

City of Arnold, Missouri

**Council Meeting
Council Chambers**

**December 17, 2009
7:00 p. m.**

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer: **New Hope Methodist Church - Quenten Madden**
3. Roll Call
4. Acceptance of Minutes: **December 3, 2009**
5. Acceptance of Warrants: **Payroll Warrant #1070 - General Warrant #5513**
6. Business from the Floor:
 - A. **Presentations of MIRMA Grants from Matthew Broderson**
7. Ordinances
 - A. **Bill No. 2361: An Ordinance Accepting Lands Known as Fenwick Place, Patriot Point, and Savannah Court in Thornbrook Hills Subdivision.**
8. Resolutions
 - A. **Resolution 09-62: A Resolution Authorizing an Agreement with MoDOT to Document the Revised Funding for the Astra Way and Route 141 Signal Upgrade Project STP-5403(614).**
 - B. **Resolution 09-63: A Resolution Appointing Paul Rodenroth to the Board of Adjustments as an Alternate Member for the Remainder of a Three-Year Term.**
 - C. **Resolution 09-64: A Resolution Appointing Raymond C. Frazier, Jr. to the Building Appeals Board for the Remainder of a Three-Year Term.**
 - D. **Resolution 09-65: A Resolution Appointing Ron McCracken to the Building Appeals Board for the Remainder of a Three-Year Term.**
 - E. **Resolution No. 09-66: A Resolution Appointing Homer L. Becker to the Personnel Board of Review for the Remainder of a Three-Year Term.**
 - F. **Resolution No. 09-67: A Resolution Authorizing the Mayor to Enter into Professional Services Agreement with Larkin Aquatics for Professional Services.**
 - G. **Resolution No. 09-68: A Resolution Removing the City Attorney.**

H. **Resolution No. 09-69:** A Resolution Appointing _____
as the City Attorney.

9. Motions
 - A. A Motion to Approve the Bid on Audio Recording Equipment for Police Department.
 - B. A Motion Accepting Donation of Flood Plain Land.
 - C. A Motion to approve the Purchase of a 2010 Dump Truck with Swaploader for the Street Department.
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

Next Regular Council Meeting January 7, 2010 at 7:00 p.m.
Next Work Session Meeting January 14, 2010 at 7:00 p.m.

REGULAR MEETING

December 3, 2009

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:14 PM

Mayor Ron Counts called the meeting to order at 7:14 pm.

The Pledge of Allegiance was recited.

Mr. Warren Woerth from Good Shepherd Lutheran Church offered the opening prayer.

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

ACCEPTANCE OF THE MINUTES:

Bob Lindsley moved to **accept the minutes of the November 19, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, abstain; Schoenbeck, yes; Poor, yes; 7 yeas, 1 abstention **Motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1069**. Bill Moritz moved to pay **payroll warrant #1069** pay period ending November 13, 2009, in the amount of \$238,238.91 if the monies are available. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; 8 yeas. **Motion carried.**

City Clerk Diane Waller read **general warrant #5512**. Randy Crisler moved to pay **general warrant #5512** in the amount of \$481,033.12 if the monies are available. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; 8 yeas. **Motion carried.**

BUSINESS FROM THE FLOOR

The Mayor explained how anyone could speak for up to 3 minutes on any topic, but first must identify himself or herself and state their address.

Ms. Bernie Wilde, 3533 Swan Circle South, extended an invitation from The Arnold Historical Society open House this weekend. Reported the society had received a donation of some antique ornaments from Mrs. Simpson.

Mr. Tom Dixon, of Atomic Fireworks, and representing Arnold Chamber of Commerce, was asking city's support of Resolution 09-60. This agreement will benefit both City and Chamber. Extended an invitation to the block party this Friday at the Shoppes at Water Tower.

Mr. Bruce Bein, 1164 Hickory Ridge, expressed his concern if the zoning was approved to allow commercial property adjoining his subdivision. He also asked how he could receive more information. Mr. Unrien advised him to see the Clerk's office during normal business hours and they would provide the requested information.

Ms. Doris Borgelt, 653 Louisa, announced the Missouri Ethics Commission on November 30th, dismissed the case against Mr. Poor that was levied by Mr. Edwards.

ORDINANCES

BILL NO. 2359 – AN ORDINANCE REZONING A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED AS PT LOT 5 US SURVEY 2991 FROM R-3 TO C-4 COMMERCIAL was discussed.

There was much discussion and concern expressed. Randy Crisler referred to a similar situation in his ward where the residents wanted their property protected. Jason Connell elaborated on how concerns were addressed by P & Z and he is in support of this change. Bill Moritz feared if property was rezoned he did not want a nuisance and advised, if allowed, they should be a good neighbor. Bob Lindsley questioned the appearance, sod, storm water control, berm etc. and was advised these issues were all previously discussed, addressed and criteria was met. Mr. Crisler had questions regarding the building construction. Tim McKeever, the applicant, was allowed to speak and address concerns.

Bill No. 2359 was read twice by City Clerk Diane Waller. Roll call vote: Lindsley, no; Crisler, no; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; 6 yeas, 2 nays, **Ordinance passed.**

BILL NO. 2360 – AN ORDINANCE ACCEPTING SANITARY SEWERS FOR PUBLIC USE AND MAINTENANCE, WITHIN COMMERCIAL SUBDIVISION KNOWN AS ARNOLD COMMONS; AUTHORIZING THE MAYOR OF THE CITY OF ARNOLD, MISSOURI, TO EXECUTE A FORMAL ACCEPTANCE THEREOF; AND PROVIDING FOR THE RECORDING OF SAID ACCEPTANCE. A COPY OF SAID FORMAL ACCEPTANCE IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE was discussed.

Much concern expressed from council as the project is not totally complete. Mr. Unrein explained how sewer lines will be scoped before and after as future construction equipment could damage the lines.

Bill No. 2360 was read twice by City Clerk Diane Waller. Roll call vote; Lindsley, no; Crisler, no; Hay, no; Moritz, no; Connell, no; Deckman, no; Schoenbeck, no; Poor, abstain; 7 nays, 1 abstention, **Ordinance failed.**

RESOLUTIONS

RESOLUTION NO. 09-60 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SCOPE OF SERVICES AGREEMENT WITH THE ARNOLD CHAMBER OF COMMERCE. Bill Moritz offered a motion and then so moved. Seconded by Randy Crisler. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; 8 yeas. **Resolution passed.**

RESOLUTION NO. 09-61 A RESOLUTION OF SUPPORT AND PARTICPATION IN THE ALL HAZARD MITIGATION PLAN UPDATE was discussed. Jason Connell moved on Resolution 09-61. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; 8 yeas. **Resolution passed**

MOTIONS

A motion to award the bid for aquatic staffing at the Arnold Recreation Center pools was discussed. Midwest Pool Management has provided the service in the past and done a very good job. Discussion followed, as they were not the lowest bidder.

Bill Moritz offered a motion **to award the bid for aquatic staffing at the Arnold Recreation Center pools to Midwest Pool Management in the amount of \$399,917**, being the lowest and best bid and so moved. Seconded by Randy Crisler. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman yes; Schoenbeck, yes; Poor, yes; 8 yeas. **Motion carried.**

A motion to **authorize the Mayor to execute a 48-month lease/purchase agreement with Commerce Bank for the principal amount of \$816,810 at 3.47%** was discussed. This is for vehicle and equipment financing. Bill Moritz offered a motion and so moved. Seconded by Karl Schoenbeck. Roll call vote: Lindsley, yes; Crisler, yes; Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes, 8 yeas. **Motion carried.**

NEW BUSINESS

Bill Moritz referring to the shutoff agreement, expressed concern about how the city is determining who the user of the sewer was, and if landlord or tenant is that person. He could foresee this being a problem, as, per the agreement, the records of the city must match the water company in order to shut off water for failure to pay bills.

Matt Unrein clarified the names must match. However, state law dictates the owner as the responsible party.

City Clerk Diane Waller explained that most billings go to the landlord, so they are aware of any unpaid bills. It is their choice to pay or forward the bill to the tenant. Many have made arrangements in their lease etc. as to who will be paying. However, ultimately, the owner is responsible.

Randy Crisler added this should help the city with collections as there are some landlords that have not been paying.

Mr. Hay questioned if we could have more discussion at the next work session on this procedure.

Mr. Moritz referred to City Ordinances requiring notification for special meetings. He would like to see this updated so that notification electronically would be considered acceptable in the future. Suggested this be on January work session.

Mr. Poor asked that city look into a lateral program for the residents.

OLD BUSINESS

Jason Connell questioned the status of the investigation of the 1946 Keywest property. Mr. Unrein advised the city's insurance company has denied the claim. Mr. Baker has suggested what the homeowner could do at this point to fix the problems. Mr. Schoenbeck added he has talked with Mr. Egleston recently and he is aware of the insurance company's decision.

COMMITTEE REPORTS

Bob Lindsley stated the sewer review committee had met and will present findings and recommendations at the next work session. A public hearing is scheduled for January 7th to discuss proposed rates.

Randy Crisler stated he was happy the city now has an agreement with the Chamber of Commerce and this should benefit both.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – No report

Ward 4 - Karl Schoenbeck – No report

Ward 1 - Bill Moritz reported there had been a Briarwood Subdivision meeting and asked Bryson Baker for an update on the storm water basin and manhole cover. Mr. Baker reported the subdivision is responsible for both and they are waiting for the proper size manhole cover. Police Chief Shockey added his officers have become involved in the police issues in the subdivision and citations have been issued.

Ward 3 - Bob Lindsley announced Windcrest subdivision had met and now has new trustees. They will be asking city for assistance with matters relating to streets etc.

Ward 1 - Randy Crisler – No report

Ward 3 – Joyce Deckman – No report

Ward 2 – Jerel Poor – No Report

Ward 1 – Matt Hay – No Report

City Administrator Matt Unrein – No report

City Clerk Diane Waller – No report.

Chief Bob Shockey – No report

Parks Director Susie Boone – Thanked the Parks and Leisure Services Board for their ideas and announced the one time 30% off fees Sale this Saturday for membership at the Rec Center and/or Pomme Creek Golf Course. Announced the upcoming Paw Park Santa Photo opportunity and the Breakfast with Santa this Saturday.

Mary Holden – Stated it was great to be back (she had been recuperating from surgery at home and was sporting her arm in a sling).

Public Works Director – Bryson Baker – Reported saltboxes were not going to be out this year unless requested. This is due to time restraints and budget cuts. Informed council of change orders he had approved for Jacobs Engineering (MSD project) and Crawford, Murphy and Tilley (141 and Church project). Also indicated the Ozark Bridge is to be set on December 14, 2009.

Treasurer Paul Freese – Excused

Attorney Robert Sweeney – No Report

Finance Director Deb Lewis – Reported on recent bid openings for the recreation centers' fully insurable value report. Assetworks Appraisal was the lowest bidder in the amount of \$1450.00 and staff will proceed. No council action necessary.

Director of Administration Greg Hall – Provided an update on the progress of the microphones in the chambers. They have been repaired and now working properly. Announced the 3rd Annual Thanksgiving Day Gobble Run had about 1000 participants. The next concert is Wynonna Judd on December 13. Indicated tickets are still available.

A motion to close was offered by Randy Crisler. Seconded by Jerel Poor
Voice Vote: all yeas, motion carried and meeting adjourned at 8:33 pm.

Respectfully submitted,



City Clerk

CORRECTED

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 12/3/2009

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BILL NO - RESOLUTION - MOTION

	ROLL CALL	11/19/09 MINUTES	PAYROLL WARRANT 1069	GENERAL WARRANT 5512	BILL 2359	BILL 2360
COUNCIL MEMBERS:						
MAYOR: RON COUNTS	PRESENT					
COUNCIL: BOB LINDSLEY	PRESENT	YES	YES	YES	NO	NO
COUNCIL: RANDY CRISLER	PRESENT	YES	YES	YES	NO	NO
COUNCIL: MATT HAY	PRESENT	YES	YES	YES	YES	NO
COUNCIL: BILL MORITZ	PRESENT	YES	YES	YES	YES	NO
COUNCIL: JASON CONNELL	PRESENT	YES	YES	YES	YES	NO
COUNCIL: JOYCE DECKMAN	PRESENT	ABSTAIN	YES	YES	YES	NO
COUNCIL: KARL SCHOENBECK	PRESENT	YES	YES	YES	YES	NO
COUNCIL: JEREL POOR	PRESENT	YES	YES	YES	YES	ABSTAIN

ADMINISTRATOR: MATT UNREIN	PRESENT	PARKS DIR: SUSIE BOONE	PRESENT
CITY CLERK: DIANE WALLER	PRESENT	POLICE CHIEF: CHIEF SHOCKEY	PRESENT
COM DEV DIR: MARY HOLDEN	PRESENT	PUBLIC WORKS: BRYSON BAKER	PRESENT
FINANCE DIR: DEBORAH LEWIS	PRESENT	TREASURER: PAUL FREESE	EXCUSED
CITY COUNSELOR ROBERT SWEENEY	PRESENT	DIR. OF ADMIN. GREG HALL	PRESENT

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 12/3/2009

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BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR: RON COUNTS

COUNCIL: BOB LINDSLEY

COUNCIL: RANDY CRISLER

COUNCIL: MATT HAY

COUNCIL: BILL MORITZ

COUNCIL: JASON CONNELL

COUNCIL: JOYCE DECKMAN

COUNCIL: KARL SCHOENBECK

COUNCIL: JEREL POOR

	RES -09-60	RES 09-61	MOTION POOL SERVICES	MOTION LEASE PURCHASE FINANCING		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		
	YES	YES	YES	YES		

ADMINISTRATOR: MATT UNREIN

CITY CLERK: DIANE WALLER

COM DEV DIR: MARY HOLDEN

FINANCE DIR: DEBORAH LEWIS

CITY COUNSELOR: ROBERT SWEENEY

PARKS DIR: SUSIE BOONE

POLICE CHIEF: CHIEF SHOCKEY

PUBLIC WORKS: BRYSON BAKER

TREASURER: PAUL FREESE

DIR. OF ADMIN.: GREG HALL

