



**MINUTES OF THE
CITY OF FRONTENAC
BOARD OF ALDERMEN
REGULAR MEETING
TUESDAY, OCTOBER 16, 2007**



The October 16, 2007, regular meeting of the Board of Aldermen of the City of Frontenac was called to order at 7:25 p.m. with Mayor Lee Murray presiding. The Aldermen present were Tom Hizar, Keith Krieg, John Wynne, Margot Martin; and John Levis. Alderwoman Susan Durbin was absent.

Also in attendance were City Administrator, Bob Shelton; City Clerk, Leesa Ross; City Attorney, Kevin O'Keefe; Fire Chief, John Trout; Police Captain, Mark Guttmann; Building Commissioner & Zoning Administrator, Jeff Wappelhorst and Finance Officer, Julie O'Guinn.

A. PLEDGE OF ALLEGIANCE

After the pledge of allegiance, the meeting was called to order.

B. APPROVAL OF AGENDA

Mayor Murray asked for a motion to approve tonight's agenda.

MOTION: Alderman Levis motioned and Alderman Krieg seconded approval of tonight's agenda. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

C. APPROVAL OF MINUTES: Tuesday, September 18, 2007, Regular Meeting

Mayor Murray asked for a motion for approval of, or corrections to, the minutes.

Alderman Wynne stated he had two minor corrections to the minutes on page 4, which were noted by Ms. Ross. Ms. Ross stated the minutes would be corrected.

MOTION: Alderwoman Martin motioned and Alderman Wynne seconded amendment of the September 18, 2007 minutes. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

MOTION: Alderman Hizar motioned and Alderman Wynne seconded the approval of the September 18, 2007 regular meeting minutes as amended. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

D. PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS)

No comments were made at this time.

E. MAYOR’S COMMENTS

Mayor Murray stated she had planned to swear in Officer Michael Barron at this time, but he is out on patrol handling a police call.

Mayor Murray stated she wanted to announce the resignation of Nancy Sauerhoff from the Planning & Zoning Commission and Jeanne Pfister from the Ways and Means Committee. Ms. Sauerhoff is resigning because of competing demands for her time on Tuesday evenings, and Ms. Pfister is resigning because she is moving from Frontenac. Mayor Murray stated both had worked hard for the City and both will be missed. She further stated she would try to have replacements for both positions to recommend by next month’s meeting.

F. COMMENTS BY BOARD OF ALDERMEN MEMBERS

Alderman Levis stated he would like to suggest names to the Mayor for committee appointments. Mayor Murray stated that she welcomed input from him as well as the other alderpersons, and asked that they forward any names they may want to suggest to her.

Alderwoman Martin stated Port St. Louis, located in Frontenac Grove, had closed this week. She stated the City should be active in promoting its businesses.

Alderwoman Martin also stated she would like the City to readdress the tree ordinance, as homes are taking a long time to build, and equipment is stored near trees, needlessly damaging root systems and eventually resulting in damaged trees being cut down. She said the City needs some type of tree preservation regulations.

Alderman Levis stated he spoke to Duff Hufford regarding signage for Frontenac Grove. He stated Mr. Hufford may get together with the other tenants and come up with some suggestions for additional signage for the location.

G. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

- 1. Planning & Zoning Commission: July 24, 2007
- 2. Ways & Means Committee: June 12, 2007 & September 11, 2007
- 3. Public Works Commission: July 11, 2007
- 4. Financial Report: August 2007
- 5. Building Commissioner
& Zoning Administrator September 2007

Mayor Murray stated the reports will stand as submitted.

6. City Administrator's Report:

Mr. Shelton introduced Julie O'Guinn as the City's new Finance Officer. He stated Ms. O'Guinn previously worked for the Cities of Wildwood and Chesterfield, and for Webster University and the Clayton School District.

Mr. Shelton announced that sound wall meetings are scheduled by MoDOT for Wednesday, October 24th and Thursday, October 25th from 5:00 pm to 7:30 pm at the St. Louis County Library. He stated everyone is welcome to attend and all affected property owners had been notified by mail. He stated that following the meetings the residents who live adjacent to the highway will have the opportunity to vote on the sound walls.

Mr. Shelton stated the subcommittee formed to retain a fire and EMS consultant consisting of Alderman Levis, Alderman Krieg and Mayor Murray, met with Ladue officials and interviewed three finalists. The cities' representatives unanimously selected a consultant with whom they are working to agree on a contract. Mr. Shelton stated the objective is to increase services and improve efficiencies within and between the two jurisdictions.

Mr. Shelton also announced that leaf collection information was sent out and the first passes will be completed next week.

Alderman Levis asked when information will be sent out to subdivisions offering alternatives to individual bidding for snow removal. Mr. Shelton stated he will develop a scope with Mr. Wappelhorst and send out information for joint bidding of services.

H. OLD BUSINESS:

None

I. NEW BUSINESS:

1. **Referral to Planning and Zoning Commission:** Conway Centre, located at the intersection of Conway Road and Lindbergh Boulevard, is requesting an amendment to its conditional use permit to remove medical use and allow a restaurant/tea room.

Mr. Tom Schenk of the White Company requested that the original planned district ordinance be amended to allow for a coffee house at Conway and Lindbergh. He requested that this matter be referred to the Planning and Zoning Commission.

Alderman Hizar asked why in the original ordinance the City did not allow for restaurant and coffee houses. Mayor Murray explained that when the City considered the original request for a conditional use permit for medical use, the parking ratios applicable to all requested uses were taken into account, and since medical and restaurants have high parking requirements presumably there may not have been enough room on the site to allow for sufficient parking for both medical and restaurants as permitted uses.

Mayor Murray asked for a motion to send this request to the Planning and Zoning Commission for its review.

MOTION: Alderman Levis motioned and Alderman Krieg seconded the approval of the Conway Centre's request for an amendment to their conditional use permit be forwarded to the Planning and Zoning Commission. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

2. **Tenant Use Approval:** Rehab Dynamics Inc., 10435 Clayton Road, Suites 120 and 10.

Dr. Fienberg, an owner of Frontenac Grove and the medical building, stated he was before the Board asking for tenant use approval for Rehab Dynamics, Inc., a spin off of the Injury Specialist. He explained the user will conduct physical therapy in an unoccupied space in the lower level.

Mr. Wappelhorst's memo included in the packet stated that with this additional use, the parking lot will be fully allocated with no vacant spaces.

Mayor Murray asked for a motion for approval.

MOTION: Alderwoman Martin motioned and Alderman Levis seconded tenant use approval for Rehab Dynamics, Inc. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

3. **Bill No. 2007-1580:** An Ordinance implementing the 2007 Video Services Providers Act and the 2001 Public Rights of Way Law by establishing regulations for the provisions of video services and for the placement of utility and similar facilities in the Public Rights of Way and on private property.

Ms. Ross gave the first reading of Bill No. 2007-1580.

Alderman Wynne stated on page 32, B-1, Facilities Permits, the language suggests the director has the authority to approve permits. Alderman Wynne stated that is not in compliance with the City's ordinances which state all permits for utilities, should be approved by the Board of Aldermen. He suggested that at this time the bill should be tabled for review by Mr. O'Keefe.

MOTION: Alderman Hizar motioned and Alderman Levis seconded to table Bill No. 2007-1580. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Bill No. 2007-1580 was tabled.

4. **Bill No. 2007-1581:** An Ordinance approving a settlement agreement with Verizon Wireless and assigning a percentage of the settlement proceeds to the St. Louis County Municipal League.

Ms. Ross gave the first reading of Bill No. 2007-1581.

Alderman Hizar stated there was a discrepancy in Mr. Shelton's memo regarding the disbursement of funds. The memo showed a disbursement amount of \$53,521.75, but the bill stated \$42,845.88. Mr. Shelton explained the total disbursement is \$53,521.75, of which \$10,675.87 has been paid under protest.

Mr. O'Keefe stated that the amount on page 2, section 2 of the proposed bill should be changed to \$53,521.75.

Mayor Murray asked for a motion to amend the bill.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded to amend Bill No. 2007-1581 to reflect the change in amount. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Murray asked for a motion for a second reading.

MOTION: Alderman Levis motioned and Alderman Wynne seconded approval of the second reading of Bill No. 2007-1581 as amended. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Murray asked Ms. Ross to give the second reading of Bill No. 2007-1581.

Bill No. 2007-1581: An Ordinance approving a settlement agreement with Verizon Wireless and assigning a percentage of the settlement proceeds to the St. Louis County Municipal League.

Mayor Murray asked for a motion to approve Bill No. 2007-1581.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded approval of Bill No. 2007-1581.

Mayor Murray asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderman Krieg, "Aye"; Alderman Wynne, "Aye"; Alderwoman Martin, "Aye;" Alderman Levis, "Aye"; and Alderman Hizar, "Aye". All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Bill No. 2007-1581 became Ordinance No. 2007-1554.

5. **Bill No. 2007-1582:** An Ordinance amending Schedule I of Title III of the Code of Ordinances of the City of Frontenac, Missouri, relating to speed limits.

Ms. Ross gave the first reading of Bill No. 2007-1582.

Mayor Murray asked Mr. Shelton for comments on this bill.

Mr. Shelton stated this legislation was initiated by the police department. Captain Guttman stated this ordinance will put the speed limit on Clayton Road in line with both the Cities of Ladue and Town & Country, whose speed limits are 35 MPH.

Alderman Wynne asked if the County is agreeable with the City setting the speed limit. Mr. Shelton answered yes, the County was in complete agreement with the change.

Mayor Murray asked for a motion for a second reading.

MOTION: Alderman Levis motioned and Alderman Wynne seconded approval of the second reading of Bill No. 2007-1582. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Murray asked Ms. Ross to give the second reading of Bill No. 2007-1582.

Bill No. 2007-1582: An Ordinance amending Schedule I of Title III of the Code or Ordinances of the City of Frontenac, Missouri, relating to speed limits.

Mayor Murray asked for a motion to approve Bill No. 2007-1582.

MOTION: Alderman Wynne motioned and Alderwoman Martin seconded approval of Bill No. 2007-1582.

Mayor Murray asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderman Wynne, "Aye"; Alderwoman Martin, "Aye;" Alderman Levis, "Aye"; Alderman Hizar, "Aye"; and Alderman Krieg, "Aye". All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Bill No. 2007-1582 became Ordinance No. 2007-1555.

Mr. O'Keefe asked that the next agenda item, Resolution No. 2007-179, be read and handled as a bill to be numbered 2007-1583, instead of a resolution. He stated in view of previous requests by MoDOT, if approved, the subject matter should be passed as an ordinance.

6. **Bill No. 2007-1583:** An Ordinance authorizing the Mayor to enter into an agreement with the Missouri Department of Transportation (MoDOT) to design additional storm water detention storage and install irrigation sleeves at the Spoede Road interchange.

Ms. Ross gave the first reading of Bill No. 2007-1583.

Mayor Murray asked for a motion for a second reading.

MOTION: Alderman Levis motioned and Alderman Wynne seconded approval of the second reading of Bill No. 2007-1583. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Murray asked Ms. Ross to give the second reading of Bill No. 2007-1583.

Bill No. 2007-1583: An Ordinance authorizing the Mayor to enter into an agreement with the Missouri Department of Transportation (MoDOT) to design additional storm water detention storage and install irrigation sleeves at the Spoede Road interchange.

Mayor Murray asked for a motion to approve Bill No. 2007-1583.

MOTION: Alderman Levis motioned and Alderman Wynne seconded approval of Bill No. 2007-1583.

Mayor Murray asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderwoman Martin, "Aye;" Alderman Levis, "Aye"; Alderman Hizar, "Aye"; Alderman Krieg, "Aye"; and Alderman Wynne, "Aye". All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Bill No. 2007-1583 became Ordinance No. 2007-1556.

In light of the conversion of the prior agenda item #6 from Resolution No. 2007-179 to Bill No. 2007-1583, the upcoming agenda item #7 will undergo a numbering change from Resolution No. 2007-180 to Resolution No. 2007-179.

- 7. Resolution No. 2007-179:** A Resolution authoring the purchase of one replacement police command vehicle for the Frontenac Police Department.

Mr. Shelton stated this will be a command vehicle for the police department and that there is sufficient money budgeted in this fiscal year.

MOTION: Alderman Levis motioned and Alderman Krieg seconded approval of Resolution 2007-179. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

- 8. Discussion Only:** Strategic Plan and Branding Document.

Mr. O'Keefe stated the role of a strategic plan should be differentiated from a comprehensive plan, because unlike the comprehensive plan, a strategic plan is not a requirement of state statutes and does not have the force of law. There is no formal action needed to adopt or ratify a strategic plan. The strategic plan should be simply a vision statement, unlike the comprehensive plan which needs to have specific regulations and instructions regarding zoning and land use matters.

Mr. Shelton stated he distributed new wording from Alderman Hizar for the strategic plan. Alderman Hizar suggested letting Mr. O'Keefe review the new wording and come back to the Board in November.

Mayor Murray noted that the branding provisions go into great detail in some parts, but not on some traditional branding issues like signs and written materials. She asked if the strategic plan might be revised further to expand on the branding concepts, since those concepts were in the nature of vision statements. Alderman Hizar agreed, stating the more information on vision, the better. He stated he would review the strategic plan and come back to the Board with additional comments for discussion in November.

9. Discussion Only: Nuisances.

Mr. O'Keefe addressed nuisances. He discussed recommendations for tightening the ordinances referencing dangerous dogs and adult businesses. He stated he would send draft language to the Mayor and Board of Aldermen on those two topics.

Alderman Krieg stated the City needs to address issues of motor vehicles almost permanently left on streets, and suggested an ordinance prohibiting extended parking on streets, and requiring all vehicles to be parked in a driveway. Mr. O'Keefe stated prohibiting parked vehicles on the street could be difficult to define and enforce objectively. Alderman Krieg stated there are issues with tarped vehicles with historical license plates being parked on the street. Mr. O'Keefe stated he will research if an ordinance can be passed prohibiting the use of car covers on parked vehicles.

With regard to property nuisances, Mr. O'Keefe pointed out there are helpful regulations in the ICC (International Code Council) 2007 Model Codes. Mr. Wappelhorst stated the City is currently using BOCA (Building Officials Code Administrators) 1999, but should consider adopting the ICC 2007 Model Codes. Mr. O'Keefe stated there is a requirement that the proposed code must be kept on file in the City Clerk's Office for 90 days prior to its adoption.

Mayor Murray thanked everyone for their comments and stated she would look forward to the information from Mr. O'Keefe.

J. APPROVAL OF WARRANT LISTS: September 14, 2007 through October 11, 2007

MOTION: Alderman Hizar motioned and Alderwoman Martin seconded the above warrant lists be approved.

Mayor Murray asked if there was any discussion. There was none.

Mayor Murray asked Ms. Ross for a roll call vote.

ROLL CALL VOTE: Alderman Levis, “Aye”; Alderman Hizar, “Aye”; Alderman Krieg, “Aye;” Alderman Wynne, “Aye;” and Alderwoman Martin, “Aye”. All Aldermen present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

K. ADJOURNMENT

Mayor Murray asked for a motion and second to adjourn the meeting.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded to adjourn. All Aldermen present voted “Aye”. The vote was unanimous. **MOTION PASSED**

The meeting adjourned at 8:05 p.m.

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