

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
July 23, 2019
7:05 p.m.

Minutes

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

Aldermen: Rich Lintz, Ira Berkowitz, and Bridget McAndrew.

Mayor Pro Tempore Winings
Interim City Manager Watson
City Attorney O'Keefe

Absent: Mayor Harris and Joanne Boulton

Motion made by Alderman Lintz to approve the July 23, 2019 minutes. Alderman Berkowitz seconded.

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

PUBLIC REQUESTS AND PETITIONS

None

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 Pro Tempore Winings noted that the Public Hearing remains opens.

Interim City Manager Watson reported that at the July 9 meeting the Board voted to table the issue and continue the public hearing to solicit additional input regarding a staff-initiated amendment to Chapter 405 (Zoning Regulations) Article X. Planned Unit Development District.

The City of Clayton Plan Commission has held six public hearings on these items and on July 15, 2019 recommended unanimous approval of the attached ordinance. The Board of Aldermen have, commencing on May 28, have held four public hearings on this item.

Susan Istenes, Director of Planning, addressed the Board detailing the changes proposed (provided in the Board packet).

Motion made by Alderman Lintz to table Bill No. 6734.1, 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 August 13 meeting. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

A MOTION TO CONSIDER APPROVING SETTING PUBLIC HEARINGS FOR CONSIDERATION OF THE PROPOSED PROPERTY TAX LEVIES FOR TAX YEAR 2019 (FISCAL YEAR 2020) AND THE FISCAL YEAR 2020 OPERATING AND CAPITAL IMPROVEMENT BUDGET

Interim City Manager Watson reported that the Board of Aldermen is just now receiving the City Manager's proposed Fiscal Year 2020 (FY 2020) Operating and Capital Improvement Budget. The City has recently received assessed valuation information from St. Louis County for calculating the 2019 (FY 2020) property taxes. As part of the property tax and budget process, the Board is required to hold a public hearing to seek public input prior to formal adoption.

Motion made by Alderman Lintz to approve setting August 27, 2019 for the public hearing for the proposed FY2020 Operating and Capital Improvement Budget and the proposed Property Tax Levies for tax year 2019. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

MOTION TO APPROVE APPOINTMENTS TO BOARDS AND COMMISSIONS

Interim City Manager Watson reported that the following individuals have expressed interest in being appointed to or continuing to serve as a member of the following Boards or Commissions of the City. Mayor Harris has reviewed and agrees with the recommendations for appointment or reappointment to the respective Board or Commission and, therefore, submits the following nominations for the Board's consideration.

Board of Adjustment

Bryce Woollen Ward 3 (new appointment for unexpired term through June 30, 2023)-*replaces A. McAuley*

City Plan Commission/ARB

George Hettich Ward 3 (new appointment for a 3-year term through June 30, 2024)-*replaces B. Maguire*

Motion made by Alderman Lintz to approve the appointments to the Boards and Commissions. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER A CONTRACT WITH S. M. WILSON & COMPANY FOR THE 10 S. BRENTWOOD BOULEVARD EXTERIOR IMPROVEMENTS PROJECT

Interim City Manager Watson reported that the Public Works Department is requesting approval of a contract with S. M. Wilson & Co. for the 10 S. Brentwood Exterior Improvements Project. The scope of work consists of the removal and replacement of all exterior wood cladding and trim material on fifty dormers at both the fourth and sixth floor roof levels. As an alternate, those same wood elements, ten wood ventilation louvers, and six double-hung windows on the roof-top cupola are to be removed and replaced. The qualitative intent of this scope is to replace existing wood components with prefinished white aluminum elements, detailed and installed to replicate as close as reasonable the original condition in dimension, detail, profile and aesthetic.

John Wulf, Assistant Director, Public Works, addressed the Board providing a brief description of the scope of the work and to answer any questions.

Alderman Lintz introduced Bill No. 6743, to approve a contract with S.M. Wilson for the 10 S. Brentwood Boulevard Exterior Improvements Project to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6743, first reading, An Ordinance Approving a Contract with S.M. Wilson for the 10 S. Brentwood Boulevard Exterior Improvements Project by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6743 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6743, to approve a contract with S.M. Wilson for the 10 S. Brentwood Boulevard Exterior Improvements Project to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6743, first reading, An Ordinance Approving a Contract with S.M. Wilson for the 10 S. Brentwood Boulevard Exterior Improvements Project by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; and Mayor Pro Tempore Winings – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6605 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A PURCHASE AND SALE AGREEMENT FOR 8049 FORSYTH BOULEVARD

Interim City Manager Watson reported that on April 24, 2015, staff issued a request for proposals related to the development of City-owned property located at 8049 Forsyth Boulevard, currently a surface parking lot. Staff received four responses by the August 3, 2015, deadline.

On December 20, 2017, the City entered into a purchase and development agreement with Flaherty & Collins. Flaherty & Collins proposed building a 22-story, 457,575 square foot mixed-use building containing 7,852 square feet of first floor retail, 228 rental residential units and 324 structured parking spaces. The purchase price was \$1,100,000. The purchase and development agreement with Flaherty & Collins have expired and is no longer in effect.

Staff has since negotiated with another one of the original RFP respondents, 8027 Forsyth Acquisitions, LLC which is a related entity to US Capital, formerly known as Koman Development.

8027 Forsyth Acquisitions, LLC proposes to build a multi-story Class “A” office building that will have approximately 166,000 square feet of office space, have self-contained parking, and have ground floor retail space of approximately 13,000 square feet, which retail space shall include an arts and entertainment venue. The proposed purchase price is \$2,625,000.

Gary Carter, Economic Developer, addressed the Board to answer questions.

Scott Haley, 8027 Forsyth Acquisitions, addressed the Board introducing Teddy Chapman, Barry-Wehmiller Real Estate Group, and Frans von Kaenel, Attorney, Husch Blackwell. He also recognized several representatives from Commerce Bank who also has an interest in the development.

Mr. Haley gave a brief summary of the project and answered questions from the Board.

Mr. Chapman addressed the Board providing a brief background on Barry-Wehmiller's need for expansion due to their growth in the last five years and its continued support for the community to grow and prosper.

In response to Alderman Lintz' question, Mr. Chapman stated that they are committed to taking approximately 50,000 square feet of the space.

Alderman Berkowitz commented that Chapman Plaza in Shaw Park is an incredible gem and he expressed concerns on: (1) like to see more residential in that block; (2) the 20-year commitment on the building's arts and entertainment venue is not a lot of time.

Alderman Lintz inquired regarding the common interest with Commerce as related to the design (i.e. parking garages).

Mayor Pro Tempore Winings inquired as to the 166,000 square feet of office space.

Alderman Lintz commented that there are still a lot of questions to ask, and unfortunately there are a couple of Board members absent tonight.

Motion made by Alderman Lintz to table Bill No. 6744 until the next meeting. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Lintz reported that the Plan Commission/ARB met on July 15 and reviewed the plans for a proposed townhouse(s) project on Gay Avenue. Although there were concerns on the developer's request for variances regarding impervious coverage the Commission approved the request.

Alderman Berkowitz reported that Wydown Forest held their annual meeting last week led by Interim Chief Smith who did an outstanding job.

Alderman McAndrew recognized Patty DeForrest, Parks Director, on doing a great job communicating to the public on The Center of Clayton renovations.

Interim City Manager Watson reminded the Board that the budget work session is scheduled for Friday, July 26.

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

Mayor

ATTEST:

City Clerk