
City of Arnold, Missouri

City Council
Council Chamber

November 4, 2021
7:00 p.m.

Zoom Link – Internet Audio/Video:

<https://us02web.zoom.us/j/88377647371?pwd=Q00yYzFjUys2WmZYbkZnZEFLR29XZz09>

Dial-in Number: 312-626-6799

Meeting ID: 883 7764 7371 Passcode: 849419

Agenda

1. Pledge of Allegiance and Opening Prayer
2. Roll Call
3. Business from the Floor
4. Consent Agenda
 - A. Regular Council Minutes from **October 7, 2021**
 - B. Payroll Warrant **#1379 in the Amount of \$338,625.21**
 - C. General Warrant **#5796 in the Amount of \$1,136,605.68**
 - D. Payroll Warrant **#1380 in the Amount of \$322,278.48**
5. Ordinances:
 - A. **Bill #2808** An Ordinance Providing for the Amendment of the Fiscal Year 2021 Budget
 - B. **Bill #2810** An Ordinance Providing for a Three (3) Month Extension of the Moratorium Prohibiting the Issuance of Building Permits for, and the Construction of, Functionally Obsolete Single-, Two-, Three-, and Four-, Family Homes within the City of Arnold
6. Resolutions:
7. Motions
 - A. Motion to Approve Liquor License Applications
 - B. Motion to Approve Conditional Use Permit for 1 Bright Star Academy
 - C. Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Litigation and Real Estate Pursuant to RSMo Section 610.021 (1) (2)

8. Reports from Mayor and Council:
9. Administrative Reports:
10. Adjournment

Upon request, reasonable accommodations will be provided.
Contact Tammi Casey, City Clerk, Arnold City Hall, 2101 Jeffco
Boulevard, Arnold, Missouri 63010. Phone: 636-296-2100.

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

The council meeting was a hybrid meeting with both Zoom and in person attendance due to COVID. The City provided a link as well as a dial-in number to attend via Zoom.

The pledge of allegiance was recited. Councilman Gary Plunk offered the prayer.

ROLL CALL

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, McArthur, Seidenstricker, Plunk, Hood, Mullins, Cooley, Fleischmann, Fulbright, Richison, Bookless, Lehmann, Sweeney, Crutchley, Wagner, Kroupa and Chief Shockey.

BUSINESS FROM THE FLOOR

None

CONSENT AGENDA

- A. REGULAR COUNCIL MINUTES SEPTEMBER 16, 2021**
- B. PAYROLL WARRANT NO 1378 IN THE AMOUNT OF \$397,052.39**
- C. GENERAL WARRANT NO 5795 IN THE AMOUNT OF \$762,429.66**

Butch Cooley made a motion and so moved to approve the consent agenda. Seconded by Mark Hood. Roll call vote: McArthur, yes; Seidenstricker, yes; Plunk, yes; Hood, yes; Mullins, yes; Cooley, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Consent agenda approved.**

ORDINANCES

NONE

RESOLUTIONS

RESOLUTION NO 21-52 – A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER #1 TO THE MELODY LANE STORMWATER AND STREET REPAIR CONTRACT WITH GERSHENSON CONSTRUCTION CO., INC.

Gary Plunk made a motion and so moved to approve Resolution No 21-52. Seconded by Butch Cooley. Roll call vote: McArthur, yes; Seidenstricker, yes; Plunk, yes; Hood, yes; Mullins, yes; Cooley, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Resolution passed.**

MOTIONS

A. A MOTION TO APPROVE LIQUOR LICENSE APPLICATIONS

Tammi Casey informed council that the Liquor Committee had no items to bring forward this evening.

B. A MOTION TO HOLD A CLOSED SESSION IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING FOR THE PURPOSE OF DISCUSSING LITIGATION AND REAL ESTATE PURSUANT TO RSMo SECTION 610.0201 (1) (2)

Jason Fulbright made a motion and so moved to hold a Closed Session immediately following the council meeting. Seconded by Brian McArthur. Roll call vote: McArthur, yes; Seidenstricker, yes; Plunk, yes; Hood, yes; Mullins, yes; Cooley, yes; Fleischmann, yes; Fulbright, yes; 8 Yeas: **Motion carried.**

REPORTS FROM MAYOR, COUNCIL AND COMMITTEES

Gary Plunk, Ward 4 – Informed council that he attended the MML Conference in September and encourages other council members to attend next year.

Rodney Mullins, Ward 3 – Stated the Veterans Parade will be held this year and Fox School District will provide lunch for the Veterans.

Butch Cooley, Ward 4 – Stated the car show held during Arnold Days was a great success and was the 2nd largest in history.

Dan Kroupa – Thanked Judy Wagner for doing a great job in getting the Melody Lane Project completed and also thanked Dave Crutchley for a great job with Arnold Days.

Mark Hood, Ward 3 – Agreed with Dan Kroupa’s sentiments and said the Craft Fair was a great addition to Arnold Days.

ADMINISTRATIVE REPORTS

None

Mayor Counts announced a five-minute recess before going into Closed Session.

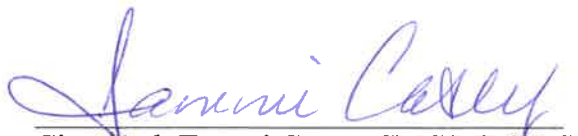
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Regular Meeting
October 7, 2021

Closed Session ended at 8:02 p.m.

**A motion to adjourn the meeting was made by Butch Cooley. Seconded by Jason Fulbright.
Voice vote: All Yeas: Motion carried.**

Meeting adjourned at 8:02p.m.


City Clerk Tammi Casey, CMC/MRCC-S

CITY OF ARNOLD, MISSOURI

ROLL CALL

MEETING: REGULAR MEETING

DATE: 10/7/2021

PAGE: 1

BILL NO - RESOLUTION - MOTION

COUNCIL MEMBERS:

		ROLL CALL	CONSENT AGENDA	RESOLUTION NO 21-52	MOTION TO HOLD CLOSED SESSION			
MAYOR	<u>RON COUNTS</u>	PRESENT						
COUNCIL:	<u>BRIAN MCARTHUR</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>TIM SEIDENSTRICKER</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>GARY PLUNK</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>MARK HOOD</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>RODNEY MULLINS</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>BUTCH COOLEY</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>EJ FLEISCHMANN</u>	PRESENT	YES	YES	YES			
COUNCIL:	<u>JASON FULBRIGHT</u>	PRESENT	YES	YES	YES			
CITY ADMINISTRATOR	BRYAN RICHISON	PRESENT	PARKS DIR:		DAVE CRUTCHLEY	PRESENT		
CITY CLERK	TAMMI CASEY	PRESENT	PUBLIC WORKS:		JUDY WAGNER	EXCUSED		
COM DEV	DAVID BOOKLESS	PRESENT	TREASURER:		DAN KROUPA	PRESENT		
FINANCE DIRECTOR	BILL LEHMANN	EXCUSED	POLICE DEPT.		CHIEF SHOCKEY	PRESENT		
CITY ATTORNEY	BOB SWEENEY	PRESENT						

BILL NO. 2808

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE
AMENDMENT OF THE FISCAL YEAR 2021 BUDGET.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS
FOLLOWS:

- Section 1. The Fiscal Year 2021 Budget adopted on August 20, 2020 has been reviewed and is hereby amended by reference. A copy of said budget adjustment is attached hereto and made a part hereof.
- Section 2. All subsequent interdepartmental or interfund budget line transfers and transfers from unassigned fund balance may be completed upon approval of the City Council.
- Section 3. This ordinance shall be in full force and effect upon its passage and approval and does not require codification.

READ TWO TIMES, PASSED AND APPROVED THIS 21st DAY OF OCTOBER,
2021.

Presiding Officer of the City Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

1st reading: _____

2nd reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney

AN ORDINANCE PROVIDING FOR A THREE (3) MONTH EXTENSION OF THE MORATORIUM PROHIBITING THE ISSUANCE OF BUILDING PERMITS FOR, AND THE CONSTRUCTION OF, FUNCTIONALLY OBSOLETE SINGLE-, TWO-, THREE-, AND FOUR-FAMILY HOMES WITHIN THE CITY OF ARNOLD.

WHEREAS, it is the desire and intent of the City Council of the City of Arnold to protect and promote the public health, safety and welfare of the citizens of the City; and

WHEREAS, on July 15, 2021, the Arnold City Council passed Ordinance No. 7.45 (Bill 2796), imposing a six (6) month moratorium prohibiting the issuance of building permits for, and the construction of, functionally obsolete single-, two-, three-, and four-family homes within the City of Arnold; and

WHEREAS, the Planning Commission and City Council continue (i) to study the zoning and building issues related to functionally obsolete single-, two-, three-, and four-family homes within the City of Arnold; (ii) to consider potential broad changes to the Municipal Code of Ordinances Chapter 405 and Chapter 500 of the City of Arnold that relate to single-, two-, three-, and four-family homes; (iii) to consider the impact on property values; and (iv) if such changes are necessary, to revise Chapter 405 (Zoning Ordinance) and Chapter 500 (Buildings and Building Regulations) to incorporate such broad changes; and

WHEREAS, the safety, health, and welfare of the general public and community require that the City study, analyze, and evaluate the impact that functionally obsolete single-, two-, three-, and four-family homes within the City of Arnold will have on the community, it is necessary and desirable for the City to extend the previously approved moratorium.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARNOLD, MISSOURI, AS FOLLOWS:

SECTION 1. Ordinance No. 7.45 (Bill 2796) is re-enacted in its entirety, including recitals, as further amended below.

SECTION 2. The Moratorium imposed by Ordinance No. 7.45 (Bill 2796), which was to expire on January 15, 2022, shall be extended until April 15, 2022, unless further modified by City Council.

SECTION 3. During the pendency of the Moratorium, as extended, the City Council shall retain the power to grant special exceptions to the requirements thereof.

SECTION 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. This Ordinance will be in full force and effect from and after its passage and approval.

READ TWO TIMES, PASSED AND APPROVED ON THIS ____ DAY OF _____, 2021.

Presiding Officer of the Council

Mayor Ron Counts

ATTEST:

City Clerk Tammi Casey

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

City Attorney Robert Sweeney



CITY COUNCIL AGENDA ITEM STAFF REPORT

MEETING DATE:	October 21, 2021
TITLE:	PC-2021-30 1 Bright Star Academy (Conditional Use Permit)
DEPARTMENT:	Community Development
PROJECT MANAGER:	Sarah Turner, Senior Planner
REQUESTED ACTION:	No Action, Conditional Use Permit stands approved
ATTACHMENTS:	(1) C.U.P. 2021-30 (2) October 12, 2021 Planning Commission Meeting Minutes

EXECUTIVE SUMMARY:

Steven Phillips, of 1 Bright Star Academy, requested approval of a Conditional Use Permit (CUP) for “Nursery schools and day nurseries” to allow for a preschool/daycare to be located at 1 Grandview Park Dr. within a “C-3” Commercial District.

REVIEW & ANALYSIS:

At its October 12, 2021 meeting, the Planning Commission held a public hearing for the CUP application. Staff found the request consistent with the CUP review criteria contained in the Zoning Ordinance subject to conditions of approval. The Planning Commission asked the applicant about hours of operation and details of the fence. No members of the public were present at the advertised public hearing. There was no additional discussion.

RECOMMENDATION:

On October 12, 2021, the Planning Commission, by a vote of 6 to 2, voted to recommend approval of the Conditional Use Permit subject to the eight (8) conditions contained in the attached Conditional Use Permit. The Commission voted in favor of a 6-foot fence for the playground and added a condition of approval limiting the hours of operation.

CONDITIONAL USE PERMIT 2021-30

WHEREAS, Steven Phillips of 1 Bright Star Academy has approval for a Conditional Use Permit for “Nursery schools and day nurseries” to allow for a Preschool/Daycare at 1 Grandview Park Dr., within the “C-3” Commercial District, as provided in the Arnold Zoning Ordinance.

WHEREAS, on October 12, 2021, the Planning Commission has held a Public Hearing pursuant to the laws of the City of Arnold, and

WHEREAS, on October 21, 2021, the City Council found the proposed land use not detrimental to the surrounding land uses.

NOW THEREFORE, the City Council hereby issues a Conditional Use Permit to operate a Preschool/Daycare at 1 Grandview Park Dr.

This Conditional Use Permit shall be identified as C.U.P. 2021-30 and shall be developed in general conformance with City of Arnold Ordinances and with the following eight (8) conditions:

1. Hours of operation limited from 6:00AM to 8:00PM.
2. The curb cut closest to Jeffco Blvd shall be exit-only and marked accordingly with signage, pavement markings, barriers or other features to the satisfaction of the Public Works Director.
3. The minimum parking standards of the “C-3” Commercial District for daycare centers shall be met.
4. All pedestrian walkways and crossings on site shall be permanently marked.
5. The fence surrounding the outdoor playground area shall have a maximum height of 6-foot.
6. Approval for Conditional Use Permit does not supersede other local, state, or federal requirements of a daycare/preschool establishment.
7. This Conditional Use Permit may be revoked by the City Council if the terms of the permit have been found to have been violated. The procedure for revocation shall require a hearing before the City Council.
8. Revocation of this Conditional Use Permit shall constitute grounds for the revocation of all other City licenses and/or permits associated with this business establishment.

Andrew Sutton
Planning Commission Chairman

Date

Before me personally appeared, Andrew Sutton known to be the Chairman of the Planning Commission for the City of Arnold, who executed the same on the City of Arnold's behalf.

Notary

Date