

City of Arnold, Missouri

**Public Hearing
Council Chambers**

**June 17, 2010
7:00 p.m.**

- A. Public Hearing Regarding Plan to Residential Development as Watercolor Villas.
 - B. 2010-08 Conditional Used Permit for Oasis Church.
-

Council Meeting

Immediately Following the Public Hearing

Agenda

- 1. Pledge of Allegiance
- 2. Opening Prayer: Immaculate Conception Church – Fr. Mark Whitman
- 3. Roll Call
- 4. Acceptance of Minutes: **June 3, 2010**
- 5. Acceptance of Warrants: **Payroll Warrant #1083- General Warrant #5525**
- 6. Business from the Floor:
- 7. **Ordinance**
 - A. **Bill No. 2396:** An Ordinance Zoning a Tract of Land from R-4 Residential to Planned Residential Development known as Watercolor Villas.
 - B. **Bill No. 2397:** An Ordinance Authorizing the Mayor to Execute a Contract for Auctioneering Service.
 - C. **Bill No. 2398:** An Ordinance Approving Renewal of a Health Care Benefit Plan.
 - D. **Bill No. 2399:** An Ordinance Authorizing the Mayor to Execute a Contract with Fribis Engineering.
- 8. Resolutions
 - A. **Resolution 10-13:** A Resolution Appointing David M. Lane to Serve on the Arnold Parks and Leisure Service Advisory Board.
 - B. **Resolution 10-14:** A Resolution Appointing Gary Luebbers to Serve on the Arnold Parks and Leisure Service Advisory Board.

C. Resolution 10-15: A Resolution Supporting the Application to the Missouri Housing and Development Commission by Arapaho Development LLC.

9. Motions
 - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting For the Purpose of Discussing Litigation and Real Estate Pursuant to Section 610.021 (1) , (2) RSMo.
10. New Business
11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
 - A. Conditional use Permit for Oasis Church 1591 Archer Drive for Two Temporary Modular Buildings.
 - B. Conditional use Permit for Wendy's at the N.W. Corner of Hwy 141 and Jeffco Blvd.
15. Adjournment

**Next Regular Council Meeting July 1, 2010 at 7:00 p.m.
Next Work Session Meeting July 8, 2010 at 7:00 p.m.**

REGULAR MEETING

June 17, 2010

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:45 PM

Mayor Ron Counts called the meeting to order at 7: 45 pm.

The Pledge of Allegiance was recited.

Father Mark Whitman, from Immaculate Conception Church, offered the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Counts, Lang (is present via phone conference and will not be voting), Moritz, Edwards, Lindsley, Freese, Crisler, Connell, Moss, Unrein, Waller, Holden, Lewis, Tesreau, Boone, Shockey, Baker, Kroupa and Hall.

ACCEPTANCE OF THE MINUTES:

Jim Edwards moved to **accept the minutes of the June 3, 2010 meeting** if there were no deletions, errors or corrections. Ken Moss seconded the motion. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes, 7 yeas, Motion **carried**.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1083**. **Paul Freese moved to pay payroll warrant #1083** pay period ending May 28, 2010 in the amount of \$237,113.87 if the monies are available. Seconded by Jason Connell. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas. **Motion carried**.

City Clerk Diane Waller read **general warrant #5525**. **Jim Edwards moved to pay general warrant #5525** in the amount of \$864,366.73 if the monies are available. Seconded by Randy Crisler. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **Motion carried**.

Chief Shockey recognized and made a presentation to retiring police officer Marc McEneny and expressed his appreciation for his 33 years of service.

BUSINESS FROM THE FLOOR

The Mayor explained how anyone could speak for up to 3 minutes on any topic, but first must identify himself or herself and state their address. He added recently there had been some vulgar language used by folks speaking from the floor. He wants it understood this will not be tolerated and the speaker will be asked to leave.

There was no business from the floor.

A motion was offered by Bill Moritz to amend agenda to place Item #14 Administrative Reports – conditional use permits for Oasis Church and Wendy’s to this point in the meeting. Seconded by Randy Crisler. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **Motion carried.**

Discussion followed regarding the Oasis Church application. Mr. Unrein clarified the action stands approved unless council makes a motion to deny. Attorney Tesreau agreed. **Randy Crisler offered a motion to deny and so moved.** Seconded by Ken Moss. Roll call vote: Moritz, no; Edwards, no; Lindsley, no; Freese, no; Crisler, yes; Connell, yes; Moss, yes, 4 nays, 3 yeas, Motion to deny fails so conditional use for Oasis Church stands approved.

There was minimal discussion regarding the Wendy’s application and no motion was offered so it stands approved.

ORDINANCES

Bill No. 2396 AN ORDINANCE ZONING A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED IN ATTACHMENT A FROM R-4 RESIDENTIAL TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) KNOWN AS WATERCOLOR VILLAS was read twice by City Clerk Diane Waller. Roll call vote: Moritz, yes; Edwards, yes, Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes, 7 yeas. **Ordinance passed.**

Bill No. 2397 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF ARNOLD, MISSOURI TO EXECUTE A CONTRACT AGREEMENT WITH PRICE AUCTION TO PROVIDE PROFESSIONAL AUCTIONEERING SERVICES FOR THE DISPOSITION OF SURPLUS EQUIPMENT AND OTHER ITEMS was read twice by City Clerk Diane Waller. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas. **Ordinance passed.**

Bill No. 2398 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF ARNOLD, MISSOURI TO EXECUTE A CONTRACT AGREEMENT WITH UNITED HEALTH CARE (UHC) TO PROVIDE EMPLOYEE HEALTH INSURANCE SERVICES FOR THE 2010 PLAN YEAR was read twice by City Clerk Diane Waller. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas. **Ordinance passed.**

Bill No. 2399 AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR A SEWER SYSTEM EVALUATION STUDY WITH FRIBIS ENGINEERING was read twice by City Clerk Diane Waller. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes, 7 yeas. **Ordinance passed.**

RESOLUTIONS

Resolution No. 10-13 - A resolution **appointing David Lane to the Parks and Leisure Service Board for the remaining of a two-year term** was discussed. **A motion was offered by Ken Moss to approve the appointment and he so moved.** Seconded by Bob Lindsley. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas. **Resolution passed.**

Resolution No. 10-14 – A resolution **appointing Gary Luebbers to the Parks and Leisure Service Board for the remainder of a two year term** was discussed. A motion was offered by Jason Connell to approve the appointment and he so moved. Seconded by Paul Freese. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas. **Resolution passed.**

Resolution No. 10-15 A resolution of the City of Arnold, Missouri supporting the application to the Missouri Housing and Development Commission by Arapaho development LLC. Was discussed. A motion was offered by Bill Moritz to accept and he so moved. Seconded by Jim Edwards. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **Resolution passed.**

Mr. Unrein stated he would draft a letter for Mayor's signature.

MOTIONS

A motion to hold a closed session immediately following the city council meeting for the purpose of discussing litigation and real estate pursuant to Section 610.021 (1), (2)) RSMo. Was offered by Paul Freese. Seconded by Bob Lindsley. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes, 7 yeas, **motion carried.**

NEW BUSINESS

Randy Crisler brought up the fact that fireworks could be a topic to be discussed as the July 4th holiday approaches.

Mayor Ron Counts asked everyone's opinion about re-scheduling the 1st meeting in July due to the 4th of July holiday weekend and hold it on the second Thursday. A motion was offered by Randy **Crisler to change the date of the meeting from July 1 to July 8th** and so moved. Seconded by Jason Connell. Roll call vote; Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **motion carried.**

OLD BUSINESS

Bill Moritz reiterated the need and requested council input regarding the proposals he made for a noise ordinance at the last work session so city can move forward.

COMMITTEE REPORTS

Bob Lindsley reported on the Economic Development Meeting scheduled for tomorrow and some of the attendees expected.

Dan Kroupa reported on the Finance Meeting held prior to the work session.

Bill Moritz reported the Liquor Control Committee had met and reviewed 2 applications. He then offered a motion to approve the **La Pachanga intoxicating liquor by the drink and on Sunday license, 3797 Vogel Road, with a new Managing Officer, Nicholas Block.** Seconded by Jim Edwards. Roll call vote; Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **motion carried.**

Bill Moritz also offered a motion to approve the **new intoxicating liquor by the drink, and on Sunday, and outdoor patio license for Las Fuentes (formerly Casa Mexicana) 2198 Michigan with Gerardo Flores as Managing Officer.** Seconded by Jason Connell. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes 7 yeas, **motion carried.**

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – No report

Ward 1 – Randy Crisler – No report

Ward 2 - Bill Moritz – No report.

Ward 4 – Jason Connell – No Report

Ward 4 – Ken Moss - No Report

Ward 3 – Bob Lindsley – Reported he had been in contact with MoDot and the dangerous situation with the left hand turn lane, southbound on 61-67 at Pleasant Valley. They indicated they would do something about this.

Ward 3 – Paul Freese – No Report

Ward 2 – Jim Edwards – Reported he had attended the Chamber meeting and the recipients of the scholarships were there from the local high schools. It was a nice luncheon.

Ward 1 –Cricky Lang – Not actually present but listening in, via phone

Dan Kroupa – Referred to the memo Matt Unrein distributed regarding ipads and expressed this is a wonderful idea and will save lots of paper.

Paul Freese – Added he is excited about the ipads and they will save paper and staff time.

Discussion followed regarding wireless plans and costs. Chief explained the need to have unlimited usage. Mr. Crisler questioned the costs involved and if bid procedures would be followed and if Attorney Tesreau was okay with all this.

Mayor stated we should not rush into this without all the information and costs involved. This can be brought forward at the next meeting for necessary action.

City Administrator Matt Unrein – No Report

City Clerk – Diane Waller – No Report

Chief Shockey - Elaborated on the need to retire one of the canines soon, due to the dog being 9 years old. He has some donations but would need to use drug forfeiture money in case donations come up short. He is asking authorization to use \$5800 if need be. Jim Edwards offered a **motion to authorize the spending of up to \$5800 from drug forfeiture money to be used to replace the canine if enough donations are not received.** Seconded by Randy Crisler. Roll call vote: Moritz, yes; Edwards, yes; Lindsley, yes; Freese, yes; Crisler, yes; Connell, yes; Moss, yes; 7 yeas, **motion carried.**

Parks Director Susie Boone – Reported the river is up and Pomme Golf course is wet and some holes underwater. She elaborated on the July 4th celebration activities at the park.

Randy Crisler added there is an upcoming Starling Estates subdivision meeting and he anticipated parking passes for those residents, as there would be no parking available to the general public on their subdivision streets.

Mary Holden – Distributed a memo regarding the need for council representation for an interview panel of planning consultants. She stated the 1996 plan needs updating, as this is a guiding document. Cricky Lang was nominated and she accepted by phone.

Bryson Baker – No report

Attorney Dennis Tesreau – No Report

Deborah Lewis – No Report

Greg Hall – No Report

A **motion to adjourn** was offered by Bob Lindsley and seconded by Paul Freese.

Voice vote: all yeas.

Meeting adjourned at 8:42 pm. for a 10 minute break and then closed session.

After closed session, meeting resumed at 9:42 and motion to adjourn was offered by Jim Edwards and seconded by Randy Crisler. Voice vote: all yeas.

Meeting adjourned at 9:42 pm

Respectfully submitted,

Diane Waller

