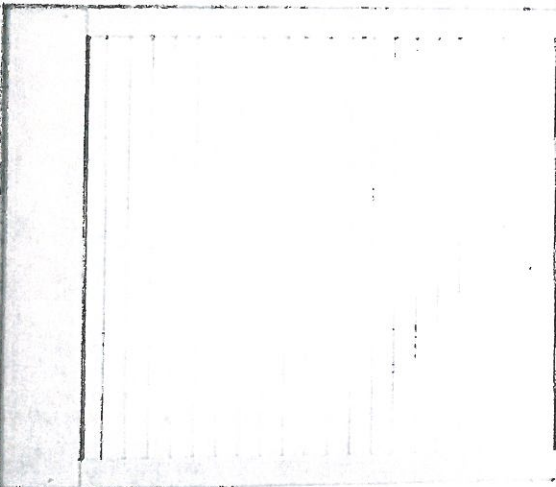
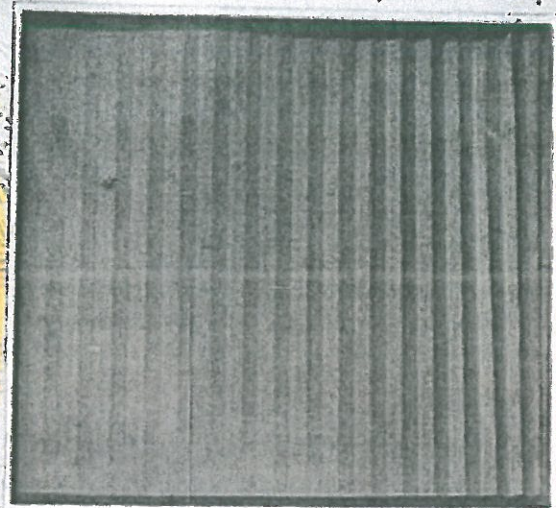
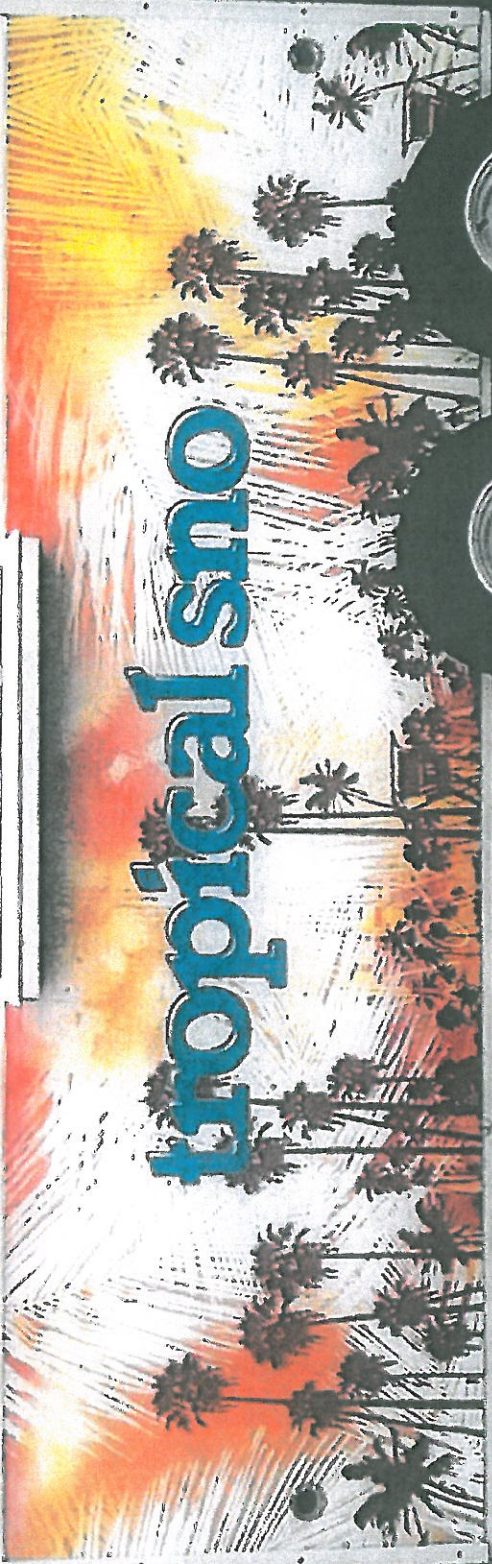
© 2017 Microsoft Corporation © 2010 NAVTEQ © AND
City of Arnold Community Development







tropical sno

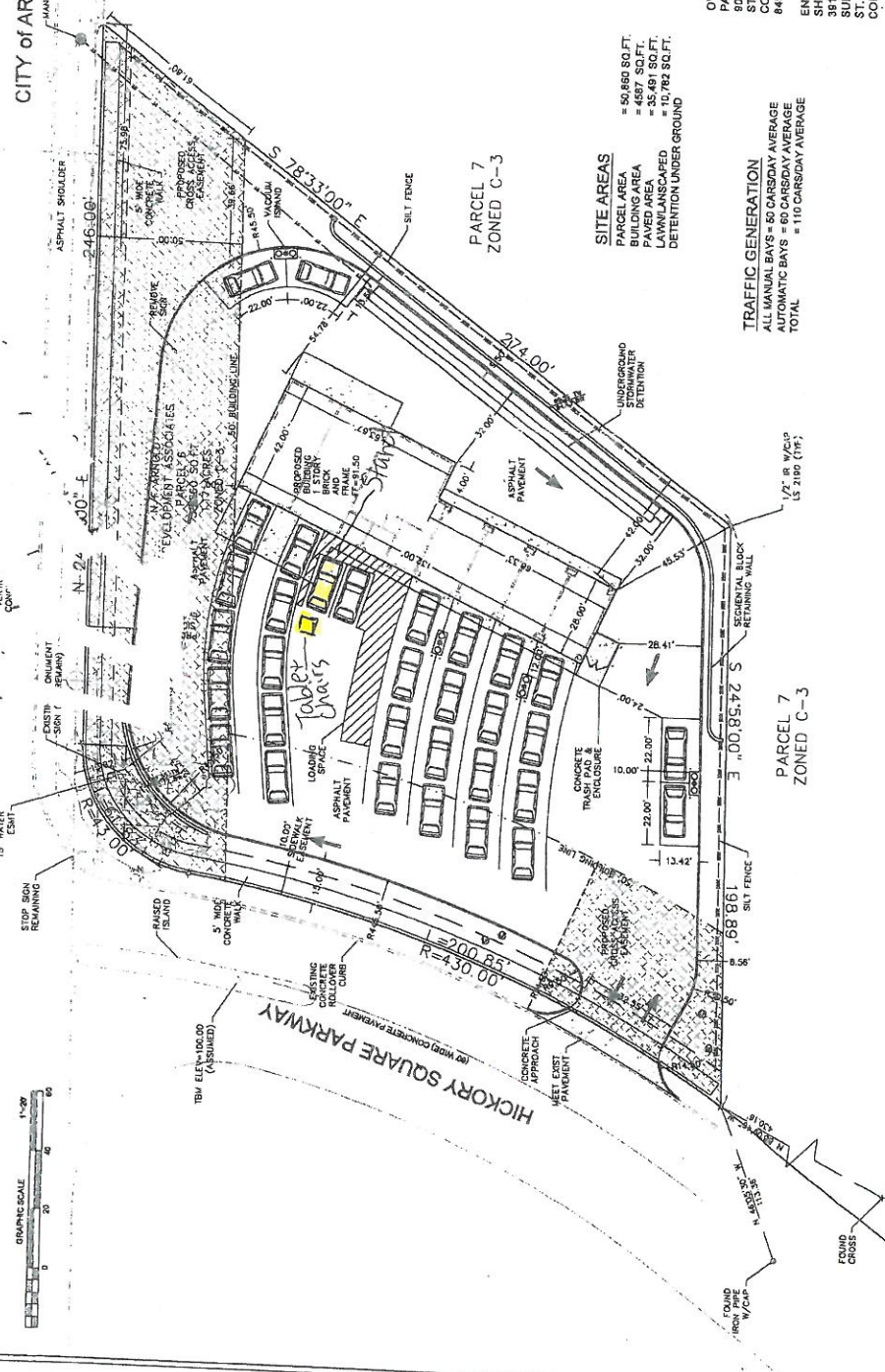
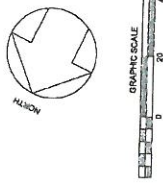


FOR ALL
NEEDS
202
18804.com

HICKORY RIDGE CAR WASH

PARCEL 6 of HICKORY SQUARE OUTLOT PARCELS
 PLAT BOOK 107, PAGE 2
 CITY of ARNOLD, JEFFERSON COUNTY, MISSOURI 63010

STATE HIGHWAY 61-67 (JEFFCO BLVD)
 (ROW VARIER) ASPHALT PAVEMENT



SITE AREAS
 PARCEL AREA = 50,869 SQ. FT.
 BUILDING AREA = 4467 SQ. FT.
 PAVED AREA = 35,481 SQ. FT.
 LAWNLANDSCAPED = 10,782 SQ. FT.
 DETENTION UNDER GROUND

TRAFFIC GENERATION
 ALL MANUAL BAYS = 60 CARSDAY AVERAGE
 ALL AUTOMATIC BAYS = 110 CARSDAY AVERAGE
 TOTAL

- NOTES:**
1. THE BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED BY BURDINE AND ASSOCIATES.
 2. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL FRACTIONS THEREOF.
 3. THIS SITE IS ZONED C-3.
 4. SPOCK DISTRICT: FOX C-2
 5. ENTRANCE WORK ON HICKORY SQUARE PARKWAY SHALL BE IN ACCORDANCE WITH CITY OF ARNOLD STANDARDS AND SPECIFICATIONS.
 6. CURBS ON SITE SHALL BE ASPHALT, EXCEPT AS NOTED.
 7. ASPHALTIC CEMENT PAVEMENT SHALL BE 3" COMPACTED 1.5" LOCAL COUNTY TYPE "C" OR HIGHER TYPE BPA-2 ON 6" COMPACTED HIGHER TYPE CONCRETE FOR SITE DRIVEWAYS.
 8. CONCRETE FOR SITE DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 4000 PSI. WATER CEMENT RATIO OF 0.45 AND AIR ENTRAINMENT OF 5%.
 9. EACH VACUUM ISLAND SHALL BE 12" HIGH. POLE MOUNTED LIGHT. ALL WASH BAYS SHALL HAVE INTERNAL LIGHTING.
 10. NO SLOPE CUT OR FILL SHALL EXCEED 3' HORIZONTAL TO 1' VERTICAL (3:1).
 11. SOIL FILL MATERIALS SHALL BE PLACED IN 8" LAYER LIFTS AND COMPACTED TO 90% OF MAXIMUM DENSITY AS MEASURED BY ASTM-D-1557 (MODIFIED PROCTOR).
 12. STORM AND SANITARY SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT CITY OF ARNOLD STANDARDS AND SPECIFICATIONS.
 13. WATER SERVICES SHALL BE CONSTRUCTED TO PUBLIC WATER SUPPLY MAIN AND INSTALLATION OF THE WATER MAIN AND INSTALLATION OF THE WATER METERS SHALL BE COORDINATED WITH THE DISTRICT.
 14. A BACKFLOW PREVENTER SHALL BE INSTALLED INSIDE THE CAR WASH BUILDING ON THE 2" WATER SERVICE.
 15. SLOTTION CONTROL SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY OF ARNOLD REQUIREMENTS AND MANUFACTURERS SPECIFICATIONS.
 16. THE LANDSCAPE PLAN, SHEET L-1.



OWNER:
 PAUL & KAREN MILLER
 8053 MORNING STAR TRAIL
 COLUMBIAN, MO 63128
 CONTACT: PAUL MILLER (514)
 648-3550

ENGINEER:
 SHEPARD CIVIL ENGINEERING
 3810 OLD HWY 84 SOUTH
 ST. CHARLES, MO 63304
 CONTACT: NEVIN SHEPARD, P.E.

PARCEL 7
 ZONED C-3

NO.	DATE	REVISIONS	DESCRIPTION

DESIGNER: KS
 CHECKED: KHIS

PREPARED FOR:
 PAUL & KAREN MILLER
 8053 MORNING STAR TRAIL
 COLUMBIAN, MO 63128
 (514) 648-3550

REAL: []

CONTRACT: SHEPARD CIVIL ENGINEERING, LLC
 3110 OLD HIGHWAY 84 SOUTH, BAY 112
 ST. CHARLES, MO 63304
 TEL: (314) 728-7878
 FAX: (314) 728-7879
 E-MAIL: SHEPARD@shepcivil.com
 SHEPARD CIVIL ENGINEERING, LLC
 8 Park Avenue East, St. Louis, MO 63114

HICKORY SQUARE CAR WASH
 PRELIMINARY SITE PLAN

8 D

March 15, 2017

The Finance Department will be shredding 7 boxes of 2011 Accounts Payable files in April 2017.

Jeanette Yount

From: Jennifer Roth
Sent: Friday, March 24, 2017 8:34 AM
To: Jeanette Yount
Subject: Shredding

Please add to shredding list

Timesheets January-December 2013

Thanks

Jennifer

Copy to Jeannette Yount
3/2/16

March 3, 2016

The following records are set up for destruction April 1, 2016

Payroll Registers 2009 Jan-Dec.

Payroll Requests 2011 Jan-Dec

Attendance Records 2012 Jan-Dec

Leave Requests 2012 Jan - Dec.

Joan Boyles, Payroll

Did not have
boxes downstairs
so this was not
destroyed.
Ja

Jeanette Yount

From: Ann Holtmann
Sent: Friday, February 24, 2017 1:49 PM
To: Jeanette Yount
Subject: Shredding

Jeanette

I am requesting the following files be shredded:

Lockbox Reports FY13 - 9/1/12-8/31/13

Daily Cash Receipts FY13 – 9/1/12-8/31/13

Recreation Center Daily Receipts – FY13 – 9/1/12-8/31/13

All deposit slip books prior to 2011

Bank Statements/Reconciliations FY12 – 9/1/11-8/31/12

Bank Statements/Reconciliations FY13 – 9/1/12-8/31/13

All these files are located in the storage room in the basement of City Hall, in the to be shredded pile.

Thanks

Ann Holtmann

Jeanette Yount

From: Ann Holtmann
Sent: Wednesday, March 29, 2017 10:25 AM
To: Jeanette Yount
Cc: Deborah Lewis
Subject: Shredding

Jeanette,

I request that the following files be approved by council for shredding

Daily Receipts/Deposit Activity for the following:

- FY2003
- FY2004
- FY2005
- FY2008
- FY2009
- FY2010
- FY2011

Bank Statements and Reconciliations

- FY2004
- FY2005
- FY2006
- FY2007
- FY2008
- FY2009
- FY2010
- FY2011
- FY2012

General Fund and Payroll Checks on CD - 10/1997-09/2003

Recreation Center/Ferd B Lang Pool Daily Deposits, Bank Statements,
and Reconciliations for the following years

- FY2006
- FY2007
- FY2008
- FY2009
- FY2010

Golf Daily Receipts/Deposits

- FY2007
- FY2008
- FY2009
- FY2010

Thanks

Memorandum from the Municipal Court

March 29, 2017

The Municipal Court is destroying 24 boxes of court files from the year 2013. They have met their 3 year retention requirement.

The Municipal Court is also destroying Red Light Camera Tickets from 2008 through 2014. They were kept longer than required due to possible litigation but are no longer necessary.

Attached is the breakdown of boxes to be shredded.

SHRED LIST FOR 2017

In Town Business Licenses (retention 10 years)
2006 to 2007

Miscellaneous In Town Business Licenses
1997 to 2006

Out of Town Business Licenses (retention 3 years)
2003 to 2013

Sunshine Law Requests (retention 3 years)
2006 to 2013

Refund of Utility Taxes (retention 3 years)
2006 to 2013

Old Miscellaneous Bids
1988 to 1998

Bids (retention 5 years)
2009 to 2011
2009 Aquatic Feasibility
2009 Audio Bid

Miscellaneous RFQ's and RFP's (retention 10 years)
1995 to 2006

Title Company Requests (retention 5 years)
2010
2011

Vending Machine Licenses (retention 2 years)
2007 to 2013

Solicitor/Peddler Licenses (retention 2 years)
1997 to 2013

Trash Compliance Requests (retention 3 years)
2013

Miscellaneous Collection Letters
2008 to 2012

Receipts for Returned Checks (completion of audit)
2007 to 2015



IN THE 23rd JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI

Division:

Circuit/No. _____ Associate/No. _____ Probate/No. _____

Municipal _____ City of ARNOLD

Contact Person: LAURIE LAIBEN Phone Number (636) 282-6695

Signature of Contact Person: *Laurie Laiben*

(Date File Stamp)

Court Operating Rule 8 authorizes the chief justice, presiding judge, or chair of the Fine Collections Center with the approval of the court en banc or committee, to issue orders of destruction for those records that have met the required retention period.

- The records listed below were offered to State Archives and local historical organizations and were
- refused or no response was received after 45 days. All requirements under Court Operating Rule 8 have been satisfied.
- The records listed below are not required to be offered to State Archives and local historical organizations.

Therefore, it is ordered that BRYAN RICHISON (Appointing Authority) destroy the records described below.

Order of Destruction

Book or Case Number Series	Book Title or Case Type	Dates of Cases/Books
BOX 1 A-M January 2013	2013 Minor traffic & dismissed	January 2013
BOX 2 N-Z January 2013 A-G February	2013 Minor traffic & dismissed	Jan.-Feb. 2013
BOX 3 H-Z February 2013	2013 Minor traffic & dismissed	February 2013
BOX 4 A-O March 2013	2013 Minor traffic & dismissed	March 2013
BOX 5 P-Z March 2013 A-Z April 2013	2013 Minor traffic & dismissed <i>ALL RECORDS HAVE MET RETENTION Sched.</i>	April 2013

Open Records to be destroyed by the following method: SHREDDING.

3/20/17
Date

[Signature]
Chief Justice, Presiding Judge, or Chair of the FCC Signature



IN THE 23rd JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI

COPY

Mailed Original
3/17/17

Division:
 Circuit/No. _____ Associate/No. _____ Probate/No. _____
 Municipal _____ City of Arnold
 Contact Person: LAURIE LARSEN Phone Number (636) 282-6695
 Signature of Contact Person: [Signature]

(Date File Stamp)

Court Operating Rule 8 authorizes the chief justice, presiding judge, or chair of the Fine Collections Center with the approval of the court en banc or committee, to issue orders of destruction for those records that have met the required retention period.

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 The records listed below are not required to be offered to State Archives and local historical organizations.

Therefore, it is ordered that _____ (Appointing Authority) destroy the records described below.

Order of Destruction

Book or Case Number Series	Book Title or Case Type	Dates of Cases/Books
BOX #6 H-Z APRIL 2013	2013 Minor traffic & dismissed	April 2013
BOX #7 A-R MAY 2013	2013 Minor traffic & dismissed	May 2013
BOX #8 S-Z MAY 2013 A-MC JUNE 2013	2013 Minor traffic & dismissed	May & June 2013
BOX #9 A-Z 2013	2013 Dismissed	2013
BOX #10 Mc-Z JUNE A-F JULY	2013 Minor traffic & dismissed	June & July 2013
ALL RECORDS HAVE MET RETENTION PERIOD		

Open Records to be destroyed by the following method: SHREDDING

_____ Date

_____ Chief Justice, Presiding Judge, or Chair of the FCC Signature



IN THE 23RD JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI

COPY
 Mailed to
 Original to
 Presiding Judge
 3/21/17

Division:
 Circuit/No. _____ Associate/No. _____ Probate/No. _____
 Municipal _____ City of ARNOLD
 Contact Person: LAURIE LAIBEN Phone Number (636) 282-6695
 Signature of Contact Person: [Signature]

(Date File Stamp)

Court Operating Rule 8 authorizes the chief justice, presiding judge, or chair of the Fine Collections Center with the approval of the court en banc or committee, to issue orders of destruction for those records that have met the required retention period.

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 The records listed below are not required to be offered to State Archives and local historical organizations.

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Order of Destruction

Book or Case Number Series	Book Title or Case Type	Dates of Cases/Books
BOX #11 G-Z JULY 2013	2013 Minor traffic & dismissed	July 2013
BOX #12 A-O AUGUST 2013	2013 Minor traffic & dismissed	August 2013
BOX # 13 P-Z AUGUST 2013 A-Z SEPT. 2013	2013 Minor traffic & dismissed	August-Sept. 2013
BOX #14 K-Z SEPT. 2013 A-F OCT. 2013	2013 Minor traffic & dismissed	Sept.-Oct. 2013
BOX #15 G-Z OCT. 2013 A NOV. 2013	2013 Minor traffic & dismissed	Oct.-Nov. 2013
ALL RECORDS HAVE MET RETENTION PERIOD		

Open Records to be destroyed by the following method:
SHREDDING

_____ Date

_____ Chief Justice, Presiding Judge, or Chair of the FCC Signature



IN THE 23rd JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI

COPY

Mailed to
Original Judge
Presiding Judge
3/21/17

(Date File Stamp)

Division:

Circuit/No. _____ Associate/No. _____ Probate/No. _____

Municipal _____ City of ARNOLD

Contact Person: LAURIE LAYBEN Phone Number (636) 282-6695

Signature of Contact Person: [Signature]

Court Operating Rule 8 authorizes the chief justice, presiding judge, or chair of the Fine Collections Center with the approval of the court en banc or committee, to issue orders of destruction for those records that have met the required retention period.

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The records listed below are not required to be offered to State Archives and local historical organizations.

Therefore, it is ordered that _____ (Appointing Authority) destroy the records described below.

Order of Destruction

Book or Case Number Series	Book Title or Case Type	Dates of Cases/Books
BOX #16 B-Z NOV. 2013	2013 Minor traffic & dismissed	November 2013
BOX #17 A-Z DEC. 2013	2013 Minor traffic & dismissed	December 2013
ALL RECORDS HAVE MET RETENTION PERIOD		

Open Records to be destroyed by the following method:

SHREDDING

Date _____

Chief Justice, Presiding Judge, or Chair of the FCC Signature _____



IN THE 23rd JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI

Division:

Circuit/No. _____ Associate/No. _____ Probate/No. _____

Municipal _____ City of Arnold

Contact Person: LAURIE LAIBEN Phone Number (636) 282-6695

Signature of Contact Person: [Signature]

COPY
Noted Original Judge to PRESIDING 3/23/17
 (Date File Stamp)

Court Operating Rule 8 authorizes the chief justice, presiding judge, or chair of the Fine Collections Center with the approval of the court en banc or committee, to issue orders of destruction for those records that have met the required retention period.

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- The records listed below are not required to be offered to State Archives and local historical organizations.

Therefore, it is ordered that BRYAN RICHISON (Appointing Authority) destroy the records described below.

Order of Destruction

Book or Case Number Series	Book Title or Case Type	Dates of Cases/Books
BOX #18 YEAR 2008	TRAFFIC LIGHT CAMERA	2008
BOX #19 YEAR 2010 & 2011	TRAFFIC LIGHT CAMERA	2010 & 2011
BOX #20 YEAR 2012	TRAFFIC LIGHT CAMERA	2012
BOX #21 YEAR 2012	TRAFFIC LIGHT CAMERA	2012
BOX #22 YEAR 2013	TRAFFIC LIGHT CAMERA	2013
BOX #23 YEAR 2013	TRAFFIC LIGHT CAMERA	2013
BOX #24	TRAFFIC LIGHT CAMERA	2013 & 2014
ALL RECORDS HAVE MET RETENTION PERIOD		

Open Records to be destroyed by the following method:
SHREDDING

 Date _____
 Chief Justice, Presiding Judge, or Chair of the FCC Signature