

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
February 25, 2020
7:00 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, Ira Berkowitz, Bridget McAndrew, and Susan Buse.

Mayor Harris
City Manager Gipson
City Attorney O'Keefe

Absent: Richard Lintz

Motion made by Alderman Boulton to approve the February 11, 2020 minutes. Alderman Winings seconded.

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

PUBLIC REQUESTS AND PETITIONS

None

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING REZONING FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO R-4 LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT FOR 114 GAY AVENUE

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

City Manager Gipson reported that this is a public hearing to solicit input regarding the proposed rezoning of the property located at 114 Gay Avenue from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District. This rezoning is at the request of Manlin Development, LLC, owner, to allow the construction of two, five-unit townhome developments. This project will also require approval of a Subdivision Plat at a future date.

City Manager Gipson stated that this application was tabled at the February 11 Board of Aldermen meeting and the public hearing left open pending an appeal on the site plan related to the project. He announced that this afternoon staff received a letter from the appellant requesting to withdraw the appeal. This is the result of an agreement reached between the applicant and the appellant on changes to the site plan and the height of a proposed fence.

City Manager Gipson noted that at this point staff has not had an opportunity to review those changes and determine whether they are significant enough to require additional review by the Clayton Architectural Review Board (ARB).

Staff recommends the public hearing be held and the rezoning ordinance be approved. The site plan revisions will be reviewed and processed separately, either administratively by staff, or the ARB, if necessary.

Gabe DuBois, THD Design Group, addressed the Board, providing a brief summary of the plan.

In response to Mayor Harris' question, Mr. DuBois confirmed that this is a condo project; price range is unknown at this time and that they estimate completion no later than the end of this year.

In response to Alderman McAndrew' question related to the appeal, Susan Hamra, appellant, addressed the Board confirming that she has withdrawn the appeal after meeting with the applicant/developer and both parties had come to an agreement.

In response to Alderman Buse's question, Bruce Bartlet, owner of the entity that owns 114 Gay Avenue, addressed the Board stating that he is comfortable with the agreement with the appellant and with the proposed approval for rezoning the property.

Alderman Winings introduced Bill No. 6780, an ordinance to approve rezoning from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling for property located at 114 Gay Avenue to be read by title for the first time. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6780, first reading, an Ordinance Providing for the Rezoning of Certain Property Located at 114 Gay Avenue from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; and Other 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. 6780 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6780, an ordinance to approve rezoning from C-1 neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling for property located at 114 Gay Avenue to be read by title for the second time. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6780, second reading, an Ordinance Providing for the Rezoning of Certain Property Located at 114 Gay Avenue from C-1 Neighborhood Commercial District to R-4 Low Density Multiple Family Dwelling District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; and Other Actions Related Thereto by title only.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; and

Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6641 of the City of Clayton.

A MOTION TO APPROVE A LIQUOR LICENSE UPGRADE FOR TAVCO HOLDINGS I, LLC
D.B.A. THE WINE AND CHEESE PLACE AT 7435 FORSYTH BOULEVARD

City Manager Gipson reported that TAVco Holdings I, LLC *d.b.a.* The Wine and Cheese Place is requesting to upgrade their current liquor license (all kinds of intoxicating liquor at retail by the package, including Sunday *and* special permit for wine, malt beverage and distilled spirit tastings) to sell all kinds of intoxicating liquor at retail by the drink, including Sundays, at 7435 Forsyth Boulevard.

Aaron Zwicker, co-owner, addressed the Board to answer questions.

In response to Mayor Harris' question, Mr. Zwicker explained that the classes held at the Wine and Cheese Place include tasting portions.

In response to Alderman Buse's question, Mr. Zwicker confirmed that they did not send notice to the surrounding tenants or property owners.

Motion made by Alderman Winings to approve an upgraded liquor license for TAVco Holdings I, LLC *d/b/a* The Wine and Cheese Place. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

MOTION – TO APPROVE THE DESTRUCTION OF RECORDS IN ACCORDANCE WITH THE
MISSOURI SECRETARY OF STATE RECORDS RETENTION SCHEDULE

City Manager Gipson reported that As the Board is aware, it is the recommended guideline of the Secretary of State to formally approve the disposition of records at the Board of Alderman level, and to include a list which describes the record series including quantity to be disposed, the manner of destruction and destruction date.

Below is a list of records staff is proposing to dispose.

Municipal Court – Prosecuting Attorney Files

- 2017 Closed PA files for minor traffic violations
- 2018 Closed PA files for minor traffic violations

Planning Department*

- Building plans and drawings dated January 2014 through December 2014
- All permit documents for multi-family and commercial buildings no longer in existence
- Plumbing Permits –
 - Single Family Residential – All
 - Multi Family - Repair, alteration, addition
 - Commercial - Repair, alteration, addition
- Mechanical Permits –
 - Single Family Residential – All
 - Multi Family - Repair, alteration, addition

- Commercial - Repair, alteration, addition
- Building Permits –
 - Single Family Residential – Repair, alteration, addition
 - Multi Family - Repair, alteration, addition
 - Commercial - Repair, alteration, addition

** 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 (Missouri Records Retention Schedule requires a minimum retention of 10 years for commercial and 5 years for residential.) All permit applications and issued permit copies are retained in permanent files, separate from plans/drawings, and are not included in this request.*

Mayor Harris stressed the importance of maintaining the City's historical records (building plans).

Motion made by Alderman Winings to approve the disposal of records as listed in the Board report. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO APPROVE THE APPOINTMENTS OF CERTAIN BOARD OF DIRECTORS TO THE 25 NORTH CENTRAL COMMUNITY IMPROVEMENT DISTRICT (CID)

City Manager Gipson reports that on June 9, 2015 the City of Clayton created the 25 North Central Community Improvement District (CID) for the property located at 25 N. Central Avenue, now operating as The Ceylon. The CID imposes an additional 1% sales tax on restaurant and other retail sales. The CID uses the revenues from the sales tax and special assessment to reimburse the Developer for certain eligible redevelopment costs totaling \$1,500,000.

The CID is governed by a five-member board of directors appointed by the Mayor with the consent of the Board of Aldermen. Only registered voters residing within the CID and the authorized representatives of property owners within the CID may be appointed to the Board of Directors. In this case, the Developer is the sole property owner within the CID. The CID is requesting that Ryan Bumb be reappointed, term expires July 8, 2023 and that Nicholas Van Sciever is appointed (replacing Mark Winschel), term expires July 8, 2023.

Alderman Winings introduced Bill No. 6781, an ordinance to approve the Board of Director appointments to the 25 N. Central Avenue CID to be read by title for the first time. Alderman Boulton seconded.

City Attorney O'Keefe reads Bill No. 6781, first reading, an Ordinance of the City of Clayton, Missouri, Approving the Appointment of Certain Successor Directors to the Board of Directors for the 25 North Central Community Improvement District 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. 6781 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Winings introduced Bill No. 6781, an ordinance to approve the Board of Director appointments to the 25 N. Central Avenue CID to be read by title for the second time. Alderman Boulton seconded.

City Attorney O’Keefe reads Bill No. 6781, second reading, an Ordinance of the City of Clayton, Missouri, Approving the Appointment of Certain Successor Directors to the Board of Directors for the 25 North Central Community Improvement District by title only.

The motion passed on a roll call vote: Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6642 of the City of Clayton.

Other

Alderman Winings reported on the following:

- CRSWC – The Center renovation project is continuing to move forward; The Center is scheduled to close during spring break; anticipated completion is May 15; attendance at the Center is down due to the construction; staff is working on new marketing to increase membership.

Alderman Boulton reported that Alderman Lintz is doing well.

Alderman Berkowitz reported on the following:

- CCF Major Gifts met today; discussed commitment of donations/gifts.
- Great reception for City Manager Gipson.

Alderman McAndrew reported on the following:

- CCF Board of Directors - welcomed several new members; presentation of audit.
- Maryland Heights Community Center shooting - Chief Smith commented that it was a work-related event.

Alderman Buse stated that the reception for City Manager Gipson was great.

Mayor Harris reported on the following:

- CCF “All That Glitters” event is scheduled for February 28.
- Kudos on the reception for City Manager Gipson.
- Donations/gifts have been firmed up for the Shaw Park All-Season facility.

City Manager Gipson expressed his thanks and appreciation for the reception held last week.

There being no further business the meeting adjourned at 7:30 p.m.

Mayor

ATTEST:

City Clerk