

City of Arnold, Missouri

Public Hearing

**January 14, 2010
7:00 p.m.**

A. A Public Hearing to Amend the Sewer Base and Usage Charges.

**Council Meeting
Council Chambers**

Immediately Following the Public Hearing

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer: **Starling Road Baptist Church -**
3. Roll Call
4. Acceptance of Minutes: **December 17, 2009**
5. Acceptance of Warrants: **Payroll Warrant #1071 & 1072- General Warrant #5514**
6. Business from the Floor:
7. Ordinances
 - A. **Bill No. 2362:** An Ordinance Authorizing an Intergovernmental Agreement Between the County of Jefferson, Missouri and Incorporated Municipalities for the One-Percent Sales Tax for Capital Improvements to Publicly Maintained Roads.
 - B. **Bill No. 2363:** An Ordinance Authorizing an Intergovernmental Agreement Between the County of Jefferson, Missouri for Animal Pound Services.
 - C. **Bill No. 2364:** An Ordinance Amending the Sewer Base and Usage Charges.
8. Resolutions
 - A. **Resolution 09-69:** A Resolution Authorizing the Vacation of Sanitary, Storm, and Road Easement.
 - B. **Resolution 09-70:** A Resolution Placing a Proposition on the April 6, 2010 Municipal Election Ballot Regarding the use of Red Light Cameras to Monitor Traffic in the City of Arnold.
9. Motions
 - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for Litigation and Personnel Pursuant to Section 610.021(1), (3), 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 January 21, 2010 at 7:00 p.m.
Next Work Session Meeting February 11, 2010 at 7:00 p.m.**

REGULAR MEETING

January 14, 2010

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:10 PM

Mayor Ron Counts called the meeting to order at 7:10 pm.

The Pledge of Allegiance was recited.

A representative from Starling Baptist Church offered the opening prayer.

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

ACCEPTANCE OF THE MINUTES:

Bill Moritz moved to **accept the minutes of the December 17, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas, **Motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1071**. Joyce Deckman moved to pay **payroll warrant #1071** pay period ending December 11, 2009, in the amount of \$165,894.04 if the monies are available. Seconded by Karl Schoenebeck. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas. **Motion carried.**

City Clerk Diane Waller read **payroll warrant #1072**. Karl Schoenebeck moved to pay **payroll warrant #1072** pay period ending December 25, 2009, in the amount of \$236,583.94 if the monies are available. Seconded by Jerel Poor. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas. **Motion carried.**

City Clerk Diane Waller read **general warrant #5514**. Karl Schoenbeck moved to pay **general warrant #5514** in the amount of \$520,888.02 if the monies are available. Seconded by Jerel Poor. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes 8 yeas. **Motion carried.**

BUSINESS FROM THE FLOOR

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

Brian Waldrop, 3273 Telegraph, representing Arnold Clean Stream announced 2 upcoming events. He was requesting assistance from the city with the Arnold clean up on March 6th.

Bill Moritz offered a **motion to authorize the city to provide assistance, as it has done in the past with personnel and equipment necessary, for the March 6, 2010 Clean Stream**. Seconded by Randy Crisler. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas, **motion carried**

Candace Throm, 80 Hickory Bluff, referred to the sewer bills arriving late most of the time and requested council make decisions on rates etc in a more timely manner.

Mayor responded the bills are sent out and unfortunately mail delivery has caused some additional delays in the past.

Bob Boyer, 2387 Starling Airport Road, referred to tonight's agenda item regarding placing the red light camera issue on the ballot. He is in favor of letting the people voice their opinion.

ORDINANCES

BILL NO. 2362– AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF JEFFERSON, MISSOURI AND INCORPORATED MUNICIPALITIES FOR THE ONE-HALF OF ONE-PERCENT SALES TAX FOR CAPITAL IMPROVEMENTS TO PUBLICLY MAINTAINED ROADS was read twice by City Clerk Diane Waller. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes, Crisler, yes; 8 yeas, **Ordinance passed.**

BILL NO. 2363 – AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF JEFFERSON, MISSOURI FOR ANIMAL POUND SERVICES was read twice by City clerk Diane Waller. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas, **Ordinance passed.**

Prior to the reading of Bill No. 2364, council members voiced their opinions regarding the raising of the sewer rates.

Randy Crisler stated he wanted reserves used and doesn't want to raise the rates.

Karl Schoenbeck questioned if money was in the reserves to do this and Mr. Unrein explained his concerns in doing this.

Bill Moritz questioned when the RFQs for the INI study will be going out and Mr. Unrein advised they are working on this and it should happen this month.

BILL NO. 2364 – AN ORDINANCE AMENDING CHAPTER 24, ARTICLE II, SECTION 24-83 USER CHARGE SYSTEM ESTABLISHED was read twice by city Clerk Diane Waller. Roll call vote: Hay, no; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, no; Lindsley, yes; Crisler, no; 5 yeas, 3 nays, **Ordinance passed.**

RESOLUTIONS

RESOLUTION NO 10-01 A RESOLUTION AUTHORIZING THE VACATION OF SANITARY, STORM AND ROAD EASEMENT was discussed. Jerel Poor moved on resolution No. 10-01. Seconded by Jason Connell. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas, **Resolution passed.**

RESOLUTION NO. 10-02, A RESOLUTION PLACING A PROPOSITION ON THE APRIL 6, 2010 MUNICIPAL ELECTION BALLOT REGARDING THE USE OF RED LIGHT CAMERAS TO MONITOR TRAFFIC IN THE CITY OF ARNOLD was discussed.

Mr. Schoenbeck questioned the ballot language in the resolution and thought it had been changed. Mayor asked him how he wanted it to read. Mr. Hay responded he felt the ballot language was confusing and then distributed a new resolution with the wording the way he wanted it.

Randy Crisler reiterated that two city attorneys have now advised they do not recommend this action. A Discussion/Debate followed with questions and comments expressed by council.

A motion was offered by Karl Schoenbeck to **amend Resolution No. 10-02 to read “Should the City of Arnold continue to utilize red light cameras for enforcement of traffic laws in the City of Arnold after the current vendor contract expires on December 5th, 2010? Note: vote results are advisory and non binding.”** Seconded by Matt Hay. Roll call vote: Hay, yes; Moritz, no; Connell, yes; Deckman, no; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, no; 5 yeas, 3 nays, **motion carried.**

Matt Hay then moved on **Resolution No. 10-02 as amended**. Seconded by Karl Schoenbeck. Roll call vote: Hay, yes; Moritz, no, Connell, yes; Deckman, no, Schoenbeck, yes; Poor, yes; Lindsley, no, Crisler, no; 4 yeas, 4 nays, **tie vote**.

Mayor Counts broke the tie, voting NO, adding he will not support this action and will follow the advice of the city attorney regarding this. **Resolution failed**.

MOTIONS

A motion to hold a closed Session Immediately following the City Council meeting for litigation and personnel pursuant to Section 610.21 (1), (3), RSMo. was offered by Jerel Poor and he so moved. Seconded by Karl Schoenbeck. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes; 8 yeas. **Motion carried**.

NEW BUSINESS

Karl Shoenbeck indicated he would like to see an ordinance or resolution on accountability of elected and appointed officials. Mayor acknowledged he would get this on the February work session.

Bob Lindsley referred to our current ordinance allowing residential swimming pool water to be drained into our sanitary sewers. This effects the volume MSD must treat and the city in turn pays for this. He indicated he had provided council with copies and would like this discussed at a work session. Mayor acknowledged this would also go on a work session.

OLD BUSINESS

Randy Crisler brought up issues with the Ambulance District and their lack of payment and not providing information requested. He added city would need outside council regarding this.

Mayor Counts disagreed and informed him the Ambulance people will be in attendance at the next work session and this will be discussed and all issues can be heard and resolved.

Joyce Deckman reported she had heard from a disabled woman in her ward asking for assistance in the payment of her sewer bills. Mayor advised her to contact Diane Waller for information.

COMMITTEE REPORTS

Karl Schoenbeck reported on the recent Hometown Meeting being informative.

Bob Lindsley reported both on the Tourism Meeting and the Park and Rec Meeting. He provided details of an upcoming Trivia night scheduled for Feb 6.

Jerel Poor added he had received complaints from the residents in Linderhoff regarding the park behind them (Strawberry Creek) and would like to take this to a work session. Also mentioned concerns about the snow plowing in Linderhoff.

Matt Hay informed everyone that the IP presentation scheduled for tonight's work session had to be rescheduled.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – Elaborated on the Economic Summit Meeting for Feb. 18 and invited council to attend. He expressed what he hopes to accomplish and how this will benefit everyone.

Ward 4 - Karl Schoenbeck – No Report

Ward 1 - Bill Moritz – Reported on the Linderhoff subdivision meeting and plowing procedures need to be looked at.

Ward 3 - Bob Lindsley – No Report

Ward 1 - Randy Crisler – No Report

Ward 3 – Joyce Deckman – No Report

Ward 2 – Jerel Poor – No Report

Ward 4 – Jason Connell – No Report

Ward 1 – Matt Hay – Announced the Red Light camera will be discussed by the state on Wednesday, January 27, 2010.

City Administrator Matt Unrein – No Report

City Clerk Diane Waller – Reminded everyone that election filing closes at 5 pm next Tuesday, January 19, 2010. Advised that City Hall is closed Monday in observance of Martin Luther King but trash will be picked up as scheduled. Added trash was picked up a day later than usual last week due to snow and ice. There are a few private streets that were icy and dangerous so the hauler was unable to get to them as quickly as thought.

Chief Bob Shockey – reported there has been an increase in requests for police reports and explained a new option. Discussion followed. A motion was offered by Jerel Poor **to authorize city to go out for bid to streamline police report requests.** Seconded by Karl Schoenbeck. Roll call vote: Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; Poor, yes; Lindsley, yes; Crisler, yes, 8 yeas, **motion carried.**

Parks Director Susie Boone – She addressed council member’s concerns about issues at Strawberry Creek, acknowledging there are some paths that are inoperable. She then explained, that weather permitting on March 27th, volunteers will assist with the necessary cleaning up of that property.

Mary Holden – No Report

Tom Palasky – No Report

Treasurer Paul Freese - Excused

Attorney Dennis Tesreau – Referred to the liability question asked in a previous meeting if city council meetings were to be televised. He indicated what is said or done will probably be seen by many more people. Also introduced Jessica Mikale of his firm who was in attendance.

Finance Director Deb Lewis – No Report

Director of Administration Greg Hall – Reported on upcoming concert sales. He said Loretta Lynn is nearing a sellout but tickets are available and standing room will also be sold. There are two other concerts in March, the classical concert and the Arnold Food Pantry Benefit.

At 8:32 Mayor Counts announced will have a short 10 minute break and then hold the work session.

Work session part of the meeting began at 8:47 PM.

Mayor Counts called the work session to order at 8:47 pm. Those in attendance as noted by City Clerk Diane Waller: Hay, Moritz, Connell, Deckman, Schoenbeck, Poor, Lindsley, Crisler, Unrein, Waller, Holden, Lewis, Tesreau, Boone, Chief Shockey, Palasky, and Hall.

A REPRESENTATIVE FROM THE CENSUS BUREAU WILL REPORT ON THIS YEAR'S CENSUS

Ms. Ronni Watkins talked about the census and explained how important it is. She stressed everyone needs to be counted. Accurate counts are vital in the way of future funding, government representation etc.

She indicated she hoped the city will take an active role in promoting the census and was looking for volunteers to work on a committee towards this goal.

Bill Moritz volunteered and Matt Urein and Ron Counts will also help as they can. The newsletter may be a way of letting our residents know the importance.

Ms. Watkins reviewed the paperwork she had distributed.

Another Census worker, Mr. Abner Martinez, spoke briefly, adding they are looking forward to working more with the city and acknowledged the city has been assisting in the past.

Mary Holden confirmed she had been working with the Census people in providing updates.

SAM RAULS; RECAP OF THE JEFFERSON COUNTY ECONOMIC DEVELOPMENT COMMISSION ACTIVITIES FOR 2009

Mr. Rauls offered his services with the Economic Development Commission and stated he would be available to come to meetings and discuss various issues.

He distributed a packet and provided details on how they promote Jefferson County. Also provided stats and other pertinent information on the great things EDC has done.

Work session ended at 9:21 pm.

Room was cleared for the closed session.

Closed session was held from 9:26 PM to 10:21 PM.

A motion to adjourn was offered by Randy Crisler. Seconded by Karl Schoenbeck.
Voice vote: all yeas,

Meeting adjourned at 10:22 pm.

Respectfully submitted,

Diane Waller