

**BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY
APRIL 9, 2018**

WORK SESSION

The work session meeting of the Board of Aldermen of the City of Town and Country was held at 6:30 PM on Monday, April 9, 2018.

Present were: Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright. Alderman Rallo was absent.

Mayor Dalton presided.

City Attorney Steve Garrett was present to represent the City.

1. Discussion-Regular meeting agenda items

Discussion was held about code enforcement measures relating to a previous case that was heard by the Board of Adjustment.

No votes were taken.

REGULAR MEETING

The regular meeting of the Board of Aldermen of the City of Town and Country was held at 7:00 PM on Monday, April 9, 2018 at the Municipal Center, 1011 Municipal Center Drive.

PLEDGE OF ALLEGIANCE

Al Gerber, Ward 2 resident, led the Pledge of Allegiance.

ROLL CALL

The 7:05 PM roll call indicated Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright to be present. Alderman Rallo was absent.

Mayor Dalton presided.

City Attorney Steve Garrett was present to represent the City.

MINUTES – 03/26/18

Alderman Mange moved for approval, seconded by Alderman Wright.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of 03/26/18 were unanimously approved by voice vote.

PROCLAMATION

Mayor Dalton read aloud a proclamation recognizing the outstanding service of Alderman Gussie Crawford and called for a round of applause. He noted for the record that Alderman Rallo would be presented with a proclamation appreciating her service as well.

Alderman Crawford thanked the Mayor, her colleagues on the Board, and staff for years of meaningful collaboration.

HEARING FROM CITIZENS

PUBLIC HEARING(S)

APPOINTMENTS

COMMUNICATIONS AND REPORTS**Alderman Wright**

Alderman Wright reported that the Parks & Trails Commission would meet at 6:00 PM on Monday, April 16, at the Longview Farm House.

She also announced that the Art, Wine and Music event would be held on April 27 at Longview Farm House. She added that tickets were \$25 and available online or by contacting the Parks Department.

Finally, she noted that Arbor Day would be held from 1-3 PM on May 6, at Longview Farm Park.

Alderman Frautschi

Alderman Frautschi invited everyone to attend the Arrive Alive Event being hosted by the Town and Country Police Department, West County EMS & Fire, and Maryville University on April 14 from 1-3:30 PM. She stated that the event would be held on Maryville's campus and would feature driving simulators and a live crash demonstration.

She also reported that the Police, Fire & EMS Commission would meet at 7:00 PM on April 24, at the Municipal Center.

Mayor Dalton

Mayor Dalton announced that the City had once again received the distinction of "Tree City USA" making this our 18th as a recipient.

Alderman Butler added that this year the City had also received its first ever Growth Award.

UNFINISHED BUSINESS

BILL NO. 18-27, AN ORDINANCE ACCEPTING THE BID AND AUTHORIZING AN AGREEMENT WITH T. HILL CONSTRUCTION, INC., FOR THE HIGHLAND POINTE DETENTION BASIN IMPROVEMENTS PROJECT (sponsored by Aldermen Mange & Wright) (1st reading 03/26/18)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 18-27 was read for the second time and placed upon its final passage.

Alderman Mange moved for approval, seconded by Alderman Wright.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, Rallo.

The motion carried unanimously and Bill No. 18-27 became Ordinance No. 4187.

BILL NO. 18-29, AN ORDINANCE APPROVING THE PRELIMINARY SITE DEVELOPMENT PLAN FOR THE MERCY HOSPITAL SOUTH CAMPUS EXPANSION LOCATED AT 763, 767, AND 777 SOUTH NEW BALLAS ROAD (sponsored by Aldermen Wright & Mange) (1st reading 03/26/18)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 18-29 was read for the second time and placed upon its final passage.

Alderman Mange moved for approval, seconded by Alderman Wright.

George Stock, Stock and Associates Consulting Engineers, was present. He confirmed that the left-in lane from northbound Ballas Road into the site would be extended from 80 ft., as it is today, to 150 ft. to accommodate additional cars for traffic queuing.

Alderman Wright noted for the record that she met with Mr. Mayer, from the 755 S. New Ballas building, regarding his desire to see a ring road potentially included in a future phase of the Mercy expansion. She also confirmed with Mr. Stock that he was aware of the concern and would stay in communication with Mr. Mayer.

Alderman Butler noted for the record that she had listened to the public hearing related to this item and Bill No. 18-30.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, Rallo.

The motion carried unanimously and Bill No. 18-29 became Ordinance No. 4188.

*Alderman Butler requested that an email dated April 9, 2018 between herself and Vince Keady, consisting of two pages, be added to the minutes regarding this item. Alderman Meyland-Smith requested that an email dated February 21, 2018 between JR Mayer and Ryan Spencer, consisting of one page, be similarly added. For the record, the emails attached hereto were not discussed at the meeting but as they directly pertain to this matter, the Board of Aldermen requests their retention as part of the minutes. See attached.

BILL NO. 18-30, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR A PUBLIC UTILITY FACILITY, AN AMEREN ELECTRIC SUBSTATION, LOCATED AT 767 SOUTH NEW BALLAS ROAD IN THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Wright & Mange) (1st reading 03/26/18)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 18-30 was read for the second time and placed upon its final passage.

Alderman Mange moved for approval, seconded by Alderman Frautschi.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, Rallo.

The motion carried unanimously and Bill No. 18-30 became Ordinance No. 4189.

BILL NO. 18-31, AN ORDINANCE AUTHORIZING AN ENGINEERING SERVICES AGREEMENT FEE AMENDMENT WITH BURNS & MCDONNELL IN RELATION TO THE 285 BABLER ROAD AND 1967 KARLIN DRIVE STORM WATER PROJECTS (sponsored by Aldermen Mange, Frautschi, Benigas & Rallo) (1st reading 03/26/18)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 18-31 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Mange.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, Rallo.

The motion carried unanimously and Bill No. 18-31 became Ordinance No. 4190.

Mayor Dalton recused himself and left the dais due to his previously stated perceived conflict of interest with Brinkmann Holdings LLC. Acting President Mange presided over the following two items.

BILL NO. 18-32, AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 5 WITH BRINKMANN HOLDINGS, LLC, IN RELATION TO THE TOWN SQUARE PROJECT AND AMENDING THE 2018 BUDGET BY INCREASING A CAPITAL IMPROVEMENTS FUND EXPENDITURE ACCOUNT AND APPROPRIATING FUNDS TO COVER THE INCREASE
(sponsored by Aldermen Mange, Wright, Meyland-Smith & Crawford) (1st reading 03/26/18)

Acting President Mange called for a second reading, without objection. Without objection, Bill No. 18-32 was read for the second time and placed upon its final passage.

Alderman Crawford moved for approval, seconded by Alderman Meyland-Smith.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Bill No. 18-32 became Ordinance No. 4191.

BILL NO. 18-33, AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 6 WITH BRINKMANN HOLDINGS, LLC, IN RELATION TO THE TOWN SQUARE PROJECT AND AMENDING THE 2018 BUDGET BY INCREASING A CAPITAL IMPROVEMENTS FUND EXPENDITURE ACCOUNT AND APPROPRIATING FUNDS TO COVER THE INCREASE
(sponsored by Aldermen Mange, Wright, Meyland-Smith & Crawford) (1st reading 03/26/18)

Acting President Mange called for a second reading, without objection. Without objection, Bill No. 18-33 was read for the second time and placed upon its final passage.

Alderman Wright moved for approval, seconded by Alderman Crawford.

Alderman Butler inquired about whether the repair costs are the responsibility of the City or USIC because the severed lines were not correctly marked. In response, Craig Wilde, Planning and Public Works Director, stated that the repairs are not included in the cost, however, the relocation of the line is still required due to a grading conflict and must be covered by the City.

The roll call vote was as follows: AYE, Aldermen Benigas, Butler, Crawford, Frautschi, Mange, Meyland-Smith and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Bill No. 18-33 became Ordinance No. 4192.

Mayor Dalton returned to the dais and presided over the remainder of the meeting.

NEW BUSINESS

APPROVAL OF LIQUOR LICENSE(S)

Alderman Frautschi moved for approval of the following liquor licenses:

Marriott St. Louis West-Retail Liquor By The Drink and Sunday By the Drink

Alderman Crawford seconded the motion.

In response to Alderman Meyland-Smith, Finance Director Pam Reitz clarified that the license is needed because of an ownership change. She also confirmed that renewals for the upcoming license period are currently being processed so the additional approval for the 2018-19 license year is appropriately timed.

A voice vote was held and carried.

WARRANT LIST-04/09/18

Alderman Crawford moved for approval, seconded by Alderman Mange.

Mayor Dalton called for any amendments.

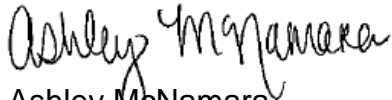
Hearing none, a voice vote was taken and the warrant list of April 9, 2018, in the amount of \$346,150.29 was unanimously approved.

OTHER

Alderman Benigas reminded the Board of the architectural review they previously considered for the Bonan Towers at Woodsmill and South Outer Forty. He stated that he recently visited the site and the east side renovation looks excellent. He added that it appears the other side will also be renovated and noted the significant improvement to the property.

ADJOURN

On motion of Alderman Frautschi, seconded by Alderman Wright and unanimously approved by voice vote, the regular meeting adjourned at 7:27 PM.



Ashley McNamara
City Clerk

McNamara, Ashley

From: Butler, Ald. Lindsey
Sent: Monday, April 09, 2018 6:41 PM
To: McNamara, Ashley
Subject: Fwd: Mercy Health East Communities' ("Applicant") - Outpatient Services Building Project

Please add to the record for Mercy.

Lindsey Butler
Alderman of Town and Country, Ward 2
Chairman Conservation Commission
Mobile (314) 556-1123

Municipal Center
1011 Municipal Center Drive
Town and [Country, MO 63131](#)

"No man will make a great leader who wants to do it all himself, or to get all the credit for doing it."
-Andrew Carnegie

Begin forwarded message:

From: "Keady, J. Vincent" <vincent.keady@stinson.com>
Date: April 9, 2018 at 1:25:24 PM CDT
To: "butlerl@town-and-country.org" <butlerl@town-and-country.org>
Subject: FW: Mercy Health East Communities' ("Applicant") - Outpatient Services Building Project

Ms. Butler:

My assistant forwarded to me your email inquiry below. Our client has not reached an agreement with Mercy regarding the loop road referred to in my latter dated March 20, 2018. Please be advised, however, that representatives from our clients have a meeting scheduled with Alderpersons Wright and Mange concerning the issue this afternoon. We anticipate another conversation with Mercy after that.

Thank you for your concern and follow up.

J. Vincent Keady | Partner | Stinson Leonard Street LLP
7700 Forsyth Blvd., Suite 1100 | St. Louis, MO 63105-1821
T: 314.719.3050 | M: 314.276.8519 | F: 314.259.3932
vincent.keady@stinson.com | www.stinson.com

From: Benson, Dawn L.
Sent: Monday, April 09, 2018 7:08 AM
To: Keady, J. Vincent
Subject: FW: Mercy Health East Communities' ("Applicant") - Outpatient Services Building Project
Importance: High

FYI -

Dawn L. Benson
Legal Administrative Assistant

St. Louis
314.259.4522
x64522

From: Butler, Ald. Lindsey [<mailto:butlerl@town-and-country.org>]
Sent: Sunday, April 08, 2018 11:08 PM
To: Benson, Dawn L.
Subject: Re: Mercy Health East Communities' ("Applicant") - Outpatient Services Building Project

Ms. Benson,
I am checking to see if your client has come to an agreement with the owners of the proposed project before this matter is before me on the Board.
Thank you,

Lindsey Butler
Alderman of Town and Country, Ward 2
Chairman Conservation Commission
Mobile (314) 556-1123

Municipal Center
1011 Municipal Center Drive
Town and [Country, MO 63131](#)

"No man will make a great leader who wants to do it all himself, or to get all the credit for doing it."
-Andrew Carnegie

On Mar 20, 2018, at 4:26 PM, Benson, Dawn L. <dawn.benson@stinson.com> wrote:

Dear Mayor Dalton:

Please see attached correspondence sent on behalf of Vince Keady.

Thank you,
Dawn L. Benson

Dawn L. Benson | Legal Administrative Assistant | Stinson Leonard Street LLP
7700 Forsyth Blvd., Suite 1100 | St. Louis, MO 63105-1821
T: 314.259.4522 | F: 314.259.3906
dawn.benson@stinson.com | www.stinson.com

This communication (including any attachments) is from a law firm and may contain confidential and/or privileged information. If it has been sent to you in error, please contact the sender for instructions concerning return or destruction, and do not use or disclose the contents to others.

<2018-03-20 Ltr to Hon. Jon Dalton.pdf>

Spencer, Ryan

From: JR Mayer [jrm@prestigech.com]
Sent: Wednesday, February 21, 2018 9:38 AM
To: Spencer, Ryan
Cc: Randy Mayer; Craig Mayer; 'tkienstrajr@kienstraconcrete.com'; 'Dan Bruns'; 'George M. Stock, P.E.'; Dalton, Mayor Jon; 'Keady, J. Vincent'
Subject: Mercy P&Z Meeting 2/21
Attachments: Site Plan with 755 Requests.pdf

Ryan,

In regards to the Mercy Planning and Zoning meeting tonight (2/21) attached is a traffic flow plan which we endorse for the project proposed by George Stock in relation to the project he is presenting on behalf of Mercy's Phase 1 submittal. We do however want some items noted and documented as the project moves forward which we would like submitted on our behalf. If this could be included and mentioned to the Board we would greatly appreciate it.

- We would like to be in constant communication with Mercy in regards to the construction traffic plan, which we have not been given a plan to date. Our fear is that our needs will be forgotten as they move forward with the demolition of the 763 building, moving of the Ameren substation and move to the construction of the new facilities. We request easy means of ingress/egress throughout the project as well as proper signage directing our visitors as they approach our site.
- We would like to be in the planning meetings in regards to the final signage leading to our office building once the project is finished
- We feel as though the Ameren substation should have a similar appearance as it does today. It currently has a large brick façade on the front with chain link fencing on the other three sides. We feel as though the East and North sides, at a minimum, should be of brick façade with the black wrought iron fencing on the others.
- We would like it noted and documented to both the Planning and Zoning Commission and the Board of Alderman that we feel this traffic flow plan is satisfactory as it only pertains to Phase 1, but not if there will ever be a Phase 2. We fully anticipate Mercy moving forward with a Phase 2 at some point in the future which is why Ballas Office Partners (owners of the 755 building) offered up a land swap which would allow Mercy to connect the main entrance of the hospital on Conway to the Highway Forty outer road light at Ballas. We feel this is the ideal situation for the entire project by connecting these two intersections to further control the traffic on Conway and Ballas Roads. If the Phase 1 plan is approved as currently platted and Mercy decides to move forward with a Phase 2 then we are back to square one as it would not allow for this connector road. The Phase 1 plan does not allow for any future connection between these two intersections, (Hospital @ Conway and Hwy 40 outer road @ Ballas). We are more than willing to work with Mercy on this ideal plan and hope the City of Town and Country agrees.

Thanks for your time, if you would like to discuss in further detail please let me know.

Thanks,

J.R. Mayer, Jr
Prestige Custom Homes
314.997.2300
www.prestigech.com