

City of Arnold, Missouri

Council Meeting
Council Chambers

May 7, 2009
7:30 p.m.

Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **April 16, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1054 - General Warrant #5498**
- 5.5 Mayor Pro Tem Revote
6. Business From the Floor
7. Ordinances
8. Resolutions
 - A. **Resolution 9-14:** A Resolution Establishing the Judy Drive Neighborhood Improvement District (NID).
 - B. **Resolution 9-15:** A Resolution Authorizing the Release of Sanitary Sewer Easement at "Market at Water Tower Place".
 - C. **Resolution 9-16:** A Resolution Establishing a Committee to Review Televising Council Meetings.
 - D. **Resolution 9-17:** A Resolution Authorizing the Mayor to enter into a Contract with Westport Pools.
9. Motions
 - A. A Motion to Amend the 2008-2009 Budget.
10. New Business
11. Old Business
12. Committee Reports
12. Reports from Mayor and Council
13. Administrative Reports
 - A. 2009-03, Conditional use Permit for a Call Center at 1524 Jeffco Blvd (Absolute Flooring) Planning Commission Recommendation.
 - B. Extension of Approval for Additional 160 Days, 2009-2 Widman Acres, Minor/Record Plat.

- C. 2009-02, Minor Record Plat for 3737 Telegraph Rd., Widman Acres Planning Commission Recommendation

15. Adjournment

**Next Regular Council Meeting May 21, 2009 at 7:30 p.m.
Next Work Session Meeting May 14, 2009 at 7:00 p.m.**

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REGULAR MEETING

May 7, 2009

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:30 PM

Mayor Ron Counts called the meeting to order at 7:30 pm.

The Pledge of Allegiance was recited.

Mayor Counts asked if any Council member wished to offer a prayer and no one responded so Mayor Counts then offered a prayer.

Those present per roll call taken by City Clerk Diane Waller: Lindsley, Connell, Hay, Crisler, Moritz, Poor, Deckman, Ems (excused), Unrein, Waller, Hull-Bettalle, Lewis, Sweeney, Boone, Shockey, Blue, Freese, and Hall.

ACCEPTANCE OF THE MINUTES:

Randy Crisler moved to **accept the minutes of the April 16, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Bob Lindsley.

There were some additions requested and they will be added as follows:

Ron Counts wanted it noted in the minutes that he had asked for Attorney Sweeney's advice on the secret vote. The attorney recommended that procedure. Bob Lindsley added Matt Hay was requested by the Mayor to serve on the televising of the council meetings committee. Bill Moritz stated Arnold Tenbrook was the road needing a name change, not Tenbrook. Diane Waller acknowledged she would reflect these corrections in the minutes.

Both councilmen that made the motion and seconded then amended their actions respectively. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman yes; Ems (excused), 7 yeas, **motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1054**. Randy Crisler moved to pay **payroll warrant #1054** pay period ending April 17 2009, in the amount of \$245,307.07 if the monies are available. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, **motion carried.**

City Clerk Diane Waller read **general warrant #5498** Bill Moritz moved to pay **general warrant #5498** in the amount of \$797,902.50 if the monies are available. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused); 7 yeas, **motion carried.**

MAYOR PRO-TEM

Mayor Counts stated council should **re-vote for Mayor Pro-Tem**. Attorney Sweeney recommended a motion be made and Bob Lindsley made a motion and so moved that council revote for the position. Seconded by Randy Crisler.

Randy Crisler then nominated Bob Lindsley, seconded by Matt Hay. He then moved to close nominations and accept by acclamation Bob Lindsley as Mayor Pro-tem. Seconded by Jerel Poor.

A motion was made by Randy Crisler **to accept by acclamation Bob Lindsley as Mayor Pro-Tem** and seconded by Jerel Poor.

Voice vote: all yeas.

BUSINESS FROM THE FLOOR

Mr. Elmer Marz, 1938 Redwood, complained of the trash and debris on the Outer Road and wanted it taken care of even though it is state maintained. He also commented on the ditch at the rear of his property that it is getting deeper.

Ms. Faith Welker, 2116 Doe Run, shared her ideas and suggestions on a volunteer program for our animal control department.

Mayor thanked her and said he would set this up for discussion at a work session.

Mr. Lloyd Rodgers, 861 Morningside, expressed concerns over the opening prayer rather than having a moment of silence in honor of someone or a silent prayer.

Mayor asked him if he objected to prayer and Mr. Rodgers indicated he did not, but was concerned that other residents might be offended.

Mr. Alan Flamm, 3633 Tenbrook, voiced his concern about the dangerous dark intersection at Tenbrook and Telegraph and asked that council take a look at this.

Mr. Gary Luebbers, 1890 Edgemont, shared that he had read a newspaper article indicating the possibility of an additional 1% sales tax to assist with storm water. He voiced his opposition to this idea stating our sales taxes are high enough and this would deter people spending money in Arnold.

Mayor agreed, we do not need to raise sales tax, but also added he was unaware of the particular article referred to.

Mr. Norman Moss, 2270 Fawn, also feels we should not raise sales tax, as doing so would really hurt on big-ticket items. City needs to come up with a better idea.

Ms. Doris Borgelt, 653 Louisa, read a prepared statement suggesting a closer look be taken at city finances.

ORDINANCES

None

RESOLUTIONS

RESOLUTION NO. 09-14 A RESOLUTION DETERMINING THE ADVISABILITY OF CERTAIN IMPROVEMENTS TO BE MADE, ORDERING THE ESTABLISHMENT OF JUDY DRIVE NEIGHBORHOOD IMPROVEMENT DISTRICT AND AUTHORIZING AND APPROVING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS CONSTITUTING THE JUDY DRIVE NEIGHBORHOOD IMPROVEMENT PROJECT was discussed. Jason Connell moved on this resolution. Seconded by Matt Hay. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, **Resolution passed.**

RESOLUTION NO. 09-15 A RESOLUTION AUTHORIZING THE RELEASE OF SANITARY SEWER EASEMENT AT “MARKET AT WATER TOWER PLACE” was discussed. Bill Moritz moved on this resolution. Seconded by Jason Connell. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused) 7 yeas. **Resolution passed.**

RESOLUTION NO. 09-16 A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE TO DEVELOP THE POLICIES FOR TELEVISIONING PUBLIC MEETINGS was offered by Bob Lindsley. Seconded by Jerel Poor. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused) 7 yeas, **Resolution passed.**

RESOLUTION NO. 09-17 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH WESTPORT POOLS, FOR THE CONSTRUCTION OF THE FACILITY AND MECHANICAL AUDIT PROCESS FERD B LANDG POOL PARKS AND RECREATION DEPARTMENT was offered by Bill Mortiz and he so moved. Seconded by Jason Connell. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, **Resolution passed.**

Mayor Ron Counts read a prepared statement indicating he has learned from the City Administrator that the city has a 1.5 million dollar deficit in spending in the budget. He stated the reasons he was given for this deficit and then provided details of what has transpired since learning of this and action he has taken and what he would like to see happen. He would like to see a forensic audit done as soon as possible. Mr. Counts then went on to say he is recommending to council to refuse to accept the 6 mos revised budgets until such time a forensic audit of the city budget is done.

He asked that Mr. Al Kirchofer of Dan Jones & Associates answer any questions the council may have.

Questions were asked as to how long an audit would take and the cost. There was a cost of not to exceed \$7500 discussed.

Question then arose about whether it was necessary to go out for bids etc. Discussion followed as some council members stated they were unaware of this deficit situation.

A motion was made by Randy Crisler to **waive normal bid procedures and ask staff to get bids for forensic audit services** and he so moved. Seconded by Matt Hay. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; Ems (excused), 7 yeas, **motion carried**.

A special council meeting could be held before the work session next week if bids/proposals need to be acted on.

Note: A motion to amend the 2008-2009 budget was not discussed as that item was removed from the agenda.

NEW BUSINESS

Mayor Counts stated he has asked Chief Shockey to evaluate security at City Hall and come up with a plan if needed.

Bill Moritz added our doors are ADA compliant but we might want to review this along with security measures.

Randy Crisler added that the incident at Kirkwood was indeed unfortunate but let's not overreact, but be cautious.

Mayor explained there are random acts of violence even at churches and he wants to be sure the city is doing what they can. He would rather be proactive.

Mayor Counts also asked Chief to review 911 sales tax and how it will effect operations of the city.

Bob Lindsley stated he had been out of town but had received calls regarding a story that aired on Channel 2 concerning a future park proposed in a flood plain and had questions.

Parks Director Susie Boone addressed his question by providing background of how the city had some old plans for a park and expressed her desire to submit these in hopes of obtaining some stimulus money. She added these were original plans from a long time ago and that Mr. Lindsley may remember them since he had served on the parks board. They had some revisions from the original plans.

Bill Moritz added our current park currently floods and if the money is there and we could get it, why not?

Joyce Deckman expressed her thanks to the Fire Department, Police Department and Ambulance personnel. She recently needed their services and appreciated their speedy response times.

Mayor added we have some of the finest emergency service personnel and complemented them for a job well done.

OLD BUSINESS

None

COMMITTEE REPORTS

Bill Moritz reported the liquor control committee had met earlier this evening. **Casa Mexicana has requested an outdoor patio license** and has fulfilled the requirements. Committee is recommending approval. He offered **a motion to allow them to serve alcohol outdoors and contact state for necessary licenses** and so moved. Seconded by Randy Crisler. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes; 7 yeas, **motion carried.**

Attorney Sweeney informed council that Jason Connell has a relationship with Anheuser Busch; however, he is allowed to vote on liquor issues.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts – Mayor spoke of last week’s visit with President Obama being quite an event. He commended the city for their efforts especially Chief Shockey and his officers. Also thanked Dianne Brown with the Fox C-6 School District.

Mayor added there are two upcoming events planned in Arnold on May 16th – the golf tournament and Main Event.

Ward 2 – Bill Moritz – Showed off his brick memento from the Stuart Building that has now been torn down. Thanked Community Development Department for their patience, professionalism and perseverance through it all.

Ward 3 – Bob Lindsley – Announced the new sewer committee should be put together by the next council meeting for approval. Reported he had met with Mr. Blue and Mr. Passig on storm water issues in Woodridge estates. He also met with residents on Starlite Drive concerned about the blasting and erosion caused by the new Foxwood subdivision. Mr. Lindsley suggested that maybe a gate could be placed there to keep folks out and stop the dumping. Storm water problems in Southernaire will be improved according to our Public Works Department.

Ward 1 – Randy Crisler – Advised there are two big events on the same day May 16 and they will need 4 golf carts to assist with the Main event.

Susie Boone stated she will see that they carts are available for their use.

Ward 2 – Jerel Poor – No Report

Ward 3 – Joyce Deckman – No Report

Ward 4 – Jason Connell – Thanked everyone involved with President Obama coming to Arnold and shared some impressive membership stats about our VFW.

Ward 1 – Matt Hay – Stated he hopes the volunteer Program with our animal shelter can happen.

Ward 1 - Councilman Randy Crisler encouraged all council members to visit Emil Drive and observe the speeding before the next council work session. They will then be familiar with the gravity of the situation over there.

ADMINISTRATIVE REPORTS

2009-03 Conditional use Permit for a call center at 1524 Jeffco Blvd (Absolute Flooring)

2009-2 Widman Acres, Minor/Record Plat

2009-02 Minor Record Plat for 3737 Telegraph Rd

Mr. Unrein stated that if there were any questions or comments from the council regarding these, now is the time to speak up. Christie Hull Bettalle had nothing more to add. Brief discussion and comments regarding the call center.

No objections were voiced so Conditional Use Permits stand approved.

City Administrator Matt Unrein – Offered the books are open for anyone to review.

Parks Director Susie Boone – No report

Christie Hull- Bettalle – No report

Jeff Blue – Stated he has applied for stimulus money. He also reported on the progress of the Richardson Road repairs and added repairs were stepped up to alleviate traffic when we learned that President Obama was coming. He has provided a notice to proceed to Landscape Technology for the design work for the exit area southbound 55 at 141.

Robert Sweeney – No report

Deborah Lewis – Offered that her door is open to anyone that has any finance related questions.

Greg Hall – No Report

Treasurer Paul Freese – No Report

Chief Shockey – Indicated he would not be in attendance for the Main Event as his daughter was graduating from college that day. Major Shular will be there in his absence.

Diane Waller – Stated she had received a request from Ron Lowry asking city's **permission to shoot off fireworks at the American Cancer Society Relay for Life on June 5, 2009 at Fox Campus.** In the past the city has allowed this. A motion was offered by Jerel Poor and seconded by Matt Hay. Roll call vote: Lindsley, yes; Connell, yes; Hay, yes; Crisler, yes; Moritz, yes; Poor, yes; Deckman, yes, Ems (excused), 7 yeas, **motion carried.**

Bill Moritz recognized and welcomed the new Officer working in the Council chamber tonight, Miss Shular.

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Regular meeting
May 7, 2009

A motion to close was offered by Bill Moritz. Seconded by Randy Crisler.
Voice vote: all yeas. Motion carried and meeting adjourned at 9:00 pm.

Respectfully submitted,

City Clerk