

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC BOARD OF ALDERPERSON AUGUST 29, 2017

The August 29, 2017 regular meeting of the Board of Alderpersons of the City of Frontenac was called to order at 7:04 p.m. with Mayor Margot Martin, presiding. The Alderpersons present were David Bray, Nalini Mahadevan, Brian Warner, Dan Kemper, Jamie Griesedieck and Tom O'Brien.

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; Building Commissioner, John Morgan and Finance Officer, Lea Ann Layden.

After the Pledge of Allegiance, Mayor Martin asked for a motion to approve tonight's agenda.

A. MOTION TO APPROVE AGENDA

Mayor Martin asked for a motion to approve the agenda.

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

B. VOTE TO APPROVE MINUTES:

Public Hearing, July 18, 2017
Special Meeting, July 18, 2017

Mayor Martin asked if there were any corrections to the minutes.

Alderperson Bray on page 3 of the public hearing minutes, that Alderperson O'Brien asked about the trash enclosures and asked would they be similar to BrickTop's. He stated he believed Mr. Stock answered yes. Mr. Stock confirmed that he answered yes.

Alderperson Bray stated on page 3, of the public hearing minutes, where it refers to the shades on the west side of the building being on automatic timers, he stated he believed that all shades would be on automatic timers. Mr. Stock confirmed that that is correct.

Ms. Ross stated she would make the changes to the minutes to reflect the corrections.

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

MOTION: Alderperson Bray motioned and Alderperson Kemper seconded the approval of the minutes as amended. All Alderpersons present voted "Aye." The vote was unanimous. **MOTION PASSED.**

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

Mr. Barry Simon of Simon Homes stated he is working with Fisher & Fritchel to develop 5.8 acres, where the B’Nai El Property is located. Mr. Simon stated he would like to build 11 stand alone villas on the site, with each occupying an approximately 16,000 square foot lot. He stated he has approached the Village of Westwood and held several meetings. He said he most recently contacted the Village of Westwood, and they do not seem currently to be interested in the project. He said he hopes to make a formal zoning request to the Village of Westwood for them to either rezone their property or consider annexing the property to the City of Frontenac, who has a villa zoning classification. Alderperson O’Brien asked Mr. Simon, would these \$1.3 million average closing price villas be economically feasible next door at LECC. Mr. Simon replied, yes, and we are very interested in the property next door. Alderperson O’Brien then asked Mr. Simon, how long have you been a homebuilder, Mr. Simon replied since 1972, 45 years.

Comments were made by Shari Culleton of Spoede Road regarding the water runoff and drainage issues in the rear of her property that abuts the Ladue School District Property. Mayor Martin stated she would talk with Mr. Shelton and Mr. O’Keefe to try to help Ms. Culleton with her water issues.

Ms. Hatfield of Portland Drive stated she was with the Frontenac Park Committee, and asked how the city can offer to a developer, blighting and 50% tax abatement, when they have discussed with the Ways & Means Committee a 50 – 70 percent tax increase. She asked the city to justify the difference. Mayor Martin stated that is a good question and she will follow through with an answer.

D. MAYOR’S COMMENTS

Mayor Martin thanked the City staff members who put together the meeting packets.

1. Service Award to Sergeant Brian Wolf of the Frontenac Police Department.

Chief Becker stated he is proud to have Sgt. Wolf on his staff. Brian was appointed on August 26, 1992 by Mayor Newell Baker. Brian was a detective from 1995 – 1999, was promoted to Corporal in 2000 and Sergeant in 2003. Brian has worked on the Major Case Squad, has served as Vice-President of the Missouri Juvenile Officers Association, serves as the police department’s juvenile officer, and has served as a field training officer. Brian has many letters of thanks and commendations in his file and has installed between 600 – 700 child safety seats.

Sgt. Wolf was presented with a 25 year service award by Mayor Martin, and his wife Jen was presented with flowers. Brian’s daughter Madelyn was also present, along with his parents, Ken and Carol Wolf.

E. COMMENTS BY BOARD OF ALDERPERSON MEMBERS

Alderson O'Brien started at the recent Ladue School Board meeting; there was an announcement that the school district was accepting requests for proposals for the Ladue Early Childhood Center Property between September 15, 2017 and October 31, 2017.

F. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

- | | | |
|----|---|------------|
| 1. | Planning & Zoning Commission: | June 2017 |
| 2. | Ways & Means Committee: | None |
| 3. | Public Works Commission: | April 2017 |
| 5. | Building Commissioner
& Zoning Administrator | July 2017 |

Mayor Martin stated the above reports will stand as submitted.

G. CITY ADMINISTRATOR'S REPORT

1. Finance Report – July 2017

Ms. Layden stated the July financial packet is on a cash basis, but it will be accrued back in for the fiscal year. Ms. Layden stated revenue is up 4.9% for the year and expenses are down 5.6% compared to budget. She said August sales taxes are not reflected in the financial statement. She also stated an anchor which was behind three months, did submit two months of revenue and they are now behind just one month, and the city revenues are up 2%. She said all sales taxes accrued will be put back in the prior year's fiscal year.

Alderson Bray asked about the utility taxes and said the revenue is up 50%. Ms. Layden stated there was a \$7,000 cable franchise payment that was made. She said that will also be backed into last year's revenues. Alderson Bray also asked will the building permits continue, as they are currently 40% of this year's budget. Mr. Morgan stated one large commercial project was approved and their fees received. He said there is currently a lot of influx of building permits. Mr. Shelton stated the Ways & Means Committee did look at the significant revenue and said this was mainly for one big commercial renovation or construction.

H. UNFINISHED BUSINESS

I. NEW BUSINESS:

1. Consolidation Preliminary Plat approval for subdivision of the property at 885 S. Lindbergh Blvd. (Honda of Frontenac).

Mr. Mark Doerring was the representative present. He stated the city's ordinance states if four or more lots are combined, the applicant must receive preliminary plat approval. He stated there are about 80 lots which were never consolidated at Honda of Frontenac and he said some were also street right of ways and vacated streets. He said they will turn the property into one lot and clean up

the plat map. He said the final preliminary plat will go back to the Planning & Zoning Commission and come back for final approval to the Board of Alderpersons.

Mayor Martin asked for a motion for the preliminary approval of the plat and referral back to the Planning & Zoning Commission for final approval.

MOTION: Alderperson O'Brien motioned and Alderperson Kemper seconded approval of the preliminary approval of the plat for 885 S. Lindbergh Blvd (Honda of Frontenac) and refer it back to the Planning & Zoning Commission for final approval. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

2. Referral to the Planning & Zoning Commission, guidelines regulating portable toilets.

Mr. Shelton stated Alderperson O'Brien requested that the staff take a look at regulations on portable toilets. He said the Planning & Zoning Commission will come up with regulations on portable toilets.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded to send the issue of portable toilets to the Planning & Zoning Commission for regulations on their use. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

3. **Bill No. 2017-1862:** An ordinance authorizing the Mayor on behalf of the City of Frontenac, Missouri to enter into a contract with Bi State Utilities for the Oak Valley East Storm Water Project.

Mr. Shelton stated four bids were received and Bi-State Utilities was the low bid. He said this project is combined with MSD and the City will be reimbursed \$185,000 for this project. He also said this is the low qualified bid.

MOTION: Alderperson O'Brien motioned and Alderperson Bray seconded to approve Bill No. 2017-1862.

Bill No. 2017-1862: An ordinance authorizing the Mayor on behalf of the City of Frontenac, Missouri to enter into a contract with Bi State Utilities for the Oak Valley East Storm Water Project.

MOTION: Alderperson Bray motioned and Alderperson O'Brien seconded approval of Bill No. 2017-1862.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Mahadevan, "Aye"; Alderperson Warner, "Aye"; Alderperson Kemper, "Aye"; Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Aye"; Alderman Bray, "Aye"; and Alderperson Mahadevan, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

Bill No. 2017-1862 became Ordinance No. 2017-1820.

4. **Bill No. 2017-1863**: An ordinance authorizing the Mayor to execute on behalf of the City of Frontenac, Missouri, to provide leaf vacuuming services to the City of Frontenac, Missouri.

City Clerk Ross gave the first reading of Bill No. 2017-1863.

Mr. Shelton said as stated in his staff report, this is for a one year bid. He said Hendel Lawncare has provided the City with the service the last 15 year. He said they have a good reputation and are very familiar with the city. They bid a three year contract, and the current year is \$15,000 over budget. He said he is proposing a one year-contact, and suggests the City rebid or review the contract next year. The other bidder quoted the same price for this year, however, they don't have any municipal government experience, except t for Scott Air Force Base, and Mr. Shelton stated he was unable to discuss the issue with their reference, as a call was made, but he did not receive a return phone call. There were two bids; the other bidder was Brinkman Landscaping.

Aldersperson Warner stated he read that Hendel stated they would complete five pickups a year. Mr. Shelton stated that is correct, Hendel will do five pickups, at the same price; Brinkman's bid was for four.

Mayor Martin asked for a motion for a second reading.

MOTION: Aldersperson Warner motioned and Aldersperson O'Brien seconded approval of the second reading of Bill No. 2017-1863. All Alderspersons present voted "Aye". The vote was unanimous.
MOTION PASSED.

Mayor Martin asked City Clerk Ross to give the second reading of Bill No. 2017-1863.

Bill No. 2017-1863: An ordinance authorizing the Mayor to execute on behalf of the City of Frontenac, Missouri, to provide leaf vacuuming services to the City of Frontenac, Missouri.

Mayor Martin asked for a motion to approve Bill No. 2017-1863.

MOTION: Aldersperson Mahadevan motioned and Aldersperson Warner seconded approval of Bill No. 2017-1863.

Mayor Martin asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Aldersperson Warner, "Aye"; Aldersperson Kemper, "Aye"; Aldersperson Griesedieck, "Aye"; Aldersperson O'Brien, "Aye"; Alderman Bray, "Aye"; and Aldersperson Mahadevan, "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

Bill No. 2017-1863 became Ordinance No. 2017-1821.

5. **Bill No. 2017-1864**: An ordinance finding and declaring a certain area in the City a blighted area under Chapter 353 of the Revised Statutes of Missouri, as amended; approving the Shriner's Hospital for Children Site Redevelopment Corporation Development Plan

submitted for the redevelopment of such area; and authorizing the Mayor to enter into a redevelopment agreement and certain other agreements related thereto.

City Clerk Ross gave the first reading of Bill No. 2017-1864.

6. **Bill No. 2017-1865:** An ordinance rezoning property at 2001 South Lindbergh Boulevard to the Planned Development-Retail/Commercial (PDC) Zoning District; approving a preliminary development plan, and granting a conditional use permit for commercial complementary to retail sales in excess of 25% of gross leasable area of the development.

City Clerk Ross gave the first reading of Bill No. 2017-1865.

Mr. Shelton stated the only change in this bill were the hours of operation was amended for the Lifetime Fitness to 4:00 a.m. to 11:00 p.m. as agreed upon between the homeowner association of Litzsinger and the DESCO Group.

Aldersperson Bray asked if this bill was open for comments, as he had some changes he would like to see in this Bill 2017-1865.

Aldersperson Bray stated he would like to see the following changes:

Section IV, Parking Access, page 4, #1h, , “right in right out at Flemings”; (new)

Section IV, Sidewalks and Cross Walks, page 5 #2f, “Signalized Crosswalk, Plaza Frontenac at Clayton Road (BrickTop’s Entrance (new)

Section V, Lighting, page 6, added to #6, “on automatic timers” (added)

Section V, Lighting, page 6, “Dim lights on the western edge of parking lot” (new)

Mr. Scott Sachtleben of DESCO stated many of the items mentioned were in the Memorandum of Understanding (MOU) between DESCO and the Litzsinger Place Homeowners Association, which they have not completed. Mr. Stock stated there is a timing issue with the Fleming’s Entrance, as they are working with and waiting on MoDOT. Mr. Sachtleben stated the MOU will be signed prior to the meeting on September 19 and made part of the record before the second reading of the bill. Mr. O’Keefe stated the city should not be a part of that agreement.

Mr. Jim Mello the attorney representing DESCO stated they received the draft of the ordinance on Friday and they need to sit down with the City and go through the draft and incorporate items and finalize the agreement for the September 19, 2017 meeting. He said he would like city staff and DESCO to go through the agreement and put things in context.

Aldersperson O’Brien stated he has problems with the terms of the agreement and would like the PILOT increased or \$128,000 storm water abatement reduced. Mr. Mello stated they were here to discuss the zoning issue. He said their position on the term sheet was brought forward as a good faith basis and they need to either accept or reject the term sheet. He also said the change was not part of the term sheet. Aldersperson O’Brien again stated he wanted them to drop the storm water

capture or increase the PILOT. Mr. Mello stated we had the discussion on the fundamental agreement but they are not in the position to change the allocation.

Mr. Shelton stated this is only the first reading. The plan was to introduce both bills and then take it back to finalize the bills and agreements prior to the next meeting. Mr. O'Keefe stated after the first reading, he needs direction on how to conclude this document and the rest of the development package. He said he would like to see something that will instruct the staff to proceed to finalize the documents according to the term sheet. Alderperson Bray stated he would send his requested changes to Mr. O'Keefe. Mr. O'Keefe asked what should be done next. He suggested the city finalize the materials.

MOTION: Alderwoman Mahadevan motioned and Alderperson Griesedieck seconded to direct staff to finalize the documents with the term sheet that was presented and to move forward with the second reading of Bills 2017-1864 and 2017-1865 at the next meeting.

POLL VOTE: Alderperson Kemper, "Nay"; Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Nay"; Alderperson Bray, "Nay"; Alderperson Mahadevan, "Aye"; Alderperson Warner, "Aye"; and Mayor Martin, "Aye". **MOTION PASSED** by a vote of 4-3.

Alderperson Bray asked if there was any more discussion on the term sheet. He said the reason he is opposing the PILOT portion is because Frontenac Grove provides three times more money than the city will get from the DESCO Project. He said Frontenac Grove pays \$5.60 per square foot and DESCO will pay \$2.08 per square foot. He said Plaza Frontenac generates \$7.45 per square foot and the DESCO/Lifetime Fitness Project is projected to generate \$28,000,000, and pay a \$170,000 PILOT, that is \$3.70 per square foot, half what is generated by Plaza Frontenac. He said that is one of the last commercial properties in the city. He said he is concerned that we will be asking for a tax increase in April, and said he does not think it is fair to the residents.

Alderperson Warner said he appreciates Alderperson's Bray's perspective but the option of \$7.00 per square foot at high end retail is not there. He said the use of the purpose intercedes by development and is complimentary to the mall. The mall is central to keep property taxes to a minimum, and that is my perspective.

Alderperson O'Brien stated I like the project but I don't like the \$170,000 PILOT. He said it will enhance and is all positive to the mall, but said the city will net \$42,000 for the project, that will be the financial net. Alderperson Bray stated if they bring it up it will be \$4.40 per square foot. Alderperson Bray stated DESCO has been great as a developer.

Alderperson Mahadevan stated Frontenac needs to diversify. She said a certain sum is much better than the thought of trying to get more high-end retail. She said she shops online. She stated she hopes the development brings people from other areas, to the City of Frontenac. She said she does not want to see a tax increase either, and wants our way to go on but we must look to the future. She said DESCO and partners have been good. They talked and negotiated with the residents. She said that is important and that is why she voted yes.

Mayor Martin stated DESCO did a great job and talked to and listened to the residents, and there was a compromise. She also stated she appreciates the residents.

MOTION: Alderperson Mahadevan motioned and Alderperson Griesedieck seconded for the City to proceed with negotiations according to the DESCO Shriners Redevelopment, Critical Incentives Terms.

ROLL CALL VOTE: Alderperson Kemper, “Nay”; Alderperson Griesedieck, “Aye”; Alderperson O’Brien, “Nay”; Alderperson Bray, “Nay”; Alderperson Mahadevan “Aye”; Alderperson Warner, “Aye”; and Mayor Martin, “Aye”. **MOTION PASSED by a vote of 4-3.**

7. **Resolution No. 2017-365:** A resolution authorizing for final payment for the purchase of a replacement fire pumper for the Frontenac Fire Department.

Mr. Shelton stated this pays the balance due to the vendor for the new fire pumper. He said the amount is several hundred thousand dollars. The pumper is set to be delivered by mid September, and after a safe delivery, the money will be paid. Chief Trout stated his pumper committee will leave this week to go down for the final inspection.

Mayor Martin asked for a motion to approve Resolution No. 2017-365.

MOTION: Alderperson Warner and Alderperson O’Brien seconded approval of Resolution No. 2017-365. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

8. **Resolution No. 2017-366:** A resolution authorizing the purchase of two replacement police vehicles for the Frontenac Police Department.

Mr. Shelton stated this is for two new patrol vehicles. The vehicles purchased will be two 2017 Ford Explorers, purchased from Lou Fusz under the State bid.

Alderperson Bray asked Chief Becker about the idling of the cars, and asked if they had automatic shut offs. Chief Becker stated, no they don’t have automatic shut offs in police vehicles and stated the idling is necessary, as there is a lot of police equipment and electronics in the vehicles. He said they leave them idling so there is not heat buildup. He said they are retiring two Dodge Chargers and will add the two Ford Explorer, all wheel drive vehicles to their patrol fleet.

Mayor Martin asked for a motion to approve Resolution No. 2017-366.

MOTION: Alderperson O’Brien motioned and Alderperson Warner seconded approval of Resolution No. 2017-366. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

J. APPROVAL OF WARRANT LISTS: July 1, 2017 through July 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"; Alderperson Mahadevan, "Aye"; Alderperson Warner, "Aye"; and Alderperson Kemper, "Aye". All Alderperson present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

K. ADJOURNMENT

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

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

The meeting adjourned at 8:15 p.m.