

## City of Arnold, Missouri

Council Meeting  
Council Chambers

August 6, 2009  
7:30 p.m.

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### Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **July 9, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1060 & #1061 - General Warrant #5504**
6. Business From the Floor
7. Ordinances
  - A. **Bill No. 2345:** An ordinance Approving a Settlement Agreement with AT&T/SBC Landline.
8. Resolutions
  - A. **Resolution 09-37:** A Resolution Awarding a Contract for Construction of the Ozark Drive Bridge Replacement Project.
  - B. **Resolution 09-38:** A Resolution Authorizing the Application for the Downtown Revitalization Economic Assistance for Missouri (DREAM) Initiative.
  - C. **Resolution 09-39:** A Resolution Announcing the Participation by the City of Arnold in the State Sales Tax Holiday.
  - D. **Resolution 09-40:** A Resolution Appointing Ted Brandt, Jr. to serve on the Planning and Zoning Commission Committee for the Remainder of a Four-Year Term.
9. Motions
  - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for Litigation Pursuant to Section 610.21 (1), RSMo.
  - B. A Motion to Approve a Change Order with Walden Associated Technologies, Inc.
10. New Business
11. Old Business
12. Committee Reports

13. Reports from Mayor and Council
14. Administrative Reports

**Next Regular Council Meeting August 20, 2009 at 7:30 p.m.  
Next Work Session Meeting August 13, 2009 at 7:00 p.m.**

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July 31, 2009

**REGULAR MEETING**

**August 6, 2009**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:31 PM**

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Mayor Ron Counts called the meeting to order at 7: 31 pm.

The Pledge of Allegiance was recited.

Brad East of First Baptist Church offered the opening prayer.

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

**ACCEPTANCE OF THE MINUTES:**

Bill Moritz moved to **accept the minutes of the July 9, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. However, the minutes offered were actually for the **meeting of July 16, 2009** so both amended their motion and second to reflect this. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read **payroll warrant #1060.** Jason Connell moved to pay payroll warrant #1060 pay period ending July 10, 2009, in the amount of \$252,661.16 if the monies are available. Seconded by Jerel Poor. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

City Clerk Diane Waller read **payroll warrant #1061.** Joyce Deckman moved to pay payroll warrant #1061, pay period ending July 24, 2009 in the amount of \$249,996.46 if the monies are available. Seconded by Jason Connell. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excuse); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

City Clerk Diane Waller read **general warrant #5504.** Bob Lindsley **moved** to pay **general warrant #5504** in the amount of \$927,762.31 if the monies are available. Seconded by Jerel Poor. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

## **BUSINESS FROM THE FLOOR**

Ms. **Mary Eames**, 638 Peach Drive, identified herself as a long time resident of Arnold and complained about a neighbor whose tandem trucks are causing disturbances on her street. She indicated she counted 45 trips in a 2-hour period and this is also causing health issues for herself and the neighbors.

Mayor assured her he would look into this.

**Sandra Coil**, the daughter of Ms.Eames visiting from Nebraska confirmed what her mother had spoken of.

Another resident at 625 Peach Drive read a prepared statement addressing the noise and other issues, as a result of these trucks, stating residents can't enjoy being outside because of all the dirt being stirred up along with other disturbances.

**Ken Walker**, 674 Rockwood, alleges the trucks have dumped so much dirt into the valley that it is now blocked and mosquitoes have taken over. Invited city to take a look at this.

Again, the Mayor assured city would look into this.

**Brian Wucher**, 3178 Rosedale, expressed safety concerns about the streets in Rosedale being left open once the Ozark Bridge is replaced.

**Mike Winkler**, 1897 Ozark Drive, read a prepared statement about what has all transpired with the Ozark Bridge project and his concerns.

**Norman Moss**, 2270 Fawn, expressed more of the NID costs should be absorbed by the Ozark Trailer Park owner.

**Frank Pointer**, 1009 Southgate, encouraged council to pass Resolution 09-38, the Application for the Downtown Revitalization Economic Assistance for Missouri (Dream) Initiative.

**Brian Waldrop**, 3273 Telegraph, representing Arnold Clean Stream, announced the 18<sup>th</sup> annual event will be held August 22 and volunteers should meet at Arnold Park at 7:30 that morning. He is again requesting city's assistance, as in the past.

Randy Crisler offered a motion for the **city to support Clean Stream** as the city has done in the past and he so moved. Seconded by Bill Moritz. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, **motion carried.**

**Doris Borgelt**, 653 Louisa, read a prepared statement indicating her concern about the cost for the Ozark Bridge.

**Mrs. Winkler**, 1881 Ozark, responded to Ms. Borgelt, by questioning what business is it of hers to be concerned, when it is the residents who will be paying.

## **ORDINANCES**

**Bill No. 2345 AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH AT & T/SBC LANDLINE** was read twice by City Clerk Diane Waller. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas. **Ordinance passed.**

## **RESOLUTIONS**

**RESOLUTION NO. 09-37 A RESOLUTION AUTHORIZING AGREEMENT WITH R. V. WAGNER, INC. FOR REPLACEMENT OF THE OZARK DRIVE BRIDGE OVER POMME CREEK** was discussed. Bill Moritz moved on Resolution 09-37. Seconded by Randy Crisler. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas. **Resolution passed.**

**RESOLUTION NO. 09-38 A RESOLUTION AUTHORIZING THE APPLICATION FOR THE DOWNTOWN REVITALIZATION ECONOMIC ASSISTANCE FOR MISSOURI (DREAM) INITIATIVE AND PROVIDING FOR A 20% MATCH BASED UPON THE AWARD** was discussed. Matt Hay moved on Resolution 09-38. Seconded by Joyce Deckman. Roll call vote: Poor, yes; Crisler, yes; Hay, no; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 6 yeas, 1 nay, **Resolution passed.**

**RESOLUTION NO. 09-39 A RESOLUTION ANNOUNCING THE PARTICIPATION BY THE CITY OF ARNOLD IN THE STATE SALES TAX HOLIDAY** was discussed. Bill Moritz moved on Resolution No. 09-39. Seconded by Randy Crisler. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas. **Resolution passed.**

**RESOLUTION NO. 09-40 A RESOLUTION APPOINTING TED BRANDT, JR. TO SERVE ON THE PLANNING COMMISSION FOR THE REMAINDER OF A FOUR-YEAR TERM** was discussed. Jason Connell moved on Resolution No. 09-40. Seconded by Jerel Poor. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes, 7 yeas, **Resolution passed.**

### **MOTIONS**

A motion to hold a **closed session** immediately following the City Council Meeting to discuss Litigation pursuant to Section 610.021 (1), RSMo was offered by Bob Lindsley and he so moved. Seconded by Jerel Poor. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman; yes; Moritz, yes; 7 yeas, **Motion carried.**

A motion to approve a **change order with Walden Associated Technologies, Inc.** in the amount of **\$28,366.00 for an additional 1203 feet of 8” sewer main to be re-lined and 109 service connections** was discussed. Jerel poor offered a motion to approve and so moved. Seconded by Matt Hay. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas. **Motion carried.**

A motion to **move funds to the new budget from the current budget for this CIPP project** was offered by Bob Lindsley and he so moved. Matt Hay seconded the motion. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas. **Motion carried.**

### **NEW BUSINESS**

There was no new business.

### **OLD BUSINESS**

Bob Lindsley spoke about the \$400,000 in stimulus money for parks and wanted city to **send a letter to the governor to show our support.** Bob Lindsley offered a motion and he so moved. Seconded by Matt Hay. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems, (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas. **Motion carried.**

## COMMITTEE REPORTS

Bill Moritz reported the liquor control committee had met earlier this evening. **El Paisano**, 1424 **Jeffco** has now completed their renewal application for intoxicating **liquor by the drink and on Sunday** and the committee is recommending approval. Bill Moritz offered a motion to **approve** and so moved. Seconded by Matt Hay. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas. **Motion carried.**

Bob Lindsley reported the Tourism Committee had met this week and reviewed their budget. He attended the Parks Board meeting last night and plans are underway for the Arnold Days Celebration. Reported on the Sewer Review Committee and presented a report which he read aloud (attached).

Councilman Matt Hay left the Council Chamber at 8:34 and returned at 8:37 pm

Mr. Lindsley indicated there should be another review of sewer fees in November.

Randy Crisler added he was happy that the review turned out the way it did.

Matt Hay reported the committee to research the televising of the council meetings met this week to see a presentation and he will follow-up with other entities to see if we can pool our resources.

## REPORTS FROM MAYOR AND COUNCIL

**Mayor Counts** - He thanked Bob Lindsley and those involved with the sewer rate review and reiterated he requested the sewer rates be reviewed to see if anything could be done. This review clarified what the previous council had done. Stated Drury Inn and Suites is moving forward with the new hotel and there is a meeting tomorrow with them.

**Ward 2 – Bill Moritz** – Shared he had conversations with Mr. Rose on Ozark Drive and Mr. Rose was impressed with the way city staff has been handling the Ozark Bridge situation. Also mentioned the noise and disturbances Ms. Eames referred to earlier this evening and the city may need to review our ordinances regarding this at a work session. Mr. Moritz brought up the concern for a possible church on Richardson Road and thus more traffic and questioned if a traffic study was ever done. Announced that the remains of a U.S. Navy L.Cdr Michael Speicher from the Kansas City area, missing since the Gulf War, have been found and are being returned.

**Ward 3 – Bob Lindsley** – Reported Phase 2 of Woodridge has been completed and we are now working with the Corps of Engineers on Phase 3. The residents are happy with the progress.

**Ward 1 – Randy Crisler** – No Report

**Ward 2 – Jerel Poor** – Reported he has received calls concerning the dog walk and Peach Drive issue.

**Ward 3 – Joyce Deckman** – No Report

**Ward 4 – Jason Connell** – Thanked staff for the upcoming Dog Walk/Run.

**Ward 1 – Matt Hay** – Reported he is looking forward to the walk this weekend. Referred to an editorial about the speed bumps in the local paper and asked that if residents have issues, please tell us.

**City Administrator Matt Unrein** – No Report

**Diane Waller** – No Report

**Chief Shockey** – No Report

**Parks Director Susie Boone** – Reported on the Parks Board meeting last night and they are trying to address local fishermen’s concerns regarding the hours. She would like to speak to the Attorney and the Chief, but is considering continuing to close the park 30 minutes after sunset, with the exception of fishing, launching and landing of boats. Reported on all the other upcoming events with the parks department.

**Community Development Director Mary Holden** – Reported Arnold will have animals available for adoption at the dog walk. Reported P & Z approved the Lombardo’s Restaurant at the Drury site.

**Public Works Director Bryson Baker** – Mr. Baker explained how he needed a change order for the mill, mat and overlay to cover some areas in Bayshore that were left out of the original bid. He is asking for an additional \$5490.00 Bill Moritz offered the motion and then so moved. Seconded by Randy Crisler. Roll call vote: Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; 7 yeas, motion carried

**Attorney Robert Sweeney** – No report

**Finance Director Deb Lewis** – No report

**Greg Hall** – Reported that tourism approved their budget. Added that individual concert tickets go on sale Monday and provided a brief update on the Ozark Bridge project.

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Regular meeting  
August 6, 2009

A motion to close was offered by Bill Moritz. Seconded by Randy Crisler. Voice Vote:  
all yeas, motion carried and meeting adjourned at 8:57 pm.

Respectfully submitted,

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City Clerk