
CITY OF CLAYTON BOARD OF ALDERMEN
DISCUSSION SESSION
TUESDAY, APRIL 23, 2019 – 6:15 P.M.
CITY HALL, 10 N. BEMISTON AVENUE

1. Presentation - FY2018 Budget Audit

CITY OF CLAYTON BOARD OF ALDERMEN AGENDA
TUESDAY, APRIL 23, 2019 – 7:00 P.M.
COUNCIL CHAMBERS - 10 N. BEMISTON AVENUE

FIRST MEETING

ROLL CALL

MINUTES – April 9, 2019

PUBLIC REQUESTS & PETITIONS

PUBLIC HEARING

1. Resolution – To approve a Conditional Use Permit for JP Fields Restaurant located at 15 N. Central Avenue. (Res. No. 19-06)
 - *To consider an application for a Conditional Use Permit to allow the operation for a 4,400 square foot restaurant.*

REPORT FROM THE CITY MANAGER

1. Motion – To accept the FY2018 Comprehensive Annual Financial Report.
2. Motion – Certification of the April 2, 2019 Election Results.

ADJOURN SINE DIE

SECOND MEETING

SWEARING IN OF MAYOR

PASSING OF THE GAVEL

ROLL CALL

PUBLIC REQUESTS AND PETITIONS

PROCLAMATIONS – Honoring former City of Clayton Mayors

REPORT FROM THE CITY MANAGER

ADJOURNMENT

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
April 9, 2019
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Mark Winings, Joanne Boulton, Rich Lintz, Ira Berkowitz, Michelle Harris, and Bridget McAndrew.

Mayor Sanger
Acting City Manager Watson
City Attorney O’Keefe

Absent: City Manager Owens

PUBLIC REQUESTS AND PETITIONS

Walter Wittenberg, 6434 Cecil Avenue, addressed the Board with concerns on street closure(s) during the *GO St. Louis* Marathon over the weekend. Residents were “locked-in” the neighborhood for two hours due to the marathon.

APPEAL – BOARD OF ALDERMEN’S DECISION REGARDING A CONDITIONAL USE PERMIT REQUEST FOR THE MONTESSORI SCHOOL LOCATED AT 6611-6619 CLAYTON ROAD AND A PARKING LOT LOCATED AT 6602 ALAMO AVENUE

Motion made by Alderman Winings to adopt the findings and ruling and deny the appeal. Alderman Boulton seconded.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Harris – Aye; Alderman McAndrew, and Mayor Sanger – Aye.

A MOTION TO CONSIDER APPROVING A LIQUOR LICENSE FOR THE CHARRED CRUST, LLC LOCATED AT 105 S. MERAMEC AVENUE

Acting City Manager Watson reported that Charred Crust, LLC is requesting a liquor license to sell 5% beer and not to exceed 14% wine at retail by the drink, except Sundays, at 105 S. Meramec Avenue.

Andrew Simon, representative/owner, addressed the Board to answer questions.

Motion made by Alderman Winings to approve a liquor license for Charred Crust, LLC located at 105 S. Meramec Avenue. Alderman Boulton seconded.

Motion passed unanimously on a voice vote.

A MOTION TO CONSIDER APPROVING A LIQUOR LICENSE FOR AHTRST CONCESSIONS, LLC D.B.A. HAMPTON INN & SUITES LOCATED AT 216 N. MERAMEC AVENUE

Acting City Manager Watson reported that AHTRST Concessions, LLC d.b.a. Hampton Inn & Suites is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sundays, at 216 N. Meramec Avenue. A liquor license is currently in place for this establishment, but is under new ownership, hence the application from AHTRST Concessions, LLC.

Kashif Mohammed, General Manager, addressed the Board to answer questions.

Motion made by Alderman Winings to approve a liquor license for AHTRST Concessions, LLC d.b.a. Hampton Inn & Suites located at 216 N. Meramec Avenue. Alderman Boulton seconded.

Motion passed unanimously on a voice vote.

A MOTION TO APPOINT A PROVISIONAL MUNICIPAL JUDGE

Acting City Manager Watson reported that Cynthia Garnholz, Ward 2, has been nominated for a reappointment as a Provisional Judge for term to end on June 30, 2021.

Motion made by Alderman Winings to approve the reappointment of Cynthia Garnholz as a Provisional Judge. Alderman Boulton seconded.

Motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER ADOPTING REGULATIONS PERTAINING TO STREET PERFORMERS

Acting City Manager Watson reported that this is an ordinance for the Board of Aldermen to consider amending the municipal code and adding a new chapter regarding the regulation of street performers.

Gary Carter, Economic Developer, addressed the Board summarizing that beginning with the 2010 Downtown Master Plan and as of recent staff has been requested to establish policies, programs, and initiatives that increase vibrancy in downtown Clayton.

The ordinance seeks to encourage street performers but ensures minimal interference with residents, businesses, and the general public.

The ordinance requires performers to obtain a permit and establishes when and where performances can take place.

The Board raised questions of concerns regarding areas not located in the Clayton Business District and also the discretion of a merchant who does not want a performer in front of its business.

Cindy Lerick, Executive Director, St. Louis Art Fair, addressed the Board stating that the ordinance would help a lot during the Art Fair event.

Motion made by Alderman Winings to table Bill No. 6723. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER A CONTRACT WITH SBC CONTRACTING, INC. FOR THE FY2019-2021 ADA IMPROVEMENTS PROJECT

Acting City Manager Watson reported that the Public Works Department is requesting approval of a construction contract with SBC Contracting, Inc. for the FY2019 - 2021 ADA Improvements Project. This project will include the replacement of various sidewalk, curb ramps, curbs, and streetscape that do not meet ADA requirements throughout the City as identified through our ADA Transition Plan Implementation, as well as address citizen-reported issues.

In response to the Board's questions, Dale Houdeshell, Director of Public Works, explained that the bids are close to what staff had projected. This is the annual sidewalk program where they allocate approximately \$100,000 each year to do ADA and sidewalk improvements. SBC Contracting has performed much of the sidewalk work over the last several years. He also explained the difference between brick pavers versus brick stamping.

Alderman Winings introduced Bill No. 6724, an ordinance to approve a contract with SBC Contracting, Inc. for the FY2019-2021 ADA Improvements Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6724, first reading, An Ordinance Approving a Contract with SBC Contracting, Inc. for the Fiscal Year 2019 ADA Improvements Project by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Winings that the Board give unanimous consent to consideration for adoption of Bill No. 6724 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6724, an ordinance to approve a contract with SBC Contracting, Inc. for the FY2019-2021 ADA Improvements Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6724, second reading, An Ordinance Approving a Contract with SBC Contracting, Inc. for the Fiscal Year 2019 ADA Improvements Project by title only.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Harris – Aye; Alderman McAndrew – Aye; and Mayor Sanger – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6588 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH LAMKE TRENCHING & EXCAVATING INC. FOR THE ALLEY REPAIRS FY2019 PROJECT

Acting City Manager Watson reported that the Public Works Department is requesting approval of a construction contract for the Alleys Repairs FY2019 Project. This bid scope included the

reconstruction of various alleys in the Hillcrest neighborhood as well as add alternates for Bemis Way and select spot repairs throughout City.

In response to the Board's questions, Dale Houdeshell stated that they are on target on their projections. The project will be two primary areas and also include smaller spots in other areas of the City.

Alderman Winings introduced Bill No. 6725, an ordinance to approve a contract with Lamke Trenching & Excavating Inc. for the Alley Repairs FY2019 Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6725, first reading, an Ordinance Approving a Contract with Lamke Trenching & Excavating Inc. for the Fiscal Year 2019 Alley Repairs Project by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Winings that the Board give unanimous consent to consideration for adoption of Bill No. 6725 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6725, an ordinance to approve a contract with Lamke Trenching & Excavating Inc. for the Alley Repairs FY2019 Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6725, first reading, an Ordinance Approving a Contract with Lamke Trenching & Excavating Inc. for the Fiscal Year 2019 Alley Repairs Project by title only.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Harris – Aye; Alderman McAndrew – Aye; and Mayor Sanger – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6589 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A VACATION OF AN EASEMENT AT 808 S. BRENTWOOD

Acting City Manager Watson reported that Henry Herman Holdings has requested the vacation of a ten-foot-wide easement within Lots 1, 2, 3, and 4, in Block 18 of Davis Place, recorded in Plat Book 21, Pages 14 and 15 of the St. Louis County, Missouri records. A copy of the petition is attached. This vacation is necessary to facilitate the sale and renovation of the property.

AT&T and MSD have provided documentation that indicates release of their easement rights for this easement.

No private rights will be injured or endangered by such vacation, and the public will suffer no loss or inconvenience.

Alderman Winings introduced Bill No. 6726, an ordinance to vacate an easement at 808 S. Brentwood to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe Bill No. 6726, first reading, an Ordinance Providing for the Vacation of a Ten-Foot-Wide Easement Within Lots 1, 2, 3, and 4, in Block 18 of Davis Place, Commonly Known as 808 S. Brentwood and Recorded in Plat Book 21, Pages 14 & 15 of the St. Louis County Missouri Records.

The motion passed unanimously on a voice vote.

Motion made by Alderman Winings that the Board give unanimous consent to consideration for adoption of Bill No. 6726 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6726, an ordinance to vacate an easement at 808 S. Brentwood to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe Bill No. 6726, second reading, an Ordinance Providing for the Vacation of a Ten-Foot-Wide Easement Within Lots 1, 2, 3, and 4, in Block 18 of Davis Place, Commonly Known as 808 S. Brentwood and Recorded in Plat Book 21, Pages 14 & 15 of the St. Louis County Missouri Records.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Harris – Aye; Alderman McAndrew – Aye; and Mayor Sanger – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6590 of the City of Clayton.

Other

Alderman Winings reported on the following:

- Parks & Recreation Commission
 - Discussed the proposed art/sculpture for Oak Knoll Park.

Alderman Boulton reported on the following:

- Sustainability Committee
 - Marco Tipton, Ameren representative met with the group providing information on their new programs.
 - Cindy Mense provided a presentation on bike tours.

Alderman Lintz reported on the following:

- Plan Commission/ARB
 - Conceptual presentation provided for 7921 Forsyth Boulevard; owner has proposed a rooftop bar.
- Attended a *ConstructforSTL* event.

Alderman Berkowitz reported on the following:

- Parks & Recreation Commission
- Congratulations to Mayor Michelle Harris.

Alderman Harris reported on the following:

- Boards & Commissions reception – good event.
- Participated with Alderman Winings on the elected leader’s panel for the Clayton Leadership Academy.
- Cards Home Opener lunch event – well attended.

Alderman McAndrew reported on the following:

- Participated as a panelist on the STL Women's Bike summit with Alderwomen Kara Spencer.

Mayor Sanger reported on the following:

- Boards & Commissions Reception – very nice event.

Captain Glenn followed up regarding the *GO St. Louis* marathon noting that communication details should be included in the permitting process.

There being no further business the meeting was adjourned at 7:45 p.m.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN

FROM: CRAIG S. OWENS, CITY MANAGER
SUSAN M. ISTENES, AICP, DIRECTOR, PLANNING & DEV. SERVICES

DATE: APRIL 23, 2019

SUBJECT: PUBLIC HEARING & RESOLUTION - A CONDITIONAL USE PERMIT FOR JP
FIELDS RESTAURANT LOCATED AT 15 N. CENTRAL AVENUE

This is a public hearing and subsequent resolution to consider approving a Conditional Use Permit submitted by James Campbell, on behalf of JP Fields Group, LLC, restaurant owner, to allow for the operation for a 4,400 square foot restaurant to be know at JP Fields at 15 North Central Avenue.

The restaurant proposes to be open 10:30 a.m. to 1:30 a.m. seven days a week. The restaurant concept is the same as the existing restaurant, an upscale pub featuring food and beverage services. A liquor license will be required. Delivery service from the restaurant is not proposed.

The applicant is proposing deliveries to the restaurant will be made between 8:00 a.m. and 11:00 a.m. through the front door. Trash will be stored in dumpsters located in the rear of the building. The applicant does intend to participate in a recycling program.

The restaurant floor area is greater than 3,000 gross square feet therefore off-street parking is required. The applicant is in the process of securing a parking agreement similar to the agreement used by the previous tenant, Wheelhouse.

The Plan Commission considered this request at its April 15, 2019, meeting and voted unanimously to recommend approval.

Recommendation: To conduct a public hearing and approve a Conditional Use Permit for the operation of JP Fields at 15 North Central Avenue per the conditions outlined in the Resolution.

RESOLUTION NO. 19-06

WHEREAS, on March 18, 2019, the City received an application and letter from James Campbell, owner of John P. Fields, requesting a Conditional Use Permit to allow the operation of a 4,400 square foot restaurant to be known as JP Fields at 15 North Central Avenue;

WHEREAS, the City Plan Commission considered this request at its April 15, 2019, meeting and voted to recommend approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a public hearing with regard to this Conditional Use Permit, after due notice as required by law, at their meeting of April 23, 2019; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the authority of Chapter 405 (Zoning Regulations), Article VII (Conditional Use Permit), Section 405.850 (Amendment to a Conditional Use Permit) of the Code of Ordinances of the City of Clayton, the issuance of a conditional use permit to JP Fields Group, LLC, d/b/a JOHN P. FIELDS for the use of the property at 15 North Central Avenue for a restaurant is hereby authorized. Said property is more particularly described as follows:

PART OF LOT 12, BLOCK 10, OLD TOWN OF CLAYTON,
MISSOURI

Section 2. In addition to compliance with all Ordinances of the City of Clayton and Laws of the State of Missouri, the permitted uses shall be conducted so as to comply with the following stipulations and conditions at all times:

- (1) The permit shall be granted to JP FIELDS GROUP, LLC, d/b/a JP FIELDS, (the "Permittee") and shall not be amended, transferred or assigned without the approval of the Board of Aldermen of the City of Clayton or the Director of Planning & Development Services as provided for in Sections 405.850 and 405.860 of the City's Zoning Regulations.
- (2) The property shall be improved, maintained and operated substantially in accordance with the application and letter dated March 18, 2019 and with the plans and specifications as filed with and approved by the City Plan Commission of the City of Clayton on April 15, 2019.
- (3) Hours of operation may be 10:30 A.M. until 1:30 A.M. seven days a week.
- (4) Per Chapter 405 (Zoning Regulations), Article III (Definitions -"Taverns/Bars"), a minimum of 51% of the business' gross sales must derive from the sale of food.
- (5) That the operation will be a full-service restaurant with a maximum total seating capacity of 152.
- (6) Any future exterior alterations/renovations must be approved by the City prior to such change. Any exterior signage shall conform to the City's Sign Ordinance and be approved by the City prior to installation.
- (7) Delivery vehicles shall park in the rear of the building, off the east-west alley. Deliveries may be made through the front door between 8:00 a.m. and 11:00 a.m.
- (8) Food delivery to off-site locations shall be made by foot only. No vehicular delivery service shall be made from the restaurant.

(9) All refuse will be in sealed plastic bags and placed in a closed commercial trash dumpster. The trash area will be kept in a clean, orderly and sanitary manner at all times. In addition, the Permittee agrees to participate in recycling.

(10) Outdoor seating shall only be allowed with the issuance of an Outdoor Dining Permit as issued by the City's Planning Department.

(11) The applicant shall secure and maintain for the life of the restaurant, an agreement for 29 off-street parking spaces located within 500 feet of the subject property and shall submit proof of such agreement to the Planning and Development Services Department. If the restaurant area is reduced to less than 3,000 square feet, a reduction in the parking requirement may be administratively reviewed by the Director of the Planning and Development Services Department.

(12) Both the inside and outside of the restaurant, including the sidewalk area, will be swept, free of litter, and generally kept in a clean and orderly manner.

(13) That no outdoor music or lighting shall be permitted without the prior written approval of the City.

(14) The Permittee shall within thirty (30) days notify the City Clerk of the City of Clayton in writing that the conditional use permit is accepted and that the conditions set forth herein are understood and will be complied with.

(15) Breach of any of the conditions provided for in this permit shall automatically affect the revocation of this permit, and same shall be rendered null and void.

Section 3. The City Manager of the City of Clayton is hereby authorized and directed to issue a conditional use permit in accordance with the provisions of this Resolution. Said permit shall contain all the conditions and stipulations set out in Section 2 of this Resolution.

Granted this 23rd day of April 2019.

City Manager

ATTEST:

City Clerk



10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER
JANET K. WATSON, DIRECTOR OF FINANCE & ADMINISTRATION
DATE: APRIL 23, 2019
SUBJECT: MOTION - FISCAL YEAR 2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Ted Williamson, a partner at the City's audit firm of RubinBrown LLC, will present summary audit information at the Board meeting regarding the September 30, 2018 Comprehensive Annual Financial Report (CAFR) and other auditor communications. These documents are included in your packet and are also available for public viewing on the City's website under the Finance Department page.

Mr. Williamson and City staff will be glad to answer any questions you have regarding the report and other related audit information.

RECOMMENDATION: To approve a motion to accept the City's September 30, 2018 Comprehensive Annual Financial Report.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN

FROM: CRAIG S. OWENS, CITY MANAGER (CSO)
JUNE FRAZIER, CITY CLERK (JF)

DATE: APRIL 23, 2019

SUBJECT: MOTION – CERTIFICATION OF APRIL 2, 2019, MUNICIPAL ELECTION

On April 2, 2019, a municipal election was held for the office of Mayor. The results of the municipal election as certified by the Board of Election Commissioners of St. Louis County are as follows:

Michelle Harris	
YES	2,306 votes (95.53)
Invalid Write-In	108 votes (4.47)

Recommendation: To adopt a motion to accept the canvassed and certified results of the April 2, 2019 municipal election.