

City of Arnold, Missouri

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Public Hearing  
Council Chamber

September 20, 2018  
7:00 P. M.

- A. Fixing the Annual Rate of Levy for Taxes.

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City Council

Immediately Following the Public Hearing

Agenda

1. Pledge of Allegiance:
2. Opening Prayer: First Baptist Church of Arnold - TBD
3. Roll Call:
4. Business from the Floor:
5. Consent Agenda:
  - A. Regular Minutes September 6, 2018
  - B. Payroll Warrant #1299 in the Amount of \$294,362.39
  - C. General Warrant #5722 in the Amount of \$671,467.24
6. Ordinances:
  - A. **Bill No. 2709:** An Ordinance Fixing the Annual Rate of Levy for Taxes.
  - B. **Bill No. 2710:** An Ordinance Determining the Final Cost of Completed Improvements Known as the Maxville Gardens Neighborhood Improvements District Project; Apportioning Such Final Cost Among the Properties in the Maxville Gardens Neighborhood Improvement District in the City of Arnold, Missouri; Assessing Special Assessments Against the Properties in said District; and Authorizing the Issuing of Tax Bills Therefore.
7. Resolutions:

None
8. Motion:
  - A. A Motion to Hold a Closed Session Immediately Following the City Council Meeting for the Purpose of Discussing Personnel Pursuant to RSMo Section 610.021 (3).

9. Reports from Mayor, Council, and Committees:

10. Administrative Reports:

11. Adjournment:

**Next Regular City Council Meeting October 4, 2018 @ 7:00 p.m.**  
**Next Work Session October 11, 2018 at 7:00 p.m.**

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Wednesday, September 19, 2018

Mayor Ron Counts called the meeting to order at 7:02 p.m.

The Pledge of Allegiance was recited.

Reverend Carleton Norton from Femme Osage UCC Church offered the opening prayer.

Those present per roll call taken by City Clerk Tammi Casey: Mayor Counts, Plunk, Fleischmann, Fulbright, Hood, Sullivan, Cooley, Owens, McArthur, Richison, Lehmann, Sweeney, Brown, Kroupa and Chief Shockey.

Mayor Counts presented both Reverend Carleton Norton and Tom Palasky with the Mayor's Appreciation award for their dedicated service to the city.

#### **BUSINESS FROM THE FLOOR**

NONE

#### **CONSENT AGENDA**

- A. MINUTES FROM AUGUST 16, 2018 MEETING**
- B. PAYROLL WARRANT NO. 1297 IN THE AMOUNT OF \$273,547.95**
- C. PAYROLL WARRANT NO. 1298 IN THE AMOUNT OF \$272,807.22**
- D. GENERAL WARRANT NO. 5721 IN THE AMOUNT OF \$582,708.56**

**Butch Cooley made a motion and so moved to approve the consent agenda.**

Seconded by Vern Sullivan. Roll call vote: Plunk, yes; Fleischmann, yes; Fulbright, yes; Hood, yes; Sullivan, yes; Cooley, yes; Owens, yes; McArthur, yes; 8 Yeas: **Consent agenda approved.**

#### **ORDINANCES**

NONE

## RESOLUTIONS

### **RESOLUTION NO. 18-49 – A RESOLUTION APPROVING A PROPOSAL FOR A PUBLIC OPINION SURVEY**

**Mark Hood made a motion and so moved to approve Resolution No. 18-49.**

Seconded by Jason Fulbright. Roll call vote: Plunk, yes; Fleischmann, yes; Fulbright, yes; Hood, yes; Sullivan, yes; Cooley, yes; Owens, yes; McArthur, yes; 8 Yeas:

**Resolution approved.**

### **RESOLUTION NO. 18-50 – A RESOLUTION APPROVING AN AGREEMENT WITH WALTERS GOLF MANAGEMENT**

**Gary Plunk made a motion and so moved to approve Resolution No. 18-50.**

Seconded by Butch Cooley. Roll call vote: Plunk, yes; Fleischmann, yes; Fulbright, yes; Hood, no; Sullivan, yes; Cooley, yes; Owens, no; McArthur, yes; 6 Yeas, 2 Nays:

**Resolution approved.**

## MOTIONS

### **A. 2018-28 CONDITIONAL USE PERMIT, LOTS 9 & 10 LILAC POINT ENGINEER**

Bryan Richison reminded council that if no action is taken, the motion will stand approved. As no action was taken, the motion stands approved.

### **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 610.021 (1), (2) AND (3)**

Bryan Richison informed council that he was removing Section 3 (Personnel) from the Closed Session agenda.

**Jason Fulbright made a motion and so moved to approve a closed session immediately following the city council meeting.** Seconded by Brian McArthur. Roll call vote: Plunk, yes; Fleischmann, yes; Fulbright, yes; Hood, yes; Sullivan, yes; Cooley, yes; Owens, yes; McArthur, yes; 8 Yeas: **Motion carried.**

## REPORTS FROM MAYOR, COUNCIL AND COMMITTEES

Mayor Counts – Informed council that he met with KMOV today and they discussed the 9-11 ceremony as well as the Beautification Committee's work. The piece will be on the air Monday and we hope to get it on our website as well.

EJ Fleischmann, Ward 1 – Encouraged everyone to attend the Mayor's Prayer Breakfast which will be held at Ponderosa on September 15<sup>th</sup>.

Gary Plunk, Ward 4 – Encouraged everyone to attend the 9-11 ceremony at the Rec Center at 9:00 a.m. on September 11<sup>th</sup> as well as the POW-MIA Proclamation Ceremony sponsored by the Arnold Veterans Commission which will be held at City Hall on September 21<sup>st</sup> at 3:00 p.m.

Vern Sullivan, Ward 3 – Informed council that the Tourism Committee met this week and it went very well.

Butch Cooley, Ward 4 – Thanked Tom Palasky for all of his hard work in volunteering at the Food Pantry. Mr. Cooley informed council that the Liquor Committee met earlier this evening and asked Mrs. Casey to provide a report.

Mrs. Casey informed council that Dierbergs has applied for a Change in Managing Officer. The committee is forwarding a recommendation of approval by unanimous vote. **Butch Cooley made a motion and so moved to approve the Change in Managing Officer application for Dierbergs.** Seconded by Vern Sullivan. Roll call vote: Plunk, yes; Fleischmann, yes; Fulbright, yes; Hood, yes; Sullivan, yes; Cooley, yes; Owens, yes; McArthur, yes; 8 Yeas: **Motion carried.**

## ADMINISTRATIVE REPORTS

Bryan Richison – Informed council that due to weather forecasts and flooding predictions Arnold Days may need to be cancelled. The current estimates show flooding of at least Bradley Beach Road. A final decision will be made Monday, after updates are reviewed. The Farmers Market has already been cancelled for this Saturday.

4  
Regular Meeting  
September 6, 2018

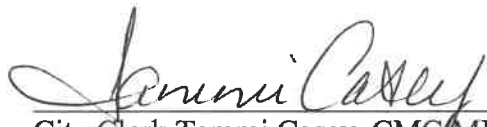
Mayor Counts announced a five minute recess before going into closed session.

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Closed session ended at 8:20 p.m.

A motion to adjourn the meeting was made by Jason Fulbright. Seconded by Vern Sullivan.

Voice vote: All yeas.  
8:20 p.m.

  
\_\_\_\_\_  
City Clerk Tammi Casey, CMC/MRCC-C

Draft

**CITY OF ARNOLD, MISSOURI**

**ROLL CALL**

**MEETING:** REGULAR

**DATE:** 9/6/2018

**PAGE:** 1

**BILL NO - RESOLUTION - MOTION**

**COUNCIL MEMBERS:**

		ROLL CALL	CONSENT AGENDA	RESOLUTION NO 18-49	RESOLUTION NO 18-50	MOTION TO HOLD CLOSED SESSION	MOTION TO APPROVE DIERBERG'S LIQUOR APPLICATION
<b>MAYOR</b>	<u>RON COUNTS</u>	PRESENT					
<b>COUNCIL:</b>	<u>GARY PLUNK</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>EJ FLEISCHMANN</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>JASON FULBRIGHT</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>MARK HOOD</u>	PRESENT	YES	YES	NO	YES	YES
<b>COUNCIL:</b>	<u>VERN SULLIVAN</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>BUTCH COOLEY</u>	PRESENT	YES	YES	YES	YES	YES
<b>COUNCIL:</b>	<u>DAVID OWENS</u>	PRESENT	YES	YES	NO	YES	YES
<b>COUNCIL:</b>	<u>BRIAN MCARTHUR</u>	PRESENT	YES	YES	YES	YES	YES
<b>CITY ADMINISTRATOR</b>	BRYAN RICHISON	PRESENT	<b>PARKS DIR:</b>		DICKIE BROWN	PRESENT	
<b>CITY CLERK</b>	TAMMI CASEY	PRESENT	<b>PUBLIC WORKS:</b>		-	-	
<b>COM DEV</b>	-	-	<b>TREASURER:</b>		DAN KROUPA	PRESENT	
<b>FINANCE DIRECTOR</b>	BILL LEHMANN	PRESENT	<b>POLICE DEPT.</b>		CHIEF SHOCKEY	PRESENT	
<b>CITY ATTORNEY</b>	BOB SWEENEY	PRESENT					

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, Plunk, Fleischmann, Fulbright, Hood, Sullivan, Cooley, Owens, McArthur, Richison, Lehmann, Sweeney, Brown, Kroupa and Chief Shockey.

**A. 2018-28, CONDITIONAL USE PERMIT LOTS 9 & 10 LILAC POINT**

Bryan Richison informed council that this conditional use permit is for 2 duplexes to be built on two residential lots that front on Richardson Road. The Planning Commission held a Public Hearing at its 8/14/2018 meeting. No one spoke at the meeting. The Planning Commission is forwarding a recommendation of approval by a vote of 9-0.


**PUBLIC COMMENTS**

NONE

**COUNCIL COMMENTS**

NONE

The Public Hearing ended at 7:02 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-C



Those in attendance as noted by City Clerk Tammi Casey; Mayor Counts, Plunk. Fleischmann, Fulbright, Hood, Sullivan, Cooley, Owens, McArthur, Richison, Sweeney, Brown and Kroupa.

**JEFFERSON COUNTY EDC**

Bryan Richison introduced David Dews, the new Executive Director of the Jefferson County Economic Development Council. Mr. Dews informed council that there are over 16,000 businesses in Jefferson County. The job of the EDC is to assist them with ways to enhance and further develop their business. The EDC also provides low income homeowners with low cost loans through HUD for necessary repairs to their homes such as HVAC, windows and sewer lines. Mr. Dews stated he is here to help Arnold in any way he can.

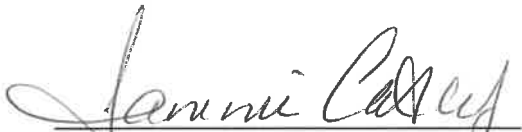
**WILD ANIMALS**

Discussion was held by council as to whether or not there was a need to modify the code regarding the ability of a resident to keep what is listed, pursuant to current city code, as a wild animal, as a pet. After discussion concluded, and a poll was taken by Mayor Counts, it was decided to refer the matter over to staff and Bob Sweeney to modify city code. This will be brought back to council upon completion.

Vern Sullivan made a motion and so moved to adjourn the meeting. Seconded by David Owens.

Voice vote: All Yeas

Meeting adjourned at 7:52 p.m.

  
City Clerk Tammi Casey, CMC/MRCC-C



BILL NO. 2709

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FIXING THE ANNUAL RATE OF LEVY FOR TAXES

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

Section 1. Rate. The tax rate hereby levied for the fiscal year beginning September 1, 2018, and ending August 31, 2018 is Thirty-Nine and Eleven Hundredth Cents (\$0.3911) per One Hundred Dollars (\$100.00) assessed valuation.

Section 2. Effective Date. This ordinance shall be in full force and effect upon its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF September 2018.

\_\_\_\_\_  
Presiding Officer of the City Council

\_\_\_\_\_  
Mayor Ron Counts

ATTEST:

\_\_\_\_\_  
City Clerk Tammi Casey

1st reading: \_\_\_\_\_

2nd reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**City of Arnold**  
**NOTICE OF PUBLIC HEARING**

A hearing will be held at 7:00 p.m., September 20, 2018, at Arnold City Hall at which citizens may be heard on the property tax rates proposed to be set by the City of Arnold. The tax rates shall be set to produce the revenue for the budget for the fiscal year beginning September 1, 2018, shows to be required from the property tax. This tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation.

ASSESSED VALUATION (after Board of Equalization)		
Category	Current Tax Year	Prior Tax Year
Real Estate	\$ 287,687,700	\$ 287,126,800
New Construction	2,236,300	1,276,700
Railroad & Utility	<u>7,923,293</u>	<u>7,899,361</u>
	\$ 297,847,293	\$ 296,302,861

PROPOSED TAX RATE & REVENUE BUDGETED				
	Levy per \$100 Valuation		Amount of Property Tax Revenue	
	FY 2019	FY 2018	FY 2019	FY 2018
General Fund	39.11 cents	39.02 cents	\$ 1,164,881	\$ 1,156,174

Tammi Casey, City Clerk  
City of Arnold



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/22/2018

Summary Page

(2018)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold 09-050-0001 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or computed on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year) 0.3902
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18) 0.3911
C. Amount of rate increase authorized by voters for current year if same purpose, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15)
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C) 0.3911
E. Maximum authorized levy the most recent voter approved rate 1.0000
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws Political subdivisions tax rate (Lower of Line D or E) 0.3911
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)
AA. Rate to be levied for debt service, if applicable (Form C, Line 10)
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set, adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI (Form B, Line 15 if a different purpose)

Certification

I, the undersigned, (Office) of (Political Subdivision) levying a rate in (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the county clerk(s) for final certification.

Signature line with fields for Date, Signature, Print Name, and Telephone.

Proposed rate to be entered on tax books by county clerk

based on certification from the political subdivision: Lines J AA BB

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

Signature line with fields for Date, County Clerk's Signature, County, and Telephone.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/22/2018

Form A

(2018)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold 09-050-0001 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2018) Current year assessed valuation

Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a) 297,847,293 (Real Estate) + (b) 0 (Personal Property) = 297,847,293 (Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor

2(b) - increase in personal property, use the formula listed under Line 2(b)

(a) 2,236,300 (Real Estate) + (b) 0 (Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b)) = 2,236,300 (Total)
If Line 2b is negative, enter zero

3. Assessed value of newly added territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

4. Adjusted current year assessed valuation

(Line 1 total - Line 2 total - Line 3 total)

295,610,993

5. (2017) Prior year assessed valuation

Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate form to recalculate the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a) 296,302,861 (Real Estate) + (b) 0 (Personal Property) = 296,302,861 (Total)

6. Assessed value of newly separated territory

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year

obtained from the county clerk or county assessor

(a) 0 (Real Estate) + (b) 0 (Personal Property) = 0 (Total)

8. Adjusted prior year assessed valuation

(Line 5 total - Line 6 total - Line 7 total)

296,302,861



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/22/2018

Form A

(2018)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold 09-050-0001 General Revenue
Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the county clerk.

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

Table with 2 columns: Description and Rate. Rows include: 9. Percentage increase in adjusted valuation... -0.2335%; 10. Increase in Consumer Price Index (CPI)... 2.1000%; 11. Adjusted prior year assessed valuation... 296,302,861; 12. (2017) Tax rate ceiling from prior year... 0.3902; 13. Maximum prior year adjusted revenue... 1,156,174; 14. Permitted reassessment revenue growth... 0.0000%; 15. Additional revenue permitted... 0; 16. Total revenue permitted in current year... 1,156,174; 17. Adjusted current year assessed valuation... 295,610,993; 18. Maximum tax rate permitted by Article X... 0.3911

\* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

8/22/2018

Informational Data

(2018)

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Arnold

09-050-0001

General Revenue

Name of Political Subdivision

Political Subdivision Code

Purpose of Levy

This page shows the information that would have been on the line items for the Summary Page, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

Based on Prior Year Tax Rate Ceiling as if No Voluntary Reductions were Taken

Step 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.

Step 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

Informational Summary Page

Table with 2 columns: Description (A-F) and Value (0.3942, 0.3951, 0.3951, 1.0000, 0.3951)

Informational Form A

Table with 2 columns: Description (9-18) and Value (-0.2335%, 2.1000%, 296,302,861, 0.3942, 1,168,026, 0.0000%, 0, 1,168,026, 295,610,993, 0.3951)

Informational Form B

Table with 2 columns: Description (6-15) and Value (blank)



House value	\$ 75,000.00	\$ 100,000.00	\$ 150,000.00	\$ 175,000.00	\$ 200,000.00	\$ 225,000.00	\$ 250,000.00
FY19 Estimated RE tax	\$ 55.73	\$ 74.31	\$ 111.46	\$ 130.04	\$ 148.62	\$ 167.20	\$ 185.77
FY18 Estimated RE tax	\$ 55.60	\$ 74.14	\$ 111.21	\$ 129.74	\$ 148.28	\$ 166.81	\$ 185.35
Difference	\$ 0.13	\$ 0.17	\$ 0.26	\$ 0.30	\$ 0.34	\$ 0.38	\$ 0.43

AN ORDINANCE DETERMINING THE FINAL COST OF COMPLETED IMPROVEMENTS KNOWN AS THE MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT PROJECT; APPORTIONING SUCH FINAL COSTS AMONG THE PROPERTIES IN THE MAXVILLE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT IN THE CITY OF ARNOLD, MISSOURI; ASSESSING SPECIAL ASSESSMENTS AGAINST THE PROPERTIES IN SAID DISTRICT; AND AUTHORIZING THE ISSUING OF TAX BILLS THEREFORE.

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

WHEREAS, by Resolution No. 17-55, the Council of the City of Arnold, Missouri, has created the Maxville Gardens Neighborhood Improvement District (the "District") to provide for the making of certain improvements known as the Maxville Gardens Neighborhood Improvement Project (the "Project"); and

WHEREAS, the District encompasses the property legally described on Exhibit A attached to Resolution No. 17-55 and made a part hereof by reference, and the District Property constitutes the benefited property to be assessed for each property owner within the boundary described in Exhibit A by equal shares per dwelling unit with a minimum of one (1) assessment per lot; and

WHEREAS, the proposed assessment role and the plans and specifications were filed with the City Clerk and available for public inspection; and

WHEREAS, after all proper notice was given, the Council of the City of Arnold, Missouri, met in public hearing on December 21, 2017, received all comments from interested parties and considered all written or oral objections relating to the Project or the District; and

WHEREAS, by Resolution No 17-77, the Council of the City of Arnold, Missouri, provided for the construction of the Project; Now, Therefore,

Be it ordained by the Council of the City of Arnold, Missouri, as follows:

Section 1. That the Project improvements in the Ozark Drive Neighborhood Improvement District in the City of Arnold, Missouri, authorized by Resolution 17-55, have been completed satisfactorily and said work is hereby approved and accepted. Pursuant to Section 67.457, RSMo., the cost to be assessed shall not exceed 125% of the estimated cost of project improvements. The estimated cost of project improvements was \$190,000.00; therefore, the cost of project improvements allowable for assessment is \$237,500.00. The final cost of the Project is determined to be \$223,176.05. The City has

subdivision escrows in the amount \$50,360.75 that are credited to the project cost. The total amount to be assessed is \$172,815.30.

Section 2. That there be and is hereby levied a special assessment against the said lots and tracts in the District to pay the cost of the Project and assessed as follows below, being all of the lots and tracts in the District.

Section 3.

OWNER	ADDRESS	LOT # MAXVILLE GARDENS	PARCEL ID	ASSESSMENT
Tramel, Duane K & Shannon D.	1818 Chara	28	190300200300219	\$2,160.19
Holtzclaw, Thomas K	2008 Agape	62	1903002003042	\$2,160.19
Boehmer, John A & Linda K	1719 Karpos	4	190300200300203	\$2,160.19
Bissoni, Jeffrey	1837 Chara	17	190300200300216	\$2,160.19
Jercinovic, John P & Katie A	1832 Chara	25	1903003001057	\$2,160.19
Merlenbach, Michael M & Debra E	2038 Agape	69	190300200300249	\$2,160.19
Roberts, Randall S & Christy J	1821 Chara	49	190300200300228	\$2,160.19
Vongthongchith, Viengkeo & Olanong	2004 Agape	61	190300200300241	\$2,160.19
Shaw, Jason & Julia	108 Pistis	43	190300200300221	\$2,160.19
Berry, Mark J & Julie A	1711 Karpos	3	190300200300201	\$2,160.19
Denzl, Kevin & Kelly	1701 Karpos	1	1903002003007	\$2,160.19
Lappe, James W & Virginia	1763 Karpos	10	190300200300211	\$2,160.19
Alhalabi, Mohamad Z & Brenda S	1705 Karpos	2	1903002003008	\$2,160.19
Boyd, Gayle G & Carolyn M	2030 Agape	67	190300200300248	\$2,160.19
Donze, Jodie A & Matthew	2014 Agape	63	190300200300243	\$2,160.19
Sabourin, William & Janet M	1740 Karpos	59	190300200300238	\$2,160.19
McKenzie, Krista L. & Michael S	100 Pistis	45	190300200300224	\$2,160.19
Reid, Ricky L & Sharon K	1760 Karpos	54	190300200300234	\$2,160.19

OWNER	ADDRESS	LOT # MAXVILLE GARDENS	PARCEL ID	ASSESSMENT
McQueen, Alan D & Lori Ann	1748 Karpos	57	190300200300236	\$2,160.19
Burnett, William F & Patricia W	309 Eirene	13	190300200300214	\$2,160.19
Davis, Steven & Jean	1766 Karpos	53	190300200300232	\$2,160.19
Friedman, Todd C & Nicole M	305 Eirene	12	190300200300213	\$2,160.19
Kositzke, Donald W & Sandra J	207 Eirene	52	190300200300231	\$2,160.19
Valenti, Lawrence J & Patricia	1752 Karpos	56	190300200300235	\$2,160.19
Jackson, Joshua	2022 Agape	65	190300200300245	\$2,160.19
Scher, David & Angela	137 Pistis	35	1903003001063	\$2,160.19
Olsen, Patricia	1736 Karpos	60	190300200300239	\$2,160.19
Randazzo, Santo A & Beverly J	1829 Chara	51	190300200300230	\$2,160.19
Gelencir, Gordon & Linda	1841 Chara	18	1903003001050	\$2,160.19
Leachman, Anne E	1727 Karpos	6	190300200300205	\$2,160.19
Czarnecki, Chad & Calistro, Gina	301 Eirene	11	190300200300212	\$2,160.19
Lofton, Jeffrey D & Mindy E	2018 Agape	64	190300200300244	\$2,160.19
Ostrander, Timothy & Daniel	104 Pistis	44	190300200300222	\$2,160.19
Frazee, Helen M	1744 Karpos	58	190300200300237	\$2,160.19
Flanigan, Heidi A	1735 Karpos	7	190300200300208	\$2,160.19
Difilippo, Mitzi & David	121 Pistis	31	1903003001059	\$2,160.19
Beis, Douglas	1845 Chara	19	1903003001051	\$2,160.19
Vonderheide, Tina M & Paul E	112 Pistis	42	1903003001071	\$2,160.19
Milani, Robert J.	1828 Chara	26	190300200300217	\$2,160.19
Buchmeier, Kurt & Lisa	1825 Chara	50	190300200300229	\$2,160.19
Brunts, Bruce A & Karen S	133 Pistis	34	1903003001062	\$2,160.19

OWNER	ADDRESS	LOT # MAXVILLE GARDENS	PARCEL ID	ASSESSMENT
Luth, Robert N & Catherine	2026 Agape	66	190300200300246	\$2,160.19
Jones, Jami C	129 Pistis	33	1903003001061	\$2,160.19
Lucas, William L Jr & Morgan M	115 Pistis	30	1903003001058	\$2,160.19
Bartareau, Earl R Jr	1809 Chara	46	190300200300225	\$2,160.19
Redman, Thomas & Jodi	1817 Chara	48	190300200300227	\$2,160.19
Bricker, Andrew M & Risha L	125 Pistis	32	1903003001060	\$2,160.19
Bridges, Daniel D & Lori M	1824 Chara	27	190300200300218	\$2,160.19
Dohack, Thomas J & Boing Cheryl	105 Pistis	29	190300200300220	\$2,160.19
Matlock, Kent W & Melissa M	1844 Chara	22	1903003001054	\$2,160.19
Denatale, Patrick J & Tina D	1756 Karpos	55	190300200300233	\$2,160.19
Leeker, Jeffrey R & Deborah A	1813 Chara	47	190300200300226	\$2,160.19
Resetarits, John P & Karen D	1723 Karpos	5	190300200300204	\$2,160.19
Dowbnia, Albert R	1745 Karpos	9	190300200300207	\$2,160.19
Graham, Lynn C & Brek A	1840 Chara	23	1903003001055	\$2,160.19
Tinker, Sue L & Parker Rexall G	1739 Karpos	8	190300200300209	\$2,160.19
Garms, Adam & Erin	2001 Agape	81	190300200300261	\$2,160.19
Behrens, Josephine A	1836 Chara	24	1903003001056	\$2,160.19
Stegmann, Jason M & Dori L	2013 Agape	78	190300200300258	\$2,160.19
Patel, Milap & Neha	2009 Agape	79	190300200300259	\$2,160.19
Cammarata, Nicholus & Ronnie	2005 Agape	80	190300200300260	\$2,160.19
Presson, Andrew & Stephanie	128 Pistis	38	1903003001067	\$2,160.19
Parker, Robert A & Amy E	120 Pistis	40	1903003001069	\$2,160.19

OWNER	ADDRESS	LOT # MAXVILLE GARDENS	PARCEL ID	ASSESSMENT
Quante, James E & Theresa R	2027 Agape	Bdry Adj Lot 76A	190300200300256	\$2,160.19
Hoskins, Charles E & Amy L	2042 Agape	70	190300200300250	\$2,160.19
Dunfee, Michael W & Stephanie K	2017 Agape	Bdry Adj Lot 77A	190300200300257	\$2,160.19
Kraus, Martin & Sandra	2037 Agape	74	190300200300254	\$2,160.19
Jercinovic, Nicole	141 Pistis	36	1903003001064	\$2,160.19
Bean, James T & Deena L	2041 Agape	73	190300200300253	\$2,160.19
Sommerkamp, Raymond S & Jennifer L	124 Pistis	39	1903003001068	\$2,160.19
Sheppard, Troy L & Melanie	132 Pistis	37	1903003001066	\$2,160.19
Buholtz, Kevin J & Victoria P	116 Pistis	41	1903003001070	\$2,160.19
Meyer, Thomas J & Kathleen	2045 Agape	72	190300200300252	\$2,160.19
Haegele, Cory D & Maria N	2046 Agape	71	190300200300251	\$2,160.19
Tran, Bryan T & Quinne P	1706 Karpos	83	1903002003063	\$2,160.19
KAB Construction Co LLC	PO Box 505	14	1903003001047	\$2,160.19
James, Tyler D & Cortney E	312 Eirene	15	1903003001048	\$2,160.19
Chism, Jeffrey C & Sonya R	308 Eirene	16	1903003001049	\$2,160.19
Rymer, Carmen M & Charles P	1849 Chara	20	1903003001052	\$2,160.19
Whitlock, David & Jessica	1848 Chara	21	1903003001053	\$2,160.19

**Section 4.** The assessments identified in Sections 3 of this ordinance shall be recalculated and reassessed if any lot (“original lot”) identified in a section of this ordinance is voluntarily subdivided and/or utilized as an additional lot at any time within ten (10) years following the date of this ordinance. The newly created lot(s) will be added to the original number of lots and the original cost of the project shall be divided by this new total of lots with each lot being assigned an equal share of the cost. **The assessment against the newly created lot(s) shall be levied as a special tax against those lot(s). The monies from the special tax will be rebated on a pro rata basis to the current owners of the original lots or used to reduce the original assessment.**

The City Clerk is hereby authorized to make up and issue tax bills against said lots and tracts as provided in Section 5.

Section 5. All of the above properties are located in the Maxville Gardens Neighborhood Improvement District as described in Exhibit A attached to Resolution No. 17-55.

Section 6. The City Clerk is hereby authorized to make up and issue tax bills against the lots and tracts of land herein described for the amounts due as assessed against them in evidence of such assessment and payable to the City of Arnold. The said tax bills shall be signed by the Mayor and attested by the City Clerk under the seal of the City. Said tax bills shall be a lien against the lots described herein.

Said tax bills shall be payable in equal annual installments of one-tenth of the total tax bills, with interest thereon, shall be due and payable on the anniversary of said tax bills original issue date, except that all payments received within sixty days of the original issue date will be applied solely to the principal portion of said tax bills.

Section 7. Each special tax bill issued as hereinbefore provided, shall be due and payable from and after the date of issue thereof and shall bear interest at the rate of 0.0% per annum. Said special tax bills shall be, after the commencing of the project, a lien against the lot or piece of ground described herein for a period of ten years after the date of issue unless sooner paid. In any instance where a special tax bill remains unpaid or where it becomes necessary to bring suit to enforce the lien of any special tax bill, the lien shall continue until the expiration of the litigation or until all such special tax bills have been fully paid.

Section 8. All special tax bills issued as hereinbefore provided to pay the cost of the Project shall be assignable, and may be collected of and from the owners of the land as any other claim in any court of competent jurisdiction. Suit brought to enforce the collection of the aforesaid tax bills shall be instituted in the name of the City of Arnold, Missouri, to use of the City or the owner or holder thereof.

Such special tax bills shall, in any suit brought to enforce the collection thereof, be prima facie evidence of the liability of the property charged therewith to the extent and amount therein specified.

Section 9. All such tax bills shall be abstracted by the City Clerk in a book kept for that purpose before delivery of said bills, and said City Clerk shall release said tax bills on the margin of the record thereof upon presentation of tax bills marked paid by the City Clerk, or assignee, or upon presentation of other proper evidence that such tax bills have been paid in full.

Section 10: This Ordinance shall be in full force and effect from and after its passage by the City Council and its approval by the Mayor.

READ TWO TIMES, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF  
SEPTEMBER, 2018.

\_\_\_\_\_  
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