

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC BOARD OF ALDERPERSON NOVEMBER 27, 2017

The November 27, 2017 regular meeting of the Board of Alderpersons of the City of Frontenac was called to order at 7:05 p.m. with Mayor Margot Martin, presiding. The Alderpersons present were David Bray, Brian Warner, Jamie Griesedieck and Tom O'Brien. Dan Kemper and Nalini Mahadevan were absent.

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

The Pledge of Allegiance was stated.

A. MOTION TO APPROVE AGENDA

Mayor Martin asked that the agenda be amended to move Resolution No. 2017-371 to #1 under new business.

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

MOTION: Alderperson Warner motioned and Alderperson O'Brien seconded the approval of tonight's amended agenda. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

B. VOTE TO APPROVE MINUTES: Regular Meeting, October 17, 2017

Mayor Martin asked if there were any corrections to the minutes, there were none. Mayor Martin asked for a motion to approve the four sets of minutes.

MOTION: Alderperson O'Brien motioned and Alderperson Warner seconded the approval of the October 17, 2017, meeting minutes. All Alderpersons present voted "Aye." The vote was unanimous. **MOTION PASSED.**

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

There were no comments from the audience members.

D. MAYOR'S COMMENTS

Mayor Martin had no comments

E. COMMENTS BY BOARD OF ALDERPERSON MEMBERS

There were no comments from the Board of Alderpersons members.

F. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

- | | | |
|----|---|--------------------------|
| 1. | Planning & Zoning Commission: | August 2017 |
| 2. | Ways & Means Committee: | September & October 2017 |
| 3. | Public Works Commission: | August 2017 |
| 4. | Building Commissioner
& Zoning Administrator | October 2017 |

Mayor Martin stated the above reports will stand as submitted.

G. CITY ADMINISTRATOR'S REPORT

1. Finance Report – October 2017

Mr. Shelton stated year to date revenues are up 4.8% or \$84,000 compared to the budget, which is due to utility taxes, building permits and court revenue. He said expenses are down 3.4% or \$89,000. He said these numbers included the November sales. He stated year to date, sales are down \$20,000 or 1%. He said that number would have been more; however a few stores paid extra and got caught up this budget year. He said if you review the rolling 12 report, sales tax revenues are down 8.8% or \$416,000.

2. City Administrator's Report

Mr. Shelton stated the Ways & Means Committee met earlier this month and made a recommendation for adoption of a ballot initiative for a property tax increase for the April 2018 Ballot. Mr. Shelton stated there will be legislation on next month's agenda to move this forward. Alderperson O'Brien asked that Mr. O'Keefe preview the ballot language.

H. UNFINISHED BUSINESS

1. **Bill No. 2017-1868.1**: An ordinance amending Section 105.070 of the City of Frontenac, Missouri, Municipal Code of Ordinances relating to candidate filing procedures.

Ms. Ross gave the first reading of this bill at the October 17, 2017 meeting.

Mr. O'Keefe stated he updated the language from last month's bill to mimic the State Statute's language and stated there needs to be a motion to amend Bill No. 2017-1868 to 2017-1868.1.

Mayor Martin asked for a motion to amend Bill No. 2017-1868.1.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded to amend Bill No. 2017-1868 to Bill No. 2017-1868.1. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Martin asked for a motion for a second reading as amended.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded approval of the second reading of Bill No. 2017-1868.1 as amended. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Bill No. 2017-1868.1: An ordinance amending Section 105.070 of the City of Frontenac, Missouri, Municipal Code of Ordinances relating to candidate filing procedures.

Mayor Martin asked for a motion to approve Bill No. 2017-1868.1.

MOTION: Alderperson O'Brien motioned and Alderperson Bray seconded approval of Bill No. 2017-1868.1 as amended.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Warner, "Aye"; Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Aye"; and Alderman Bray, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1868.1 became Ordinance No. 2017-1827.

I. NEW BUSINESS:

- 1. Resolution No. 2017-371:** A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri to join Mayors for Peace.

Alderperson Bray stated he would abstain from voting on this bill and suggested this bill be tabled until they have a full board seated. Alderperson Bray stated he had questions and would like to talk to Mrs. Sabelman more.

MOTION: Alderperson Bray and Alderperson O'Brien seconded to table Resolution No. 2017-371. All Alderpersons present voted "Aye". The vote was unanimous, motion passed.

Resolution No. 2017-371 was tabled.

- 2. Bill No. 2017-1870:** An ordinance authorizing the Mayor to execute an agreement on behalf of the City of Frontenac, Missouri, to provide police services, fire protection services, and emergency medical services to the City of Crystal Lake Park, Missouri.

Ms. Ross gave the first reading of this bill.

Mr. Shelton stated this bill will renew the contract for Crystal Lake Park for five years beginning January 1, which provides police and fire services for them. He said the annual increase will be 3%. He said it will be on Crystal Lake Park's December 4 agenda for passage. Alderperson Bray asked what the rate was based on. Mr. Shelton stated the contract was initiated many years ago and he said it was based on the tax rate in Frontenac and what Frontenac residents were paying for their own police and fire services. He said it has gone up using CPI, over the years. Alderperson Bray stated it should be per capita based, and that all the contracts, Crystal Lake Park, Huntleigh, Country Life Acres and Westwood all should be calculated this way. He said the four contract cities consist of 20% of our population and if aggregated, do they add up to 20% of our budget. Alderperson Bray asked is it appropriated. Alderperson Warner stated he complained before of the weight of the increase. Mr. Shelton stated Mr. Guest, while alderman also asked about the fees, but after research, he determined the fees were appropriate. Alderperson Bray asked if revenue is keeping up with costs, and asked if they are paying their fair share with a 3% increase. Mr. Shelton stated these contracts are the largest expense for these cities, and it allows Frontenac to have the man power, and to increase our man power. He also said we are not trying to price ourselves out.

MOTION: Alderperson O'Brien motioned and Alderperson Bray seconded approval of the second reading of Bill No. 2017-1870. All Alderpersons present voted "Aye". The vote was unanimous.
MOTION PASSED.

Bill No. 2017-1870: An ordinance authorizing the Mayor to execute an agreement on behalf of the City of Frontenac, Missouri, to provide police services, fire protection services, and emergency medical services to the City of Crystal Lake Park, Missouri.

Mayor Martin asked for a motion to approve Bill No. 2017-1870.

MOTION: Alderperson O'Brien motioned and Alderperson Bray seconded approval of Bill No. 2017-1870.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Aye"; Alderperson Bray, "Aye"; and Alderperson Warner, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1869 became Ordinance No. 2017-1828.

3. **Bill No. 2017-1871:** An ordinance amending Chapter 405 of the City of Frontenac, Missouri, Municipal Code of Ordinances pertaining to the use of dwellings for short-term rental occupancy.

Ms. Ross gave the first reading of Bill No. 2017-1871.

Mr. Shelton stated the Board of Aldermen referred this to the Planning & Zoning Commission, and last month they recommended approval. He also stated the State legislature had a bill that would have stripped cities of their rights to regulate these rentals however that bill was not passed last year.

Mr. Shelton stated at that time, he asked Mr. O’Keefe to draft legislation. Mr. O’Keefe stated a bill drafted last year, in the State legislature, would have grandfathered municipalities and kept and regulations on this issue in place by the end of this year, 2017. The bill did not pass and is not a concern at the moment; however it is time to recognize that residents do not want the hospitality industry carrying on in subdivisions. Alderperson Bray asked if this bill would prohibit the city from having an assisted living facility in town, as some older residents who reside in these types of facilities, pay on a 30 day period, with February being 28 days. He also referenced an email to Laura Estes with the County Assessor’s Office, which questioned the ALF as being residential facilities. Mr. O’Keefe stated this bill pertains to the use of residential property for rentals, and the characteristics of neighborhoods.

Mayor Martin asked for a motion for a second reading.

MOTION: Alderperson Warner motioned and Alderperson O’Brien seconded approval of the second reading of Bill No. 2017-1871. All Alderpersons present voted “Aye”. The vote was unanimous.

MOTION PASSED.

Bill No. 2017-1871: An ordinance amending Chapter 405 of the City of Frontenac, Missouri, Municipal Code of Ordinances pertaining to the use of dwellings for short-term rental occupancy.

Mayor Martin asked for a motion to approve Bill No. 2017-1871.

MOTION: Alderperson Warner motioned and Alderperson O’Brien seconded approval of Bill No. 2017-1871.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson O’Brien, “Aye”; Alderperson Bray, “Aye”; Alderperson Warner, “Aye”; and Alderman Griesedieck, “Aye”. The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1871 became Ordinance No. 2017-1829.

4. **Bill No. 2017-1872:** An ordinance amending Chapter 640 of the City of Frontenac, Missouri, Municipal Code of Ordinances relating to hospitality businesses and short-term residential rentals.

Ms. Ross gave the first reading of Bill No. 2017-1872.

Mr. Shelton stated this makes the business license section in our code consistent with the zoning section. This language will not allow someone to obtain a business license for short-term rentals.

Mayor Martin asked for a motion for a second reading.

MOTION: Alderperson Bray motioned and Alderperson O’Brien seconded approval of the second reading of Bill No. 2017-1872. All Alderpersons present voted “Aye”. The vote was unanimous.

MOTION PASSED.

Bill No. 2017-1872: An ordinance amending Chapter 640 of the City of Frontenac, Missouri, Municipal Code of Ordinances relating to hospitality businesses and short-term residential rentals.

Mayor Martin asked for a motion to approve Bill No. 2017-1872.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded approval of Bill No. 2017-1872.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson O'Brien, "Aye"; Alderperson Bray, "Aye"; Alderperson Warner, "Aye"; and Alderman Griesedieck, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1872 became Ordinance No. 2017-1830.

5. **Bill No. 2017-1873:** An ordinance amending Chapter 405 of the City of Frontenac, Missouri, Municipal Code of Ordinances, pertaining to the use of portable restrooms.

Ms. Ross gave the first reading of Bill No. 2017-1873.

Mr. Shelton stated this was referred to the Planning & Zoning Commission, to review for aspects of screening and location of portable restrooms, and stating they must obtain a permit. Alderperson Bray advised of a few minor typos in section E(b)(4). Alderperson Warner stated he would like to see the provisions for portable restrooms for events, being removed from approval by the Board of Aldermen. In Section E(c)(3). The Chairman of the Planning & Zoning Commission, Mr. Kehr was present and made comments. He said there really was no problem with the screening, but there was a problem as to where they are placed. There is also no time limit on how long they can be placed, and they wanted a "reasonable time limit" for events. Mr. Shelton stated Villa Duchesne is a good example, as they had one placed on their field during field hockey season, near the neighbor's property, and it was unscreened. He said he would like to see them screened and away from neighbor properties, especially in residential areas. Someone suggested lengthening the period for approval. Mr. Morgan stated there needs to be an appeal process, whether to the Board of Aldermen or the Board of Adjustment. There was discussion of allowing the building commissioner discretion and to delegate the approval to him, Mr. O'Keefe stated then there should be some type of standards. He said if it is an administrative decision, instead of bringing it to the Board of Aldermen, it is not a temporary use, it is a prolonged use. Mr. O'Keefe again said there should be standards.

It was decided to bring this bill next month with some revisions. First reading occurred.

6. **Bill No. 2017-1874:** An ordinance extending the deadline for filing the declaration referenced in Ordinance No. 2017-1823.

Ms. Ross gave first reading of Bill No. 2017-1874.

Mayor Martin asked for a motion for a second reading.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded approval of the second reading of Bill No. 2017-1874. All Alderpersons present voted "Aye". The vote was unanimous.
MOTION PASSED.

Bill No. 2017-1874: An ordinance extending the deadline for filing the declaration reference in Ordinance No. 2017-1823.

Mayor Martin asked for a motion to approve Bill No. 2017-1874.

MOTION: Alderperson Warner motioned and Alderperson O'Brien seconded approval of Bill No. 2017-1874.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Bray, "Aye"; Alderperson Warner, "Aye"; Alderperson Griesedieck, "Aye"; and Alderperson O'Brien, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1874 became Ordinance No. 2017-1831.

7. **Bill No.2017-1875:** An ordinance authorizing execution of a release and termination of option agreement for the Shriners Hospital Property.

Ms. Ross gave the first reading of Bill No. 2017-1875.

Mayor Martin asked for a motion for a second reading.

MOTION: Alderperson Warner motioned and Alderperson O'Brien seconded approval of the second reading of Bill No. 2017-1875. All Alderpersons present voted "Aye". The vote was unanimous.
MOTION PASSED.

Bill No. 2017-1875: An ordinance authorizing execution of a release and termination of option agreement for the Shriners Hospital Property.

Mayor Martin asked for a motion to approve Bill No. 2017-1875.

MOTION: Alderperson O'Brien motioned and Alderperson Warner seconded approval of Bill No. 2017-1875.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Warner, "Aye"; Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Aye"; and Alderman Bray, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

Bill No. 2017-1875 became Ordinance No. 2017-1832.

8. **Resolution No. 2017-369**: A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to enter into an agreement with STL Milling and Paving, LLC as the low bid to provide asphalt paving.

Mayor Martin asked for a motion to approve Resolution No. 2017-369.

MOTION: Alderperson Griesedieck and Alderperson O'Brien seconded approval of Resolution No. 2017-369. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

9. **Resolution No. 2017-370**: A resolution authorizing the Mayor, on behalf of the City of Frontenac, Missouri, to provide a holiday employee retention incentive program to all permanent employees of the city.

Mayor Martin asked for a motion to approve Resolution No. 2017-370.

MOTION: Alderperson Bray and Alderperson Griesedieck seconded approval of Resolution No. 2017-370. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

J. APPROVAL OF WARRANT LISTS: October 1, 2017 through October 31, 2017

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

MOTION: Alderperson O'Brien motioned and Alderperson Warner seconded the above warrant lists be approved.

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

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

ROLL CALL VOTE: Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Aye" Alderperson Bray, "Aye"; and Alderperson Warner, "Aye". All Alderperson present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

K. EXECUTIVE SESSION FOR R.S. MO 610.021 (1) LEGAL

MOTION: Alderperson Warner motioned and Alderperson O'Brien seconded to go into executive session for R.S. MO 610.021 (1) Legal.

ROLL CALL VOTE: Alderperson O'Brien, "Aye"; Alderperson Bray, "Aye" Alderperson Warner, "Aye"; and Alderperson Griesedieck, "Aye". All Alderperson present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 4-0.**

L. ADJOURNMENT

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

MOTION: Alderperson Warner motioned and Alderperson O'Brien seconded the meeting be adjourned. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 7:40 p.m.