

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

The Pledge of Allegiance was recited.

Mr. Jim Christin from the Arnold Church of Christ offered the opening prayer.

Those present per roll call taken by City Clerk Diane Waller: Counts, Connell, Edwards, Crisler, Moritz, Freese, Lang, Moss, Lindsley, Waller, Hull-Bettale, Lewis, Sweeney, Boone, Shockey, Baker, Kroupa and Hall. Mr. Unrein arrived shortly after the meeting started.

**ACCEPTANCE OF THE MINUTES:**

Jason Connell moved to **accept the minutes of the March 3, 2011 meeting** if there were no deletions, errors or corrections. Cricky Lang seconded the motion. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Motion carried.**

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read **Payroll warrant #1103**. Paul Freese **moved to pay payroll warrant #1103 in the amount of \$237,617.22** if the monies are available. Seconded by Bob Lindsley. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Motion carried.**

City Clerk Diane Waller read **general warrant #5543**. Cricky Lang **moved to pay general warrant #5543 in the amount of \$777,903.67** if the monies are available. Seconded by Jim Edwards. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Motion carried.**

**BUSINESS FROM THE FLOOR**

The Mayor explained how anyone could speak for up to 3 minutes on any matter of city business, but first must identify himself or herself and state their address. He also reiterated the necessity of using the speaker cards.

**Brian Waldrop**, 3273 Telegraph, thanked all for volunteering for Clean Stream and expressed his concern for the volume of debris that continues to appear. He understood we cannot do anything about the trash that comes down the river, but the trash being dumped at our park properties needs to be addressed.

**Bob Hohmeier**, 3569 Swan Circle South, addressed concerns he had with Bill #2457 and Item #3 referring to the rules for the bus service.

**Donna Miller**, 1062 Arnold Tenbrook, spoke of the barking dogs from the kennel behind her and asked that the city look into this.

**Benny Rose**, 1850 Ozark, referring to the Ozark Bridge, had questions regarding litigation and the particulars of the payment arrangements for the bridgework.

**Bob Boyer**, 2387 Starling Airport, displayed some old signage used during last year's election campaign, reported on happenings in the past with these signs, and asked for additional police presence this year.

**Benny Rose**, 2261 Boeing, expressed his feelings that he did not think his father should have to pay anything towards the Ozark Bridge and suggested city officials look at what this construction did to his father's property.

**Jerel Poor**, 756 Mary, spoke about 2 bills on the agenda tonight and raised questions relating to conflict of interest and litigation involved.

**Michelle Hohmeier**, 3569 Swan Circle, questioned the bill proposed tonight and stated the one person, who would be assessed the most, was not going to be present. Also expressed her opposition to Bill #2459, as she did not feel the city needed any more monies spent on the golf course.

## **ORDINANCES**

**BILL NO. 2457 AN ORDINANCE ADOPTING RULES FOR COMMERCIAL BUS SERVICE** was read twice by City Clerk Diane Waller. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Ordinance passed**

**BILL NO. 2458 AN ORDINANCE PROVIDING FOR ADJUSTMENTS TO THE FISCAL YEAR 2011 BUDGET AT MID-YEAR** was read twice by City Clerk Diane Waller. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Ordinance passed.**

**BILL NO. 2459 AN ORDINANCE PROVIDING FOR AN ADJUSTMENT TO THE FISCAL YEAR 2011 BUDGET FOR RENOVATIONS AT POMME CREEK GOLF COURSE** was read twice by City Clerk Diane Waller. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Ordinance passed.**

**BILL NO. 2460 AN ORDINANCE DETERMINING THE FINAL COST OF COMPLETED IMPROVEMENTS KNOWN AS THE OZARK DRIVE NEIGHBORHOOD IMPROVEMENT DISTRICT PROJECT; APPORTIONING SUCH FINAL COSTS AMONG THE PROPERTIES IN THE OZARK DRIVE NEIGHBORHOOD IMPROVEMENT DISTRICT IN THE CITY OF ARNOLD, MISSOURI; ASSESSING SPECIAL ASSESSMENTS AGAINST THE PROPERTIES IN SAID DISTRICT; AND AUTHORIZING THE ISSUING OF TAX BILLS THEREFORE.**

Mr. Sweeney addressed remarks made earlier from the floor regarding a request made by Mr. Rosenfeld and his attorney that the Ozark Bridge matter not be discussed tonight, as Mr. Rosenfeld nor his attorney would be in attendance at this meeting. Mr. Sweeney stated that Mr. Rosenfeld has filed suit against the city and feels this suit is premature, as no assessments have been placed on properties to date. Mr. Sweeney stated, for the record, that Mr. Rosenfeld and his attorney have alluded to an issue pertaining to conflict of interest as Mr. Sweeney represents one of the individuals involved in the NID. He stated that this issue has been addressed all the way to the Missouri Supreme Court as there was a bar complaint filed against him for an allegation of conflict of interest. He stated he still has his law license, so the Supreme Court ruled in his favor, no conflict of interest. He understands why someone might think that, but the fact of the matter is Mr. Rosenfeld is on the opposite side of both of these cases. Mr. Sweeney is on one side and Mr. Rosenfeld is on the other side of two different cases. That means he and Mr. Rosenfeld may have a conflict, but it is not a conflict of interest. It is up to the council, they can certainly table this matter. He stated that, again, Matt raised the issue that people will have little time to pay the bill if the matter is tabled.

Randy Crisler stated that he does wish to table this matter. Not because Mr. Rosenfeld is not in attendance, but because he was not aware of some of the final amounts before tonight's meeting. He spoke of Mr. Rose's assessment amount and how he did not feel this had been properly addressed to date. Randy Crisler offered **a motion to table until such time Mr. Rose's property situation can be assessed and agreed upon** and so moved. Seconded by Ken Moss. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Motion carried.**

Mr. Lindsley questioned when this might happen. Mr. Unrein asked for time to allow city to address these concerns and added he hoped to have something for the first meeting in April.

**BILL NO. 2461 AN ORDINANCE ACCEPTING LANDS KNOWN AS OZARK DRIVE BRIDGE INCLUDING THE ADJACENT APPROACHES FOR PUBLIC USE AS STREETS AND ROADS, AUTHORIZING THE MAYOR OF THE CITY OF ARNOLD, MISSOURI, TO EXECUTE A FORMAL ACCEPTANCE THEREOF; AND PROVIDING FOR THE RECORDING OF SAID ACCEPTANCE. A COPY OF SAID FORMAL ACCEPTANCE IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

Randy Crisler offered a **motion to table Bill #2461** and so moved. Seconded by Jason Connell. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **Motion carried.**

## RESOLUTIONS

There were no resolutions.

## MOTIONS

**A motion to grant the requested variance with the condition that Arsenal Credit Union contribute to the sidewalk fund the amount it would cost to construct the sidewalks** was offered by Paul Freese and he so moved. Seconded by Jim Edwards  
Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **motion carried.**

**A motion to authorize approval of Change Order #1 for the Community Building Renovation Project for \$2,140.00 for Farmer Environmental Services LLC to perform environmental inspection for asbestos, lead and mold as a sub-consultant of Oates Associates** was offered by Randy Crisler. Seconded by Bill Moritz. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes, 8 yeas, **motion carried.**

**A motion to approve Change Order #2 for the Community Building Renovation Project in the amount of \$1010.00 to Oates** was offered by Randy Crisler and he so moved. Seconded by Bill Moritz. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **motion carried.**

**A motion to approve Change Order #3 for the Community Building Renovation Project in the amount of \$4795.00 for additional services involving HVAC** was offered by Randy Crisler and he so moved. Seconded by Jim Edwards. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **motion carried.**

Mr. Crisler left the council chamber at 7:48 pm.

**A motion to authorize staff to begin contract negotiations with Crawford, Bunte, and Brammeier to provide construction engineering services for the Missouri State Road and Astra Way reconstruction project for the City of Arnold** was offered by Jim Edwards and he so moved. Seconded by Bill Moritz. Roll call vote: Connell, yes; Edwards, yes; Crisler (out of the room); Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 7 yeas, **motion carried.**

Mr. Crisler returned at 7:52 pm.

**A motion to authorize staff to begin contract negotiations with Crawford, Bunte, and Brammeier to provide Construction engineering Services for the Missouri State Route 141 and Astra Way reconstruction project for the City of Arnold** was offered by Jim Edwards and he so moved. Seconded by Bill Moritz. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **motion carried.**

**A motion to hold a closed session immediately following the City Council meeting for the purpose of discussing personnel pursuant to RSMO Section 610.021 (1)** was offered by Paul Freese and he so moved. Seconded by Bob Lindsley. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, **motion carried.**

## **NEW BUSINESS**

Mr. Moss reported he had attended the P & Z meeting and sign ordinance was discussed. He stated he would like to have the business license applications have a space for e-mail addresses listed, so that the city could contact businesses when changes are made in the city. Diane Waller advised him this was already on the applications.

Dan Kroupa spoke highly of Dan Bish, the new Economic Development Planner and feels he has great potential.

## OLD BUSINESS

Mr. Moss talked about sign ordinance concerns. He would like to amend the code to allow A-frame sidewalk signs with city regulating the times allowed. It was suggested Mr. Unrein draft a letter to the businesses for their input and a poll was taken to proceed: 8 yeas. However, Cricky Lang informed him Ms. Holden has already done this. So, no letter will be needed.

Mr. Freese provided an update that due to policies and legal issues within the school district there is a snag with the sidewalk grant.

Mr. Kroupa spoke about the report showing tax revenues collected monthly and it appears some businesses don't pay. He feels this is not the case, it is more of a state issue and state could be holding on to the money rather than disbursing to cities.

Jim Edwards added the state has issues and is grasping at ways to get money and holding on to monies they have.

Randy Crisler shared a comment that if the fair tax passes, what a burden this is going to be for all.

## COMMITTEE REPORTS

Bob Lindsley reported there would be a Tourism meeting Wednesday, April 6<sup>th</sup>. Also stated there would be no Economic Development meeting in April.

Bill Moritz reported the Aging and Disability Commission was happy and thankful to see the bus up and running. He added the Commission is in need of a representative from Ward 2 and another at large.

Bill Moritz reported there had been a Liquor Control Committee meeting this evening. He offered a motion to recommend approval of a **liquor license for retail liquor by the drink and on Sunday for Café Arnold, 3946 Jeffco, with Cary Paporic as Managing Officer** and so moved. Seconded by Jim Edwards. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, motion carried.

He also reported there had been an application submitted from **Wehrenberg Theatre, 1912 Richardson Road with a Change in Managing Officer to Ronald P. Krueger**. He offered a motion to approve and so moved. Seconded by Jim Edwards. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsey, yes; 8 yeas, motion carried.

Additionally, there was an application from **ZRC dba Qdoba 905 Arnold Commons for a change in Managing Officer to Joyce Hurley** so a motion to approve was offered by Bill Moritz and he so moved. Seconded by Jim Edwards. Roll call vote: Connell, yes; Edwards, yes; Crisler, yes; Moritz, yes; Freese, yes; Lang, yes; Moss, yes; Lindsley, yes; 8 yeas, motion carried.

## **REPORTS FROM MAYOR & COUNCIL**

**Mayor Counts** – Elaborated on the need and desire for a Farmers Market and asked for volunteers to participate in an Ad Hoc committee. The EDC supports this.

**Ward 4 – Jason Connell** - No Report

**Ward 4 – Ken Moss** - stated Facebook and Twitter is fabulous but suggested we use some staff time to develop these sites to make them more informative and appealing with pictures and more information. He also recognized Councilman Connell for his service to the city.

**Ward 3 – Bob Lindsley** – Indicated he had been door-to-door campaigning and referred to the sump pump issues. Also shared comments that residents feel the Tenbrook guardrail is a public safety issue.

**Ward 3 – Paul Freese** – Thanked all the council members who have served.

**Ward 2 – Bill Moritz** - Acknowledged city still needs to address the traffic issues at Old Lemay Ferry and Richardson Road and do something to fix this. Shared a compliment regarding our non-smoking policy that folks come here so they don't have to deal with any smoke in a restaurant.

**Ward 2 – Jim Edwards** – Questioned Mr. Baker regarding the lights that are out on the lower Tenbrook Bridge.

**Ward 1 – Cricky Lang** – Reported that March is helmet awareness month and March 27<sup>th</sup> there will be a bike rodeo and provided details.

**Ward 1 – Randy Crisler** – Asked for police assistance in Starling Estates, as there is 4-wheeler traffic. Added he believes the no smoking ordinances have hurt our businesses.

**ADMINISTRATIVE REPORTS**

**City Administrator Matt Unrein** – Apologized for being late. Announced he had researched and there was an Ad Hoc Committee for Strawberry Creek. He suggested Parks and Leisure services could handle what they had been involved with.

**City Clerk Diane Waller** – No report.

**Chief Shockey** - Reported that after being persistent, MoDot has agreed to allow a flashing warning light, at the sight of the roundabout, once construction begins. He added they also indicate they have added 1 second to their yellow lights.

**Susie Boone** – Advised the Rec Center parking lot is to be sealed and striped on Easter Sunday. Reported winterized restrooms in the park are now open but one has a leak needing a repair. Also announced 5 trained volunteers from AAVP will assist with The Bike Rodeo.

**Christie Hull-Bettale** – Elaborated on the 2 conditional use permits – Snow Stop and Oasis Church. Mr. Mark Doering shared a diagram of the church property and questions, comments and discussion followed. Council took no further action, so permits stand.

**Bryson Baker** – Announced brush pickup will start Monday for Wards 1 and 2 and then Wards 3 and 4 would be picked up starting April 11<sup>th</sup>.

**Bob Sweeney** – No Report

**Deborah Lewis** – No Report

**Greg Hall** - No Report

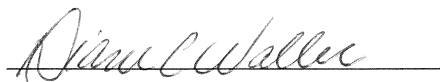
At 8:26 pm Mayor asked for 5-minute recess and then closed session.

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Came out of closed session at 8:42 pm.

A motion to close regular meeting was offered by Bill Moritz. Seconded by Randy Crisler. Voice Vote: all yeas.

Meeting ended at 8:42 pm.





CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 3/24/2011

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BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR: RON COUNTS

COUNCIL: JASON CONNELL

COUNCIL: JIM EDWARDS

COUNCIL: RANDY CRISLER

COUNCIL: BILL MORITZ

COUNCIL: PAUL FREESE

COUNCIL: CRICKY LANG

COUNCIL: KEN MOSS

COUNCIL: BOB LINDSLEY

ADMINISTRATOR: MATT UNREIN

CITY CLERK: DIANE WALLER

COM DEV DIR: CHRISTIE HULL-BETTALE

FINANCE DIR: DEBORAH LEWIS

CITY COUNSELOR BOB SWEENEY

ROLL CALL	ACCEPT 3/3/11 MINUTES	ACCEPT PAYROLL WARRANT #1103	ACCEPT GENERAL WARRANT #5543	BILL NO. 2457	BILL NO. 2458
PRESENT	-----	-----	-----	-----	-----
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT	YES	YES	YES	YES	YES
PRESENT					
PRESENT					
PRESENT					
PRESENT					
PRESENT					
PRESENT					

PARKS DIR: SUSIE BOONE

POLICE CHIEF: CHIEF SHOCKEY

PUBLIC WORKS: BRYSON BAKER

TREASURER: DAN KROUPA

DIR. OF ADMIN. GREG HALL

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

MEETING: REGULAR

DATE: 3/24/2011

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**BILL NO - RESOLUTION - MOTION**

	BILL NO. 2459	MOTION TO TABLE BILL NO. 2460	MOTION TO TABLE BILL NO. 2461	MOTION NO SIDEWALKS @3780 VOGEL	MOTION CHANGE ORDER #1 COMM BLDG	MOTION CHANGE ORDER #2 COMM BLDG
<b>COUNCIL MEMBERS:</b>						
<b>MAYOR:</b> RON COUNTS						
<b>COUNCIL:</b> JASON CONNELL	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> JIM EDWARDS	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> RANDY CRISLER	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> BILL MORITZ	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> PAUL FREESE	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> CRICKY LANG	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> KEN MOSS	YES	YES	YES	YES	YES	YES
<b>COUNCIL:</b> BOB LINDSLEY	YES	YES	YES	YES	YES	YES

**ADMINISTRATOR:** MATT UNREIN

**CITY CLERK:** DIANE WALLER

**COM DEV DIR:** CHRISTIE HULL-BETTALE

**FINANCE DIR:** DEBORAH LEWIS

**CITY COUNSELOR:** BOB SWEENEY

**PARKS DIR:** SUSIE BOONE

**POLICE CHIEF:** CHIEF SHOCKEY

**PUBLIC WORKS:** BRYSON BAKER

**TREASURER:** DAN KROUPA

**DIR. OF ADMIN.** GREG HALL



**CITY OF ARNOLD, MISSOURI**

MEETING: REGULAR

**ROLL CALL**

DATE: 3/24/2011

**BILL NO - RESOLUTION - MOTION**

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**COUNCIL MEMBERS:**

**MAYOR:** RON COUNTS

**COUNCIL:** JASON CONNELL

**COUNCIL:** JIM EDWARDS

**COUNCIL:** RANDY CRISLER

**COUNCIL:** BILL MORITZ

**COUNCIL:** PAUL FREESE

**COUNCIL:** CRICKY LANG

**COUNCIL:** KEN MOSS

**COUNCIL:** BOB LINDSLEY

**ADMINISTRATOR:** MATT UNREIN

**CITY CLERK:** DIANE WALLER

**COM DEV DIR:** CHRISTIE HULL-BETTALE

**FINANCE DIR:** DEBORAH LEWIS

**CITY COUNSELOR:** BOB SWEENEY

**PARKS DIR:**

**POLICE CHIEF:**

**PUBLIC WORKS:**

**TREASURER:**

**DIR. OF ADMIN.**

SUSIE BOONE

CHIEF SHOCKEY

BRYSON BAKER

DAN KROUPA

GREG HALL

	MOTION CHANGE ORDER #3 COMM BLDG	MOTION BEGIN NEGOTIATIONS W/ CRAWFORD, BUNTE, BRAMMEIER MO STATE- ASTRAWAY	MOTION BEGIN NEGOTIATIONS W/CRAWFORD,B UNTE,BREMMEI ER 141 - ASTRAWAY	MOTION TO HOLD CLOSED SESSION	MOTION APPROVE LIQ LIC @ CAFÉ ARNOLD	MOTION CHANGE LIQ LIC MGR OFFICER @ WEHREBERG
	-----	-----	-----	-----	-----	-----
	YES	YES	YES	YES	YES	YES
	YES	YES	YES	YES	YES	YES
	YES	OUT OF THE ROOM	YES	YES	YES	YES
	YES	YES	YES	YES	YES	YES
	YES	YES	YES	YES	YES	YES
	YES	YES	YES	YES	YES	YES
	YES	YES	YES	YES	YES	YES

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** REGULAR

**DATE:** 3/24/2011

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**BILL NO - RESOLUTION - MOTION**

**COUNCIL MEMBERS:**

**MAYOR:** RON COUNTS

**COUNCIL:** JASON CONNELL

**COUNCIL:** JIM EDWARDS

**COUNCIL:** RANDY CRISLER

**COUNCIL:** BILL MORITZ

**COUNCIL:** PAUL FREESE

**COUNCIL:** CRICKY LANG

**COUNCIL:** KEN MOSS

**COUNCIL:** BOB LINDSLEY

MOTION CHANGE LIQ LIC MGR OFFICER @ QDOBA					
-----					
YES					
YES					
YES					
YES					
YES					
YES					
YES					
YES					

**ADMINISTRATOR:** MATT UNREIN

**CITY CLERK:** DIANE WALLER

**COM DEV DIR:** CHRISTIE HULL-BETTALÉ

**FINANCE DIR:** DEBORAH LEWIS

**CITY COUNSELOR** BOB SWEENEY

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**DIR. OF ADMIN.** GREG HALL

