

City of Arnold, Missouri

---

City Council  
Council Chambers

January 18, 2018  
7:00 p.m.

**Amended Agenda**

1. Pledge of Allegiance:
2. Opening Prayer: Home Church – Pastor Pat Krepps
3. Roll Call:
4. Business from the Floor:
5. Consent Agenda:
  - A. Regular Minutes **December 21, 2017**
  - B. Payroll Warrant **#1280 in the Amount of \$265,816.69**  
Payroll Warrant **#1281 in the Amount of \$285,898.50**
  - C. General Warrant **#5705 in the Amount of \$892,757.42**  
General Warrant **#5706 in the Amount of \$555,019.59**
6. Ordinances:
  - A. **Bill No. 2683:** An Ordinance Providing for an Adjustment to the Fiscal Year 2018 General Fund Budget to Provide Funding for Two Additional Police Officers.
  - B. **Bill No. 2684:** An Ordinance Allowing the “2018 Show-Me Green Sales Tax Holiday” to Apply to the Local Sales Tax of the City of Arnold Between April 19<sup>th</sup> and April 25<sup>th</sup>, 2018.
  - C. **Bill No. 2685:** An Ordinance Calling a Public Election Submitting, to the Qualified Voters of the City, a Proposition Authorizing the Collection of A Business License Fee.
7. Resolutions:
  - A. **Resolution No. 18-01:** A Resolution Authorizing the Renewal of the City's Participation in the MIRMA Health Insurance Pool for Calendar Year 2018.
  - B. **Resolution No. 18-02:** A Resolution Appointing and Re-Appointing I Various Individuals to Serve on Different Boards with Different Expiration Dates.

- C. **Resolution No. 18-03:** A Resolution Authorizing the City Administrator To Execute Change Orders not to Exceed \$97,000 with the J M Marchuetz Construction Company, Inc. to Undertake the NID Infrastructure Improvements Project for Maxville Gardens Subdivision through an NID Process for the City of Arnold.
- D. **Resolution No. 18-04:** A Resolution Authorizing an Amendment to Recreation Center's Membership Rates for Jefferson County First Responders.

8. Motion:

- A. 2017-24 Conditional Use Permit for a Four (4) Family at 607 Christ Drive.
- B. 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).

9. Reports from Mayor, Council, and Committees:

10. Administrative Reports

11. Adjournment

**Next Regular City Council Meeting February 1, 2018 @ 7:00 p.m.  
Next Work Session February 8, 2018 at 7:00 p.m.**

Mayor Ron Counts called the meeting to order at 7:06 p.m.

The Pledge of Allegiance was recited.

Councilman Gary Plunk offered the opening prayer.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Fulbright (excused), Owens, Sullivan, Cooley, Hood, McArthur, Fleischmann, Plunk, Richison, Holden, Sweeney, Brown, Blattner, Kroupa and Chief Shockey.

### **BUSINESS FROM THE FLOOR**

Julia Davis, 92 Steven Michael Drive, unincorporated Arnold – Stated she feels property owners are not treating renters fairly and this forces the police to monitor their properties.

Brian Waldrop, 3237 Telegraph – Informed council that Arnold Clean Stream has had three major clean-up events this year. They would like to hold a fundraiser for the police department. They thought a clean-up of the old retention basin behind City Hall might be a good location. Volunteers would make donations and they would plant new trees, chop down honeysuckle and clean up the creek. The proceeds would be given to the police department.

### **CONSENT AGENDA**

- A. MINUTES FROM DECEMBER 14, 2017 MEETING**
- B. PAYROLL WARRANT NO. 1279 IN THE AMOUNT OF \$280,796.79**
- C. GENERAL WARRANT NO. 5704 IN THE AMOUNT OF \$525,417.15**

**Butch Cooley made a motion and so moved to approve the consent agenda.**

Seconded by Vern Sullivan. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas:

**Consent agenda approved.**

### **ORDINANCES**

**BILL NO. 2680 – AN ORDINANCE APPROVING A REZONING FROM R-4 RESIDENTIAL TO C-4 PLANNED COMMERCIAL AND DEVELOPMENT PLAN FOR 1363 BIG BILL ROAD LOT 1 AND PART OF LOT 2 OF FRED BENDER’S SUBDIVISION, TO ALLOW FOR AN INSURANCE OFFICE** was read twice by City Clerk Tammi Casey. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas: **Ordinance passed.**

**BILL NO. 2681 – AN ORDINANCE APPROVING A RECORD PLAT TITLED “WOODLAND VILLAS PLAT 5”** was read twice by City Clerk Tammi Casey. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas: **Ordinance passed.**

**BILL NO. 2682 – AN ORDINANCE APPROVING A PRELIMINARY PLAT TITLED THE ENCLAVE AT STRAWBERRY RIDGE** was read twice by City Clerk Tammi Casey. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas: **Ordinance passed.**

## **RESOLUTIONS**

**RESOLUTION NO. 17-77 – A RESOLUTION PROVIDING FOR THE GENERAL NATURE OF IMPROVEMENTS FOR THE MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT, THE ESTIMATED COSTS OF THE IMPROVEMENTS, THE METHOD OF ASSESSMENT FOR THE CONSTRUCTION OF THE IMPROVEMENTS, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS NOT TO EXCEED TWENTY-FIVE (25) PERCENT AND PROVIDING FINDINGS OF BENEFIT**

**Gary Plunk made a motion and so moved to approve Resolution No. 17-77.** Seconded by Butch Cooley. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas: **Resolution approved.**

**RESOLUTION NO. 17-72 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE J.M. MARSCHUETZ CONSTRUCTION CO. INC. TO UNDERTAKE THE NID INFRASTRUCTURE IMPROVEMENTS PROJECT FOR MAXVILLE GARDENS SUBDIVISION THROUGH AN NID PROCESS FOR THE CITY OF ARNOLD**

**Butch Cooley made a motion and so moved to approve Resolution No. 17-72.** Seconded by Gary Plunk. Roll call vote: Fulbright, (excused); Owens, yes; Sullivan, yes; Cooley, yes; Hood, yes; McArthur, yes; Fleischmann, yes; Plunk yes; 7 Yeas: **Resolution approved.**

## **MOTIONS**

NONE

## REPORTS FROM MAYOR, COUNCIL AND COMMITTEES

**Mayor Counts** – Explained to the audience that the entire council and staff were wearing identical shirts in support of Officer O’Connor, as the City strongly supports Officer O’Connor and his family. Mayor Counts also wished everyone a Merry Christmas.

The entire council and staff wished everyone a Merry Christmas and Happy New Year.

**Vern Sullivan – Ward 3** – Encouraged everyone to attend the concert fundraiser for Office O’Connor which will be held on January 7<sup>th</sup> at Rickman Auditorium. Mayor Counts thanked Mr. Sullivan for all of his hard work and dedication in organizing this fundraiser.

**David Owens – Ward 2** – Stated that the “Dine-Out” fundraiser event was a huge success and thanked all that participated.

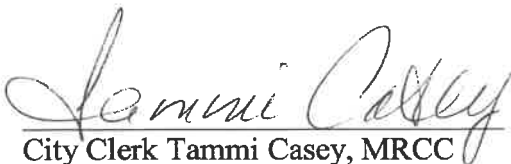
## ADMINISTRATIVE REPORTS

**Bryan Richison** – Informed everyone that City Hall will close at noon tomorrow and will be closed all day Monday, December 25<sup>th</sup> for the Christmas holiday. We will follow the same schedule the following week for the New Year’s holiday. Mr. Richison also wanted to take a moment and reflect on all that the council has accomplished over the past year.

**Chief Shockey** – Stated he was very pleased with the “Dine-Out” event and thanked everyone for their participation. Chief Shockey stated that he and his department are very grateful for everyone’s support during this difficult time.

A motion to adjourn the meeting was made by Vern Sullivan. Seconded by Butch Cooley. Voice vote: All yeas.

Meeting adjourned at 7:29 p.m.

  
City Clerk Tammi Casey, MRCC

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** REGULAR

**DATE:** 12/21/2017

**PAGE:** 1

**BILL NO - RESOLUTION - MOTION**

**COUNCIL MEMBERS:**

		ROLL CALL	CONSENT AGENDA	BILL NO 2680	BILL NO. 2681	BILL NO. 2682	RESOLUTION NO. 17-77
<b>MAYOR</b>	RON COUNTS	PRESENT					
<b>COUNCIL:</b>	JASON FULBRIGHT	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
<b>COUNCIL:</b>	DAVID OWENS	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	VERN SULLIVAN	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	BUTCH COOLEY	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	MARK HOOD	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	BRIAN MCARTHUR	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	EJ FLEISCHMANN	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	GARY PLUNK	PRESENT	YES	YES	YES	YES	YES
<b>CITY ADMINISTRATOR</b>	BRYAN RICHISON	PRESENT	<b>PARKS DIR:</b>	DICKIE BROWN			PRESENT
<b>CITY CLERK</b>	TAMMI CASEY	PRESENT	<b>PUBLIC WORKS:</b>	ED BLATTNER			PRESENT
<b>COM DEV</b>	MARY HOLDEN	PRESENT	<b>TREASURER:</b>	DAN KROUPA			PRESENT
<b>CITY ATTORNEY</b>	BOB SWEENEY	PRESENT	<b>POLICE DEPT.</b>	CHIEF SHOCKEY			PRESENT



The Public Hearing was called to order by Mayor Counts at 7:00 p.m. City Clerk Tammi Casey made note of those in attendance: Mayor Counts, Fulbright (excused), Owens, Sullivan, Cooley, Hood, McArthur, Fleischmann, Plunk, Richison, Holden, Sweeney, Brown, Blattner, Kroupa and Chief Shockey.

**A. 2017-17 REZONING REQUEST FOR 1363 BIG BILL ROAD FROM R-4 RESIDENTIAL TO C-4 PLANNED COMMERCIAL**

Mary Holden informed council that the Planning Commission held a Public Hearing and discussed this proposed change at their November 14<sup>th</sup> meeting. Two residents spoke at the Public Hearing asking for clarification of what would be allowed under the C-4 Planned Commercial. The application is to allow for an insurance office. There was no discussion among the Commission. The Planning Commission is forwarding a recommendation of approval by a vote of 8-0.

**B. 2017-21 MINOR RECORD PLAT (WOODLAND VILLAS PLAT 5)**

Mary Holden informed council that the Planning Commission held a Public Hearing and discussed this item at their November 14<sup>th</sup> meeting. The plat application creates a new lot 3A, which will be 5.5 acres and encompass all existing buildings on the lot. One resident spoke to express concern in regards to increased traffic. The Planning Commission is forwarding a recommendation of approval by a vote of 9-0.

**C. MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT (NID) (RESOLUTION NO. 17-77)**

Mary Holden informed council that this is the 2<sup>nd</sup> resolution in the process of setting up the Maxville Gardens NID. This resolution enables the construction of improvements and provides for the cost of \$190,000, plus 25% over if needed. The assessment for each lot will be \$2375.00.

**D. 2017-22 REVISED PRELIMINARY PLAT-THE ENCLAVE AT STRAWBERRY RIDGE**

Mary Holden informed council that the Planning Commission held a Public Hearing and discussed this item at their December 12<sup>th</sup> meeting. During the regular meeting there were a few comments about needing the hammer head turn-around due to space and rock. After brief discussion the Planning Commission is forwarding a recommendation of approval by a vote of 10-0.



2  
Public Hearing  
December 21, 2017

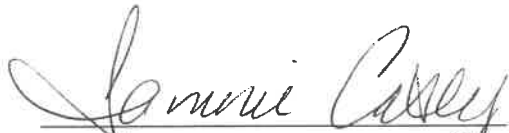
**PUBLIC COMMENTS**

NONE

**COUNCIL COMMENTS**

Regarding item "B", Butch Cooley asked if they are adding additional rooms at Woodland Villas, the answer to which was yes.

The Public Hearing ended at 7:06 p.m.

  
City Clerk Tammi Casey, MRCC

**CITY OF ARNOLD  
AGENDA ITEM SUMMARY**

AGENDA ITEM

**6A**

**NAME OF TOPIC/PROJECT:** An amendment to the General Fund FY2018 Budget (00-01) to provide funding to hire two additional police officers.

**SUMMARY EXPLANATION:** This budget revision provides monies from the General Fund Unassigned Fund Balance to two additional police officers.

**RECOMMENDED ACTION:** **APPROVAL.**

**Why is this action necessary?** The fiscal year 2018 budget did not provide funds for additional staffing. The Council must approve budget amendments.

**What does this action accomplish?** n/a

**Positive impacts and to whom?** n/a

**Negative impacts and to whom?**

**ADDITIONAL COMMENTS:**

BILL NO. 2683

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR AN ADJUSTMENT TO THE FISCAL  
YEAR 2018 GENERAL FUND BUDGET TO PROVIDE FUNDING FOR  
TWO ADDITIONAL POLICE OFFICERS

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS  
FOLLOWS:

Section 1. The Fiscal Year 2018 Budget adopted by the City Council on August 17, 2017  
has been reviewed and requires adjustment. A copy of said budget adjustment  
(00-01) is attached hereto and made a part hereof.

Section 2. This Ordinance shall be in full force and effect from and after January 18, 2018  
and does not require codification.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF January 2018.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

1st reading: \_\_\_\_\_

2nd reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert K. Sweeney

**City of Arnold  
Budget Amendment Request  
Fiscal Year Ended August 31, 2018  
Supplemental**

**To:**

<u>Department</u>	<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
210-Police	41501	Regular Salaries	53,130
210-Police	42110	FICA - Employer	4,064
210-Police	42120	Pension - Police	6,177
210-Police	42210	Insurance - Health & Life	19,963
210-Police	42225	LT Disability	717
210-Police	45150	Uniforms	3,000
<b>Total</b>			<u><u>87,051</u></u>

**Purpose of Budget Amendment:**

Provide funding for two (2) additional officers effective February 10, 2018. Monies to come from Fund Balance.

<b>Requested By:</b>	_____	_____
	<b>Name/Department</b>	<b>Date</b>
<b>Authorized By:</b>	_____	_____
	<b>City Administrator</b>	<b>Date</b>
<b>Approved By:</b>	_____	_____
	<b>City Council</b>	<b>Date</b>

AN ORDINANCE ALLOWING THE “2018 SHOW-ME GREEN SALES TAX HOLIDAY” TO APPLY TO THE LOCAL SALES TAX OF THE CITY OF ARNOLD BETWEEN APRIL 19, AND APRIL 25, 2018

---

Whereas, Section 144.526, RSMo. Establishes the “Show-Me Green Sales Tax Holiday” to exempt purchases of certain qualifying appliances from state sales tax; and

Whereas, Section 144.526.4, RSMo. also provides that political subdivisions in the State may allow the Show-Me Green Sales Tax Holiday to apply to local sales taxes by enacting an ordinance to do so; and

Whereas, the Show-Me Green Sales Tax Holiday encourages the purchase of energy efficient appliances by exempting them from sales tax, thereby effectively reducing the consumer’s cost for such appliances; and

Whereas, incentivizing consumer awareness of and investment in energy efficient appliances can reasonably be expected to reduce energy consumption across the state and have the added benefit of promoting retail sales activity; and

Whereas, the Council finds and believes that the City’s participation in the Show-Me Green Sales Tax Holiday by also exempting qualifying purchases from local sales taxes will enhance the incentive to consumers and further advance the laudable goals the Holiday is intended to accomplish as aforesaid;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, AS FOLLOWS:

Section 1. For the purposes of this Ordinance, the following terms shall mean:

- (1) “Appliance”, clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and
- (2) “Energy star certified”, any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

Section 2. By enacting this ordinance, the City hereby elects to allow the Show-Me Green Sales Tax Holiday established by Section 144.526, RSMo., to apply to its local sales taxes so that there shall be exempted from local sales taxes all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars (\$1,500.00) per appliance, during a seven-day period beginning at 12:01 a.m. on April 19, 2018 and ending at midnight on April 25, 2018. This provision shall only apply to the 2018 Show-Me Green Sales Tax Holiday and does not enroll the City in subsequent Show-Me Green Sales Tax Holidays.

Section 3. This ordinance shall not apply to any retailer when less than two percent of the retailer’s merchandise offered for sale qualifies for the sales tax holiday. Such retailer shall offer a sales tax refund in lieu of the sales tax holiday.

Section 4. The City Clerk shall take any and all steps necessary to notify the Missouri Department of Revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday

of the adoption of this Ordinance and the election to allow the Show-Me Green Sales Tax Holiday to apply within the City of Arnold.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

1st reading: \_\_\_\_\_

2nd reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney

Z:\CITYDOCS\ORDINANC\Ordinance 2684 Show-Me Green Sales Tax Holiday 2018.doc  
Monday, January 08, 2018

BILL NO: 2685

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CALLING A PUBLIC ELECTION SUBMITTING, TO THE QUALIFIED VOTERS OF THE CITY, A PROPOSITION AUTHORIZING THE COLLECTION OF A BUSINESS LICENSE FEE

WHEREAS, the Revised Statutes of Missouri authorize a municipality to impose business license fees on certain occupations; and

WHEREAS, the City of Arnold has imposed said fees since its incorporation; and

WHEREAS, the fee structure has not been revised or updated in decades; and

WHEREAS, the City Council believes it is in the best interests of the City of Arnold and its residents to take all steps necessary to revise and update its business license fee structure, if approved and authorized by the qualified voters;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

SECTION 1. At the regular election to be held on April 3, 2018, the following question shall be submitted to the qualified voters of the City of Arnold, Missouri, for their approval. The ballot will read:

Business License Fee

Shall the City of Arnold, Missouri be authorized to implement an annual business license fee of either \$1.00 per \$1000.00 of revenue or \$0.06 (6 cents) per square foot of building space with a minimum annual fee of not less than \$100.00?

Yes      
No    

INSTRUCTION TO VOTERS

If you are in favor of the proposition, place an X in the box opposite “Yes”. If you are opposed to the proposition place an X in the box opposite “No”.

SECTION 2. At the regular election to be held on April 3, 2018, the proposition as set forth in Section 1 hereof shall be submitted to the qualified voters of the City of Arnold, Missouri, for their approval. The ballot will read identical to the ballot language set forth in Section 1 hereof.

SECTION 3. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the City Clerk upon receipt of the election certificate from the Election Authority shall certify the results of such election of the Secretary of State of the State of Missouri and to the State Tourism Commission and to such other state or local authorities as necessary.

SECTION 4. The City Clerk is directed to notify the County Clerk of Jefferson County, Missouri, of the adoption of this Ordinance no later than 5:00 P.M. on January 23, 2018, and to include in the notification all of the terms and provisions required by the Comprehensive Election Act, Chapter 115 of the Revised

Statutes of Missouri, as amended, and do all things called for by law in connection with the holding of said election.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF JANUARY 2018.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ronald Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

1st reading: \_\_\_\_\_  
2nd reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney Robert Sweeney

January 16, 2018

Z:\CITYDOCS\ORDINANC\2685 Ordinance\_Ballot\_Language 2018.doc



RESOLUTION NO. 18-01

**A RESOLUTION AUTHORIZING THE RENEWAL OF THE CITY'S  
PARTICIPATION IN THE MIRMA HEALTH INSURANCE POOL FOR  
CALENDAR YEAR 2018.**

---

WHEREAS, the City of Arnold provides health insurance as part of its employee benefits package; and

WHEREAS, the City entered into an agreement in November 2016 with MIRMA to participate in their health insurance pool for calendar year 2017; and

WHEREAS, after reviewing the current private insurance market opportunities and MIRMA rates for 2018, the City Administrator is recommending the City continue providing health insurance for City employees through the MIRMA health insurance pool for calendar year 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI:

Section 1. The Mayor and/or the City Administrator are authorized to sign any documents that are necessary for the City of Arnold to renew with the MIRMA health insurance pool for calendar year 2018.

---

Presiding Officer of the City Council

---

Mayor Ron Counts

ATTEST:

---

City Clerk Tammi Casey

Date: \_\_\_\_\_

**City of Arnold  
Health Insurance Rates**

**NEW**

Health Insurance  
(Jan 1, 2018 - Dec 31, 2018)

Employee  
Employee & Children  
Employee & Spouse  
Employee & Family

Base		
BAS Premium	City Cost	Employee Cost
618.33	618.33	-
1,023.73	922.38	101.35
1,145.39	1,013.63	131.76
1,676.71	1,412.12	264.59

High Option		
BAS Premium	City Cost	Employee Cost
643.88	618.33	25.55
1,068.78	922.38	146.40
1,196.29	1,013.63	182.66
1,753.17	1,412.12	341.05

**OLD**

Health Insurance  
(Sept 1, 2017 - Dec 31, 2017)

Employee  
Employee & Children  
Employee & Spouse  
Employee & Family

Base		
BAS Premium	City Cost	Employee Cost
580.92	580.92	-
969.57	877.96	91.61
1,082.17	963.07	119.10
1,573.83	1,334.68	239.15

High Option		
BAS Premium	City Cost	Employee Cost
600.09	583.25	16.84
1,003.37	882.11	121.26
1,120.36	967.74	152.62
1,631.20	1,341.70	289.50

RESOLUTION NO: 18-02

A RESOLUTION APPOINTING AND RE-APPOINTING VARIOUS INDIVIDUALS TO  
SERVE ON DIFFERENT BOARDS WITH DIFFERENT EXPIRATION DATES.

---

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the following individuals are hereby re-appointed to serve on various Boards until their term expires or a successor has been duly appointed and qualified.

**SECTION 1. BOARD OF ADJUSTMENT**

1. Joseph Hendrickson is re-appointed to serve a term of five-years that will expire on 12-17-2022.

**SECTION 2. BOARD OF APPEALS**

1. Alan Luffy is re-appointed to serve a term of one-year that will expire on 02/19/2019.
2. Raymond Fraizer is re-appointed to serve a term of one-year that will expire on 07/30/2018

**SECTION 3. PLANNING COMMISSION**

1. Jeff Campbell is re-appointed to serve a term of four-years that will expire on 12/31/2021
2. Alan Bess is re-appointed to serve a term of four-years that will expire on 12/31/2021.

**SECTION 4. VETERANS COMMISSION**

1. Larry Ottis is appointed to serve the remaining of a three-year term that will expire on 02/17/2019.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

Date: \_\_\_\_\_

Larry R. Otis  
100 Day Lilly Court  
Imperial, MO 63052  
314-453-3540

### **Military Service**

Entered U. S. Navy on March 1, 1973

Transferred to Navy Fleet Reserve on October 1, 1993

Full Retirement on March 1, 2003

### **Duty Stations**

- 1) Attack Squadron 97 (VA97), Naval Air Station Lemoore, CA July 7, 1973 – December 13, 1976
- 2) Enlisted Personnel Management Accounting Command, New Orleans, LA January 21, 1977 – July 23, 1980
- 3) Air Anti-Submarine Squadron 33 (VS33), Naval Air Station, North Island, San Diego, CA July 31, 1980 – July 1, 1983
- 4) Personnel Support Activity Detachment, Recruit Training Command, Naval Training Center, San Diego, CA July 24, 1983 – June 15, 1987
- 5) USS Kitty Hawk (CV63), Naval Shipyard, Philadelphia, PA July 27, 1987 – October 5, 1990
- 6) Naval Recruiting District, St Louis, MO November 10, 1990 – September 30, 1993

### **Awards**

National Defense Medal (2 awards)

Sea Service Ribbon (2 awards)

Battle Efficiency Ribbon (3 awards)

Good Conduct Medal (4 awards)

Humanitarian Service Medal

Navy Expeditionary Medal

Naval Recruiting Award with 5 Silver Stars

Secretary of the Navy Commendation

Numerous Letters of Commendations and Appreciations

**CITY OF ARNOLD  
AGENDA ITEM SUMMARY**

AGENDA ITEM

**7 C**

**NAME OF TOPIC/PROJECT:** A resolution authorizing the City Administrator to execute change orders with the JM Marschuetz construction company to undertake the corrective work in the Maxville subdivision per an NID with the subdivision residents not to exceed \$97,000 as may be required to correct all subdivision infrastructure deficiencies.

**SUMMARY EXPLANATION:** This resolution authorizes the City Administrator to execute change orders with the JM Marschuetz construction company to undertake street, sidewalk, sidewalk ADA ramps not planned for, storm and sanitary sewer work as part of an NID and bring the subdivision up to City standards as a result of the developer defaulting on those improvements.

**RECOMMENDED ACTION:** Approval.

**Why is this action necessary?** The City Council must approve this special change order procedure for this NID project.

**What does this action accomplish?** Correct contractor infrastructure deficiencies remaining in the subdivision.

**Positive impacts and to whom?** All the residents of the Maxville subdivision.

**Negative impacts and to whom?** None.

**ADDITIONAL COMMENTS:** All work will be done through the NID process where tax assessments will be levied against the home owners to pay the City back for the cost of the work.

**SUMMARY OF VENDOR/CONSULTANT/CONTRACTOR**

**Name:** JM Marschuetz Construction Co. **Previous city contracts:** yes

**Transaction amount:** \$97,000 **MBE/WBE Participation:** NA

**Transaction type:** Special Change Order authorization

**Comments:**

**SUMMARY OF SELECTION PROCESS**

**Number of bidders:** eight/base bid **Low bid:** \$140,231 **High bid:** \$319,831

**Comments:** The JM Marschuetz Construction Company is a qualified contracting firm capable of undertaking this project.

**SUMMARY OF BUDGET/COST**

**Budgeted amount:   \$190,000**

**Addl. funding required:   not at this time**

**Comments:**

RESOLUTION NO: 18-03

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE CHANGE ORDERS NOT TO EXCEED \$97,000 WITH THE JM MARSCUETZ CONSTRUCTION COMPANY, INC. TO UNDERTAKE THE NID INFRASTRUCTURE IMPROVEMENTS PROJECT FOR MAXVILLE GARDENS SUBDIVISION THROUGH AN NID PROCESS FOR THE CITY OF ARNOLD.

---

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the City Administrator be, and is hereby authorized to execute change orders not to exceed \$97,000 with the JM Marschuetz construction company to undertake the NID infrastructure improvements for Maxville Gardens through an NID process for the City of Arnold.

A copy of said contract is attached hereto and made a part hereof reference.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

Date: \_\_\_\_\_

Exhibit A  
Contract Agreement

THIS AGREEMENT, made and concluded this 22nd day of December 2017, by and between J.M. Marschuetz Construction Co. hereinafter called the "Contractor", and the City of Arnold, Missouri, hereinafter called the "City".

WITNESSETH, THAT, whereas the Council of the City of Arnold by motion adopted at a meeting held on December 21, 2017, and by virtue of authority vested in said Council, has awarded to the Contractor the work of performing certain construction.

NOW, THEREFORE, the Contractor and the City, for the consideration hereinafter named, agree as follows:

Article 1. SCOPE OF WORK:

The Contractor shall provide all work incidental to the furnishing of all material, equipment, and labor to undertake the MAXVILLE GARDENS SUBDIVISION PROJECT in accordance with the project specifications, and the terms of this contract for the City of Arnold, Missouri.

The Owner shall have representatives at the site as he may decide during the construction to observe the work in progress.

Article 2. TIME OF COMPLETION:

Work on the MAXVILLE GARDENS SUBDIVISION PROJECT must begin on January 1, 2017 and shall be carried on at a rate to secure its full completion by May 31, 2018. This date may be adjusted by the Public Works Director as additions and/or deletions are made but under no instances shall this agreement or completion date extend beyond 6 months from the date of the contract.

DEDUCTIONS FOR NOT COMPLETING ON TIME

It is mutually understood and agreed that time is the essence of this Agreement and in the event said work is not completed on or before the date named above for its completion, the Contractor shall pay damages to the owner of Two Hundred & Fifty Dollars (\$250.00) per day. Those damages shall be used to pay the expenses of the inspectors and the services of the Public Works Director for the extra time required for the completion of the work. Extra time shall in all cases be construed as the time required for completion after the date herein named. Extensions of time granted by the Owner for completion of the Contract on account of fire, strikes, or acts of Providence shall not be construed as extra time. The amount of such expense and services shall be determined by the Public Works Director, shall be reported to him in writing to the Owner, and shall be withheld from any money due the Contractor and paid to the proper parties.

Where any deductions from or forfeitures of payment in connection with the work on this Contract are duly and properly declared or imposed against the Contractor in accordance with the terms of this contract, state laws, or ordinances of the City, the total amount thereof may be withheld from any money whatsoever due or to become due the Contractor under the Contract, and when deducted shall be deemed and taken as payment in such amount.



Article 3. CONTRACT PRICE:

The City shall pay to the Contractor for the performance of the work a sum not to exceed the total cost as shown on Contractor's bid of October 31, 2017 attached hereto as Addendum "A".

Work covered under these criteria shall consist of all material, labor, equipment and services necessary for the MAXVILLE GARDENS SUBDIVISION PROJECT.

Quantities may be added or deleted at any time during the contact. This contract is based on a quantity at a unit cost.

The above unit cost provided in this agreement proposal shall be guaranteed for the duration of contract.

Article 4. PAYMENTS TO CONTRACTOR:

- a. At least twenty (20) days before the City Council meeting at which the progress payment shall be presented for approval (but not more often than once a month), the Contractor will submit to the City a partial payment estimate filled out and signed by the Contractor covering the work performed during the period covered by the partial payment estimate and supported by such data as the City may reasonably require. The City will, within ten (10) days following the first regular Council meeting at which the pay request can be put on the Council meeting agenda, pay the Contractor a progress payment on the basis of the approved partial payment estimate. Regular Council meetings are held on first and third Thursdays of each month and the agenda for the Council meeting is set seven (7) days prior to each meeting. The City shall retain five percent (5%) of the amount of each payment until final completion and acceptance of all work covered by the Contract Documents. Authorized extra work shall be included in these monthly progress payments.
- b. No payment shall be made for materials delivered or stored on the site.
- c. When the work provided for under this Contract has been fully completed in accordance with the terms thereof, the City shall make a final inspection and the Contractor shall remedy any defects arising out of said inspection. After final acceptance of the work by the City, final payment shall be made based on the price stated in Article 3.

From the final payment shall be retained all monies expended by the City according to the terms of this Contract, and thereunder chargeable to the Contractor, all monies payable to the City, as liquidated damages, and all deductions provided by Contract, State Laws, or Ordinances of the City of Arnold.

- d. The Contractor will indemnify and save the City or the City's agents harmless from all claims growing out of the lawful demands of subcontractors, laborers, workers, mechanics, furnisher of material, and furnisher of machinery and parts thereof, equipment, tools, and all supplies, incurred in the furtherance of the performance of the work. The Contractor shall, at the City's request, furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged, or waived. If the Contractor fails to do so, the City may, after having notified the Contractor, either pay unpaid bills or withhold from the Contractor's unpaid compensation a sum until satisfactory evidence is furnished that all liabilities have been fully discharged, whereupon payment to the Contractor shall be made, in accordance with the terms of the Contract Documents, but in no event shall the provisions of this sentence be construed to impose any obligations upon the City to either the Contractor, his Surety, or any third party. In paying any unpaid bills of the Contractor, any payment so made by the City shall be considered

as a payment made under the Contract Documents by the City to the Contractor and the City shall not be liable to the Contractor for any such payments made in good faith.

Article 5. GUARANTEE:

The Contractor and his Surety hereby expressly guarantee the aforesaid work as to workmanship and quality of materials used in connection therewith, for a period of one year, commencing on the date of acceptance of the work or improvements, and binds himself, his successors or assigns, to make all replacements which may become necessary within that time due to nonconformity with the Specifications. Whenever notified by the City that said replacements are required, the Contractor shall, at once, make the same as directed, and at his own expense. If the Contractor does not proceed with such replacements within five (5) days of receipt of written notice, then the City shall have the power to cause the same to be made and to charge the cost thereof to the Contractor. Nothing in this Section is intended as a maintenance guarantee.

Article 6. INSURANCE:

The Contractor will be required to furnish Public Liability and Property Damage Insurance in amounts as specified in the General Conditions and coverage to name the City of Arnold, Missouri, in addition to the Contractor, so that the City of Arnold is not only protected from all claims but also protected in that legal service will be rendered to defend all suits against the Contractor and the City. The Contractor shall be required to furnish the City with satisfactory proof of carriage of the insurance and endorsement(s) required.

Article 7. STATUTORY AND REGULATORY COMPLIANCE:

It is the responsibility of the Contractor to ensure compliance with all federal, state and local requirements, including, but not limited to, the following Revised Statutes of the State of Missouri:

285.530 RSMo: Work Authorization  
292.675 RSMo. OSHA Training.  
RSMo. 34.353 et seq. American Products.  
290-210 Prevailing Wage

The above list is not intended to be exhaustive; and the compliance requirement of this provision is continuing and must be satisfied during the entirety of this Agreement.

It is the sole responsibility of the Contractor to ensure that this provision is satisfied; and the City assumes no responsibility or liability for the failure to comply. Any penalty incurred as a result of noncompliance or failure to comply will be borne solely by the Contractor.

Article 8. THE CONTRACT DOCUMENTS:

The Advertisement, Information for Bidders, the Specifications, including Addenda Nos. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, the Bid, and Bond, together with this Agreement, form the Contract.


IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in four (4) original counterparts as of the day and year first above written.


SIGNATURES ON NEXT PAGE

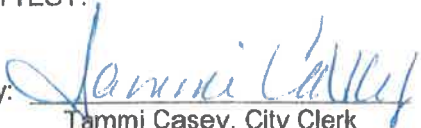
CONTRACT SIGNATURES

CITY OF ARNOLD  
2101 Jeffco Blvd.  
Arnold, Missouri 63010

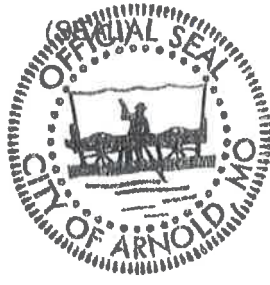
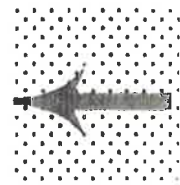
Contractor: J.M. Marschuetz  
Construction Company  
Contractor Address:  
15 Truitt Drive  
Eureka, MO 63025

By:   
Ron Counts, Mayor

By:   
Signature  
President  
Title

ATTEST:  
By:   
Tammi Casey, City Clerk  
12/21/17  
Date


By:   
Signature  
Contract Administrator  
Title  
1/2/18  
Date



636-938-3600  
Telephone No.

(SEAL)

APPROVED AS TO FORM:

  
City Attorney

ATTACHMENT A  
BID PROPOSAL FORM

CITY OF ARNOLD, MISSOURI

MAXVILLE GARDENS SUBDIVISION STREET AND SIDEWALK SLAB  
REPLACEMENT AND NEW CONSTRUCTION PROJECT

TO: CITY OF ARNOLD  
ARNOLD, MISSOURI

Pursuant to and in compliance with your Request for Bids dated October 6, 2017 and the other documents related thereto, the undersigned hereby proposes to furnish all tools, labor, equipment and any/all material plus perform all work necessary for undertaking the MAXVILLE GARDENS PROJECT as all required by and in strict conformance with the Bid Specifications and addenda No. — to — inclusive at the unit & lump sum prices listed herein.

UNIT PRICES

- Item No. 1 Breakout, remove, form, and replacement of designated 6" depth street pavement (6 sack mix).  
(\$ 47.50 ) per sq. yd. X 1,317.sq. yds = \$ 62,557.50
- Item No. 2 Saw cutting of existing street and sidewalk slabs as necessary for clean section removal.  
(\$ 1.65 ) per lin. ft. X 900 feet = \$ 1,485.00
- Item No. 3 Breakout, remove, install dowels, form, and replace vertical curb section (6 sack mix)  
(\$ 18.25 ) per lin. ft. X 4 feet = \$ 73.00
- Item No. 4 Breakout, remove, form, replacement of designated 4" depth sidewalk pavement (6 sack mix).  
(\$ 65.00 ) per sq. yd. X 8.44 sq. yds. = \$ 548.60
- Item No. 5 Excavate, remove earth spoil, form, pour new 4" depth sidewalk pavement (6 sack mix).  
(\$ 49.00 ) per sq. yd. X 660 sq. yds. = \$ 32,340.00
- Item No. 6 Limestone Granular Fill – 1" clean crushed rock for slab subgrade areas and sewer work as needed.  
(\$ 12.50 ) per ton X 330 tons = \$ 4,125.00

Addendum "A"

Item No. 7 Across 1705 Karpos – Add riser to structure storm MH #60 to bring manhole to grade.  
 (\$ 1000.00 ) x lump sum = \$ 1000.00

Item No. 8 Detention Basin #1 - clean out ditch between storm sewer pipes.  
 (\$ 3900.00 ) x lump sum = \$ 3900.00

Item No. 9 2045 Agape - storm Manhole# 82 is buried\*. Raise to grade. We estimate structure is buried two (2) feet.  
 (\$ 1100.00 ) x lump sum = \$ 1100.00

Item No. 10 Behind 2022 Agape - storm Manhole #49 not found\*. Find, excavate, and raise structure to ground surface. We estimate structure is buried one foot.  
 (\$ 1000.00 ) x lump sum = \$ 1000.00

Item No. 11 2008 Agape - Curb storm inlet #63 – Failed sidewalk adjacent to curb inlet remove and replace.  
 (\$ 500.00 ) x lump sum = \$ 500.00

Item No. 12 2045 Agape - storm Manhole #81. Believe manhole top is buried 1.83 feet\* below surface. Locate and raise to grade plus fine grade.  
 (\$ 1100.00 ) x lump sum = \$ 1100.00

Item No. 13 2038 Agape Manhole #80. Believe manhole tip is buried 0.42 feet\* below surface. Locate raise to grade plus fine grade.  
 (\$ 500.00 ) x lump sum = \$ 500.00

Item No. 14 Street sign work:  
 a. Install one 20 MPH speed Limit sign 330.50  
 b. Install one No Outlet sign 330.50  
 c. Install one street Name sign 330.50  
 d. Install twenty (20) No Parking Signs 330.50 x 20 = 6610.00  
 Subtotal for Item No. 14 \$ 7601.50

Item No. 15 1711 Karpos - Manhole#113 sanitary is buried 0.67 feet\* deep. Raise to Grade and clean out debris in manhole bottom.  
 (\$ 500.00 ) x lump sum = \$ 500.00

"A" - CONT.

Item No. 24	2014 Agape - manhole# 102 sanitary is buried 0.75 feet* deep. Raise to Grade and clean out debris in manhole bottom.	(\$ <u>500.00</u> ) x lump sum =	\$ <u>500.00</u>
Item No. 25	Between 2026-2030 Agape - Manhole#105 sanitary Reset Frame and grade ring. Clean out manhole bottom of debris.	(\$ <u>350.00</u> ) x lump sum =	\$ <u>350.00</u>
Item No. 26	Between 2045-2046 Agape - Manhole# 107 sanitary is buried 1.9 feet* deep. Raise to Grade and clean out debris in manhole bottom.	(\$ <u>1100.00</u> ) x lump sum =	\$ <u>1100.00</u>
Item No. 27	Behind 2008 Agape near Chara - Manhole# 3 sanitary by sidewalk. Reset the frame. Clean out all debris in manhole bottom.	(\$ <u>350.00</u> ) x lump sum =	\$ <u>350.00</u>
Item No. 28	100 Pistis - Manhole# 116 sanitary is buried 0.67 feet* deep. Raise to Grade and clean out manhole bottom of all debris.	(\$ <u>500.00</u> ) x lump sum =	\$ <u>500.00</u>
Item No. 29	Between 1818-1824 Chara - Manhole# 117 sanitary is buried 0.5 feet* deep. Raise to grade and clean out debris from Manhole bottom.	(\$ <u>500.00</u> ) x lump sum =	\$ <u>500.00</u>
Item No. 30	Between 1845-1849 Chara - Manhole# 120 sanitary is buried 0.6 feet *deep. Raise to grade and clean out bottom debris from manhole bottom.	(\$ <u>500.00</u> ) x lump sum =	\$ <u>500.00</u>
Item No. 31	108 Pistis - Manhole# 121 Sanitary is buried 0.75 feet* deep. Raise to grade and clean out debris from manhole bottom.	(\$ <u>500.00</u> ) x lump sum =	\$ <u>500.00</u>
Item No. 32	116 Pistis - Manhole# 122 sanitary is buried 3.0 feet* deep. Raise to grade and clean out debris from manhole bottom.	(\$ <u>1100.00</u> ) x lump sum =	\$ <u>1100.00</u>

"A"-CONT.

TOTAL BID

ITEMS NO. 1 THRU NO. 41 =

\$ 140,230.00

\*Applies to all buried existing storm or sanitary sewer manhole structures. The listed bid item provides for an estimated manhole buried depth. The following requested unit prices are for varying depths that may be encountered. All lump sum bid prices shall be complete to provide all labor, equipment, St. Louis MSD approved materials and construction methods, yard restoration and all other necessary work to raise the manhole structure to finish grade with allowance to depth of structure greater than the listed bid item depth or square yards of pavement removal.

Unit prices for manhole / inlet buried depth (Raise to Grade)

- a. Two to Three feet in depth \$ 400.00 /ft.
- b. Over three feet to four feet in depth \$ 600.00 /ft.
- c. Over four feet in depth \$ 800.00 /ft.

Bid Alternate Unit Prices

- 1. MSD Class A rock excavation \$ 150.00 / cubic yard.
- 2. MSD Class B rock excavation \$ 150.00 / cubic yard.
- 3. New MSD manhole / inlet construction all complete:
  - Four to six feet depth \$ 300.00 /ft.
  - Greater that six feet to eight feet depth \$ 350.00 /ft.
  - Greater than eight feet to twelve feet depth \$ 400.00 /ft.
  - Greater than twelve feet in depth \$ 500.00 /ft.
- 4. Hand excavation for yard sprinklers and irrigation systems as authorized by the City. (\$ 100.00 ) per lin. ft.
- 5. Concrete Driveway Pavement Replacement Unit price:  
Sawcut, breakout, remove, and pour back to match as close as possible existing driveway pavement for manhole raise to grade. Pavement depth to match existing depth no less than 4 inch depth and no greater than 6 inch depth. (\$ 65.00 ) per square yard.
- 6. Should a pavement lug be encountered, provide a lump sum price to sawcut, chip, hammer, breakout the lug to a depth to allow the new street slab to pour over it. Reuse reinforcing steel wherever encountered. Lump sum price should include all labor, equipment and material.

(\$ 2,500.00) x lump sum =

\$ 2,500.00

"A" - CONT

J.M. Marschuetz Construction Co

Project References

<u>Project Name</u>	<u>Project Location</u>	<u>Project Description</u>	<u>Project Amount</u>	<u>Project Contact</u>
City of Manchester Selective Slab Replacement	City of Manchester	Remove and Replace Selective Slabs all over City limits	\$900,000.00	Bob Ruck 636-227-1385
St. Charles County Selective Slab Replacement	St. Charles County	Remove and Replace Selective Slabs all over City limits	\$600,000.00	Nathan Tornala 636-949-7500
City of Bridgeton Slab Replacement	City of Bridgeton	Remove and Replace Selective Slabs all over City limits	\$750,000.00	Brian Peterson 314-739-7500
City of Maryland Heights Selective Slab Replacement	City of Maryland Heights	Remove and Replace Selective Slabs all over City limits	\$900,000.00	Cliff Baber 314-291-6550
City of Lake St. Louis Concrete Panel Replacement Program	City of Lake St. Louis	Remove and Replace Selective Slabs over City Limits	\$850,000.00	Terry Rigdon 636-695-4221
****Many more can be provided upon request. We have been doing this type of work for over 25 years.				

"A" - CONT.



 **AIA** Document A310™ – 2010

**Bid Bond**

**CONTRACTOR:**

(Name, legal status and address)  
J.M. Marschuetz Construction Co.

15 Truitt Drive  
Eureka, MO 63025

**OWNER:**

(Name, legal status and address)

City of Arnold  
2101 Jeffco Blvd  
Arnold, MO 63010

**BOND AMOUNT: \*\*\* TEN PERCENT OF AMOUNT BID \*\*\***

**SURETY:**

(Name, legal status and principal place  
of business)

Fidelity and Deposit Company of Maryland  
1299 Zurich Way, 5th Floor  
Schaumburg, IL 60196

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

**PROJECT:**

(Name, location or address, and Project number, if any)  
Maxville Gardens Project

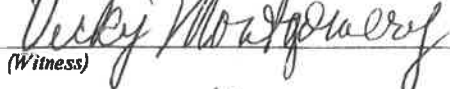
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 31st day of October 2017

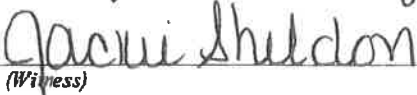
J.M. Marschuetz Construction Co.

  
(Witness)

  
(Principal) Vice President (Seal)

(Title)

Fidelity and Deposit Company of Maryland

  
(Witness)

(Surety)  (Seal)

(Title)

Thomas O. Chambers, Attorney-in-Fact

Int.

AIA Document A310™ – 2010. Copyright © 1963, 1970 and 2010 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org. 001110

"A" - CONT.

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **MICHAEL BOND, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Thomas O. CHAMBERS and Todd SCHAAP, both of Franksville, Wisconsin, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 12th day of July, A.D. 2017.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By:

*Dawn E. Brown*

*Assistant Secretary  
Dawn E. Brown*

*Michael Bond*

*Vice President  
Michael Bond*

State of Maryland  
County of Baltimore

On this 12th day of July, A.D. 2017, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **MICHAEL BOND, Vice President, and DAWN E. BROWN, Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Constance A. Dunn*

Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2019

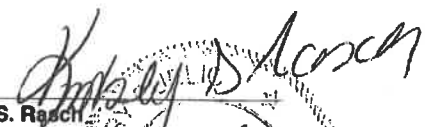


STATE OF WISCONSIN )

COUNTY OF Kenosha )

ON THIS 31st day of October, 2017,

before me, a notary public, within and for said County and State, personally appeared Thomas O. Chambers to me personally known, who being duly sworn, upon oath did say that he is the Attorney-in-Fact of and for the Fidelity and Deposit Company of Maryland, a corporation of Maryland, created, organized and existing under and by virtue of the laws of the State of Maryland; that the corporate seal affixed to the foregoing within instrument is the seal of the said Company; that the seal was affixed and the said instrument was executed by authority of its Board of Directors; and the said Thomas O. Chambers did acknowledge that he/she executed the said instrument as the free act and deed of said Company.

  
Kimberly S. Rasch  
Notary Public, Kenosha County, Wisconsin  
My Commission Expires 1/22/2018



"A"-CONT.

Maxville Gardens MID  
 Bid opening: October 31, 2017 1:00p.m.  
 Ed Blattner; Tom Palas; Charlie Allen; Tammi Casey; Deb Lewis

8 bids received

Contractor Location	Bryna & Jones Constr St Louis, MO	Jobert Paving Festus, MO	Kozemy Wagner Arnold, MO	J M Marschuetz Eureka, MO	Spencer Contracting Arnold, MO	AMCON Municipal O'Fallon, MO	CE Contracting St Genevieve, MO	RV Wagner St Louis, MO
1	121,229.85	97,458.00	205,452.00	62,557.50	77,703.00	53,022.42	112,603.50	90,214.50
2	3,150.00	4,050.00	4,590.00	1,485.00	2,700.00	4,590.00	8,100.00	3,150.00
3	120.00	800.00	504.00	78.00	200.00	200.00	1,236.00	188.00
4	913.63	1,532.00	5,047.12	548.60	753.60	633.00	3,080.60	844.00
5	53,031.00	47,520.00	38,940.00	32,340.00	34,755.60	37,290.00	45,540.00	40,260.00
6	5,692.50	8,580.00	9,570.00	4,125.00	11,418.00	6,600.00	13,140.00	9,900.00
7	1,985.00	400.00	864.00	1,000.00	1,000.00	700.00	740.00	2,108.00
8	not provided	5,500.00	2,517.00	1,900.00	900.00	5,000.00	1,520.00	2,140.00
9	1,985.00	1,500.00	1,022.00	1,100.00	2,000.00	1,500.00	1,430.00	1,700.00
10	1,985.00	1,700.00	1,022.00	1,000.00	3,500.00	750.00	1,410.00	2,560.00
11	3,420.00	1,000.00	3,416.00	500.00	750.00	1,200.00	650.00	750.00
12	2,115.00	950.00	1,022.00	1,100.00	3,000.00	1,500.00	1,430.00	2,225.00
13	980.00	950.00	864.00	500.00	2,300.00	700.00	740.00	1,800.00
14	890.00	3,750.00	2,252.00	7,601.50	4,600.00	6,900.00	9,940.00	6,325.00
15	1,985.00	1,100.00	1,211.00	500.00	2,000.00	700.00	1,930.00	1,900.00
16	1,985.00	1,100.00	1,370.00	1,000.00	1,800.00	975.00	1,940.00	2,166.00
17	1,985.00	1,100.00	1,370.00	500.00	1,800.00	850.00	1,930.00	2,166.00
18	1,985.00	1,100.00	1,370.00	500.00	1,800.00	850.00	1,500.00	2,500.00
19	1,850.00	1,100.00	1,211.00	350.00	750.00	500.00	920.00	500.00
20	980.00	1,100.00	1,370.00	500.00	1,800.00	700.00	1,280.00	1,700.00
21	1,850.00	300.00	687.00	350.00	750.00	375.00	540.00	375.00
22	980.00	1,100.00	687.00	500.00	1,800.00	700.00	1,280.00	2,166.00
23	14,000.00	12,500.00	12,201.00	6,000.00	9,800.00	7,500.00	9,800.00	9,000.00
24	1,985.00	1,100.00	1,370.00	500.00	1,800.00	850.00	1,930.00	2,250.00
25	980.00	900.00	687.00	350.00	650.00	375.00	1,020.00	600.00
26	2,115.00	1,200.00	1,370.00	1,100.00	1,900.00	1,500.00	1,970.00	2,225.00
27	630.00	900.00	687.00	350.00	650.00	375.00	920.00	430.00
28	1,985.00	1,100.00	1,022.00	500.00	1,800.00	700.00	1,930.00	2,050.00
29	980.00	1,100.00	1,370.00	500.00	1,800.00	700.00	1,280.00	2,050.00
30	1,985.00	1,100.00	1,022.00	500.00	1,800.00	700.00	1,280.00	1,600.00
31	1,985.00	1,100.00	1,370.00	500.00	1,800.00	700.00	1,930.00	2,100.00
32	2,245.00	1,500.00	1,370.00	1,100.00	2,000.00	2,100.00	2,300.00	2,900.00
33	2,115.00	1,300.00	1,370.00	1,100.00	1,900.00	1,500.00	1,800.00	2,300.00
34	980.00	600.00	687.00	500.00	1,700.00	650.00	1,180.00	600.00
35	1,985.00	1,100.00	1,370.00	500.00	1,800.00	850.00	1,930.00	2,050.00
36	1,985.00	1,100.00	1,370.00	500.00	1,800.00	850.00	1,930.00	2,050.00
37	980.00	700.00	687.00	500.00	1,700.00	650.00	720.00	600.00
38	1,985.00	850.00	1,370.00	1,100.00	1,900.00	975.00	1,410.00	1,000.00
39	1,985.00	850.00	1,370.00	1,000.00	1,900.00	975.00	1,410.00	2,000.00
40	1,985.00	850.00	1,370.00	500.00	1,800.00	850.00	1,400.00	2,100.00
41	2,115.00	850.00	1,370.00	1,100.00	1,000.00	1,300.00	1,410.00	2,225.00
<b>Total Items 1 - 41</b>	<b>256,101.98</b>	<b>215,390.00</b>	<b>319,831.12</b>	<b>140,230.60</b>	<b>198,786.20</b>	<b>150,333.42</b>	<b>250,800.10</b>	<b>218,987.50</b>

Manholes Unit Prices

a. 2 to 3 feet	200.00	700.00	1,210.00	400.00	800.00	1,500.00	520.00	600.00
b. over 3 to 4 feet	300.00	600.00	1,210.00	600.00	800.00	2,500.00	466.00	790.00
c. over 4 feet	400.00	800.00	1,311.00	800.00	800.00	3,500.00	409.00	800.00

Alternate Unit Prices

Class A excavation	340.00	250.00	101.00	150.00	150.00	100.00	175.00	200.00
Class B excavation	115.00	200.00	101.00	180.00	90.00	150.00	10.00	100.00
Manhole/Inlet const								
4 to 6 feet	615.00	700.00	1,008.00	300.00	533.00	5,000.00	540.00	800.00
over 6 to 8 ft	620.00	800.00	1,210.00	350.00	475.00	10,000.00	560.00	900.00
over 8 to 12 ft	625.00	900.00	1,512.00	400.00	416.00	15,000.00	600.00	1,200.00
over 12 feet	650.00	1,200.00	1,512.00	500.00	500.00	20,000.00	890.00	1,700.00
Sprinkler/Irrigation hand excavation	55.00	8.00	30.00	100.00	10.00	15.00	36.00	10.00
Driveway Pavemt	123.50	110.00	103.00	65.00	81.00	65.00	74.00	65.00
Pavement Lug	2,250.00	3,800.00	1,500.00	2,500.00	1,400.00	800.00	850.00	3,000.00

Summer 2017 Inspection

MAXVILLE GARDENS SUBDIVISION  
Street and Sidewalk Slab Replacement and new Construction

ADDRESS	SIZE	SQ. YDS	DEPTH	COMMENTS
<b>STREETS</b>				
1763 Karpos	56 X 13	80.89	6 in.	
1760 Karpos	58 X 13	83.78	6 in.	
1740 Karpos	41 X 13	59.22	6 in.	
1739 Karpos	28 X 13	40.44	6 in.	
1733 - 1736 Karpos	87 X 13	125.67	6 in.	
Karpos at Entrance	5 X 13	7.22	6 in.	
Karpos Approach	10 X 19	21.11	6 in.	
Karpos Entrance Area	114 X 13	164.67	6 in.	
Karpos at Agape	14 X 13	20.22	6 in.	
Karpos at Agape	12 X 10	13.33	6 in.	
Karpos at Agape	27 X 13	39	6 in.	
2004 Agape	16 X 13	23.11	6 in.	
2013 Agape	27 X 13	39	6 in.	
2017 - 2026 Agape	53 X 13	76.56	6 in.	
Chara / Agape Intersection	55 X 13	79.44	6 in.	
Pistus / Chara	35 X 13	50.56	6 in.	
1824 Chara	4 X 30	13.33	6 in.	
1825 Chara	42 X 13	60.67	6 in.	
108 Pistis	15 X 13	21.67	6 in.	
112 Pistis	62 X 13	89.56	6 in.	
116 Pistis	30 X 13	43.33	6 in.	
120 Pistis	30 X 13	43.33	6 in.	
Pistus Cul-de-sac	30 X 13	43.33	6 in.	
132 Pistis	17 X 12	22.66	6 in.	
1844 Chara	25 X 13	36.11	6 in.	
Entrance at Chara	13 X 13	18.78	6 in.	
<b>TOTAL</b>		<b>1316.99</b>		
<b>ADDRESS</b>	<b>Height</b>	<b>Length</b>		<b>COMMENTS</b>

**MAXVILLE GARDENS SUBDIVISION \*Revisions\* 1/10/2018**  
**Street and Sidewalk Slab Replacement and new Construction**

STREETS	ADDRESS	SIZE	SQ. YDS	DEPTH	COMMENTS
1763 Karpos		56 X 13	80.89	6 in.	Add 6 x 26 78'Cut
1760 Karpos		58 X 13	83.78	6 in.	Add 13 x13
1740 Karpos		41 X 13	59.22	6 in.	
1739 Karpos		28 X 13	40.44	6 in.	
1733 - 1736 Karpos		87 X 13	125.67	6 in.	
Karpos at Entrance		130 X 13	187.78	6 in.	
Karpos Approach		10 X 19	21.11	6 in.	
Karpos Entrance Area		101 X 13	145.89	6 in.	
Karpos at Agape		31 x 14	48.22	6 in.	
Karpos at Agape 2001		12 X 10	13.33	6 in.	
Karpos at Agape		27 X 13	39	6 in.	
2004 Agape		16 X 13	23.11	6 in.	
2013 Agape		27 X 13	39	6 in.	
2017 - 2026 Agape		53 X 13	76.56	6 in.	
Chara / Agape Intersection		57 X 13	82.33	6 in.	Cut 13'
Pistus / Chara		42X 13	60.67	6 in.	
1824 Chara SW		4 X 30	13.33	6 in.	Cut 30'
1825 Chara		42 X 13	60.67	6 in.	Cut 86'
105 Pistis		15 X 13	21.67	6 in.	
112 Pistis		68 X 13	98.22	6 in.	Cut 52'
116 Pistis		30 X 13	43.33	6 in.	
120 Pistis		30 X 13	43.33	6 in.	
Pistus Cul-de-sac		30 X 13	43.33	6 in.	Cut 52'
132 Pistis		17 X 12	22.66	6 in.	
1844 Chara		25 X 13	36.11	6 in.	Cut 27'
Entrance at Chara / Eirene		13 X 13	18.78	6 in.	Cut 13'
Entrance at Chara / Eirene		9.6 X 13	13.87		Cut 26'
	<b>TOTAL</b>		<b>1542.3</b>		
					Saw cut this page 3/17

**MAXVILLE GARDENS SUBDIVISION \*Revisions\* 1/10/2018**

Street and Sidewalk Slab Replacement and new Construction

ADDRESS	SIZE	SQ. YDS	DEPTH	COMMENTS
Eirene at Chara				NEW Street Sign
Entrance at Chara & Eirene	9-6 X 13			Add on
2001 Agape	13 X 13	18.78		Add on
1825 Chara	44 X 13	63.56		Add on
Pistus Cul de Sac	14 X 13	20.22		Add on
132 Pistus	22 X 12	29.33		Add on
Karpos at Agape	17 X 13	24.56		Add on
2004 Agape	39 X 13	56.33		Add on 26' s/c
Karpos at intersection of Eirene	14 X 7 14 X 15	34.22		Cut 28' Cut 30'
Karpos by bone yard	12 X 26	34.67		
Karpos common ground	28 X 26	80.89		
1706 Karpos	58 X 13	83.77		
128 Pistus	30 X 13	43.33		Cut 26'
124 Pistus	15 X 13	21.67		Cut 26'
125 Pistus	15 X 13	21.67		Cut 26'
121 Pistus	45 X 13	65		
108 Pistus	22 X 13	31.78		Cut 13'
105 Pistus	16 X 13	23.11		Cut 13'
125 Pistus (sidewalk)	5 X 4 sidewalk			Cut 4'
1813 Chara	16 X 13	23.11		Cut 26'
1809 Chara	15 X 13	21.67		Cut 26'
2008 Agape	14 X 11	17.11		Cut 22'
2009 Agape	12 X 13	17.33		Cut 26'
2005 Agape	14 X 13	20.22		Cut 26'
2008 Agape	14 X 13	20.22		Cut 26'
2014 Agape	18 X 13	26		Cut 13'
1736 Karpos	15 X 13	21.67		Cut 26'
1736 Karpos	S/W Inlet			
1736 Karpos	14 X 13	20.22		Cut 26'
1735 Karpos	14 X 13	20.22		Cut 26'
308 Eirene	26 X 13	37.56		Cut 26'
305 Eirene	12 X 13	17.33		Cut 26'
Eirene at Chara	26 X 13	37.56		Add on

*Sawcut  
This page = 487*





RESOLUTION NO: 18-04

A RESOLUTION AUTHORIZING AN AMENDMENT TO  
RECREATION CENTER'S MEMBERSHIP RATES FOR  
JEFFERSON COUNTY FIRST RESPONDERS

---

BE IT RESOLVED, by the Council of the City of Arnold, Missouri, that the Parks and Recreation Department, is hereby authorized to extend City employees' membership rates and privileges to Jefferson County First Responders. First Responders shall be defined as law enforcement officers, firefighters (paid or volunteer), emergency medical personnel and county/municipal 9-1-1 dispatchers.

This Resolution shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
TAMMI CASEY, CITY CLERK

Date: \_\_\_\_\_

---

---

**CITY OF ARNOLD CITY COUNCIL, JANUARY 18, 2018 MEETING**

---

---

**TO:** THE MAYOR AND CITY COUNCIL  
**FROM:** MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** 2017-24, CONDITIONAL USE PERMIT FOR A FOUR (4) FAMILY AT 607 CHRIST DRIVE – **PLANNING COMMISSION RECOMMENDATION-FAILED TO APPROVE**  
**DATE:** JANUARY 11, 2018  
**CC:**

---

**Request**

Mr. Joe Flanakin, on behalf of the Pridy Family Trust, has submitted for approval of a conditional use permit to legally operate a four (4) family at 607 Christ Drive. Attached are the application, written correspondence, information provided by the applicant and an aerial of the site.

**Summary of Planning Commission meeting and Action**

The Planning Commission held a public hearing and considered this request at their January 9, 2018 meeting. Five residents spoke against the request citing the condition of the structure, site and failure to maintain the property, property values, absentee landlord, how a four family does not fit with the character of the neighborhood, and issues with tenants renting there. Ms. Lisa Sofia, the listing agent for the property, spoke indicating the contract buyer will completed renovate the property. During the regular meeting the Commission discussed the above items, occupancy inspections, questioned how long it would take to renovate the property, how it is a single family structure never meant to be a four family, etc. After discussion, a motion was made and seconded to approve the application with the below findings and conditions. The motion failed in a vote of 2-yea, 6-nah and 1 abstention. Therefore the motion to approve failed and no further motions were made.

**Findings:**

1. The use of a four (4) family is typically consistent with good planning practice, and upon completion of the required improvements to the structure and site, will be more compatible.
2. The proposed use does not appear to be detrimental to the permitted developments and uses in the district as evidenced by it operating for many years without complaints to our department.
3. Upon completion of the improvements to the structure and site, the use will operate in a manner that is visually compatible with the permitted uses in the surrounding area.

4. It is difficult to say this use preserves and promotes the public health, safety and general welfare however, it does provide an alternative housing option.

**Conditions:**

1. This approval is for the operation of a maximum of four (4) family dwelling units.
2. Receive a passing property maintenance inspection from the City of Arnold and Rock Community Fire Protection District to include installing and/or repairing windows, screens, siding, and all other items identified during the inspection by both the City and Fire Department;
3. Pave the driveway; and
4. Bring the property into compliance with all other applicable codes of the City.
5. The property be completely renovated within 365 days from the date of closing.
6. The structure must be completed vacant for the renovations to take place.

**Analysis**

This property has been operating as a five (5) family for quite some time. Now that the property is selling, they are coming through to formalize the multifamily use. Since the property is zoned R-5, a five (5) family is not allowed, only a four (4) family with an approved conditional use permit.

As stated above, the property has operated as a five (5) family for some time and our computer system has logged only two complaints, the most recent being in 2014 for numerous safety violations that were abated at the time. Other than the two complaints, it appears this property has not caused much of concern to the surrounding properties.

In reviewing the property, the following items must be addressed in conjunction with this review and they are as follows:

- Receive a passing property maintenance inspection from the City of Arnold and Rock Community Fire Protection District to include installing and/or repairing windows, screens, siding, and all other items identified during the inspection by both the City and Fire Department;
- Pave the driveway; and
- Bring the property into compliance with all other applicable codes of the City.

When reviewing a conditional use permit, the following must be taken into consideration:

**The use is deemed consistent with good planning practice.** The use of a four (4) family is typically consistent with good planning practice, and upon completion of the required improvements to the structure and site, will be more compatible.

**The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.** The proposed use does not appear to be detrimental to

the permitted developments and uses in the district as evidenced by it operating for many years without complaints to our department.

**The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.** Upon completion of the improvements to the structure and site, the use will operate in a manner that is visually compatible with the permitted uses in the surrounding area.

**The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.** It is difficult to say this use preserves and promotes the public health, safety and general welfare however, it does provide an alternative housing option.

## 8.A-SUPPLEMENTAL INFO

---

### CITY OF ARNOLD CITY COUNCIL, JANUARY 18, 2018 MEETING

---

**TO:** THE MAYOR AND CITY COUNCIL  
**FROM:** MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** 2017-24, CONDITIONAL USE PERMIT FOR A FOUR (4) FAMILY AT 607 CHRIST DRIVE – PLANNING COMMISSION RECOMMENDATION- FAILED TO APPROVE **SUPPLEMENTAL INFORMATION**  
**DATE:** JANUARY 11, 2018  
**CC:**

---

After the meeting on January 9, 2018, the residents in attendance expressed concern about the application even though the Planning Commission failed to approve the application. In subsequent discussions, the residents are circulating a petition of protest regarding the application and is anticipated to be submitted no later than Tuesday, January 16, 2018. If the Planning Commission had voted to approve the application, this would trigger a special review by the City Council, however, the action taken did not approve the application and no special procedures are warranted.

Should the Council deem it appropriate, you may exercise your power of review and set the matter for a public hearing and review the report of the Planning Commission. Below is the procedure for that action:

**Section 405.870.A.6.d.** City Council review of Planning Commission action. In the event the Council determines to exercise its power of review, the Council shall set the matter for a public hearing and review the report of the Planning Commission. The City Council may uphold the Planning Commission decision or overturn the decision based on the below criteria.

- (1) Consistent with good planning practice;
- (2) Can be operated in a manner that is not detrimental to the permitted developments and uses in the district;
- (3) Can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area;
- (4) Deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City.

As a reminder, if the Council takes no action, then the Planning Commission's failure to approve will stand as the final action.

Community Development Department  
City of Arnold  
2101 Jeffco Blvd.  
Arnold, MO 63010  
636-282-2378  
636-282-6677 Fax

11/9/18  
mtg.



12/25/17  
sign up

CONDITIONAL USE PERMIT  
APPLICATION

File Number 2017-24

\$400.00 Fee Paid 12/4/17

APPLICANT/CONTRACT PURCHASER

OWNER:

JOE FLANAGAN

PRIDY FAMILY TRUST

Name

Name

411 N. 5<sup>TH</sup> ELSBERRY  
Address, City, State, Zip 63343

P.O. BOX 26 ELSBERRY MO  
Address, City, State, Zip 63343

673-482-0952  
Telephone Number

573-482-0952  
Telephone Number

Facsimile Number

Facsimile Number

607 CHREST DR. 63010  
Property Address (or nearest intersection)

RES.  
Zoning of property

Proposed Use: 4 FAMILY APARTMENT UNIT

Adjacent Zoning/Uses

RES.      RES      RES      RES.  
North      South      East      West

DEC 1 2017  
Date of application

DECEMBER  
Meeting date targeting

Joe Flanagan  
Signature of Applicant

Joe Flanagan (TRUSTEE)  
Signature of Owner

## Conditional Use Permit Application for 607 Christ Dr. Arnold, MO (Christ's Lot 1)

---

The property in question was constructed sometime prior to 1956, serving as the family home for the Christ's on their farm in Arnold Missouri. It was sold and converted to a five room apartment house in 1970 subsequently being purchased by Sanford and Virginia Pridy in the early to mid 1970's. It was at the time of their purchase being operated as a five room apartment house and has continued to serve in that capacity for over 40 years. Over the last few years as Sanford and Virginia have grown older their ability to manage the property effectively has diminished and hoping to fund their nursing home and medical costs they have decided to sell the property. As the majority of it's value lies in it's ability to provide housing for the community, they were surprised to find after several conversations with Mary Holden and Mark Richison, that no permit was on record allowing it's use as a multi family dwelling despite being designated as a five family apartment house on Jefferson County and City of Arnold property tax roles. The Pridys have, over the years, enjoyed a cordial relationship with the City of Arnold and have remained in compliance with building and occupancy inspections as required and when requested making repairs and upgrades as needed. The prospective buyer of the property as well as the Pridys would like to request an official conditional use permit to be issued for four family occupancy (we were told Arnold does not permit five family) opposed to (we assume) operating under Section 405.050 of the City of Arnold ordinance, as there have been no structural changes made to the building or lot. I will be happy to answer any concerns or questions as they may arise.

Sincerely,



Joe Flanakin

Sanford and Virginia Pridy  
4906 Mattis Rd.  
St. Louis, MO 63128

Pridy Family Trust  
P.O. Box 26  
Elsberry, MO 63343

Joe Flanakin (Trustee for Pridy Family Trust)  
411 North Fifth St.  
Elsberry, MO 63343  
573-482-0952

# City of Arnold MO Online GIS Base Map Viewer



1/4/2018, 12:11:38 PM

Jefferson County Parcels - Property

**Flood Hazard Boundaries**

SFHA / Flood Zone Boundary

----- Jefferson County Lot Lines - Lot Lines

Other Boundaries

— Cross-Sections

Limit Lines

1:564

0 0.0045 0.009 0.018 mi

0 0.005 0.01 0.02 km

© 2017 DigitalGlobe © CNES (2017) Distribution Airbus DS © 2017 HERE © 2017 Microsoft Corporation



# City of Arnold MO Online GIS Base Map Viewer



1/4/2018, 12:12:45 PM

1:2,257  
0 0.0175 0.035 0.07 mi  
0 0.02 0.04 0.08 km

- Jefferson County Parcels - Property
- Jefferson County Lot Lines - Lot Lines
- Arnold City Limits
- Cross-Sections
- Flood Hazard Boundaries
- Other Boundaries
- Limit Lines
- SFHA / Flood Zone Boundary

City of Arnold Missouri, Jefferson County Missouri  
© 2017 DigitalGlobe ©CNES (2017) Distribution Airbus DS © 2017 HERE ©

City of Arnold MO, Website User  
City of Arnold Missouri

JEFFERSON COUNTY PROPERTY TAX

HIGHLIGHTED ITEMS

Property Information			
Parcel Number	01-5.0-21.0-3-005-001	Mapped Acres	0.4600
Tax Year	2017	Assessed Value	19,300
Class	Residential	Tax Rate	7.6057
Tax Code	C6RFRAAR	Deed Book	
Land Use	9 - Apts., 5 units or more	Deed Page	
Owner Name	PRIDY FAMILY TRUST	Deed Document#	2017R-027163
Address	607 CHRIST DR ARNOLD, MO 63010	Document Date	8/25/2017

Legal Descriptions					
Legal Description	Section/Township /Range	Plat Document Number	Plat Book	Plat Page	Plat Date
CHRISTS LOT 1	21 43 6	P017-0012B	017	012B	7/16/1956

Land Valuation		
Property Use	Valued Acres	Appraised Value
Residential	0.4600	12,000

Structure 1 of 1				
Property Type	Description	Style	Base Living Area	Year Built
RES - Residential	Mult. Res. Low-rise		2,112	1970

352	Basement HVAC	
Multiple Res (Low Rise) 100.00 Percent	Forced Air Unit	1408.00 Sq. Ft.
Finished Basement	Heating and Cooling	
Finished Basement 1408.00 Sq. Ft.	Forced Air Unit	2112.00 Sq. Ft.

Assessments						
Assessment Period	Appraised Land	Assessed Land	Appraised Building	Assessed Building	Appraised Total	Assessed Total
Final Value	12,000	2,300	89,500	17,000	101,500	19,300
Form 11a	12,000	2,300	89,500	17,000	101,500	19,300
Form 11	12,000	2,300	89,500	17,000	101,500	19,300
Prior Year	13,100	2,500	89,500	17,000	102,600	19,500

Billing Details	
	Total
Tax Billed	\$1,467.90
Late Payment Penalty	\$0.00
Late Filing Penalty	\$0.00
<b>Total Billed</b>	<b>\$1,467.90</b>
Amount Paid	\$0.00
<b>Total Unpaid</b>	<b>\$1,467.90</b>

Tax Due Amounts	
If paid in...	Amount due is...
December 2017	\$1,467.90
Tax Due amounts are for all unpaid years. See Payment History section for year-by-year details.	

Payment History				
Tax Year	Total Due	Total Paid	Amount Unpaid	Date Paid
2017	\$1,467.90	\$0.00	\$1,467.90	
2016	\$1,383.48	\$1,383.48	\$0.00	12/27/2016
2015	\$1,386.92	\$1,386.92	\$0.00	12/9/2015
2014	\$1,380.37	\$1,380.37	\$0.00	12/31/2014
2013	\$1,416.97	\$1,416.97	\$0.00	12/4/2013
2012	\$1,366.46	\$1,366.46	\$0.00	12/17/2012
2011	\$1,349.04	\$1,349.04	\$0.00	12/7/2011
2010	\$1,347.16	\$1,347.16	\$0.00	12/13/2010
2009	\$1,337.17	\$1,337.17	\$0.00	11/16/2009
2008	\$1,329.36	\$1,329.36	\$0.00	11/6/2008
2007	\$1,329.35	\$1,329.35	\$0.00	11/2/2007
2006	\$1,280.51	\$1,280.51	\$0.00	10/19/2006

**☛ Taxing Bodies**

District	Tax Rate	Extension
ROCK AMBULANCE	0.202300	\$39.04
CITY OF ARNOLD	0.390200	\$75.31
JEFFERSON COLLEGE	0.331600	\$64.00
COUNTY TAX	0.007700	\$1.49
ROCK COMM FIRE	1.245300	\$240.34
HEALTH UNIT TAX	0.107900	\$20.82
LIBRARY / C1 & C6	0.280000	\$54.04
MENTAL HEALTH TAX	0.091500	\$17.66
PARK TAX	0.027300	\$5.27
ROAD & BRIDGE TAX	0.241500	\$46.61
FOX SCHOOL	4.558900	\$879.87
JC DEV DISABILITIES	0.091500	\$17.66
STATE TAX	0.030000	\$5.79


- ROCK AMBULANCE
- CITY OF ARNOLD
- JEFFERSON COLLEGE
- ROCK COMM FIRE
- HEALTH UNIT TAX
- LIBRARY / C1 & C6
- MENTAL HEALTH TAX
- PARK TAX
- ROAD & BRIDGE T
- FOX SCHOOL

**Prior Owners**

Name	Document	Status	Year
PRIDY FAMILY TRUST ,	2017R-027163	Current	2018
PRIDY FAMILY TRUST ,	2017R-027163	Current	2017
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Retired	2017
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Retired	2017
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2016
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Retired	2016
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2015
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2014
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2013
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2012
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2011
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2010
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2009
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2008
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2007
PRIDY , SANFORD W TRUSTEE ETAL	050007139	Current	2006

Collapse

Property Photos



The 'Property Photos' section contains two images. The first image on the left shows a two-story house with a gabled roof and a sign in the foreground. The second image on the right is labeled 'Imported Image' and shows a similar view of the house from a slightly different angle, possibly a front or side view.

© 2017 DEVNET, Inc  
Data updated: 2017-11-30 12:10:00  
wEdge Version 4.0.6540.28791