

## City of Arnold, Missouri

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**Public Hearing  
Council Chambers**

**June 21, 2007  
7:30 p.m.**

### **Agenda**

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **June 7, 2007**
5. Acceptance Of Warrants: **Payroll Warrant # 1005; General Warrant #5453**
6. Business From the Floor
7. Ordinances  
NONE
8. Resolutions
  - A. **Resolution No. 07-29:** A Resolution Approving a Contract for Engineering Service.
  - B. **Resolution No. 07-30: REMOVED**
  - C. **Resolution No. 07-31:** A Resolution Authorizing a Utility Relocation Agreement with AmerenUE.
9. Motions
  - A. A Motion to Amend Contract for Engineering Services “CMT.”
  - B. A Motion to Contract for Engineering Services “Jacob Engineering.”
  - C. A Motion to Amend Engineering Contract “CDG Engineers.”
  - D. A Motion to Award the Bid for Chemical Supplies for Mosquito Spraying
  - E. A Motion to Authorize the Purchase of New Generators
  - F. A Motion to Execute a Release of Utility Easements

9. Motions (cont.)
  - G. A Motion to Relocate a Watermain
  - H. A Motion to Authorize Execution of Quit Claim Deed
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
  - A. Conditional Use Permit for 54<sup>th</sup> Street Grill and Bar
  - B. Conditional Use Permit for a Construction Trailer at J. K. Miller Industrial
15. Adjournment

**Next Regular Council Meeting: Thursday, July 5<sup>th</sup> at 7:30 p.m.**  
**Next Worksession Meeting: Thursday, July 12<sup>th</sup> at 7:00 p.m.**

June 21, 2007

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**REGULAR MEETING**

**JUNE 21, 2007**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:33 PM**

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**Mayor Mark Powell called the meeting to order at 7:33 p.m. Opening prayer was a silent prayer offered in memory of Fire Chief Joe Wingbermuehle. Those present per roll call taken by City Clerk Diane Waller: Powell, Amato (arriving later) Deckman (excused) Cooley, Ems, Vinson, Crisler, Moritz, Venable, Unrein, Waller, Holden, McKenzie, Boone, Sweeney, Shockey, Blue, and Hall.**

**Mayor announced the Public Hearing previously scheduled for this evening regarding construction trailers would be held July 19, 2007.**

**ACCEPTANCE OF THE MINUTES:**

Al Ems moved to accept the minutes of the June 7, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Paul Vinson. Roll call vote: Amato (excused); Deckman

(excused); Cooley, yes; Ems, yes; Vinson, yes, Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, motion carried.

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

City Clerk Diane Waller read payroll warrant #1005. Al Ems moved to pay payroll warrant #1005 pay period ending June 1, 2007 in the amount of \$235,257.24 if the monies are available. Seconded by Paul Vinson. Roll call vote: Amato (excused); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, motion carried.

City Clerk Diane Waller read general warrant #5453. Butch Cooley moved to pay general warrant #5453 in the amount of \$1, 261,160.93 if the monies are available. Seconded by Al Ems. Roll call vote: Amato (excused); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, motion carried.

Prior to business from floor, Mayor indicated there were folks in the audience regarding a liquor renewal application and asked liquor committee chairman to address this. Bill Moritz indicated representatives were here from Midwest Petroleum and they had provided adequate information requested by committee. At this time, he was recommending approval of their renewal. Bill Moritz then offered a motion to approve the liquor license renewal for Midwest Petroleum at 3910 Jeffco (intoxicating liquor in original package and on Sunday). Seconded by Dave Venable. Roll call vote: Amato (excused); Deckman (excused); Cooley, yes; Ems, yes; Vinson, abstain; Crisler, yes; Moritz, yes; Venable, yes; 5 yeas, 1 abstention, motion carried.

Phil Amato arrived at 7:37 pm.

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

Norm Moss, 2270 Fawn Drive, addressed the council again regarding safety near his business on Big Bill Road. In a previous meeting he had asked for the APD to have the authorization to enforce a much lower speed limit. Modot has since lowered the speed limit from 45 MPH to 30 MPH. He states speeding is still a problem and with the construction going on in that area, he would like to see a 20 MPH.

Tom Lowhon, 2067 Oak Drive, presented a notarized petition (now on file in Clerk's office) and read a prepared statement regarding a desire for a parking change on his street.

Mr. Rodgers, 861 Morningside, spoke of a problem regarding the racing of dirt bike in his neighborhood and would like city's assistance in having this handled.

#### **ORDINANCES**

There were no ordinances this evening.

Mayor advises Resolution 07-30 is indicated on the agenda as removed, however, it is not removed and will be discussed tonight.

## RESOLUTIONS

Resolution No. 07- 29 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH FRIBIS ENGINEERING, INC. FOR ENGINEERING SERVICES FOR THE GRACE DRIVE NEIGHBORHOOD IMPROVEMENT DISTRICT was offered by Bill Moritz. He then so moved. Seconded by Al Ems. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, resolution passed.

Resolution No. 07-30 A RESOLUTION AUTHORIZING THE RENAMING OF CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF ARNOLD, MISSOURI was discussed. Al Ems elaborated on the possibility of changing the existing Mo. State Road name to Church Road all the way from the existing Church Road to the end of the city limits. Discussion followed.

Matt Unrein noted the developer has agreed to name the roadway directly across from Stardust to Becker. This was the sight of the original Becker Drive but is now part of the privately owned development

Sweeney suggested tabling this Resolution to allow council and staff time to speak with the residents and churches that would be involved if this change took place.

Randy Crisler offered a motion to table Resolution No. 07-30 until the first meeting in July, allowing time to get notices out and receive input from those who would be effected by this change. Seconded by Al Ems. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, motion carried.

RESOLUTION NO. 07-31 A RESOLUTION AUTHORIZING AN AGREEMENT WITH AMEREN CORPORATION FOR RELOCATION OF FACILITIES was offered by Phil Amato. Seconded by Al Ems. Roll call vote: Amato, yes; Deckman (excused) Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, resolution passed.

A motion was then offered to amend General Warrant No. 5453 to include a payment for Ameren in the amount of \$113,397.26. Phil Amato offered this motion, seconded by Randy Crisler. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, motion carried.

Mayor announces there are two conditional use permits at the end of the agenda. If no one objects he would like to bring this up for action at this time.

No objections were voiced so the conditional use permit stands for 54<sup>th</sup> Street Grill and Bar and for the construction trailer at J. K. Miller Industrial.

## MOTIONS

A Motion to amend the contract for engineering services with Crawford, Murphy and Tilly for revised Church Road improvements was discussed. Randy Crisler offered a motion and moved to authorize the Mayor to sign Supplemental Agreement No. 3 with Crawford, Murphy and Tilley, Inc. in the amount of \$8,562.92. Seconded by Bill Moritz. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, motion passed.

Sweeney and Amato leave council chambers at 8:07 pm.

A motion to amend the contract for engineering services with Jacobs was discussed. Randy Crisler offered a motion and moved to authorize the the Mayor to sign Amendment No. 3 with Jacobs Civil Inc. in the amount of \$60,000.00 Seconded by Paul Vinson. Roll call vote: Amato (out of room); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, motion passed.

A motion to approve a supplemental agreement No. 1 with CDG Engineers for the Ozark Drive Stormwater Improvement project was discussed. Dave Venable offered a motion and moved to authorize the Mayor to sign Supplemental Agreement No. 1 with CDG Engineers in the amount of \$8,25000. Seconded by Al Ems. Roll call vote: Amato (out of room); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, no; Moritz, yes, Venable, yes; 5 yeas, 1 nay, motion carried.

A motion to award the bid for chemical supplies for mosquito spraying was discussed.

Randy Crisler offered a motion and moved to award the bid to Adapco for chemical supplies for mosquito spraying in the amount of \$23,376, being the lowest and best bid. Seconded by Paul Vinson. Roll call vote: Venable, yes; Amato (out of room); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas. Motion carried.

Sweeney and Amato returned to Council Chambers at 8:15 pm.

A motion to purchase and install 3 generators was discussed. Paul Vinson offered a motion and then moved to authorize the purchase and installation of generators for the Kelley, Twin Oaks and 141 lift stations from Kaiser Electric in the amount of \$90,775.00. Seconded by Dave Venable. Roll call vote: Amato, yes, Deckman, (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas, motion carried.

A motion to execute release of public utility easements was discussed. Sweeney explained the need for this action. Al Ems offered a motion and then moved to authorize the Mayor to execute Release of Public Utility Easements Special Warranty Deed more fully described in the release. Seconded by Butch Cooley. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes, 7 yeas, motion carried.

Phil Amato left council chambers at 8:20 pm.

A motion to approve a change order for the relocation of a 16" water main for the Church Road project (Jeffco to I-55) was discussed. Randy Crisler offered a motion and then moved to authorize the Public Works Director to approve change order #1 for the Church Road project (Jeffco Blvd to I-55) to N. B. West Contracting in the amount of \$107,500.00. Seconded by Bill Moritz. Roll call vote: Amato (out of room), Deckman (excused), Cooley, no; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 5 yeas, 1 nay, motion carried.

A motion to execute a quit claim deed for certain property was discussed. Sweeney again explained the need for this action. Al Ems offered a motion and then moved to authorize the Mayor to execute a Quit claim Deed for certain property more fully described in the deed. Seconded by Randy Crisler. Roll call vote: Amato (out of room); Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, motion carried.

#### **OLD BUSINESS**

There was no old business to discuss.

#### **NEW BUSINESS**

There was no new business to discuss.

#### **COMMITTEE REPORTS**

Aging and Disability – Paul Vinson reported he attended his first meeting held earlier this week and was impressed with how proactive the group is. He added he would like to see names suggested and given to the Mayor for approval so this board can be fully functional.

Phil Amato returned to chambers at 8:28 pm.

Liquor Committee – Bill Moritz reported that earlier this evening committee met and recommends the approval of the LaPachanga renewal. They had not applied in time to be included in the last meeting. A motion was offered by Bill Moritz to approve the LaPachanga license for the sale of Intoxicating Liquor and on Sunday for the location at 3797 Vogel. Seconded by Dave Venable. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, abstain; Crisler, yes; Moritz, yes; Venable, yes; 6 yeas, 1 abstention, motion carried.

Green Thumb – Mayor complemented Butch Cooley for his efforts and the time he has spent landscaping at the Rec Center. He commended him for his efforts and thanked him for the many projects. Also thanked other volunteers and Todd Teuscher for their time and talents. The money received from Tourism for materials has been well spent to beautify our community.

## REPORTS FROM MAYOR AND COUNCIL

Ward 4 – Butch Cooley – No report

Ward 1 – Paul Vinson – No report

Ward 4 – Al Ems – No report

Ward 1 – Randy Crisler – Reported a resident has asked staff to take a look the possibility of making Southcrest a one-way drive.

Ward 2 – Dave Venable – No report

Ward 2 – Bill Moritz – Reported he had attended the MML Conference for newly elected officials and felt it was well worth his time and he learned a lot.

Ward 3 – Joyce Deckman – excused

Ward 3 – Phil Amato – Reminisced and paid tribute to Fire Chief Joe Wingbermuehle who was buried today.

Mayor Powell – Reported a Flag Day Ceremony was held last Thursday at City Hall and reminded everyone of the upcoming Fourth of July celebration at Arnold City Park. Added the road construction projects are moving along.

Sweeney – Announced the 911 Board has indicated a building will be named after Fire Chief Wingbermuehle. More details will be forthcoming.

Unrein – No report

Diane Waller – Wanted to publicly thank Jeff Blue on behalf of city staff and city visitors for his assistance in removing the tall weeds growing on the Modot right-of-way near the entrance to city hall. This had been making the entrance to city hall dangerous with lack of visibility.

Gowan – No report

Hall – Reminded everyone of the upcoming Church Road closing

Mary Holden – No report

Jeff Blue – No report

Vivian McKenzie – No report

Susie Boone – Announced the outdoor pool recently set a record for attendees. Proudly stated our Rec Center will be part of National Kids Nite Out Across America on Saturday nights. Reminded all of the concert in the park this Saturday and the upcoming Fourth of July celebration.

Chief Shockey – Informed council of the 4 printers that have been in use in the police cars are working out very well and needed authorization and money to provide additional printers. He was asking for authorization to use \$2400 from drug forfeiture money. Dave Venable offered a motion to authorize Chief Shockey to purchase the additional printers, using \$2400 from drug forfeiture money. Seconded by Phil Amato. Roll call vote: Amato, yes; Deckman (excused); Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Moritz, yes; Venable, yes; 7 yeas. Motion carried.

A motion to adjourn was offered by Randy Crisler. Seconded by Dave Venable. Voice vote: motion carried.

Meeting adjourned at 9:45 pm

Respectfully submitted,

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City Clerk