

# City of Arnold, Missouri

**Council Meeting  
Council Chambers**

**August 2, 2012  
7:00 p.m.**

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## Amended Agenda

1. Pledge of Allegiance:
2. Opening Prayer: **Shiloh World Outreach Center – Rev. Rick Wallace**
3. Roll Call:
4. Acceptance of Minutes: **Amended July 5, 2012 and July 19, 2012**
5. Acceptance of Warrants: **Payroll Warrant #1139 - General Warrant #5576**
6. Business From the Floor:
7. Ordinances:
  - A. **Bill No. 2515:** An Ordinance Enacting Regulations on Businesses Purchasing Precious Metals, Precious or Semi-Precious Stones, and/or Jewelry.
8. Resolutions:
  - A. **Resolution 12-43:** A Resolution Authorizing the Mayor to Enter into a Contract With Flooring Systems to Install Tile and Carpet at the Public Works Building.
  - B. **Resolution 12-44:** A Resolution Exempting a Portion of the Property at 3590 St. Johns Church Road, Owned by Marvin and Ester Keller from Chapter 12, Article II Section 12, Weeds and Other Noxious Matter.
9. Motions:
  - A. A Motion to Decrease the Yearly Membership Fees by 15% for the Semi-Annual Membership Drive.
  - B. A motion to Approve the Purchase of a Replacement Truck for Animal Control.
  - C. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation, Real Estate, and Personnel Pursuant to RSMo Section 610.021 (1), (2) (3).
10. New Business:
11. Old Business:

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

**Next Regular Council Meeting August 16, 2012 at 7:00 p.m.**  
**Next Work Session Meeting August 9, 2012 at 7:00 p.m.**

August 1, 2012  
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Mayor Ron Counts called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Rev. Rick Wallace, of Shiloh World Outreach Center, did the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Mayor Counts, Moss, Borgelt, Lang (excused), Hohmeier, Moritz, Amato, Freese, Kownacki, Chief Shockey, Waller, Holden, Lewis, Sweeney, Boone, Baker, Kroupa, and Hall.

#### ACCEPTANCE OF MINUTES:

**Sandra Kownacki made a motion and moved to accept the amended minutes of the July 5, 2012 meeting** if there are no changes. Seconded by Paul Freese. Roll call vote: Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, motion carried.

**Sandra Kownacki made a motion and moved to accept the minutes of the July 19, 2012 meeting.** Seconded by Paul Freese. Roll call vote: Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, motion carried.

#### ACCEPTANCE OF WARRANTS:

City Clerk Diane Waller read Payroll Warrant #1139. **Doris Borgelt made a motion and moved to pay Payroll Warrant #1139 in the amount of \$260,525.51** if the monies are available. Seconded by Paul Freese. Roll call vote: Moss, yes; Borgelt, yes; Lang, (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, **Motion carried.**

City Clerk Diane Waller read General Warrant #5576. Paul Freese **made a motion and moved to pay General Warrant #5576 in the amount of \$260,542.40.** Seconded by Ken Moss. Roll call vote: Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes, Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, **Motion carried.**

Mayor and Council recognized two Scouts in attendance: Ryan Wainz and Tyler Lennemann. They are both from Troop 450 - Knights of Columbus and both are working on their Citizenship and Communications badges.

#### BUSINESS FROM THE FLOOR

Mayor explained the procedure to speak that is set by ordinance and the need to provide speaker cards.

**Chris Cepicky**, owner of New Coat Sealing at 2105 Blossom, spoke of the cancelled resolution that had to do with extending the crack sealing project. He gave his input, provided background information and added he has been asking for 5 years for the city to go out for bid. In his opinion, he felt council should review and modify the 5% clause for local businesses in our ordinance.

Chief responded city is going out for bid and it will be advertised in next week's paper.

**Bob Hohmeier**, 3569 Swan Circle South, stated repeatedly he still feels the city is hiding something. He alleged the city paid off the previous City Administrator and this could be construed as blackmail. He challenged the media to investigate and demand answers from the council and city personnel.

## **ORDINANCES**

**BILL NO. 2515 – AN ORDINANCE ENACTING REGULATIONS ON BUSINESSES PURCHASING PRECIOUS METALS, PRECIOUS OR SEMI-PRECIOUS STONES, AND/OR JEWELRY** was discussed.

Mary Holden explained how this ordinance came about. Due to the economy, many people are buying and selling and this regulation is needed. Heirlooms are being stolen, sold and melted before they can be tracked.

Chief explained we had an ordinance at one time but for some reason, it is no longer on the books.

Ms. Borgelt expressed she felt a 30-day retention would be better.

Chief explained the research done indicated this was a good time frame.

Ms. Hohmeier didn't feel the need for this. Ms. Hohmeier felt we needed more open communication with the business and the police and felt city was being prejudiced and this would be burdensome for the businesses.

Chief explained how Pawn Shops are already required and do comply. He indicated they have a good working relationship with those folks. If items are melted to soon, their just gone. City has talked to the businesses and we have good rapport.

Sandra Kownacki added it would be better to be too careful rather than not careful enough. She shared a personal experience she had with stolen jewelry.

Doris Borgelt explained if one was on vacation, she didn't feel 15 days was sufficient time and would like to see a 30-day period.

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There was more discussion on the 30 or 15 day hold but ordinance was read as presented with the 15 day clause.

City Clerk Diane Waller read **Bill No. 2515** two times. Roll call vote: Moss, yes; Borgelt, no; Lang (excused); Hohmeier, no; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 5 yeas; 2 nays, **Ordinance passed.**

## **RESOLUTIONS**

**RESOLUTION NO. 12-43 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH FLOORING SYSTEMS TO INSTALL TILE AND CARPET AT THE PUBLIC WORKS BUILDING** was discussed.

Mr. Baker explained how he was directed by council to get bids. The low bid was for \$9981.00 with Flooring Systems.

Ms. Borgelt questioned if this was in addition to the monies approved prior to purchase the materials. She was informed that was correct.

Paul Freese offered a motion and he so moved **to award the bid to Flooring Systems in the amount of \$9981.00** Seconded by Phil Amato. Roll call vote: Moss, yes; Borgelt, no; Lang (excused); Hohmeier, no; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 5 yeas, 2 nays; **motion carried.**

**RESOLUTION NO. 12-44 – A RESOLUTION EXEMPTING A PORTION OF THE PROPERTY AT 3590 ST. JOHN’S CHURCH ROAD, OWNED BY MARVIN AND ESTHER KELLER FROM CHAPTER 12, ARTICLE II SECTION 12, WEEDS AND OTHER NOXIOUS MATTER.**

Mary Holden explained the unique situation with this property and provided pictures.

Bill Moritz offered a **motion and he so moved to exempt a portion of Mr. Keller’s property.** Seconded by Michelle Hohmeier. Roll call vote: Moss, yes; Borgelt, yes; Lang, (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, **motion carried.**

## **MOTIONS**

**A MOTION TO DECREASE THE YEARLY MEMBERSHIP FEES FOR THE RECREATION CENTER BY 15% FOR THE SEMI-ANNUAL MEMBERSHIP DRIVE** was explained by Parks Director, Susie Boone.

Paul Freese offered a motion and he so moved. Seconded by Sandra Kownacki.

Roll call vote: Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; **motion carried.**

**A MOTION TO APPROVE THE PURCHASE OF A REPLACEMENT TRUCK FOR ANIMAL CONTROL** was explained by Chief. No extra money will be spent as money is still taken from their budget, even though the line item is a bit higher.

Bill Moritz questioned what would be done with the old truck that was being replaced. He suggested the Parks Department could use it. This will be considered.

Sandra Kownacki offered **a motion to award the bid to Dave Sinclair Ford, Inc. for a 2012 Ford F-150 in the amount of \$24,562.00** as the best and lowest bid and she so moved. Seconded by Bill Moritz. Roll call vote: Kownacki, yes; Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; 7 yeas, motion carried.

**A motion to hold a closed session immediately following the City Council meeting** for the purpose of discussing litigation, real estate and personnel, pursuant to RSMO Section 610.021 (1), (2), (3) Paul Freese offered a motion and so moved. Seconded by Doris Borgelt. Roll call vote: Moss, yes; Borgelt, yes; Lang (excused); Hohmeier, yes; Moritz, yes; Amato, yes; Freese, yes; Kownacki, yes; 7 yeas, **motion passed.**

#### **NEW BUSINESS**

Doris Borgelt questioned if the attorney's bills could be included with the warrants so that everyone could look at them.

Finance Director Deborah Lewis responded those invoices are client privileged and is confidential information. She will continue to provide these documents to the council and reminded them this is to be held in confidence.

#### **OLD BUSINESS**

Sandra Kownacki reported she has had several calls on the Key West sewer situation. Mayor reminded her this is in litigation and we need to be careful even talking about it.

Bill Moritz acknowledged receiving the detailed memo from Diane Waller regarding the visitor logs and felt this all came about because Mr. Cooley came in without signing in. He would like to stipulate there is a new policy and indicated this all needs to end.

#### **COMMITTEE REPORTS**

NONE

## REPORTS FROM MAYOR & COUNCIL

**Mayor Ron Counts** – Complimented and asked Mr. Amato to speak on the fast tracking activities related to the Anheuser Busch development. Mr. Amato reported permits were issued and how this is the largest building project in the world for Anheuser Busch.

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

**Ward 4 - Ken Moss** – No Report

**Ward 3 – Phil Amato** – Directed questions to Mr. Sweeney regarding fees and hourly rates. Mr. Sweeney explained his hourly fees and detailed how additional costs are calculated if there are other legal costs involved (depositions, filing fees, subpoenas) these are fees he pays and the city reimburses.

He was also questioned about comparing his services and fees to that of the county counselor. He shared the county has more than one attorney and additional staff for specific issues – i.e. zoning, code enforcement etc. They have offices, staff, pension, vacation etc. City of Arnold has explored the possibility of a similar idea and this proposal was rejected by the city. There is one county counselor, but more than one attorney.

**Ward 3 – Paul Freese** – No report

**Treasurer – Dan Kroupa** – No report

**Ward 2 – Bill Moritz** – Referred to the weed control issues along Telegraph and Tenbrook and the misunderstanding of property ownership. The County information had not been updated on the GIS which added to the confusion. Mr. Boyer, the county rep for this area, was in attendance and was requested to see if this could be cleared up at the county level.

Greg Hall verified all was done properly but there appeared to be a communication problem between the Assessors Office and Records Office. It is in the process of being taken care of.

Mr. Moritz also reported on a situation that was exposed when Ms. Winkler spoke a few weeks ago. The weed situation along Ozark Drive has now been corrected.

**Ward 2 - Michelle Hohmeier** – No Report

**Ward 1 - Cricky Lang** - Excused

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

#### **ADMINISTRATIVE REPORTS**

**Interim City Administrator/Chief Shockey** – Thanked Mary Holden and her department for their effort with the AB project.

Stated the payroll and general warrants are now on the web page.

Shared the monitors are for use with future presentations and this entire project came in under budget by about \$4000. Public Works crew, Deion Christopher and Bill Bonsack were recognized for their help in getting all this done.

Mayor added he liked the way the Chief is getting things done.

**City Clerk Diane Waller** – Stated the financial reports that were on the dias tonight in the future, will be found on our website.

**Susie Boone** –Announced the Parks and Leisure Service meeting is next week, August 6<sup>th</sup>, at the Rec Center. She also advised the center is presently closed for annual cleaning and major renovations.

**Mary Holden** – No report

**Bryson Baker** – No report but added they have had no complaints from the public on the roundabout. Hopes it will be done by the end of September.

**Attorney Bob Sweeney** – No report.

**Deb Lewis** – Budget packets are available in hard copy so if everyone could take theirs tonight, they can begin reviewing for next week's work session. Rec Center budget will be emailed.

Mayor announced next week's work session will be discussing the budget.

**Greg Hall** – reported there had been a Tourism meeting this week and they are considering advertising our 911 Memorial in a sign on the highway. He also explained the new front doors have been installed and are ADA compliant. A card swipe will be added at a later date.

Ken Moss questioned if there would be a Finance/Budget Committee meeting prior to the work session.



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Mayor indicated there would not but the plans could change. Council members expressed they would like to still have one.

Bill Moritz introduced his wife Debbie and their new puppy. He was trying to get the word out that city has an abundance of cats and dogs for adoption.

Mayor announced a recess at 7:52 pm to go into closed session.

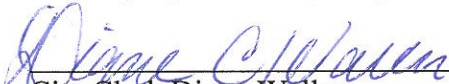
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Closed session ended at 8:31 pm.

A motion was offered by Bill Moritz to adjourn the meeting. Seconded by Paul Freese.

Voice Vote: all yeas.

Meeting adjourned at 8:31 pm.

  
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City Clerk Diane Waller



CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 8/2/2012

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BILL NO - RESOLUTION - MOTION

	ROLL CALL	APPROVE AMENDED 7/5/2012 MINUTES	APPROVE 7/19/2012 MINUTES	APPROVE PAYROLL WARRANT NO. 1139	APPROVE GENERAL WARRANT NO. 5576	APPROVE BILL NO. 2515
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR</b> <u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b> <u>KEN MOSS</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>DORIS BORGELT</u>	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> <u>CRICKY LANG</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
<b>COUNCIL:</b> <u>MICHELLE HOHMEIER</u>	PRESENT	YES	YES	YES	YES	NO
<b>COUNCIL:</b> <u>BILL MORITZ</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>PHIL AMATO</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>PAUL FREESE</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>SANDRA KOWNACKI</u>	PRESENT	YES	YES	YES	YES	YES
<b>INTERIM ADMINIS TRATOR/ CHIEF OF POLICE</b> BOB SHOCKEY	PRESENT					
<b>CITY CLERK:</b> DIANE WALLER	PRESENT					
<b>COM DEV DIR:</b> MARY HOLDEN	PRESENT					
<b>FINANCE DIR:</b> DEBORAH LEWIS	PRESENT					
<b>CITY COUNSELOR</b> BOB SWEENEY	PRESENT					
		<b>PARKS DIR:</b>		SUSIE BOONE		PRESENT
		<b>PUBLIC WORKS:</b>		BRYSON BAKER		PRESENT
		<b>TREASURER:</b>		DAN KROUPA		PRESENT
		<b>DIR. OF ADMIN.</b>		GREG HALL		PRESENT