

**BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY
AUGUST 12, 2019**

WORK SESSION

The work session meeting of the Board of Aldermen of the City of Town and Country was held at 6:15 PM on Monday, August 12, 2019.

Present were: Aldermen Allen, Benigas, Butler, Frautschi, Mange, Mortland and Reuter. Alderman Holman was absent.

Mayor Dalton presided.

City Attorney Steve Garrett was present to represent the City.

1. Discussion – Regular Meeting Agenda Items

Alderman Mortland stated for the record that in light of his absence from the last meeting, he was fully apprised of the materials regarding the medical marijuana agenda item.

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, August 12, 2019 at the Municipal Center, 1011 Municipal Center Drive.

PLEDGE OF ALLEGIANCE

Hans Fredrikson, Ward 2 resident, led the Pledge of Allegiance.

ROLL CALL

The 7:00 PM roll call indicated Aldermen Allen, Benigas, Butler, Frautschi, Mange, Mortland and Reuter. Alderman Holman was absent.

Mayor Dalton presided.

City Attorney Steve Garrett was present to represent the City.

MINUTES – 07/22/19 Regular Meeting

Alderman Butler moved for approval, seconded by Alderman Mortland.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of 07/22/19, were unanimously approved.

HEARING FROM CITIZENS

Mark Harter, 13337 Manor Hill, stated that he is support of the bill to continue work on the Mason Road Trail Project. He also noted his opposition to withdrawing the grant application for the Topping Road Trail Project.

PUBLIC HEARING(S)

A court reporter from Alaris Litigation was present to record the public hearing.

- *A public hearing to review a request from Richard Salmon, owner, for approval of a Conditional Use Permit for an accessory structure not enumerated in the Zoning Code, a detached garage, located at 13321 Kings Glen Drive, in the Suburban Estate (SE) Zoning District.*

Alderman Butler recused herself and left the dais due to a conflict of interest, noting that she is a resident of Kings Glen Drive.

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 July 26, 2019.
2. Typewritten notice of hearing posted at the Municipal Center and on the subject property, and mailed to property owner's within 300 ft. of subject property, with a list of those owners attached.
3. Bill No. 19-43

Scott Volding, Volding Architecture, was present on behalf of the request. He noted that the proposed detached garage is a modest addition and that the owners were also present and available for questions.

Mayor Dalton called for public comments.

Hearing none, the public hearing was closed.

Alderman Butler returned to the dais.

APPOINTMENTS

COMMUNICATIONS AND REPORTS

Alderman Frautschi

Alderman Frautschi reported that a subcommittee of the Planning & Zoning Commission met earlier in the day to complete their work on the natural resource preservation amendments and a formal recommendation will be considered at the next P&Z Commission meeting.

Alderman Mortland

Alderman Mortland announced that the Public Infrastructure Task Force will be meeting on Tuesday, August 13 at 8:00 AM.

City Administrator

Bob Shelton reported that an offer has been tendered to a candidate for the Public Works Director position. He also stated that a report and additional information regarding the ability to live stream Board of Aldermen meetings is forthcoming.

Mayor Dalton

Mayor Dalton encouraged all to attend the Town Square Grand Opening to be held on Friday, August 16 with a ribbon cutting at 7:00 PM in conjunction with food, drinks and entertainment, followed by fireworks at 9:00 PM

UNFINISHED BUSINESS

BILL NO. 19-39, AN ORDINANCE AMENDING TITLE IV, CHAPTER 405 THE ZONING REGULATIONS OF THE TOWN AND COUNTRY MUNICIPAL CODE BY ENACTING SECTION 405.227 MARIJUANA RELATED USES AND AMENDING THE FOLLOWING: SECTION 405.080 DEFINITIONS, SECTION 405.560 OFFICE/CAMPUS OFFICE-CONDITIONAL USES, SECTION 405.630 COMMERCIAL-CONDITIONAL USES, 405.865 HOSPITAL-CONDITIONAL USES, SECTION 405.951 PLANNED OFFICE PARK-CONDITIONAL USES, AND SECTION 405.1330 PLANNED MEDICAL OFFICE-CONDITIONAL USES TO ADD REGULATIONS REGARDING MEDICAL MARIJUANA USES (sponsored by Aldermen Frautschi & Holman) (1st reading 07/22/19)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 19-39 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Allen.

Alderman Frautschi moved to accept Substitute Bill No. 19-39 for consideration and noted the amendments include state approved definitions and various facility requirements.

Alderman Butler seconded the motion and a voice vote carried.

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Butler, Frautschi, Mange, Mortland and Reuter; NAY, none; ABSTAIN, none; ABSENT, Holman.

The motion carried unanimously and Bill No. 19-39, as substituted, became Ordinance No. 4299.

BILL NO. 19-40, AN ORDINANCE AUTHORIZING A WORK ORDER WITH WOOD, INC. FOR ADDITIONAL DESIGN AND PLANS FOR DRAINAGE PURPOSES RELATED TO THE MASON ROAD MULTI-USE TRAIL AND AMENDING THE 2019 BUDGET BY INCREASING A PARKS AND STORMWATER FUND EXPENDITURE ACCOUNT AND APPROPRIATING THE FUNDS TO COVER THE INCREASE (sponsored by Alderman Holman) (1st reading 07/22/19)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 19-40 was read for the second time and placed upon its final passage.

Will McKnight, 1617 Foxleigh Court, strongly encouraged the Board to move forward with completing the north/south connector trail as promised and as awarded by the grant process.

Kathy Carey, 13573 Featherstone Drive, spoke in support of trails throughout the City.

Karen McKnight, 1617 Foxleigh Court, spoke in support of the connectivity that has been part of the City's vision for 17 years. She added that the survey completed in 2016 showed overwhelming support of ward connectivity.

Amy Santangelo, 1754 Armstead Drive, spoke in support of the trail. She noted that as the trail is the vision of the residents, the Board should implement that vision.

David McKnight, 1617 Foxleigh Court, spoke in support of trails as a means for walking and biking around the community.

Hans Fredrickson, 1127 South Mason Road, spoke in support of the trail. He noted that spending a little more money for this significant project will be beneficial for everyone, particularly for access to Town Square.

Lynn Wright, 2478 White Stable Road, spoke in favor of the project. She explained that the Grant Commission is supportive of this project and has been patient by granting several time extensions. She urged the Board to vote yes because of the connectivity, drainage, and safety needs that would be addressed by the project.

Alderman Mange moved to continue the bill to the meeting of August 26, seconded by Alderman Mortland.

Alderman Reuter noted his opposition to the project because of safety concerns and the inability to accomplish the goal of connecting to Queeny Park.

Alderman Frautschi suggested forming a group to further consider this project.

A roll call vote on the motion to continue was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Mange, and Mortland; NAY, Butler and Reuter; ABSTAIN, none; ABSENT, Holman.

The motion carried 5-2 and the bill was continued.

BILL NO. 19-41, AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE CITY OF CHESTERFIELD FOR PROFESSIONAL INFORMATIONAL TECHNOLOGY (IT) SERVICES FOR THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Allen & Reuter) (1st reading 07/22/19)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 19-41 was read for the second time and placed upon its final passage.

Alderman Allen moved for approval, seconded by Alderman Frautschi.

Alderman Reuter reported that City Administrator Bob Shelton performed his due diligence before presenting the cooperative agreement for consideration. He added that the City of Frontenac would need to approve a similar agreement with Chesterfield as well.

In response to Alderman Butler, Mr. Shelton stated that an IT professional from Chesterfield would help obtain estimates for upgrades to the City's IT infrastructure. Alderman Butler suggested that findings be brought before the Ways & Means Commission for their review.

Alderman Mortland commended Mr. Shelton for looking outside typical vendor contracts to find a solution that best suited the City.

The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Butler, Frautschi, Mange, Mortland and Reuter; NAY, none; ABSTAIN, none; ABSENT, Holman.

The motion carried unanimously and Bill No. 19-41 became Ordinance No. 4300.

NEW BUSINESS

BILL NO. 19-42, AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR LOTS 2 AND 3 OF BELCREST ESTATES IN THE CITY OF TOWN AND COUNTRY AND AUTHORIZING THE BOUNDARY ADJUSTMENT PLAT TO BE RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF ST. LOUIS COUNTRY (sponsored by Aldermen Frautschi & Butler)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 19-42 was read for the first time by title only.

Mayor Dalton declared Bill No. 19-42 continued to the meeting of Monday, August 26, 2019 for the second reading and consideration.

BILL NO. 19-43, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A DETACHED GARAGE, LOCATED AT 13321 KINGS GLEN DRIVE IN THE CITY OF TOWN AND COUNTRY (sponsored by Alderman Frautschi)

Alderman Butler recused herself and left the dais due to her previously stated conflict.

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 19-43 was read for the first time by title only.

Mayor Dalton declared Bill No. 19-43 continued to the meeting of Monday, August 26, 2019 for the second reading and consideration.

Alderman Butler returned to the dais.

BILL NO. 19-44, AN ORDINANCE AMENDING THE 2019 BUDGET BY INCREASING A GENERAL FUND EXPENDITURE ACCOUNT FOR THE PURPOSE OF PROVIDING A FINANCIAL GRANT TO THE TOWN & COUNTRY HISTORICAL SOCIETY TO PUBLISH A HISTORY BOOK OF THE CITY OF TOWN & COUNTRY AND APPROPRIATING THE FUNDS TO COVER THE INCREASE (sponsored by Alderman Mange)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 19-44 was read for the first time by title only.

Kevin Hoffman, 115 Ballas Court, spoke in support of the History Book authored by his mother, Mariann Hoffman. He provided his history of growing up in Town and Country and his family's volunteer efforts over several decades. He encouraged the Board to read the book as it is full of interesting stories recounted by the people who lived the City's history.

Alderman Butler inquired about establishing grant guidelines and the necessity of including a disclaimer about the book being compiled of oral histories that weren't fact checked by the City.

Mayor Dalton declared Bill No. 19-44 continued to the meeting of Monday, August 26, 2019 for the second reading and consideration.

APPROVAL OF A PURCHASE ORDER

Alderman Frautschi moved for approval of a purchase order to T. Hill Construction for the 2712 Covington Place Stormwater Maintenance Project, in the amount of \$2,366.00.

Alderman Butler seconded the motion and a voice vote carried.

BILL NO. 19-45, AN ORDINANCE ACCEPTING THE BID AND AUTHORIZING AN AGREEMENT WITH BARTELS & MISSEY, INC. FOR THE DEVELOPMENT OFFICE RENOVATIONS PROJECT (sponsored by Alderman Allen)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 19-45 was read for the first time by title only.

Mayor Dalton declared Bill No. 19-45 continued to the meeting of Monday, August 26, 2019 for the second reading and consideration.

APPROVAL OF A PURCHASE ORDER

Alderman Allen moved for approval of a purchase order to Bradford Systems for development office furniture, in the amount of \$22,562.31.

Alderman Frautschi seconded the motion and a voice vote carried.

APPROVAL OF A PURCHASE ORDER

Alderman Allen moved for approval of a purchase order to Bradford Systems for a development office filing system, in the amount of \$10,380.67.

Alderman Frautschi seconded the motion and a voice vote carried.

BILL NO. 19-46, AN ORDINANCE AMENDING TITLE I OF THE TOWN AND COUNTRY MUNICIPAL CODE, SPECIFICALLY SECTIONS 110.130 AND 125.010 REGARDING THE REFERENCE TO A SPECIFICALLY ENUMERATED VERSION OF ROBERT'S RULES OF ORDER (sponsored by Alderman Butler)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 19-46 was read for the first time by title only.

Mayor Dalton declared Bill No. 19-46 continued to the meeting of Monday, August 26, 2019 for the second reading and consideration.

RESOLUTION NO. R15-2019, A RESOLUTION DIRECTING STAFF TO WITHDRAW THE PREVIOUSLY SUBMITTED APPLICATION FOR A SURFACE TRANSPORTATION BLOCK GRANT FOR PHASE 2 OF THE TOPPING ROAD RESURFACING AND PEDESTRIAN IMPROVEMENTS PROJECT

Alderman Mange moved to continue consideration of the Resolution to the August 26 meeting, seconded by Alderman Benigas.

Mark Harter, 13337 Manor Hill, spoke in opposition to the Resolution and expressed confusion about why the process is moving backwards.

Lynn Wright, 2478 White Stable, spoke in opposition to the Resolution and encouraged the Board to make information about the potential changes available to the public. She briefly reviewed her history with the Clayton Road Trail and its various negotiations during the project.

Will McKnight, 1617 Foxleigh, expressed frustration with the process of reviewing and designing trails only to have subsequent attempts to stop the projects. He spoke about the safety features allowed by an eight ft. wide trail and urged the Board to move forward with what has already been recommended.

A roll call vote on the motion to continue was as follows: AYE, Aldermen Allen, Benigas, Frautschi, Mange, Mortland, and Reuter; NAY, Butler; ABSTAIN, none; ABSENT, Holman.

The motion carried 6-1 and the resolution was continued.

WARRANT LIST-08/12/19

Alderman Allen moved for approval, seconded by Alderman Mortland.

Mayor Dalton called for any amendments.

Hearing none, a voice vote was taken and the warrant list of August 12, 2019, in the amount of \$381,463.39 and was unanimously approved.

OTHER

Alderman Butler inquired with legal counsel about the proper parliamentary procedure to allow aldermen to speak on an underlying piece of legislation while a motion is before the Board. City Attorney Steve Garrett explained that a point of order can be raised to overrule the Chair if there is an objection.

Discussion was held about parliamentary procedure and the appropriate time for discussion on motions, legislation, and other topics.

In response to Alderman Butler, City Attorney Garrett explained that in order to openly discuss an agenda item that has already been continued, a motion to reconsider the continuance motion could be made and, if defeated upon taking it back up, discussion could be held.

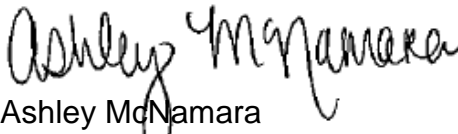
ADJOURN

Motion was made by Alderman Mange and seconded by Alderman Mortland to move to closed session pursuant to Section 610.021 (2) to discuss real estate and attorney/client privileged communications.

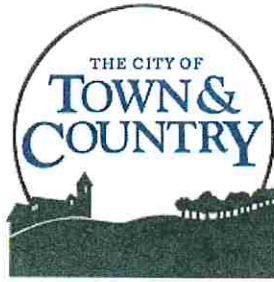
The roll call vote was as follows: AYE, Aldermen Allen, Benigas, Butler, Frautschi, Mange, Mortland and Reuter; NAY, none; ABSTAIN, none; ABSENT, Holman.

The motion carried unanimously and the Board moved to closed meeting at 8:15 PM.

The Board did not return to open regular session.


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, August 12, 2019, at 7:00 p.m. at the Municipal Center, 1011 Municipal Center Drive, to review a request from Richard Salmon, owner, for approval of a Conditional Use Permit for an accessory structure not enumerated in the Zoning Code, a detached garage, located at 13321 Kings Glen Drive, in the Suburban Estate (SE) Zoning District.

All interested parties may examine all public documents relating to this matter at the Municipal Center and may appear and be heard at the public hearing. For direct inquiries, please contact City Planner Ryan Spencer at (314) 587-2827.

Ashley McNamara
City Clerk
July 26, 2019

| NAME | ADDRESS | CITY/STATE/ZIP |
|--|---------------------------------------|------------------------|
| ANDERSON MARK I & AMY O H/W | 4 RUTHERFORD LN | SAINT LOUIS, MO 63131 |
| BEARD STUART J & PERRY ANN M H/W | 13366 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| BLACKSMITH GROVE LLC | 16650 CHESTERFIELD GROVE RD SUITE 100 | CHESTERFIELD, MO 63005 |
| BROWN JERRY G SHIRLEEN G | 13325 CROSS LAND DR | SAINT LOUIS, MO 63131 |
| BUTLER BRIAN P & LINDSEY P H/W | 13310 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| DONOVAN THOMAS J & JENNIFER A H/W | 13309 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| FELDMEIER MAUREEN M JOHN R H/H TRUSTEE | 13343 CROSS LAND DR | SAINT LOUIS, MO 63131 |
| FOX THOMAS E KAREN K H/W | 13342 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| FRANK KEITH & KARI H/W | 13333 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| FRANKEL IRWIN J, KAREN K H/W | 13361 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| FREDERICK WILLIAM S KAREN S | 13324 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| GIBBINS RONALD & MARTHA H/W | 13300 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| KRAMER JOSHUA D & AMY J T/E | 13301 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| PAUL ERIC B JR & JEAN M T/E | 13303 CROSS LAND DR | SAINT LOUIS, MO 63131 |
| SALMON RICHARD & CLAIRE H/W | 13321 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| SWITZER TRACY R ETAL | 3 RUTHERFORD LN | SAINT LOUIS, MO 63131 |
| Tiffany Frautschi | 1865 S Mason Road | Saint Louis, MO 63131 |
| TOOMBS CELIA J H & JAMES D H/H | 13347 KINGS GLEN DR | SAINT LOUIS, MO 63131 |
| TOWN & COUNTRY CITY OF | 1011 MUNICIPAL CENTER DR | SAINT LOUIS, MO 63131 |
| WHITE GORDON R TRUSTEE | 13311 CROSS LAND DR | SAINT LOUIS, MO 63131 |

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Before the undersigned Notary Public personally appeared **Lisa Fowler** on behalf of **THE COUNTIAN, 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 **July 26, 2019** edition and ending with the **July 26, 2019** edition, for a total of 1 publications:

07/26/2019

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BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY, MO**

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All interested parties may examine all public documents relating to this matter at the Municipal Center and may appear and be heard at the public hearing. For direct inquiries, please contact City Planner Ryan Spencer at (314) 587-2827.

Ashley McNamara
City Clerk
11770709 County Jul. 26, 2019

Lisa Fowler

Lisa Fowler

Subscribed & sworn before me this 26th day of July, 2019
(SEAL)

Tammy Morehead

Notary Public

TAMMY MOREHEAD
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis City
My Commission Expires: December 25, 2021
Commission Number: 12394743