

City of Arnold, Missouri

City Council
Council Chambers

March 1, 2018
7:00 p.m.

Agenda

1. Pledge of Allegiance:

2. Opening Prayer: TBD

3. Roll Call:

4. Business from the Floor:

5. Consent Agenda:

A. Regular Minutes **February 15, 2018**

B. Payroll Warrant **#1284 in the Amount of \$304,928.06**

C. General Warrant **#5709 in the Amount of \$331,390.55**

6. Ordinances:

A. **Bill No. 2688:** An Ordinance Providing for Registration, Maintenance, Fees and Penalties Related to Vacant Buildings.

7. Resolutions:

A. **Resolution No. 18-13:** A Resolution Re-Appointing Joyce Thomas to the Park and Leisure Service Board to Serve a Two-Year Term.

B. **Resolution No. 18-14:** A Resolution Authorizing the Mayor to Enter into a Contract with Exterior Creations Company to Undertake the Demolition of 2271 Convair and 452 Douglas, Arnold, Mo., as Ordered by the Building Appeals Board of the City of Arnold on October 4, 2017.

C. **Resolution No. 18-15:** A Resolution Rejecting all Bids for Pavement Marking and Striping.

8. Motion:

A. A Motion to Approve the Fireworks Display for the Annual Block Party to be held on May 11, 2018 at the St. John's Lutheran Church 3517 Jeffco Blvd.

B. A Motion to Approve the Destruction of the Attached List of Files.

9. Reports from Mayor, Council, and Committees:

10. Administrative Reports

11. Adjournment

**Next Regular City Council Meeting March 15, 2018 @ 7:00 p.m.
Next Work Session March 8, 2018 at 7:00 p.m.**

Z:\CITYDOCS\AGENDA\COUNCIL\2018 Agenda\2018 03 01.doc
Friday, February 23, 2018

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

The Pledge of Allegiance was recited.

Pastor Chuck Hoskins from First Baptist Church offered the opening prayer.

Mayor Counts asked for a moment of silence in honor of those who were killed in the Florida school shooting.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Owens, Sullivan, Cooley, McArthur, Hood, Plunk, Fleischmann, Fulbright, Hull-Bettale, Sweeney, Brown, Blattner, Kroupa and Chief Shockey.

Mayor Counts recognized Boy Scout Ben Knobbe from Troop 412, who was in the audience working on his Citizenship in the Community and Communication Badges.

Tammy Alsop from Hochschild, Bloom & Co. provided council with a copy of the completed CAFR and gave a brief overview of same.

BUSINESS FROM THE FLOOR

Craig Cepicky from Americas Parking spoke to council regarding the recent bid for striping. He stated he did not believe it was fair that his company was not awarded the bid, when he was the lowest bidder and has done previous work for the City. Mr. Cepicky also stated, for the record, that while his attorney sent a letter to the City he wanted the council to know he will not pursue any legal action. He only wants what is right and fair.

CONSENT AGENDA

- A. MINUTES FROM FEBRUARY 1, 2018 MEETING**
- B. PAYROLL WARRANT NO. 1283 IN THE AMOUNT OF \$278,155.11**
- C. GENERAL WARRANT NO. 5708 IN THE AMOUNT OF \$699,131.51**

Butch Cooley made a motion and so moved to approve the consent agenda.

Seconded by Vern Sullivan. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas:

Consent agenda approved.

ORDINANCES

BILL NO. 2687 – AN ORDINANCE PROHIBITING THE USE OF CITY OWNED FACILITIES AND PROPERTIES FOR FINANCIAL GAIN WITHOUT AN EXECUTED WRITTEN AGREEMENT WITH THE APPROPRIATE CITY DEPARTMENT/OFFICIAL was read twice by City Clerk Tammi Casey. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Ordinance passed.**

RESOLUTIONS

RESOLUTION NO. 18-09 – A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF JEFFERSON, MISSOURI AND INCORPORATED MUNICIPALITIES FOR THE ONE-HALF OF ONE-PERCENT SALES TAX FOR CAPITAL IMPROVEMENTS TO PUBLICLY MAINTAINED ROADS

Gary Plunk made a motion and so moved to approve Resolution No. 18-09. Seconded by Vern Sullivan. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Resolution approved.**

RESOLUTION NO. 18-10 – A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR HAZARD MITIGATION GRANT PROGRAM FUNDS TO PURCHASE FLOOD PLAIN HOMES

EJ Fleischmann made a motion and so moved to approve Resolution No. 18-10. Seconded by Jason Fulbright. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Resolution approved.**

Mayor Counts invited Mike Revis, newly elected State Representative for District 97, to the microphone. Mr. Revis addressed the council and stated he was looking forward to working together.

RESOLUTION NO. 18-11 – A RESOLUTION APPROVING AN AGREEMENT WITH LITTLE EGYPT SHOWS, INC. FOR THE CITY OF ARNOLD

Butch Cooley made a motion and so moved to approve Resolution No. 18-11. Seconded by Gary Plunk. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Resolution passed.**

**RESOLUTION NO. 18-12 – A RESOLUTION APPROVING THE PURCHASE OF
A REPLACEMENT WATER HEATING SYSTEM FOR CITY HALL**

Vern Sullivan made a motion and so moved to approve Resolution No. 18-12. Seconded by Gary Plunk. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Resolution approved.**

MOTIONS

**A. A MOTION APPROVING THE USE OF FIREWORKS FOR
IMMACULATE CONCEPTION CHURCH ON MAY 18TH AND MAY
19TH, 2018**

Mark Hood made a motion and so moved to approve the use of fireworks for Immaculate Conception Church on May 18th and 19th, 2018. Seconded by Butch Cooley. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Motion carried.**

**B. MOTION TO HOLD A CLOSED SESSION IMMEDIATELY
FOLLOWING THE CITY COUNCIL MEETING FOR THE PURPOSE OF
DISCUSSING LITIGATION AND REAL ESTATE PURSUANT TO RSMo
SECTION 610.021 (1) (2).**

Jason Fulbright made a motion and so moved to hold a closed session following the city council meeting. Seconded by Brian McArthur. Roll call vote: Owens, yes; Sullivan, yes; Cooley, yes; McArthur, yes; Hood, yes; Plunk, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Motion carried.**

REPORTS FROM MAYOR, COUNCIL AND COMMITTEES

Mayor Counts – Informed council that he has been working on creating a Beautification Committee and will be bringing it to council soon.

Vern Sullivan, Ward 3 – Stated he believes a Beautification Committee is a good idea.

Butch Cooley, Ward 4 – Also believes a Beautification Committee is a good idea.

Dan Kroupa – Stated that Hochschild, Bloom & Co. does a great job on our audit.

Mark Hood, Ward 3 – Informed everyone that Arnold Bowl is holding a fundraising event for Officer Ryan O'Connor on Saturday, April 28th.

4

Regular Meeting
February 15, 2018

ADMINISTRATIVE REPORTS

Bryan Richison – Informed everyone that City Hall will be closed Monday, February 19th in observance of President's Day.

Ed Blattner – Informed everyone that curbside brush chipping will begin the week of March 12th.

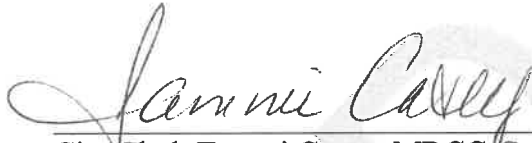
Mayor Counts announced a ten minute recess before going into closed session.

.....

Closed session ended at 8:21 p.m.

A motion to adjourn the meeting was made by Butch Cooley. Seconded by Vern Sullivan. Voice vote: All yeas.

Meeting adjourned at 8:27 p.m.


City Clerk Tammi Casey, MRCC-C

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 2/16/2018

PAGE: 1

BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

		ROLL CALL	CONSENT AGENDA	BILL NO 2687	RESOLUTION NO 18-09	RESOLUTION NO 18-10	RESOLUTION NO 18-11
MAYOR	RON COUNTS	PRESENT					
COUNCIL:	DAVID OWENS	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	VERN SULLIVAN	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	BUTCH COOLEY	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	BRIAN MCARTHUR	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	MARK HOOD	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	GARY PLUNK	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	EJ FLEISCHMANN	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	JASON FULBRIGHT	PRESENT	YES	YES	YES	YES	YES
CITY ADMINISTRATOR	BRYAN RICHISON	PRESENT	PARKS DIR:	DICKIE BROWN			PRESENT
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:	ED BLATTNER			PRESENT
COM DEV	CHRISTIE HULL-BETTALE	PRESENT	TREASURER:	DAN KROUPA			PRESENT
CITY ATTORNEY	BOB SWEENEY	PRESENT	POLICE DEPT.	CHIEF SHOCKEY			PRESENT

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 2/16/2018

PAGE: 2

BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR RON COUNTS

COUNCIL: DAVID OWENS

COUNCIL: VERN SULLIVAN

COUNCIL: BUTCH COOLEY

COUNCIL: BRIAN MCARTHUR

COUNCIL: MARK HOOD

COUNCIL: GARY PLUNK

COUNCIL: EJ FLEISCHMANN

COUNCIL: JASON FULBRIGHT

CITY ADMINISTRATOR BRYAN RICHISON

CITY CLERK TAMMI CASEY

COM DEV CHRISTIE HULL-BETTALE

CITY ATTORNEY BOB SWEENEY

RESOLUTION NO 18-12	MOTION TO APPROVE FIREWORKS FOR IMMACULATE CONCEPTION	MOTION TO HOLD CLOSED SESSION			
YES	YES	YES			
YES	YES	YES			
YES	YES	YES			
YES	YES	YES			
YES	YES	YES			
YES	YES	YES			
YES	YES	YES			
			PARKS DIR:	DICKIE BROWN	
			PUBLIC WORKS:	ED BLATTNER	
			TREASURER:	DAN KROUPA	
			POLICE DEPT.	CHIEF SHOCKEY	

CITY OF ARNOLD CITY COUNCIL, MARCH 1, 2018 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PROPOSED VACANT BUILDING ORDINANCE
DATE: FEBRUARY 21, 2018
CC:

As discussed at the Council work session on February 8, 2018, vacant buildings pose a challenge for municipalities and we are not immune to the negative impacts they cause to the surrounding areas. To address that concern, the issue was discussed on February 8 and the ordinance is before you tonight for adoption. The proposed ordinance reflects the changes verbally discussed at the work session that includes three months vacant for residential and addressing vacant spaces in strip malls. We are happy to answer any questions.

BILL NO. 2688

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR REGISTRATION, MAINTENANCE, FEES AND PENALTIES RELATED TO VACANT BUILDINGS

WHEREAS, buildings which remain vacant and unoccupied for any appreciable period of time become a harborage for rodents, an invitation for illegal occupancy and for illegal activities, as well as a fire hazard; and, which remain vacant for extended periods

WHEREAS, unkempt grounds surrounding unoccupied buildings invite dumping and rubbish thereon, that such buildings become dilapidated and contribute to commercial and residential blight, depressing market values of surrounding property; and,

WHEREAS, vacant and unoccupied buildings require additional government services, endanger the public safety and health, and generally remain detrimental to the public good. It is the finding of the City Council that buildings that remain vacant with access points boarded over are unsightly, unsafe and have a significant and negative effect on their surroundings.

WHEREAS, in order to protect the health, safety, morals, and welfare of the citizens of the City of Arnold, to preserve and enhance livability, preserve property values of surrounding buildings, and to ensure that buildings are promptly rehabilitated and/or demolished as appropriate,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

Section 1: Chapter 530 (Reserved) is hereby amended by the adoption of a new Chapter 530 to read as follows:

“Chapter 530: Vacant Structure Registration

530.010. Definitions.

A. For purposes of this Chapter the following words and phrases shall have the following meanings, except where the context clearly indicates a different meaning:

ABANDONED

1. Any real property where the owner has surrendered, relinquished or given up rights to the real property with the intention of not reclaiming it; or
2. Any real property that is vacant and is under a current notice of default or notice of trustee's sale and is not currently being offered for rent, lease or sale by the owner. Evidence of being currently offered for rent, lease, or sale shall be by a sign posted on the subject property advertising the property for rent, lease, or sale with contact information and current phone number or an active listing in a electronic database accessible to City staff; or

3. Real property that has been the subject of a foreclosure sale where the title was retained by the beneficiary involved in the foreclosure and any real property transferred under a deed in lieu of foreclosure.

AUTHORIZED REPRESENTATIVE

A person, corporation, limited liability company or other legal entity having charge, care or control of any real property as agent of the owner, or as personal representative, trustee, guardian or conservator of the estate of the owner.

CODE

As used in this Chapter, shall refer to the City of Arnold Code of Ordinances, the International Building Code, the International Property Maintenance Code, and the International Residential Code as adopted by the City.

OCCUPIED

When a property, residence, or structure is being lived in or used in a manner consistent with its intended use.

OWNER

The person, persons, partnership, corporation, beneficiary, trustee, or other legal entity that holds legal title to any real property.

REAL PROPERTY

All land and structures affixed to or built thereon.

TRUSTEE

The person, firm, corporation or other legal entity holding a deed of trust secured by real property.

UNDEVELOPED

A parcel of real property that does not have a primary structure built thereon.

VACANT

1. A building or structure that is not legally occupied as required by the Code.
2. Any free standing residential real property that has not been legally occupied for ninety (90) days.
3. Any free standing commercial or industrial real property that has less than 50% of the total area of the building (excluding stairwells, elevator shafts, and mechanical rooms) being legally occupied or is not being used for occupancy that was authorized for One-Hundred Eighty (180) days.

Chapter 530.020. Property Registration.

A. The owner(s) of all real property, or the authorized representative of owner, shall register said real property with the Community Development Director or designee within thirty (30) days after the real property becomes classified as vacant or abandoned.

B. Owners required to register real property pursuant to this Chapter shall submit a copy of a state-issued identification or other valid proof of identification and provide the following information on a form provided by the Community Development Director:

1. The address of the real property.
2. The name, address, and all telephone numbers of the owner(s).
3. A mailing address where correspondence may be sent, if different from the property address, where such correspondence will be acknowledged as received by the owner(s). If certified mail/return receipt requested is sent to the address and the mail is returned marked "refused" or "unclaimed," or if ordinary mail sent to the address is returned for whatever reason, then such occurrence shall be prima facie proof that the owner has failed to comply with this requirement.
4. The names and addresses, telephone numbers, fax numbers, and email address (if known) of all lien holders and all other parties with an ownership interest in the real property.
5. The name, address, telephone number, fax number, and email address (if known) of the person, firm, or corporation responsible for the care and control of the real property. Such person may be the owner if the owner is an individual, or may be an authorized representative as defined in this Chapter. If certified mail/return receipt requested is sent to the address and the mail is returned marked "refused" or "unclaimed," or if ordinary mail sent to the address is returned for whatever reason, then such occurrence shall be prima facie proof that the owner has failed to comply with this requirement.
6. Permission granting to the City of Arnold access to all exterior areas of the real property for inspection purposes.

C. If at any time the information contained in this registration is no longer valid or has changed, the owner or authorized representative has ten (10) days to file an amended registration form containing the current information. There shall be no fee required to update the current owner's information.

Chapter 530.030. Maintenance and Safety Requirements.

A. The real property subject to this Chapter shall be maintained in compliance with the Code as adopted by the City. Compliance includes, but is not limited to the following: properties shall be kept free of weeds, grass more than eight (8) inches in height, trash, junk, debris, building materials, accumulation of newspapers, circulars, flyers, notices, except those required by law, discarded items, including but not limited to furniture, clothing, large and small appliances, printed material, signage, containers, equipment, construction materials, derelict vehicles, or any other items that give the appearance that the real property is abandoned.

B. All visible front and side yards shall be landscaped and properly maintained. Landscaping includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or mulch designed and maintained in an appropriate manner. Landscaping does not include weeds, gravel, broken concrete, asphalt, decomposed materials, plastic sheeting, indoor-outdoor carpeting or any similar material. Maintenance includes, but is not limited to, regular watering, irrigation, cutting, pruning and mowing of required landscaping and removal of all trimmings.

C. Pools, spas, and other water features shall be kept in working order so that water remains clear and free of pollutants and debris, or drained and kept dry and free of debris. In either case, properties with pools or spas must comply with the minimum-security fencing and barrier requirements of the Code.

D. Real properties subject to this Chapter shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, the closure and locking of windows, doors, gates and any other opening of such size that it may allow people, animals, or wildlife to access the interior of the real property. Broken windows must be repaired or replaced within seven (7) days. Boarding up of broken windows is prohibited except as a temporary measure.

E. If the real property is owned by a corporation and/or a beneficiary, trustee, or if the owner is located more than fifty (50) miles away, the corporation, beneficiary, trustee, or owner shall designate a local authorized representative who will be responsible to maintain the real property in compliance with the provisions of this Chapter. A local authorized representative must be located within a fifty (50) mile radius of the City of Arnold.

Chapter 530.040. Fees.

A. The owner of a vacant or abandoned real property shall pay a fee of two hundred dollars (\$200.00) per real property when the real property remains vacant or abandoned. The registration fee is reasonably related to and calculated to cover the administrative costs for registering and processing the vacant real property owner registration form and for the costs the City may incur in monitoring and inspecting the vacant or abandoned real property.

B. The first registration fee shall be paid no later than thirty (30) days after the real property becomes vacant or abandoned; and, a new fee shall be paid each one-hundred eighty (180) day period in which the property remains vacant or abandoned. Each successive fee shall be paid no later than ten (10) days after the one-hundred eighty (180) day. If the fee is not paid within the due date, the owner shall be in violation of this Chapter and shall be subject to the enforcement, remedies and penalties provided in the Code.

C. All fees and penalties required by this Chapter shall be paid in full prior to the issuance of any building or occupancy permit. All delinquent fees and penalties shall be paid in full prior to any transfer of an ownership interest in any vacant or abandoned real property. If a transfer occurs prior to the payment of any outstanding fee or penalty, the new owner shall accept responsibility for payment of all delinquent fees; and, shall make payment no later

than thirty (30) days after the transfer of ownership and subsequent semi-annual fees shall be due ten (10) days after each successive six (6) month period.

Chapter 530.050. Enforcement, Remedies and Penalties.

A. This Section shall be enforced by the Community Development Director or designee.

B. Any owner or responsible party that fails to comply with the registration requirements of this Chapter shall be subject to the general penalty provisions as provided Section 100.140 of the Code of Ordinances of Arnold Missouri.”

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

READ TWO TIMES, PASSED AND APPROVED THIS _____ DAY OF MARCH 2018.

Presiding Officer of the Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

February 9, 2018

RESOLUTION NO: 18-13

A RESOLUTION RE-APPOINTING JOYCE THOMAS TO THE PARK
AND LEISURE SERVICE BOARD TO SERVE A TWO-YEAR TERM.

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that Joyce Thomas is hereby re-appointed to the Park and Leisure Service Board to serve a two-year term that will expire on February 20, 2020 or until a successor has been appointed and qualified.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____

CITY OF ARNOLD CITY COUNCIL, MARCH 1, 2018 MEETING

TO: THE MAYOR AND CITY COUNCIL
FROM: MARY P. HOLDEN, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PROPOSED VACANT BUILDING ORDINANCE
DATE: FEBRUARY 23, 2018
CC:

The City went out of bid for the demolition of two structures, 2271 Convair and 452 Douglas. The bid opening was Tuesday, February 12, 2018. Only one company responded, Exterior Creations Company. Their bid is reasonable based on bids in the past few months and I was able to check a reference, City of DeSoto, and they were pleased with the demolition of three home done for the DeSoto.

Approval of this contract will allow the City of Arnold to demolish two structures, one at 2271 Convair and one at 452 Douglas. The property at 452 Douglas will be sold to the City for \$1.00 in the very near future. However, the property at 2271 Convair is owned by CitiMortgage and has failed to repair, respond or reply when sent the initial letter to correct the violations, notice of the Building Appeals Board or notice of the Building Appeals Board action and determination of demolition.

RESOLUTION NO: 18-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH EXTERIOR CREATIONS COMPANY TO UNDERTAKE
THE DEMOLITION OF 2271 CONVAIR AND 452 DOUGLAS, ARNOLD
MISSOURI, AS ORDERED BY THE BUILDING APPEALS BOARD OF THE
CITY OF ARNOLD ON OCTOBER 4, 2017

BE IT RESOLVED by the Council of the City of Arnold, Missouri, that the Mayor be, and is hereby authorized to enter into a contract with Exterior Creations Company to undertake the demolition of 2271 Convair and 452 Douglas, Arnold, MO as ordered by the Building Appeals Board of the City of Arnold on October 4, 2017.

A copy of said contract and pricing identified in Exhibit A is attached hereto and made a part hereof reference.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____

Contract Agreement

THIS AGREEMENT, made and concluded this ___ day of _____, by and between _____ hereinafter called the "Contractor", and the City of Arnold, Missouri, hereinafter called the "City".

WITNESSETH, THAT, whereas the Council of the City of Arnold by motion adopted at a meeting held on _____ and by virtue of authority vested in said Council, has awarded to the Contractor the work of performing certain construction.

NOW, THEREFORE, the Contractor and the City, for the consideration hereinafter named, agree as follows:

Article 1. SCOPE OF WORK:

The Contractor shall provide all work incidentals to the furnishing of all material, equipment, and labor to undertake the **FLOOD BUYOUT DEMOLITION PROJECT 2** -in accordance with the project specifications, and the terms of this contract for the City of Arnold, Missouri.

The Owner shall have representatives at the site as he may decide during the construction to observe the work in progress.

Article 2. TIME OF COMPLETION:

Work on the **Flood Buyout Demolition Project 2** must begin on _____ and shall be carried on at a rate to secure its full completion by _____. This date may be adjusted by the Community Development Director as additions and/or deletions are made but under no instances shall this agreement or completion date extend beyond 3 months from the date of the contract.

DEDUCTIONS FOR NOT COMPLETING ON TIME

It is mutually understood and agreed that time is the essence of this Agreement and in the event said work is not completed on or before the date named above for its completion, the Contractor shall pay damages to the owner of Two Hundred & Fifty Dollars (\$250.00) per day. Those damages shall be used to pay the expenses of the inspectors and the services of the Public Works Director for the extra time required for the completion of the work. Extra time shall in all cases be construed as the time required for completion after the date herein named. Extensions of time granted by the Owner for completion of the Contract on account of fire, strikes, or acts of Providence shall not be construed as extra time. The amount of such expense and services shall be determined by the Community Development Director, shall be reported to him in writing to the Owner, and shall be withheld from any money due the Contractor and paid to the proper parties.

Where any deductions from or forfeitures of payment in connection with the work on this Contract are duly and properly declared or imposed against the Contractor in accordance with the terms of this contract, state laws, or ordinances of the City, the total amount thereof may be withheld from any money whatsoever due or to become due the Contractor under the Contract, and when deducted shall be deemed and taken as payment in such amount.

Article 3. CONTRACT PRICE:

The City shall pay to the Contractor for the performance of the work a sum not to exceed the total cost as shown on _____ bid of _____ attached hereto as Addendum "A".

Work covered under these criteria shall consist of all material, labor, equipment and services necessary for the **Flood Buyout Demolition Project 2**. Quantities may be added or deleted at any time during the contract. This contract is based on a quantity at a unit cost. The unit cost provided in this agreement proposal shall be guaranteed for the duration of contract.

Article 4. PAYMENTS TO CONTRACTOR:

- a: At least twenty (20) days before the City Council meeting at which the progress payment shall be presented for approval (but not more often than once a month), the Contractor will submit to the City a final payment estimate filled out and signed by the Contractor covering the work performed during the period covered by the payment estimate and supported by such data as the City may reasonably require. The City will, within ten (10) days following the first regular Council meeting at which the pay request can be put on the Council meeting agenda, pay the Contractor a progress payment on the basis of the approved partial payment estimate. Regular Council meetings are held on first and third Thursdays of each month and the agenda for the Council meeting is set seven (7) days prior to each meeting. The City may retain five percent (5%) of the payment amount until final acceptance of all work covered by the Contract Documents. Authorized extra work shall be included in this payment.
- b. No payment shall be made for materials delivered or stored on the site.
- c. When the work provided for under this Contract has been fully completed in accordance with the terms thereof, the City shall make a final inspection and the Contractor shall remedy any defects arising out of said inspection. After final acceptance of the work by the City, payment shall be made based on the price stated in Article 3.

From this payment shall be retained all monies expended by the City according to the terms of this Contract, and thereunder chargeable to the Contractor, all monies payable to the City, as liquidated damages, and all deductions provided by Contract, State Laws, or Ordinances of the City of Arnold.

- d. The Contractor will indemnify and save the City or the City's agents harmless from all claims growing out of the lawful demands of subcontractors, laborers, workers, mechanics, furnisher of material, and furnisher of machinery and parts thereof, equipment, tools, and all supplies, incurred in the furtherance of the performance of the work. The Contractor shall, at the City's request, furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged, or waived. If the Contractor fails to do so, the City may, after having notified the Contractor, either pay unpaid bills or withhold from the Contractor's unpaid compensation a sum until satisfactory evidence is furnished that all liabilities have been fully discharged, whereupon payment to the Contractor shall be made, in accordance with the terms of the Contract Documents, but in no event shall the provisions of this sentence be construed to impose any obligations upon the City to either the Contractor, his Surety, or any third party.

In paying any unpaid bills of the Contractor, any payment so made by the City shall be considered as a payment made under the Contract Documents by the City to the Contractor and the City shall not be liable to the Contractor for any such payments made in good faith.

Article 5. GUARANTEE:

The Contractor and his Surety hereby expressly guarantee the aforesaid work as to workmanship and quality of materials used in connection therewith, for a period of one year, commencing on the date of acceptance of the work or improvements, and binds himself, his successors or assigns, to make all replacements which may become necessary within that time due to nonconformity with the Specifications. Whenever notified by the City that said replacements are required, the Contractor shall, at once, make the same as directed, and at his own expense. If the Contractor does not proceed with such replacements within five (5) days of receipt of written notice, then the City shall have the power to cause the same to be made and to charge the cost thereof to the Contractor. Nothing in this Section is intended as a maintenance guarantee.

Article 6. INSURANCE:

The Contractor will be required to furnish Public Liability and Property Damage Insurance in amounts as specified in the General Conditions and coverage to name the City of Arnold, Missouri, in addition to the Contractor, so that the City of Arnold is not only protected from all claims but also protected in that legal service will be rendered to defend all suits against the Contractor and the City. The Contractor shall be required to furnish the City with satisfactory proof of carriage of the insurance and endorsement(s) required.

Article 7. STATUTORY AND REGULATORY COMPLIANCE:

It is the responsibility of the Contractor to ensure compliance with all federal, state and local requirements, including, but not limited to, the following Revised Statutes of the State of Missouri:

- 285.530 RSMo. Work Authorization
- 292.675 RSMo. OSHA Training.
- RSMo. 34.353 et seq. American Products.

The above list is not intended to be exhaustive; and the compliance requirement of this provision is continuing and must be satisfied during the entirety of this Agreement.

It is the sole responsibility of the Contractor to ensure that this provision is satisfied; and the City assumes no responsibility or liability for the failure to comply. Any penalty incurred as a result of noncompliance or failure to comply will be borne solely by the Contractor.

Article 8. THE CONTRACT DOCUMENTS:

The Advertisement, Invitation for Bidders, the Specifications, including Addenda Nos. ____, ____, and ____, the Bid, and Bond, together with this Agreement, form the Contract.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in four (4) original counterparts as of the day and year first above written.

SIGNATURES ON NEXT PAGE

CITY OF ARNOLD
2101 Jeffco Blvd.
Arnold, Missouri 63010

Contractor: John Schurr - Exterior Creations
Contractor Address:

542 Westwood Place
Festus Mo 63028

By: _____
Ron Counts, Mayor

By: [Signature]
Signature

Title Owner

ATTEST:

By: _____
Tammi Casey, City Clerk

By: _____
Signature

Date

Title

Date

(SEAL)

Telephone No.

(SEAL)

APPROVED AS TO FORM:

City Attorney

**EXHIBIT A
Pricing Page**

All proposals must be specified or equal. Any deviation from specifications must be clearly stated and fully described. Offeror must complete, sign and return this document with the proposal. Pursuant to and in compliance with the IFB dated January 26, 2018 and the other documents related thereto, the undersigned hereby proposes to furnish all tools, labor, equipment and any/all material plus perform all work necessary for undertaking the **FLOOD BUYOUT DEMOLITION PROJECT 2** as all required by and in strict conformance with the Bid Specifications and addenda No. _____ to _____ inclusive at the unit & lump sum prices listed herein.

Property Address	Cost to Demolish (as quoted on bid forms)	Cost of Asbestos/Hazardous Materials abatement if required
2271 Convair Dr	\$9600 ⁰⁰	If Found \$3 ⁰⁰ sq ft
452 Douglas Dr	\$9600 ⁰⁰	plus test fee of \$450 ⁰⁰
Total	\$19,200 ⁰⁰	\$11,700 ⁰⁰ Based on Site give

Property Specifics: See the attached sheets for complete property specifics.


Name of Company: Exterior Creations

Agent and Title: John Schwart - Owner

Address: 592 Westwood Place

Festus Mo 63028

Phone: 314-226-4118


(Signature of Offeror)

2-12-18
(Date)

(1 of 2)

Property Address: 2271 Convair Dr
Community: Arnold, MO 63010

Foundation: Basement
Square Feet of Property: Approx 1,900 ft sq (Including Garage)
Detached Buildings: None

Cost to Demolish (including Asbestos Identification):

\$ 450⁰⁰ Testing Fee - 3⁰⁰ Sft if Found

Cost of Hazardous Materials Abatement (if required by Certified Hazardous Material inspector):

\$ 16150⁰⁰

(2 of 2)

Property Address: 452 Douglas Dr
Community: Arnold, MO 63010

Foundation: Basement
Square Feet of Property: Approx 1,700 ft sq (Including Garage)
Detached Buildings:

Cost to Demolish (including Asbestos Identification):

\$ 450^{.00} - Testing Fee ^{\$ 3^{.00}} / sq ft if Found

Cost of Hazardous Materials Abatement (if required by Certified Hazardous Material inspector):

\$ 5550^{.00}

RESOLUTION NO: 18-15

A RESOLUTION REJECTING ALL BIDS FOR PAVEMENT MARKING AND STRIPING.

WHEREAS, the City of Arnold recently solicited bids for pavement marking and striping services; and

WHEREAS, after initially awarding the bid the City has now determined it is in its best interest to reject all the submitted bids;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI:

Section 1. All bids submitted for pavement marking and striping are hereby rejected and Resolution 18-06 is repealed.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

Date: _____

February 20, 2018

Mayor Counts
Arnold City Council
Arnold, MO 63010

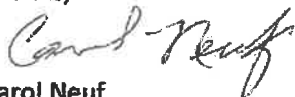
Dear Mayor Counts:

On May 11th, 2018 St. John's Lutheran School will once again hold their Community Block Party. As in past years, we would like to offer fireworks at the end of the event.

I am seeking Council's permission to have fireworks again this year.

As always, you and your staff are invited to attend this free community event.

Thanks,



Carol Neuf
Block Party Committee
Borzil9@att.net
636-296-2180

MOTION

March 1, 2018

Attached is a list of records that are ready for destruction.

Records will be shredded upon approval by Council at the

March 1st, 2018 Council Meeting.

7 boxes FY12 Accounts Payable records

Jeanette Yount

From: Jennifer Roth
Sent: Friday, February 23, 2018 8:42 AM
To: Jeanette Yount
Subject: Shredding

Federal State Earnings 2009-2012

Jan-Dec 2013 Timesheets

Jan-Dec 2014 Timesheets

**LIST OF FILES TO BE DESTROYED IN 2018
OLD COURT RECORDS
One (1) Box**

Check stubs from 1984 thru 2000

Check Ledgers 1988 thru 1994

Deposit Slips from Bank 1997 thru 2002

Various old cases closed from 1997 thru 2006 (Approximately 15 to 20)

List of Bond Account 2002, 2003, 2004 We no longer keep records like this.

NOTE:

These old records were in the storage room and had been overlooked.

Z:\users\mcox\LIST OF FILES TO BE DESTROYED 2018.doc
Friday, February 23, 2018

Mary Ellen Cox

MUNICIPAL COURT SHREDDING

7 Boxes- Purged court documents prior to scanning (ie. Duplicates, payments, etc.)

1 Box Prosecutor files not required for retention.

28 Boxes Court files that have met retention period (See attached)

36 Total boxes

SHRED LIST FOR 2018

In Town Business Licenses (retention 10 years)
2007 - 2008

Out of Town Business Licenses (retention 3 years)
2013 - 2014

Sunshine Law Requests (retention 3 years)
2014

Refund of Utility Taxes (retention 3 years)
2014

Bids (retention 5 years)
2012

Title Company Requests (retention 5 years)
2012

Vending Machine Licenses (retention 2 years)
2013-2014
2014-2015

Solicitor/Peddler Licenses (retention 2 years)
2013 - 2014
2014-2015

Trash Complaint Requests (retention 3 years)
2014

Receipts for Returned Checks (completion of audit)
2016

FOUR TOTAL BOXES TO SHRED