

## City of Arnold, Missouri

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**Public Hearing  
Council Chambers**

**July 19, 2007  
7:30 p.m.**

- A. An Ordinance Amending the Zoning Ordinance, Bill No. 285, Ordinance No. 14.2. See Agenda Item No. 7A.**
  - B. An Ordinance Amending Bill No. 2195, Ordinance No. 14.395 Which Rezoned a Tract of Land in the City of Arnold, Missouri. See Agenda Item No. 7B.**
  - C. An Ordinance Approving a Record Plat. See Agenda Item 7C.**
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**Council Meeting**

**Following the Public Hearing**

### Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **July 5, 2007**
5. Acceptance Of Warrants: **Payroll Warrant # 1006; General Warrant #5455**
6. Business From the Floor
7. Ordinances
  - A. Bill No. 2246:** An Ordinance Amending the Zoning Ordinance, Bill No. 285, Ordinance No. 14.2 Relating to Section 8, Supplementary District Regulations, R. Temporary Structures.
  - B. Bill No. 2247:** An Ordinance Amending Bill No. 2195, Ordinance No. 14.395 Which Rezoned a Tract of Land in the City of Arnold, Missouri, Identified as The Triangle, Related to Billboards.
  - C. Bill No. 2248:** An Ordinance Approving a Record Plat Titled "Hessler Estates."
  - D. Bill No. 2249:** An Ordinance Approving a Record Plat Titled "Austin Heights."

8. Resolutions

**NONE**

9. Motions

**A.** A Motion Waiving Bid Procedures for the Highway 141 Slip Ramp Project.

**B.** A Motion Authorizing the Mayor to Execute a Release of a Temporary Easement.

**C.** A Motion to Amend Contract for Engineering Services "CMT."

10. New Business

11. Old Business

12. Committee Reports

13. Reports from Mayor and Council

14. Administrative Reports

15. Adjournment

**Next Regular Council Meeting: Thursday, August 2<sup>nd</sup> at 7:30 p.m.**

**Next Worksession Meeting: Thursday, August 9<sup>th</sup> at 7:00 p.m.**

July 12, 2007

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**REGULAR MEETING**

**JULY 19, 2007**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:43 PM**

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**Mayor Mark Powell called the meeting to order at 7:43 p.m. Opening prayer was a silent prayer. Those present per roll call taken by City Clerk Diane Waller: Powell, Vinson, Crisler (excused), Moritz, Venable (excused), Amato, Deckman (excused) Cooley, Ems, Unrein, Waller, Holden, McKenzie, Crutchley for Boone, Sweeney, Shockey, Blue, and Hall.**

**ACCEPTANCE OF THE MINUTES:**

Al Ems moved to accept the minutes of the July 5, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, motion carried.

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

City Clerk Diane Waller read payroll warrant #1007. Bill Moritz moved to pay payroll warrant #1007 pay period ending June 29, 2007 in the amount of \$225,274.73 if the monies are available. Seconded by Al Ems. Roll call vote Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, motion carried.

City Clerk Diane Waller read general warrant #5455. Butch Cooley moved to pay general warrant #5455 in the amount of \$570,195.97 if the monies are available. Seconded by Al Ems. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, motion carried.

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

Lloyd Rodgers, 861 Morningside said he had addressed council other times regarding issues in his neighborhood but was here tonight to thank Chief Shockey, Arnold Police Officers, and council for their help.

Roy Wilde, 915 Lonedell, read a prepared statement for the record and provided the document for inclusion in the minutes. This referred to the need to increase Jeffco Blvd to 5 lanes from the train trestle to Telegraph Road to allow for safe traffic flow.

Norman Moss, 2270 Fawn, announced he was appearing for the third time to ask the city's help in making the work zone near his business a safer area and questioned what can be done.

Mayor Powell recognized 3 scouts in attendance this evening. Adam Ney, Connor Rowden and Matthew Weeke.

Mayor reminded council that there are only 5 members present this evening and it will take 5 yes votes to pass any ordinance.

Bill #2246 AN ORDINANCE AMENDING THE ZONING ORDINANCE, BILL NO. 285, ORDINANCE NO. 14.2 RELATING TO SECTION 8, SUPPLEMENTARY DISTRICT REGULATIONS, R. TEMPORARY STRUCTURES was read twice by City Clerk Diane Waller. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, ordinance passed.

Bill #2247 was discussed and amended to reflect 1000 feet on last page rather than 1200. Bill #2247 AN ORDINANCE AMENDING BILL NO. 2195, ORDINANCE NO. 14.395 WHICH REZONED A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED AS THE TRIANGLE RELATED TO BILLBOARDS (AS AMENDED) was read twice by City Clerk Diane Waller. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, ordinance passed.

Bill #2248 AN ORDINANCE APPROVING A RECORD PLAT TITLED "HESSLER ESTATES" was read twice by City Clerk Diane Waller. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, ordinance passed.

Bill #2249 AN ORDINANCE APPROVING A RECORD PLAT TITLED "AUSTIN HEIGHTS" was read twice by City Clerk Diane Waller. Roll call vote: Vinson, yes; Crisler (excused), Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, ordinance passed.

### **RESOLUTIONS**

There were no resolutions.

### **MOTIONS**

A motion waiving bid procedures for installation of fill material on the Hwy. 141 "Slip-Ramp" project was discussed.

The Public Works Department request council authorization to waive bid procedures related to the cost to place and compact fill material associated with Hwy 141 widening and access break or "slip-ramp" project. This project consist of a "right-in/right-out" access from Highway 141 into the THF development and acceleration/deceleration lanes.

The slip ramp project is currently out to bid with the bid opening scheduled for August 14, 2007. Part of the project is the placement/compaction of approximately 8850 cubic yards of fill material Bloomsdale excavating is currently working adjacent to the project area and has material available from the THF site. Bloomsdale has forwarded proposal to the city to place/compact the required fill for \$2.55 per cubic yard. Based on bids from the prior four church Road projects, we estimate that for a contractor to import fill from off site, place and compact will cost between \$4 and \$6 per cubic yard. By authorizing Bloomsdale to perform this work, the city should realize a potential savings of close to \$12,000.00.

Paul Vinson offered the motion for council to waive bid procedures and accept the proposal for placing/compacting fill material from Bloomsdale Excavating in the amount of \$22,567.50 and then so moved. Seconded by Al Ems. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused), Amato, yes, Deckman (excused); Cooley, yes; Ems, yes; 5 yeas, motion carried.

A motion authorizing the Mayor to execute a Release of a Temporary Easement was discussed. At the property closing in December, the city conveyed the certain property to THF, including the roadway. THF granted back a temporary easement. The temporary easement was intended to be vacated once THF complete its Church Road Improvement work. This work is complete and there is traffic on the new Church Road. The execution of this document completes the vacation of the temporary easement, which is no longer needed.

Al Ems offered a motion to authorize the Mayor to execute the Release of temporary Easement and then so moved. Seconded by Butch Cooley. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes, Ems, yes; 5 yeas, motion carried.

A motion to approve Supplemental Agreement No. 4 to Crawford, Murphy and Tilly Inc. for the revised Church road improvements was discussed.

Phil Amato offered a motion to authorize the Mayor to sign Supplemental Agreement No. 4 with Crawford, Murphy and Tilly in the amount of \$5300.00 and then so moved. Seconded by Butch Cooley. Roll call vote: Vinson, yes; Crisler (excused); Moritz, yes; Venable (excused); Amato, yes; Deckman (excused); Cooley, yes, Ems, yes; 5 yeas, motion carried.

### **NEW OR OLD BUSINESS**

Phil Amato questioned Sweeney for clarification if a boundary adjustment would be needed for Arnold Stove and Fireplace. There seems to be a delay from the lender related to this.

Discussion followed. Sweeney elaborated on his ideas and the legalities. Mayor asked if city could provide letter to the financial company regarding this.

Mayor questioned if council objected to allowing property owner to speak at this time, and no objections were voiced. Mr. Moss then stated he needs a legal description in order to have funds released. The property involved is currently part of Pasta House, Triangle and MoDot.

Mayor asked if Sweeney could talk with financial people to see if this can be addressed.

### **COMMITTEE REPORTS**

There were no committee reports.

### **REPORTS FROM MAYOR AND COUNCIL**

Ward 4 – Butch Cooley – Reported on the appearance of Crosswinds and asked what can be done about junk issues. He would like to see Mary Holden have the authority to do something. Sweeney advised there might already be something in place to address this.

He also requested Austin Heights needs grass cut from fence to road. Mary Holden offered to take a look at this. He thanked Jeff Blue for the efforts on the Melody lane projects.

Ward 1 – Paul Vinson – Reported he had received 3 more fireworks complaints.

Ward 4 – Al Ems – Also wants to see action taken to enforce clean up at Crosswinds.

Ward 1 – Randy Crisler - excused

Ward 2 – Dave Venable – excused

Ward 3 – Joyce Deckman – excused

Ward 2 – Bill Moritz – Reported he had received a call from a resident about the gate between Linderhoff and Palmer Place. Gate is now closed.

Ward 3 – Phil Amato – Complimented Butch Cooley for his landscaping efforts at the Rec Center.

Attorney Bob Sweeney – Announced he had attended the Missouri Municipal Attorney conference and found it very informative.

Matt Unrein – Reported the TIF Commission met last night and will meet again next Wednesday July 28, 2007 at 6:30 pm.

Diane Waller – No report

Greg Hall – No report

Mary Holden – No report

Jeff Blue – No report

Vivian McKenzie – No report

Dave Crutchley – No report

Chief Shockey – No report

A motion to close was offered by Al Ems. Seconded by Bill Moritz.  
Voice vote: motion carried.

Meeting adjourned at 8:23 pm.

Respectfully submitted,

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City Clerk