

**BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY
JULY 13, 2020**

Given the current public health crisis, various emergency meeting declarations, and in accordance with the provisions of Sec. 610.020, RSMo., the Board of Aldermen meetings were held via Zoom videoconference and streamed live to YouTube. Public comments on hearings and agenda items were solicited via email. Public viewing of the meeting was made available via the City's website at www.town-and-country.org.

WORK SESSION

The work session meeting of the Board of Aldermen of the City of Town and Country was held at 6:45 PM on Monday, July 13, 2020 via Zoom videoconference.

Present were: Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan. Alderman Wittmaier was absent.

Mayor Dalton recused himself consistent with his past practice and noted that he would not participate in the discussion for agenda item #1. Acting President Benigas presided.

City Attorney Steve Garrett was also present via videoconference to represent the City.

1. Blacksmith Grove/Town Square Update

Bob Brinkmann, Blacksmith Grove owner, was present to provide an update concerning the tenants and operations of Blacksmith Grove. He noted that additional tenants are in discussion to occupy space and others have been passed on because they didn't fit the collective vision for the center. Acting President Benigas requested regular updates about Town Square and Blacksmith Grove, particularly with regards to tenants before they are confirmed. Brief discussion was held about retail uses and the selective nature of filling the various spaces. Mr. Brinkmann reported that a coffee shop with Kaldi's would be possible if someone was interested in being its operator. Acting President Benigas encouraged Mr. Brinkmann to work with City Administrator Shelton to schedule food trucks and other events while the search for tenants continues.

Mayor Dalton presided over the remainder of the Work Session.

2. Discussion – Regular Meeting Agenda Items

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, July 13, 2020 via Zoom videoconference.

PLEDGE OF ALLEGIANCE

Mayor Dalton led the Pledge of Allegiance.

ROLL CALL

The 7:02 PM roll call indicated Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan to be present via videoconference. Alderman Wittmaier was absent.

Mayor Dalton presided.

City Attorney Steve Garrett was also present to represent the City.

MINUTES – 06/22/20 Regular Meeting

Alderman Mortland moved for approval, seconded by Alderman Frautschi.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of 06/22/20 were unanimously approved.

HEARING FROM CITIZENS

No comments were submitted for inclusion under this agenda item.

PUBLIC HEARING(S)

- *A public hearing to review a request from Ben Mohrmann, owner, for approval of a Conditional Use Permit for an accessory structure, multi-purpose building, located at 929 Claymark Drive in the Suburban Estate (SE) Zoning District.*

Mayor Dalton opened the public hearing and the City Clerk entered the following exhibits:

1. Affidavit of Publication of Notice of Hearing published in the St. Louis Countian on June 26, 2020.
2. Typewritten notice of hearing posted at the Municipal Center and on the subject property, and mailed to property owners within 300 ft. of subject property, with a list of property owners attached.
3. Bill No. 20-28.

Ben Mohrmann, owner, was present on behalf of the request.

Alderman Holman inquired about the size of the structure, proximity to the home, and the overhead door that will be facing the street. In response, Mr. Mohrmann explained that the structure is 20x30 sq. ft. with an additional 10 ft. overhead porch and masonry fireplace, with a wood, carriage-style overhead door. He also described the structure's materials and the proposed location to be in the southwest corner of the property within the setbacks. He added that the surrounding neighbors have approved the structure.

Alderman Benigas expressed concern about the location of the door being in contradiction with what is allowed for typical construction and encouraged review for an alternate door location. In response, Mr. Mohrmann explained that the structure will be situated far back in the rear of the property and that no other door locations were available.

Alderman Frautschi provided a report from the Planning & Zoning Commission's consideration that included one "nay" vote given the style of the structure not matching the home. She also noted that two conditions were added regarding the prohibition of driveway access to the structure, and a requirement that the door be "carriage" style in design.

The City Clerk stated, for the record, that two emails consisting of one page each were received from Ned McCarty and Phil Ierardi, respectively. Said emails were distributed to the Board of Aldermen prior to the meeting and are attached hereto and made a part of these minutes.

Hearing no further discussion, the public hearing was closed.

APPOINTMENTS

Mayor Dalton made the following nominations:

- Police Fire & EMS Commission-Alderman Mortland

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Holman, and Mortland; NAY, Frautschi, Hughes and Wiesehan; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried 4-3.

- Ways & Means Commission-Alderman Allen

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes and Mortland; NAY, Wiesehan; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried 6-1.

- Public Works Commission-Alderman Holman

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

- Community Art & Culture-Alderman Hughes

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

- Architectural Review Board-Alderman Benigas

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

- Conservation Commission-Alderman Wittmaier

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

- Parks & Trails Commission-Alderman Wiesehan

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Holman, Hughes and Mortland; NAY, Frautschi and Wiesehan; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried 5-2.

Alderman Wiesehan nominated Alderman Frautschi to serve as the Planning & Zoning Commission liaison, seconded by Alderman Holman.

Hearing no further nominations, the roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

- Special Prosecutor-Andrew Wrenn

Mayor Dalton noted his intent to appoint Andrew Wrenn to serve as a special prosecutor to handle cases wherein legal conflicts of interest may arise with the City's prosecuting attorney provided by Curtis, Heinz, Garrett & O'Keefe.

Alderman Frautschi moved for approval, seconded by Alderman Allen.

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously.

COMMUNICATIONS AND REPORTS**Mayor Dalton**

Mayor Dalton read aloud a proclamation wishing a very happy 107th birthday to Jean Casteel, a resident of Mari de Villa Senior Living Community. Well wishes were offered and a round of applause was held.

Alderman Frautschi

Alderman Frautschi reported that the Planning & Zoning Commission would next meet on July 15 to consider a boundary adjustment and an addition for Covenant Presbyterian Church. She invited all to forward any comments and concerns to her for inclusion in the discussion.

Alderman Mortland

Alderman Mortland announced that the Public Works Commission will be meeting at 4:30 PM on Monday, July 20 via Zoom.

Alderman Holman

Alderman Holman noted that in keeping with St. Louis County regulations, city-wide events are presently postponed for the health and safety of all participants. She added that several small events and classes are currently being offered and encouraged everyone to visit the City's website and/or calendar for more information.

Alderman Hughes

Alderman Hughes reported that the Community Art & Culture Commission met on July 6. She noted excitement about the group and the opportunities for community involvement to come.

Alderman Allen

Alderman Allen reported that the Ways & Means Commission would meet via Zoom at 8:00 AM on Friday, July 24.

She added that she met recently with Dr. Lombardi, Maryville University, via conference call and was informed that the Conway entrance to the campus will be closed to the public during the public health crisis. She noted that the pedestrian trail will remain open to the public with the requirement that masks be worn and users pick up after their pets.

Chief of Police

Chief Jim Cavins noted that the Town & Country Police Department typically names an "Officer of the Year" on an annual basis. He explained that given the year of transition and plethora of recent external stressors, all commissioned officers will collectively be recognized as the "Officers of the Year" given their continued exemplary service.

UNFINISHED BUSINESS

BILL NO. 20-26, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A PAVILION (PERGOLA), LOCATED AT 12027 GAILCREST LANE IN THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Holman, Hughes & Frautschi) (1st reading 06/22/20)

Mayor Dalton noted, for the record, that Maureen Midgely was present on the videoconference on behalf of the request.

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-26 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

Alderman Holman moved to add condition "G" as follows:

G. The construction plans must be submitted to the Barrington Place Subdivision trustees prior to the commencement of construction.

Mayor Dalton confirmed with Aldermen Holman that the intent of the submittal to trustees was for notice purposes only, not to solicit approval.

Alderman Frautschi seconded the amendment and a voice vote carried.

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously and Bill No. 20-26, as amended, became Ordinance No. 4367.

BILL NO. 20-27, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A POOL, LOCATED AT 2019 SOUTH MASON ROAD IN THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Frautschi & Wiesehan) (1st reading 06/22/20)

Mayor Dalton noted, for the record, that Kevin Morrell was present on the videoconference on behalf of the request.

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-27 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Wiesehan.

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland and Wiesehan; NAY, none; ABSTAIN, none; ABSENT, Wittmaier.

The motion carried unanimously and Bill No. 20-27 became Ordinance No. 4368.

NEW BUSINESS

APPROVAL OF A PURCHASE ORDER

Alderman Allen moved to approve a purchase order to VIP Public Safety Distributing for patrol vehicle emergency equipment x2, in the amount of \$22,361.40.

Alderman Frautschi seconded and a voice vote carried.

BILL NO. 20-28, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A MULTI-PURPOSE STRUCTURE, TO BE LOCATED AT 929 CLAYMARK DRIVE IN THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Holman & Hughes)

Mayor Dalton noted, for the record, that Ben Morhmann was present on the videoconference on behalf of the request.

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 20-28 was read for the first time by title only.

Mayor Dalton declared Bill No. 20-28 continued to the meeting of Monday, July 27, 2020 for the second reading and consideration.

BILL NO. 20-29, AN ORDINANCE APPROVING PERMANENT OPEN SPACE MODIFICATIONS AND THE NATURAL RESOURCE PROTECTION LIMITS ADJUSTMENT PLAT THAT AMENDS LOT NO. 5 OF PLAT NO. 2 IN HORTON PLACE SUBDIVISION IN THE CITY OF TOWN AND COUNTRY AND AUTHORIZING THE AMENDED PLAT TO BE RECORDED IN THE OFFICE OF THE RECORDER OF DEED OF ST. LOUIS COUNTY (sponsored by Aldermen Holman, Hughes & Frautschi)

Mayor Dalton noted, for the record, that Cynthia and Mike Behr were present on the videoconference on behalf of the request.

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 20-29 was read for the first time by title only.

Mayor Dalton declared Bill No. 20-29 continued to the meeting of Monday, July 27, 2020 for the second reading and consideration.

APPROVAL OF A PURCHASE ORDER

Alderman Allen moved to approve a purchase order to the City of Chesterfield for bulk salt, in the amount of \$25,695.00.

Alderman Benigas seconded and a voice vote carried.

APPROVAL OF A PURCHASE ORDER

Alderman Frautschi moved to approve a purchase order to Beelman Logistics for salt delivery, in the amount of \$4,805.00.

Alderman Mortland seconded and a voice vote carried.

RESOLUTION NO. R07-2020, A RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE TOWN AND COUNTRY POLICE DEPARTMENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH AND BETWEEN THE LAFAYETTE AREA POLICE AGENCIES FOR POLICE DEPARTMENT RESOURCE SHARING

Alderman Frautschi moved for approval, seconded by Alderman Benigas.

Alderman Holman noted that the Police, Fire & EMS Commission has not met to discuss or consider this legislation and suggested that their input would be valuable on this resource sharing initiative.

Alderman Benigas moved to continue Resolution No. R07-2020 to the meeting of July 27 for further consideration.

Alderman Holman seconded and a voice vote carried.

APPROVAL OF A LIQUOR LICENSE

Alderman Frautschi moved to approve the following liquor license:

Retail Liquor By The Drink - John's Restaurant, DBA John Mineo's Restaurant

Alderman Mortland seconded and a voice vote carried.

WARRANT LIST-07/13/20

Alderman Allen moved for approval, seconded by Alderman Mortland.

Mayor Dalton called for discussion or amendments.

Alderman Holman pointed out that a snow removal invoice was submitted for payment several months after the service and suggested that the City advise the vendor that invoices should be submitted in a timelier manner.

Alderman Hughes inquired about the location(s) of the dead deer removal services. In response, City Administrator Shelton noted that he believed at least one, of the two, was removed from Mason Road.

Alderman Allen referenced the replacement of tribute trees due to deer damage and the potential need to hold off on future replacements, or seek additional donor funds, during this time of reduced expenditures.


Hearing no amendments, a voice vote was taken on the warrant list of July 13, 2020, in the amount of \$377,439.90, and carried.

OTHER

In response to Alderman Frautschi, Chief Cavins provided a brief report about the calls for service related to illegal fireworks on the 4th of July, and the Town & Country Police Department's philosophy for dealing with firework-related issues.

ADJOURN

On motion of Alderman Frautschi, seconded by Alderman Allen and unanimously confirmed by voice vote, the meeting was adjourned at 8:00 PM.


Ashley McNamara
City Clerk

Municipal Center
1011 Municipal Center Drive
Town & Country
Missouri 63131-1101
Tele. (314) 432-6606
Fax (314) 432-1286



Jonathan F. Dalton
Mayor

Robert Shelton
City Administrator

**NOTICE OF PUBLIC HEARING
BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY, MO**

Notice is hereby given that the Board of Aldermen of the City of Town and Country, Missouri will hold a hearing on Monday, July 13, 2020, at 7:00 p.m. at the Municipal Center, 1011 Municipal Center Drive, to review a request from Ben Mohrmann, owner, for approval of a Conditional Use Permit for an accessory structure, multi-purpose building, located at 929 Claymark Drive in the Suburban Estate (SE) Zoning District.

The hearing will be streamed live at the aforementioned date and time, tune in by clicking the "WATCH" banner on our homepage at www.town-and-country.org.

All interested parties may examine all public documents relating to this matter at the Municipal Center by appointment only, or via our website. Please read below for directions on submitting public comments for inclusion in the public hearing. For direct inquiries about the project, please contact City Planner Ryan Spencer at (314) 587-2827.

Ashley McNamara
City Clerk
June 26, 2020

All public documents referenced above can be reviewed online at www.town-and-country.org/386/publicnotices or in-person by special appointment.

Due to current and potentially extended COVID-19 restrictions on gatherings, please forward any public comments for the above noted hearing to City Clerk Ashley McNamara at McNamaraAN@town-and-country.org before Monday, July 13 at 4:30 PM for distribution to the Board of Aldermen and inclusion in the formal record. If you have questions concerning the submittal of your public comments, contact Ashley via email or at (314) 587-2806.

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 1

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTRY, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **June 26, 2020** edition and ending with the **June 26, 2020** edition, for a total of 1 publications:

06/26/2020

NOTICE OF PUBLIC HEARING BOARD OF ALDERMEN CITY OF TOWN AND COUNTRY, MO

Notice is hereby given that the Board of Aldermen of the City of Town and Country, Missouri will hold a hearing on Monday, July 13, 2020, at 7:00 p.m. at the Municipal Center, 1011 Municipal Center Drive, to review a request from Ben Mohrmann, owner, for approval of a Conditional Use Permit for an accessory structure, multi-purpose building, located at 929 Claymark Drive in the Suburban Estate (SE) Zoning District.

The hearing will be streamed live at the aforementioned date and time, tune in by clicking the "WATCH" banner on our homepage at www.town-and-country.org.

All interested parties may examine all public documents relating to this matter at the Municipal Center by appointment only, or via our website. Please read below for directions on submitting public comments for inclusion in the public hearing. For direct inquiries about the project, please contact City Planner Ryan Spencer at (314) 587-2827.

Ashley McNamara
City Clerk
June 26, 2020

All public documents referenced above can be reviewed online at www.town-and-country.org/386/publicnotices or in-person by special appointment.

Due to current and potentially extended COVID-19 restrictions on gatherings, please forward any public comments for the above noted hearing to City Clerk Ashley McNamara at McNamaraAN@town-and-country.org before Monday, July 13 at 4:30 PM for distribution to the Board of Aldermen and inclusion in the formal record. If you have questions concerning the submital of your public comments, contact Ashley via email or at (314) 587-2806.

11896292 County June 26, 2020

Karie Clark

Karie Clark

Subscribed & sworn before me this 26th day of June, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

NAME	ADDRESS	CITY/STATE/ZIP
BOWMAN MARY ELLEN	926 CLAYMARK DR	SAINT LOUIS, MO 63131
BRADLEY JOY C REVOCABLE TRUST ETAL	1001 CLAYMARK DR	SAINT LOUIS, MO 63131
CHABOT MICHAEL C & VICTORIA H H/W	1006 CLAYMARK DR	SAINT LOUIS, MO 63131
DOW JERROLD & SARAH H/W	1000 CLAYMARK DR	SAINT LOUIS, MO 63131
GIBBS BRUCE & CORRIE T/E	2 VANDIVER LN	SAINT LOUIS, MO 63131
GOPALAKRISHNAN KRISHNAKUMAR & IERARDI PHILIP N	935 CLAYMARK DR 12 ROCLARE LN	SAINT LOUIS, MO 63131 SAINT LOUIS, MO 63131
KELLER KIPP P & HEATHER K H/W	11 ROCLARE LN	SAINT LOUIS, MO 63131
KELLY TIMOTHY M TRUSTEE	923 CLAYMARK DR	SAINT LOUIS, MO 63131
KRAUSE LIVING TRUST	14 ROCLARE LN	SAINT LOUIS, MO 63131
MOHRMANN BENJAMIN & DANIELLE T/E	24 CHAMINADE DR	SAINT LOUIS, MO 63141
NOONAN RICHARD M & PATRICIA H/W	9 ROCLARE LN	SAINT LOUIS, MO 63131
RARICK WESLEY M & SARAH B H/W	920 CLAYMARK DR	SAINT LOUIS, MO 63131
RIVERVIEW REAL ESTATE COMPANY L L C	320 N BEMISTON AVE	SAINT LOUIS, MO 63105
ROBERTS WAYNE & MELISSA 2004 REVOCABLE	13 ROCLARE LN	SAINT LOUIS, MO 63131
SUELMANN ROBERT JENNIFER H/W	10 ROCLARE LN	SAINT LOUIS, MO 63131
WHEELER PAUL C & STEPHANIE R T/E	8 ROCLARE LN	SAINT LOUIS, MO 63131
WIDOWSKI THOMAS K MARIA M H/W	914 CLAYMARK DR	SAINT LOUIS, MO 63131
ZEMAN JOHN J & BARBARA F H/W TRS	917 CLAYMARK DR	SAINT LOUIS, MO 63131
Pam Holman	2718 Covington Place Est	Saint Louis MO 63131
Barbara Ann Hughes	101 Hawthorne Est	Saint Louis MO 63131

McNamara, Ashley

From: Ned McCarty <nedmccarty@gmail.com>
Sent: Monday, July 13, 2020 2:01 PM
To: McNamara, Ashley
Cc: Ned McCarty
Subject: 929 Claymark Drive multi-use bldg public hearing 7/13/20

Board of Alderman:

Edward McCarty and Joy Bradley families and owners at 1001 Claymark Drive would like to comment about the proposed multi-purpose building at 929 Claymark Drive. We are very concerned about the size of the proposed unattached building and the precedent it sets for not only Claymark Drive, but the surrounding neighborhoods on both sides of Clayton Road and perhaps the whole town. We walk throughout these neighborhoods daily and have never seen an unattached pool house or shed, let alone a garage or guest house in any backyard. In fact we do not think we have ever seen such a building on any house lot in all of Town and Country. The proposed unattached multi-purpose building is the size of a garage (and the proposal drawings show a garage door) or a guest cottage. The proposed structure does not conform with our subdivision protective covenants as well. The proposed accessory structure, multi-purpose building, is simply too large and excessively out of conformance with the street covenants and Town and Country zoning regulations to be approved. If approved it will set a significant and negative precedent for both our street and the town. We'd all like to have a pool house or shed, but implicit in buying into this community is to embrace and conform to the regulations and standards of this wonderful community. We respectfully suggest that you consider these ideas as you contemplate this proposal.

Sincerely,
Edward and Cynthia McCarty
Joy Bradley
1001 Claymark Drive

McNamara, Ashley

From: Spencer, Ryan
Sent: Monday, July 13, 2020 2:36 PM
To: McNamara, Ashley
Subject: FW: Phil Ierardi

Ashley,

Below is the email in support of 929 Claymark that was submitted to PZ. I am sorry I did not forward sooner, I thought I had included it. I mentioned it to Pam Holman.

Regards,

Ryan

From: T Noonan <noonan5@sbcglobal.net>
Date: June 17, 2020 at 5:33:33 PM CDT
To: spencerr@town-and-country.org
Cc: benmohrmann@hotmail.com
Subject: Phil Ierardi

To whom it may concern, I approve Ben plans. He can do what he wants and I have no problem with it.
Phil
12 Roclare

Sent from my iPhone