

# City of Arnold, Missouri

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## Public Hearing

- A. Annexation of the 2279 Lonedell Road
- B. Small Loan Business Regulation

May 21, 2009

7:30 p. m.

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## Council Meeting Council Chambers

Immediately Following the Public Hearing

### Amended Agenda

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **May 7, 2009**
5. Acceptance Of Warrants: **Payroll Warrant #1055 - General Warrant #5499**
6. Business From the Floor
7. Ordinances
  - A. **Bill No. 2341:** An Ordinance Providing for Annexation of Territory at 2279 Lonedell Road; Extending the City Limits to include the Annexation Area Within the City Limits and Authorizing City Services to be Provided to the Annexation Area.
  - B. **Bill No. 2342:** An Ordinance Amending the Zoning Ordinance, Bill No. 285 Ordinance No. 14.2 Relating to Pay/Day Check Cashing/Title Loan/Small Business.
8. Resolutions
  - A. **Resolution 09-18:** A Resolution Engaging Hochschild, Bloom & Company LLP for Professional Accounting Services to Review the FY2009 Budget for the City of Arnold.
  - B. **Resolution 09-19:** A Resolution Selecting Linomaz and Associates as an Insurance Benefit Broker/Consulting Firm for the Employee Benefit Plans.
  - C. **Resolution 09-20:** A Resolution Extending a Construction Contract with Missouri Petroleum Products LLC for 2009 Aggregate Sealcoat Street Repair Project.
  - D. **Resolution 09-21:** A Resolution Encouraging the St. Louis Post Dispatch in Their Efforts to Keep Area Jobs in St. Louis.
9. Motions
  - A. A Motion Regarding Group Health Insurance.
  - B. A Motion Awarding Bid to Trafficlogix for Prefabricated Modular Speed Tables.
  - C. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Personnel and Real Estate Pursuant to RSMo Section 610.021 (3), (2).
  - D. A Motion Authorizing the Mayor to Execute a Certification endorsing an application for the Missouri Tax Credit Program.

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

**Next Regular Council Meeting June 4, 2009 at 7:30 p.m.**  
**Next Work Session Meeting June 11, 2009 at 7:00 p.m.**

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May 20, 2009

**REGULAR MEETING**

**May 21, 2009**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:45 PM**

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Mayor Ron Counts called the meeting to order at 7:45 pm.

The Pledge of Allegiance was recited.

Mayor Counts announced Bill Moritz would lead with an opening prayer.

Mr. Moritz reflected and paid tribute to Mr. George McNamara who recently died. He was one of the first councilmen appointed when the city began and also served other terms. Mr. Moritz also provided history on the Memorial Day (Decoration Day) and how this day came to be. He asked that everyone offer a silent prayer or moment of silence.

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

**ACCEPTANCE OF THE MINUTES:**

Jason Connell moved to **accept the minutes of the May 7, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor.

Mr. Moritz requested a change on Page 4 where the front doors of City Hall were identified as not ADA compliant. This will be corrected and the word NOT removed. Both councilmen that made the motion and seconded then amended their actions respectively. Roll call vote: Connell, yes; Lindsley, yes; Deckman yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), 7 yeas, **motion carried**.

**ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read **payroll warrant #1055**. Joyce Deckman moved to pay **payroll warrant #1055** pay period ending May 1 2009, in the amount of \$238,976.10 if the monies are available. Seconded by Jerel Poor. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), 7 yeas, **motion carried**.

City Clerk Diane Waller read **general warrant #5499**. Randy Crisler moved to pay **general warrant #5499** in the amount of \$577,604.55 if the monies are available. Seconded by Bob Lindsley. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused); 7 yeas, **motion carried**.

## **BUSINESS FROM THE FLOOR**

**Mr. Jim Edwards**, 3338 Boca Raton, expressed thanks to Jeff Blue for the time he has spent serving Arnold and added he would be missed.

**Mr. Lloyd Rodgers**, 861 Morningside, read part of a newspaper article reporting on the recent activities honoring those fallen officers in law enforcement. He encouraged everyone to honor those serving on a daily basis and respect them. He also added May is Older American Month and we should pay tribute to those over 65.

**Mr. Mike Selby**, 745 Irene, read a prepared statement concerning the damages he has incurred as a result of the water coming from the city street. This has been an ongoing problem and city is aware of it but it doesn't get corrected.

Mr. Crisler acknowledged the problem and agrees the city needs to get this corrected.

Mr. Blue reported the engineering design has been completed and the work will be starting sometime in the future.

**Mr. Steve Fink**, 751 Irene, a neighbor of Mr. Selby agreed with the problems and indicated he too is having water issues and would appreciate any help soon from the city.

Mayor advised the city is working on a solution.

**Ms. Doris Borgelt**, 653 Louisa, said goodbye to Jeff Blue and reminded council that the Mayor had requested a forensic audit at the last meeting. In looking at tonight's agenda she did not feel the same company that already audits the city should be chosen to do this.

**Ginger Borrini**, 1653 Kirham, spoke on behalf of the residents concerned about their safety because of the dangerous intersection at Lonedell and Old Missouri State Road. She had a petition and is asking the city's help, as there have been plenty of near misses and reported it is a safety issue that needs addressing.

Chief Shockey added that he thought Mo.State Road is owned by the state. However, Mr. Blue added that city owns that intersection and maybe something could be done. He would contact CBB and would also check to see if maybe there would be some grant money out there to help us.

Bill Moritz questioned if city had a traffic study from a few years ago and Mr. Unrien will research this.

## **ORDINANCES**

**BILL NO. 2341 AN ORDINANCE PROVIDING FOR ANNEXATION OF TERRITORY AT 2279 LONEDELL ROAD, EXTENDING THE CITY LIMITS TO INCLUDE THE ANNEXATION AREA WITHIN THE CITY LIMITS AS DESCRIBED IN EXHIBIT A; ZONING SAID PROPERTY R-3 RESIDENTIAL; AND AUTHORIZING CITY SERVICES TO BE PROVIDED TO THE ANNEXATION AREA** was read twice by City Clerk Diane Waller. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **ordinance passed.**

**BILL NO. 2342 AN ORDINANCE AMENDING THE ZONING ORDINANCE, BILL NO. 285, ORDINANCE NO. 14.2 RELATING TO PAY DAY/CHECK CASHING/TITLE LOAN/SMALL LOAN BUSINESS** was read twice by City Clerk Diane Waller and discussed. Roll call vote: Connell, no; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, no; Crisler, yes; Hay, no; Ems (excused), 4 yeas, 3 nays, **ordinance failed.**

## **RESOLUTIONS**

**RESOLUTION NO. 09-18 A RESOLUTION ENGAGING HOCHSCHILD, BLOOM AND COMPANY LLP FOR PROFESSIONAL ACCOUNTING SERVICES TO REVIEW THE FY2009 BUDGET FOR THE CITY OF ARNOLD** was discussed.

Greg Hall explained how the city had gone out for bids. Mike Williams, a partner with Hochschild, Bloom and Company LLP was introduced. He provided background on the city audit processes. Many questions and discussion followed regarding the confusion on just what was requested at the last meeting (forensic audit) and what was really being asked for. There were issues and questions regarding the use of proper terminology when referring to a forensic audit and the intention of reviewing budget processes.

Matt Hay offered a motion to amend this resolution and issue the contract to Dan Jones and Associates and so moved. Seconded by Jerel Poor.

Attorney Sweeney advised the motion should clearly state why this action was being taken. He advised that based on the fact that Hochschild, Bloom and Company LLP has a previous relationship with the city, and based on the desire to have a completely independent review (a fresh set of eyes for lack of a better phrase), move to reject the low bid and reject the staff recommendation and engage the only other qualified bidder, Daniel Jones and Associates.

Mr. Hay and Mr. Poor amended their motion and second to include as part of the motion Mr. Sweeney's clarification and reasoning. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), 7 yeas, **Resolution passed.**

**RESOLUTION NO. 09-18 as amended to employ Dan Jones and Associates LLC.** Randy Crisler so moved. Seconded by Bill Moritz. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **resolution passed.**

**RESOLUTION NO. 09-19 A RESOLUTION SELECTING LINOMAZ AND ASSOCIATES AS AN INSURANCE BENEFIT BROKER/CONSULTING FIRM FOR THE EMPLOYEE BENEFIT PLANS** was discussed. Bill Moritz moved on this resolution. Seconded by Randy Crisler. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas. **Resolution passed.**

**RESOLUTION NO. 09-20 A RESOLUTION EXTENDING A CONSTRUCTION CONTRACT WITH MISSOURI PETROLEUM PRODUCTS COMPANY LLC FOR THE 2009 AGGREGATE SEALCOAT STREET REPAIR PROJECT** was discussed.

Mr. Sweeney stated for the record, that Mr. Blue had gone out for bid in 2007; council extended in 2008 and is now extending an additional year. If city was to go out now for bid, the prices could be considerably higher.

Matt Hay **moved** on this resolution. Seconded by Jason Connell. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **Resolution passed.**

**RESOLUTION NO. 09-21 A RESOLUTION ENCOURAGING THE ST. LOUIS POST DISPATCH IN THEIR EFFORTS TO KEEP AREA JOBS IN ST. LOUIS** was discussed. A motion was offered by Bob Lindsley to amend for clarification purposes and add in parenthesis St. Louis Post Dispatch where it is referred to as "its" and he so moved. Seconded by Joyce Deckman. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), 7 yeas, **Resolution passed.**

**RESOLUTION NO. 09-21 AS AMENDED.** Bob Lindsley moved. Seconded by Joyce Deckman. Roll Call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **resolution passed.**

Attorney Sweeney left the room at 8:48 and returned at 8:50 pm

## **MOTIONS**

A motion regarding **group health insurance** was discussed. Bob Lindsley offered a motion **to award United Healthcare the contract** for providing group health benefits for the city of Arnold employees for the year beginning June 1, 2009 and so moved. Seconded by Joyce Deckman. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **motion carried.**

A motion regarding the **purchase of modular speed control devices** was discussed. Randy Crisler offered a motion to award the bid for the materials to **Trafficlogix**, being the sole source vendor, in the amount of \$14,660 and so moved. Seconded by Matt Hay. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **motion carried.**

Attorney added that the money to pay for this purchase comes from undesignated reserves.

Council requested signage to alert the drivers of the upcoming speed control devices.

Mayor requested a **closed session** immediately following tonight's City Council Meeting for the purpose of **Discussing Personnel and Real Estate pursuant to RSMo Section 610.021 (3) and (2).**

A motion authorizing the Mayor to execute a **certification endorsing an application for the Missouri Tax credit Program** was discussed. Bill Moritz offered a motion and he so moved. Seconded by Matt Hay. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused), 7 yeas, **motion carried.**

## **NEW BUSINESS**

Jason Connell asked if a report could be provided at the next meeting regarding a traffic study at the Lonedell and Old Mo State Road intersection.

Bob Lindsley asked if there might be stimulus money for the Flamm City park area.

Mayor Counts announced Mr. Simpson would like to speak at the next worksession regarding cable changes.

## **OLD BUSINESS**

Randy Crisler reported on the progress of the Bus program and added it is promising.

Bill Moritz asked if Mr. Hall would give an update on the Ozark Bridge project.

## **COMMITTEE REPORTS**

Bill Moritz reported the liquor control committee had met earlier this evening. **Qdoba Restaurant, 905 Arnold Commons Drive**, managing officer Joe Kelly, has requested both an **indoor and outdoor patio license for 5% malt liquor by the drink and on Sunday** and has fulfilled the requirements. Committee is recommending approval. Bill Moritz offered a motion to approve their license application and so moved. Seconded by Matt Hay. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **motion carried.**

Bill Moritz also reported **liquor license renewals** were discussed per the **attached** documents. Committee is recommending approval for those on the attached list. He offered a motion and so moved. Seconded by Matt Hay. Roll call vote: Connell, yes; Lindsley, yes; Deckman, yes; Moritz, yes; Poor, yes; Crisler, yes; Hay, yes; Ems (excused) 7 yeas, **motion carried.**

Bill Moritz then reported on the recent meeting with **Aging and Disability Commission**. He reported that the bus transportation serving the area would be welcomed.

Bob Lindsley stated there had been a Tourism Meeting but he was not able to attend. He reported that he should have names for appointment consideration to the sewer rate review board and a resolution for the next meeting.

Joyce Deckman stated she had attended the CCI meeting and Mr. Simpson would like to come and address the council.

Jason Connell shared that P & Z is looking to redefine mobile homes, prefabricated homes and modular homes.

## **REPORTS FROM MAYOR AND COUNCIL**

Mayor Counts – Reported he had attended the Main Event last Saturday and added it was a lot of fun. He hopes the event will remain in Arnold. Also wished Jeff Blue the best in his new venture.

Ward 2 – Bill Moritz – Reported he has learned the Social Security office here in Arnold is consolidating and will be moving.

Ward 3 – Bob Lindsley – Wished Mr. Blue good luck!

Ward 1 – Randy Crisler – Stated the Main Event was excellent and there is talk of moving the event and we should know something about this soon. He wished Mr. Blue well as he moves on pursuing his dream.

Ward 2 – Jerel Poor – Stated Mr. Blue will be missed

Ward 3 – Joyce Deckman – Dittoed the well wishes for Mr. Blue that have already been offered

Ward 4 – Jason Connell – Indicated he loved Colorado and had lived there, so Mr. Blue should enjoy being there too.

Ward 1 – Matt Hay – Asked that the city should do what they can to salvage the main event.

Jokingly added we could have our own main event and rather than use Police vs. Fire, have council fight. Also wished Mr. Blue the best and said he would be missed.

## **ADMINISTRATIVE REPORTS**

City Administrator Matt Unrein – Reported the Missouri Municipal League has informed us that Senate Bill 242 has passed and will see how this impacts our storm water fund.

Chief Shockey – Stated his officers will be at the Old Mo State Rd and Lonedell intersection and there will be zero tolerance for offenders.

Parks Director Susie Boone – Reported outdoor pools are ready to go and Lang Pool is losing water. Westport will be here soon with there report. Added Jeff Blue will be missed.

Mary Holden – Reported mosquito spraying will begin once temperatures allows. Wished Jeff Blue good luck and it has been great working with him.

Jeff Blue – Had provided a memo regarding signage and thanked both staff and council for their support during his time here. Displayed both the new and old signs.

Robert Sweeney - Stated he and Mary Holden are modifying requirements for the new developments regarding signage to comply with new federal requirements. Thanked Mr. Blue for all he had done.

Deborah Lewis – Indicated all has been said to Jeff Blue. She offered the OPEB regulations study to anyone interested.

Greg Hall – wished Jeff Blue the best and said he would be remembered best for all the work on Church Road. Advised all the front doors have been adjusted but please be sure doors are closed when using the building. Referred to Mr. Moritz comments about the Ozark Bridge project and advised there are some difficulties with relocating utilities.

Diane Waller – Thanked Mr. Blue and stated he was a joy to work with. Added she and Mr. Sweeney are updating the city ordinances regarding solicitors and those going door to door. They hope to discuss this at the next work session.

A motion to close was offered by Bob Lindsley. Seconded by Randy Crisler  
Voice vote: all yeas. Motion carried and meeting adjourned at 9:28 pm.

Respectfully submitted,

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City Clerk