

THE CITY OF CLAYTON

Board of Aldermen Discussion Session  
City Hall – 10 N. Bemiston Avenue  
June 11, 2019  
6:00 p.m.

Minutes

The following individuals were in attendance:

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

Mayor Harris  
City Manager Owens  
City Attorney O'Keefe

Executive Recruitment Consultant

**Motion made by Alderman Berkowitz to authorize an agreement with The Novak Consulting Group, Inc. for the City Manager search. Alderman Winings seconded.**

**Motion passed unanimously on a voice vote.**

6:39 p.m.

**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 Berkowitz seconded the motion.**

**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 CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
June 11, 2019  
7:10 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, Rich Lintz, Ira Berkowitz, and Bridget McAndrew.

Mayor Harris  
City Manager Owens  
City Attorney O’Keefe

**Motion made by Alderman Lintz to approve as corrected (he provided no vote for the executive session due to his absence) to approve the May 28, 2019 minutes. Alderman Boulton seconded.**

**Motion to approve the minutes passed on a voice vote; Alderman Lintz abstained.**

PUBLIC REQUESTS AND PETITIONS

None

A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT FOR A SECOND UNIT - 30 WEST BRENTMOOR PARK

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

City Manager Owens reported that this is a public hearing and subsequent resolution to consider granting a Conditional Use Permit to Christopher Sims, owner of 30 West Brentmoor Park, to allow for the construction of a 1,563 square foot detached second living unit. The property has a zoning designation of R-1 Large Lot Single-Family Dwelling District.

Christopher Sims, owner, addressed the Board to answer questions.

**Mayor Harris closed the public hearing.**

**Motion made by Alderman Winings to approve Resolution No. 19-08, granting a Conditional Use Permit for 30 West Brentmoor Park. Alderman Boulton seconded.**

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

A PUBLIC HEARING (FOR DISCUSSION ONLY) – AN ORDINANCE TO CONSIDER AMENDING TITLE IV “LAND USE”, CHAPTER 405 (ZONING REGULATIONS) OF THE MUNICIPAL CODE OF THE CITY OF CLAYTON, MISSOURI, ARTICLE X “PLANNED UNIT DEVELOPMENT DISTRICT”

**Mayor Harris opened the public hearing.**

City Manager Owens reported that this an extension of the public hearing held at the May 28 meeting to solicit input regarding a staff-initiated amendment to Chapter 405 (Zoning Regulations) Article X. Planned Unit Development District. Staff and the City Attorney's office have identified areas of the regulations that are unclear, contradictory to other code required processes and in general, need updating. The Board addressed some concerns and changes and recommended that the proposed ordinance be sent back to the Plan Commission for additional input. The Plan Commission reviewed the draft again at its June 3 meeting and recommended additional changes. A draft of those changes was sent (electronically) to the Board early today.

Susan Istenes, Director, Planning Department, provided the Board with a review of the proposed changes (attached).

**Motion made by Alderman Winings to recess the public hearing, tabling Bill No. 6734, an ordinance to consider amending Title IV "Land Use", Chapter 405 (Zoning Regulations) of the Municipal Code of the City of Clayton, Missouri, Article X "Planned Unit Development District" until the June 25 meeting. Alderman Boulton seconded.**

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

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING TEXT AMENDMENTS TO CHAPTER 405 (ZONING REGULATIONS) RELATED TO MEDICAL MARIJUANA

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

City Manager Owens reported that this is a public hearing to solicit input regarding proposed amendments to Chapter 405 (Zoning Regulations) related to medical marijuana facilities. In November 2018, voters in the State of Missouri approved Constitutional Amendment 2 to allow for the restricted cultivation, production, transportation, and administration of marijuana and marijuana-infused products for qualifying patients for medical purposes. Provisions allowing local governments to regulate the time, place and manner of operation of medical marijuana-related facilities were included within the state amendment.

Susan Istenes, Director, Planning Department, addressed the Board to answer questions.

**Mayor Harris closed the public hearing.**

**Alderman Winings introduced Bill No. 6735, to approve an amendment to Chapter 405 (Zoning Regulations) related to medical marijuana to be read for the first time by title only. Alderman Boulton seconded.**

**City Attorney O'Keefe reads Bill No. 6735, first reading, an Ordinance Amending Title IV "Land Use", Chapter 405 (Zoning Regulations) of the Municipal Code of the City of Clayton, Missouri, to Enact Regulations for Medical Marijuana Facilities and other actions related thereto.**

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

**Motion made by Alderman that the Board give unanimous consent to consideration for adoption of Bill No. 6735 on the day of its introduction. Alderman Boulton seconded.**

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

**Alderman Winings introduced Bill No. 6735, to approve an amendment to Chapter 405 (Zoning Regulations) related to medical marijuana to be read for the second time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6735, second reading, an Ordinance Amending Title IV “Land Use”, Chapter 405 (Zoning Regulations) of the Municipal Code of the City of Clayton, Missouri, to Enact Regulations for Medical Marijuana Facilities and other actions related thereto.**

**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. 6597 of the City of Clayton.**

**AN ORDINANCE TO CONSIDER AN INTERGOVERNMENTAL AGREEMENT FOR SHARED USE OF DRONE TECHNOLOGY BETWEEN THE CITY OF CLAYTON AND THE CITY OF RICHMOND HEIGHTS**

City Manager Owens reported that for your consideration is a cooperative agreement to share drone technology services between the City of Clayton and the City of Richmond Heights.

**Alderman Winings introduced Bill No. 6736, to approve an intergovernmental agreement with the City of Richmond Heights for use of drone technology to be read for the first time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6736, first reading, an Ordinance Authorizing the City Manager to Enter into an Intergovernmental Cooperation Agreement with the City of Richmond Heights for the Use of Drones for Law Enforcement Purposes.**

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

**Motion made by Alderman that the Board give unanimous consent to consideration for adoption of Bill No. 6736 on the day of its introduction. Alderman Boulton seconded.**

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

**Alderman Winings introduced Bill No. 6736, to approve an intergovernmental agreement with the City of Richmond Heights for use of drone technology to be read for the second time by title only. Alderman Boulton seconded.**

**City Attorney O’Keefe reads Bill No. 6736, second reading, an Ordinance Authorizing the City Manager to Enter into an Intergovernmental Cooperation Agreement with the City of Richmond Heights for the Use of Drones for Law Enforcement Purposes.**

**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. 6598 of the City of Clayton.**

**Other**

*Mayor Harris, “I want to read for the record some of Craig’s many accomplishments. While he’s been here, he led the creation of our Strategic Plan and our Downtown Master Plan. He helped found the Clayton Century Foundation, the first public/private partnership for Clayton which has invested millions*

*in our city with projects we're very proud of. He's led us through more than 50 safe demonstrations in the aftermath of Ferguson, which was no small feat. He has also overseen over a billion dollars in commercial development and investment in our city that was not without its controversies, hang-ups and complications – job well done! He introduced the Exceptional City Scorecard, which I know he is very proud of too, to our region and to us and it's really aided us in terms of our focus and our budgeting. He has been a major, major player in regional leadership in this area as president of the St. Louis Chapter of ICMA, the Missouri Chapter of ICMA. I think you've served on the International Advisory Board, Beyond Housing, and so many organizations that he's invested his time and that were way above and beyond the call of duty. So, I know that we all feel this lucky to have had you with us for the last eleven years. As someone who was there when you started it's been a long run and honestly, it's sad for me that you're leaving, but we wish you a lot of luck and we hope you'll keep in touch with us and let us know how things are going. Don't forget about the selfie with the giant ball of twine. I forgot to mention that Craig won the Jay T. Bell award.”*

*Alderman Winings, “Craig, I think that we met probably ten years ago and I'm pretty sure that the first thing we talked about was ‘what is a city manager?’ as this was before I was an alderman. What is it you actually do? I knew very little about the council/manager form of government, very little about local government, and so that was the first of many lessons that I got from you. So, I've learned a lot about government from you over the years, a lot about good government and I now have a healthy appreciation for the council/manager form of government. I know how important a good city manager is. As the mayor said, you've been an excellent executive. She mentioned a few of the things you achieved during your term here, but I'll mention a couple of other things – I've always noticed you worked all the time to stay on the leading edge of your profession, by continuing your training, never stopping the educational process. I know that you've also encouraged staff to do that which has led to a culture of excellence here that I think that we'll continue to service even after you are gone. Michelle mentioned the Jay T. Bell Professional Management Award which you won in 2016 for many of the reasons you mentioned, the highest honor in the State of Missouri can receive and I'd suspect you'd probably win it every year if that was cool, but it wouldn't be fair to all of the other cities. Thank you for your service. The City of Lawrence is lucky to have you and I'm sure you'll go on to do great things there like you did here.”*

*Alderman Boulton, “Craig and I had a nice little ‘win’ today with many years in the making and it was just great to do it with you. I was thinking about the kind of weird role you play because you are our colleague, we also write reviews of you so that's a little weird, but you've also taught us a lot. I thought of it more as a choreographer, you know you've got this whole process in place and you've got an image of what you hope to achieve, and you try to give each of your ‘dancers’ – each of us – where we come in and are like ‘piles of mud’ and we know nothing about what we're supposed to be doing other than we're very passionate about it and you try to give us the tools, teach us the steps, you tell us all of the elements of the ‘dance,’ but you can't determine our rhythm – that's one thing that you cannot do. So, you at some point have to sit back and just kind of see how it all plays out and what we as a troupe produce and I think you've been a great ‘choreographer’ and I've loved working with you, and I'll miss you.”*

*Alderman Lintz, “It's been wonderful working with you, and I echo the comments about what a teacher you've been. I remember the first few years when you kind of sat back, and you kept asking us, ‘what do we want?’ I sort of remember in your first review writing ‘he needs to be more assertive – we don't know what we're doing here’. I think you found a great balance in helping us see what it is that we should be looking at, what was in our purview, what really wasn't in our purview, what we should be thinking about, and what we didn't need to be thinking about. That was sometimes just as important-what we didn't need to think about as what we did need to think about. From that point of view, you've been a great leader and I've really enjoyed all that you've given to us in that regard. I said this about Harold, and I'll say this about you as well, ‘love working with people who I respect and it's been a terrific time working with you.’”*

Alderman Berkowitz, *“I smile because it’s easier than crying – I’m getting tired of saying goodbye to people that I respect so much and feel so close to and at least Harold will still be around, but you’ll be gone. I hope you realize that we are not that far, and it would be great if you could come back and visit. You won’t be able to sit there, but you can come back and say hi. Craig and I also have had a long ten-year history before I became an alderman and I’ve always respected everything that you’ve had to say. You’ve taught us, it’s been an incredible experience for me along the way to try and figure out which one of us is the boss. Because we would end up sometimes even involved in discussion and you would even say to me ‘don’t forget, you’re my boss’ I’m like, it doesn’t feel that way, it never has felt that way. You come to this job with an incredible amount of theoretical knowledge that you so successfully apply to actual real-life problems. It’s the academic part that is so intriguing in talking with you about our problems, and how do we solve them, and how do we go about it, and having our retreats, and how important that is for you to involve us engaging in who are we, where are we going, and how do we think, what’s our model, what’s our values, what are we doing. You have been an incredible facilitator for us as a Board. I am absolutely amazed at how you can also, as Joanne has mentioned, not just choreographed, but also figure out who we are and move from there. Your willingness and motivation to do that is just also a great credit to you. one of the things that I found along that you’ve done so well is that you can sense when we as a Board are having a political difficulty as opposed to a real difficulty. There’s the Clayton difficulty and then there’s the personal difficulty, right. You always know when to step in and say ‘blame it on me, I’ll take the heat. You all know what probably we should do, but you’re going to get ‘creamed’ out there. You don’t have to do that, but that’s an incredibly special position for you to take and basically – covering us. I appreciate that in you and that you’re willing to do that – take a bullet for the Board. You’ve done that, you’ve done that for us, you’ve done that for your staff again and again. It’s a very tough line to walk, but incredibly respectable – I’m in awe at your willingness to do it and thank you so much for that. I will miss you more than anything, I am very upset that you’re leaving, and I can’t say it enough. I do wish you luck in Lawrence and hopefully I will come out and visit – thanks Craig.”*

Alderman McAndrew, *“First off, I wish we had had more time, I think like a year ago when I became a new alderman and we had that orientation – you’re an intimidating figure. It’s just the knowledge that you project to people who don’t know as much about being city government. Even just going through a year’s worth of just neighborhood meetings where if Mark didn’t know what to say, which of course was rare, we could always sit back and be like, ‘well Craig will know what to say.’ You always had explanations for questions that were kind of like breathing a sigh of relief. I can tell you how much I’ve enjoyed our monthly breakfast meetings, every month I looked forward to them because it was a way to sit back and collect things for the month, be updated on what was going on, and also you provide a lot of support. Even in just a year I am grateful for the encouragement and the support. Clayton will miss you greatly, we all clearly will miss you greatly, but I’m excited for you. You’re ready for a new thing, I think your family is going to love your new home, and change is always hard, but it’s exciting and you’re ready for it. I wish you the best, but we will miss you terribly.”*

There being no further business the meeting adjourned at 8:45 p.m.

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Mayor

ATTEST:

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City Clerk