



**MINUTES OF THE
CITY OF FRONTENAC
BOARD OF ALDERMEN
JULY 20, 2010**

The July 20, 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 John Wynne, Jon Serkes, Tom Hizar, 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; and Public Works Director, Jeff Wappelhorst.

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

A. MOTION TO APPROVE 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.

B. VOTE TO APPROVE MINUTES: June 15, 2010, Regular Meeting

Mayor Krieg asked for a motion to approve the minutes.

The aldermen had minor corrections to the minutes. Ms. Ross stated she would make the necessary changes.

MOTION: Alderman Hizar motioned and Alderwoman Martin seconded the approval of the June 15, 2010 minutes, as amended. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

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

1. Frontenac Racquet Club presentation and request to be referred to the Planning & Zoning Commission.

Mr. Terry Ward, the General Manager of the Frontenac Racquet Club presented a second proposal to the Board of Aldermen. He stated the original air structure was

supported by a majority of the residents, however one neighbor who lives closest to the area, opposed it. Mr. Ward stated at this time he was going to propose a fixed structure, like what they have now which would be 110' x 110' x 20'. He stated their current building is 40 feet high and is a 240' x 120' building. This new proposed structure will have two courts, be 80 feet from the road and will have the air conditioning unit on the south side of the structure. This structure will be a steel building. Mr. Ward stated a fixed structure would be too expensive. Alderwoman Martin asked where there are other steel buildings. Mr. Ward stated the Chesterfield Tennis Club just west of the Doubletree Hotel. Mr. Ward stated he has not spoken to the neighbors about this structure. Alderman Hizar was concerned that the residents be informed of this proposal and inquired if they favored option 1 or option 2.

MOTION: Alderwoman Martin motioned and Alderman Wynne seconded to send the proposal of the Frontenac Racquet Club to the Planning and Zoning Commission. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

Alderman Hizar asked what the objection is to the air structure. Mr. Ward stated that is unknown.

D. MAYOR'S COMMENTS

1. Service Award – Mike Teague, Fire Captain, 20 years of service

Captain Mike Teague of the Frontenac Fire Department received a service award for 20 years of dedicated service to the City of Frontenac from Mayor Krieg.

2. Appointment of Glen Mitchell to the Planning & Zoning Commission

Mayor Krieg stated Elizabeth Barbieri resigned from the Planning & Zoning Commission and he stated he would like to replace her with Glen Mitchell, Ward II resident.

MOTION: Alderman Hizar motioned and Alderwoman Durbin seconded the Mayor's appointment of Glen Mitchell to the Planning & Zoning Commission. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

3. Appointment of Commissioner of Building Hearings

Mr. Shelton stated Mr. Morgan advised the City is in need of a Commissioner of Building Hearings in order to condemn properties and stated the person must be a licensed architect or engineer. Mr. Shelton stated he has spoken to and is recommending the city contract with Mark Payken of Payken Consulting. Mr. Payken does work with other communities in code enforcement and stated this is needed for a derelict property on Cable Avenue.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded to approve the appointment of Mark Payken as the Commissioner of Building Hearings. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

Mayor Krieg read a note from Frontenac resident, Dan Reardon to Ms. Ross stating how he appreciates the weekly emails that are sent out. Mayor Krieg stated they are very informative and well written and he appreciates them too.

E. COMMENTS BY BOARD OF ALDERMEN MEMBERS

Alderman Levis stated he has interest in a dog park in the area behind Schlegel Landscaping in the quarry. He stated the parks become a social event with people who have dogs. He stated in Gladwyne where his daughter lives, they sell annual licenses for \$50 and take a picture of the dogs. He stated the revenue is used to offset the costs of fencing and maintenance.

Alderman Wynne stated he thinks it's a good idea. Alderwoman Martin stated there is one in Creve Coeur at Conway Park and the fee is \$80 per year for non-residents. Alderman Wynne asked if staffing is needed. Alderwoman Martin stated no. Each person receives the gate combination and it is self policed. Alderman Levis stated the owners of the property could be interested in donating the land to the City.

F. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

- | | |
|--|--------------|
| 1. Planning & Zoning Commission: | None |
| 2. Ways & Means Committee: | None |
| 3. Public Works Commission: | June 9, 2010 |
| 4. Building Commissioner
& Zoning Administrator | June 2010 |

Mayor Krieg stated the above reports will stand as submitted.

Alderman Wynne asked for a Clayton Road refresher. Mr. Shelton stated bids came in last week and he, Mr. Wappelhorst, the St. Louis County Planning Department and Great Rivers Greenway Committee were provided correct measurements for the roadway for both vehicular and pedestrian/bicycle traffic. They also recommend the City put up share the road Chevrons. Mr. Shelton stated the Public Works Committee did not recommend the City do this and they will not. The road with a shoulder will be bicycle and pedestrian friendly. The Public Works Commission did suggest the City put up more share the road signs. The recommendation was for signage on the pavement at the Clayton and Spoede interchange. There will be a bicycle pull into slip, demarked with a bicycle, however there will be no pavement markings on the shoulder strip.

Mr. Shelton stated from Spoede it will be a two lane road with shoulder. The turn lanes will be striped except at the intersection of Spoede and Clayton Roads westbound. Alderman Levis asked to please put single file on the signs for bicycles if the City

ordinances supports. Mr. O'Keefe stated there is a conflict with the State law and you are allowed to ride two abreast and the City cannot restrict bicyclist to single file unless they are impeding the flow of traffic.

G. CITY ADMINISTRATOR'S REPORT

1. Finance Report

Mr. Shelton stated he would give the report in Ms. O'Guinn's absence. He stated regarding year end numbers on page one of the top-line report, the City had budgeted a negative \$700,000 however the City finished the year a positive, \$55,901. He stated on page two of the report, in the Parks and Stormwater Account, it was budgeted to spend \$726,000 more than we took in, it was a very successful year for storm water projects. He also said real estate taxes are down \$3,000 due to the state legislature, allowing assessments to be challenged after the rate was set. The City will be able to recapture those funds next year. He stated currently all sales are above budget about 3% compared to last year which was down 2.5%. He also stated the first month of sales tax, July 2010 sales are above budget and above last year by 20%, and these represent the April 2010 sales. Mr. Shelton stated revenues for the year 2009-2010 on natural gas are down 23%; building permits are down 29% and interest income is down 60% compared to budget. He also stated legal expenses ended the year below budget by 33% which is good.

Alderman Wynne stated it appears we overspent on the new building by \$100,000. Mr. Shelton stated we made projections and they were spread out over months. He said the fact that we are spending faster means we are moving at a good pace, and the majority of the expenses are timing not overages.

Alderwoman Martin asked about the MSD budget problems. Mr. O'Keefe stated MSD may not have any money for projects and the trial court decision may have the affect of leveling the MSD tax. Alderwoman Martin asked how they will operate. Mr. O'Keefe stated they are underfunded and if anyone is waiting on projects to start, they may be put on hold. Mr. Shelton stated a major MSD project is going on in Lynnbrook and it is 75% completed.

2. City Facility Report

Mr. Shelton stated the project is moving on nicely and the reserve fund is currently at \$82,000. He stated the brick and slate are being installed and the air conditioning is in. He stated there will be a need for a special meeting on Tuesday, July 27th at 5:30 pm to award furniture contracts for the new municipal complex.

3. West End Park delinquent bills

Mr. Shelton advised that fifteen West End Park residents had not paid their assessment fees which total a little more than \$2,000 and he is requesting approval from the Board

of Aldermen to file action against the residents. Mr. O'Keefe has initiated proceedings for collection through the county counselor's office to have them added to the property tax bill. Mr. O'Keefe stated the other option would be to proceed with litigation which would allow the City to receive attorney's fees and court costs. Mr. O'Keefe stated the City is unable to file a lien without a judgment, so it would have to go through the legal system.

Alderman Levis stated the City should not go through an expensive the process to provide structure, all for a grand total of \$2,000. He asked that we hold on spending money because he is opposed to spending money on a lawsuit, where we may or may not win. Discussion continued on this subject with suggestions to turn the issue over to a collection agency or to add monthly fees to the fine.

MOTION: Alderman Levis motioned and Alderman Serkes seconded to authorize City Administrator Shelton to take such prudent steps to collect these funds as may be appropriate in his judgment. All Aldermen present voted "Aye." The vote was unanimous. **MOTION PASSED.**

H. UNFINISHED BUSINESS:

None

I. NEW BUSINESS:

1. **Bill No. 2010-1663:** An ordinance approving year-end modifications and revisions to the budget of the City of Frontenac, Missouri for the fiscal year 2009-2010.

Ms. Ross gave the first reading of Bill No. 2010-1663.

Mr. Shelton stated annually we do both mid-year and year-end budget adjustments to balance the accounts. He said all account deficits are off setting the balances with excess funds and all of these adjustments are leaving a \$0 sum budget adjustment.

Mayor Krieg asked for a second reading of Bill No. 2010-1663.

MOTION: Alderman Wynne motioned and Alderwoman Martin seconded approval of a second reading of Bill No. 2010-1663. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked Ms. Ross to give the second reading of Bill No. 2010-1663.

- Bill No. 2010-1663:** An ordinance approving year-end modifications and revisions to the budget of the City of Frontenac, Missouri for the fiscal year 2009-2010.

Mayor Krieg asked for a motion to approve Bill No. 2010-1663.

MOTION: Alderman Levis motioned and Alderwoman Durbin seconded approval of Bill No. 2010-1663.

Mayor Krieg asked Ms. Ross for a poll vote.

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

Bill No. 2010-1663 became Ordinance No. 2010-1629.

2. **Bill No. 2010-1664:** An ordinance amending Section 400.020 of the Code of Ordinances of the City of Frontenac, Missouri, relating to the Planning & Zoning Commission of said City.

Ms. Ross gave the first reading of Bill No. 2010-1664.

Mayor Krieg stated five years ago the Board expanded the membership by two and currently Ms. Schnoebelen and Ms. Rinder are rolling off the Commission due to the expiration of their terms. This bill will reduce the number of members of the Commission by two.

Mayor Krieg asked for a second reading of Bill No. 2010-1664.

MOTION: Alderwoman Durbin motioned and Alderman Wynne seconded a second reading of Bill No. 2010-1664. All Aldermen present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked Ms. Ross to give the second reading of Bill No. 2010-1664.

Bill No. 2010-1664: An ordinance amending Section 400.020 of the Code of Ordinances of the City of Frontenac, Missouri, relating to the Planning & Zoning Commission of said City.

Mayor Krieg asked for a motion to approve Bill No. 2010-1664.

MOTION: Alderman Wynne motioned and Alderwoman Martin seconded approval of Bill No. 2010-1664.

Mayor Krieg asked Ms. Ross for a poll vote.

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

Bill No. 2010-1664 became Ordinance No. 2010-1630.

3. **Bill No. 2010-1665:** An ordinance amending Chapter 255 of the City of Frontenac, Missouri, Code of Ordinances to establish an alternative process for undertaking and paying for street improvements and repairs.

Ms. Ross gave the first reading of Bill No. 2010-1665.

The mayor and aldermen discussed the bill before them extensively regarding the best way to approach the issue of needed improvements to streets and payments that are not made to repay the City for the repairs to the streets in West End Park.

Alderman Levis called for the question.

Additional discussion took place by the aldermen.

Alderman Wynne called for the question.

Mayor Krieg asked for a second reading of Bill No. 2010-1665.

MOTION: Alderman Wynne motioned for approval and there was no second. **MOTION FAILED.**

Discussion continued on this subject with a consensus to have Mr. Shelton draft up a resolution on this matter for the August Board of Aldermen agenda.

4. **Bill No. 2010-1666:** An ordinance amending Ordinance No. 2010-1626 the salaries and pay schedule for fiscal year 2010-2011, for the City of Frontenac, Missouri.

Ms. Ross gave the first reading of Bill No. 2010-1666.

Mayor Krieg stated this bill came from discussion he had with Alderman Hizar and the decision of the Board of Aldermen to adjust the city administrator salary at this time. He stated the Ways & Means Committee will do a thorough benefit review next year. Alderman Wynne also suggested for next year changing the entire pay scale to a five-year scale.

Mayor Krieg asked for a second reading of Bill No. 2010-1666.

MOTION: Alderman Levis motioned and Alderman Serkes seconded approval of a second reading of Bill No. 2010-1666. All Aldermen present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked Ms. Ross to give the second reading of Bill No. 2010-1666.

Bill No. 2010-1666: An ordinance amending Ordinance No. 2010-1626 the salaries and pay schedule for fiscal year 2010-2011, for the City of Frontenac, Missouri.

Mayor Krieg asked for a motion to approve Bill No. 2010-1666.

MOTION: Alderwoman Martin motioned and Alderman Levis seconded approval of Bill No. 2010-1666.

Mayor Krieg asked Ms. Ross for a poll vote.

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

Bill No. 2010-1666 became Ordinance No. 2010-1631.

5. **Resolution No. 2010-246:** A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to enter into a contract to amend the existing telephone lease agreement for the new municipal complex.

Mr. Shelton stated he had another document to distribute at the request of Alderman Hizar to clarify the pricing sheet. Mr. Shelton stated this would amend the current communications agreement with TSI and update the lease for telephones, switches and hardware for the new municipal complex. The existing lease will continue for three years and at the end of the lease, the City will own the equipment. Alderman Levis was concerned about the extended warranty and stated he would support the acceptance of the agreement without the warranty. Chief Trout stated we would not receive any updates without the extended warranty. Alderman Levis asked if Mr. Shelton would find out what are the upgrades are and to see if the extended warranty was needed. Mr. Shelton stated he would ask that the agreement be approved pending investigation into the software licensing and extended warranty.

Mayor Krieg asked for a motion to approve Resolution No. 2010-246.

MOTION: Alderman Levis motioned and Alderman Serkes seconded to approve Resolution No. 2010-246. All Aldermen voted “Aye”. The vote was unanimous. **MOTION PASSED.**

J. APPROVAL OF WARRANT LISTS: June 1, 2010 through June 30, 2010

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

MOTION: Alderman Hizar 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 Martin, "Abstain"; Alderman Levis, "Aye"; Alderman Hizar, "Aye"; Alderman Serkes, "Aye"; Alderman Wynne, "Aye"; and Alderwoman Durbin, "Abstain". Four Aldermen voted "Aye" and two aldermen abstained. The vote was not unanimous. **MOTION PASSED.**

K. EXECUTIVE SESSION FOR R.S. MO 610.021 (3) PERSONNEL

Mayor Krieg asked for a motion and a second to go into executive session.

MOTION: Alderman Levis motioned and Alderwoman Martin seconded to close the open session.

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

L. ADJOURNMENT

Mayor Krieg asked for a motion to adjourn the meeting.

MOTION: Alderwoman Martin 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.