

# CITY OF FRONTENAC



## MINUTES OF THE CITY OF FRONTENAC BOARD OF ALDERPERSONS THURSDAY, MARCH 30, 2017

The March 30, 2017, meeting of the Board of Alderpersons of the City of Frontenac was called to order at 7:15 p.m. with Mayor Keith Krieg, presiding. The Alderpersons present were David Bray, Bud Guest, Brian Warner, John O'Connell, Margot Martin 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; Chief of Police, Tom Becker; Public Works Director, Jeff Wappelhorst; Building Commissioner, John Morgan; and Finance Officer, Lea Ann Layden.

The Pledge of Allegiance was stated by everyone.

### A. MOTION TO APPROVE AGENDA

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

**MOTION:** Alderperson Martin motioned and Alderperson Guest seconded to approve tonight's agenda. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

### B. VOTE TO APPROVE MINUTES: February 21, 2017, Public Hearing Minutes February 21, 2017, Regular Meeting Minutes

Mayor Krieg asked for a motion to approve the meeting minutes.

**MOTION:** Alderperson Martin motioned and Alderperson Guest seconded the approval of the meeting minutes. All Alderpersons present voted "Aye." The vote was unanimous. **MOTION PASSED.**

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

Ms. Amy Boltzman of Gold Dust stated she had submitted a power point presentation that she wanted to make sure the Alderpersons had received, and stated it was for the record. Ms. Boltzman wanted to address the Pulte proposal for the quarry area. She stated parts of the comprehensive plan are relevant, and asked why the access for the proposed development was on Princess. She said Princess should not be used, and she referenced the comp plan. She

stated the Comp Plan said German Blvd. should be used for access to the quarry. She said the quarry should be used as a green space area.

Jeanna Boltzman of Gold Dust advised why the development should not use Princess as their access point. She said the area is for kids, parents and dogs. She stated she walks to school along Princess, learned how to ride her bike in the area, and is now teaching other kids to ride their bikes. She said all ages of residents are out and about in the area and said it should not be a pathway in the neighborhood to the quarry. She said the streets are used by kids, parents, grandparents and animals. She said they use the area to come together as a neighborhood and a community.

Ms. Kate Hatfield of Portland Drive said she wanted to clarify several issues. She said the parking will only allow one car per unit, which will be a total of 22 spaces. She said if this occurs, excess cars will park on the existing streets. She also stated access has always been on German Blvd. She asked how much residents should pay, for a development to come to Frontenac. She said the City does not need to help the developers, as our city is highly valuable and highly desirable.

#### **D. MAYOR'S COMMENTS**

Mayor Krieg recognized City Clerk, Leesa Ross, who was sworn in as President of the Missouri City Clerks and Finance Officers Association, at a banquet reception on March 15, 2017, which he attended, along with Mr. Shelton and Ms. Layden. He congratulated Ms. Ross and stated how proud the City of Frontenac was of her. Congratulations were given to Ms. Ross.

#### **E. COMMENTS BY BOARD OF ALDERPERSON MEMBERS**

Aldersperson O'Brien stated he had put together in chronological order the emails regarding Phase 1 of the Geyer Road project. He said he would send the emails to Mr. Shelton and Ms. Ross.

Aldersperson Martin wanted to remind everyone of the tree presentation given by Mark Grueber on Thursday, April 20 at 7:00 pm, here at city hall. Mr. Grueber is with the Missouri Department of Conservation. She said if anyone has any questions regarding the tree program, to contact Aldersperson Martin.

#### **F. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES**

- |  |                         |
|--|-------------------------|
| 1. Planning & Zoning Commission:                   | None                    |
| 2. Ways & Means Committee:                         | January & February 2017 |
| 3. Public Works Commission:                        | December 2016           |
| 5. Building Commissioner<br>& Zoning Administrator | February 2017           |

Mayor Krieg stated the above reports will stand as submitted.

## **G. CITY ADMINISTRATOR'S REPORT**

### **1. Finance Report – February 2017**

Ms. Layden stated monthly revenues are up this month but are down year to date. She said this is due to sales taxes, utility taxes, building permits and court fines. Expenses continually are down from budget. Regarding sales tax, January sales were not reported by the three largest retailers. She also said year to date, sales taxes are down 10% compared to budget.

Aldersperson O'Connell asked regarding expenses, how much short fall is deferred versus what is presented. Ms. Layden stated, it will stay this way, and that savings should continue.

### **2. City Administrator – February 2017**

Mr. Shelton stated Chief Becker had an update regarding the shooting of a 17 year old subject, which took place Monday evening on Carole Lane . Chief Becker stated Brandon Davis has been arrested and charged with Assault 1<sup>st</sup> Degree and Armed Criminal Action, and a bond set of \$100,000 cash only. He said the case is still under investigation.

Chief Becker stated he wanted to acknowledge that his officers were second on the scene of the shooting which took place at the Schnucks in Ladue. He said his department was helping a neighboring agency. He said the police officers were able to obtain the quick clot gauze from the trunk of his vehicle and assist the shooting victim, which may have saved her life, as she was shot multiple times. The quick clot gauze is kept in the trunk of every Frontenac police vehicle.

Mr. Shelton stated there has been an inquiry of Proposition P, which is on the April 4 ballot in St. Louis County. He said if passed, it is estimated that the City of Frontenac, will generate \$1,000,000 and Frontenac will retain \$174,000. He said the majority of the revenue will remain with the county and be shared. Ms. Layden stated our tax would go from 8.613% to 9.113%. Mr. Shelton stated the sharing is based on per capita. He said our sharing is higher because we have a small population. He said currently we share approximately 35% of our one cent sales tax, and said we will share much more of this. He said the County Municipal League proposed a different sharing formula but that was not approved. A State Statute allowed for St. Louis County to place this issue on the ballot, and the sharing is based on population.

## **H. UNFINISHED BUSINESS**

There was no unfinished business.

## **I. NEW BUSINESS:**

1. **Liquor License Approval:** Matthew Jacober c/o Hilton St. Louis Frontenac Hotel, 1335 S. Lindbergh Blvd. (Retail by the Drink License)

Ms. Kim Haegele was the representative from Lathrop and Gage, because Mr. Jacober was unable to attend. The Hilton is currently licensed but with the change of ownership, a new managing partner was submitted for a new license.

Mayor Krieg asked for a motion to approve this license.

**MOTION:** Alderperson Bray motioned and Alderperson Warner seconded the above the liquor license for Matthew Jacober c/o Frontenac Property Owner dba Hilton St. Louis Frontenac Hotel, 1335 S. Lindbergh Blvd. for a retail by the drink, which includes Sunday sales. Ms. Ross stated notices were sent to property owners within 300 feet approximately 20 days ago, in compliance with the requirements of the ordinances on restaurant bar licenses.

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

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

**ROLL CALL VOTE:** Alderperson Guest, "Aye"; Alderperson Warner, "Aye"; Alderperson O'Connell, "Aye"; Alderperson Martin, "Aye"; Alderperson O'Brien, "Aye"; and Alderperson Bray, "Aye". All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

2. **Liquor License Approval:** Anthony Tersigni, c/o Royalty Importers, LLC, 1015 S. Spoede Road. (Importer who sells to Wholesalers)

Mr. Shelton stated Mr. Tersigni was not present. He said this license is for a home based business, for them to work as importers, who will sell to wholesalers. He said no product will exchange hands in Frontenac.

Mayor Krieg asked for a motion to approve this license.

**MOTION:** Alderperson Martin motioned and Alderperson Guest seconded the above the liquor license for Anthony Tersigni c/o Royalty Importers, LLC, 1015 S. Spoede Road for an Importer who sells to Wholesalers.

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

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

**ROLL CALL VOTE:** Alderperson Warner, "Aye"; Alderperson O'Connell, "Aye"; Alderperson Martin, "Aye"; Alderperson O'Brien, "Aye"; Alderperson Bray, "Aye"; and Alderperson Guest, "Aye". All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

3. **Bill No. 2017-1852:** An ordinance to rezone properties located at 830 and 900 Princess Avenue, 806 and 815 President Avenue, and 811 and 815 Dwyer Avenue, from C Commercial to PDR, Planned Development Residential.

Mayor Krieg stated the Board of Alderpersons had seen the presentation of this development at the public hearing held last month. He asked if there were any questions from the Board.

Aldersperson Warner stated in reading the ordinance, he would like to have seen the sidewalk on the east side of the street instead of the west side. Mr. George Stock of Stock and Associates stated they would have been happy with it being on the east side however they would have had to acquire property, and would have had to damage driveways and manicured lawns.

Aldersperson Martin asked if the new subdivision will be private and have indentures, and also asked what they will contribute to the CID. Mr. Stock stated the same as the other homeowners. Mr. Matt Siegel of Pulte Homes stated they have a bond of \$115,000 to \$120,000 and he said they will pay an upfront fee of \$3,500 per unit at closing to add approximately \$77,000 to the CID for future repairs to the streets of Upper West End Park.

Aldersperson Martin stated the area of West End Park is complicated and stated they are public streets which are privately maintained, she asked do they have enough parking for the residents on holidays such as Thanksgiving and Christmas. She stated vehicles may have to park on Gold Dust or Princess. Mr. Stock stated he wanted to clarify that each unit will have a two car garage and two parking spaces, and the development will have 17 street spaces. He said the streets are 26 feet wide concrete streets, which will be able to handle cars. He said he does not anticipate it being a problem. Alderman Bray stated Mr. Stock said Princess is a platted street and their streets will also be platted. Mr. Stock said the development is limiting the right-of-way of German Blvd. He said they will build a sidewalk and said there is a misunderstanding in the traffic study. He said they looked at AM and PM peak hours. In the peak hours 11 trips were generated in the AM and PM hours. Aldersperson Bray asked when the streets were platted. Mr. Shelton stated he did research and did not remember the exact year, but thought they were platted almost 100 years ago. Aldersperson Bray stated he believes they were platted in 1893. Alderman Bray stated that Mr. Stock said the street, Princess is a platted street. It's platted all the way in to our site. Our site was platted at the same time as theirs was. It's just the streets weren't paved. There were no streets there. It's just simple. The right of way was there. We're just going to continue Princess along the right of way that is already existing. And we're proposing to reconfigure that right of way to the commensurate with our development and eliminate from every going to German Blvd. Alderman Bray said the streets were platted in 1893. Then the quarry was dug out. Then the bridge was built in 1913.

Aldersperson Martin stated she is concerned because she lives on a street that is used as a cut through and said that FedEx and UPS trucks, cleaning people and plumbers all do the same. She said they generate a lot of traffic and said she figures that the quarry area is similar. Mr. Stock stated this area is geared for an aging population, who he feels will not have a tendency for driving fast and running stop signs. Aldersperson Martin stated she respects the studies but real life is different. Mr. Stock stated the residents of the new development will not be any different from the other residents of West End Park. He said the traffic is a small part of this development. He said the surrounding areas are R-1 and R-2 zoning, with 1 per acre residential

and 6 per acre residential. He said this development will be 4 per acre residential. He said the stop sign at Princess and Conway is operating at a level of A, and after the development it will still operate at a level of A. He said the street is not conducive to high speed. Alderperson Martin asked if the residents will have to have flood insurance. Alderman Bray stated Mr. Stock said that no flood insurance would be required. The lowest basement level will be at least one foot above the 1% flood elevation and the main floors will be at least nine feet above 100-year flood elevation. Alderperson Martin asked about the size of the units. Mr. Stock said approximately 2600 square feet; Mr. Siegel clarified and said 2,648 square feet.

Mayor Krieg asked for a motion for a second reading.

**MOTION:** Alderperson Guest motioned and Alderperson Martin seconded approval of the second reading of Bill No. 2017-1852. All Alderpersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked City Clerk Ross to give the second reading of Bill No. 2017-1852.

**Bill No. 2017-1852:** An ordinance to rezone properties located at 830 and 900 Princess Avenue, 806 and 815 President Avenue, and 811 and 815 Dwyer Avenue, from C Commercial to PRD, Planned Development Residential.

Mayor Krieg asked for a motion to approve Bill No. 2016-1852.

**MOTION:** Alderperson Guest motioned and Alderperson Martin seconded approval of Bill No. 2016-1852.

Mayor Krieg asked Ms. Ross for a poll vote.

**ROLL CALL VOTE:** Alderperson O'Connell, "Nay"; Alderperson Martin; "Nay"; Alderperson O'Brien, "Nay"; Alderperson Bray, "Nay"; Alderperson Warner, "Nay"; and Alderperson Guest, "Nay". All Alderpersons voted "Nay". The vote unanimously failed. **The vote failed by a vote of 0-6.**

**Bill No. 2016-1852 failed.**

4. **Bill No. 2017-1853:** An ordinance approving an amendment to the conditional use permit for expansion and renovations of Honda of Frontenac, located at 885 South Lindbergh Blvd.

Alderperson Martin stated there are concerns about the noise, and said you can hear the intercom up to two blocks away, and asked could something be done. Mr. Hennekes stated they could remove the speakers in the back. He also said they are moving the detailing department. He said they will eliminate the back speakers and said there still may be some in the front. Alderperson Bray stated there are ways to eliminate the speakers, by making

announcements over cell phones, and said they could turn the speakers away from the residences. Mr. Hennekes said he will work with the residents to solve this issue.

Aldersperson Martin addressed the employee parking area. She said there has been noise and problems in the past and asked can they park at a different location. Mr. Hennekes said that will be difficult because car servicing needs to be in an area to get the vehicles back to the customers. Ms. Eden said her concern is noise. She said there is a dull roar and a lot of trash. She said the employees do not pick up their trash and throw items over the fence. She said they also use foul language and are not respectful to the residents in general. Someone mentioned the lights, which are 20 feet high. Mr. Hennekes said they cannot have a standard over 20 feet high. Mr. Chiodini stated they will replace all the lights with LED lights, which are more focused downward. Ms. Eden asked if the lights will be turned off after 11:00 pm. Mr. Hennekes said yes. Ms. Eden said sometimes people beep the horns to find the cars. She asked them to please organize a better way, without setting the alarms off.

Mr. Griesedieck said Honda of Frontenac are good neighbors and are responsive. He asked if they could find a way, below, near the trash compactor area, to park the employee vehicles. He said they party up there. He also said there are issues with the loud speakers and the lights are too bright. He also mentioned the trees and the fence. He said this looks like a good project.

Ms. Cindy Evens of Capitol said they are great neighbors and said she does not want the dumpsters at the back. She said she does not want critters and things close to her house. She said she would rather have employee parking out back. She asked them not to change that and move the dumpsters to the back. Mr. Hennekes said the dumpsters will remain where it currently is on the north side of the property. Ms. Eden said the large trucks are loud when they unload cars. She said car deliveries are made around 7:00 am. Mr. Hennekes was reminded that delivers should take place after 8:00 am.

Mr. O'Keefe had some new language for #6 on page 2 to read: "No exterior speakers shall be located west of the west line of the garage. All exterior speakers shall be oriented so as to not be directed towards adjoining residential properties".

Aldersperson Guest said he believes the additional bays will eliminate the problems.

Mayor Krieg asked for a motion to amend the bill with the language listed above and prepared by Mr. O'Keefe.

**MOTION:** Aldersperson Martin motioned and Aldersperson O'Connell seconded to amend the bill with the change to #6 on page 2, to read: "No exterior speakers shall be located west of the west line of the garage. All exterior speakers shall be oriented so as to not be directed towards adjoining residential properties". All Alderspersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked for a motion for a second reading.

**MOTION:** Alderperson Bray motioned and Alderperson O’Connell seconded approval of the second reading of Bill No. 2017-1853 as amended. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

Mayor Krieg asked City Clerk Ross to give the second reading of Bill No. 2017-1853 as amended.

**Bill No. 2017-1853:** An ordinance approving an amendment to the conditional use permit for expansion and renovations of Honda of Frontenac, located at 885 South Lindbergh Blvd.

Mayor Krieg asked for a motion to approve Bill No. 2016-1853 as amended.

**MOTION:** Alderperson Martin motioned and Alderperson Guest seconded approval of Bill No. 2016-1853 as amended.

Mayor Krieg asked Ms. Ross for a poll vote.

**ROLL CALL VOTE:** Alderperson Martin; “Aye”; Alderperson O’Brien, “Aye”; Alderperson Bray, “Aye”; Alderperson Guest, “Aye”; Alderperson Warner, “Aye”; and Alderperson O’Connell, “Aye”. All Alderpersons voted “Aye”. The vote was unanimous. **The vote passed by a vote of 6-0.**

**Bill No. 2016-1853 became Ordinance No. 2016-1812.**

**J. APPROVAL OF WARRANT LISTS:** February 1 through February 28, 2017

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

**MOTION:** Alderperson Martin motioned and Alderperson O’Connell seconded the above warrant lists are 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:** Alderman O’Brien, “Aye”; Alderman Bray, “Aye”; Alderperson Guest, “Aye”; Alderperson Warner, “Aye”; Alderperson O’Connell, “Aye” and Alderperson Martin, “Aye”. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

**K. ADJOURNMENT**

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

**MOTION:** Alderperson Martin motioned and Alderperson Bray seconded the meeting be adjourned. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 8:09 p.m.