

# City of Arnold, Missouri

**Council Meeting  
Council Chambers**

**July 05, 2012  
7:00 p.m.**

---

## **Amended Agenda**

1. Pledge of Allegiance:
2. Opening Prayer: St. Mark's United Church of Christ – Rev. Norton
3. Roll Call:
4. Acceptance of Minutes: **June 21, 2012**
5. Acceptance of Warrants: **Payroll Warrant #1137 - General Warrant #5574**
6. Business From the Floor:
7. Ordinances:  
None
8. Resolutions:  
None
9. Motions:
  - A. A Motion to Waive Bidding Procedure and Approve the Purchase of a License Reader from Vigilant Video.
  - B. A Motion Authorizing Staff to Hire a Surveyor to Produce a Vacation of Right of Way Plat with the Intent of Vacating a Right of Way at a Future City Council Meeting.
  - C. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation and Personnel Pursuant to RSMo Section 610.021 (1), (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 July 19, 2012 at 7:00 p.m.  
Next Work Session Meeting July 12, 2012 at 7:00 p.m.**

July 3, 2012  
Z:\CITYDOCS\AGENDA\COUNCIL\2012 Agenda\20120705.doc

Mayor Ron Counts called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Rev. Norton, of St. Mark's United Church of Christ, said the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Mayor Counts, Freese, Kownacki, Moss (will be late); Borgelt, Lang, Hohmeier, Moritz, Amato, Waller, Holden, Lewis, Sweeney, Boone, Chief Shockey, Baker, Kroupa and Hall.

Councilman Amato left the Chamber at 7:03 pm.

#### ACCEPTANCE OF MINUTES:

**Bill Moritz made a motion and moved to accept the minutes of the June 21, 2012 meeting** if there were no deletions, errors or corrections. Cricky Lang seconded the motion. Roll call vote: Freese, yes; Kownacki, yes; Moss (excused); Borgelt, yes; Lang, yes; Hohmeier, yes; Moritz, yes; Amato (out of the room); 6 yeas: **Motion carried.**

#### ACCEPTANCE OF WARRANTS:

City Clerk Diane Waller read Payroll Warrant #1137. **Cricky Lang made a motion and moved to pay Payroll Warrant #1137 in the amount of \$266,655.25** if the monies are available. Seconded by Michelle Hohmeier. Roll call vote: Amato (out of room); Freese, yes; Kownacki, yes; Moss (excused); Borgelt, yes; Lang, yes; Hohmeier, yes; Moritz, yes; 6 yeas, **Motion carried.**

Councilman Amato returned to the chambers.

City Clerk Diane Waller read General Warrant #5574. **Bill Moritz made a motion and moved to pay General Warrant #5574 in the amount of \$ 1,018,824.78.** Seconded by Cricky Lang. Roll call vote: Freese, yes; Kownacki, yes; Moss (excused); Borgelt, yes; Lang, yes; Hohmeier, yes; Moritz, yes; Amato, yes; 7 yeas, **Motion carried.**

#### BUSINESS FROM THE FLOOR

Mayor explained the procedure to speak that is set by ordinance and the need to provide speaker cards.

**Mr. Barry Seider**, 2597 Breakwater Drive, Imperial Mo, the owner of Mattress Source, spoke of his disappointment with the city prohibiting advertising banners on trailers. He feels he needs this kind of visibility to generate traffic. He is in business to create revenue and city makes it difficult with their banner restrictions.

Chief addressed his concerns and indicated it was city policy to not allow hanging banners on the side of trailers. Mayor suggested the owner visit with the Chief to discuss what is and isn't allowed.

Bill Moritz questioned Ms. Holden regarding P & Z position and she acknowledged P & Z voted to prohibit this type of display - banners hanging from trucks.

**Mr. Lloyd Rodgers**, 861 Morningside, commented on the city's cancellation of the firework's display and suggested city have an alternative activity when fireworks are cancelled, should it happen again in the future. He suggested a light show with patriotic music. He supported the city's decision, but felt there should have been other plans for the evening.

Mayor acknowledged his concern, adding it was done for safety reasons but appreciated his remarks. He also said city intends to make it up somehow.

A male speaker who wished to remain anonymous stated he felt he had privacy rights, made allegations the city is hiding things and referred to the Sunshine Law.

Mayor addressed his remarks and thanked him but advised city will await an opinion from the Attorney General's office.

**Mrs. Anne Bock**, 1889 Ozark, acknowledged her brother had been sighted for high weeds, rightfully so and distributed photos showing other high weeds and an unkept mobile home near the property. She alleges that Ms. Borgelt was in the area in the early morning hours and should be more concerned about the high weeds and safety issues she drove past, on her way to Ms. Bock's private cul-de-sac. Ms. Borgelt denied she had been there to Ms. Bock.

Ms. Bock added Ms. Borgelt and Mr. Rosenfeld have a connection and she needs to be worried about her ward and referred to a weed situation in that ward. She also included a photo of a no trespassing sign and advised she will prosecute the next time.

**Mr. Bob Boyer**, 2387 Starling Airport, addressed his concern about the money being spent on sunshine matters. He stated the county counselor is not paid as much as the city counselor but did add he has a staff. He suggested the city hire a full time counselor.

Mr. Boyer also expressed concerns about his constitutional rights if we use the Vigilant Video equipment, adding if you have clerical work involved, there will be errors. He would like to see a public hearing and work session regarding the equipment to let the people decide.

**Mr. Dan McCarthy**, 3821 Treebrook Drive, Imperial Mo, voiced his concerns with the Vigilant Video equipment and the sign in sheet at the City Hall.

**Mr. John Bubb**, 1381 Larkin Williams, Fenton Mo, expressed his concern with the Vigilant Video and hopes council looks at this carefully as he feels it could cause a lot of harm.

**Mr. Casey**, a Pevely resident, stated he frequents Arnold. He also expressed concern and opposition to the Vigilant Video equipment, adding he would be glad to not do business if we use the Vigilant Video system.

Paul Freese explained the benefits of the system in locating and catching criminals.

**Mr. Jerel Poor**, 756 Mary, voiced his opposition to the system.

## **ORDINANCES**

None

## **RESOLUTIONS**

None

## **MOTIONS**

Chief explained the advantage of the Vigilant Video, License Plate Recognition System. He also said other municipalities are using this. This would help greatly for stolen vehicles and wanted criminals.

Ms. Borgelt said she was unable to find anything on this company and Chief advised her this was a subsidiary.

Ms. Hohmeier questioned how this would curtail crime. Chief shared many examples of how this would benefit the city, stating it would do a lot to help us catch criminals.

Many more questions were asked and discussion followed.

Bill Moritz had concerns about data being stored and suggested a future work session would be in order, as there are too many unanswered questions.

Mayor did not think it would be possible to have this information ready for a July work session. Chief advised council to please forward questions to him so he may provide the answers.

Attorney advised this can be tabled, no motion is needed.

Greg Hall asked for a motion to authorize a survey, estimated to be about \$225 for a piece of property, a city right of way, that Mr. Pogorzelski is caring for and he would like. Doris Borgelt offered a **motion to authorize staff to produce a vacation of right of way plat with the intent of vacating right of way at a future city council meeting.** Seconded by Michelle Hohmeier. Roll call vote: Freese, no; Kownacki, yes; Moss (excused); Borgelt, yes; Lang, no; Hohmeier, yes; Moritz, no; Amato, no, 4 nays, 3 yeas, **motion failed.**

**A motion to hold a closed session immediately following the city council meeting for the purpose of discussing litigation and personnel pursuant to RSMo Section 610.021 (1), (3)** was offered by Paul Freese and he so moved. Seconded by Sandra Kownacki. Roll call vote: Freese, yes; Kownacki, yes; Moss (excused); Borgelt, no; Lang, yes; Hohmeier, yes; Moritz, yes; Amato, yes; 6 yeas, 1 nay, **motion carried.**

#### **NEW BUSINESS**

Michelle Hohmeier reported she and Bill Moritz were approached about the stop sign at Richardson Glen and the problems with traffic backing up there. She would like to see this come to a future work session for discussion. Mayor indicated it could be.

#### **OLD BUSINESS**

Doris Borgelt again asked that the **Payroll and General Warrants, along with income sheets, be published on line.** She had asked for this previously. Ms. Borgelt offered a **motion to have this information published on line** and so moved. Seconded by Michelle Hohmeier.

Mr. Moritz wanted clarification of just what was being asked. He was advised, these are all public records. Roll call vote: Freese, yes; Kownacki, yes; Moss (excused) Borgelt, yes; Lang, yes; Hohmeier, yes; Moritz, yes; Amato, yes; 7 yeas. **Motion passed.**

Doris Borgelt directed questions to the City Attorney regarding his representing her as a client. He advised he represents her as a member of the council, not as an individual. She feels he disclosed information he shouldn't have without checking with her, referring to his fees spent on sunshine requests. She wants more details on these fees, which he indicated has been provided before. She referred to a newspaper article and he replied he does not work for her individually, but follows direction from council.

## **COMMITTEE REPORTS**

None

## **REPORTS FROM MAYOR & COUNCIL**

**Mayor Ron Counts** – Commented about storm water issues and would like to see a committee re-instated to revisit and review this subject. He requested 2 council volunteers and asked council to consider this.

Mr. Moss arrived at 7:48 pm.

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

**Ward 4 - Ken Moss** – No report

**Ward 3 – Phil Amato** – Referred to history back in the 40's and spoke about transparency and mis-trust in the government. He referred to Ms. Borgelt implying the city is hiding something and referred to a situation awhile back where she made an accusation that was not correct. She has now made another statement on an online newspaper site and she owes information to the council body or an apology and stop this nonsense.

**Ward 3 – Paul Freese** – Distributed photos taken in Ward 1 and challenged Doris Borgelt, asking what she has done to help her own ward? He cited various issues in her own ward that need to be addressed, sidewalks, dangerous intersection etc. He advised her to do the job she was elected to do and stop with her other activities.

**Treasurer – Dan Kroupa** – Indicated he and Mr. Bish will attend Jefferson County Economic Development meeting at 7:30 am next week.

**Ward 2 – Bill Moritz** – referred to an e-mail from Doris awhile back and suggested she take someone from Ward 2 with her when she is in that ward. Mistakes are made, but be considerate.

**Ward 2 – Michelle Hohmeier** – No report

**Ward 1 - Cricky Lang** - No report

**Ward 1 - Doris Borgelt** – Stated “I hope you all had fun tonight”. Mayor acknowledged that to mean no report.

**ADMINISTRATIVE REPORTS**

**Interim City Administrator/Chief Shockey** – No report

**City Clerk Diane Waller** – No Report

**Susie Boone** – Reported on the last 2 evenings of activities at the Park. Gateway Fireworks will apply the fireworks allotment from the 4<sup>th</sup> of July towards our celebration in September. Carnival rides did provide Tourism about \$1000. Complimented her staff, Public Works and Arnold Police for their efforts during the 4<sup>th</sup> of July activities.

Mayor complimented her and staff for a job well done.

**Mary Holden** – Reminded all there is a P & Z Meeting July 10<sup>th</sup>.

**Bryson Baker** – No report

**Attorney Bob Sweeney** – No report.

**Deb Lewis** – Finance Committee meeting has been rescheduled to the 19<sup>th</sup> when budget information will be available.

**Greg Hall** – Reported there would be a Tourism meeting July 11<sup>th</sup>.

Mayor announced a short recess at 8:02 and then council would go into closed session.

\*\*\*\*\*

Closed session ended at 9:18 pm.

A motion was offered by Bill Moritz to adjourn the meeting. Seconded by Ken Moss.

Voice Vote: all yeas.

Meeting adjourned at 9:19 pm.

  
\_\_\_\_\_



CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 7/5/2012

PAGE: 1

BILL NO - RESOLUTION - MOTION

	ROLL CALL	APPROVE 6/21/12 MINUTES	APPROVE PAYROLL WARRANT NO. 1137	APPROVE GENERAL WARRANT NO. 5574	MOTION TO AUTHORIZE STAFF TO PRODUCE A VACATION OF RIGHT OF WAY PLAT	MOTION TO HOLD CLOSED SESSION
<b>COUNCIL MEMBERS:</b>						
MAYOR <u>RON COUNTS</u>	PRESENT					
COUNCIL: <u>PAUL FREESE</u>	PRESENT	YES	YES	YES	NO	YES
COUNCIL: <u>SANDRA KOWNACKI</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL: <u>KEN MOSS</u>	LATE	EXCUSED	EXCUSED	EXCUSED	EXCUSED	EXCUSED
COUNCIL: <u>DORIS BORGELT</u>	PRESENT	YES	YES	YES	YES	NO
COUNCIL: <u>CRICKY LANG</u>	PRESENT	YES	YES	YES	NO	YES
COUNCIL: <u>MICHELLE HOHMEIER</u>	PRESENT	YES	YES	YES	YES	YES
COUNCIL: <u>BILL MORITZ</u>	PRESENT	YES	YES	YES	NO	YES
COUNCIL: <u>PHIL AMATO</u>	PRESENT	OUT OF ROOM	OUT OF ROOM	YES	NO	YES
<b>ADMINISTRATOR:</b>		<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: 7/5/2012

PAGE: 2

BILL NO - RESOLUTION - MOTION

		MOTION TO HAVE PAYROLL, GENERAL WARRANTS & INCOME STATEMENTS POSTED ONLINE					
<b>COUNCIL MEMBERS:</b>							
<b>MAYOR</b>	RON COUNTS						
<b>COUNCIL:</b>	PAUL FREESE	YES					
<b>COUNCIL:</b>	SANDRA KOWNACKI	YES					
<b>COUNCIL:</b>	KEN MOSS	EXCUSED					
<b>COUNCIL:</b>	DORIS BORGELT	YES					
<b>COUNCIL:</b>	CRICKY LANG	YES					
<b>COUNCIL:</b>	MICHELLE HOHMEIER	YES					
<b>COUNCIL:</b>	BILL MORITZ	YES					
<b>COUNCIL:</b>	PHIL AMATO	YES					
<b>ADMINISTRATOR:</b>			<b>PARKS DIR:</b>	SUSIE BOONE			
<b>CITY CLERK:</b>	DIANE WALLER		<b>POLICE CHIEF:</b>	CHIEF SHOCKEY			
<b>COM DEV DIR:</b>	MARY HOLDEN		<b>PUBLIC WORKS:</b>	BRYSON BAKER			
<b>FINANCE DIR:</b>	DEBORAH LEWIS		<b>TREASURER:</b>	DAN KROUPA			
<b>CITY COUNSELOR</b>	BOB SWEENEY		<b>DIR. OF ADMIN.</b>	GREG HALL			