

City of Arnold, Missouri

Council Meeting
Council Chambers

March 6, 2008
7:30 p.m.

Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **February 28, 2008**
5. Acceptance Of Warrants: **Payroll Warrant #1024 - General Warrant #5470**
6. Business From the Floor
7. Ordinances
 - A. **Bill No. 2295:** An Ordinance Authorizing the Mayor to Sign an Intergovernmental Agreement.
 - B. **Bill No. 2296:** An Ordinance Authorizing Condemnation for Easements and Right-of-Way Related to the Ozark Drive Improvements Project.
 - C. **Bill No. 2262:** An Ordinance Approving an Amendment to the Redevelopment Plan for the Arnold Triangle Redevelopment Area. (Second Reading).
 - D. **Bill No. 2297:** An Ordinance Authorizing the Execution of a Fourth Amended and Restated Redevelopment Agreement and a Second Amended and Restated District Development Agreement in Connection with the Redevelopment Plan for the Arnold Triangle Redevelopment Area.
 - E. **Bill No. 2298:** An Ordinance Authorizing the Execution of a Sixth Amendment to Redevelopment Agreement Between the City of Arnold and Arnold Crossroads, L.L.C.
8. Resolutions
 - A. **Resolution #08-17:** A Resolution Re-appointing Ronald DeRouin to the Richardson Crossing Community Improvement District (CID).
 - B. **Resolution #08-18:** A Resolution Re-appointing Kim Ramsey to the Richardson Crossing Community Improvement District (CID).
 - C. **Resolution #08-19:** A Resolution Re-appointing Anthony Lee to the Richardson Crossing Community Improvement District (CID).
 - D. **Resolution #08-20:** A Resolution Appointing a City Representative to the Board of Directors for the Arnold Retail Corridor Transportation Development District.
9. Motions
 - A. A Motion Awarding the Bid to Purchase a Pylon Sign.
 - B. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation Section 610.021 (1) and Personnel Pursuant to Section 610.021(3), RSMO.
10. New Business

11. Old Business
12. Committee Reports
13. Reports from Mayor and Council
14. Administrative Reports
15. Adjournment

Next Work Session Meeting: March 13th at 7:00 p.m.
Next Regular Council Meeting: March 20th at 7:30 p.m.

March 4, 2008
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REGULAR MEETING

MARCH 6, 2008

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:38 PM

Mayor Mark Powell called the meeting to order at 7:38 p.m.

The Pledge of Allegiance was recited. There was a moment of silence in honor of Ralph Scurlock, who recently died. He was a retired WWII vet and a color guard member of the VFW who often participated in city special events like Flag Day etc.

Those present per roll call taken by City Clerk Diane Waller: Powell, Cooley, Vinson, Crisler, Moritz, Brazeal (excused), Amato (will be late), Deckman, Ems, Waller, Unrein, Holden, Lewis, Sweeney, Boone, Shockey, Blue, Freese and Hall.

ACCEPTANCE OF THE MINUTES:

Al Ems moved to accept the minutes of the February 28, 2008 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley.

Paul Vinson requested a change on Page 2 where he had offered a motion to amend Bill No. 2293 to read "except that nothing in this ordinance shall preclude a member of the body holding a valid concealed carry endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member".

Mr. Ems and Mr. Cooley both amended their motions to reflect this change. Roll call Vote: yes; Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato (excused); Deckman, yes; Ems, yes; 6 yeas; motion carried.

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read payroll warrant #1024. Bill Moritz moved to pay payroll warrant #1024 pay period ending February 22, 2008 in the amount of \$229,138.13 if the monies are available. Seconded by Paul Vinson. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato (excused); Deckman, yes; Ems, yes; 6 yeas, motion carried.

City Clerk Diane Waller read general warrant #5470. Butch Cooley moved to pay general warrant #5470 in the amount of \$527,384.76 if the monies are available. Seconded by Joyce Deckman. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato (excused); Deckman, yes; Ems, yes; 6 yeas, motion carried.

BUSINESS FROM THE FLOOR

Rob Rosenfeld, 225 S. Meramec, identified himself as the owner of the 31 unit Mobile Home Park. He made statements that he is not happy with the Ozark Bridge situation and felt assessments were not within reason. He also feels the design impairs his property.

Mr. Sweeney commented the condemnation ordinance is necessary in order to move forward with the Ozark Bridge project.

Phil Amato arrived at 7:42 pm

Jerel Poor, 3593 Swan Circle South, expressed concern and questions regarding the money from the TDD that is in the ordinance presented tonight.

Barb Reuss, 2083 Church Road, was upset and questioned when her driveway would be fixed, as she is tired of the mud situation. Also indicated she had received a letter from THF with the threat of eminent domain.

Mayor instructed Greg Hall and Jeff Blue to look at the driveway situation.

ORDINANCES

Bill No. **2295** AN ORDINANCE AUTHORIZING AN **INTERGOVERNMENTAL AGREEMENT BETWEEN JEFFERSON COLLEGE, THE CITY OF ARNOLD AND JEFFERSON COUNTY LIBRARY DISTRICT REGARDING SIGNAGE** was read twice by City Clerk Diane Waller. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes, 7 yeas, ordinance passed.

Bill No. **2296** AN ORDINANCE FOR THE PURPOSE OF **AUTHORIZING ACQUISITION OF PERMANENT SEWER EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RIGHT OF WAY BY CONDEMNATION AND APPROPRIATION THEREOF; DESCRIBING THE REAL ESTATE SUBJECT TO CONDEMNATION AND APPROPRIATION; NAMING THE OWNERS OF SAID REAL ESTATE; SETTING FORTH THE GENERAL NATURE OR PURPOSE OF THE USE TO BE MADE OF SAID REAL ESTATE; DECLARING IT TO BE NECESSARY TO TAKE APPROPRIATE SAID PROPERTY DESCRIBED FOR THE SAID PURPOSE; DECLARING THAT THE ACQUISITION OF SAID REAL ESTATE IS FOR THE GENERAL BENEFIT OF THE CITY OF ARNOLD, MISSOURI, AT LARGE; DECLARING THAT THE FUNDS FOR THE ACQUISITION OF SAID REAL ESTATE MAY BE ADVANCED; AND PROVIDE THAT THIS CONDEMNATION SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER THE DATE OF ITS PASSAGE** was read twice by City Clerk Diane Waller. Roll call vote: Cooley, yes; Vinson, no; Crisler, no; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 5 yeas, 2 nays, ordinance passed.

Bill No. **2262** AN ORDINANCE APPROVING AN AMENDMENT TO THE **REDEVELOPMENT PLAN FOR THE ARNOLD TRIANGLE REDEVELOPMENT AREA** was read for the second time. This ordinance had previously been read the first time on August 16, 2007.

Roll call vote: Cooley, yes; Vinson, no; Crisler, yes; Moritz, no; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 5 yeas, 2 nays, ordinance passed.

Bill No. **2297** AN ORDINANCE AUTHORIZING THE EXECUTION OF A **FOURTH AMENDED AND RESTATED REDEVELOPMENT AGREEMENT AND A SECOND AMENDED AND RESTATED DISTRICT DEVELOPMENT AGREEMENT IN CONNECTION WITH THE REDEVELOPMENT PLAN FOR THE ARNOLD TRIANGLE REDEVELOPMENT AREA** was read twice by City Clerk Diane Waller. Roll call vote: Cooley, yes; Vinson, no; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes, 6 yeas, 1 nay, ordinance passed.

Bill No. **2298** AN ORDINANCE AUTHORIZING THE EXECUTION OF A **SIXTH AMENDMENT TO REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF ARNOLD AND ARNOLD CROSSROADS, LLC.** was read twice by City Clerk Diane Waller. Roll call vote: Cooley, yes; Vinson, no; Crisler, yes; Moritz, yes; Brazeal, (excused); Amato, yes; Deckman, yes; Ems, yes, 6 yeas, 1 nay, ordinance passed.

RESOLUTION NO. 08-17 A RESOLUTION RE-APPOINTING RONALD DE ROUIN TO THE RICHARDSON CROSSING COMMUNITY IMPROVEMENT DISTRICT (CID) FOR A FOUR-YEAR TERM was offered by Al Ems. He then so moved. Seconded by Randy Crisler. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 7 yeas. Resolution passed.

RESOLUTION NO. 08-18 A RESOLUTION RE-APPOINTING KIM RAMSEY TO THE RICHARDSON CROSSING COMMUNITY IMPROVEMENT DISTRICT (CID) FOR A FOUR-YEAR TERM was offered by Randy Crisler. He then so moved. Seconded by Butch Cooley. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 7 yeas, Resolution passed.

RESOLUTION NO. 08-19 A RESOLUTION RE-APPOINTING ANTHONY LEE TO THE RICHARDSON CROSSING COMMUNITY IMPROVEMENT DISTRICT (CID) FOR A FOUR-YEAR TERM was offered by Randy Crisler. He then so moved. Seconded by Al Ems. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 7 yeas. Resolution passed.

RESOLUTION NO. **08-20** A RESOLUTION **DESIGNATING A REPRESENTATIVE OF THE CITY OF ARNOLD, MISSOURI TO SERVE ON THE BOARD OF DIRECTORS OF THE ARNOLD RETAIL CORRIDOR TRANSPORTATION DEVELOPMENT DISTRICT** was offered by Butch Cooley. He then so moved. Seconded by Randy Crisler. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato yes; Deckman, yes, Ems, yes; 7 yeas. Resolution passed.

MOTIONS

A motion was offered by Bill Moritz to award the bid for the purchase and installation of a **single faced pylon sign** to **Warren Sign**, in the amount of **\$49,734.00**, which, based on the staff recommendations, is the best bid. Seconded by Randy Crisler. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 7 yeas, motion carried.

A Motion was offered by Phil Amato to hold a **closed session** immediately following the city council meeting for the purpose of discussing Litigation, Section 610.021(1) and personnel pursuant to Section 610.0021 (3) RSMo. Seconded by Randy Crisler. Roll call vote: Cooley, yes; Vinson, yes; Crisler, yes; Moritz, yes; Brazeal (excused) Amato, yes; Deckman, yes; Ems, yes; 7 yeas, motion carried.

NEW BUSINESS/OLD BUSINESS

Al Ems requested a work session to discuss insurance. He was advised this topic is scheduled for a future work session. Proposals will be discussed at that time.

COMMITTEE REPORTS

Liquor Committee:

Bill Moritz announced a committee meeting was held tonight. **Dylan's** at 675 Jeffco is requesting permission to apply to the state for an extension of premise license. They have done this in the past and would like to do it again in order to have washer tournaments. They want authorization from the city to allow them to apply to the **state** for an **extension of premise license**. A motion was made to grant them permission to seek this from the state. Seconded by Joyce Deckman. Roll call vote: Cooley, yes; Vinson (abstain); Crisler, yes; Moritz, yes; Brazeal (excused), Amato, yes; Deckman, yes; Ems, yes; 6 yeas, 1 abstention, motion carried.

Bill Moritz then offered a motion to approve the **serving of alcohol on the outdoor serving area of the 54th Street Grill and Bar, 2236 Michigan**, and so moved. Seconded by Joyce Deckman. They already have been issued a liquor license for indoor sales by the drink and on Sunday. Roll call vote: Cooley, yes; Vinson (abstain); Crisler, yes; Moritz, yes; Brazeal (excused); Amato, yes; Deckman, yes; Ems, yes; 6 yeas, 1 abstention, motion carried.

REPORTS FROM MAYOR AND COUNCIL:

Ward 4 – Butch Cooley – Thanked the “road gang” for doing such a good job with the snow and ice.

Ward 1 – Paul Vinson – Also thanked the crew for the great work and hopes the weather clears before it is time for brush pickup.

Ward 4 – Al Ems – echoed the remarks just made about the efforts of our road crew during the bad weather.

Ward 1 – Randy Crisler – No Report

Ward 2 – John Brazeal - Excused

Ward 3 – Joyce Deckman – No Report

Ward 2 – Bill Moritz – Stated he is glad to see the city moving forward on the Ozark Bridge project.

Ward 3 - Phil Amato – No report

ADMINISTRATIVE REPORTS

Mayor Powell – Reported on the successful Clean Stream Operation that took place this past weekend.

Matt Unrien – Reported the problems with the inadequate air purification system at the VFW has now been resolved. New equipment is in place and working properly. The Solid Waste Grant has been awarded and Veolia and the city will now be able to provide to our residents full size totes for recycling rather than the tubs we now use. This will help make residential recycling more efficient.

Bill Moritz referred to a memo he had sent out earlier questioning if city could somehow duplicate the recycling efforts South County has offered with allowing residents to dispose of household hazard wastes etc. at a specific drop-off point in the city. Mr. Unrein explained the costs involved with this but maybe this could at least be looked into at a future date.

Diane Waller – No Report

Bob Sweeney – No report

Greg Hall – Stated the Tracy Lawrence concert is Saturday night and is 95% sold.

Mary Holden – No report

Jeff Blue – Announced Brush pick-up begins March 17, 2008

Deborah Lewis – No report

Susie Boone – Stated Clean Stream was a huge success. Trivia night is selling very well and should raise enough money to pay for the Dog Park fencing. At 8 am on April 5th, there will be a volunteer day at the Dog Park so everyone is welcome to pitch in and help. April 19th will be the dedication of the Dog Park.

Bill Moritz questioned the particulars on the sale of memory bricks to help with the dog park and Susie explained the fees range from \$50 to \$400 per brick.

Chief Shockey – No report

Motion to adjourn was offered by Randy Crisler. Seconded by Al Ems. Voice vote: motion carried.

Meeting adjourned at 9:15 pm.

Respectfully submitted,

City Clerk