

City of Arnold, Missouri

**Council Meeting
Council Chambers**

**February 25, 2010
7:00 p.m.**

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer: Arnold Tabernacle Baptist Church – Pastor James Beller
3. Roll Call
4. Acceptance of Minutes: **February 4, 2010**
5. Acceptance of Warrants: **Payroll Warrant #1075- General Warrant #5517**
6. Business from the Floor:
7. Ordinances
8. Resolutions
 - A. **Resolution No. 10-03:** A Resolution to Participate in the State “Show Me Green” Sales Tax Holiday.
 - B. **Resolution No. 10-04:** A Resolution Authorizing a Lease Agreement with the Arnold Historical Society.
 - C. **Resolution No. 10-05:** A Resolution Authorizing a Lease Agreement with the Arnold Chamber of Commerce.
9. Motions
 - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for Litigation Pursuant to Section 610.021 (1) RSMo.
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

Next Regular Council Meeting March 4, 2010 at 7:00 p.m.
Next Work Session Meeting March 11, 2010 at 7:00 p.m.

February 24, 2010

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REGULAR MEETING

February 25, 2010

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:05 PM

Mayor Ron Counts called the meeting to order at 7:05 pm.

The Pledge of Allegiance was recited.

Pastor James Beller, from the Arnold Tabernacle Baptist Church, offered the opening prayer.

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

Mayor stated the agenda would need to be amended as Resolutions No. 10-04 and 10-05 were being removed, as well as the motion to hold an executive session.

A motion was offered by Bill Moritz to amend the agenda to reflect this and so moved. Seconded by Karl Schoenbeck. Roll call vote: Connell, yes; Deckman (excused), Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes, 6 yeas, motion carried.

Mr. Unrein explained how the leases involved in those resolutions were still valid and there was no need to take action at this time.

ACCEPTANCE OF THE MINUTES:

Jason Connell moved to **accept the minutes of the February 4, 2010 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Bob Lindsley expressed that there was no mention in new business or old business about his comment referring to the due dates on the sewer bills being confusing. He said this needed to be clearer and wanted his comments included in the minutes. Diane Waller acknowledged this could be added. Both Poor and Connell withdrew their original motion. Bob Lindsley then offered a motion to approve the minutes of February 4, 2010 as amended. Seconded by Jerel Poor. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; 6 yeas, **Motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1075**. Karl Schoenbeck moved to pay **payroll warrant #1075** pay period ending February 5, 2010 in the amount of \$241,021.22 if the monies are available. Seconded by Jerel Poor. Roll call vote; Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, (excused); Hay, yes; Moritz, yes; 6 yeas. **Motion carried.**

City Clerk Diane Waller read **general warrant #5517**. Bill Moritz moved to pay **general warrant #5517** in the amount of \$506,428.34 if the monies are available. Seconded by Bob Lindsley. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; 6 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. Glendola Rose, 1872 Ozark, spoke about the Ozark Bridge project. She was distraught and felt she was getting conflicting information about whether or not the bridge was going to allow traffic through to Richardson Road once it was completed. This has upset her and has been going on for years.

Mayor indicated Mr. Unrein would look at this and get back to her.

Comments were exchanged between Mayor and Ms. Rose.

She was advised that even though the city's comprehensive plan does want streets to connect, the roads in Rosedale could not handle the additional traffic regardless of what was originally said or written and Rosedale will not be connected to Ozark permanently.

Mayor advised Mr. Unrein look into this situation and thanked Ms. Rose for her comments.

Mr. Ryan Egleston, 1946 Key West, stated he is now homeless as a result of the sewer situation at his house and directed questions, comments and allegations at the city and Mayor. Words were exchanged between Mayor and Mr. Egleston.

Mr. Allen Flamm, 3633 Tenbrook, had questions regarding the lease with the Historical Society and expressed concerns about the major leak in the roof. He felt it was city's responsibility to address this problem.

Mayor acknowledged this and added the money is in the budget, and the roof will be taken care of. Unfortunately, weather has prohibited action at this time.

Mrs. Erin Eglelston, 1946 Key West, stated she was sad and upset because of the sewer situation at her home. She was again asking and wanted to know if it is the city's responsibility and indicated she felt it was since the city allowed the home to be built on what was once a lagoon.

Matt Unrein advised her the home was built to code at the time it was built.

Mr. Joe Buchanan, 1866 Ozark, read excerpts from a document, indicating dates regarding the safety, closing, connections etc. dealing with the Ozark Bridge project. He wants the city to do what is right as for as not allowing a connection once the project is complete.

ORDINANCES

There were no ordinances tonight.

RESOLUTIONS

RESOLUTION NO. 10-03 – A RESOLUTION ANNOUNCING THE PARTICIPATION BY THE CITY OF ARNOLD IN THE STATE 'SHOW ME GREEN' SALES TAX HOLDIAY was discussed. Bill Moritz offered a motion and so moved. Seconded by Jerel Poor. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; 6 yeas, resolution passed.

RESOLUTION NO. 10-04 – A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE ARNOLD HISTORICAL SOCIETY FOR THE PROPERTY AT 1838 OLD LEMAY FERRY ROAD was removed from agenda earlier.

RESOLUTION NO. 10-05 – A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE ARNOLD CHAMBER OF COMMERCE FOR THE PROPERTY AT 1838 OLD LEMAY FERRY was removed from agenda earlier.

MOTIONS

A motion to hold a closed session immediately following the city council meeting for the purpose of discussing litigation pursuant to Section 610.021 (1) RSMo. was removed from agenda earlier.

NEW BUSINESS

Bob Lindsley stated he had talked with Brian Waldrop of Arnold Clean Stream and there is interest in reinforcing the bank of the Muddy Creek along the Fox school district property. This would not cost the city money. He would like to discuss this at the next work session.

Jason Connell questioned if the landfill meth gas update can be provided to our residents who may be affected. Mary Holden will address this later in meeting.

Matt Hay referred to the situation with Jefferson County Animal Control and the fact the city has a contract with them for services. He is very concerned about what has happened and wants city to suspend our contract. The city has already done this but could do it formally. A motion was offered by Matt Hay **to suspend our contract with Jefferson County Animal Control** and he so moved. Karl Schoenbeck seconded the motion. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; 6 yeas, motion carried.

Bill Moritz questioned what the city should do at this point. Mary Holden advised Dr. Kohne would accommodate us on a short-term basis. Bill Moritz added we need to find a solution.

OLD BUSINESS

Bill Moritz commented on the Ozark Bridge. He stressed city cannot have a permanent connection and it is not city's intention to do that. Meetings have been held to explain, etc. He stated strongly that the speculation on a connection or not, needs to end.

Mayor asked what is the plan to which Matt Unrein replied, it is and will remain a private road, with no connection through to Richardson.

Greg Hall added that it is clarified as a condition of the grant; city does not connect to Rosedale. If city did, grant would be lost.

Jerel Poor asked if city could legally connect and Matt Unrein replied no.

Bob Lindlsey asked for an update on taping our council meetings to be put on web or cable.

Greg Hall advised we have had one demo and at the recommendation of our IT Director, we will be purchasing camera and software. He added others would not demo because of expense so city will be trying this. Mayor advised we should be up and running for the second meeting in March.

COMMITTEE REPORTS

Bill Moritz stated there had been a liquor meeting this evening and two applications had been reviewed.

Bill Moritz offered a **motion and so moved to approve Jeff Steinmeyer as the new managing officer for the Arnold Athletic Association at 2950 Schneider Drive for 5% malt liquor by the drink and on Sunday.** Seconded by Matt Hay. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, (excused); Hay, yes; Moritz, yes; 6 yeas, **motion carried.**

Bill Moritz offered a **motion and so moved to approve the liquor license for Richardson Phillips 66 at 1919 Richardson Road, Ms. Nagajyothi Ada as managing officer for intoxicating liquor in original package and on Sundays.** Seconded by Matt Hay. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz; yes; 6 yeas, **motion carried.**

Mr. Moritz added the response to streamlining our liquor applications has been positive and thanked council for their support in making this possible.

Bob Lindsley informed everyone of the upcoming Tourism Meeting on Wednesday, March 3rd at 4 pm. Stated they still needed a date for the Parks Board Meeting.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – Disclosed that he was advised by the Ethics Commission of the requirements for his disclosure and is now in compliance. He indicated this was an oversight and was corrected once it was brought to his attention.

Mayor stated he was proud of the Economic Summit. He said the City has gathered a lot of information and he hopes to share it all soon. Mayor also thanked his secretary, Mary Ellen, for all she did in making the summit a success and the work involved in transcribing all the notes afterwards. Also thanked the Leader Newspaper for their help.

Mayor reported he has visited the city's Public Works Department and described the buildings and offices as being in deplorable condition. City needs money to correct these deficiencies and he felt the old community building could be renovated and used for city offices. There will be a 6-month budget review at next meeting. Also suggested an auction where surplus equipment could bring in some dollars. Added Chief might have items also for this.

Ward 4 - Karl Schoenbeck – No Report

Ward 1 - Bill Moritz – Reported that he and Mr. Poor had attended subdivision meetings and there are some residents interested in getting involved in the steering committee for the future of Ferd B. Lang Park.

Ward 3 - Bob Lindsley – Reported he has been contacted by residents interested in an NID for Frederitzi Lane. Stated Mary Holden now has plats for the Sunnyridge/Ridgecrest area and petitions may begin in order to have these streets turned over to city for maintenance. He has also talked with Representative Tim Meadows and they will meet to discuss regulating jack braking and other safety concerns.

Ward 1 - Randy Crisler – Excused

Ward 3 – Joyce Deckman – Excused

Ward 2 – Jerel Poor - Referring to the Mayor's auction idea, asked about liquidating some property owned by the city as a means to have additional funds. Mayor acknowledged we would look at the properties to see what could be done.

Ward 4 – Jason Connell – No Report

Ward 1 – Matt Hay – Thanked Parks Department for the family Valentine's Day event and said he enjoyed it.

City Administrator Matt Unrein - Recognized staff for their efforts as city received a great 97% rating on their most recent MIRMA review. Insurance fees are based on these rates, so city will be saving some money on an already huge expense. Complimented city staff for doing what is needed to work safely etc and it shows in this rating. Also dispersed a memo regarding employee benefits and ideas for future changes. He asked that everyone review and contact him with questions, as he would like to move on this at the next meeting.

City Clerk Diane Waller – Reported, since the concert last Saturday, classical concert ticket sales have increased. Added Vending License Renewals were mailed earlier this month and are being receipted as those licenses expire the end of next month. Money is also coming in for sewer and municipal services accounts.

Chief Shockey – No Report

Parks Director Susie Boone – Reported she had provided a memo regarding Hole 15 at the golf course in an effort to help remedy the problem with golf balls going astray towards homes. Jerel Poor stated he wanted a warranty on these trees.

A motion was offered by Bill Moritz **to purchase from Knoll Greenhouse, 22 white pines, installed for \$2640, with funds coming from CIP account** and so moved. Seconded by Bob Lindsley. Roll call vote: Connell, yes; Deckman (excused); Schoenbeck, Yes; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; 6 yeas, **motion carried**. Ms. Boone also reported on the progress of the pool study and advised a survey will go out to help the city find out what the community wants.

Mary Holden – Responded to Mr. Connell's inquiry about the dangers of the landfill meth gases and reported on info she received from DNR. She will advise them to keep city informed.

Bryson Baker – Provided stats on this year's salt and manpower used during the winter storms. He also reported on the progress of the Ozark Bridge, adding weather has and will impact work. INI study RFQs have been received and there are two upcoming RFQs in the works.

Treasurer Paul Freese - Excused

Attorney Dennis Tesreau – No Report

Finance Director Deb Lewis – No Report

Director of Administration Greg Hall – Provided a memo regarding remaining real estate from road projects. He explained how others could use these parcels and need direction if he was to proceed. Fox Point subdivision has expressed an interest for a sign. After discussion poll was taken to move forward to discuss with Fox Pointe Association regarding property at Fox Ridge and Arnold Tenbrook. Poll 6 yeas. Matt Hay added he felt association should incur some of the costs of surveying etc and Mr. Hall should incorporate that. Mayor added possibly splitting those costs.

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Mr. Hall also discussed the area at Arnold Commons and Old Lemay Ferry and how the First Baptist Church would like this parcel for a sign. Discussion followed and a poll was taken to move forward on this. 6 years.

Note: Formal action will need to be taken by council, if and when details are worked out on these two pieces of property.

Mr. Hall also reported the Loretta Lynn concert was a sellout and city also sold standing room only tickets. The next concert is the Classical Concert on March 7 and he thanked council members for their assistance in getting tickets sold.

A motion to adjourn was offered by Bill Moritz. Seconded by Jerel Poor. Voice vote: all yeas,

Meeting adjourned at 8:28 pm.

Respectfully submitted,

Diane Waller