

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
January 8, 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, Rich Lintz, Ira Berkowitz, Michelle Harris, and Bridget McAndrew.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe

Absent: Joanne Boulton

**Motion made by Alderman Lintz to approve the December 11, 2018 minutes as amended. Alderman Winings seconded.**

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

### PUBLIC REQUESTS AND PETITIONS

None

### OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING AN

City Manager Owens reported that the Government Finance Officers Association of the United States and Canada (GFOA) has again granted an award for Outstanding Achievement in Popular Annual Financial Reporting to the City of Clayton for its Popular Annual Financial Report for the Fiscal Year ended September 30, 2017. The Award for Outstanding Achievement in Popular Annual Financial Reporting is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government popular reports.

### AMENDMENT TO THE CONDITIONAL USE PERMIT FOR SASHA'S LLC LOCATED AT 706 DEMUN AVENUE

**Mayor Sanger opened the public hearing and requested proof of publication.**

City Manager Owens reported that This is a public hearing to consider approving a resolution for an amendment to the Conditional Use Permit issued to Sasha's, LLC, for the expansion of a restaurant known as Sasha's at 706 DeMun Avenue.

Mr. Alan Richman, 6233 Northwood, owner, addressed the Board to answer questions. He raised concerns with conditions, #12 regarding the parking requirement, #13 and #16 which neither no longer exists.

City Attorney O'Keefe explained that condition #12 is a requirement per the City's ordinances.

Susan Istenes, Director of Planning, stated that she is okay with removing conditions #13 and #16.

**Mayor Sanger closed the public hearing.**

**A motion was made by Alderman Winings to approve Resolution No. 19-01, a Conditional Use Permit for Sasha's Wine Bar located at 706 DeMun Avenue as amended (removal of conditions #13 and #16). Alderman Lintz seconded.**

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

**A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING A SUBDIVISION PLAT (LOT CONSOLIDATION) FOR 43-55 TOPTON WAY**

**Mayor Sanger opened the public hearing and requested proof of publication.**

City Manager Owens reported that this is a public hearing and subsequent ordinance to consider approving a subdivision plat for the consolidation of four (4) lots to create one (1) lot. All lots are zoned R-4 Low Density Multi-Family Dwelling District.

Tyler Stevens, Core10 Architects, 4501 Lindell Boulevard, addressed the Board providing a brief overview of the project and to answer questions.

Mark Mehlman, 155 Carondelet, Unit 502, addressed the Board to answer questions.

Mayor Sanger commented that he doesn't know anybody else who could have had the patience or sales power to make that happen on that property just like you (Mark Mehlman) did on the Crescent property.

**Mayor Sanger closed the public hearing.**

**Alderman Winings introduced Bill No. 6708, an ordinance to approve a lot consolidation and subdivision plat for 43-55 Topton Way to be read for the first time by title only. Alderman Lintz seconded.**

**City Attorney O'Keefe reads Bill No. 6708, first reading, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located on Topton Way in the City of Clayton, Missouri 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. 6708 on the day of its introduction. Alderman Lintz seconded.**

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

**Alderman Winings introduced Bill No. 6708, an ordinance to approve a lot consolidation and subdivision plat for 43-55 Topton Way to be read for the second time by title only. Alderman Lintz seconded.**

**City Attorney O’Keefe reads Bill No. 6708, second reading, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located on Topton Way in the City of Clayton, Missouri by title only.**

**The motion passed on a roll call vote: Alderman Winings – 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. 6573.**

**AN ORDINANCE TO CONSIDER APPROVING THE 4TH QUARTER AMENDMENT TO THE FISCAL YEAR 2018 BUDGET**

Janet Watson, Director of Finance addressed the Board providing a brief overview of the proposed amendment.

The Board discussed transferring monies from the General Fund to the Capital Improvements Fund. Consensus by the Board to move \$1.3 million to the Capital Improvement Fund.

**Motion made by Alderman Winings to amend Bill No. 6709 to transfer \$1.3 million from the General Fund to the Capital Improvements Fund. Alderman Lintz seconded.**

**The motion passed unanimously by voice vote.**

**Alderman Winings introduced Bill No. 6709, as amended, an ordinance to approve the FY2018 4<sup>th</sup> Quarter Budget amendment to be read for the first time by title only. Alderman Lintz seconded.**

**City Attorney O’Keefe reads Bill No. 6709, first reading, an ordinance amending the fiscal year 2018 Budget and Appropriating Funds Pursuant Thereto by title only.**

**The motion passed unanimously by voice vote.**

**Motion made by Alderman Winings that the Board give unanimous consent to consideration for adoption of Bill No. 6709 on the day of its introduction. Alderman Lintz seconded.**

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

**Alderman Winings introduced Bill No. 6709, as amended, an ordinance to approve the FY2018 4<sup>th</sup> Quarter Budget amendment to be read for the second time by title only. Alderman Lintz seconded.**

**City Attorney O’Keefe reads Bill No. 6709, first reading, an ordinance amending the fiscal year 2018 Budget and Appropriating Funds Pursuant Thereto by title only.**

**The motion passed on a roll call vote: Alderman Winings – 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. 6574 of the City of Clayton.**

A MOTION TO CONSIDER APPROVING A REQUEST FOR AN EXTENSION OF ORDINANCES APPROVING THE REZONING AND A PLANNED UNIT DEVELOPMENT FOR SHAW PARK TOWER APARTMENTS at 8049 FORSYTH BOULEVARD

City Manager Owens reported that the subject property is located at the northeast corner of Brentwood Boulevard and Forsyth Boulevard. On January 9, 2018, the Board of Aldermen granted the applicant, Flaherty & Collins Development, Inc., a Planned Unit Development for the construction of a new 22 story mixed-use building to be known as Shaw Park Tower located at 8049 Forsyth Boulevard.

The City's Zoning Regulations specify that applicants have one (1) year from the date of approval of site plan, architectural review, rezoning and the planned unit development to begin construction or said approvals expire. The Zoning Regulations state that the applicant may submit a written request for a time extension to the City Clerk.

On November 21, 2018, the City received a letter from James A. Fredericks of Armstrong Teasdale, LLP, representing the applicant, requesting a time extension of one (1) year on the approved Rezoning and Planned Unit Development Ordinance. The site plan and architectural review approvals follow the expiration date of the Rezoning and Planned Unit Development Ordinance.

The time extension would set the ordinance expiration date as January 9, 2020.

James Fredrick, Armstrong Teasdale, LLP, addressed the Board to answer questions.

**Motion made by Alderman Winings to approve the one-year extension of ordinances approving the Rezoning and a Planned Unit Development for Shaw Park Tower Apartments at 8049 Forsyth Boulevard. Alderman Lintz seconded.**

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

A MOTION TO CONSIDER APPROVING THE DISPOSAL OF RECORDS

City Manager Owens reported that It is the recommended guideline of the Secretary of State to formally approve the disposition of records at the Board of Aldermen level. The following department is proposing to dispose of the records listed:

Planning Department

- Construction plans and drawings from January 2011 to December 2013
- All permit documents for multi-family and commercial buildings no longer in existence.
- Plumbing Permits
  - Single Family – All
  - Multi-Family and Commercial -- Repairs, alterations and additions
- Mechanical Permits
  - Single Family – All
  - Multi-Family, Commercial -- Repairs, alterations and additions
- Building Permits
  - Single Family – All
  - Multi-Family, Commercial -- Repairs, alterations and additions

Note: All permits for new construction of multi-family and commercial buildings will be kept for the existence of the building per City of Clayton policy.

Based on the Board's past discussions, staff reviewed the records and confirmed that these are materials that meet the retention schedules set forth by the Secretary of State and that these records are no longer needed by staff. We have also verified that this list does not contain any records we would consider to be of a "historical" nature.

**Motion made by Alderman Winings to approve the destruction of the records as listed. Alderman Lintz seconded.**

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

#### Other

Alderman Winings reported on the following:

- Parks and Recreation
  - Discussed Capital Improvements
  - Ice Rink numbers are up 34% (head count) from last year; 29% more than the record of three years ago.

Alderman Lintz reported on the following:

- Plan Commission
  - The Commission approved the Centene pedestrian bridge; they compromised and toned down the blue color on the glass and now it is almost clear; they have made changes to the garage wall which will be red brick.

Alderman Berkowitz reported

- Attended the Plan Commission meeting; thanked Alderman Lintz and the Commission for their hard work.

Alderman Harris reported on the following:

- Complimented Alderman Lintz and the Plan Commission for pushing Centene on the design changes; great for the community.
- Thanked Gary Carter for the great work on the Seven Gables renovation project; she said that Gary had contacted Amy and Amrit Gill to purchase the building and renovate to which they (the Gills) gave all praise to Gary.

Alderman McAndrew reported on the following:

- Thanked Patty DeForrest and her staff on installing the new archway at Hanley Park.
- Ribbon Cutting – Mercy Urgent Care on Maryland Avenue.

Mayor Sanger reported on the following:

- Fiscal State of the City is in a good position – Great job!

There being no further business the meeting was adjourned at 7:43 p.m.

---

Mayor

ATTEST:

---

City Clerk