

City of Arnold, Missouri

**Council Meeting
Council Chambers**

**June 4, 2009
7:30 p.m.**

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **May 21, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1056 - General Warrant #5500**
6. Business From the Floor
7. Ordinances
8. Resolutions
 - A. **Resolution 09-22:** A Resolution Establishing an Ad Hoc Committee to Review the User Fees for City Sewer.
 - B. **Resolution 09-23:** A Resolution Opposing the Enactment and Requesting the Veto of Senate Bill No. 242.
9. Motions
 - A. Motion for Purchase of Golf Course Equipment
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
 - A. 2009-07. Conditional Use Permit for Auto Repair at 3169 Bayshore Parkway, Planning Commission Action.
15. Adjournment

**Next Regular Council Meeting June 18, 2009 at 7:30 p.m.
Next Work Session Meeting June 11, 2009 at 7:00 p.m.**

REGULAR MEETING

June 4, 2009

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:30 PM

Mayor Ron Counts called the meeting to order at 7:30 pm.

The Pledge of Allegiance was recited.

Mayor Counts announced Matt Hay would lead with an opening prayer and he then read a prayer.

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

ACCEPTANCE OF THE MINUTES:

Jason Connell moved to **accept the minutes of the May 21, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Bob Lindsley. Roll call vote: Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas, motion **carried**.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1056**. Bill Moritz moved to pay **payroll warrant #1056** pay period ending May 15, 2009, in the amount of \$247,393.51 if the monies are available. Seconded by Jerel Poor. Roll call vote: Deckman (excused) Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas, **motion carried**.

City Clerk Diane Waller read **general warrant #5500**. Randy Crisler moved to pay **general warrant #5500** in the amount of \$1,019,199.89 if the monies are available. Seconded by Jerel Poor. Roll call vote: Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); Connell, yes; Lindsley, yes; 6 yeas, **motion carried**.

BUSINESS FROM THE FLOOR

Mr. Jeff Roorda, State Representative 102nd District, explained his actions regarding Senate Bill 242. Tonight's agenda has a Resolution No. 09-23 opposing the enactment and requesting the veto of Senate Bill No. 242. He stated he felt this is a tax and his constituents are being taxed already. Mr. Roorda stated he feels this is bad policy.

Bill Moritz and Randy Crisler disagreed with Mr. Roorda and expressed comments regarding their opposition to Senate Bill 242. They added this Bill is directed at Arnold only and is unfair.

Attorney Sweeney interjected, the comments have gone on for longer than 3 minutes.

Mayor thanked Mr. Roorda for his perspective.

Mr. Frank Pointer, 1009 Southgate, shared that he did not feel that Senate Bill #242 was a fair bill, it is directed at Arnold and encouraged council to give due consideration. If this bill is passed, residents will probably have to pay more, because of the large number of non profits not having to pay.

Mr. Norm Moss, 2270 Fawn, also shared he doesn't like this bill. He reiterated, this is a cost, a utility and not a tax.

Mr. Lloyd Rodgers, 861 Morningside, reminded everyone of the Relay for Life at Fox Campus tomorrow at 7:00 PM and encouraged attendance as this is for a good cause.

Mr. Dan Kroupa, 2092 Kroupa, stated he agreed with Mr. Pointer and Mr. Moss in their comments and added everyone should pay their fair share.

Comments and questions were exchanged between Mayor and Mr. Kroupa.

Councilman Crisler reiterated that the citizens overwhelmingly chose this way to raise money needed to fulfill the federal mandates. City has stormwater issues that must be addressed.

Gary Luebbers, 1890 Edgemont, reminded council they were here to represent the citizens of Arnold. He feels everyone should pay and tighten their belts if necessary.

ORDINANCES

There were no ordinances.

Mayor amended agenda to **move No. 14 – Administrative Reports** to this part of the meeting.

This was a conditional use permit for auto repair at **3169 Bayshore Parkway**, Planning Commission action.

Mary Holden spoke briefly. Council expressed questions, comments and concerns. Mr. Bockhoff was present and was requested to address council concerns.

Much discussion about the fencing/screening referred to in Condition #2. Screening could be done for aesthetics but could also be a safety issue. A motion was offered by Matt Hay **to amend Condition #2 and provide screening only if staff determines it is necessary in the future.** Seconded by Jerel Poor. Roll call vote: Deckman (excused), Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas, motion carried.

A motion was then offered by Matt Hay to **approve the conditional use permit** as amended. Seconded by Jerel Poor. Roll call vote: Deckman (excused), Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas, **motion carried.**

RESOLUTIONS

RESOLUTION 09-22 A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE TO REVIEW THE USER FEES FOR CITY SEWER was discussed.

Bob Lindsley explained this committee would review and try to come up with a more equitable fee structure. He added fee structure may or may not be able to change, but would be reviewed.

Randy Crisler questioned if those named for the committee had to be living in Arnold and Attorney Sweeney advised that was not required. Bob Lindsley read the names of those on the committee as provided in the resolution.

Jerel Poor moved on Resolution 09-22. Seconded by Jason Connell. Roll call vote: Deckman (excused), Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas. **Resolution passed.**

RESOLUTION 09-23 – A RESOLUTION OPPOSING THE ENACTMENT AND REQUESTING THE VETO OF SENATE BILL NO. 242.

Randy Crisler read a detailed prepared statement and encouraged council action to approve this resolution requesting the Governor veto Senate Bill No. 242.

Discussion followed as Bob Lindsley shared he has changed his mind regarding storm water. He has learned that the storm water department needs additional personnel to accomplish what is projected and had distributed data regarding this.

Randy Crisler added city needs to clean up the storm water damages that are throughout the city. City also must reduce pollution in our waterways. City has responsibilities and these projects have expenses involved.

Jason Connell asked for a status report on city storm water efforts and Mr. Unrein acknowledged there is progress being made but it is slow, time consuming, and costly. If city loses the revenue from non profits, we would probably need to raise residents fees or not proceed with projects.

Randy Crisler moved on **Resolution No. 09-23**. Seconded by Bill Moritz. Roll call vote: Moritz, yes; Poor, no; Crisler, yes; Hay, no; Ems (excused); Connell, no; Lindsley, yes; 3 yeas, 3 nays, **resolution failed**.

Mr. Sweeney advised the Mayor that he did not need to break the tie as a 3 – 3 vote on a resolution was viewed as a failed vote.

MOTIONS

A motion awarding the bid for the replacement of the Toro Workman was discussed. Susie Boone talked briefly on the necessity of this piece of equipment at the golf course. Jerel Poor offered a motion to move and **award the quote for the used Toro Workman in the amount of \$10,500**. Seconded by Bill Moritz. Roll call vote: Deckman (excused), Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), Connell, yes; Lindsley, yes; 6 yeas, **Motion carried**.

NEW BUSINESS

No new business

OLD BUSINESS

No new business

COMMITTEE REPORTS

Bill Moritz reported the liquor control committee had met earlier this evening. **LaPachanga** at 3797 Vogel Road now has their license **renewal** application completed and he is recommending approval. He offered a motion to renew the intoxicating liquor by the drink and on Sunday and so moved. Seconded by Matt Hay. Roll call vote: Deckman (excused); Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7
Connell, yes; Lindsley, yes; 6 yeas, **motion carried**.

Bob Lindsley indicated he would be setting up a meeting time for the Sewer Review Board and notify those on the committee.

Bill Moritz reported there is a Jefferson County Aging and Disability Committee meeting scheduled for June 9th and encouraged anyone to attend to show city's support for the bus service.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – Thanked City Administrator Matt Unrein for providing the weekly Friday information, keeping the Mayor and council informed.

Ward 2 – Bill Moritz – No Report

Ward 3 – Bob Lindsley – Announced he now has a home computer and has set up his email so he can stay informed.

Ward 1 – Randy Crisler – No Report

Ward 2 – Jerel Poor – No Report

Ward 3 – Joyce Deckman – Excused

Ward 4 – Jason Connell – No Report

Ward 1 – Matt Hay – Thanked Community Development Director Mary Holden for the successful meeting regarding the animal volunteer dog walk programs.

ADMINISTRATIVE REPORTS

City Administrator Matt Unrein – No Report

Chief Shockey – No Report

Diane Waller – Shared that City Hall offices will be closed Friday, July 3 for the 4th of July holiday. The regularly scheduled council meeting that is required by ordinance to be the first Thursday would be the night before. In the past, council offered a motion to move that meeting to the following Thursday along with the work session. If anyone was interested they could offer a motion.

Bill Moritz offered a motion and he so moved to reschedule the first meeting in July to July 9th, with the work session. Seconded by Jerel Poor. Roll call vote: Deckman (excused); Moritz, yes, Poor, yes; Crisler, yes; Hay, yes; Ems, yes; Connell, yes; Lindsley, yes; 6 yeas, motion carried.

Greg Hall – Gave a brief Ozark Bridge Project update and indicated he should have a resolution for the next meeting regarding gas lines and relocation. Acknowledged the Dan Jones audit contract has been signed and he expects a timeline soon.

Finance Director – Deb Lewis – No report

Attorney Sweeney – No Report

Tom Palasky – No Report

Mary Holden – Shared her enthusiasm for the new Volunteer Dog Walking Program.

Parks Director Susie Boone – Announced Westport Pools will be here next Thursday at the work session with their report. Also stated there is a concert in the park, Glorious Blue, coming up on Saturday June 13. She explained that alcohol would be handled differently this year. It is bring your own and encouraged everyone to not bring glass, as it is a safety issue in the park and can be dangerous. Also provided an update on the pool opening, hours, etc. Shared statistics on the success of the 25% off membership drive at both the pool and golf course.

A motion to close was offered by Bob Lindsley. Seconded by Bill Moritz. Voice vote: all yeas. Motion carried and meeting adjourned at 8:45 pm.

Respectfully submitted,

City Clerk

