

City of Arnold, Missouri

Public Hearing
Council Chambers

August 21, 2008
7:30 p.m.

A. An Ordinance Fixing the Annual Rate of Levy for Taxes. See Agenda Item 7A.

Council Meeting
Council Chambers

Immediately Following the Public Hearing

Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **August 7, 2008**
5. Acceptance Of Warrants: **Payroll Warrant #1036 - General Warrant #5481**
6. Business From the Floor
7. Ordinances
 - A. Bill No. 2313:** An Ordinance Fixing the Annual Rate of Levy for Taxes.
 - B. Bill No. 2315:** An Ordinance Providing for the Adoption of the Fiscal Year 2009 Budget.
 - C. Bill No. 2316:** An Ordinance Approving a Record Plat Titled "Arnold Crossroads Plaza."
 - D. Bill No. 2317:** An Ordinance Amending Chapter 2, Relating to Purchasing.
8. Resolutions
 - A. Resolution No. 08-41:** A Resolution to Endorse and Support the Passage of the Jefferson County Home Rule Charter.
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 Award a Bid for 65 Gallon Roll Out Recycle Carts.
 - C.** A Motion to Award a Bid for Towing Services to Squires Towing.
 - D.** A Motion to Authorize Transfer of TIF Sales Tax.
10. New Business
11. Old Business

12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

Next Regular Council Meeting: Thursday, September 4th at 7:30 p.m.
Next Work Session Meeting: Thursday, September 11th at 7:00 p.m.

REGULAR MEETING

August 21, 2008

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:34 PM

Mayor Mark Powell called the meeting to order at 7:34 pm.

The Pledge of Allegiance was recited.

Opening Prayer was a moment of silence, in memory of 5-year-old Griffin Calvert, who was recently killed in an ATV in Jefferson County.

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

ACCEPTANCE OF THE MINUTES:

Al Ems moved to accept the minutes of the August 7, 2008 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley.

Bill Moritz asked the minutes be amended to state "Arnold Tenbrook" as the road to be considered renamed due to confusion. It was incorrectly stated as upper Tenbrook. This will be corrected in the minutes. Both Al Ems and Butch Cooley amended their motion to reflect this change. Roll call vote: Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; 8 yeas, **motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read payroll warrant #1036. Bill Moritz moved to pay payroll warrant #1036 pay period ending August 8, 2008 in the amount of \$232,003.28 if the monies are available. Seconded by Joyce Deckman. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **motion carried.**

City Clerk Diane Waller read general warrant #5481. Randy Crisler moved to pay general warrant #5481 in the amount of \$1,230,252.53 if the monies are available. Seconded by Al Ems. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas; **motion carried.**

BUSINESS FROM THE FLOOR

No one came forward tonight to speak.

Mayor amended agenda to bring liquor committee report to this part of the meeting and also item 9d, a motion, to be discussed at this time.

Bill Moritz reported a liquor control committee meeting was held this evening and the committee was forwarding a recommendation for approval of licenses to William Keith Hollis to sell intoxicating liquor in original package and on Sunday for the **Circle K** businesses located at **504 Jeffco, 1980 Richardson Road and 2001 Richardson Road**. These were formerly owned by Spirit and were known as CFM's. Mr. Moritz then offered a motion to approve, seconded by Joyce Deckman. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **motion carried**.

Deborah Lewis spoke briefly about the **use of projected TIF revenues** and the impact on budget items if a motion does not pass authorizing this. Phil Amato moved to approve a motion **to authorize the transfer and use of TIF revenues** received from Arnold Commons and Crossroads projects for FY2009 budget and operations. Seconded by Randy Crisler. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **motion carried**.

ORDINANCES

Bill No. 2313 AN ORDINANCE FIXING THE ANNUAL RATE OF LEVY FOR TAXES was read twice by City Clerk Diane Waller and discussed.

Phil Amato clarified how the city gets much revenue from sales tax and noted not much comes from property taxes. The property taxes are disbursed to many other entities such as schools, ambulance district, library etc.

Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **ordinance passed**.

Bill No. 2315 AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE FISCAL YEAR 2009 BUDGET was read twice by City Clerk Diane Waller. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **ordinance passed**.

Bill No. 2316 AN ORDINANCE APPROVING A **RECORD PLAT** TITLED “**ARNOLD CROSSROADS PLAZA**” was read twice by City Clerk Diane Waller.

Mary Holden clarified that all conditions must be met before city signs off. Moritz and Poor had concerns about access, safety, and storm water issues.

Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **ordinance passed.**

Bill No. 2317 AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI OF THE CODE OF ORDINANCES RELATING TO **PURCHASING** was read twice by City Clerk Diane Waller. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **ordinance passed.**

RESOLUTIONS

RESOLUTION NO. 08-41 - A RESOLUTION ENDORSING AND SUPPORTING THE PASSAGE OF THE JEFFERSON COUNTY HOME RULE CHARTER was discussed.

Phil Amato read a prepared statement endorsing and stating the benefits of charter government.

Al Ems read a prepared statement and asked that it be included in the minutes (attached).

Councilmen Jerel Poor and Matt Hay left council chambers at 7:54 pm.

Randy Crisler then moved to endorse and support the passage of the Jefferson County Home Rule Charter. Seconded by Bill Moritz. Roll call vote: Poor (out of the room), Crisler, yes; Hay (out of the room), Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 6 yeas, 2 out of the room, **resolution passed.**

MOTIONS

A motion to hold a **closed session** immediately following the city council meeting for the purpose of discussing **litigation** Section 610.0021 (1) and **Personnel** pursuant to Section 610.021 (3), RSMO was offered by Al Ems and he so moved. Seconded by Randy Crisler. Roll call vote: Poor (out of the room); Crisler, yes; Hay (out of the room); Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 6 yeas, 2 out of the room, **motion carried.**

Matt Hay and Jerel Poor returned to the council chambers at 7:57 pm.

A motion to award the bid for 65-gallon roll out recycle carts to Rehrig Pacific Company was discussed. Randy Crisler moved to award the bid to **Rehrig Pacific for 65-gallon roll out recycle carts in the amount of \$95,636.00**. Seconded by Matt Hay. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 8 yeas, **motion carried**.

A motion to award a bid for towing services was discussed. Councilmen voiced their opinions and concerns regarding past performances of companies involved in the bids. Mr. Cooley voiced concern about the appearance of the Squires lot referring to many oil spills that need to be cleaned up as well as concerns about past customer satisfaction. Our current provider, K and K, has an excellent performance record and in the past Squires and the city had some problems. Chief indicated all has been worked out and city is proposing a 1 year probation period with Squires, the lowest bidder. City attorney acknowledges he is okay with this.

K & K was complimented for their excellent service in the past. Mr. Amato stated for the record, K & K has done a lot for the city, has been very active in the community and we appreciate all they have done but this is a matter of economics. If Squires does not perform as expected, the city will terminate contract and accept the next lowest bid.

A motion was offered by Randy Crisler to **award the towing contract to Squires effective 9/1/08 with a one year probationary period**. Seconded by Bill Moritz. Roll call vote: Poor (abstain); Crisler, yes; Hay, yes; Ems, yes; Cooley, yes; Amato, yes; Deckman, yes; Moritz, yes; 7 yeas, 1 abstention, motion carried.

Note: Mr. Poor abstained, as he is the landlord for Squires Towing.

NEW BUSINESS

There was no new business to discuss tonight.

OLD BUSINESS

Nothing discussed.

COMMITTEE REPORTS

Liquor committee report had been given earlier in the meeting.

REPORTS FROM MAYOR AND COUNCIL

Ward 4 – Butch Cooley – Reported on the heavy truck and the place on Maple Drive that needs cleaning up. Mary Holden stated she would work on this.

Ward 1 – Matt Hay – Talked about a situation on Francis Drive and got Chief Shockey involved.

Ward 4 – Al Ems – reported the trucks on Maple Drive are a problem

Ward 1 – Randy Crisler –No Report

Ward 2 – Jerel Poor - No Report

Ward 3 – Joyce Deckman – No Report

Ward 2 – Bill Moritz – Distributed photos showing signs that have been duct taped to the new traffic signals at the Arnold Commons and would like this stopped.

Ward 3 – Phil Amato – Acknowledged the homemade signs Mr. Moritz referred to and would like to see something done to correct this situation. Attorney Sweeney will take a look at this.

Mayor Powell explained that he had missed the last meeting right after the statewide election.

Attorney Robert Sweeney stated he had just completed a 2 and ½ day jury trial regarding the Robinson property. City will be getting a refund and Robinson was awarded less than the commissioner's awarded.

ADMINISTRATIVE REPORTS

Matt Unrein – No report

Diane Waller – No Report

Greg Hall – reported Merle Haggard concert has now been rescheduled for October 7, 2008. Refunds will be made available to those desiring them.

Mary Holden – No Report

Deborah Lewis – No Report

Jeff Blue – Advised council that there may need to be another road closing in order to complete the intersection around the new Arnold Commons at Old Lemay Ferry.

Susie Boone – provided an update on the greens at Pomme Creek

Chief Shockey – provided special City of Arnold shirts to the council members and encouraged them to wear them at the MML Conference in September.

Amato complimented Mayor Powell on his recent campaign for State Treasurer. Added if he had he won the election, he would have set a record for spending the lowest amount of money for a state campaign.

Motion to adjourn was offered by Randy Crisler.
Seconded by Al Ems. Voice vote: all yeas.

Meeting adjourned at 8:15 PM.

Respectfully submitted.

City Clerk