

**CITY OF CLAYTON BOARD OF ALDERMEN  
TUESDAY, FEBRUARY 11, 2020  
EXECUTIVE SESSION  
6:30 P.M.  
CITY HALL COUNCIL CHAMBERS, 2<sup>ND</sup> FL  
10 N. BEMISTON AVENUE**

---

1. Legal Issues (Pursuant to RSMo 610.021(3); Personnel (Pursuant to RSMo 610.021(12)).

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.

---

**CITY OF CLAYTON BOARD OF ALDERMEN MEETING AGENDA  
TUESDAY, FEBRUARY 11, 2020 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBERS, 2<sup>ND</sup> FL  
10 N. BEMISTON AVENUE**

---

**ROLL CALL**

**MINUTES** – January 28, 2020

**PUBLIC REQUESTS & PETITIONS**

**PUBLIC HEARING**

1. Ordinance – To approve rezoning from C-1 neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling for property located at 114 Gay Avenue. (Bill No. 6780)
  - *To consider approval to permit the construction of two, five-unit, three story townhomes.*

**REPORT FROM THE CITY MANAGER**

1. Discussion on the Planned Unit Development (PUD) step-by-step point system process.

**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  
January 28, 2020  
7:00 p.m.

Minutes

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

Aldermen: Mark Winings, Joanne Boulton, Richard Lintz, Ira Berkowitz, and Bridget McAndrew.

Mayor Harris  
Interim City Manager Watson  
City Attorney O’Keefe

Absent: Susan Buse

**Motion made by Alderman Lintz to approve the January 14, 2020 minutes. Alderman Boulton seconded.**

**Motion to approve the minutes passed unanimously on a voice vote.**

PUBLIC REQUESTS AND PETITIONS

None

AN ORDINANCE TO CONSIDER APPROVING AN AMENDMENT TO TITLE III, TRAFFIC CODE, SCHEDULE VII, FIRE LANES – 2<sup>nd</sup> Reading

Interim City Manager Watson reported that the bill amends Title III Traffic Code by adding additional streets to Schedule VII Fire Lanes. The primary purpose of this bill is to enact fire lane restrictions in the neighborhoods of Claverach and Country Club Court.

Mike Krivonak, 7417 Byron Place, addressed the Board stating that he is a resident (1-year) of Clayton and inquired about the fire lane requirements in neighborhoods.

Assistant Fire Chief, Paul Mercurio, stated that the Moorlands was one of the first areas to be addressed and that it’s typical for residential areas because it is sometimes difficult for the fire apparatus to move through those areas. City Attorney O’Keefe added that the fire lanes is not a new requirements and is very common in residential areas.

In response to alderman Boulton’s question, Paul Mercurio stated that the Wydown Terrace area would be the last area to address.

**Alderman Winings introduced Bill No. 6775, an ordinance to approve an amendment to Title III, Traffic Code, Schedule VII, Fire lanes to be second for the second time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6775, second reading, an Ordinance Amending Table VII-A of Schedule VII of Title III of the Clayton City Code Relating to Parking Restrictions for Fire Lanes by title only.**

**The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6638 of the City of Clayton.**

**FY2019 4<sup>TH</sup> QUARTER FINANCIAL REPORT**

Interim City Manager Watson provided the Board with a summary of the FY2019 4<sup>th</sup> Quarter Financial Report highlighting the year-end results as listed in the staff report.

**AN ORDINANCE TO CONSIDER APPROVING A PERMANENT AMEREN EASEMENT FOR ELECTRICAL SERVICE RELATED TO THE PARKING LOT PROJECT IN SHAW PARK**

Interim City Manager Watson reported that the proposed ordinance would approve an easement to be granted to the Union Electric Company d/b/a Ameren Missouri (“Ameren”) for the purpose of allowing Ameren to maintain electrical improvements and other related appurtenances and improvements, within Shaw Park.

**Alderman Winings introduced Bill No. 6778, an ordinance to approve a permanent easement agreement with Ameren for electrical service related to the parking lot project in Shaw Park to be read for the first time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6778, first reading, an Ordinance approving a Permanent Ameren Electric Easement for Electrical Service Related to Shaw Park 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. 6778 on the day of its introduction. Alderman Boulton seconded.**

**The motion passed unanimously on a voice vote.**

**Alderman Winings introduced Bill No. 6778, an ordinance to approve a permanent easement agreement with Ameren for electrical service related to the parking lot project in Shaw Park to be read for the second time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6778, second reading, an Ordinance approving a Permanent Ameren Electric Easement for Electrical Service Related to Shaw Park by title only.**

**The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6639 of the City of Clayton.**

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT AGREEMENT WITH AZAVAR GOVERNMENT SOLUTIONS FOR UTILITY AUDITS.

Interim City Manager Watson reported that several cities in the area have joined a consortium to hire a firm to perform utility auditing services on utility providers which pay the City gross receipts tax. The audit work involves assuring the City is receiving all gross receipts (utility tax) due the City.

**Alderman Winings introduced Bill No. 6779, an ordinance to approve a contract agreement with Azavar Government Solutions for utility audits to be read for the first time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6779, first reading, an Ordinance Approving a Contract with Azavar Government Solutions for the Procurement of Utility Auditing Services 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. 6779 on the day of its introduction. Alderman Boulton seconded.**

The motion passed unanimously on a voice vote.

**Alderman Winings introduced Bill No. 6779, an ordinance to approve a contract agreement with Azavar Government Solutions for utility audits to be read for the second time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6779, second reading, an Ordinance Approving a Contract with Azavar Government Solutions for the Procurement of Utility Auditing Services by title only.**

**The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Alderman McAndrew – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6640 of the City of Clayton.**

A RESOLUTION TO CONSIDER APPROVING A REVISED PROJECT LIST FOR THE CLAYTON COMMUNITY FOUNDATION TO USE AS FUNDRAISING TARGETS

Interim City Manager Watson reported that this is a resolution to approve an updated project list for the Clayton Community Foundation.

Alderman Boulton inquired about the proposed mural at DeMun Park.

Interim City Manager Watson stated that it would need to go through the process prior to being included on the list.

Alderman Berkowitz suggested a possible mural project for the Forest Park Parkway and Hanley Road overpass.

**Motion made by Alderman Winings to approve Resolution No. 2020-02, the revised project list for the Clayton Community Foundation to use as fundraising targets. Alderman Boulton seconded.**

**The motion passed unanimously on a voice vote.**

**MOTION – TO APPOINT MEMBERS TO THE BOARDS AND COMMISSIONS**

Interim City Manager Watson reported that recommendation is to appoint members as listed below:

Board of Adjustment - Jason Lehtman, Ward 1 (new appointment as an *Alternate*; term to run through June 30, 2025)

Plan Commission/ARB - Helen DiFate, Ward 3 (new appointment for unexpired term through June 30, 2020)-*replaces Ron Reim*

**Motion made by Alderman Winings to appoint Jason Lehtman to the Board of Adjustment and Helen DiFate to the Plan Commission. Alderman Boulton seconded.**

**The motion passed unanimously on a voice vote.**

**Other**

Alderman Boulton reported on the following:

- Clayton Community Foundation (CCF) – Executive Board meeting
  - *All That Glitters* event is scheduled for Feb. 28
- Clayton Equity Commission – Darlene Reed, St. Louis County, Ellen Gale, Chamber of Commerce, and Sean Doherty, Clayton School Superintendent – have all agreed to be ex-officios.

Alderman Lintz reported on the following:

- Plan Commission/ARB
  - Townhouse project on Gay Avenue was approved.
  - Ice Rink presentation.
  - Koman properties.

Alderman Berkowitz reported that the CCF Major Gifts met.

Alderman McAndrew reported on the following:

- Attended the Centene University open house with Mayor Harris; state-of-the-art facility including a daycare; Mr. Neidorff was also present.
- Sustainability Committee.

Mayor Harris reported on the following:

- Attended the International Holocaust Remembrance Day event; announced that they are planning a \$18 million addition; possible opportunity for Community Equity Commission to tour and hear a lecture.
- Clayton Restaurant Week.
- Mayor's Youth Advisory Council met last week at the Police Department.
- Participated in the firm presentations for the proposed Comprehensive Plan.

- Attended the Women’s Suffrage 100 Year Anniversary event.
- Attended an event at the Missouri Botanical Gardens; The City will be participating in the Green Cities program.
- Thank you to Janet Watson for all her hard work and the great job she did as Interim City Manager.

There being no further business the meeting adjourned at 8:00 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

---

---

## REQUEST FOR BOARD ACTION

---

**TO:** MAYOR HARRIS; BOARD OF ALDERMEN

**FROM:** DAVID GIPSON, CITY MANAGER  
SUSAN M. ISTENES, AICP, DIRECTOR, PLANNING & DEV. SERVICES

**DATE:** FEBRUARY 11, 2020

**SUBJECT:** PUBLIC HEARING & ORDINANCE – REZONING FROM C-1  
NEIGHBORHOOD COMMERCIAL DISTRICT TO R-4 LOW DENSITY  
MULTIPLE FAMILY DWELLING DISTRICT FOR 114 GAY AVENUE

---

This is a public hearing to solicit input regarding the proposed rezoning of the property located at 114 Gay Avenue from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District. This rezoning is at the request of Manlin Development, LLC, owner, to allow the construction of two, five-unit townhome developments. This project will also require approval of a Subdivision Plat at a future date.

**Project Description:**

The townhouse project is currently comprised of 4 lots totaling 29,847 square feet in area and is located on the east side of Gay Avenue. The proposed project consists of the demolition of the existing structures and the construction of two buildings (building A, south and building B, north) with 10 townhomes total (each building will have 5 units). The total building square footage will be 30,690.

114 Gay Avenue (lot 8) currently has a zoning designation of C-1 Neighborhood Commercial District and the remaining lots are designated as R-4 Low Density Multiple Family Dwelling District (124 {lots 9 and 10} and 134 Gay {lot 11} Avenue). 124 and 134 Gay Avenue are in the Clayton Gardens Urban Design District (UDD).

**Compliance with Master Plan:**

The Master Plan designates the subject property as Low Density Multi-Family on the Future Land Use Plan. The property currently has a C-1 zoning designation which allows neighborhood commercial land uses; however, the request to rezone the property to R-4 will allow low density Multi-family development.

The Master Plan is a guide and is to be used by officials in initiating or evaluating requested changes in zoning to achieve desired land uses. Staff is of the opinion that the proposed rezoning application adheres to the Master Plan by allowing low density multi-family development.

### **Plan Commission Consideration**

The Plan Commission considered these requests at their meeting of January 06, 2020 and voted to recommend approval.

The architectural elements and the site plan of the project were considered and approved by the Plan Commission and Architectural Review Board at their meeting of January 06, 2020.

**Recommendation:** To approve the attached rezoning ordinance.

BILL NO. 6780

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY LOCATED AT 114 GAY AVENUE FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO R-4 LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT; PROVIDING FOR THE CHANGE IN THE ZONING MAP OF THE CITY OF CLAYTON, MISSOURI; AND OTHER ACTIONS RELATED THERETO

---

**WHEREAS**, on September 9, 2019 a request for the rezoning of property known as 114 Gay Avenue from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District was received from Manlin Development, LLC; and

**WHEREAS**, on January 06, 2020, the Plan Commission recommended that the proposed rezoning be approved by the Board of Aldermen; and

**WHEREAS**, after notice required by law and ordinance, a Public Hearing was held before the Board of Aldermen of the City of Clayton on February 11, 2020, to consider the request and recommendation; and

**WHEREAS**, upon due consideration, this Board of Aldermen finds and determines that good planning practice, those elements of the City's comprehensive plan applicable to the area in question, and the public health, safety, morals and general welfare would be best served if the subject Property is rezoned as hereinafter.

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

Section 1. The zoning classification of the property located at 114 Gay Avenue, more fully described as follows, is hereby changed from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District, to wit:

Lot 8, Block No. 13, in the Clayton Gardens No. 4 Subdivision  
in the City of Clayton,  
St. Louis County, Missouri  
Missouri

Section 2. The zoning map described in Chapter 405, Section 405.060. "Zoning Map" of the Code of Ordinances of the City of Clayton is hereby revised to be consistent with the rezoning approved in Section 1 of this Ordinance.

Section 3. Implementation

The City Manager is hereby authorized and directed to take all such actions as may be necessary and proper (or to cause the same to be taken) in order to implement this Ordinance.

Section 4. Effective Date

This Ordinance shall be in full force and effect from and after the date of its passage.

Adopted this 11<sup>th</sup> day of February 2020.

---

Mayor

ATTEST:

---

City Clerk