

Municipal Center
1011 Municipal Center Drive
Town and Country
Missouri 63131-1101
Tele. (314) 432-6606
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Jonathan F. Dalton
Mayor

Robert Shelton
City Administrator

**NOTICE OF WORK SESSION
BOARD OF ALDERMEN
MONDAY, FEBRUARY 11, 2019 6:30 PM**

Notice is hereby given that the Board of Aldermen will hold a Work Session on **MONDAY, FEBRUARY 11, 2019, at 6:30 PM** at the Municipal Center, 1011 Municipal Center Drive, Town and Country, Missouri, 63131, on the following agenda item(s):

WORK SESSION AGENDA

1. Discussion – Regular Meeting Agenda Items

AGENDA
BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY, MO
MONDAY, FEBRUARY 11, 2019 7:00 P.M.

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

MINUTES

HEARING FROM CITIZENS

PUBLIC HEARING(S)

- *A public hearing to review a request from Brant Baldanza, owner, for approval of a Conditional Use Permit for an accessory structure, a pool house, located at 12525 Darien Drive in the Suburban Estate (SE) Zoning District.*

APPOINTMENTS

COMMUNICATIONS AND REPORTS

- Commission Chairmen
- City Administrator

UNFINISHED BUSINESS

NEW BUSINESS

1. **Bill No. 19-07**
An Ordinance accepting the bid of The Greenwood Group for the 2019 Grounds Care Program and authorizing an agreement for same (1st reading)
2. **Bill No. 19-08**
An Ordinance approving a conditional use and authorizing a Conditional Use Permit for an accessory structure, a pool house, located at 12525 Darien Drive in the City of Town and Country (1st reading)
3. **Resolution No. R06-2019**
A Resolution of the Board of Aldermen adopting an amended Investment Policy for the City of Town and Country
4. **Approval of a Purchase Order**
Ed Roehr, Tactical Helmets and Face Shields
5. **Bill No. 19-09**
An Ordinance amending Section 135.180 of the Municipal Code relating to court costs and establishing a \$7.00 surcharge on all Municipal Court cases for the Statewide Court Automation Fund as mandated by state law (1st reading)

6. Warrant List

OTHER

ADJOURN

MOTION AND ROLL CALL VOTE TO MOVE TO CLOSED MEETING

A motion may be made to close the meeting pursuant to Section 610.021(1), (2), (3), (12) and (13) RSMO, to discuss legal actions, real estate, litigation, attorney/client privileged communications and to discuss personnel matters.

First reading:
Second reading:

Introduced by

BILL NO. 19-07

ORDINANCE NO.

**AN ORDINANCE ACCEPTING THE BID OF THE GREENWOOD GROUP FOR THE 2019
GROUNDS CARE PROGRAM AND AUTHORIZING AN AGREEMENT FOR SAME**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN AND
COUNTRY, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

Section 1. The bid proposal of The Greenwood Group (the “Contractor”) in the amount of \$124,999.00 for the 2019 Grounds Care Program at all municipal buildings, certain right of way locations and parks properties is hereby accepted. A copy of said bid is attached hereto as Exhibit “A”.

Section 2. There is hereby approved an Agreement (the “Agreement”) in the amount of \$124,999.00 with the Contractor, substantially in the form of the proposed Agreement which is Exhibit “B”, attached hereto.

Section 3. The City Administrator or his designee may issue change orders and authorize the Contractor to perform additional work, if required to complete this project, provided that the cost of this additional work does not exceed twenty five percent (25%) of the bid amount.

Section 4. The funds authorized to be expended herein have been appropriated in the 2019 Budget.

Section 5. The City Administrator and City Clerk are hereby authorized to execute the said Agreement on behalf of the City.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the Board of Aldermen for the City of Town and Country, Missouri, this ____ day of _____, 2019.

Presiding Officer

Attest:

Ashley McNamara, City Clerk

Signed this ____ day of _____, 2019.

Jonathan F. Dalton
Mayor, City of Town and Country

Attest:

Ashley McNamara, City Clerk

First reading:
Second reading:

Introduced by

BILL NO. 19-08

ORDINANCE NO.

AN ORDINANCE APPROVING A CONDITIONAL USE AND AUTHORIZING A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE, A POOL HOUSE, LOCATED AT 12525 DARIEN DRIVE IN THE CITY OF TOWN AND COUNTRY

WHEREAS, Brant Baldanza, owner, (the "Applicant") has filed an application for a Conditional Use Permit for an accessory structure, a pool house, to be located at 12525 Darien Drive, in the Suburban Estate (SE) Zoning District; and

WHEREAS, the application was referred to the Planning and Zoning Commission of the City of Town and Country; and

WHEREAS, at their meeting of January 16, 2019, the Planning and Zoning Commission recommended that the Conditional Use Permit be approved with certain conditions; and

WHEREAS, due and proper notice of a public hearing on said application to be held on Monday, February 11, 2019, at 7:00 P.M., before the Board of Aldermen of the City of Town and Country was duly published in the St. Louis Countian, a newspaper of general circulation in the City of Town and Country; and

WHEREAS, due notice by first-class mail of the public hearing at the time and date aforesaid was given to all property owners within three-hundred (300) feet of the subject property, as shown on the tax records of the City; and

WHEREAS, the City Clerk caused to be posted a sign, not less than 20 inches by 12 inches, on the subject property; and

WHEREAS, said hearing was opened by the Board of Aldermen on Monday, February 11, 2019, and all statements, comments and objections made by those present concerning the application and issuance of said Conditional Use Permit were duly heard and considered by the Board; and

WHEREAS, subject to the conditions set forth below, the proposed use of the property will not:

- a. Substantially increase traffic hazards or congestion;
- b. Substantially increase fire, health or any other public safety hazards;
- c. Adversely affect the visual coherence, predominant usage or development character of adjacent neighborhoods;
- d. Adversely affect the general welfare of the community;
- e. Overtax public utilities, service or other municipal facilities;
- f. Be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas;
- g. Substantially increase stormwater drainage on other lots; or
- h. Create a nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN AND COUNTRY, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to Article VI of the Zoning Regulations of the City of Town and Country, a Conditional Use, subject to the conditions set forth in Section 2. hereof, is authorized and granted to Brant Baldanza, owner, for a pool house to be located at 12525 Darien Drive, in the Suburban Estate (SE) Zoning District:

Section 2. The Conditional Use authorized and referred to in Section 1. shall be valid only under the following conditions:

- A. Shall be in accordance with the CUP Submittal Package titled "Proposed Poolhouse 12525 Darien Drive" dated 12/13/18, prepared by Volding Architecture LLC.
- B. All construction is to commence within twelve (12) months following the date of passage of this Ordinance authorizing the Conditional Use Permit.
- C. Residential habitation of the pool house is not permitted.
- D. No change or modifications to the improvements authorized by this Conditional Use Permit shall be permitted without amendment of the Conditional Use Permit by the Board of Aldermen.
- E. All other ordinances of the City of Town and Country shall be observed and complied with in connection with the above-described Conditional Use Permit and failure to do so shall be cause for the revocation of the Conditional Use Permit.
- F. Any transfer of ownership of the real estate described herein shall include in the agreement setting forth the transfer that the transferee agrees to be bound by the conditions herein set forth and a copy of the Conditional Use Permit authorized herein shall be furnished to the transferee.
- G. The applicant shall, within thirty (30) days from the date of the passage and approval of this Ordinance, notify the City Clerk in writing that the applicant accepts and agrees to abide by the conditions set forth herein.

Section 3. The City Clerk is authorized and directed to issue a Conditional Use Permit as authorized herein upon satisfaction of the condition set forth in G. of Section 2.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the Board of Aldermen for the City of Town and Country, Missouri, this ____ day of _____, 2019.

Presiding Officer

Attest:

Ashley McNamara, City Clerk

Signed this ____ day of _____, 2019.

Jonathan F. Dalton
Mayor, City of Town and Country

Attest:

Ashley McNamara, City Clerk

CITY OF TOWN AND COUNTRY
RESOLUTION NO. R06-2019

**A RESOLUTION OF THE BOARD OF ALDERMEN ADOPTING AN
AMENDED INVESTMENT POLICY FOR THE CITY OF TOWN AND COUNTRY**

WHEREAS, Section 145.060 of the Municipal Code provides that the highest yield shall be sought from investment of surplus city funds consistent with the safety of investment and cash flow requirements of the city, provided they are also consistent with state statutes regulating such investments; and

WHEREAS, Section 145.060 further provides that the Board of Aldermen, shall monitor the investments made, and adopt policies and regulations governing the conduct of the person making them; and

WHEREAS, on July 26, 1993, the Board of Aldermen adopted the Investment Policy of the City of Town and Country, and

WHEREAS, on July 26, 1999; March 27, 2006; August 9, 2010; May 14, 2012; and on March 26, 2013, the Board of Aldermen adopted an amended Investment Policy as recommended by the Finance Commission; and

WHEREAS, on February 1, 2019, the Ways & Means Commission (formerly known as the Finance Commission), recommended the amended investment policy attached hereto as exhibit "A" to the Board of Aldermen for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE
CITY OF TOWN AND COUNTRY, MISSOURI, AS FOLLOWS:**

Section 1. The Board of Aldermen adopts the "Investment Policy of the City of Town and Country, Missouri", as amended and attached hereto as Exhibit "A", which by this reference, is made part of this resolution as though fully setout herein.

Passed and approved this ___ day of _____, 2019.

Jonathan F. Dalton
Mayor, City of Town and Country

Attest:

Ashley McNamara, City Clerk

First reading:
Second reading:

Introduced by

BILL NO. 19-09

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 135.180 OF THE MUNICIPAL CODE
RELATING TO COURT COSTS AND ESTABLISHING A \$7.00 SURCHARGE
ON ALL MUNICIPAL COURT CASES FOR THE STATEWIDE COURT
AUTOMATION FUND AS MANDATED BY STATE LAW**

WHEREAS, Section 135.180 of the Municipal Code sets forth several different court costs and fees which may be collected as costs in cases involving ordinance violations adjudicated by the Town & Country Municipal Court.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN & COUNTRY, MISSOURI, AS FOLLOWS:

Section 1. Section 135.180 of Chapter 135 of the Municipal Code is hereby repealed, and a new Section 135.180 is hereby enacted in lieu thereof to read as follows:

Chapter 135. Municipal Court

Article I. In General

Section 135.180. Court Costs.

A. In addition to any fine that may be imposed by the Municipal Judge, there shall be assessed as costs in all cases the following:

1. Costs of Court in the amount of twelve dollars (\$12.00).
2. A fee of seven dollars fifty cents (\$7.50) for the Crime Victims' Compensation Fund shall be collected in all cases, except where the proceeding is dismissed by the Court or where the costs are to be paid by the City on behalf of an indigent defendant.

At least monthly, ninety-five percent (95%) of the monies collected under this Subsection shall be paid to the State Director of Revenue and the remaining five percent (5%) shall be paid into the City Treasury.
3. A fee of two dollars (\$2.00) pursuant to the provisions of Section 590.140, RSMo., shall be collected in all cases, except where the proceeding is dismissed by the Court. All fees collected pursuant to this Subsection shall be transmitted monthly to the Treasurer of the City.
4. A fee of one dollar (\$1.00) pursuant to the provisions of Section 590.140, RSMo., shall be collected in all cases, except where the proceeding is dismissed by the Court. All fees collected pursuant to this Subsection shall be

sent to the State Treasury to the credit of the Peace Officer Standards and Training Commission Fund created by Section 590.178, RSMo.

5. All funds collected pursuant to Subsections (4) and (5) shall be used only to pay for the training of the City's Peace Officers, and the City shall not retain more than one thousand five hundred dollars (\$1,500.00) of such funds for each certified Law Enforcement Officer employed by the City. Any excess funds shall be transmitted quarterly to the General Revenue Fund of the City Treasury.
6. A fee of two dollars (\$2.00) pursuant to Section 488.607, RSMo., shall be collected in all cases, except where the proceeding is dismissed by the Court or where the costs are to be paid by the City on behalf of an indigent defendant. Such costs shall be collected by the Court Administrator and disbursed by the City for the purpose of providing operating expenses for battered persons, as defined in Sections 455.200 to 455.230, RSMo.
7. A fee of two dollars (\$2.00) pursuant to Section 488.5026, RSMo., shall be collected in all cases, except where the proceeding is dismissed by the Court, in order to develop and maintain biometric identification systems and for other prisoner expenses. All fees collected pursuant to this Subsection shall be transmitted monthly to the Treasurer of the City who shall deposit funds generated by the surcharge into the "Inmate Security Fund".
8. There shall be assessed to each defendant who pleads guilty, or is found guilty, in each proceeding filed in the Town & Country Municipal Court for the violation of the ordinances of the City, an additional surcharge in the amount of seven dollars (\$7.00) for the statewide court automation fund, provided that no such fee shall be collected in any case that has been dismissed by the Court or where costs have been waived by the Court. All sums collected pursuant to this Subsection shall be paid to the State Director of Revenue to the credit of the statewide court automation fund in accordance with Sections 476.056, 488.012 and 488.027, RSMo.
9. Other costs as authorized by law.

Section 2. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 3. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be

BILL NO. 19-09

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or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 4. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Passed by the Board of Aldermen for the City of Town and Country, Missouri, this ____ day of _____, 2019.

Presiding Officer

Attest:

Ashley McNamara, City Clerk

Signed this ____ day of _____, 2019.

Jonathan F. Dalton
Mayor, City of Town and Country

Attest:

Ashley McNamara, City Clerk