

City of Arnold, Missouri

**Work Session
Council Chambers**

**July 9, 2009
7:00 p.m.**

Agenda

1. Review the Revised Hometown Plan.
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**Council Meeting
Council Chambers**

Immediately following the Work Session

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **June 18, 2009 & June 25, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1058 & #1059 - General Warrant #5502**
6. Business From the Floor
7. Ordinances
8. Resolutions
 - A. **Resolution 09-24:** A Resolution Authorizing a Lease Agreement with the Arnold Historical Society for the Property at 1838 Old Lemay Ferry Road.
 - B. **Resolution 09-25:** A Resolution Authorizing a Lease Agreement with the Arnold Chamber of Commerce for The Property at 1838 Old Lemay Ferry Road.
 - C. **Resolution 09-28:** A Resolution Appointing Jeff Fitter to the Police Personnel Board for the Remainder of a Two-Year Term.
 - D. **Resolution 09-29:** A Resolution Appointing Bob Taylor to the Police Personnel Board for the Remainder of a Two-Year Term.
 - E. **Resolution 09-30:** A Resolution Appointing Ed Zimmerman to the Police Personnel Board for the Remainder of a Two-Year Term.
 - F. **Resolution 09-31:** A Resolution Authorizing the City To Vacate Certain Right-Of-Way Along Church Road.
 - G. **Resolution 09-32:** A Resolution Authorizing Execution of a Special Warranty Deed for Certain Property in Conjunction With The Arnold Commons Redevelopment Project.

H. **Resolution 09-33:** A Resolution Adopting a Part Time Pay Plan.

9. Motion
 - A. Motion Authorizing the Mayor to Award the Bid for the Replacement of a Rough Mower.
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
 - A. Special Report: Councilman Poor Residency
15. Adjournment

Next Regular Council Meeting July 16, 2009 at 7:30 p.m.
Next Work Session Meeting August 13, 2009 at 7:00 p.m.

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July 2, 2009

REGULAR MEETING

July 9, 2009

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:17: PM

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

The Pledge of Allegiance was recited.

Mayor Counts asked if anyone present would like to do a prayer. No one came forward so Mayor offered a prayer.

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

ACCEPTANCE OF THE MINUTES:

Jason Connell moved to **accept the minutes of the June 18, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried.**

Bill Moritz moved to **accept the minutes of the special meeting of June 25, 2009** if there are no other deletions, errors, or corrections. Seconded by Bob Lindsley. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1058.** Randy Crisler moved to pay **payroll warrant #1058** pay period ending June 17, 2009, in the amount of \$242,812.59 if the monies are available. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried.**

City Clerk Diane Waller read **payroll warrant #1059.** Randy Crisler moved to pay payroll warrant #1059 pay period ending 7/1/09, in the amount of \$239,125.10 if the monies are available. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried.**

City Clerk Diane Waller read **general warrant #5502**. Randy Crisler moved to pay **general warrant #5502** in the amount of \$681,906.73 if the monies are available. Seconded by Jerel Poor. Roll call vote Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried**.

BUSINESS FROM THE FLOOR

Kathy Flanigan, 1425 Timothy Drive, and Director of Arnold Food Pantry asked for city assistance in relocating their operation. She stated they are now operating out of Village Plaza, having some issues and also the rent is increasing. She felt like for what is being spent on rent, they could be assisting more of those in need.

City Clerk Diane Waller added the city is presently conducting a drive to provide items for the food pantry to distribute and there is a large red barrel if anyone coming to city hall for meetings or whatever, would like to bring a donation with them, it would be appreciated.

Chief Shockey talked about the service dogs being 9 years old and in the past Jaycees have helped financially with the purchase of these dogs. Lori Crutchley, President of the Jaycees, was here tonight and presented a \$5000 check to the Chief. Chief added this will allow city to retire one dog and the money is appreciated.

Steve Bland, owner of a business at 2121 Tenbrook, spoke of issues he has whereby he was being denied money that he paid city. He had submitted plans and then withdrew them and feels some of his fees should be returned.

Ms. Joyce Klos, 505 D Street, expressed how she felt it was unfair in her opinion to not allow an absent council member to vote.

Mayor asked that Item 14A be moved up in the meeting and introduced Attorney Dennis Tesreau. He was hired to review the documents and addressed the question of Jerel Poor's residency. He has concluded his investigation and provided a letter detailing it was his **legal opinion that Mr. Poor is and has been a legal resident of Ward 2**.

Comments were exchanged by Mr. Hay, Mr. Crisler, and Mr. Poor. Mr. Hay suggested that Mr. Crisler reimburse the city for the cost of this investigation.

ORDINANCES

There were no ordinances.

RESOLUTIONS

RESOLUTION NO. 09-24 A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE ARNOLD HISTORICAL SOCIETY FOR THE PROPERTY AT 1838 OLD LEMAY FERRY ROAD was discussed.

Matt Hay moved on Resolution 09-24 Seconded by Jerel Poor. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas. **Resolution passed.**

RESOLUTION NO. 09-25 A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE ARNOLD CHAMBER OF COMMERCE FOR THE PROPERTY AT 1838 OLD LEMAY FERRY ROAD was discussed.

Jerel Poor moved on **Resolution No. 09-25**. Seconded by Jason Connell
Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes, 7 yeas, resolution **carried.**

Mr. Lindsley requested information or a biography be provided in the future for anyone being considered for board appointments. Mayor acknowledged he will try and do this.

RESOLUTION NO. 09-28 A RESOLUTION APPOINTING JEFF FITTER TO THE POLICE PERSONNEL BOARD FOR THE REMAINDER OF A TWO-YEAR TERM was discussed. Bob Lindsley moved on Resolution No. 09-28.

Seconded by Bill Moritz. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **resolution carried.**

RESOLUTION NO. 09-29 A RESOLUTION APPOINTING BOB TAYLOR TO THE POLICE PERSONNEL BOARD FOR THE REMAINDER OF A TWO-YEAR TERM was discussed.

Jerel Poor moved on resolution No. 09-29. Seconded by Matt Hay. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **resolution carried.**

RESOLUTION NO. 09-30 A RESOLUTION APPOINTING ED ZIMMERMAN TO THE POLICE PERSONNEL BOARD FOR THE REMAINDER OF A TWO-YEAR TERM was discussed. Bob Lindsley moved on resolution No. 09-30.

Seconded by Jerel Poor. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **resolution carried.**

RESOLUTION NO. 09-31 A RESOLUTION AUTHORIZING THE CITY TO VACATE CERTAIN RIGHT-OF-WAY ALONG CHURCH ROAD was discussed. Bill Moritz moved on resolution No. 09-31. Seconded by Jason Connell. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **resolution carried.**

RESOLUTION NO. 09-32 A RESOLUTION AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED FOR CERTAIN PROPERTY IN CONJUNCTION WITH THE ARNOLD COMMONS REDEVELOPMENT PROJCT was discussed. Jason Connell moved on Resolution No. 09-32. Seconded by Matt Hay. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, resolution carried.

RESOLUTION NO. 09-33 A RESOLUTION ADOPTING A PART TIME PAY PLAN was discussed. Jerel Poor moved on Resolution No. 09-33 Seconded by Joyce Deckman. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, resolution carried.

MOTIONS

A motion awarding the bid for the replacement of a rough mower for the golf course was discussed. Jason Connell offered a motion to move and **award the bid for the rough mower with extended warranty in the amount of \$34,750 to ERB Equipment Company.** Seconded by Bob Lindsley. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **Motion carried.**

Note: this money will come from the capital improvement fund.

NEW BUSINESS

There was no new business.

OLD BUSINESS

Bob Lindsley stated that a study was done on Ferd B Lang Park, the pool was closed and he has since been receiving calls from residents wanting to see another outdoor pool there. He would like city to go out for bids and get started soon.

Park Director Susie Boone acknowledged that she intends to get RFQ's for a feasibility study for a pool and/or other possibilities.

Mr. Lindsley wants this handled quickly so if we need money and have to get bonds this could be on the ballot and allow people to vote.

COMMITTEE REPORTS

Bill Moritz reported the liquor control committee had met earlier this evening. **Qdoba Mexican Restaurant** at 905 Arnold Commons now has their license renewal application completed and he is recommending approval. He offered a motion to **renew the 5% malt liquor by the drink and on Sunday** and so moved. Seconded by Bob Lindsley. Roll call vote: Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; Deckman, yes; 7 yeas, **motion carried**.

Mr. Connell questioned why we do not bring all the liquor information to the council meeting for review and discussion and allow the public to comment. Attorney Sweeney advised our ordinances require the committee to review and recommend. Those meetings are posted and open to the public.

Bob Lindsley reported that **Tourism** had met and he reported on the upcoming concerts at Rickman and that ticket sales had begun. The next Tourism meeting will be **August 5th at 8:30 am**. **The Parks Board** had also met and their next meeting is **August 5th at 7 pm**. He also reported the **committee to review sewer rates** had met June 9th and will be meeting again on **July 21st at 2 pm**.

Randy Crisler shared that the **Chamber of Commerce** will be delighted to learn the lease was signed tonight.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts - Shared that he had received an unsolicited petition supporting prayer at the council meetings. He has corresponded with a number of area churches that are willing to lead the prayer at future meetings.

Ward 2 – Bill Moritz – Reported on a situation involving speeding on a residential section of Richardson Road

Ward 3 – Bob Lindsley – Reported Phase 2 of the Woodridge storm water project is underway

Ward 1 – Randy Crisler – Responded to accusations made earlier in the evening by council member Hay and clarified the decision to have the Poor residency reviewed was made by Administration, not by him personally.

Mayor questioned Mr. Crisler as to how the speed bumps on Emil Drive were being received.

Mr. Crisler shared there are mixed sentiments but they have reduced speeding.

Mayor congratulated Councilman Hay on the recent birth of his new baby boy!

Ward 2 – Jerel Poor – Stated he has had inquiries about his residency and questions regarding Mr. Ems.

Mayor Counts expressed he is very concerned about Mr. Ems as he is gravely ill. However, Mr. Ems has given his life to this city and right now the Mayor expressed the city should leave things alone.

Ward 3 – Joyce Deckman – No Report

Ward 4 – Jason Connell – Thanked everyone responsible for the 4th of July Parks celebration. He stated he did not attend but has heard wonderful comments from those who did.

Ward 1 – Matt Hay – Echoed Mr. Connell’s remarks about the 4th of July celebration. Read a prepared statement referring to a Channel 2 You Paid For It and expressed his disapproval with action the MML is taking regarding ballot language. Since we pay to be members of the MML he did not feel this was in the best interest of our citizens and felt city should do something.

City Administrator Matt Unrein – No Report

Diane Waller – Stated the new and improved municipal services bills will hopefully be completed and ready to be mailed next week.

Chief Shockey – Explained the overtime for the dispatchers on the payroll warrant.

Parks Director Susie Boone – Reported on park activities and complemented her staff. Fireworks were tremendous, Rec Center to close for deep cleaning July 29 – 31st and the Paw Park will reopen August 8th.

Mary Holden – no report

Bryson Baker – thanked all that have helped him get situated in his new position.

Attorney Robert Sweeney – No report

Finance Director – Deb Lewis – Reported, with the assistance from the MML, the city should be receiving \$473,499 in back taxes from ATT.

Greg Hall – Clarified that the concert tickets mentioned earlier for sale by Mr. Lindsley are for series only right now. In August, individual tickets will be sold. Also provided an update on the Ozark Hills Condemnation.

A motion to close was offered by Jerel Poor. Seconded by Matt Hay. Voice Vote: all yeas, motion carried and meeting adjourned at 8:24 pm.

Respectfully submitted,

City Clerk