

City of Arnold, Missouri

**Public Hearing
Council Chambers**

**December 19, 2013
7:00 p.m.**

A.2013-17, Used Car Sales Lot – Proposed Regulations.

Council Meeting

Immediately Following the Public Hearing

Amended Agenda

1. Pledge of Allegiance:
2. Opening Prayer: **Shiloh World Outreach – Rick or Lisa Wallace**
3. Roll Call:
4. Acceptance of Minutes: **December 5, 2013**
5. Acceptance of Warrants: **Payroll Warrant #1175 - General Warrant #5609**
6. Business From the Floor:
7. Ordinances:
 - A. **Bill No. 2570:** An Ordinance Amending the Appendix B. Zoning Ordinance, Section 6 Schedule of District Regulations, C-2 and C-3, Ordinance No. 14.2 Relating to Used Car Sales.
8. Resolutions:
 - A. **Resolution No. 13-79:** A Resolution Authorizing the Mayor to Enter into a Contract with Raineri Construction to Provide Construction Services for the City Wide Sidewalk Replacement Project for the City of Arnold and Resident Property Owners in Accordance with City Ordinance Section 21-103.
 - B. **Resolution No. 13-81:** A Resolution Authorizing a Tax Revenue Sharing Agreement with Jefferson County.
 - C. **Resolution No. 13-82:** A Resolution Authorizing the Mayor to Enter into a Contract with Horner & Shifrin to Provide Engineering and Construction Services for the Safe Routes to School Tenbrook Sidewalk Grant Project SRTS-INF-H32F(105).
9. Motions:
 - A. A Motion to Approve Hiring a Mechanic I (One) at Grade 32 Step 8.
10. New Business:

11. Old Business
 - A. Red Light Camera
12. Committee Reports:
13. Reports from Mayor and Council:
14. Administrative Reports:
 - A. 2013-28, Mercy/Jefferson Memorial Clinic, 1237Water Tower Place, Conditional Use Permit.
 - B. 2013-29, Oread Development, Chiropractic Clinic, Richardson Crossing, Out Lot 1C (Along St. John's Church Rd.) Conditional Use Permit.
15. Adjournment:

Next Regular Council Meeting January 2, 2014 at 7:00 p.m.
Next Work Session January 9, 2014 at 7:00 p.m.

Mayor Ron Counts called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Mayor Ron Counts offered the opening prayer.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Crisler, Coleman, Fulbright, Amato, Moss, Cooley, Freese, Hohmeier, Richison, Casey, Holden, Lewis, Sweeney, Boone, Blattner, Kroupa, Hall and Shockey.

Mayor Counts recognized Boy Scouts from Troop 557 who were in the audience working on their Citizenship of Community Badges. They were Bradley Sherrill, Jacob Sherrill, Drew Prichard and Sam Burnside.

ACCEPTANCE OF MINUTES

Mary Elizabeth Coleman made a motion to approve the minutes from the December 5, 2013 meeting and so moved. Seconded by Butch Cooley. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 yeas: **Motion carried.**

ACCEPTANCE OF WARRANTS:

City Clerk Tammi Casey read Payroll Warrant No. 1175. **Mary Elizabeth Coleman made a motion and moved to pay Payroll Warrant #1175 in the amount of \$272,881.98.** Seconded by Jason Fulbright. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Motion carried.**

City Clerk Tammi Casey read General Warrant No. 5609. **Michelle Hohmeier made a motion and moved to pay General Warrant No. 5609 in the amount of \$846,674.78 if monies are available.** Seconded by Jason Fulbright. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, no; Cooley, yes; Freese, yes; Hohmeier, yes; 7 Yeas, 1 Nay: **Motion carried.**

BUSINESS FROM THE FLOOR

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

Doris Borgelt, 653 Louisa – Wanted to reiterate her previous comments regarding the used car lots. She also wanted to know when we were going to discontinue the use of red light cameras.

Anthony Biermann, 7018 Forest Oak Drive, Barnhart, MO – Stated that red light cameras were unconstitutional and if we did not stop using them he would stop shopping in Arnold so that we would not be able to collect his sales tax dollars.

ORDINANCES

BILL NO. 2570 – AN ORDINANCE AMENDING THE APPENDIX B. ZONING ORDINANCE, SECTION 6 SCHEDULE OF DISTRICT REGULATIONS, C-2 AND C-3, ORDINANCE NO. 14.2 RELATING TO USED CAR SALES

Discussion and questions followed by the council regarding the ordinance. The ordinance was then read twice by City Clerk Tammi Casey. Roll call vote: Crisler, no; Coleman, no; Fulbright, no; Amato, yes; Moss, no; Cooley, no; Freese, no; Hohmeier, no; 1 Yea, 7 Nays: **Ordinance failed.**

RESOLUTIONS

RESOLUTION NO. 13-79 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RAINERI CONSTRUCTION TO PROVIDE CONSTRUCTION SERVICES FOR THE CITY WIDE SIDEWALK REPLACEMENT PROJECT FOR THE CITY OF ARNOLD AND RESIDENT PROPERTY OWNERS IN ACCORDANCE WITH CITY ORDINANCE SECTION 21-103

Phil Amato made a motion and so moved to reject all bids and resubmit this project with a new analysis for contracting sidewalk repairs. Seconded by Paul Freese. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Motion passed.**

RESOLUTION NO. 13-81 A RESOLUTION AUTHORIZING A TAX REVENUE SHARING AGREEMENT WITH JEFFERSON COUNTY

Michelle Hohmeier made a motion and so moved to approve Resolution No. 13-81. Seconded by Jason Fulbright. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Resolution passed.**

RESOLUTION NO. 13-82 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH HORNER & SHIFRIN TO PROVIDE ENGINEERING AND CONSTRUCTION SERVICES FOR THE SAFE ROUTES TO SCHOOL TENBROOK SIDEWALK GRANT PROJECT SRTS-INF-H32F(105)

Paul Freese made a motion and so moved to approve Resolution No. 13-82.

Seconded by Nancy Crisler. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Resolution passed.**

MOTIONS

A MOTION TO APPROVE HIRING A MECHANIC 1 (ONE) AT GRADE 32 STEP 8 was discussed. Bryan Richison informed the council that Ed Blattner had conducted interviews for the position and there were two very good candidates. Mr. Richison stated that while we try to hire for positions at a Step 1 or 2, these candidates were already employed at a much higher rate and it would take a higher pay scale to obtain one of these candidates. Mr. Blattner would like to offer Step 8. Mr. Richison is only authorized to approve hiring, without council approval, up to a Step 3; therefore, he is seeking council approval to hire at a Step 8.

Mary Elizabeth Coleman made a motion and so moved to hire a mechanic at Grade 32 Step 8. Seconded by Phil Amato. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Motion passed.**

NEW BUSINESS

None

OLD BUSINESS

Mayor Ron Counts deferred to City Attorney, Bob Sweeney to discuss the 12/17/13 court decision regarding red light cameras. At this juncture, it is the advice of MIRMA and himself that we make no changes to our red light cameras policy at this point. The court decision is a 56 page document and it would not be prudent to take any action before having a chance to review the document. We need to analyze the decision, review what was decided and take the time to take the necessary steps to come into compliance with this particular order at this particular time. The court decision is not a final decision and

our ordinance, at this time, is not unconstitutional. There has been a request for transfer of this case to the Supreme Court and the city has contractual obligations that must be kept. It is not wise to simply stop the red light cameras at this time. It is not that simple. Discussion and questions followed by council. The Mayor stated it is his understanding that it sounds like this case will go to the Missouri Supreme Court and they will make the final decision. Every city has their own ordinances and we have to be careful how we proceed. He believes we should follow the advice of counsel. Mayor Counts stated that this year, as of November the city has only netted \$57,000 from red light cameras. It is not the cash cow that people seem to think it is. We need to do what is right for our city and follow our laws.

COMMITTEE REPORTS

Phil Amato asked Mike Evans of the Veterans Commission to report on the Veterans Christmas Tree. Mr. Evans informed that there is a Veterans Christmas Tree at the intersection of Jeffco and Highway 141. It is decorated with American Flags and there are six flags in front of the tree representing the six lives that were recently lost in Afghanistan.

Dan Kroupa reported that there had been a Finance Committee meeting and there were good discussions regarding the fund balances.

REPORTS FROM MAYOR & COUNCIL

Mayor Ron Counts – Wished everyone Merry Christmas and Happy New Year.

Ward 4 – Ken Moss - Wished everyone a Merry Christmas

Ward 1 – Nancy Crisler – Wished everyone a Merry Christmas

Ward 3 – Paul Freese – Wished everyone a Merry Christmas and Happy New Year

Ward 4 – Butch Cooley – Wished everyone a Merry Christmas

Ward 2 – Mary Elizabeth Coleman – Apologized for missing the last Work Session, but had a death in the family and was out of town. She had an item on the agenda for that meeting regarding reaching out to help small businesses. She is hoping to get this item back on a future Work Session agenda.

Ward 3 – Phil Amato – Wished everyone a Merry Christmas and Happy New Year.

Ward 1 – Jason Fulbright – Wished everyone a Merry Christmas and Happy New Year.

Ward 2 – Michelle Hohmeier – Stated she has had several people contact her regarding the police officers that direct traffic after Churches dismiss on Sunday. They are concerned that city funds are being used. She wanted to know if there is a way for Churches to reimburse the city for costs or if there may be another solution for the people concerned. Chief Shockey stated he would look into this matter.

ADMINISTRATIVE REPORTS

City Administrator – Bryan Richison - Pursuant to City policies, he is announcing the fact that the Police Department has surplus property of which they wish to dispose. He asked Chief Shockey to give the details. The Chief stated the department has 16 “red handled weapons” that were used for training purposes that need to be disposed of. Most don’t work, don’t fire, are rusted, have been used for over 30 years and are taking up too much room in the evidence vault. The department needs council approval to dispose of these weapons, which will either be sold for parts or destroyed. **Paul Freese made a motion and so moved to allow Chief Shockey to properly dispose of 16 weapons.** Seconded by Butch Cooley. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Motion carried.**

Mr. Richison stated his next issue was regarding payroll. A vacancy was created in the Community Development Department when Dan Bish resigned his position as an Economic Development Planner. After he and Mary Holden discussed the issue, they believe the position would be best served by someone with a strong economic development and GIS system operations background. There is a position on our current pay plan for a GIS Planner. However, that position is a Grade 38 position and the Economic Development Planner position is a Grade 33 position. Our current policies do not really contain procedures for this type of situation, so he feels it prudent to ask for council’s permission to change the position title and pay grade. As far as the impact on the current years’ budget, the step 1 of Grade 38 is only 1 cent different than that of the step that Mr. Bish was paid at the time he left the city’s employ. He cannot, however, guarantee what step they would have to offer a new employee. Therefore, he may need to come back to the council to ask to hire at above a step 1, 2 or 3 in Grade 38. **Phil Amato made a motion and so moved to replace the vacant Economic Development Planner position at Grade 33 to a GIS Planner position at Grade 38.** Seconded by Nancy Crisler. Roll call vote: Crisler, yes; Coleman, yes; Fulbright, yes; Amato, yes; Moss, yes; Cooley, yes; Freese, yes; Hohmeier, yes; 8 Yeas: **Motion carried.**

Lastly, Mr. Richison informed everyone that the position of City Treasurer, which will be voted on in the upcoming 2014 General Election was inadvertently left off the notice filed in the Leader newspaper. The error has been corrected and posted in both the Countian and Leader newspapers. Anyone wishing to file for that position has until 1/21/14 to do so.

City Clerk – Tammi Casey – Wished everyone a Merry Christmas.

Chief Robert Shockey – Wished everyone Happy Holidays.

Susie Boone – Reminded everyone that the city will again be hosting a Christmas Tree drop off for city residents from 12/30/13 through 1/31/14. Ms. Boone thanked Butch Cooley for his participation in the Breakfast with Santa event. She also wished everyone a Merry Christmas and Happy New Year.

Mary Holden – Spoke regarding the conditional use permits for Mercy/Jefferson Memorial Clinic at 1237 Water Tower Place and the Chiropractic Clinic, new construction at Richardson Crossing. Both are being brought forward with a recommendation of approval. Pursuant to city policy, if not discussed or pulled from the agenda, they stand approved. No questions or discussion followed. Ms. Holden also wished everyone a Merry Christmas and Happy New Year.

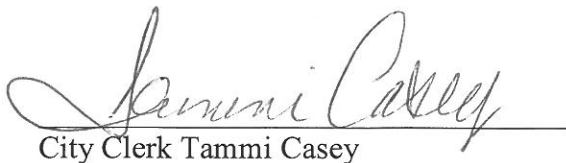
Attorney Sweeney – Wished everyone Season's Greetings.

Deb Lewis – Wished everyone Yuletide Greetings.

Greg Hall – Wished everyone Merry Christmas and Happy New Year.

A motion to adjourn the meeting was made by Mary Elizabeth Coleman. Seconded by Jason Fulbright.

Meeting adjourned at 8:17 pm.



City Clerk Tammi Casey

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 12/19/2013

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BILL NO - RESOLUTION - MOTION

		ROLL CALL	12/5/2013 MINUTES	PAYROLL WARRANT NO. 1175	GENERAL WARRANT NO. 5609	BILL NO. 2570	MOTION TO REJECT ALL SIDEWALK BIDS AND RESUBMIT WITH NEW ANALYSIS
COUNCIL MEMBERS:							
MAYOR RON COUNTS		PRESENT					
COUNCIL: NANCY CRISLER		PRESENT	YES	YES	YES	NO	YES
COUNCIL: MARY ELIZABETH COLEMAN		PRESENT	YES	YES	YES	NO	YES
COUNCIL: JASON FULBRIGHT		PRESENT	YES	YES	YES	NO	YES
COUNCIL: PHIL AMATO		PRESENT	YES	YES	YES	YES	YES
COUNCIL: KEN MOSS		PRESENT	YES	YES	NO	NO	YES
COUNCIL: BUTCH COOLEY		PRESENT	YES	YES	YES	NO	YES
COUNCIL: PAUL FREESE		PRESENT	YES	YES	YES	NO	YES
COUNCIL: MICHELLE HOHMEIER		PRESENT	YES	YES	YES	NO	YES
CITY ADMINIS TRATOR BRYAN RICHISON		PRESENT	PARKS DIR: SUSIE BOONE				PRESENT
CITY CLERK TAMMI CASEY		PRESENT	PUBLIC WORKS: ED BLATTNER				PRESENT
COM DEV MARY HOLDEN		PRESENT	TREASURER: DAN KROUPA				PRESENT
FINANCE DIR: DEBORAH LEWIS		PRESENT	DIR. OF ADMIN. GREG HALL				PRESENT
CITY COUNSELOR BOB SWEENEY		PRESENT	POLICE CHIEF CHIEF SHOCKEY				PRESENT

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

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BILL NO - RESOLUTION - MOTION

	RESOLUTION NO. 13-81	RESOLUTION NO. 13-82	MOTION TO HIRE A MECHANIC 1 AT GRADE 32 STEP 8	MOTION TO ALLOW CHIEF SHOCKEY TO PROPERLY DISPOSE OF 16 WEAPONS	MOTION TO REPLACE ECONOMIC DEVELOPMENT PLANNER POSITION-GRADE 33 WITH GIS PLANNER POSITION-GRADE 38	
COUNCIL MEMBERS:						
MAYOR RON COUNTS						
COUNCIL: NANCY CRISLER	YES	YES	YES	YES	YES	
COUNCIL: MARY ELIZABETH COLEMAN	YES	YES	YES	YES	YES	
COUNCIL: JASON FULBRIGHT	YES	YES	YES	YES	YES	
COUNCIL: PHIL AMATO	YES	YES	YES	YES	YES	
COUNCIL: KEN MOSS	YES	YES	YES	YES	YES	
COUNCIL: BUTCH COOLEY	YES	YES	YES	YES	YES	
COUNCIL: PAUL FREESE	YES	YES	YES	YES	YES	
COUNCIL: MICHELLE HOHMEIER	YES	YES	YES	YES	YES	
CITY ADMINIS TRATOR BRYAN RICHISON			PARKS DIR:	SUSIE BOONE		
CITY CLERK TAMMI CASEY			PUBLIC WORKS:	ED BLATTNER		
COM DEV MARY HOLDEN			TREASURER:	DAN KROUPA		
FINANCE DIR: DEBORAH LEWIS			DIR. OF ADMIN.	GREG HALL		
CITY COUNSELOR BOB SWEENEY			POLICE CHIEF	CHIEF SHOCKEY		