

City of Arnold, Missouri

**Council Meeting
Council Chambers**

**7:30 p.m.
August 7, 2008**

Revised Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **July 17, 2008**
5. Acceptance Of Warrants: **Payroll Warrant #1034 and #1035- General Warrant #5480**
6. Business From the Floor
7. Ordinances
8. Resolutions
 - A. Resolution No. 08-40:** A Resolution Authorizing the Mayor to enter into a Contract with Govero Land Services for Engineering Design for the Irene Drive Stormwater Project.
9. Motions
 - A.** A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation Section 610.021 (1) and Personnel Pursuant to Section 610.021(3), RSMO.
 - B.** A Motion to Approve Supplemental Agreement #3 to Crawford, Murphy & Tilly for Construction Inspection and Material Testing Services on the Church Road Projects.
 - C.** A Motion Awarding the Bid for the Renovation of Pomme Creek Golf Course, Hole #15 to Houska, Inc.
 - D.** A Motion Awarding the Bid for 65 Gallon Roll Out Recycle Carts to Rehrig Pacific Company.
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
 - A.** Conditional Use Permit for a Custard Stand at 3891 Jeffco Blvd.
15. Adjournment

**Next Regular Work Session: August 14th at 7:00 p.m.
Next Regular Council Meeting: August 21st at 7:30 p.m.**

REGULAR MEETING

August 7, 2008

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:30 PM

In the absence of Mayor Mark Powell, Mayor Pro-tem Randy Crisler called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was recited.

Opening Prayer was a moment of silence, recognizing Tanner Boynton, the young baseball player killed in a freak accident at the Arnold Athletic fields last week.

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

ACCEPTANCE OF THE MINUTES:

Al Ems moved to accept the minutes of the July 17, 2008 meeting if there were no deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read payroll warrant #1034. Bill Moritz moved to pay payroll warrant #1034 pay period ending July 11, 2008 in the amount of \$246,879.25 if the monies are available. Seconded by Al Ems. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

City Clerk Diane Waller read payroll warrant #1035. Butch Cooley moved to pay payroll warrant #1035 pay period ending July 25, 2008 in the amount of \$227,254.91 if the monies are available. Seconded by Al Ems. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

City Clerk Diane Waller read general warrant #5480. Bill Moritz moved to pay general warrant #5480 in the amount of \$1,259,817.44 if the monies are available. Seconded by Butch Cooley. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

BUSINESS FROM THE FLOOR

Mayor Pro-tem Randy Crisler explained how the ordinance allow guests to speak for 3 minutes on any topic but must identify themselves and state their address.

Mr. Rodgers, 861 Morningside in the Hyde Park subdivision, reported he has a neighbor disturbing his peace, harassing him, driving ATV's carelessly and was asking city's help to take care of this bad situation.

Chief Shockey explained that the city needs a written complaint to take action and Mr. Rodgers indicated he was now ready to do this.

Brian Waldrop, 3273 Telegraph, representing Operation Clean Stream, advised council the next cleanup will be Saturday, August 23, 2008 and was again asking for city's assistance and support as they have done in the past.

Butch Cooley offered a motion and so moved that **city once again support Operation Clean Stream on August 23, 2008 and provide the same manpower, equipment and support** as they have done in the past. Motion seconded by Al Ems. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

Thomas Ahonen, 2619 Arnold Tenbrook, had a list of problems he felt the city should be fixing regarding his property. He provided this list to all council (attached) and would like to see this addressed.

ORDINANCES

There were no ordinances this evening.

RESOLUTIONS

RESOLUTION NO. 08-40 – Mayor Pro-Tem Crisler announced this resolution had been pulled from the agenda.

MOTIONS

Mayor Pro-tem Crisler announced the motion to hold a closed session was also pulled this evening.

At this time he stated he would like to move Item 14 A, a conditional use permit for a custard stand at 3891 Jeffco, to this part of the meeting. No objections were voiced and a motion to amend the agenda to move Item 14A was offered by Jerel Poor and he so moved. Seconded by Matt Hay. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

Mary Holden stated the Planning Commission held a public hearing and considered the request for a custard stand at 3891 Jeffco. They are recommending approval with the conditions noted. She added the applicant would like to see the hours adjusted to 11 am to 11 pm. Jerel Poor offered a motion to change the condition to reflect this change in operating hours from 10 am to 10 pm to read hours of operation are restricted to 11 am through 11 pm, seven days a week and then so moved. Seconded by Matt Hay. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

There were no additional comments or objections so the permit stands approved with the addition of the change in hours from 11 to 11.

A **motion** to approve a supplemental agreement with Crawford, Murphy and Tilly for construction, inspection and material testing services on the church road projects was discussed. Bill Moritz offered a motion and so moved to authorize the Mayor to sign **Supplemental Agreement No. 3 with Crawford, Murphy & Tilly, Inc.** in the amount of **\$34,690.00**. Seconded by Jerel Poor. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

A motion to award the bid for the **renovation of Pomme Creek Golf course, Hole #15** to Houska Inc. was discussed. Bill Moritz offered a motion and so moved to award the bid for the materials and labor to **Houska, Inc, in the amount of \$90,527**. Seconded by Jerel Poor. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; 7 yeas, motion carried.

A motion to award the bid for **65 gallon roll out recycle carts** was discussed. The lowest bid was received from an out of town company Rehrig Pacific. Council members expressed they would like to give preference to a local business as long as product is equal or better and we still meet grant requirements. A motion was offered by Butch Cooley to award the bid to Armor Equipment here in Arnold. Seconded by Al Ems.

More discussion. Mr. Unrein would like to discuss with the grant panel to determine if they would accept this choice since it was not the lowest bid but a local bid within 5% and we would not lose the \$100,000 grant helping us with this purchase. More discussion. Mr. Cooley withdrew his motion and Mr. Ems withdrew his second. Mr. Unrein will follow-up and report back.

NEW BUSINESS

Bill Moritz complimented those responsible for the condition of the golf course especially where the Pomme Creek flooded and stated that area looks better than ever.

OLD BUSINESS

Nothing discussed.

COMMITTEE REPORTS

There were no committee reports.

REPORTS FROM MAYOR AND COUNCIL

Ward 4 – Butch Cooley – Questioned Mary Holden on the status of the wall at Maxville Terrace. She replied it has not passed inspection. Mr. Cooley questioned Mr. Blue regarding the ATT reconstruction on Lonedell and Mr. Blue will be going over that project. Mr. Cooley also thanked him for the gravel cleanup on Lonedell Road. Asked if the city could take a look at a storm water situation at 1805 Melody and Mr. Blue acknowledged he would.

Ward 1 – Matt Hay – Had concerns regarding the Arnold Commons sign and wanted to make sure staff was aware that there seems to be something wrong with it. Mary Holden acknowledged this and added the developer is also aware of the situation and stated it would be addressed.

Ward 4 – Al Ems – Questioned if there was a problem with UMB getting permits and Mary addressed this misconception. Mr. Ems also felt it would be nice to thank First Baptist Church for allowing the use of the short cut through their property during the road construction.

Ward 1 – Randy Crisler –No Report

Ward 2 – Jerel Poor - No Report

Ward 3 – Joyce Deckman – Excused

Ward 2 – Bill Moritz – Reminded everyone that former council person Vinson had requested city look into renaming Arnold Tenbrook by the Industrial area and would like to see this subject revisited.

Ward 3 – Phil Amato – Acknowledged Mr. Ahonen's list needs to be addressed. Asked if the park could be heavily sprayed for mosquitoes since there is a concert there Saturday.

ADMINISTRATIVE REPORTS

Jeff Blue – reported on the progress of all his road projects and how challenging the deadlines and the weather have been. Happily reported Mo State Road opened tonight.

Matt Unrein – Reported city received no response for bids for the I-55 landscape project.

Attorney Robert Sweeney – No Report

Diane Waller – No Report

Chief Shockey – No Report

Susie Boone – Reported on a number of park activities – the movie “CARS” being shown outdoors on an inflatable screen this Friday, concert in the park Saturday, Rec center totally closed for heavy cleaning and maintenance August 13, 14 and 15th.

Deborah Lewis – Informed all that the budget will be presented at work session next week. Proudly shared the city had again received from the Government Finance Officers Association a Certificate of Achievement for Excellence in Financial Reporting for the 19th year.

Mary Holden - No report

Greg Hall – Announced city is trying to work out the details to reschedule the Merle Haggard concert for October. This week's concert was cancelled after a storm with heavy rain hit the area Tuesday and Rickman's roof leaked and creek flooded the parking lot.

Motion to adjourn was offered by Al Ems.

Seconded by Butch Cooley. Voice vote: all yeas.

Meeting adjourned at 8:20 PM.

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Respectfully submitted.

City Clerk