

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
January 22, 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
City Manager Owens
City Attorney O'Keefe

Motion made by Alderman Lintz to approve the January 8, 2019 minutes. Alderman Boulton seconded.

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

PUBLIC REQUESTS AND PETITIONS

Ben Uchitelle, resident, former mayor, addressed the Board urging the Board to establish a Human Rights Commission. The process should include the elected officials, residents, citizens, and members of the school board. He feels that the City has waited too long to act, and that citizens have become more complacent since the July IHOP incident.

Kelvin Westbrook, resident, Clayton Gardens, addressed the Board agreeing with Mr. Uchitelle on a need for a Human Rights Commission. He said that he has met with Mayor Sanger, City Manager Owens, and Chief Murphy on ways to improve the community on an initiative to make the City the best it can be. He suggested to create a forum with concerned citizens to come together and exchange ideas in order to live, work and play. He shared concerns and experiences on why he shouldn't feel at risk but at the same time senses that he does. Clayton is uniquely positioned in the region and that we should be a leader to live better together.

Mayor Sanger commented that the 21st Century Policing Solutions has today provided the City with an update on its program as it works with the City and information is available on the City's website. He thanked both Mr. Uchitelle and Mr. Westbrook for their concerns and comments.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING A SUBDIVISION PLAT FOR 7 N. BEMISTON AND 7817 FORSYTH BOULEVARD.

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 minor subdivision plat for the subdivision of one parcel located at the northwest corner of the intersection between North Bemiston Avenue and Forsyth Boulevard.

Joe Klegger, Stock and Associates Consulting Engineers, LLC, addressed the Board to answer questions.

Mayor Sanger closed the public hearing.

Alderman Winings introduced Bill No. 6710, an ordinance to approve a lot consolidation/subdivision plat for 7 N. Bemiston Avenue and 7817 Forsyth Boulevard to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6710, first reading, an Ordinance Providing for the Approval of a Plat to Subdivide Certain Property Located 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. 6710 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6710, an ordinance to approve a lot consolidation/subdivision plat for 7 N. Bemiston Avenue and 7817 Forsyth Boulevard to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6710, second reading, an Ordinance Providing for the Approval of a Plat to Subdivide Certain Property Located 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. 6575.

A RESOLUTION TO CONSIDER APPROVING THE SUBMITTAL OF A MUNICIPAL PARKS PLANNING GRANT APPLICATION FOR A NEW PARK AT 7811 MARYLAND AVENUE

City Manager Owens reported that the City acquired property located at 7811 Maryland Avenue to convert into a public park. Planning grants are available through the St. Louis County Municipal Park Grant Commission and can be used to fund a substantial portion of the fees to engage a consulting firm to assist the city in developing plans for new facility.

Motion made by Alderman Winings to approve Resolution No. 19-02, to authorize the submittal of a Municipal Parks Planning Grant Application for the park proposed at 7811 Maryland Avenue. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT FOR THE CONSTRUCTION OF THE PLAYGROUNDS, A RESTROOM, AND ASSOCIATED SITE WORK AT DEMUN PARK

City Manager Owens reported that this is an ordinance to approve a contract with Focal Pointe Outdoor Solutions in the amount of \$335,108.26, plus a contingency of \$20,000 for the DeMun Park Project. The scope of work includes replacement of both existing playgrounds, construction of a one-person comfort station, replacement of sidewalks and associated site work.

Patty DeForrest, Director of Parks and Recreation, addressed the Board to answer questions.

Alderman Winings introduced Bill No. 6711, an ordinance to approve a contract with Focal Pointe Outdoor Solutions for the DeMun Park Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6711, first reading, an Ordinance Approving a Contract with Focal Pointe Outdoor Solutions for the DeMun Park Project 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. 6711 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6711, an ordinance to approve a contract with Focal Pointe Outdoor Solutions for the DeMun Park Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6711, second reading, an Ordinance Approving a Contract with Focal Pointe Outdoor Solutions for the DeMun Park 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. 6576 of the City of Clayton.

AN ORDINANCE TO CONSIDER ACKNOWLEDGING THE NEW CASE MANAGEMENT SYSTEM FOR THE CLAYTON MUNICIPAL COURT AS REQUIRED BY STATE LAW AND COURT ORDER

City Manager Owens reported that the Missouri Supreme Court previously approved a new electronic Case Management System, “Show-Me Courts” Court Automation System, which will be used by all courts in Missouri, including Municipal Courts. All case records will eventually be filed, managed and accessed using this system.

As the Clayton Municipal Court is part of the state court system and a division within the 21st Judicial Circuit, the Clayton Municipal Court must implement the Show-Me Courts system.

The Presiding Judge of the 21st Judicial Circuit has ordered the implementation of the Show-Me Courts Court Automation Software for all Municipal Courts in St. Louis County and has established a timeline for such implementation.

There are two ordinances for consideration which relate to implementation of the statewide system by the Clayton Municipal Court:

1. An ordinance to acknowledge the agreement required between the Municipal Court and the Office of the State Courts Administrator. The City is not a party to this agreement but has been asked by OSCA to acknowledge the agreement because it imposes certain obligations on the Clayton Municipal Court which is funded by the City.
2. An ordinance amending the Municipal Code to include a \$7.00 surcharge to be imposed on defendants in all cases before the Municipal Court. This surcharge is required by state law and by order of the Missouri Supreme Court. These funds will be paid to the State and will help fund the Show-Me Courts System.

Alderman Winings introduced Bill No. 6712, an ordinance to acknowledge an agreement between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator relative to the Implementation of the Show-Me Courts Court Automation Software to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6712, first reading, an Ordinance Acknowledging an Agreement Between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator (OSCA) Relative to the Implementation of the Show-Me Courts Court Automation Software by title only.

Motion made by Alderman Winings that the Board give unanimous consent to consideration for adoption of Bill No. 6712 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6712, an ordinance to acknowledge an agreement between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator relative to the Implementation of the Show-Me Courts Court Automation Software to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6712, second reading, an Ordinance Acknowledging an Agreement Between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator (OSCA) Relative to the Implementation of the Show-Me Courts Court Automation Software 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. 6577 of the City of Clayton.

Alderman Winings introduced Bill No. 6713, an ordinance to acknowledge an agreement between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator relative to the Implementation of the Show-Me Courts Court Automation Software to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6713, first reading, an Ordinance Amending Section 130.200 of the Municipal Code Relating to a \$7.00 Surcharge on all Municipal Court Cases for the Statewide Court Automation Fund as Mandated by State Law 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. 6713 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6713, an ordinance to acknowledge an agreement between the Clayton Municipal Division of the Circuit Court and the Office of the State Courts Administrator relative to the Implementation of the Show-Me Courts Court Automation Software to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6713, second reading, an Ordinance Amending Section 130.200 of the Municipal Code Relating to a \$7.00 Surcharge on all Municipal Court Cases for the Statewide Court Automation Fund as Mandated by State Law 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. 6578 of the City of Clayton.

AN ORDINANCE TO CONSIDER AUTHORIZING AN AMENDMENT TO AN EXISTING CONTRACTUAL AGREEMENT WITH ST. LOUIS COUNTY FOR CODE ENFORCEMENT SERVICES WITH REGARD TO THE EXPLOSIVES CODE

City Manager Owens reported that in order for St. Louis County to enforce the explosives code, the City must amend their existing contract with the County to add that code to the list of specified technical codes which the County will enforce on behalf of the City.

Alderman Winings introduced Bill No. 6714, an ordinance to amend an agreement with St. Louis County for the provision of code enforcement services as it relates to explosives to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6714, first reading, an Ordinance Authorizing an Amendment of an Existing Contract with Saint Louis County for Code Enforcement Services with Regard to the Explosives Code 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. 6714 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6714, an ordinance to amend an agreement with St. Louis County for the provision of code enforcement services as it relates to explosives to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6714, second reading, an Ordinance Authorizing an Amendment of an Existing Contract with Saint Louis County for Code Enforcement Services with Regard to the Explosives Code 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. 6579 of the City of Clayton.

AND ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH THE HOUSTON GALVESTON AREACOUNCIL BUYING GROUP (HGACBUY) FOR THE PURCHASE OF AN AMBULANCE

City Manager Owens reported that the Houston Galveston Area Council Buying Group (HGACBUY), a governmental purchasing cooperative that has been serving the public sector for more than 40 years. All contracts have been awarded through a public competitive procurement process, compliant with state statutes.

The Clayton Finance Department has reviewed the purchasing practices of the buying group and found that they meet or exceed our requirements and are an acceptable method for purchases.

HGACBUY has awarded a contract to Pinnacle Emergency Vehicles to provide 2019 Ford F550 Ambulances.

Chief Jones and Assistant Chief Mercurio addressed the Board to answer questions.

Alderman Winings introduced Bill No. 6715, an ordinance to approve a contract with the Houston Galveston Area Council Buying Group (HGACBUY) to purchase a new ambulance to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6715, first reading, an Ordinance Approving a Contract for the Purchase of a 2019 Ford F550 Ambulance and Associated Equipment 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. 6715 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6715, an ordinance to approve a contract with the Houston Galveston Area Council Buying Group (HGACBUY) to purchase a new ambulance to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6715, second reading, an Ordinance Approving a Contract for the Purchase of a 2019 Ford F550 Ambulance and Associated Equipment 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. 6580 of the City of Clayton.

AN ORDINANCE TO CONSIDER AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE TRAFFIC MANAGEMENT ENHANCEMENTS PROJECT

City Manager Owens reported that the City of Clayton applied for a grant from the East-West Gateway Council of Governments to implement a Traffic Management Enhancements Project. The project qualified for funding through the Congestion, Mitigation, and Air Quality Program. Last fall the City received notification that this project has been approved for funding by East-West Gateway and were provided the program agreement in December.

The programmed project will include upgraded left turn movements to flashing yellow arrows (FYA) at critical locations, install modern signal controllers and malfunction management units (MMU) to enable new features for congestion management and increase proactive management of the transportation system, install an advanced transportation management system (ATMS) and monitoring station to gain central control and observation of citywide signal system. The project will also include an updated signal timing plan to accommodate changing travel patterns.

Alderman Winings introduced Bill No. 6716, an ordinance to approve an agreement with the Missouri Highways and Transportation Commission for the Traffic Management Enhancements Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6716, first reading, an Ordinance Providing for the Approval and Execution of a Congestion Mitigation and Air Quality Program Agreement Between the City of Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto 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. 6716 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6716, an ordinance to approve an agreement with the Missouri Highways and Transportation Commission for the Traffic Management Enhancements Project to be second for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6716, second reading, an Ordinance Providing for the Approval and Execution of a Congestion Mitigation and Air Quality Program Agreement Between the City of Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto 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. 6581 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE CENTRAL BUSINESS DISTRICT RESURFACING PHASE 1 PROJECT

City Manager Owens reported that in June of 2018, the City of Clayton applied for a grant from the East-West Gateway Council of Governments to resurface portions of the Central Business District, Bonhomme from Brentwood to Hanley and Meramec from Maryland to Shaw Park Drive, for the second year in a row. The project qualified for funding through the Surface Transportation Program. Last fall the City received notification that this project has been approved for funding by East-West Gateway and were provided the program agreement in December.

The programmed project will include the milling and replacement of 2 inches of asphalt, replacement of select curb & gutter where needed, improvement of curb ramps to ADA standards and associated signal modification necessary, bicycle markings and signage (bikes may use full lane), and installation of brick paver sidewalks.

Alderman Winings introduces Bill No. 6717, an ordinance to approve an agreement with the Missouri Highways and Transportation Commission for the Central Business District Resurfacing Phase 1 Project to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6717, first reading, an Ordinance Providing for the Approval and Execution of a STP-Urban Program Agreement Between the City of Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto 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. 6717 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduces Bill No. 6717, an ordinance to approve an agreement with the Missouri Highways and Transportation Commission for the

Central Business District Resurfacing Phase 1 Project to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6717, second reading, an Ordinance Providing for the Approval and Execution of a STP-Urban Program Agreement Between the City of Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto 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. 6582 of the City of Clayton.

AN ORDINANCE TO CONSIDER GRANTING AN EASEMENT TO AMEREN

7:41 p.m. Alderman Winings recused himself from the meeting.

City Manager Owens reported that Centene has requested that the City grant an easement to Ameren for electric facilities on two lots that are part of the Centene Development. Diagrams of the lots and proposed easement areas are attached to the Ordinance as part of the Easement Deed.

The City is the owner of the lots and, pursuant to the Lease between the City and Centene, the City grants such utility easements for purposes of the development upon certification by Centene.

Alderman Boulton introduced Bill No. 6718, an ordinance to grant an easement to Ameren for electric facilities as related to the Centene Development Project to be read for the first time by title only. Alderman Lintz seconded.

City Attorney O’Keefe reads Bill No. 6718, first reading, an Ordinance Granting an Easement to Union Electric Company d/b/a Ameren Missouri by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Boulton that the Board give unanimous consent to consideration for adoption of Bill No. 6718 on the day of its introduction. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

Alderman Boulton introduced Bill No. 6718, an ordinance to grant an easement to Ameren for electric facilities as related to the Centene Development Project to be read for the second time by title only. Alderman Lintz seconded.

City Attorney O’Keefe reads Bill No. 6718, first reading, an Ordinance Granting an Easement to Union Electric Company d/b/a Ameren Missouri 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. 6583 of the City of Clayton.

7:44 p.m. Alderman Winings rejoined the meeting.

Other

Alderman Boulton reported that she attended an event by the Board of Education's parent group on diversity dialogue; another event is scheduled for January 24.

Alderman McAndrew reported the Clayton Century Foundation met last week and continued evaluation/discussion on their strategic planning.

Mayor Sanger reported on the following:

- Mayor's Youth Advisory Council met last week at the Police Department.
- Attended the Chamber Legislative meeting on January 14.
- Attended the Clayton School District Legislative Advocacy meeting on January 18.

Motion was made by Alderman McAndrew that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Harris seconded the motion.

Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman Harris – Aye; Alderman McAndrew, and Mayor Sanger – Aye.

There being no further business the meeting was adjourned at 7:50 p.m.

Mayor

ATTEST:

City Clerk