



**MINUTES OF THE
CITY OF FRONTENAC
BOARD OF ALDERMEN
OCTOBER 20, 2009**

The October 20, 2009, regular meeting of the Board of Aldermen of the City of Frontenac was called to order at 7:00 p.m. with Mayor Keith Krieg, presiding. The Aldermen present were Jon Serkes, John Wynne, Susan Durbin, Margot Martin and John Levis.

Also in attendance were City Administrator, Bob Shelton; City Clerk, Leesa Ross; City Attorney, Kevin O'Keefe; Fire Chief, John Trout; Police Chief, Tom Becker; Building Commissioner and Zoning Administrator, John Morgan; Public Works Director, Jeff Wappelhorst; and Finance Officer, Julie O'Guinn.

After the Pledge of Allegiance, Mayor Krieg called the meeting to order.

A. ROLL CALL

Mayor Krieg asked for a roll call.

Roll Call: Alderman Serkes, Alderman Wynne, Alderwoman Durbin, Alderwoman Martin and Alderman Levis, all present.

B. MOTION TO APPROVE AGENDA

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

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

MOTION PASSED.

Alderwoman Martin advised of several typo graphical errors and a correction to her comments of the September 23, 2009, regular meeting minutes. Alderman Serkes advised of an incorrect motion on the Tuesday, October 13, 2009 minutes. Ms. Ross stated she would make the changes.

C. VOTE TO APPROVE MINUTES: September 23, 2009, Public Forum
September 23, 2009, Regular Meeting
Tuesday, October 13, 2009, Special Meeting

Mayor Krieg asked for a motion to approve the minutes as amended.

MOTION: Alderwoman Martin motioned and Alderman Levis seconded the approval of all the above 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 audience members made comments at this time.

E. MAYOR'S COMMENTS

Mayor Krieg stated he would like to recognize both John Morgan and Jeff Wappelhorst based on a note from Mr. Tang of Frontenac Forest. He also stated Mr. Wappelhorst also received thanks from Dr. Jay Meyer of Frontenac Place.

Mayor Krieg stated he would like someone to oversee the municipal building project in addition to the Board of Aldermen, Mr. Shelton and himself. He stated Mr. O'Connell of the Ways & Means Committee suggested an owner's representative. Mayor Krieg stated he would like to appoint Mr. Rich Vandegrift to that position.

Alderman Wynne stated the Board of Aldermen need to establish limits of authority of change orders. Mr. Shelton stated he would ask the Board of Aldermen to stick with the purchasing policy, and that any items over \$7,500 need Board of Aldermen approval. Mr. Shelton stated he would establish that amount with Mr. Vandegrift. Mr. O'Keefe suggested it be formalized with a resolution after discussion with Alderman Wynne and Mr. Vandegrift.

Mayor Krieg stated in March, there was a discussion to pass a bill to extend the term of the Mayor. The discussion was voted on by the Board of Aldermen to postpone the decision for six months. Mayor Krieg stated he feels uncomfortable doing it, unless there is a compelling reason to do so. He also stated the item could be placed on a future agenda as a discussion item; however it would need to be passed before January in order to place it on the April 2010 ballot.

Alderwoman Martin stated she has no strong feelings on the issue either way and stated it sounded like it had merit. Alderman Wynne stated it would decouple the Mayor's election with the same three Aldermen every two years. Alderwoman Martin stated former Mayor Murray's comments were rational that it would take three years to accomplish goals, which are set, understanding former Mayor Murray's rational, it would be one year to set goals and two years to accomplish them. Mr. O'Keefe stated laws allowing a different term are fairly recent. In the past, 4th class cities were required to have two year terms. He stated the majority of the cities have not changed, and stated that in charter cities, the most popular term is three years, but historically the two year terms are predominate. Alderman Wynne stated he would defer to the Mayor. Mayor

Krieg stated he would prefer to completely forget about the change of term and all aldermen were in agreement.

F. COMMENTS BY BOARD OF ALDERMEN MEMBERS

Alderman Levis stated he would like to convey to the Ways & Means Committee his thanks for attending the Board of Aldermen meeting last week, and wanted to especially thank Chairman Winer for his comments. The Board of Aldermen concurred.

G. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

1. Planning & Zoning Commission: None
2. Ways & Means Committee: September 9, 2009
3. Public Works Commission: August 12, 2009
4. Financial Report: September 2009
5. Building Commissioner
& Zoning Administrator September 2009

Mayor Krieg stated the above reports will stand as submitted.

Ms. O'Guinn stated she submitted her report last week and only wanted to add that the health insurance question from last week was an issue of prepayment and timing. No one had any questions of Ms. O'Guinn.

H. CITY ADMINISTRATOR'S REPORT

- 1, Introduction of Dr. Marsha Chappelow, Ladue School District Superintendent

Dr. Chappelow introduced herself and stated she started as superintendent on July 1st after five years with the district and over 35 years in the education field. She discussed the finished proposition K projects and stated the district is currently surveying over 600 parents to determine if they will go after a bond issue. She stated the district is up 575 students in five years. She also stated the secret to strong cities is "Good Public Works, Good Public Safety, and Good Public Schools".

Mr. Shelton stated he and Mr. Morgan met with the Ladue School District and he attended their Board meeting to ask for a slight easement adjustment, He stated they were very supportive and they approved the easement unanimously.

Mr. Shelton stated SM Wilson will be moving their construction trailer on the school's property. He said the move of City Hall is scheduled in a couple of weeks and said the Board of Aldermen and all Commissions and Committees will begin meeting at Sisters of Mercy. He stated municipal court will be held in the Town & Country Council Chambers

Mr. Shelton stated the Board of Adjustment will be meeting on Thursday, October 22nd at Sisters of Mercy. He also reminded everyone of the Flu Shot Clinic on Thursday, October 22nd at City Hall from 2:00 p.m. to 6:00 p.m.

Mr. Shelton stated the Public Works Commission will hold a public hearing on Thursday, November 12th at 7:00 pm on the Clayton Road restriping. They will give a brief presentation and will allow for resident comments. The public hearing will be held in City Hall.

Mr. Shelton stated there were recent newspaper articles regarding area police departments and Chief Becker advised that the Frontenac Police Department ranks 7th in the metropolitan area for DWI enforcement.

Mr. Shelton stated Laclede Gas will be working in the West End Park area, changing copper pipes to PVC at 45 locations. He also stated MSD will be conducting sanitary sewer separations in both Fallbrook and Vouga Lane.

Alderman Levis asked for the results from the Public Works Commission regarding the tree removal on Geyer Road for the sewer line move. Mr. Shelton stated representatives from the area attended the Public Works Commission meeting, and Mr. Madalon, the City's consultant, went through the progress, step by step and discussed the trees. Mr. Madalon explained that the trees will be damaged in the process and cannot be saved. He also stated additional trees will be planted. Mr. Shelton stated the residents, understood, but still did not support the tree removal. Mr. Serkes stated it was a great presentation.

I. OLD BUSINESS

None

J. NEW BUSINESS:

1. **Bill No. 2009-1645**: An Ordinance authorizing the Mayor to execute a contract between the City of Frontenac, Missouri and the Missouri Highways and Transportation Commission providing for the maintenance of City entrance signs.

Ms. Ross gave the first reading of Bill No. 2009-1645.

Mr. Shelton stated Mr. Wappelhorst approached MoDOT regarding placing a sign south of the Chaminade entrance. This is an agreement for the placement and maintenance of the sign by the City. An alderman asked about the visual site distance from Donoho. Mr. Shelton stated this has been addressed and there is no site problem at this location.

MOTION: Alderwoman Martin motioned and Alderwoman Durbin seconded approval of a second reading of Bill No. 2009-1645. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked Ms. Ross to give the second reading of Bill No. 2009-1645.

Bill No. 2009-1645: An Ordinance authorizing the Mayor to execute a contract between the City of Frontenac, Missouri and the Missouri Highways and Transportation Commission providing for the maintenance of City entrance signs.

Mayor Krieg asked for a motion to approve Bill No. 2009-1645.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded approval of Bill No. 2009-1645.

Mayor Krieg asked Ms. Ross for a poll vote.

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

Bill No. 2009-1645 became Ordinance No. 2009-1613.

2. **Resolution No. 2009-224:** A Resolution authorizing a change order with Arcturis to provide for value engineering services for the Frontenac Municipal Complex.

Mr. Shelton stated this resolution allows for an approval beyond the scope for Arcturis and their engineering consultants to do final design work for the value engineering which exceeds \$100,000 in savings. The changes are to the police canopy; changing piping and conduit and lighting which will save on expenses. Mr. Shelton stated by paying the engineers and architects, the savings will far outpace the expenses; he also said Mr. Vandegift agrees.

Alderman Levis asked about the obligation on the participation for value engineering. Mr. Shelton stated no charge for consulting, but when time is spent and pen is put to paper, for engineering and lighting consultants, then there is a fee. Alderman Levis stated value engineering should have been used prior to final design. Mr. Shelton stated the City has given them a series of cost savings and yes it is a cost to change the drawings. Alderman Levis stated what concerns him is the timing. Mayor Krieg asked up to what cost. Mr. Shelton this resolution is for up to \$7,000. Alderman Wynne asked about all the outstanding claims by Arcturis that potentially they may claim additional charges. Mr. Shelton stated there is a request for additional payment but that is not part of this request. Alderman Levis asked what the cost is to bring in another firm. Mr. Shelton stated the drawings are 100% and anyone else will not have a history of liability with the drawings, and that Arcturis will have to make sure on these drawings.

Alderman Levis again stressed value engineering and asked what Arcturis is requesting from the City. Mr. Shelton stated some value engineering came after we secured a contractor. Alderman Levis stated I feel like we are being had. At some point we have an obligation to say no to increases, they want.

Mr. O'Keefe stated what we are looking at tonight is okay, however the bigger issues are other things Arcturis may want to come back on. Alderman Serkes stated let's do it with this and say, this is it. Mr. Shelton stated this resolution has a cap of \$7,000.

MOTION: Alderman Wynne motioned and Alderwoman Martin seconded Resolution No. 2009-224 is approved.

Mr. O'Keefe suggested in lieu of the resolution, he would suggest they authorize the City Administrator to spend an amount not to exceed \$7,000, associated with the building project. He also stated he will explore if this is consistent with the terms of the contract, and allows them to establish a cap, and allow them to move forward.

MOTION: Alderwoman Martin motioned and Alderman Levis seconded to withdraw the motion for the passage of Resolution No. 2009-224. **MOTION WITHDRAWN.**

MOTION: Alderman Levis motioned and Alderman Serkes seconded to authorize the City Administrator to expend a sum not to exceed \$7,000 for change order for additional architecture and engineering services, subject to consultation with legal counsel. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

3. **Resolution No. 2009-225:** A Resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to enter into a contract for the Geyer Road Stream Bank Stabilization Project.

Mr. Shelton stated the actual stream bank is deteriorating under Geyer Road presenting danger of road failure. This is a budgeted item.

Mayor Krieg asked for a motion to approve Resolution No. 2009-225.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded Resolution No. 2009-225 is approved. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

4. **Resolution No. 2009-226:** A Resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to purchase environmental credits required for the Geyer/Hickory/Oak Valley Storm Water Project.

Mr. Shelton stated the explanation for this resolution is included in a memorandum from Mr. Wappelhorst and Mr. Madalon. Because the city is enclosing an open stream bank,

they City is required to purchase credits to improve open stream banks in other areas. This is a budgeted item and was expected.

Alderman Wynne stated he walked the creek bed today and that the only habitant that is being destroyed is mosquito habitant and feels that it is ridiculous to buy credits to improve this area, because no wildlife habitats is there at all. Mr. Shelton stated we could go back to the Army Corp of Engineers and tell them we need more explanation. Alderman Levis asked if it will impact MSD funds used on this project. Mr. Shelton stated if the credits are not purchased, it will cause a delay. Mr. Shelton stated 3073 credits will cost \$76,000, which is a cost of 10% of the project. He said this will allow the Army Corp of Engineers to spend money on open stream beds in other areas to provide wildlife habitats. Mayor Krieg asked what alternatives we have. Mr. Shelton stated you can say no and get an official response. He also stated the cobble stream creek was designed to reduce the credits we have to buy. Mr. O'Keefe stated if you don't get the permit, you can't do the project. He also said this is the same as wetlands mitigation. They want more natural environment than a constructed environment.

Mayor Krieg asked for a motion to approve Resolution No. 2009-226.

MOTION: Alderman Levis motioned and Alderman Martin seconded to approve Resolution No. 2009-226 is approved. Alderman Martin, "Aye"; Alderman Serkes, "Aye"; Alderman Levis, "Aye"; Alderwoman Durbin, "Aye"; and Alderman Wynne, "Nay". The vote was not unanimous. **MOTION PASSED.**

5. **Resolution No. 2009-227:** A Resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to authorize a connection fee to the Metropolitan Sewer District for a new sewer connection for the Frontenac Municipal Project.

Mr. Shelton stated Mr. Morgan has worked with MSD and this allows permits for both sanitary and storm water to connect to the new municipal complex.

Mayor Krieg asked for a motion to approve Resolution No. 2009-227.

MOTION: Alderman Levis motioned and Alderman Serkes seconded Resolution No. 2009-227 is approved. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

6. **Resolution No. 2009-228:** A Resolution of support and participation in the All-Hazard Mitigation Plan Update.

Mr. Shelton states this allows for country wide cooperative effort with SEMA & FEMA, which will allow the City to apply for grant funding and assistance with storm cleanup.

Mayor Krieg asked for a motion to approve Resolution No. 2009-228.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded to approve Resolution No. 2009-228 is approved. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

L. APPROVAL OF WARRANT LISTS: Sept 1, 2009 through Sept 30, 2009

Mayor Krieg asked for consideration and approval of the warrant list.

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

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

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

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

M. ADJOURNMENT

Mayor Krieg asked for a motion to adjourn the meeting.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded to adjourn the meeting. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 8:03 p.m.