

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
March 12, 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

Mayor Sanger noted that the approval of the 02-26-19 Minutes will be postponed until next meeting.

AWARDS AND RECOGNITIONS

Mayor Sanger reported that on June 25, 2018 an individual at 105 S. Central Avenue experienced a sudden cardiac arrest. Five individuals worked together to make an heroic lifesaving effort to save the victim’s life. Together they were able to perform CPR and also utilized an Automatic External Defibrillator (AED) which led to a successful outcome.

On behalf of the Clayton Fire Department Mayor Sanger presented the “Citizen’s Service Award” to Detectives Thomas Taylor and Jonathan Cooper, Sergeant Bill Muller, Travis Martin, and Mark Hammer.

PUBLIC REQUESTS AND PETITIONS

None

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING A REQUEST FOR REZONING AND A PLANNED UNIT DEVELOPMENT FOR HOMEBASE PARTNERS, OWNER – 227 SOUTH CENTRAL AVENUE

City Manager Owens reported that this is a public hearing to solicit input regarding a proposed rezoning and Planned Unit Development (PUD) to be granted to Homebase Partners, owner, for the construction of a hotel development for property located at 227 S. Central Avenue. He noted that a revised document has been placed at each dias for the Board.

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

Mr. Andy Hollaran, Homebase Partners, addressed the Board introducing the project team of Steven Anderson, Concord Hospitality, Sam Coppler, Nate Casteel, DLR, and Jim Fredericks, Armstrong Teasdale.

In response to Mayor Sanger's question, Mr. Hollaran stated that they arrived to Clayton upon responding to an Request for Proposals (RFP). He said that their clientele will be business travelers, 60% of their guests will be Marriot Rewards members and families, and leisure travel.

In response to Mayor Sanger's question, Mr. Casteel stated that DLR is located in Chicago.

Mr. Casteel provided a PowerPoint presentation and introduced the design/build and idea of what their goals will be.

In response to Alderman McAndrew's question, Mr. Casteel stated that they do not have a tenant for the restaurant yet.

In response to Alderman Boulton's question, Mr. Casteel passed around a sample of the building material noting that it is not a hardy board material. The material being used is very insulated and also energy efficient.

In response to Alderman Berkowitz' question, Mr. Casteel stated yes, they have earthquake protection which the structural engineers designed for this zone.

In response to Mayor Sanger's question, Mr. Casteel clarified that the area he pointed out is a AC Lounge/bar and breakfast area to which the design would help activate people to come in and use.

In response to Mayor Sanger's question, Mr. Hollaran confirmed that they read the conditions and agree in principal but remain unclear on item #7 regarding "secure vs purchase" and asked for clarification.

City Attorney O'Keefe, noting the revised version, clarified that the ordinance is phrased differently from the staff report, he rewrote the ordinance because the staff report and the recommendations from the Plan Commission were vague and imprecise. Regarding Condition #7 (in the staff report) he needed to define an enforceable legislative act therefore rewriting the ordinance to be clearer. If they are going to remove the three public parking spaces currently located in front of the building as a convenience to their valet service/drop off and they are to secure three others for the operation of the valet further south on the street which means to purchase public parking spaces, converting them to their use, and widen the street to accommodate them.

Mr. Fredericks stated "that's correct.

City Attorney O'Keefe commented that it is more comprehensively phrased in the ordinance rather than the more generalized statement in the Plan Commission.

Mr. Fredericks stated that they do understand and agree in principle, but that they don't know what that price would be.

Mr. Hollaran stated that this is a substantial project and the price of the land being bought from the City is \$2.4 million and they will be spending millions more on the project itself. Once the approvals are received, they have six months to start construction and 30 months to complete the project. They are proposing the purchase price is \$10,000 per space to be included in the sales contract.

City Manager Owens asked if it was possible to get approvals contingent upon an agreement by both parties to be worked out later.

City Attorney O'Keefe explained that the price is not specified, and it is subject to the discussion on the terms.

In response to Alderman Lintz's question, City Attorney O'Keefe explained that they are not acquiring the fee of the property, the purchase is required to take the spaces out of the public use and convert them to private use along the street.

In response to Alderman Winings' question, City Attorney O'Keefe said that Condition #3 is clarified in the ordinance versus the staff report.

In response to Alderman Boulton's question regarding the median, City Manager Owens stated they will escrow money in case the City feels that the median (as recommended on the CBB report) is necessary.

In response to Alderman Berkowitz's concerns regarding Uber, Lyft, and taxi service for pick-up and drop-offs, Mr. Anderson stated that those issues would be handled by the valet staff

In response to Alderman Boulton's question, Mr. Anderson stated that he believes there are bike racks in the Metro garage, and they will also find a place for the bike racks which hold seven bikes. Typically, they have a bike rack in the back of the building for staff.

Dennis Bolazina, 14 N. Central Avenue, involved with the investment group that built the 2nd AC Hotel and it is a very successful hotel. He is concerned about available parking and stressed the need for more parking.

In response to Alderman Harris' question regarding parking, Mr. Hollaran stated that 30% of the guest will have their own vehicle – 30 rooms with a car; 70 rooms will not, the garage will be primarily vacant at night and the valet will handle the rest.

Mayor Sanger closed the public hearing.

Alderman Winings introduced Bill No. 6721, an ordinance to approve the Rezoning and a Planned Unit Development for 227 S. Central Avenue for construction of a hotel development (in the revised form distributed prior to the meeting) to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6721, first reading, an Ordinance Providing for the Rezoning of Certain Property Located at 227 South Central Avenue From High Density Commercial Located in the Central Station TOD Downtown Overlay District to a Planned Unit Development District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Property at 227 South Central Avenue; and Other Actions Related Thereto by title only.

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. 6721 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6721, an ordinance to approve the Rezoning and a Planned Unit Development for 227 S. Central Avenue for construction of a hotel development (in the revised form distributed prior to the meeting) to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6721, second reading, an Ordinance Providing for the Rezoning of Certain Property Located at 227 South Central Avenue From High Density Commercial Located in the Central Station TOD Downtown Overlay District to a Planned Unit Development District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Property at 227 South Central Avenue; and Other 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. 6586 of the City of Clayton.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING A SUBDIVISION PLAT FOR 140 NORTH BRENTWOOD 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 140 North Brentwood Boulevard.

Mr. Robert Slaven, Managing Partner for 140 N. Brentwood Boulevard, addressed the Board to answer any questions.

In response to Alderman Boulton’s question, Mr. Slaven explained that they felt that the property was more suited for single family homes and the compared it to Central and Old Town and two of the homes will most likely be three-story with walk out terraces and rooftop decks.

In response to Alderman Berkowitz’s question, Mr. Slaven stated that they will not all be built alike.

Mayor Sanger closed the public hearing.

Alderman Winings introduced Bill No. 6722, an ordinance to approve subdivision plat for 140 N. Brentwood Boulevard to be read for the first time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6722, 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. 6722 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6722, an ordinance to approve subdivision plat for 140 N. Brentwood Boulevard to be read for the second time by title only. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6722, 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 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. 6587 of the City of Clayton.

A MOTION TO CONSIDER APPROVING A LIQUOR LICENSE AND A SPECIAL PERMIT FOR TAVCO HOLDINGS I, LLC D.B.A. THE WINE AND CHEESE PLACE AT 7435 FORSYTH BOULEVARD

City Manager Owens reported that TAVco Holdings I, LLC d.b.a. The Wine and Cheese Place is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the package, except Sunday and a special permit for wine, malt beverage, and spirit tastings at 7435 Forsyth Boulevard.

ViJay Schroff, Managing Member of TAVco Holdings I, LLC, addressed the Board to answer questions.

Mr. Schroff explained that a new license is required because he purchased the assets of the company.

Aaron Zwicker, Manager at the Forsyth location addressed the Board to answer questions.

Motion made by Alderman Winings to approve a liquor license for the Tavco Holdings I, LLC d/b/a Wine & Cheese Merchant located at 7435 Forsyth Boulevard. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

A RESOLUTION TO CONSIDER APPROVING THE SUBMITTAL OF A HAZARDOUS MOVING VIOLATION ENFORCEMENT GRANT APPLICATION

City Manager Owens reported that as part of the annual grant application process MoDOT requires City of Clayton Board approval and authorization. The Clayton Police Department intends to seek a MoDOT grant to assist the Department to address the issue of aggressive driving in a multifaceted approach.

Lt. Al Thuet provided a brief overview of the grant.

In response to Alderman Harris’ question, Lt. Thuet said that DWI training as related to cannabis will be addressed at a conference this year.

Motion was made by Alderman Winings to approve Resolution No. 19-04, granting the submittal of a Hazardous Moving Violation Enforcement grant application. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

A RESOLUTION TO CONSIDER APPROVING THE SUBMITTAL OF A DRIVING WHILE INTOXICATED ENFORCEMENT GRANT APPLICATION

Motion was made by Alderman Winings to approve Resolution No. 19-05, granting the submittal of a Driving While Intoxicated Enforcement grant application. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

FY2019 1ST QUARTER FINANCIAL REPORT

Janet Watson provided a brief summary and overview of the report.

Alderman Harris inquired as to the assessment letters sent from the County Janet noted that the City should be receiving it's assessed values within the next two weeks.

Other

Alderman Winings reported on the following:

- Parks & Recreation Alderman
 - DeMun Park playground should be completed in June.
 - Temporary dog park should be completed soon.
 - Chapman Plaza is under repair due to a drainage issue.
 - The Center of Clayton Renovation project bid packet went out last Friday.
 - City Manager Owens added that the Ice Rink Project RFQ will go out for a redesign.

Alderman Boulton reported on the following:

- Ward 1 Coffee – good turnout.

Alderman Lintz reported on the following:

- Plan Commission/ARB
 - Conceptual review on Bank of America at 8100 Forsyth; front door moved to the side; and there will be no drive-through.
 - Discussed “as built” review/survey on 8028-8032 Crescent drive and discovered that there was more driveway than what was planned – perfect example of work done not according to plan.

Alderman Harris reported on the following:

- Ward 2 Coffee
- Municipal League membership meeting; seminar provided on the cannabis trade (retail, processing, growing).

Alderman McAndrew reported on the following:

- Ward 3 Coffee – well attended; main subject was the proposed Entertainment District.

- Attended a Better Together townhall meeting; approximately 100 people limit – could have accommodated more people; 20-minute presentation; 45-minute Q & A; overall attendees were opposed to the plan.

City Manager Owens reported that he and Janet Watson attended the MPRA to help honor Patty DeForrest's award recognition.

Lt. Mark Smith reported that *Coffee with A Cop* had a great crowd; lots of questions regarding the proposed merger.

Mayor Sanger reported on the following:

- Attended an event at Belden Inc, 1 N. Brentwood; they donated a car to the Red Cross.
- MYAC meeting in February; Sarah Mellinger, CCF was the guest speaker.
- Attended the reception for the new Washington University Chancellor, Andrew Martin.

There being no further business the meeting was adjourned at 8:34 p.m.

Mayor

ATTEST:

City Clerk