

City of Arnold, Missouri

**Public Hearing
Council Chamber**

**May 15, 2014
7:00 p.m.**

- A. 2014-04 Zoning Code Amendment to C-2 and C-3 Commercial District Conditional Uses Regarding Pay Day, Title, Consumer Installment and Small Loans and Adding Definitions.

Council Meeting

Immediately Following the Public Hearing

Amended Agenda

1. Pledge of Allegiance:
2. Opening Prayer: **Grace Free Will Baptist Church – Lindell (Ray) Stacey**
3. Roll Call:
4. Acceptance of Minutes: **May 1, 2014**
5. Acceptance of Warrants: **Payroll Warrant #1185 - General Warrant #5619**
6. Business From the Floor:
7. Ordinances:
 - A. **Bill No 2581:** An Ordinance Amending the Appendix B, Zoning Ordinance, Section 6 Schedule of District Regulations, C-2 and C-3, and Section 18 Definitions, Ordinance No. 14.2 Relating to Pay Day, Title, Consumer Installment and Small Loan Businesses.
 - B. **Bill No. 2582:** An Ordinance Amending the City Code Chapter 17- Offenses, Article II. – Offenses Against Public Order to Regulate Panhandling.
 - C. **Bill No. 2583:** An Ordinance Amending the City Code Chapter 2-Administration, Article II. – City Council, Division 3 – Rules of Procedure to Change the Order of Business at City Council Meetings.
 - D. **Bill No. 2584:** An Ordinance Amending the City Code Chapter 2–Administration, Article II. – City Council, Division 3 – Rules of Procedure to Allow Video Conference Voting at Public Meetings.
 - E. **Bill No. 2585:** An Ordinance Amending the City Code Chapter 17-Offenses, Article II. – Offenses Against Public Order to Comply with RSMo Chapter 571, Regarding Concealed Weapons.

8. Resolutions:

- A. **Resolution No. 14-23:** A Resolution Authorizing the Mayor to Purchase Shoring Equipment from Mahoney's Equipment LLC for the City's Sanitary Sewer Department for use in Deep Sanitary Sewer Repair Projects for the City of Arnold.
- B. **Resolution No. 14-24:** A Resolution Authorizing the Mayor to Enter into a Contract with American Building Environments, LLC to Design/Build Services for the Installation of New HVAC Equipment for the Animal/Health Building Project for the City of Arnold.
- C. **Resolution No. 14-25:** A Resolution Authorizing the Mayor to Enter into an Added Change Order with Bates Utility Company, Inc. to Provide Construction Services for the Sanitary Sewer Manhole Cured in Place Rehabilitation Project (MCIPR) for the City of Arnold.
- D. **Resolution No. 14-26:** A Resolution Authorizing an Agreement Between the City and the Hwy. 141/67 Transportation District for the Reimbursement of Cost Related to the Design and Reconstruction of Lone Star Drive, Right of Way and Other Improvements.
- E. **Resolution No. 14-27:** A Resolution Appointing Alton Harlan Bell to the Police Personnel Board for a Two-Year Term.
- F. **Resolution No. 14-28:** A Resolution Establishing Policy and Guidelines During City Council Meetings in Order to Increase Safety and Incorporate Recent Updates to Missouri State Statutes. This Resolution shall be known and Cited as the Fulbright Safe and Modern Meetings Act.

9. Motions:

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 5, 2014 at 7:00 p.m.
Next Work Session June 12, 2014 at 7:00 p.m.

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

The Pledge of Allegiance was recited.

Lindell (Ray) Stacey from Grace Free Will Baptist Church offered the opening prayer.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, McArthur, Cooley, Freese, Plunk, Crisler, Fulbright, Amato, Coleman, Richison (arrived 7:07 p.m.), Casey, Holden, Lewis, Sweeney, Boone, Blattner, Kroupa, Hall (excused) and Shockey.

ACCEPTANCE OF MINUTES

Paul Freese made a motion to approve the minutes from the May 1, 2014 meeting and so moved. Seconded by Nancy Crisler. Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Motion carried.**

ACCEPTANCE OF WARRANTS:

City Clerk Tammi Casey read Payroll Warrant No. 1185. **Butch Cooley made a motion and moved to pay Payroll Warrant #1185 in the amount of \$266,713.85.** Seconded by Gary Plunk. Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Motion carried.**

City Clerk Tammi Casey read General Warrant No. 5619. **Mary Elizabeth Coleman made a motion and moved to pay General Warrant No. 5619 in the amount of \$626,303.60 if monies are available.** Seconded by Jason Fulbright. Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Motion carried.**

BUSINESS FROM THE FLOOR

Mayor explained the procedure to speak that is set by ordinance and the need to provide speaker cards.

NO ONE SPOKE

ORDINANCES

BILL NO. 2581 – AN ORDINANCE AMENDING THE APPENDIX B, ZONING ORDINANCE, SECTION 6 SCHEDULE OF DISTRICT REGULATIONS, C-2 AND C-3, AND SECTION 18 DEFINITIONS, ORDINANCE NO. 14.2 RELATING TO PAY DAY, TITLE, CONSUMER INSTALLMENT AND SMALL LOAN BUSINESSES was read twice by City Clerk Tammi Casey. It was noted by Mary Holden that Section 1, #2 should also read “consumer installment /small loan businesses”. It was inadvertently left out of that section, but will be corrected, as it reads this way throughout the rest of the ordinance. This scrivener’s error will be corrected.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Ordinance passed.**

BILL NO. 2582 – AN ORDINANCE AMENDING THE CITY CODE CHAPTER 17 – OFFENSES, ARTICLE II- OFFENSES AGAINST PUBLIC ORDER TO REGULATE PANHANDLING was read twice by City Clerk Tammi Casey.

Paul Freese made note that the ordinance had been modified to include the verbiage, in Section 3-Penalties on page 3 of the ordinance, “but community services may be ordered in lieu of any other penalty. Community service shall be coordinated by the City Administrator.” Questions and comments followed from the council.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, no; 7 yeas, 1 nay: **Ordinance passed.**

BILL NO. 2583 – AN ORDINANCE AMENDING THE CITY CODE CHAPTER 2-ADMINISTRATION, ARTICLE II - CITY COUNCIL, DIVISION 3 - RULES OF PROCEDURE TO CHANGE THE ORDER OF BUSINESS AT CITY COUNCIL MEETINGS was read twice by City Clerk Tammi Casey.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, no; Coleman, yes; 7 yeas, 1 nay: **Ordinance passed.**

BILL NO. 2584 – AN ORDINANCE AMENDING THE CITY CODE CHAPTER 2-ADMINISTRATION, ARTICLE II - CITY COUNCIL, DIVISION 3 – RULES OF PROCEDURE TO ALLOW VIDEO CONFERENCE VOTING AT PUBLIC MEETINGS was read twice by City Clerk Tammi Casey.

Jason Fulbright explained this ordinance would allow video conferencing during council meetings affording absent council members the ability to vote and participate during the meetings. Questions and comments followed by council.

Phil Amato made a motion and so moved to amend Bill No. 2584 to read that passing of this ordinance would not be used to obtain a quorum. Motion died for lack of a second.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, no; Coleman, yes; 7 yeas, 1 nay: **Ordinance passed.**

BILL NO. 2585 – AN ORDINANCE AMENDING THE CITY CODE CHAPTER 17 – OFFENSES, ARTICLE II – OFFENSES AGAINST PUBLIC ORDER TO COMPLY WITH RSMo CHAPTER 571, REGARDING CONCEALED WEAPONS was read twice by City Clerk Tammi Casey.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Ordinance passed.**

RESOLUTIONS

RESOLUTION NO. 14-23 – A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE SHORING EQUIPMENT FROM MAHONEY’S EQUIPMENT LLC FOR THE CITY’S SANITARY SEWER DEPARTMENT FOR USE IN DEEP SANITARY SEWER REPAIR PROJECTS FOR THE CITY OF ARNOLD

Jason Fulbright made a motion and so moved to approve Resolution No. 14-23. Seconded by Paul Freese. Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Resolution passed.**

RESOLUTION NO. 14-24 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH AMERICAN BUILDING ENVIRONMENTS, LLC TO DESIGN/BUILD SERVICES FOR THE INSTALLATION OF NEW HVAC EQUIPMENT FOR THE ANIMAL/HEALTH BUILDING PROJECT FOR THE CITY OF ARNOLD

Phil Amato made a motion and so moved to approve Resolution No. 14-24. Seconded by Gary Plunk. Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Resolution passed.**

RESOLUTION NO. 14-25 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ADDED CHANGE ORDER WITH BATES UTILITY COMPANY, INC. TO PROVIDE CONSTRUCTION SERVICES FOR THE SANITARY SEWER MANHOLE CURED IN PLACE REHABILITATION PROJECT (MCIPR) FOR THE CITY OF ARNOLD.

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Resolution passed.**

RESOLUTION NO. 14-26 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY AND THE HWY. 141/67 TRANSPORTATION DISTRICT FOR THE REIMBURSEMENT OF COST RELATED TO THE DESIGN AND RECONSTRUCTION OF LONE STAR DRIVE, RIGHT OF WAY AND OTHER IMPROVEMENTS

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Resolution passed.**

RESOLUTION NO. 14-27 – A RESOLUTION APPOINTING ALTON HARLAN BELL TO THE POLICE PERSONNEL BOARD FOR A TWO-YEAR TERM

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, yes; 8 yeas: **Resolution passed.**

RESOLUTION NO. 14-28 – A RESOLUTION ESTABLISHING POLICY AND GUIDELINES DURING CITY COUNCIL MEETINGS IN ORDER TO INCREASE SAFETY AND INCORPORATE RECENT UPDATES TO MISSOURI STATE STATUTES. THIS RESOLUTION SHALL BE KNOWN AND CITED AS THE FULBRIGHT SAFE AND MODERN MEETINGS ACT

Roll call vote: McArthur, yes; Cooley, yes; Freese, yes; Plunk, yes; Crisler, yes; Fulbright, yes; Amato, yes; Coleman, no; 7 yeas, 1 nay: **Resolution passed.**

MOTIONS

NONE

NEW BUSINESS

None

OLD BUSINESS

Paul Freese asked for an update to our grant application with East-West Gateway. Bryan Richison informed the council that our grant application for intersection improvements at Jeffco and Tenbrook was not on the list of approved applications. Mr. Richison recently attended a Jefferson County Economic Development Council meeting and it seems a lot of applications from Jefferson County were not approved. There were a very high number of applications received. The City can always re-apply at a later time. Mary Holden reminded the council that the Safe Routes to School grant application was turned down the first time also. We can always re-apply.

COMMITTEE REPORTS

Phil Amato invited Randy Hoselton to the microphone to give an update from the Veterans Commission. Mr. Hoselton informed council that the Friends for Flags Initiative has launched and they have already distributed 5 kits to area businesses.

Dan Kroupa stated that the Finance Committee met last week and discussed going out for bid for City banking services. Deborah Lewis will be researching costs involved in changing banks so that we are more informed when receiving bids for the services themselves. You must also consider the costs of changing banks, as it is a big undertaking. Mr. Kroupa also complimented the Mayor on his Finance Committee appointments this year.

Jason Fulbright informed the council that the Economic Development Committee met earlier this evening. They discussed ways to spur economic development within the city. Some of these ideas were to hold another economic development summit in the fall, look into co-working space and a possible food trucks event. Mr. Fulbright asked if there were any objections to the committee ratifying these items that came from their meeting tonight and moving forward with their research of these ideas. There being no objection, the committee will continue their work on these ideas.

REPORTS FROM MAYOR & COUNCIL

Mayor Ron Counts – Congratulated Susie Boone on the success of the Farmers Market last Saturday. It was so busy that he even helped park cars that day. He also complimented Mary Holden on her work with Fox 2 News regarding their story on euthanasia's performed at area Animal Control Centers. Fox 2 News interviewed Ms. Holden as a success story because the City of Arnold has one of the lowest percentages of euthanasia's in the area. Mayor Counts stated he contributes much of that success to the leadership of Mary Holden.

Ward 2 – Mary Elizabeth Coleman – Thanked Nancy Crisler for her hard work and dedication in regards to her involvement with the City's Animal Control facility.

Ward 3 – Phil Amato – Apologized to Nancy Crisler for making the motion himself on Resolution 14-24. He should have let her take the lead on that motion, as she has done so much work regarding the Animal Control facility. He thanked Nancy, Mary Holden and Susie Boone for their hard work in helping the animals.

ADMINISTRATIVE REPORTS

Chief Robert Shockey – Thanked Phil Amato and Mayor Counts for attending today's Law Enforcement Memorial. Two of Arnold's law enforcement officials who were killed in the line of duty in the 1970's were honored at today's event. This event occurs every year on May 15th. Our State Representative has introduced a bill into legislation that will rename part of Highway 55 by Fox Schools after Steve Jarvis, who was killed in the line of duty along that part of the highway. This should occur sometime this summer. There will be a fund raiser to help pay for the sign.

City Administrator, Bryan Richison – Informed the council that he, Gary Plunk and Nancy Crisler will be in Jefferson City on June 12th and 13th to attend the MML Elected Officials Training Conference. The June work session is on the 12th and asked if there were any objections to changing the date of the work session to Wednesday, June 11th so that they may attend. There being no objections, the June work session will be moved to Wednesday, June 11th. Mr. Richison also wanted to commend the Mayor and his wife on their hard work in making the Farmers Market a success. Susie Boone and Teresa Kohut do a great job, but the Mayor and his wife do not take enough credit for their efforts. He also echoed the wonderful comments towards Mary Holden and staff in regards to their efforts with Animal Control. He knows that Mary will say it is only possible because of the rescue groups that assist in placing animals, but Mary and her staff work very hard at making our Animal Control a success.

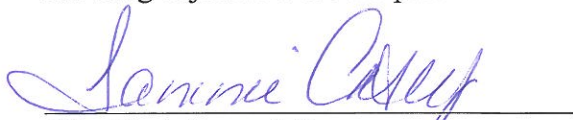
Susie Boone – Informed council that it appears, as of today, that the outdoor pool at the Recreation Center did not sustain any major damage over the winter. There were two small leaks and they have been repaired. Food trucks have already been assigned to the July 4th celebration and more will be added. She also wanted to inform everyone that the 9-11 memorial at the Recreation Center has made it into the 9-11 museum located in New York City.

Mary Holden – Thanked everyone for their kind words. She stated that Bryan is correct; the bulk of the credit for the City's Animal Control facility is due to the rescue groups that advertise and help place animals. She was very happy that Arnold was showcased in such a positive light.

Ed Blattner – Stated that access to City Hall will be very limited this Saturday as the parking lot is scheduled to be re-striped. Mr. Blattner is also working on the specs for the above ground diesel storage tank. The cost for the tank itself could be over \$15,000 and the entire project could reach \$30,000 to \$40,000. He is letting council know now so they won't be shocked when they see the actual report.

A motion to adjourn meeting was made by Paul Freese. Seconded by Nancy Crisler.

Meeting adjourned at 8:10 pm.



City Clerk Tammi Casey

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 5/15/2014

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BILL NO - RESOLUTION - MOTION

		ROLL CALL	5/1/2014 MINUTES	PAYROLL WARRANT NO. 1185	GENERAL WARRANT NO. 5619	BILL NO. 2581	BILL NO. 2582
COUNCIL MEMBERS:							
MAYOR	RON COUNTS	PRESENT					
COUNCIL:	BRIAN MCARTHUR	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	BUTCH COOLEY	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	PAUL FREESE	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	GARY PLUNK	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	NANCY CRISLER	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	JASON FULBRIGHT	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	PHIL AMATO	PRESENT	YES	YES	YES	YES	YES
COUNCIL:	MARY ELIZABETH COLEMAN	PRESENT	YES	YES	YES	YES	NO
CITY ADMINISTRATOR	BRYAN RICHISON	ARRIVED 7:07	PARKS DIR:		SUSIE BOONE	PRESENT	
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:		ED BLATTNER	PRESENT	
COM DEV	MARY HOLDEN	PRESENT	TREASURER:		DAN KROUPA	PRESENT	
FINANCE DIR:	DEBORAH LEWIS	PRESENT	DIR. OF ADMIN.		GREG HALL	PRESENT	
CITY COUNSELOR	BOB SWEENEY	PRESENT	POLICE DEPT.		CHIEF SHOCKEY	PRESENT	

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR

DATE: 5/15/2014

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BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

MAYOR

RON COUNTS

COUNCIL:

BRIAN MCARTHUR

YES

YES

YES

YES

YES

YES

COUNCIL:

BUTCH COOLEY

YES

YES

YES

YES

YES

YES

COUNCIL:

PAUL FREESE

YES

YES

YES

YES

YES

YES

COUNCIL:

GARY PLUNK

YES

YES

YES

YES

YES

YES

COUNCIL:

NANCY CRISLER

YES

YES

YES

YES

YES

YES

COUNCIL:

JASON FULBRIGHT

YES

YES

YES

YES

YES

YES

COUNCIL:

PHIL AMATO

NO

NO

YES

YES

YES

YES

COUNCIL:

MARY ELIZABETH COLEMAN

YES

YES

YES

YES

YES

YES

CITY ADMINISTRATOR

BRYAN RICHISON

PARKS DIR:

SUSIE BOONE

CITY CLERK

TAMMI CASEY

PUBLIC WORKS:

ED BLATTNER

COM DEV

MARY HOLDEN

TREASURER:

DAN KROUPA

FINANCE DIR:

DEBORAH LEWIS

DIR. OF ADMIN.

GREG HALL

CITY COUNSELOR

BOB SWEENEY

POLICE DEPT.

CHIEF SHOCKEY

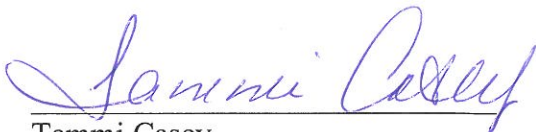
The Public Hearing was called to order by Mayor Counts at 7:00 p.m. City Clerk Tammi Casey made note of those in attendance: Mayor Counts, McArthur, Cooley, Freese, Plunk, Crisler, Fulbright, Amato, Coleman, Casey, Holden, Lewis, Sweeney, Boone, Blattner, Kroupa, Shockey.

2014-04 ZONING CODE AMENDMENT TO C-2 AND C-3 COMMERCIAL DISTRICT CONDITIONAL USES REGARDING PAY DAY, TITLE, CONSUMER INSTALLMENT AND SMALL LOANS AND ADDING DEFINITIONS

Community Development Director Mary Holden spoke briefly. This was discussed at the April 8, 2014 Planning Commission meeting. A public hearing was held and no one spoke at the public hearing. There was little discussion. The Planning Commission is forwarding a recommendation of approval by a vote of 6-0 with the findings as outlined in the staff report.

No comments from council or public.

Hearing ending at 7:02.



Tammi Casey
City Clerk

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: PUBLIC HEARING

DATE: 5/15/2014

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BILL NO - RESOLUTION - MOTION

		PRESENT					
COUNCIL MEMBERS:							
MAYOR	RON COUNTS	PRESENT					
COUNCIL:	BRIAN MCARTHUR	PRESENT					
COUNCIL:	BUTCH COOLEY	PRESENT					
COUNCIL:	PAUL FREESE	PRESENT					
COUNCIL:	GARY PLUNK	PRESENT					
COUNCIL:	NANCY CRISLER	PRESENT					
COUNCIL:	JASON FULBRIGHT	PRESENT					
COUNCIL:	PHIL AMATO	PRESENT					
COUNCIL:	MARY ELIZABETH COLEMAN	PRESENT					
CITY ADMINISTRATOR	BRYAN RICHISON	-	PARKS DIR:	SUSIE BOONE			PRESENT
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:	ED BLATTNER			PRESENT
COM DEV	MARY HOLDEN	PRESENT	TREASURER:	DAN KROUPA			PRESENT
FINANCE DIR:	DEBORAH LEWIS	PRESENT	DIR. OF ADMIN.	GREG HALL			PRESENT
CITY COUNSELOR	BOB SWEENEY	PRESENT	POLICE DEPT.	CHIEF SHOCKEY			PRESENT