

THE CITY OF CLAYTON

Board of Aldermen  
Virtual Zoom Meeting – 1<sup>st</sup> meeting  
June 23, 2020  
7:00 p.m.

Minutes

**NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.**

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, Bridget McAndrew, and Susan Buse.

Mayor Harris  
City Manager Gipson  
City Attorney Karr

**Motion made by Alderman Lintz to approve the May 26, 2020 minutes. Alderman Boulton seconded.**

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

PUBLIC REQUESTS AND PETITIONS

Mayor Harris read a statement: *“We have all witnessed the recent nationwide movement to examine monuments & other symbols of racism & oppression. We applaud St. Louis County’s recent announcement to do the same. Symbols of oppression & exclusion do not reflect the values of the Clayton community. We will be engaging in a study of our monument landscape & commit to making the changes that our community wants. This effort will require research & sometimes collaboration with neighboring cities, and we have some tremendous partners to help us—including Gwen Moore from the Missouri History Museum. Gwen was the lead content curator for the #1 in Civil Rights exhibit and can bring her valuable expertise to our efforts. We look forward to engaging in this work with our community, our Community Equity Commission, & our partners--making changes for the better.”*

A MOTION TO CONSIDER APPROVING A LIQUOR LICENSE FOR GUCKENHEIMER SERVICES, LLC D.B.A. CENTENE SUMMIT BISTRO TOWER C AT 7676 FORSYTH BOULEVARD

City Manager Gipson reported that Guckenheimer Services, LLC d.b.a. Centene Summit Bistro Tower C is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sundays, at 7676 Forsyth Boulevard.

Susan Pastoret, Guckenheimer Services, addressed the Board explaining that the liquor license is specifically for internal events, small group functions, serving beer and wine only. Summit Bistro is located on the 4<sup>th</sup> Floor of the Centene building at 7676 Forsyth Boulevard.

**Motion made by Alderman Winings to approve a liquor license for Guckenheimer Services, LLC d/b/a Summit Bistro. Alderman Boulton seconded.**

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

**AN ORDINANCE TO CONSIDER APPROVING THE 2ND QUARTER AMENDMENT TO THE FISCAL YEAR 2020 BUDGET**

Janet Watson, Director of Finance, reported that last month staff presented a revised revenue and expenditure projections related to changes caused by the COVID-19 pandemic and related economic effects. While it is early in this health and economic crisis, staff presented projections of much reduced revenue. At that same meeting staff presented a list of reductions that will occur to offset a large portion of the reduced revenue. The proposed amendments consists of those changes, and one transfer between funds. Additional changes may occur in future budget amendments as more economic results are known. The proposed amendment is as summarized in the report to the Board.

**Alderman Winings introduced Bill No. 6801, to approve the 2<sup>nd</sup> Quarter FY2020 Budget amendment to be read for the first time by title only. Alderman Boulton seconded.**

**City Attorney O'Keefe reads Bill No. 6801, first reading, an Ordinance Amending the Fiscal Year 2020 Budget and Appropriating Funds Pursuant 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. 6801 on the day of its introduction. Alderman Boulton seconded.**

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

**Alderman Winings introduced Bill No. 6801, to approve the 2<sup>nd</sup> Quarter FY2020 Budget amendment to be read for the second time by title only. Alderman Boulton seconded.**

**City Attorney O'Keefe reads Bill No. 6801, second reading, an Ordinance Amending the Fiscal Year 2020 Budget and Appropriating Funds Pursuant 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 McAndrew – Aye; Alderman Buse – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6662 of the City of Clayton.**

**FISCAL YEAR 2020 2ND QUARTER FINANCIAL REPORT**

Interim City Manager Watson provided the Board with a summary of the 2nd Quarter Financial Report for Fiscal Year 2020 (FY20).

## MOTION – CERTIFICATION OF JUNE 2, 2020, MUNICIPAL ELECTION

City Manager Gipson reported that on June 2, 2020, a municipal election was held for the offices of Aldermen in Wards 1, 2, and 3. The results of the municipal election as certified by the Board of Election Commissioners of St. Louis County are as follows:

Ward I	Richard Lintz	315 votes
Ward II	Susan Bradley Buse	584 votes
Ward III	Dan Sokol	575 votes
	Andrew “Andy” Galakatos	275 votes
	Jeff Leonard	152 votes

Recommendation is to adopt a motion to accept the canvassed and certified results of the June 2, 2020 municipal election.

**Motion made by Alderman Winings to accept the certified election results of the June 2, 2020 election. Alderman Boulton seconded.**

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

### Other

Alderman Boulton stated, *“Mark, I have really enjoyed our last 8 years together. What a pleasure it has been to sit next to you and learn from you, especially in certain critical situations. Such as when certain unnamed (mostly because I still can’t remember who that very fit guy was), well known, athlete applied for a restaurant CUP. And I had no idea who he was.... After that evening, you seemed to truly realize my limited knowledge and understanding of sports and its terminology. And so often you translated for me these odd phrases and analogies. As a small expression of my appreciation of our time together, I have attempted to use your language to say my thanks. ‘Right off the bat’ I’d like to say that my favorite times we shared together typically occurred due to some controversy when we had to have ‘all hands on deck’. Not that we necessarily had to all ‘row in the same direction’ but we did need to ‘get our heads in the game’ and create a ‘game plan’. We constantly tried to do our best and not ‘punch below our weight’ although at times we did want to just ‘punt’. At many of these critical moments, you helped us determine whether we needed ‘a full court press’ or to ‘just carry the ball’. Your sage advice often kept us from ‘a wild goose chase’ and while sometimes it felt like the ‘table was staked’ against us we never completely ‘crashed and burned’. Your quick number crunching mind provided ‘ballpark figures’ to work with and your willingness to always ‘step up to the plate’ was greatly appreciated. You were always professional in your approach and even in heated discussions, never hit “below the belt”. As we analyzed complex real estate deals, you never ‘let your guard down’ and you were always looking for how we might get ‘blindsided’ with unintended consequence. And while a ‘win’ was always preferable, you had the ability to ‘roll with the punches’ while sometimes all we could do is ‘put some points on the board’. While many of our votes were ‘split decisions’ you were always a gentleman no matter which side you were on. And drinks at Muggs was a must after those situations so we could all ‘bury the hatchet’. ‘Across the board’ you were always one to ‘knuckle down’, never ‘playing fast and loose’ with the law. I am so glad you ‘threw your hat in the ring’ 9 years ago and as we come ‘down to the wire’ of your last few moments, overall your performance has ‘hands down’ been a ‘hole in one’. I am so proud to have had the opportunity to serve on the same team with you and will miss your steady presence and sage advice. All the best.”*

Alderman Lintz stated, *“Hey Mark, you know obviously there will be a recurrent stream of the quiet, steady persona that you’ve always portrayed amongst the Board and I think it started for me back around when I was a rookie on the team and I asked to meet you for coffee at Panera one morning; and you graciously agreed to meet; I basically said ‘what am I doing here?’ and you saying, ‘you know, it’s not that hard’ and you kind of gave me a pep talk and I remember that every meeting since then and appreciated it. I also appreciated very much the time you put in knowing that you’re a lawyer in a big law firm and you got a lot of pressure; the fact that you were willing to give your time so freely to the city, to us as individuals was very admirable, so I appreciate that also. And finally, as I think Joanne mentioned, there’s always a bit of, I guess you were the ‘wise old soul’, you were quiet, but when you spoke it was something worth saying and something we all listened too, perhaps we did not all vote the same, I can’t think of a time that I ever thought that you were wrong in what you said, there was always truth, always meaning, and something rationale in everything you said. Really going to miss you and on the other hand good luck with your free time and enjoy it.”*

Alderman Berkowitz stated, *“Alright Mark, you know this is one of those times when it’s very rare, you’ve already been married and people have toasted you and I don’t think there’s going to be another opportunity for you to sit and listen to your colleagues who’ve know you for a long time and have to sit and hear what we all have to say, I assume mostly good and so far it has been – all good – so enjoy it. I honestly didn’t know that we were going to accept the results of the last election, I actually thought we were going to reject those so that we could have you for another three years, but apparently nobody thought of that, but now you hold the most consecutive time on the Board – congratulations for that. . I’m glad that you were able to put in these nine years and two months. I was remembering a time, Mark, which I think you must remember it as well, it was about 3.5 years ago, you gave me a start, you actually told me you weren’t sure you were going to run again, this was I guess in sometime probably October, November of the preceding three years that you’ve just put in and you were serious when you said that you may not run again and I was, I couldn’t believe that you would consider that and I couldn’t believe that I’d be on a Board without you the next three years, so I’m really, really thrilled that you took it and went ahead with the effort and the campaign – it worked out and it paid off. I think the city has been, I know the city has been incredibly lucky to have you these past years, we’ve had some big deals, and big issues and you come across every time with your judgment, and as Rich said, with your ability to consider the unintended consequences, your analytical thinking, you’re always thinking – I hope that’s the case because you don’t talk a lot, so I assume you’re thinking in between those times. Your congeniality – we have always gotten along incredibly well, and I think mostly not because of me, but because of you. you don’t “hit below the belt” like Joanne said – I think she’s absolutely right about that; you’ve been a great Board member, for that reason I think some of us get a little carried away and a little emotional, and you were always there to ‘just steady the ship’ come out with what you think and go forward and your judgment, as Rich said, you’re never wrong, you’ve never been wrong and I really appreciate that. I am going to miss having you on the Board more than you know and I’ll especially miss you on those days when we issue those proclamations for Earth Day (Hour). Seriously, I hope everything goes well, your timing is impeccable, your kids are going on off to college and you don’t have to worry about seeing them on Tuesday nights, good luck to you and I hope all goes well in the future.*

Alderman McAndrew stated, *“Mark, first and foremost I’m just so grateful that I’ve had the opportunity to serve Clayton with you. You’ve really been a tremendous mentor to me in the last couple of years. As I move forward I know that I’ll think back on some of the emails that you’ve sent to residents and think how would Mark have said it and can I go back to old emails and like*

*copy and paste what he said. But your thoughtful and just reason responses were so welcomed as such a good way for me to start my time as alderperson. I really thoroughly enjoyed serving together at our neighborhood meetings because I always knew that you'd figure out what to say to those hard questions and the best way to say it. I also really enjoyed our breakfast meetings, our coffees, our phone discussions; if I had questions or I was just having trouble working through my decision making in the last couple of years, you really were the best person to talk to about it and I will really miss that. Additionally, I just wanted to let you know, because we've really only served together for the last couple of years, but I also wanted to let you know that my entire neighborhood took a collective sigh of relief when you were on the Plan Commission and spoke first and loudest against the townhomes at the Maryland School - you gained many fans that night. I just wanted you to know like as a constituent more than two years ago that in nine years you have helped the city tremendously and that is just one example of one decision where you lifted up many and just made such an important decision and it meant a lot to a lot of people, so I just hope you remember that. Finally, you taught me how to campaign, I knocked on every registered voters' door in Ward 3 because when my family and I rented a house in Clayton gardens when we first moved here nearly almost ten years ago you and Rula knocked on the door and you both were so gracious and kind, like you just happened to know on the door, you were campaigning for your very first election. I always vote in elections; I was taught to vote so I voted for you because I met you when you knocked on the door and I'll just never forget that. In closing, I just hope that you have more time for yourself, I hope you have more time for walks with Rula, more time with your children, and dinners with friends, I hope you get out more to the lovely State of Wisconsin more often – it's so much better than Illinois and once this virus burns out I hope that you and Rula will save a dinner for Chris and I. Thank you so much for everything you've done for Clayton and thank you for being such a great teacher to me.*

*Alderman Buse stated, "Well Mark I have not been on this Board with you for very long, but I've known you these than nine years because both our boys were in second grade together. I do know that you're a phenomenal dad and they're phenomenal tennis players, because you encouraged that and supported that and we also during that time had our parallel board stories because I was on the school board and you were venturing in this and deciding on those things. But getting up to board service together now these last few months have to say that when you'd walk in with your hair looking trimmed I would say, 'oh, I just saw Jack, he must of taken his dad to the haircut'; when you'd sit at the table sometimes you'd do this shrug and I'd think Wil taught him that; most importantly Mark, you do say a lot of wise things, you stay very steady at the table and each time you do, I think, he bounced that off Rula. So, it's been a pleasure and I wish you luck, and we go on together to senior year. Thanks!"*

*Mayor Harris stated, "So Mark you came on the Board in 2011 and I had been on the Board for a few years at that point, it was great to have you. You were a huge contrast to your predecessor at that time, a welcome change up in terms of just the way you look at things. Obviously having different points of views on our Board is very important – that was awesome. You kind of calmly came in and took it all in stride, you have lived through three different mayors and I'm hoping that I'm your favorite, but you know, I'm not going to ask and you've served through so many ups and downs of this Board and the city – the recession back in 2008 and a very tough decisions that we had to make back then and then you went on to 'ride the wave' of commercial development and I wasn't always on the Board at that time, but I know you did a tremendous job and bringing your great skills to bear on every project that came your way and including your service on the ARB so the city owes you a lot for that. You've lived through eight retreats, I know that's one of your favorite parts of being on this Board, you won't have to go*

*through the ninth one – I don't know when we'll have that, but you've escaped it. Again, it's kind of all been said and I don't want to repeat everything, but I do want to say that as a new mayor I have really relied on you in your capacity as Mayor Pro Tempore, relied on your wisdom, your calm demeanor, your judgment, level-headedness, and your financial strengths are up there in terms of understanding all of these development deals and transactions that we've entered into over the years and that is valued by everyone. You've always been fully invested even though somehow you have a full-time job, you've got four kids and still you put it all out there whenever you are involved in a project – Charter Commission, ARB, or any project that you've committed to, you are all in and that is something that I really respect and admire. Again, has provided a great value to our city. I hope that you will really enjoy your 'retirement' but that you won't go too far away; you've may have noticed that others who have gone off of the board still give us plenty of advice. I think that you will now be the ninth or tenth alderman now and I value all of those interactions and pieces of advice that I get from people who've served on the Board previously. So, I hope you won't be shy about offering those up, and now you can say anything you want. So that's good – don't be a stranger I'm very honored to have served with you and I hope that we cross paths with you often in the days, weeks, months, and years to come.*

*City Manager Gipson stated, "It's been a short time here, 4.5 maybe 5 months in, but one of the first people that reached out was Mark to have dinner with him and Rula and I brought my wife out and that meant a lot to us, especially my wife coming into a new community where she really didn't know any body and I just thought that was great that you reached out. It was good conversation and really helped put her at ease with everything. But beyond that, our Monday calls, always great questions, a lot of insight, a lot of wisdom, and I appreciate all of it, although a short time, it was good and I'll be pretty close to you in Davis Place here within the next couple of days, so I'm sure I'll see you soon."*

*Alderman Winings stated, "First of all I got these flowers today from the City of Clayton and I think it's actually the first time that I've ever received flowers for any reason, so it's kinda nice—thank you. Thank you for all of your remarks tonight, I've had the honor of being an alderman for, as Ira said, nine years and two months, three mayors, Harris, Sanger, Goldstein, six of you (alderman) plus Berger, Lichtenfeld, Goodman, Maddox-Dallas, and Garnholz, hopefully I'm not forgetting anyone but I think that's the set – I thank them and I thank you all for your partnership and your friendship over these years. I would like to thank my Ward 3 aldermanic partners. A quick side story about 10 years ago that Alex Berger and Steve Lichtenfeld called me up to meet at Starbucks, I had no idea what it was for, thought maybe a complaint of my trash – a client dropped me off and I remember saying 'I don't know that they want to meet about' and he said 'oh, their politicians, they want money.' They sat me down and said they wanted to see if I was interested in running for alderman in Ward 3, Alex was retiring and the Ward 3 was going to be coming on and if I had any questions.' So I did, I had a lot of questions and I think my first question was, 'what is Ward 3?' because I was not familiar with the structure of the city government, so anyway I thought about it and ended up deciding to run. I want to thank our staff as well, this job is a lot easier when you can take for granted that certain things operate properly, former City Manager Craig Owens and now David Gipson I think we are very fortunate to have - just top-tier. One of the most important things we do as a Board is hire a city manager and I think we did a good job with that with having Craig those years and now with David. And on down the line, the whole line-up is strong, our department directors are all outstanding, June keeps everything running smoothly, Kevin O'Keefe and his partners always provides life counsel and good advice, which I've appreciated that over the years. Want to thank the residents of Ward 3 of course who trusted me with this responsibility. Whether or not they voted for me, they got me, if nothing else, put up with me for nine years. Finally, I want to thank my wife, of course, and my campaign manager, Rula, who put up with a lot of absences and thing over the years*

and who has been very supportive, and patient. Thinking about all of the meetings, she thought we only had one meeting a month and I was like no, it's three meetings a month, so it wasn't as bad as it seemed because she didn't miss me as much. Highlights that stood out to me over that last decade, these are not necessarily things that the Board of Aldermen had a huge hand in, but we were involved in in some way. The first of those was our excellent city services, I remember sitting in the Council Chambers when every other year when we had our resident citizen survey and just how excellent the results were for the City of Clayton and historically on how we've had just great service delivery, it's like the core thing we do and we as a Board have never really had to spend a lot of time talking about because we've had such a great staff that it kind of happens, so it's an important thing that we do, but we do not have to spend a lot of time on. Another thing that stands out is just the massive amount of new development in Clayton, particularly in our downtown, it's well over a billion dollars and it adds to the vibrancy of our downtown and it's part of the engine that keeps our city and school district humming along. Major projects that happened in the last few years include the new police station, Chapman Plaza in Shaw Park, and the Enterprise Pavilion in Shaw Park all of which has permanently changed the landscape of Clayton. A balanced budget, right up until very recently, until tonight I think, we've had a balanced budget ever since probably about my second year in office and if my term had ended when it was supposed to, two months ago, I would have been able to say how proud I was in having a balanced budget for eight straight years, but obviously these are historic times and so it's the way it goes, and fortunately we've been prudent fiscally and I think that leaves us in a best possible position going forward to deal with the crisis ahead of us. People scoff at this sometimes, but I also think that the city's communications with residents is at an all-time high. Because of our use of technology, I do not think there has ever been a time in the city's past where we did a better job or had more accessibility to the public. Finally, this is something that we don't have a direct role in, but I think the fact that we have such high property values here in Clayton, an historic high right now speaks well of the city and the school district. It's probably not polite to talk about, and we don't talk about it very much as a Board, but if Clayton was a corporation the property values would be like our share price and it reflects values, it reflects the desirability of living in this community and of course the outstanding school district that we have. At this point I will congratulate Dan. I've gotten to know Dan a little over the last few months leading up to this election, I know he'll be a great alderman, he brings a lot of skill and experience, and a new perspective to the Board. He's coming in at a difficult time, a challenging time as we saw tonight. It's going to be a lot of budget challenges over the next few months if not the next few years, which I think the city is well positioned to deal with those. You know in the short run sometimes things are bad, things can get broken down and in a short period of time you can look at things and think it got worse over the last few weeks. But I think with Clayton in the long run it's always upward, the trajectory is positive and I'm confident that things will continue to go well. As someone that is about to be a constituent of yours in the next few minutes I just wanted you to know that no pressure, but I do expect great things from the City of Clayton over the next decade. Of course, if I could ever be of any assistance to any of you, especially to you Dan, please do not hesitate to reach out. People over the last few months have frequently asked me if I'm happy or sad to be leaving the Board and you know, the answer is like, yes both at the same time. There will be parts of this job that I won't miss, I'm sure you guys can all relate, but for the most part it's been a great experience for me, it's been very positive, I've enjoyed our camaraderie, I've enjoyed serving this great city and our great residents, it's been an important part of my life, I've worked hard at it, met a lot of people, I've learned a lot, I've developed a deeper understanding of good government and I'll take that with me into my other endeavors. With all that said I will now turn the Ward 3 over to Dan Sokol.

**Motion made by Alderman Boulton to adjourn Sine Die. Alderman Lintz seconded.**

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

There being no further regular business the meeting adjourned at 8:10 p.m.

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Mayor

ATTEST:

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City Clerk

*Alderman Richard Lintz, Alderman Susan Buse, and Alderman Dan Sokol was sworn in by City Clerk June Frazier.*

THE CITY OF CLAYTON

Board of Aldermen  
Virtual Zoom Meeting – 2<sup>nd</sup> meeting  
June 23, 2020  
8:18 p.m.

Minutes

**NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.**

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

Aldermen: Joanne Boulton, Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, and Dan Sokol.

Mayor Harris  
City Manager Gipson  
City Attorney Karr

PUBLIC REQUESTS AND PETITIONS

None

DISCUSSION ON THE PARKLET PROJECT

Gary Carter, Director of Economic Development, provided a summary on the report (included in the Board packet) on the parklets.

In light of the recent financial challenges due to the COVID-19 crisis, the Board was in consensus for the City to move forward with the barricade idea for outside dining.

DISCUSSION ON THE FORSYTH BOULEVARD LANE CONFIGURATION ASSOCIATED WITH FORSYTH POINTE DEVELOPMENT

Matt Malick, Director of Public Works, provided the Board with an extensive summary of the Forsyth Boulevard Lane Configuration related to the Forsyth Pointe Development project. (included in the Board packet).

The following individuals were also in (virtual) attendance:

Lee Cannon, CBB, Transportation and Engineers.  
Scott Haley, U.S. Capital Development

Max Breitmayer, U.S. Capital Development  
Denny Holzer, Design & Facilities, Commerce Bank  
Dustin Reichman, Lochmueller Group

**Motion 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 Sokol seconded the motion.**

**The motion passed on a roll call vote: Alderman Boulton – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Sokol – Aye; and Mayor Harris – Aye.**

There being no further regular business the meeting adjourned at 10:50 p.m.

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Mayor

ATTEST:

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City Clerk