

City of Arnold, Missouri

**Public Hearing
Council Chambers**

**November 19, 2009
7:00 p.m.**

- ~~A. 2009-21, Conditional Use Permit for Off Site Sign at 3401 Robinson Rd.
(See Agenda Item 14-A) (Withdrawn Per Applicant)~~
- ~~B. 2009-22 Conditional Use Permit for off Sign Sign at 2120 Michigan Ave.
(See Agenda Item 14-B) (Withdrawn Per Applicant)~~
- C. 2009-26 Drury Development, Revised C-4 Preliminary/Final Development Plan. (See Agenda Item 7-A).
- D. 2009-27 Revision to C-4 Zoning, Bill No. 1827 & 1678, at 2123-2137 Ridge Drive. (See Agenda Item 7-B)

**Council Meeting
Council Chambers**

Immediately Following the Public Hearing

Agenda

1. Pledge of Allegiance
2. Opening Prayer: **St. Johns Lutheran Church - Jack Miller**
3. Roll Call
4. Acceptance of Minutes: **November 5, 2009 & November 12, 2009**
5. Acceptance of Warrants: **Payroll Warrant #1068 - General Warrant #5511**
6. Business from the Floor
7. Ordinances
 - A. **Bill No. 2357** An Ordinance Approving the Revised Preliminary/Final Development Plan for a Tract of Land in the City of Arnold, Missouri Identified as the Revised Drury Inn and Suites.
 - B. **Bill No. 2358:** An Ordinance Revising Bill No. 1678 and 1827 and Providing for a Revised C-4 Planned Commercial Development at 2123-2137 Ridge Drive.
8. Resolutions
 - A. **Resolution 09-57:** A Resolution Re-Appointing Cindy Lee to the Richardson Crossing Community Improvement District (CID) for a Four-Year Term.

- B. **Resolution 09-58:** A Resolution Re-Appointing Don Jones to the Richardson Crossing Community Improvement District (CID) for the Remainder of a Four-Year Term.
- C. **Resolution No. 09-59:** A Resolution Appointing Paul Vinson to the Planning Commission for a Four Year Term.

9. Motions

- A. A Motion to Approve the Sale of One Aeroil Crack Sealer and One Backhoe Attachment.

10. New Business

11. Old Business

12. Committee Reports

13. Reports from Mayor and Council

14. Administrative Reports

~~A. 2009-21 Conditional Use Permit for off Site Sign at 3401 Robinson Road.
(Withdrawn Per Applicant)~~

~~B. 2009-22 Conditional Use Permit for Off Site Sign at 2120 Michigan Ave.
(Withddrawn Per Applicant)~~

**Next Regular Council Meeting December 3, 2009 at 7:00 p.m.
Next Work Session Meeting December 10, 2009**

REGULAR MEETING

November 19, 2009

COUNCIL CHAMBERS

2101 JEFFCO BLVD

7:03 PM

Mayor Ron Counts called the meeting to order at 7:03 pm.

The Pledge of Allegiance was recited.

Mr. Jack Miller from St John's Lutheran Church offered the opening prayer.

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

ACCEPTANCE OF THE MINUTES:

Matt Hay moved to **accept the minutes of the November 5, 2009 meeting** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes; 6 yeas. **Motion carried.**

Jason Connell moved to **accept the minutes of the special meeting November 12, 2009** if there are no other deletions, errors, or corrections. Seconded by Jerel Poor. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes; 6 yeas. **Motion carried.**

ACCEPTANCE OF THE WARRANTS:

City Clerk Diane Waller read **payroll warrant #1068.**

Bill Moritz moved to pay **payroll warrant #1068** pay period ending October 30, 2009, in the amount of \$229,846.60 if the monies are available. Seconded by Bob Lindsley. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes 6 yeas. **Motion carried.**

City Clerk Diane Waller read **general warrant #5511.** Bill Moritz moved to pay **general warrant #5511** the amount of \$552,257.44 if the monies are available. Seconded by Bob Lindsley. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused) Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; 6 yeas. **Motion carried.**

BUSINESS FROM THE FLOOR

The Mayor explained how anyone could speak for up to 3 minutes on any topic, but first must identify himself or herself and state their address.

Ms. Peterman, 1169 Hickory Ridge Trail, referred to the conditional use permit for off site signage and questioned if this was a permanent or temporary situation. Asked that residents be notified in the future.

Attorney Sweeney clarified this was not permanent at this time.

Ms. Carol Biggerstaff, from Fenton, talked about a candlelight vigil honoring Mike Patton, a 2007 Fox graduate, who had been killed in the war. He was also going to be honored with a collection of items for other soldiers wish list to be sent overseas. Mr. Biggerstaff extended an invitation to the Mayor and council to attend and participate.

Parks Director Susie Boone, expressed the Rec Center would like to be involved and Mayor added he and council will also try.

Ryan Egleston, 1946 Key West, questioned why no one has called him back regarding the problems he is having at his home.

Bryson Baker reported insurance company is still investigating and Mayor added city is involved.

Mr. Egleston became very upset and started using vulgar language and at 7:15 Arnold Police escorted him out of the council chambers.

Mrs. Egleston then asked questions and defended her husband's actions, explaining how difficult the situation is, not being able to live in their home and not knowing what to do or what is going to happen.

Ms. Kate Hegger, 1645 Trinity, spoke against the billboards and also wants to be notified when it comes back on the agenda again.

Matt Hay explained that if this comes up again, proper notification would be required.

Ms. Candace Throm, 80 Hickory Bluff, voiced her opposition to the billboards and felt nearby residents had insufficient information provided to them. The residents are against these billboards.

Two Boy Scout troops were recognized in the audience tonight:

Troop 892 from Rockport were working on their citizenship badges, Brendan Bagy, Nicholas Sigmund, Nicholas Belko, Sam Brda, Mike Flynn and Kalven Duncan.

From Troop 419 at Immaculate Conception, also working on their citizenship badges was: Patrick Conner, Ezkiel Arriaga, and Drew Blumm.

They received a round of applause from those present.

ORDINANCES

BILL NO. 2357 – AN ORDINANCE APPROVING THE REVISED PRELIMINARY/FINAL DEVELOPMENT PLAN FOR A TRACT OF LAND IN THE CITY OF ARNOLD, MISSOURI, IDENTIFIED AS THE REVISED DRURY INN AND SUITES PRELIMINARY/FINAL DEVELOPMENT PLAN AND IDENTIFIED FURTHER IN EXHIBIT A was read twice by City Clerk Diane Waller. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yeas, 6 yes. **Ordinance passed.**

BILL NO. 2358 – AN ORDINANCE REVISING BILL NO.’S 1678 AND 1827 AND PROVIDING FOR A REVISED C-4 PLANNED COMMERCIAL DEVELOPMENT AT 2123-2137 RIDGE DRIVE was read twice by City Clerk Diane Waller. Roll call vote; Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes; 6 yeas, **Ordinance passed.**

* Note: Attorney Sweeney advised there is a typo in the document. It will be corrected to reflect proper address of 2123-2137 Ridge and not 2127 Ridge Drive.

RESOLUTIONS

RESOLUTION NO. 09-57 A RESOLUTION RE-APPOINTING CINDY LEE TO THE RICHARDSON CROSSING COMMUNITY IMPROVEMENT DISTRICT (CID) FOR A FOUR-YEAR TERM was discussed.

Mr. Poor asked to see the books and questioned the concrete work at this project. Mr. Unrien stated the escrow money is being held until all roadwork is done and then amount issued will be less our expenses to repair road. Mr. Unrein will also provide the books requested.

Mat Hay offered a motion and then so moved. Seconded by Karl Schoenbeck. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes; 6 yeas. **Resolution passed.**

RESOLUTION NO. 09-58 A RESOLUTION RE-APPOINTING DON JONES TO THE RICHARDSON CROSSING COMMUNITY IMPROVEMENT DISTRICT (CID) FOR A FOUR-YEAR TERM was discussed. Matt Hay moved on Resolution 09-58. Seconded by Karl Schoenbeck. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yeas 6 yeas. **Resolution passed.**

RESOLUTION NO. 09-59 A RESOLUTION APPOINTING PAUL VINSON TO THE PLANNING COMMISSION FOR THE REMAINDER OF A FOUR-YEAR TERM was discussed. Matt Hay moved on Resolution 09-59. Seconded by Jerel Poor. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman, yes; Schoenbeck, yes; 6 yeas. **Resolution passed.**

Mr. Lindsley asked if a letter will be sent to the person being replaced and was told by the Mayor a letter would be sent, as he has done for others.

MOTIONS

A motion to authorize the sale of one Aeroil crack sealer and one Bobcat backhoe attachment was discussed. Jason Connell **moved to authorize the sale of one Aeroil crack sealer and one Bobcat backhoe attachment** and so moved. Seconded by Jerel Poor. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused); Schoenbeck, yes; 6 yeas. **Motion carried.**

NEW BUSINESS

Karl Schoenbeck stated he had witnessed the demolition beginning at the old Ferd B Lang pool.

Jerel Poor stated there had been a recent subdivision meeting for a subdivision in his ward, and in the future, he wants the Police Department notified of these meetings.

OLD BUSINESS

Bill Moritz reported on a situation on Peach Drive whereby continuous dump trucks are presenting a nuisance for the residents on that street. He would like to see this halted and a review of our nuisance ordinance discussed at a work session.

He also is requesting the proposed changes in our liquor ordinances be reviewed soon at a work session. He also mentioned finding a solution for the problem with the trucks going down Tenbrook and getting stuck at the train trestle.

Mr. Lindsley added he did not feel the signage on Tenbrook was big enough to alert the truck drivers.

Mr. Poor agreed with Mr. Moritz about the situation on Peach Drive needing to be addressed.

Mr. Hay questioned if grading permits were required for the Peach Drive situation and Ms. Hull-Bettalle stated they are not required for the work being done. She indicated the resident involved has done their due diligence.

COMMITTEE REPORTS

Bob Lindsley reported the Sewer Rate Review Committee would meet November 24th at 2 PM.

REPORTS FROM MAYOR AND COUNCIL

Mayor Counts reported he has met with THF regarding the VFW concerns and hopes to get the problems resolved.

Jerel Poor spoke about the invitation for council to meet with State Representative Jeff Roorda on November 24th at 4 pm. Questioned who was planning on attending and if all 8 council members showed up what would happen.

Attorney Sweeney advised a notice of the meeting should be posted to comply with sunshine law. Ms. Waller will post the notice in compliance with sunshine law.

Ward 4 - Karl Schoenbeck – No report

Ward 1 - Bill Moritz reported there had been a Briarwood Subdivision meeting last night and issues were discussed. Major Shular acknowledged the Arnold Police are now there taking care of business.

Ward 3 - Bob Lindsley announced he and Joyce Deckman would be in attendance at the Woodridge Subdivision Meeting this Sunday at 2 PM.

Ward 1 - Randy Crisler - excused

Ward 3 – Joyce Deckman – excused

Ward 2 – Jerel Poor – No Report

Ward 1 – Matt Hay – No Report

City Administrator Matt Unrein – No report

City Clerk Diane Waller – Shared that her staff was receiving numerous calls from residents stating they were just now receiving their municipal services bill. She also stated they have received payments from others who have received their second mailing. Discussion followed about delaying the posting of the late fees, allowing all residents to the end of the month to pay their bills without additional penalties.

A motion was offered by Bob Lindsley **to extend the deadline for payment without penalty until the end of this month.** Seconded by Jerel Poor. Roll call vote: Poor, yes; Lindsley, yes; Crisler (excused); Hay, yes; Moritz, yes; Connell, yes; Deckman (excused), Schoenbeck, yes, 6 yeas, motion carried.

Mrs. Waller reported than anyone that pays the late fee will have their account credited. Staff was directed to try and contact those not yet paying to see if they have received their bills.

Ms. Waller also reported the utility rebates and trash rebates should be on the warrants in December and once that happens, we will be able to tell the applicants the checks are in the mail.

Parks Director Susie Boone – Reported the pool demolition has begun and material that can be reused or recycled is. Announced the Holiday parade has been cancelled due to lack of entries. Reported on the RFQ's for the Aquatic Venue due tomorrow. Shared there is a badminton tournament this weekend at the rec center and invited all to observe. Has an intern starting the first week in December and shared info about the Little Shooters youth basketball program.

Christie Hull-Bettale – Wished everyone a Happy Thanksgiving

Public Works Director – Bryson Baker – Reported on the progress of the Woodridge project and the Briarwood detention inspection.

Mayor questioned the progress of the striping of the roads. Mr. Unrein acknowledged they company is behind and by contract they are now incurring financial penalties for failure to complete in time required..

Treasurer Paul Freeze – Excused

Attorney Robert Sweeney – No Report, wished all a Happy Thanksgiving

Finance Director Deb Lewis – Reported on recent bid openings for financing for the Police and Public Work vehicles and the request for proposal to provide a full insurable value report for the Arnold Recreation Center.

Director of Administration Greg Hall – Provided an update on the Thanksgiving Day Gobble Run and they are now looking at race options since the river has come up.

Mayor wished everyone a Happy Thanksgiving.

A motion to close was offered by Jerel Poor. Seconded by Bill Moritz.
Voice Vote: all yeas, motion carried and meeting adjourned at 7:54 pm.

Respectfully submitted,

City Clerk