

City of Arnold, Missouri

**Public Hearing
Council Chambers**

**March 15, 2007
7:30 P.M.**

- A.** An Ordinance Approving an Amended Preliminary Plat Titled Tenbrook Plaza, Plat Two.
See Agenda Item 7A.
-

Council Meeting

Amended Agenda

Following the Public Hearing

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: March 1, 2007; March 8, 2007
5. Acceptance Of Warrants: Payroll Warrants # 998; General Warrant #5447
6. Business From the Floor
7. Ordinances
 - A. Bill No. 2220:** An Ordinance Approving an Amended Preliminary Plat Titled Tenbrook Plaza, Plat Two.
 - B. Bill No. 2221:** An Ordinance Approving a Record Plat Titled Tenbrook Plaza, Plat Two.
8. Resolutions - NONE
9. Motions
 - A.** A Motion to Award the Bid to Furnish the Arnold City Park Trail with Trash Receptacle and Benches.
 - ~~**B.** A Motion to Award the Bid to Complete Footings and Foundation Work for Arnold City Park Bandstand.~~
 - ~~**C.** A Motion to Award the Bid for Canopy and Poles for the Arnold City Park Bandstand.~~
 - D.** A Motion to Authorize the Mayor to Sign a Lease Purchase Agreement with Commerce Bank.
 - E.** A Motion Waiving Bid Procedures for the Excavation and Dredging Work for the Pomme Creek Irrigation Lake.

F. A Motion to Approving Change Order No. 2 Regarding the Jeffco/Michigan Intersection Improvements Project.

10. New Business

11. Old Business

12. Committee Reports

13. Reports from Mayor and Council

14. Administrative Reports

A. A Conditional Use Permit for Various Construction Trailers on the Triangle Site.

B. A Conditional Use Permit for a Construction Trailer at 3581 Jeffco.

15. Adjournment

Next Regular Council Meeting: April 5th at 7:30 pm

March 13, 2007

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REGULAR MEETING

MARCH 15, 2007

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:40 PM

Mayor Mark Powell 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: Powell, Ems, Vinson, Crisler, Edwards, Venable (excused), Amato, Deckman, Cooley, Unrein, Waller, Holden, McKenzie, Boone, Sweeney, Shockey, Blue, and Hall.

ACCEPTANCE OF THE MINUTES:

Al Ems moved to accept the minutes of the March 1, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Jim Edwards. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes, Venable, (excused), Amato, yes; Deckman, yes; Cooley, yes; 7 yeas, motion carried.

Note: agenda indicated minutes to be approved for March 8 – Mayor acknowledged this was a work session so minutes need not be approved.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read payroll warrant #998. Randy Crisler moved to pay payroll warrant #998 pay period ending February 28, 2007 in the amount of \$227,553.64 if the monies are available. Seconded by Al Ems. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused); Amato, yes; Cooley, yes; Deckman, yes; 7 yeas, motion carried.

City Clerk Diane Waller read general warrant #5447. Butch Cooley moved to pay general warrant #5447 in the amount of \$ 1,198,175.98 if the monies are available. Seconded by Al Ems. Roll call vote: Cooley, yes; Deckman, yes; Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused); Amato, yes; 7 yeas, motion carried.

BUSINESS FROM THE FLOOR:

Shirley Haus of 1966 South thanked the Mayor and council members for the concerns they expressed after the death of her cat as a result of vicious dogs attacking the cat. She stated she feels she knows the whereabouts of these dogs and is afraid a child could be hurt. She feels it is wrong that the city doesn't have better animal control.

Mr. Cooley acknowledged he has heard from Ms. Haus. Chief Shockey then requested Ms. Haus to come see him in the morning and he will personally assist her to proceed with legal action against the owners of the dogs.

Steve Stroller, 4334 Green Grove Ct came to the microphone and said he has family roots in the Arnold area and is speaking representing United Food Workers #655. He had comments regarding the tie vote of the P & Z Commission over the recent rezoning issue and made comments directed at Wal-Mart.

Mayor Powell reiterated the council's action in sending the issue back to P & Z for a recommendation. If another tie comes, the P & Z will have to provide 2 recommendations to the council.

Ms. Stuckmeyer, 1524 Fox Ridge Ct, questioned the situation with no parking signs that have been put up at the entrance to her subdivision.

Matt Unrein indicated the city became aware of a dangerous parking situation at the entrance where kids are at risk.

Chief added the signs were posted for safety reasons and stated the parking of cars at the entrance was presenting an unsafe situation at the intersection. There is no way an emergency vehicle could get through with cars parked there. At this time, officers are giving warnings to violators.

More discussion amongst council members and Mayor regarding this situation. This will be discussed more and brought for final approval at a later time.

John Winerst, 2932 North Lights, questioned why the P& Z Commission did not make a recommendation.

Mayor tried to explain what had taken place and Attorney Sweeney added a recommendation is needed as is required by our ordinances.

Candace Throm, 80 Hickory Bluff, spoke about a situation in her subdivision involving wild and feral cats. She indicated they are being fed by the occupants at 549 Hickory Manor and wants the city to do something to put an end to this dangerous situation. She acknowledge the city is trying to trap them but there are not enough traps.

Renee Stines, 545 Hickory Manor, agreed these wild cats are dangerous and expressed her fear they will hurt a dog or child. She reported feces are everywhere and this too presents a dangerous health issue. She understands there are limits as to what the city can do but wants something done.

Sweeney advised we can trap 'em, can't shoot 'em.

Discussion followed and Edwards questioned what would happen to cats that are caught. Mary Holden indicated they would be placed for adoption and if not adopted, they would be euthanized.

Jack Haus, 1966 South, asked if he had the right to take action needed if a wild dog came on to his property.

Gerald Poor, 3593 Swan Circle South, shared there will be a session dealing with Sunshine Law open to the public. This is being sponsored by Mehlville School district. Also mentioned there is a possibility of a Missouri law change that could require taping of closed sessions.

Amato offered a motion to purchase additional cages/traps and transfer money from undesignated reserves. Motion seconded by Joyce Deckman. Discussion. Amato amended his motion to include purchase additional cages/traps, transfer money from undesignated reserves, not to exceed \$2000. Seconded by Joyce Deckman. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused), Amato, yes; Deckman, yes, Cooley, yes; 7 yeas, Motion passed.

Amato questioned Attorney about this issue being a nuisance and wouldn't our nuisance ordinance pertain to this.

Prior to ordinances being discussed, Mayor asked to move Items A & B for discussion at this time. There were no objections voiced by council.

A conditional use permit for various construction trailers on the triangle site with the condition that all construction trailers are removed no later than the last day in November 2008. No objections voiced by council so permit stands approved.

A conditional use permit for construction trailer at 3581 Jeffco with the condition that the construction trailer be removed upon completion and before occupancy of Fortune Bank. No objections voiced by council so permit stands approved.

ORDINANCES

Bill #2220 AN ORDINANCE APPROVING A PRELIMINARY PLAT TITLED TENBROOK PLAZA, PLAT TWO was read twice by City Clerk, Diane Waller.

Roll call vote: Ems, no; Vinson, yes; Crisler, yes; Edwards, yes; Venable (excused); Amato, yes; Deckman, yes; Cooley, yes; 7 yeas, ordinance passed.

Bill #2221 AN ORDINANCE APPROVING A RECORD PLAT TITLED TENBROOK PLAZA, PLAT TWO was read twice by City Clerk, Diane Waller. Roll call vote: Ems, no; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused),; Amato, yes; Deckman, yes; Cooley, yes; 7 yeas, ordinance passed.

RESOLUTIONS

There were no resolutions.

MOTIONS

A motion to award the bid for trash receptacles and benches for the Arnold city Park trail to Fry and Associates was discussed. Randy Crisler offered a motion to award the bid for trash receptacles and benches for the Arnold City Park trail to Fry and Associates in the amount of \$17,693.17, the best bid. Seconded by Paul Vinson. Roll call vote: Ems; yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable (excused), Amato, yes; Deckman, yes, Cooley, yes; 7 yeas, motion passed.

Mayor announced agenda items 9B and 9C had been pulled.

A motion to authorize the Mayor to sign a Lease Purchase Agreement with Commerce Bank was discussed. Jim Edwards offered a motion to authorize the Mayor to sign a Lease Purchase Agreement with Commerce Bank to finance the storm warning siren system and two public works fleet vehicles. Seconded by Joyce Deckman.

Roll call vote: Ems; yes; Vinson, yes; Crisler yes; Edwards, yes; Venable (excused); Amato (abstain); Deckman, yes; Cooley, yes; 6 yeas, motion carried.

A motion waiving bid procedures for the excavation and dredging work for the Pomme Creek Irrigation Lake was discussed. Time is of the essence in this project. Al Ems offered a motion to waive formal bid procedures and award bid to Piffel excavating of House Springs Mo with an amount not to exceed \$20,000 for the excavation and dredging of the Pomme Creek irrigation lake. Seconded by Randy Crisler. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused), Amato, yes; Deckman, yes; Cooley, yes; 7 yeas, motion carried.

Mayor complimented staff for their efforts in extra projects at the golf course.

A motion to authorize Public Works Director to approve change order #2 for the Jeffco/Michigan Intersection Improvements Project to Kozeny-Wagner in the amount of \$10,693.00 was discussed. Jim Edwards offered a motion to that effect and then moved.

Motion seconded by Randy Crisler. Roll call vote: Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, (excused), Amato, yes; Deckman, yes; Cooley, yes; 7 yeas.
Motion carried.

NEW BUSINESS

There was no new business

OLD BUSINESS

Randy Crisler talked about the progress of the new trails and he is excited about the opening next week. A grand opening is scheduled for 1 PM on Friday, March 23.

Jim Edwards stated Richardson Road needs work.

COMMITTEE REPORTS

No committee reports.

REPORTS FROM MAYOR AND COUNCIL

Ward 4 – Butch Cooley – Asked for an update on the Ozark Bridge project.

Jeff Blue reported that just today a notice had been received and posted regarding the Jefferson County entitlement Program Findings of No Significant Impact and Intent to Request Release of Funds (FONSI/NOI) for the Ozark Drive Bridge project. This must be posted through April 2, 2007.

Ward 1 – Paul Vinson – questioned Mary Holden about the tractor trailers still going down Tenbrook Road and the obstacles incurred. Feels something needs to be done, as current signage is not working. Mary stated letters have been sent out to address this.

Discussion followed. Jeff Blue will check on pricing for solar powered flasher/warning type device that would be seen by drivers of the rigs. We need a mechanism so these drivers do not go down this road.

Ward 4 – Al Ems – no report

Ward 2 – Dave Venable – excused

Ward 3 – Joyce Deckman – no report

Ward 2 – Jim Edwards – no report

Ward 3 – Phil Amato – no report

Mayor Powell – Announced Arnold Resident and Clean Stream Leader, Brian Waldrop was honored at a luncheon this week at the Rec Center where he received the 2007 Community

Service Award from Commerce Bank and Kemper Foundation. In addition a \$7500 cash award was made and earmarked for the Missouri Conservation Heritage Foundation.

Attorney Bob Sweeney – No report

Matt Unrein – Introduced 2 members of the golf course staff in attendance tonight, Bob Furken and Tim Schweiderjon.

Diane Waller – no report

Greg Hall – No report

Scott Gowan – No report

Mary Holden – Shared a memo from the Planning Commission that indicates Arnold is a growing community and it has been 10 years since the Comprehensive Plan was updated. They would like the city council to appropriate funds to secure a consultant for the refreshing of our comprehensive plan.

Jeff Blue – No Report

Vivian McKenzie – reported a check for \$78,906.00 was received for a storm water so general fund will be reimbursed.

Susie Boone – No report

Matt Unrein added there would be a ribbon cutting ceremony for the new senior center at 9:30 am Wednesday, March 28 at the Rec Center.

There is a Chamber of Commerce Luncheon next Tuesday and the Mayor will be speaking.

Chief Shockey – announced the storm sirens should be up and running by the middle of next week. He recognized all the extra effort put forth by Lt. Bill Bonsack in making this happen.

A motion to close was offered by Jim Edwards. Seconded by Joyce Deckman. Voice vote: motion carried. Meeting adjourned at 8:45 pm.

Respectfully submitted,

City Clerk