

**BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY
SEPTEMBER 28, 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 6:30 PM on Monday, September 28, 2020 via Zoom videoconference.

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

Mayor Dalton presided.

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

1. Discussion – St. Louis County Executive COVID-19 Orders and Guidelines

Alderman Wittmaier provided an update on the aldermanic feedback that was received and incorporated into the revised draft resolution. He added that outreach to various St. Louis County and Municipal League representatives was made and the resolution received support from Tim Fitch, Mark Harter, and Pat Kelly respectively. Discussion ensued about the specific issues and proposed solutions suggested by the resolution's language, concerns about disparate views of the community at-large, and the potential for working with the County Executive's office and Country Council to achieve desired change. Additional feedback on the resolution's verbiage and intent was solicited so that the legislation could be brought forward for consideration in the near future.

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, September 28, 2020 via Zoom videoconference.

PLEDGE OF ALLEGIANCE

Mayor Dalton led the Pledge of Allegiance.

ROLL CALL

The 7:06 PM roll call indicated Aldermen Allen, Benigas, Frautschi, Holman, Hughes, Mortland, Wiesehan, and Wittmaier to be present via videoconference.

Mayor Dalton presided.

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

MINUTES – 09/14/20 Regular Meeting

Alderman Frautschi moved for approval, seconded by Alderman Holman.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of 09/14/20 were unanimously approved.

HEARING FROM CITIZENS

No public comments were submitted for inclusion in the record for this agenda item.

PUBLIC HEARING(S)

APPOINTMENTS

Mayor Dalton announced his intent to appoint Kassie Harrold, Ward 1, to the Parks & Trails Commission at the October 12 Board of Aldermen meeting.

- Police Fire & EMS Commission: Jack Vasquez, At-Large
Alderman Frautschi moved to approve Mr. Vasquez's appointment, seconded by Alderman Mortland.

A voice vote was held and carried.

- Police Fire & EMS Commission: Dan Schoenekase, Ward 3
Alderman Mortland moved to approve Mr. Schoenekase's appointment, seconded by Alderman Frautschi.

A voice vote was held and carried.

- Public Works Commission: Mark Johnson, Ward 4
Alderman Holman moved to approve Mr. Johnson's appointment, seconded by Alderman Allen.

A voice vote was held and carried.

COMMUNICATIONS AND REPORTS

Alderman Wittmaier

Alderman Wittmaier announced that the Conservation Commission would hold its next meeting at noon on October 5 via Zoom.

Alderman Mortland

Alderman Mortland reported that the Police, Fire & EMS Commission (PFE) will be meeting via Zoom at 4:30 PM on September 29.

He also stated that the Fire & EMS Services Task Force would next meet at 8:00 AM on October 14.

Alderman Hughes

Alderman Hughes noted that the Community Art & Culture Commission would hold its next meeting at 6:00 PM on October 5, at Town Square.

Alderman Holman

Alderman Holman reported that the Public Works Commission did not meet in September and would hold its next meeting at 4:30 PM on October 19, via Zoom.

Alderman Frautschi

Alderman Frautschi announced that zoning text amendments relating to Planned Development Districts (PDDs) and fence regulations would be coming to the Board of Aldermen for public hearing on October 12. She encouraged all to review the notices and draft language that are available on the City's website.

Alderman Allen

Alderman Allen reported that the Ways & Means Commission will next meet via Zoom at 8:30 AM on Friday, October 16.

Mayor Dalton added that budget preparation is underway and a briefing will be given to the Board of Aldermen well in advance of consideration.

Alderman Wiesehan

Alderman Wiesehan announced that the Parks & Trails Commission met on September 21 at the Longview Pavilion to review the draft budget. He added that the Commission's next meeting would be held on October 29 at the Town Square Pavilion.

Alderman Benigas

Alderman Benigas inquired about the potential for resuming in-person Board of Aldermen meetings and asked that staff be directed to look into the matter.

City Administrator

City Administrator Bob Shelton reported that additional information has been received regarding CARES Act funds, and further that the City's application has been compiled in excess of the per capita allotment so full receipt of funding is expected. He added that he will continue to update the Board as the application progresses and new information becomes available.

UNFINISHED BUSINESS

BILL NO. 20-38, AN ORDINANCE ACCEPTING THE BID OF T. HILL CONSTRUCTION FOR SNOW REMOVAL SERVICES ON THE ROADWAYS AND STREETS OF THE CITY OF TOWN AND COUNTRY DURING THE 2020-2021 WINTER SEASON AND AUTHORIZING AN AGREEMENT FOR SAME (sponsored by Alderman Holman) (1st reading 08/24/20, 2nd reading 09/14/20)

Alderman Mortland moved for approval, seconded by Alderman Frautschi.

Alderman Allen noted that snow removal services, particularly on private streets, are a good example of nonobligatory services provided to residents by the City, while maintaining a zero property tax rate.

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

The motion carried unanimously and Bill No. 20-38 became Ordinance No. 4378.

BILL NO. 20-39, AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A PAVILION, LOCATED AT 14 COUNTRY AIRE DRIVE IN THE CITY OF TOWN AND COUNTRY (sponsored by Aldermen Holman & Frautschi) (1st reading 09/14/20)

Mayor Dalton noted, for the record, that Jack and Alex Jennings, owners, were present on the videoconference.

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-39 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

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

The motion carried unanimously and Bill No. 20-39 became Ordinance No. 4379.

RESOLUTION NO. R09-2020, A RESOLUTION APPROVING SIGN CODE VARIANCES FOR US CLOUD, LOCATED AT 12855 FLUSHING MEADOWS DRIVE (continued from 09/14/20)

Mayor Dalton noted, for the record, that Peter Pfeifer, owner's representative, was present on the videoconference.

Alderman Frautschi moved for approval, seconded by Alderman Benigas.

Alderman Wittmaier spoke in opposition of the variances given the Code-compliant signage that presently exists on other buildings in the office park.

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

The motion carried 5-3 and the variances were approved.

RESOLUTION NO. R10-2020, A RESOLUTION APPROVING SIGN CODE VARIANCES FOR ACCENTURE FEDERAL SERVICES, LOCATED AT 520 MARYVILLE CENTRE DRIVE (continued from 09/14/20)

Mayor Dalton noted, for the record, that Whitaker Varley, owner's representative, was present on the videoconference.

Alderman Allen moved for approval, seconded by Alderman Benigas.

Alderman Wittmaier spoke in opposition of the variances given the 30% increase from the allowable size in Code and the insufficient need for such a large sign in the proposed location.

Alderman Benigas noted that the sign regulations continue to require revision in order to establish more consistent standards. In response, Alderman Frautschi noted that the revised Sign Code has passed through subcommittee and will be considered by the Planning & Zoning Commission on October 21 before ultimately coming to the Board of Aldermen for consideration.

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

The motion carried 6-2 and the variances were approved.

BILL NO. 20-40, AN ORDINANCE APPROVING AN AMENDED FINAL SITE DEVELOPMENT PLAN FOR THE MERCY HOSPITAL SOUTH CAMPUS EXPANSION, LOCATED AT 763, 767, AND 777 SOUTH NEW BALLAS WITH CONDITIONS TO BE COMPLIED WITH AND AUTHORIZING CERTIFICATION OF THE AMENDED FINAL SITE DEVELOPMENT PLAN (sponsored by Aldermen Holman & Frautschi) (1st reading 09/14/20)

For the record, George Stock and Josh Barcus, Stock and Associates, as well as Don Kalicak and Chris Viviano, Mercy, were present on the videoconference.

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-40 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

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

The motion carried unanimously and Bill No. 20-40 became Ordinance No. 4380.

BILL NO. 20-41, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL BUILDING CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTIONS 500.010, 500.013, AND 500.015 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-41 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Hughes.

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

The motion carried unanimously and Bill No. 20-41 became Ordinance No. 4381.

BILL NO. 20-42, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL EXISTING BUILDING CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTION 500.200 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-42 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Hughes.

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

The motion carried unanimously and Bill No. 20-42 became Ordinance No. 4382.

BILL NO. 20-43, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL FIRE CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTIONS 210.120, 220.123, AND 220.125 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-43 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

Alderman Wittmaier inquired as to whether the updates and the resulting impact on residents and builders have been reviewed by City staff. In response, City Administrator Shelton confirmed that Fire Marshal Dave Phipps, in concert with West County EMS & Fire, reviewed the code and believe the updates are both appropriate and beneficial.

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

The motion carried unanimously and Bill No. 20-43 became Ordinance No. 4383.

BILL NO. 20-44, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL MECHANICAL CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING

PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTIONS 500.030, 500.031, AND 500.033 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-44 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

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

The motion carried unanimously and Bill No. 20-44 became Ordinance No. 4384.

BILL NO. 20-45, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTION 500.210 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-45 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

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

The motion carried unanimously and Bill No. 20-45 became Ordinance No. 4385.

BILL NO. 20-46, AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY BY ADOPTING AND ENACTING THE 2018 INTERNATIONAL RESIDENTIAL CODE AND CERTAIN MODIFICATIONS THERETO, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, AND AMENDING SECTIONS 500.150, 500.155, AND 500.160 RELATING THERETO (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-46 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Frautschi.

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

The motion carried unanimously and Bill No. 20-46 became Ordinance No. 4386.

BILL NO. 20-47, AN ORDINANCE AMENDING TITLE V, CHAPTER 500, BUILDING CODES AND BUILDING REGULATIONS, OF THE TOWN AND COUNTRY MUNICIPAL CODE, SPECIFICALLY BY THE AMENDMENT OF SECTION 500.110 REGARDING ARCHITECTURAL CRITERIA (sponsored by the Board as a Whole) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-47 was read for the second time and placed upon its final passage.

Alderman Holman moved for approval, seconded by Alderman Benigas.

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

The motion carried unanimously and Bill No. 20-47 became Ordinance No. 4387.

BILL NO. 20-48, AN ORDINANCE AMENDING TITLE III, CHAPTER 375, TRAFFIC REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY, SPECIFICALLY SECTION 375.170 REGARDING EQUIPMENT FOR MOTORCYCLE RIDERS (sponsored by Aldermen Holman & Frautschi) (1st reading 09/14/20)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 20-48 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Hughes.

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

The motion carried unanimously and Bill No. 20-48 became Ordinance No. 4388.

NEW BUSINESS

RESOLUTION R11-2020, A RESOLUTION APPROVING A LUMP SUM PAYMENT TO AN ELIGIBLE RETIREE IN LIEU OF THE CITY PAYING A PORTION OF THEIR MEDICAL INSURANCE PREMIUM

Alderman Allen moved for approval, seconded by Alderman Frautschi.

A voice vote was held and carried.

RESOLUTION R12-2020, A RESOLUTION APPROVING THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR BOPP LANE SUBDIVISION IN THE CITY OF TOWN AND COUNTRY

Mayor Dalton noted that Ryan Kerner, subdivision representative, was present on the videoconference.

The City Clerk entered two separate emails from Don Rocco at 1 Bopp Lane into the record and noted that both were sent to the Board in advance of the meeting.

Alderman Wittmaier moved to continue Resolution No. R12-2020 to the meeting of October 12, 2020 for further consideration, and to allow Mr. Rocco the ability to address the Board directly.

Alderman Benigas seconded the motion.

In response to Alderman Allen, Mr. Kerner noted that the existing covenants were adopted in 1953 and require an update to address modern situations. He explained that outside counsel was hired to draft the document and it was approved 15-2 by members of the subdivision.

The City Clerk noted that Mr. Rocco did wish to address the Board and did so by his second email sent late in the afternoon. She added that Mr. Rocco will be contacted regarding the opportunity to join the next Zoom meeting and that contact information and submittals will be forward to the appropriate parties, as requested.

A voice vote was held on the continuance motion and carried.

Mayor Dalton reiterated that the continuance was in no way a reflection of the request, but rather an opportunity to provide for full participation by all interested parties.

BILL NO. 20-49, AN ORDINANCE AMENDING TITLE I, CHAPTER 115 OFFICERS AND EMPLOYEES, OF THE CITY OF TOWN AND COUNTRY MUNICIPAL CODE, SPECIFICALLY BY THE AMENDMENT OF SECTION 115.020 REGARDING THE ELECTION AND TERM OF THE CITY CLERK (sponsored by the Board as a Whole)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 20-49 was read for the first time by title only.

Mayor Dalton declared Bill No. 20-49 continued to the meeting of Monday, October 12, 2020 for the second reading and consideration.

WARRANT LIST-09/28/20

Alderman Allen moved for approval, seconded by Alderman Mortland.

Mayor Dalton called for discussion or amendments.

Hearing no amendments, a voice vote was taken on the warrant list of September 28, 2020, in the amount of \$219,597.43, and carried.

OTHER


ADJOURN

Motion was made by Alderman Frautschi and seconded by Alderman Hughes to move to closed session pursuant to Section 610.021 (1) and (2) to discuss legal actions, real estate, and attorney/client privileged communications.

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

The motion carried unanimously and the Board moved to closed meeting at 8:00 PM.

The Board did not return to open regular session.



Ashley McNamara
City Clerk

McNamara, Ashley

From: Don Rocco <donrocco@upinamerica.com>
Sent: Monday, September 28, 2020 11:15 AM
To: McNamara, Ashley
Subject: Request to Not Approve the Proposed Indentures for the Bopp Lane Homeowners Association
Attachments: Requested Response to Bopp Lane Trustees.pdf

Importance: High

Good Morning Ashley,

Please distribute copies of this email message to all the members of the Board of Aldermen prior to their meeting tonight.

Thank you,
Don Rocco

Dear Board of Aldermen,

I have many concerns about the proposed request for approval of the indentures for the Bopp Lane Homeowners Association.

However, to be initially brief, I will only address three concerns.

But first . . .

I, Domenick (Don) Rocco, and Mary (Penny) Rocco have been residents plus lot owners of 1 Bopp Lane since 1980. It is a single family one story ranch dwelling with three bedrooms, dining room, living room with a separate fireplace, family room with a separate fireplace, full basement and attached two car garage plus in 1996 a major renovation with enlargements of two bath rooms and kitchen plus the additions of a gathering room and second concrete patio with connecting concrete side walk to a previously updated and enlarged patio. And, there are seven outside entrances. Plus, last year, replaced the roof, gutters, down spouts and garage door.

As previously mentioned, these three concerns involve the following listed property, as it pertains to the proposed indentures:

1. An asphalt driveway, maintained and regularly sealed,
2. A decorative wrought iron mail box.
3. A 27 sections three-split-rail fence parallel to Bopp Road.

Note: Two three-split-rail fences, one on the North and South of Bopp Lane, were installed along Bopp Road when the Bopp Lane Subdivision was established in 1956. Both fences have been repaired and replaced several times and meet Town & Country

guidelines.

The one fence South of Bopp Lane was removed about eight years ago.

To comply with the proposed indentures, the property listed above would not be able to be replaced or must be removed.

Additionally, I would greatly appreciate the opportunity to personally address the Board.

And for your additional information, and as I have previously indicated many times to the current Bopp Lane Trustees, orally and in writing, I will not be one of the Grantors or will not sign as a DECLARANT of the proposed indentures for the Bopp Lane Homeowners Association that is being presented before you this evening.

Also, as a current lot owner, I have told the Bopp Lane Trustees that I will reserve my legal right not become a Member of the newly formed Bopp Lane Homeowners Association.

I am extremely concerned that if you approve the currently proposed indentures, I will however be forced to remove and/or not replace my property listed above, with like kind and quality.

Sincerely,
Domenick F. (Don) Rocco

 Yes, I approve moving forward with the creation and incorporation of Bopp Lane Homeowner's Association, Inc.

No, I do not approve moving forward with the creation and incorporation of Bopp Lane Homeowner's Association, Inc.

Signed:



Address:

1 Bopp Lane

McNamara, Ashley

From: Don Rocco <donrocco@upinamerica.com>
Sent: Monday, September 28, 2020 1:54 PM
To: McNamara, Ashley
Subject: Additional Comments

Importance: High

Good Afternoon Ashley,

Below are the comments I would have been making during the Board meeting, if I were able to speak.

Thank you for distributing copies of this second email message to all the members of the Board of Aldermen prior to their meeting tonight.

Sincerely,
Don Rocco

These would have been my Additional Comments if permitted to speak before the Board:

Penny and I, after an extensive three year search, decided to become Town and Country residents because of the absolutely great location, minimum one acre lot zoning, a responsive administration, fire and police protection.

The original and current Bopp Lane protective covenants, for the 17 lot owners, consists of five pages for the primary purpose to establish periodic assessments for the maintenance and replacement of the Bopp Lane road.

However, as you know, Town and Country is now responsible for the maintenance of the Bopp Lane road.

The two islands, located at each end of Bopp Lane, I think are half the total size of the first floor living space of Ryan Kerner's newly build home.

As a result, our Bopp Lane subdivision monthly electric bill is \$14.00 and our water bill is for summer watering of our front island only. And, our annual landscaping maintenance is less than \$400.00.

Since we become residents in 1980, our assessments, every year of two, were \$100.00. Then increased to \$200 in 2016, and \$400 in 2019 and 2020, primarily because of the potential legal costs due to proposed creation of a Homeowners Association and the additional purchase of a Liability Insurance Policy potentially duplicating the existing Homeowners' insurance policies personally and separately acquired by each Bopp Lane lot owner.

It appears that these proposed indentures are duplicating another Town and Country administration. However, this 42 page proposed indentures uses the phrase *"shall be approved in the sole and absolute discretion of the Board"* numerous times.

Thank you Board Members for considering my request,
Don Rocco

Mobile Telephone Number: 314.960.9366

From: McNamara, Ashley [mailto:McNamaraAN@town-and-country.org]
Sent: Monday, September 28, 2020 11:52 AM
To: Don Rocco <donrocco@upinamerica.com>
Subject: RE: Request to Not Approve the Proposed Indentures for the Bopp Lane Homeowners Association

Got it! Please let this email serve as confirmation that I have forwarded your below message to the Board of Aldermen and will enter into the record at tonight's meeting.

Thanks so much,

Ashley