

City of Arnold, Missouri

**Public Hearing
Council Chambers**

**June 7, 2007
7:30 P.M.**

- A. Record Plat for 2254-2256 Jackson (duplex unit) (See Agenda Item 7B).**
 - B. Amendment to C-4 Arnold Triangle Zoning Ordinance for sign height and size. (See Agenda Item 7C).**
 - C. Record Plat for 2001 Michigan. (See Agenda Item 7E).**
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Council Meeting

Following the Public Hearing

Amended Agenda

- 1. Pledge of Allegiance
- 2. Opening Prayer
- 3. Roll Call
- 4. Acceptance Of Minutes: **May 17, 2007**
- 5. Acceptance Of Warrants: **Payroll Warrant # 1004; General Warrant #5452**
- 6. Business From the Floor
- 7. Ordinances
 - A. Bill No.2238:** An Ordinance Accepting the Extension of Hickory Ridge Trail and Hickory Court within the Estates of Hickory Manor Subdivision.
 - B. Bill No. 2239:** An Ordinance Approving a Record Plat for 2254-2256 Jackson (duplex unit).
 - C. Bill No. 2240:** An Ordinance Approving an Amendment to C-4 Arnold Triangle Zoning Ordinance for Sign Height and Size.
 - D. Bill No. 2242:** An Ordinance Amending the Traffic Code.
 - E. Bill No. 2242:** An Ordinance Approving Record Plat for 2201 Michigan.
 - F. Bill No. 2243:** An Ordinance Accepting Adyn Avenue and Bethany Court Within the Landing at Fox Pointe Subdivision.

8. Resolutions

- A. Resolution No. 07-25:** A Resolution Authorizing the Mayor to Execute a License Agreement with the Public Supply District #1.
- B. Resolution No. 07-26:** A Resolution Awarding a Contract for Asphalt Street Repairs.
- C. Resolution No. 07-27:** A Resolution Awarding a Bid and Authorizing a Contract for Financial Audit Services.
- D. Resolution No. 07-28:** A Resolution Extending a Contract for Concrete Slab Replacement.

9. Motions

- A.** A Motion to Award Bid for a Pull Type Top Dresser.
- B.** A Motion to Approve the Purchase of a Skid Steer Loader.
- C.** A Motion to Amend the 2007 Budget.

10. New Business

11. Old Business

12. Committee Reports

13. Reports from Mayor and Council

14. 0Administrative Reports

- A.** Conditional Use Permit for Construction Trailer at Best Automotive, Michigan Ave.

15. Adjournment

Next Worksession Meeting: Thursday, June 14th at 7:00 p.m.
Next Regular Council Meeting: Thursday, June 21st at 7:30 p.m.

June 5, 2007

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REGULAR MEETING

JUNE 7, 2007

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:40 PM

Mayor Pro-tem Al Ems called the meeting to order at 7:40 p.m. Opening prayer was a silent prayer. Those present per roll call taken by City Clerk Diane Waller: Ems, Venable, Amato, Deckman, Cooley, Vinson, Crisler, Moritz, Unrein, Waller, Holden, McKenzie, Boone, Attorney Mike McAvoy for Sweeney, Shockey, Blue, and Hall.

ACCEPTANCE OF THE MINUTES:

Randy Crisler moved to accept the minutes of the May 17, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, motion carried.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read payroll warrant #1004. Joyce Deckman moved to pay payroll warrant #1004 pay period ending May 18, 2007 in the amount of \$239,184.13 if the monies are available. Seconded by Randy Crisler. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, motion carried.

City Clerk Diane Waller read general warrant #5452. Butch Cooley moved to pay general warrant #5452 in the amount of \$643,009.21 if the monies are available. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Ems, yes; 8 yeas, motion carried.

BUSINESS FROM THE FLOOR:

Mr. Rodgers, 861 Morningside, spoke about the need for an ordinance that would prohibit parking of construction vehicles on city streets. He elaborated to say this is a safety issue in his neighborhood and he feels it needs to be addressed.

Al Ems questioned if parking was allowed on both sides of the street and then Mary Holden responded she would investigate to see if something needs to be done.

Mr. Lowhen, 2067 Oak Drive, talked about the petition he had previously presented to the city to change no parking from one side of his street to the other side.

Mr. Ems informed Mr. Lowhen that the actual petition was not valid as it lacked notarization. However, Mr. Ems did offer to have this topic discussed at a future work session.

Joe Fritz, 1159 Starlight, had concerns about the new development Foxwood Estates but it was not on the agenda tonight.

Phil Amato stated conditions have been met temporarily and escrow money would be used at a later time, if needed. The engineer will bring forward a solution to address the safety concerns.

Brian Crawford, 1165 Starlight, also expressed safety concerns regarding the Foxwood Estates development and doesn't feel adequate measures have been taken regarding safety issues.

Ward 3 Councilman Phil Amato offered to meet with Mr. Crawford to discuss these issues.

Mr. Crawford was allowed additional time to speak and he stressed his family and property need to be protected.

Randy Crisler added that the first blasting in that area was monitored by the Fire Department, not the city, but he would personally assist Mr. Crawford with his concerns about unknown dangers in the future.

Mary Holden also offered to contact him and work with him.

Phil Amato leaves council chambers at 7:40 pm.

Norman Moss, 2270 Fawn Drive, talked about a Super Wal-Mart and reminded Council to analyze this topic more thoroughly.

Steve Straher, 4334 Green Grove Ct in St. Louis, voiced his opposition of a Super Wal-mart and reminded council of Wal-mart business tactics.

Kevin Harding, 2193 Farmcrest, shared a google map of vacant businesses now in the north end of Arnold and expressed his concerns.

Carol Geringer, 2323 St Joseph, a longtime Schnucks employee shared her fears if a super Wal-mart should come to Arnold.

Connie Plumb, 2066 Oak Drive, spoke in support of the parking change that was brought up earlier this evening.

Mark Witeka, 1744 Dixon, advised there is a fence down and in need of repair on city owned property that adjoins his. Mr. Unrein will see this is taken care of.

Bob Lindsley, 1182 Jere Lane, representing Local 655, had questions regarding parking and other issues if a super Wal-mart came to Arnold.

Mr. Mersman, of the Stolar Partnership, representing Water Tower Development LLC clarified that what is before the council tonight is a record plat approval and the comments being heard referring to Wal-mart are irrelevant.

Brian McArthur, Chairman of Planning and Zoning and resident of 777 Mary explained the parking space requirements and added all other criteria has been met for this record plat. Reminded council there is 2 sides to every story and make an informed decision.

Phil Amato returns to council chambers at 7:55 pm.

ORDINANCES

BILL NO. 2238 AN ORDINANCE ACCEPTING THE EXTENSION OF HICKORY RIDGE TRAIL AND HICKORY COURT WITHIN THE ESTATES OF HICKORY MANOR SUBDIVSIION; AUTHORIZING THE MAYOR OF THE CITY OF ARNOLD MISSOURI, TO EXECUTE A FORMAL ACCEPTANCE THEREOF; AND PROVIDING FOR THE RECORDING OF SAID ACCEPTANCE. A COPY OF SAID FORMAL ACCEPTANCE IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE was read twice by City Clerk, Diane Waller. Roll call vote Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, ordinance passed.

BILL NO. 2239 AN ORDINANCE APPROVING A RECORD PLAT TITLED “MOUNT VERNON PLAT NO. 3, LOT 176” was read twice by City Clerk Diane Waller. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, ordinance passed.

BILL NO. 2240 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 RELATING TO SIGNS was read twice by City Clerk Diane Waller. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, no; Crisler, yes; Moritz, yes; Ems, yes; 7 yeas, 1 nay, ordinance passed.

BILL NO. 2241 was pulled earlier.

BILL NO. 2242 AN ORDINANCE APPROVING A RECORD PLAT TITLED “MARKET AT WATER TOWER PLACE” was read twice by City Clerk Diane Waller. Dave Venable asked attorney for his legal advice on council’s voting duty since applicant has met the requirements. He advised there was no legal reason to deny. Phil Amato added he would still like to see a non-compete clause and will do a resolution to that effect in the future. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, no; Crisler, yes; Moritz, yes; Ems, yes; 7 yeas, 1 nay; ordinance passed.

BILL NO. 2243 AN ORDINANCE ACCEPTING ADYN AVENUE AND BETHANY COURT WITHIN THE LANDING AT FOX POINTE SUBDIVISION; AUTHORIZING THE MAYOR OF THE CITY OF ARNOLD, MISSOURI, TO EXECUTE A FORMAL ACCEPTANCE THEREOF; AND PROVIDING FOR THE RECORDING OF SAID ACCEPTANCE. A COPY OF SAID FORMAL ACCEPTANCE IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE was read twice by City Clerk Diane Waller. Roll call vote:

Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, ordinance passed.

RESOLUTIONS

Resolution No. 07- 25 A RESOLUTION AUTHORIZING THE MAYOR TO ENDORSE A LICENSE AGREEMENT WITH THE PUBLIC WATER SUPPLY DISTRICT #1 was offered by Phil Amato. He then so moved. Seconded by Joyce Deckman. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, resolution passed.

Resolution No. 07-26 A RESOLUTION AWARDDING A CONTRUCTION CONTRACT TO DURA SEAL PAVING CONTRACTOR, INC. FOR THE 2007 MILL, MAT, AND ASHPHALT OVERLAY STREET REPAIR PROJECT was offered by Butch Cooley. He then so moved. Seconded by Randy Crisler.

Joyce Deckman leaves the council chambers at 8:29

Roll call vote: Venable, yes; Amato, yes; Deckman, (out of the room); Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 7 yeas, resolution passed.

Joyce Deckman returns to the council chambers at 8:30.

Resolution No. 07-27 A RESOLUTION ENGAGING HOCHSCHILD, BLOOM AND COMPANY LLP AS THE OUTSIDE FINANCIAL AUDITOR FOR THE CITY OF ARNOLD was offered by Phil Amato. He then so moved. Seconded by Butch Cooley. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, resolution passed.

Resolution No. 07-28 A RESOLUTION EXTENDING A CONSTRUCTION CONTRACT WITH DURA SEAL PAVING CONTRACTOR, INC. FOR THE 2007 CONCRETE STREET REPAIR was offered by Randy Crisler. He then so moved. Seconded by Joyce Deckman. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, resolution passed.

MOTIONS

A Motion to award the bid for a pull type top dresser for the golf course was discussed. Joyce Deckman offered a motion and moved to award the bid of the Top Dresser to TPEC for the amount of \$10,491.38. Seconded by Paul Vinson. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, motion passed.

A motion to authorize the purchase of a Bobcat T140 Track Loader for use at the golf course was discussed. Paul Vinson offered a motion and moved to authorize the purchase of a Bobcat T140 Track Loader from St. Louis Bobcat in the amount of \$25,562 for use at the Pomme Creek Golf

Course. Seconded by Dave Venable. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, motion passed.

A motion to amend budget and add a full-time custodian position to the Recreation center staff was discussed. This would add a much needed full-time custodian position to the Recreation Center while not using any of their budgeted contracted custodial services. The Community Center and Public Works buildings will be cleaned using 35% of this full time position. We will not fill the vacant part-time custodial position currently budgeted for Community Center and Public Works. This would mean a savings of over \$25,000 per year. Joyce Deckman moved to add a full time custodian position to the FY2007 budget and to reject the "Cleaning Services bids received on March 2, 2007. Seconded by Bill Moritz. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas, motion carried.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no new business to discuss.

COMMITTEE REPORTS

Liquor Committee – Bill Moritz reported that earlier this evening he was elected the new Liquor Committee Chairman. A meeting was held tonight at which time this year's renewals were presented.

He was recommending and asking for a motion to approve the renewals attached, with the exception of one, contingent on that party providing more information to the city. Joyce Deckman seconded his motion. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson (abstain); Crisler, yes; Moritz, yes; Ems, yes; 7 yeas, 1 abstention. Motion passed.

Note: Mr. Vinson abstained because he is employed in the alcoholic beverage industry.

Mr. Moritz also presented information received from Dylan's Sports Bar and Grille and their request for an extension of premise license. Bill Moritz offered the motion to allow Dylan's to proceed in acquiring this special state license for their event July 15th. Motion was seconded by Butch Cooley. Roll call vote: Venable, yes; Amato, yes; Deckman, yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Ems, yes; 8 yeas. Motion carried.

REPORTS FROM MAYOR AND COUNCIL

Cooley – no report

Vinson – Reported on some recent water issues in ward 1. Thanked Mary Holden and Jeff Blue for their response. Also publicly apologized to Mr. Amato and others for the anger and remarks displayed during the last meeting in May.

Crisler – Complimented those involved in the Main Event and added it all went well.

Ems – reported a problem house in his ward and offered compliments to those involved in handling and correcting issues there.

Venable – reported a pothole on Highway 231 in front of Rockwood Forest and requested Jeff Blue contact MoDot to have this taken care of.

Deckman – no report

Moritz – reported the band concert held in the park last month was a great event and a good time was had.

Amato – Added the Main Event was good, but a little wet. Thanked and accepted Mr. Vinson's apology. Also acknowledged some responsibility in what had happened.

Attorney Mike McAvoy - no report

Matt Unrein – Extended an invitation from Ron Lowry to attend the Cancer Relay for Life to be held at Fox campus tomorrow evening.

Gowan – complimented Vivian on her work in obtaining auditing proposals.

Hall – announced the upcoming Church Road closure that begins June 24th.

Mary Holden – Advised there was a conditional use permit approved by P & Z for a construction trailer at Best Automotive and if there were no objections from council, it would stand. No objections voiced.

Jeff Blue – Reported a grant was received for the Ozark Drive Bridge and hopes to have this completed by mid-December. Shared his thoughts on the acceptable thickness of the Church Road under construction.

Vivian McKenzie – no report

Susie Boone – Thanked three groups for their efforts with the landscaping and sodding at the Rec Center – Green Thumb, Parks Department personnel and Windsor Pride Freshman.

Chief Shockey – Explained overtime on payroll warrants and announced \$5500 will be reimbursed as APD has a grant to help with this.

Mayor Pro Tem Al Ems announced Flag Day is next Thursday and there will be a noon ceremony at the Flagpole in front of City Hall. Everyone is invited to participate.

A motion to close was offered by Joyce Deckman. Seconded by Randy Crisler. Voice vote: Motion carried. Meeting adjourned at 9:07 pm.

Respectfully submitted,

City Clerk