



**MINUTES OF THE
CITY OF FRONTENAC
BOARD OF ALDERMEN
JANUARY 19, 2010**

The January 19, 2010, 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 Martin seconded the approval of tonight's agenda. All Aldermen present voted "Aye". The vote was unanimous.

MOTION PASSED.

C. VOTE TO APPROVE MINUTES: December 15, 2009, Public Hearing
December 15, 2009, Regular Meeting
December 22, 2009, Special Meeting

Mayor Krieg asked for a motion to approve the minutes.

Alderman Wynne advised of a correction on page 7 of 8, for the word cartel, it should be curtail. Ms. Ross stated she would make the correction.

MOTION: Alderman Martin motioned and Alderman Levis seconded the approval of the above stated 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 Krieg advised that Alderman Hizar is scheduled for bypass surgery and asked that everyone keep him in their thoughts and prayers.

F. COMMENTS BY BOARD OF ALDERMEN MEMBERS

No comments were made by the Board of Aldermen at this time.

G. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

1. Planning & Zoning Commission: None
2. Ways & Means Committee: December 8, 2009
3. Public Works Commission: November 12, 2009; December 9, 2009
4. Building Commissioner
& Zoning Administrator December 2009

Mayor Krieg stated the above reports will stand as submitted.

H. CITY ADMINISTRATOR'S REPORT

1. Finance Report

Ms. O'Guinn stated there is a new front page on her top line report and stated that it includes the new municipal complex and construction details accept for accounts 95 & 98 which will be mentioned in the SM Wilson Report. She also said revenues are up 2% compared to budget and that December revenues were up 14.7%, which may be due to timing and real estate receipts which were paid early. She also stated the City received \$68,941 from the AT&T telephone tax settlement. Ms. O'Guinn stated expenses are down 9% compared t last year, but are up 3% compared to budget. She said net income is also up and that the January sales revenue on the 1 cent tax is up 41% and that the other sales tax receipts are up 38% compared to budget. She stated these numbers represent November sales which the City receives in January.

Mr. Shelton stated these numbers are very good compared to budget and that the year-to-date revenues look good compared to budget.

2. Request to delay billing of the West End Park Assessment

Mr. Shelton stated consistent with prior years, he would suggest the City delay the billing of the West End Park Assessment this year and bill for two years in 2011. He stated it would save the residents the \$15.00 fee which is charged. Mr. Shelton stated the typical bill per home is \$35 to \$45, and Ms. O'Guinn stated approximately \$3,000.00 is owed. All Aldermen agreed to delay the billing until next year.

3. City Facility Report

Mr. Shelton passed out an update to what was sent out in the SM Wilson report. He stated this document has more details relative to City expenses. He said a couple of minor changes are in green, and that the totals were highlighted in yellow. He said the project has had a few delays due to weather and stated there is a potential for more delays in the near future with the prediction of rain. Mr. Shelton said additional costs were in site preparation for the two city hall trailers due to additional dig out, rock and asphalt which was needed. He also said the wall between the church and City Hall is near completion. Alderman Levis asked about the differences of the amounts paid and the amounts owed to contractors. Mr. Shelton stated the City holds a retainage balance which is 10% until lien waivers are filed showing the contractor's suppliers have been paid.

4. Solid Waste Request for Proposal Update

Mr. Shelton stated the Public Works Commission met last week and discussed concepts. He also stated Al Heineremann, Veolia's Municipal Marketing Representative was also present. Mr. Shelton asked for feedback from the Board of Aldermen. He stated Public Works recommended all R-1 properties would continue with rear yard trash and recycling pick-up and have options for curbside yard waste as well as the ability to opt in or out of yard waste, on a quarterly basis. He stated the R-2 properties would have the option for rear yard or curbside trash and recycling. He stated the Veolia contract expires on March 31st and the new contract will go into effect April 1st. Alderman Serkes stated the City would bid to allow residents to opt out and not subscribe by the month. An Alderman asked how the City will determine curbside or rear yard in the R-2 district. Mr. Shelton stated the residents will have the option. Mr. Shelton stated the next steps are to put the RFP together so that it could go out to bid. A recommendation will be made by the Public Works Commission and forwarded to the Board of Aldermen.

Mr. Shelton stated Geyer Road will be closed completely next week between High Meadow Road and Hickory Lane for the installation of a large sewer pipe. He said signs are out and will be moved closer to Manchester and Clayton next week. Mr. Wappelhorst stated it will be a 24-hour closure for an entire week.

Mr. Shelton stated the City has applied for a grant which will be a 40% match for storm water work which will be in the amount of \$34,000 from the Deer Creek Coalition. He

stated because the City has a storm water master plan it allowed us to apply, and stated it looks promising.

I. OLD BUSINESS

1. **Resolution No. 2010-233:** A Resolution authorizing the purchase of replacement police vehicles for the Frontenac Police Department.

Chief Becker stated the new resolution will allow him to order two cars now for delivery in the spring and allow for him to order two cars in mid-April for delivery after July 1st. Alderman Levis commended Chief Becker on a thorough analysis and that the documents should be a part of the strategic plan.

MOTION: Alderman Levis motioned and Alderman Wynne seconded Resolution No. 2010-233 be removed from the table. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

Alderman Serkes stated he would like to note that the city has obtained new contracts to patrol additional municipalities and with these contracts, more mileage is put on the vehicles. He stated it is an incremental revenue source and it off-sets incremental expenses.

Mayor Krieg asked for a motion to approve Resolution No. 2010-233.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded Resolution No. 2010-233 is approved. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

J. NEW BUSINESS:

1. **Presentation for referral to the Planning & Zoning Commission:** Request for a Conditional Use Permit, Nayak Plastic Surgery and Skin Enhancement Center, 607 S. Lindbergh Blvd.

Mr. Steve Bahn of Stephen F. Bahn Commercial Real Estate stated he is representing Dr. Mike Nayak, who would like to lease, 607 S. Lindbergh and has a binding letter of intent. The building is 8,000 square feet and stated a special use permit is needed to occupy for medical use and a variance is needed for parking. Dr. Nayak has been located in Creve Coeur for four years. Dr. Nayak hopes to have medical offices and a day spa, where they will offer facial and body massages. They anticipate ten employees and approximately twelve patients and believe they will only use 22 parking spaces. Dr. Nayak hopes to increase the sale of his skin care products (which are sales tax based) from \$90,000 and anticipates sales of \$200,000 annually.

Alderman Levis discussed the possibility of obtaining a PILOT (Payment in Lieu of Taxes). Mr. Shelton stated the City could look at both Pioneer Construction and MLP's revenue from the past few years to determine how much they generated in sales tax.

Alderman Levis stated the City could negotiate a PILOT, if sales tax revenues from the business fell below a certain point similar to Frontenac Grove.

MOTION: Alderman Wynne motioned and Alderwoman Martin seconded the Board of Aldermen forward the request of Nayak Plastic Surgery to the Planning & Zoning Commission. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

2. **Presentation for referral to the Planning & Zoning Commission:** Request for a Conditional Use Permit, Favazza Specialty Foods, 10440 German Blvd.

Mr. Trey Buffington stated he was representing Mr. Favazza for the request for a conditional use permit for 10440 German Blvd. to operate a food production warehouse. Mr. Buffington stated the company produces food appetizers, which currently has six product lines. The company which is currently located in Brentwood has ten employees. The building they hope to occupy is the former Calico Corners building, which they plan substantial improvements to both the interior and exterior. Mr. Favazza stated he manufactures 60,000 lbs of food a month and stated his biggest item is jalapeño p[oppers and stated he also manufactures toasted guacamole, crab rangoon and will soon manufacture spinach artichoke mozzarella sticks. He stated he will have one 53 foot trailer delivery per week and two straight trucks per week.

Alderman Levis asked Mr. Favazza if he knew there were flooding issues at this location. Mr. Favazza stated yes, Mr. Follman did disclose that information to him.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded the Board of Aldermen forwarded Favazza Specialty Foods to the Planning & Zoning Commission. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

3. **Tenant Use Approval:** Sugo's Spaghetteria, 10427 Clayton Road.

Mr. Michael Del Pietro stated he would like to open up an additional 2600 square foot concept space, with a wine bar, which will offer six to eight different entrees and have a different décor, with approximately 70 seats. The current Sugo's location has 115 to 118 seats and is 3700 square feet. The two businesses will be adjacent with different kitchens and entrances.

Ms. Julie Nolfo, a traffic engineer with Crawford Bunte and Brammier discussed her traffic reports completed in both July 2009 and September 2009. Ms. Nolfo stated there was a problem with employees of the medical center parking on the front lot, which was addressed by Ms. Conrad. Ms. Nolfo stated there is an open space in retail and with the concept of a sit down casual dining location, the vacant retail space opened up 39 spaces. She stated at the peak demand, there is sufficient parking to accommodate this restaurant, and at peak time the parking lot will get up to 90% occupied. Ms. Nolfo stated she is comfortable with this parking situation.

Alderman Martin stated Huffords said there are no spaces for his clients at noontime. Ms. Conrad stated employees of the retail locations were also moved to the back parking area. Alderman Serkes stated there are two spaces left open in the center and that Dazzle may relocate to Carolyn's space leaving only one open space.

Alderman Wynne stated it leaves 3000 square foot of empty spaces open and asked what if there is no sufficient parking remaining to take care of Frontenac's parking regulations. He stated you then would need to come back for a parking variance. Mr. Morgan stated there are currently 235 spaces on the site and the original variance was for 51, now there is a variance for 85. Ms. Nolfo stated they are considering the vacant area will be filled by retail, but can only accommodate this 3000 square foot for restaurant use and the rest of the vacant space would have to be retail. Mr. Morgan stated this is based on a sit-down type of restaurant, and that is what the traffic study is based on.

MOTION: Alderman Martin motioned and Alderman Durbin seconded tenant use approval for Sugo's Spaghetteria to occupy space at 10427 Clayton Road. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

4. **Bill No. 2010-1650:** An Ordinance establishing residential rental inspections and occupancy requirements within the City of Frontenac, Missouri.

Ms. Ross gave the first reading of Bill No. 2010-1650.

Mr. O'Keefe stated he made some changes to the proposed bill but did not change the main idea of the ordinance. There was extensive discussion on the purpose of the bill with comments from the Aldermen and residents. The Aldermen asked to have time to review the bill and make comments at their next meeting.

MOTION: Alderman Levis motioned and Alderman Wynne seconded to table Bill No. 2010-1650.

Bill No. 2010-1650 was tabled.

5. **Bill No. 2010-1651:** An Ordinance authorizing the City of Frontenac to enter into certain mutual aid agreements for the provision of fire protection and ambulance services with other municipalities, fire protection districts and ambulance districts.

Ms. Ross gave the first reading of Bill No. 2010-1651.

Mr. Shelton stated this ordinance is similar to the existing mutual aid agreements and adds ambulance service, and stated this will be in effect after the Board's approval and with the activation of the equipment. Mutual aid works both outbound and inbound. Mr. O'Keefe stated this has provisions to preauthorize others with similar qualifications.

Alderman Levis asked what types of equipment are sent out on a first alarm house fire. Chief Trout stated the mutual aid responses are six pumpers respond, Frontenac and five additional mutual aid companies in order to provide the required manpower.

Alderman Levis asked that we remove Frontenac from page 1 and 2 under the agreement.

Mayor Krieg asked for a second reading of Bill No. 2010-1651.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded approval of a second reading of Bill No. 2010-1651 as amended. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked Ms. Ross to give the second reading of Bill No. 2010-1651.

Bill No. 2010-1651: An ordinance authorizing the City of Frontenac to enter into certain mutual aid agreements for the provision of fire protection and ambulance services with other municipalities, fire protection districts and ambulance districts.

Mayor Krieg asked for a motion to approve Bill No. 2010-1651.

MOTION: Alderwoman Martin motioned and Alderwoman Durbin seconded approval of Bill No. 2010-1651.

Mayor Krieg asked Ms. Ross for a poll vote.

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

Bill No. 2010-1651 became Ordinance No. 2010-1617.

6. **Resolution No. 2010-235:** A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to enter into an agreement with Wright Line, LLC for the purchase and installation of dispatch furniture for the communications center in the new municipal complex building.

Mr. Shelton stated Chief Becker found a GSA bid for dispatch furniture which will be needed in the new municipal complex. The request was to preorder the furniture in order to avoid a price increase which would be effective 2/1/2010. Chief Becker stated by placing the order now it will save the City three to five percent and lock in the price. The cost of the equipment is \$15,000, and is payable on delivery.

Mr. Shelton stated the resolution needed to be amended to change the dates of the fiscal year to 2010-2011 from 2009-2010.

Mayor Krieg asked for a motion to approve Resolution No. 2010-235.

MOTION: Alderwoman Durbin motioned and Alderwoman Martin seconded Resolution No. 2010-235 is approved as amended. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

7. **Resolution No. 2010-236:** A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri to enter into an agreement with MED3000 to provide ambulance billing services for the City of Frontenac, Missouri.

Mr. Shelton stated this item was discussed at the Ways & Means Committee meeting and the committee strongly encouraged the City to proceed to put in place the necessary provisions to provide ambulance billing. This item was publicly bid and three proposals were sent in and MED3000 was the best proposal, and had the best responses and references.

Mayor Krieg stated this software will go along with the next resolution, which will allow the City to have a billing mechanism in place once we have the ambulance. Alderman Wynne asked what the criteria is for establishing the billing. Mr. Shelton stated Chief Trout will need to make recommendations for policies to be set by the Board of Aldermen, prior to April 1st, the scheduled day of ambulance service. Chief Trout stated the City needs a Medicare number, and then all employees will need to be trained. Alderman Wynne stated we need to be sure we get the policies set. An Alderman asked what the cost is for this service. Mr. Shelton stated we don't pay; they collect a percentage of the bill.

Mayor Krieg asked for a motion to approve Resolution No. 2010-236.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded Resolution No. 2010-236 is approved. All Aldermen voted "Aye". The vote was unanimous. **MOTION PASSED.**

8. **Resolution No. 2010-237:** A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to enter into an agreement with Code Red for the purchase of ambulance billing software for the City of Frontenac, Missouri.

Mr. Shelton stated in order to do the billing the City must incur the cost of the software. He said the City would take delivery of the software in 30 to 90 days, which will fall into the April 1st date of the ambulance service beginning. He also said the annual maintenance will be \$2500, after the first year. Alderman Levis stated the annual maintenance fee seems excessive and asked to negotiate to get it lowered. Chief Trout stated he, Mayor Krieg and Mr. Shelton will be meeting with the company tomorrow and stated they will address his request.

Mayor Krieg asked for a motion to approve Resolution No. 2010-237.

MOTION: Alderwoman Durbin motioned and Alderman Serkes seconded Resolution No. 2010-237 be approved. Alderman Serkes, “Aye”, Alderman Wynne, “Aye”; Alderwoman Durbin, “Aye”; Alderwoman Martin, “Aye”; and Alderman Levis, “Nay”. The vote was not unanimous. **MOTION PASSED.**

L. APPROVAL OF WARRANT LISTS: December 1, through December 31, 2009

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

MOTION: Alderwoman Martin motioned and Alderwoman Durbin 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 Wynne motioned and Alderwoman Durbin seconded to adjourn the meeting. All Aldermen present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 8:55 p.m.