

## City of Arnold, Missouri

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**Public Hearing  
Council Chambers**

**January 19, 2012  
7:00 p.m.**

- A. A Public Hearing Regarding Judy Drive Neighborhood Improvement District. (NID).
  - B. 2011-28, Rezoning, C-4 Development Plan 2116 Lone Star Drive, CVS Pharmacy Planning Commission Recommendation.
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**Council Meeting**

**Immediately Following the Public Hearing**

### **Amended Agenda**

- 1. Pledge of Allegiance:
- 2. Opening Prayer: Church of Christ of Arnold (TBA)
- 3. Roll Call:
- 4. Acceptance Of Minutes: **January 5, 2012**
- 5. Acceptance Of Warrants: **Payroll Warrant #1125 - General Warrant #5563**
- 6. Business From the Floor:
- 7. Ordinances:
  - A. **Bill No. 2498:** An Ordinance Allowing the “2012 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>, 2012.
  - B. **Bill No 2499:** An Ordinance rezoning a Tract of Land in the City of Arnold, MO. Identified 2116 Lone Star from C-3 to C-4 Commercial.
- 8. Resolutions:
  - A. **Resolution No. 12-02:** A Resolution Re-Appointing Gary Plunk to the Parks and Leisure Service Board for a Two-Year Term.
  - B. **Resolution No. 12-03:** A Resolution Re-Appointing Brian Waldrop to the Parks and Leisure Service Board for a Two-Year Term.
  - C. **Resolution No. 12-04:** A Resolution Re-Appointing Ron McCracken to the Building Appeals Board to Serve a Three-Year Term.
  - D. **Resolution No. 12-05:** A Resolution Re-Appointing Dale R. Bast to the Board of Adjustment to Serve a Five-Year Term.
  - E. **Resolution No. 12-06:** A Resolution Re-Appointing David McCreery to the Board of Adjustment to Serve as an Alternate Member for a Three-Year Term.

- F. **Resolution No. 12-07:** A Resolution Re-Appointing Jonathan Giallanzo to the Board of Adjustment to Serve a Five-Year Term.
  - G. **Resolution No. 12-08:** A Resolution Adopting the Comprehensive Plan for the City of Arnold.
9. Motion:
- A. A Motion Waiving Normal Bid Procedures and Awarding the Carnival Rides, Games and Carnival Types of Food for the 2012 Arnold Days Festival.
  - B. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Personnel Pursuant to RSMo Section 610.021 (3).
10. New Business:
11. Old Business:
12. Committee Reports:
13. Reports from Mayor and Council:
14. Administrative Reports:
15. Adjournment

**Next Regular Council Meeting February 2, 2012 at 7:00 p.m.**  
**Next Work Session Meeting February 09, 2012 at 7:00 p.m.**

Mayor Ron Counts called the meeting to order at 7: 17 pm.

The Pledge of Allegiance was recited.

A representative from the Arnold Church of Christ said the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Mayor Ron Counts, Fitter, Moritz, Amato (excused); Freese (excused), Kownacki, Moss, Borgelt, Lang, Unrein, Waller, Holden, Lewis, Sweeney, Boone, Shockey, Baker, Kroupa and Hall.

Mayor and Council recognized Scouts from Troop 744 in attendance tonight. They are working on their Citizenship in the Community and their Communications badges.

#### **ACCEPTANCE OF MINUTES:**

Ken Moss moved **to accept the minutes of the January 5, 2012 meeting** if there were no deletions, errors or corrections. Sandra Kownacki seconded the motion. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese (excused); Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 6 yeas: **Motion carried.**

#### **ACCEPTANCE OF WARRANTS:**

City Clerk Diane Waller read Payroll Warrant #1125. Doris Borgelt made a motion and moved **to pay Payroll Warrant #1125 in the amount of \$254,834.29** if the monies are available. Seconded by Jeff Fitter. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese (excused); Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 6 yeas: **Motion carried.**

City Clerk Diane Waller read General Warrant #5563. Jeff Fitter **moved to pay General Warrant #5563 in the amount of \$383,586.74** if the monies are available. Seconded by Cricky Lang. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese (excused); Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 6 yeas: **Motion carried.**

#### **BUSINESS FROM THE FLOOR**

Mayor explained the procedure to speak and the need to provide speaker cards.

**Ms. Bernie Wilde**, 3533 Swan Circle South, President of Arnold Historical Society, spoke with a concern and request. She announced there were situations at their new location and she needed city's help. She went on to say she wanted special consideration and reduced permit fees to bring the building up to code. She also wanted city to waive some handicap requirements.

Mr. Moritz addressed Ms. Wilde's request adding what she was asking could not and would not happen tonight. There are ADA laws that the city must adhere to. He did ask that staff be directed to take a look at this.

Councilman Freese arrived at 7:25 pm.

Mr. Unrein acknowledged staff will look into this and Mary Holden agreed.

**Mr. Ron Stadler**, 2004 Bender, provided a diagram of a sewer problem he has dealt with for a number of years. He explained how the sewer lid comes off at times during heavy rains, dumping raw sewage and debris onto his property. He didn't think storm water should be entering our sanitary sewers and disagreed with what he is being told to do to remedy this. He wants the city to do something.

Mayor advised city would take a look at this to see what can be done. Mr. Moss requested Bryson Baker look at this next week and get back to him.

#### **ORDINANCES:**

**BILL NO. 2498 – AN ORDINANCE ALLOWING THE '2012 SHOW-ME GREEN SALES TAX HOLIDAY TO APPLY TO THE LOCAL SALES TAX OF THE CITY OF ARNOLD BETWEEN APRIL 19, AND APRIL 25, 2012** was read twice by City Clerk Diane Waller. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused) Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Ordinance passed.**

**BILL NO. 2499 – AN ORDINANCE REZONING A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI IDENTIFIED AS 2116 LONE STAR FROM C-3 TO C-4 COMMERCIAL** was read once by City Clerk Diane Waller.

Mr. Moss wants the sidewalk issues addressed.

City Clerk read the bill for the second time. Roll call vote:  
Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes;  
Borgelt, yes; Lang, yes; 7 yeas, **Ordinance passed.**

#### **RESOLUTIONS**

**RESOLUTION NO. 12-02 A RESOLUTION RE-APPOINTING GARY PLUNK TO THE PARKS AND LEISURE SERVICE BOARD FOR A TWO-YEAR TERM** was read by Mayor Ron Counts. Sandra Kownacki offered a motion to approve and so moved. Seconded by Bill Moritz. Roll call vote: Fitter, yes; Moritz, yes; Amato, (excused) Freese, yes; Kownacki, yes; Moss, yes; Borgelt\*, yes; Lang, yes. 7 yeas, **Motion carried.**

\* Prior to announcing her vote, Ms. Borgelt questioned whether or not the appointees had been notified. She was advised by Mr. Unrein they had.

**RESOLUTION NO. 12-03 A RESOLUTION RE-APPOINTING BRIAN WALDROP TO THE PARK AND LEISURE SERVICE BOARD FOR A TWO-YEAR TERM** was read by Mayor Ron Counts. Bill Moritz offered a motion to approve Resolution No. 12-03 and so moved. Seconded by Doris Borgelt. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**RESOLUTION NO. 12-04 A RESOLUTION RE-APPOINTING RON MC CRACKEN TO THE BUILDING APPEALS BOARD FOR A THREE-YEAR TERM** was read by Mayor Ron Counts. Jeff Fitter offered a motion to approve and so moved. Seconded by Paul Freese. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**RESOLUTION NO. 12-05 A RESOLUTION RE-APPOINTING DALE R. BAST TO THE BOARD OF ADJUSTMENT FOR A FIVE-YEAR TERM** was read by Mayor Ron Counts. Paul Freese offered a motion to approve and so moved. Seconded by Doris Borgelt. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**RESOLUTION NO. 12-06 A RESOLUTION RE-APPOINTING DAVID MCCREERY TO THE BOARD OF ADJUSTMENT AS AN ALTERNATE MEMBER FOR A THREE-YEAR TERM** was read by Mayor Ron Counts. Sandra Kownacki offered a motion to approve and so moved. Seconded by Ken Moss. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**RESOLUTION NO. 12-07 A RESOLUTION RE-APPOINTING JONATHAN GIALLANZO TO THE BOARD OF ADJUSTMENT** was read by Mayor Ron Counts. Sandra Kownacki offered a motion to approve and so moved. Seconded by Paul Freese. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**RESOLUTION NO. 12-08 A RESOLUTION ADOPTING THE COMPREHENSIVE PLAN FOR THE CITY OF ARNOLD** was read by City Clerk Diane Waller. Mary Holden expressed her appreciation to all involved and recognized them for their efforts. They stood and were applauded. Mr. Moss & Mr. Fitter also recognized Mary Holden for all that she did and she also was applauded.

Jeff Fitter offered a motion to approve the Comprehensive Plan and so moved. Seconded by Ken Moss. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, no; Lang, yes; 6 yeas, 1 nay, **Motion carried.**

Mayor again thanked everyone involved.

## **MOTION**

Parks Director Susie Boone explained her desire to waive bid procedures and contract with Premier Works Inc. to provide carnival rides, games and carnival types of food for the 2012 Arnold Days Festival. She elaborated that last year their performance provided a wonderful, and safe experience. They will also provide additional rides this year. Because of all this, Tourism was given \$14,000. Matt Unrein added the cost to have Premier Works would be the same this year and that was also a plus.

Jeff Fitter offered **a motion to waive normal bid procedures and accept the proposal from Premier Works Inc. for the 2012 Arnold Days Festival, based on performance last year**, and so moved. Seconded by Cricky Lang. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**A motion to hold a closed session immediately following the City Council meeting for the purpose of discussing personnel pursuant to RSMO Section 610.021 (3)** was offered by Cricky Lang and she so moved. Seconded by Doris Borgelt. Roll call vote: Fitter, yes; Moritz, no; Amato (excused); Freese, no; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 5 yeas, 2 nays, **Motion carried.**

## **NEW BUSINESS**

Treasurer Dan Kroupa asked council to review all ordinances and resolutions to bring them up to date, and if need be, go out for bid and contract to complete the reveiw. Mayor acknowledged we could look at this.

Doris Borgelt thanked Bryson Baker for fixing the bridge on Dudler. She also expressed concern about the confusion with signage at the parks where “reserved” is posted. Susie Boone will look into this.

## **OLD BUSINESS**

Paul Freese questioned the number of cars parked at the Apex Motor lot. Mary Holden advised she had contacted them once already but would contact them again.

## COMMITTEE REPORTS

Sandra Kownacki reported on the Aging and Disability meeting held earlier today, adding Mr. Hall will report.

She also reported there had been a liquor control meeting and 2 applications were reviewed. She offered **a motion to approve the liquor application for Express Mart at 1919 Richardson Road with David Mangelsdorf as Managing Officer.** They are requesting an original package and a Sunday license. Bill Moritz seconded the motion. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, **Motion carried.**

**Sandra Kownacki offered a motion to approve Weber's Front Row, 3830 Vogel, with Robert Weber as Managing Officer for a retail liquor by the drink and on Sunday and original package and so moved.** Cricky Lang seconded the motion. Roll call vote: Fitter, yes; Moritz, yes; Amato (excused); Freese, yes; Kownacki, yes; Moss, yes; Borgelt, yes; Lang, yes; 7 yeas, Motion carried.

Ken Moss reported there would be an Economic Development meeting at the Rec Center February 3 from 9-11 and encouraged department heads to attend. He is also working with the Chamber for a combined City/Chamber Golf Tournament and asked Mr. Plunk and Mr. Kroupa to assist. They indicated they would help.

Treasurer Kroupa reported he had attended the Jefferson County Economic Development Corporation early morning meeting. He stated they did not get the Tiger Grant for the Port Authority so funds will not be coming from there.

Ken Moss left the council chamber at 7:56.

Mr. Kroupa also reported Jefferson College enrollment numbers are up due to online classes. He also indicated the idea of combining the JCED and the Growth and Development did not go through. They will remain individual entities.

## REPORTS FROM MAYOR & COUNCIL

**Mayor Counts** – Reported he has visited with the Arnold Chamber of Commerce and economic conditions are going well in our city. Recognized Bryson Baker and his crew doing a good job during our snow event. Also complimented our police department and expressed appreciation to them for their actions during the bad weather event.

Ken Moss returned to the council chamber at 7:59 pm

**Ward 1** – Doris Borgelt – No report

**Ward 1 - Cricky Lang** – No report

**Ward 2 – Jeff Fitter** – reported on the success this month with memberships as a result of the Silver and Fit Program and the new county corporate. He thanked Susie Boone for her efforts in her work getting these programs.

**Ward 2 – Bill Moritz** – Thanked those involved with keeping the streets accessible during the recent ice and snow event.

**Ward 3 – Paul Freese** – Apologized for arriving after the meeting started but shared he had registered his son for high school. Thanked Susie for bringing back the bingo. He too reported on the snow event and shared it had made for an interesting morning.

**Ward 3 – Phil Amato** – Excused

**Ward 4 – Ken Moss** – No report

**Ward 4 – Sandra Kownacki** – No report

#### **ADMINISTRATIVE REPORTS**

**City Administrator Matt Unrein** – No report

**Diane Waller** - No report

**Chief Shockey** – No report.

**Susie Boone** – Reported the ribbon cutting would be Saturday at 9 am for the new trail at Arnold Park that goes around the lake. She also reported the Rec Center has been chosen for a national tour in August by Athletic Business and this is quite an honor. She received applause and reported more information would be coming later on.

**Mary Holden** – No report.

**Bryson Baker** – No report

**Bob Sweeney** – No report

**Deb Lewis** – No report

**Greg Hall** – Reported the Aging and Disability Commission met today and has created the Hulane Huey Strong Memorial Award and were accepting nominations. Mr. Strong was the last original member of the commission and he has now passed on. This is to honor him. Commission is also working on a Strategic Plan and that will be forthcoming.



7  
Regular Meeting  
January 19, 2012

Mr. Hall reported March is Development Disability Month and the award would be presented then.

At 8:07 pm Mayor announced there would be a 5- minute recess and then go into closed session.

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Council came out of closed session at 9:03 pm.

A motion to close this meeting was offered by Paul Freese and seconded by Sandra Kownacki.

Voice Vote: all yeas

Meeting adjourned at 9:03 pm.

  
City Clerk Diane Waller

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** REGULAR

**DATE:** 1/19/2012

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**BILL NO - RESOLUTION - MOTION**

	ROLL CALL	APPROVE 1/5/12 MINUTES	APPROVE PAYROLL WARRANT NO. 1125	APPROVE GENERAL WARRANT NO. 5563	APPROVE BILL NO. 2498	APPROVE BILL NO. 2499
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR</b> <u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b> <u>JEFF FITTER</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>BILL MORITZ</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>PHIL AMATO</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
<b>COUNCIL:</b> <u>PAUL FREESE</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	YES	YES
<b>COUNCIL:</b> <u>SANDRA KOWNACKI</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>KEN MOSS</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>DORIS BORGELT</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>CRICKY LANG</u>	PRESENT	YES	YES	YES	YES	YES
<b>ADMINISTRATOR:</b> MATT UNREIN	PRESENT	<b>PARKS DIR:</b> SUSIE BOONE				PRESENT
<b>CITY CLERK:</b> DIANE WALLER	PRESENT	<b>POLICE CHIEF:</b> CHIEF SHOCKEY				PRESENT
<b>COM DEV DIR:</b> MARY HOLDEN	PRESENT	<b>PUBLIC WORKS:</b> BRYSON BAKER				PRESENT
<b>FINANCE DIR:</b> DEBORAH LEWIS	PRESENT	<b>TREASURER:</b> DAN KROUPA				PRESENT
<b>CITY COUNSELOR</b> BOB SWEENEY	PRESENT	<b>DIR. OF ADMIN.</b> GREG HALL				PRESENT

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** REGULAR

**DATE:** 1/19/2012

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**BILL NO - RESOLUTION - MOTION**

	APPROVE RESOLUTION NO. 12-02	APPROVE RESOLUTION NO. 12-03	APPROVE RESOLUTION NO. 12-04	APPROVE RESOLUTION NO. 12-05	APPROVE RESOLUTION NO. 12-06	APPROVE RESOLUTION NO. 12-07
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR</b> <u>RON COUNTS</u>						
<b>COUNCIL:</b> <u>JEFF FITTER</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>BILL MORITZ</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>PHIL AMATO</u>	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
<b>COUNCIL:</b> <u>PAUL FREESE</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>SANDRA KOWNACKI</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>KEN MOSS</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>DORIS BORGELT</u>	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> <u>CRICKY LANG</u>	YES	YES	YES	YES	YES	YES
<b>ADMINISTRATOR:</b> MATT UNREIN						
<b>CITY CLERK:</b> DIANE WALLER						
<b>COM DEV DIR:</b> MARY HOLDEN						
<b>FINANCE DIR:</b> DEBORAH LEWIS						
<b>CITY COUNSELOR</b> BOB SWEENEY						
			<b>PARKS DIR:</b>	SUSIE BOONE		
			<b>POLICE CHIEF:</b>	CHIEF SHOCKEY		
			<b>PUBLIC WORKS:</b>	BRYSON BAKER		
			<b>TREASURER:</b>	DAN KROUPA		
			<b>DIR. OF ADMIN.</b>	GREG HALL		

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

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BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR RON COUNTS

COUNCIL: JEFF FITTER

COUNCIL: BILL MORITZ

COUNCIL: PHIL AMATO

COUNCIL: PAUL FREESE

COUNCIL: SANDRA KOWNACKI

COUNCIL: KEN MOSS

COUNCIL: DORIS BORGELT

COUNCIL: CRICKY LANG

ADMINISTRATOR: MATT UNREIN

CITY CLERK: DIANE WALLER

COM DEV DIR: MARY HOLDEN

FINANCE DIR: DEBORAH LEWIS

CITY COUNSELOR BOB SWEENEY

	APPROVE RESOLUTION NO. 12-08	MOTION TO WAIVE NORMAL BID PROCEDURES FOR PREMIER WORKS INC.	MOTION TO HOLD CLOSED SESSION TO DISCUSS PERSONNEL	MOTION TO APPROVE EXPRESS MART LIQUOR APPLICATION	MOTION TO APPROVE WEBER'S FRONT ROW LIQUOR APPLICATION	
	YES	YES	YES	YES	YES	
	YES	YES	NO	YES	YES	
	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED	
	YES	YES	NO	YES	YES	
	YES	YES	YES	YES	YES	
	YES	YES	YES	YES	YES	
	NO	YES	YES	YES	YES	
	YES	YES	YES	YES	YES	

PARKS DIR: SUSIE BOONE

POLICE CHIEF: CHIEF SHOCKEY

PUBLIC WORKS: BRYSON BAKER

TREASURER: DAN KROUPA

DIR. OF ADMIN. GREG HALL