

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
*September 8, 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 of large gatherings 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:

The following individuals attended the meeting by videoconferencing at all times unless otherwise noted.

Aldermen: Joanne Boulton, Rich Lintz, Bridget McAndrew, Susan Buse, Dan Sokol, and Mayor Michelle Harris

City Manager David Gipson
City Attorney Stephanie Karr
City Clerk June Frazier

The following members were absent: Ira Berkowitz.

Motion made by Alderman Lintz to approve the August 25, 2020 minutes. Alderman Boulton seconded.

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

PUBLIC REQUESTS AND PETITIONS

Mayor Harris announced that the St. Louis Art Fair will be presented virtually, September 11-13 and encouraged everyone to “attend.”

A PUBLIC HEARING TO CONSIDER AN ORDINANCE SETTING THE TAX YEAR 2020 PROPERTY TAX LEVIES FOR FISCAL YEAR 2021 BUDGET – 1ST READING

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

Janet Watson, Director of Finance and Administrative Services, addressed the Board reporting that each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2020 was not a reassessment year therefore there was little change in continuing assessments. The City experienced significant commercial new construction growth, which increases assessed values, related to the remainder of the Centene development among other smaller projects. The City is allowed to receive additional revenue

up to the Consumer Price Index (CPI) which was 2.3% for this year, and for the value of the new construction. Per the Fiscal Year 2021 proposed budget plan, we are submitting the maximum allowable rates for your review.

As part of the property tax levy process, the Board will hold a public hearing to seek public input on the proposed tax rates.

Mayor Harris closed the public hearing.

Alderman Boulton introduced Bill No. 6804, an ordinance Setting the Property Tax Levies for Tax Year 2020 to be read for the first time by title only. Alderman Lintz seconded.

City Attorney Karr reads Bill No. 6804, first reading, an ordinance Levying and Establishing the Rate of Annual Taxes for General Municipal Purposes; Police Building Debt Service; General Obligation Debt Service; and Special Business District Purposes to be Collected by the City of Clayton, Missouri, for the Year 2020, Including Resetting Certain Tax Rates to the Voter-Approved Tax Rate Ceiling and Articulating Reasons for Doing So by title only.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING FOR AN ORDINANCE TO CONSIDER APPROVING THE PROPOSED FISCAL YEAR 2021 OPERATING AND CAPITAL IMPROVEMENTS BUDGET

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

City Manager Gipson reported that in August the Board of Aldermen received the City Manager's proposed FY2021 Operating and Capital Improvements Budget. As part of the budget process, the Board is required to hold a public hearing to seek public input prior to formal budget adoption.

The Board reviewed the proposed budget during a public meeting on August 21, 2020 and no changes were made to the budget submitted.

Staff believes the proposed budget maintains the level of services that have been expected by our residents and traditionally provided by the City. The Board has studied this proposed budget and the public has had opportunity for reviewing the budget document. The ordinance approving the Fiscal Year 2021 Operating and Capital Improvements Budget is presented for first reading.

In response to the Board's questions, City Manager Gipson stated that staff will make the budget presentation available on the City's website.

Mayor Harris closed the public hearing.

Alderman Boulton introduced Bill No. 6805, an ordinance to adopt the FY2021 Operating and Capital Improvement Budget to be read for the first time by title only. Alderman Lintz seconded.

City Attorney Karr reads Bill No. 6805, first reading, first reading, an ordinance Adopting an Annual Budget for Fiscal Year 2021 Commencing on October 1, 2020.

The motion passed unanimously on a voice vote.

MOTION TO CONSIDER SELECTING AN OPTION FOR THE FORSYTH POINT LANE CONFIGURATION

Matt Malick, Director of Public Works, reported that during the June 23rd and August 25th, 2020 Board of Alderman meetings, staff presented information from the project's traffic study, options for the lane configuration of Forsyth Blvd, as well as comments from the Developer.

Following the discussion on August 25th, staff revised the proposed plan and estimated the cost to restripe the roadway at a future date.

City staff proposes that the development construction establish the northern curb line and traffic signal infrastructure in a manner to allow future lane reconfiguration to be accomplished simply by restriping and avoiding the need for costly relocations of infrastructure. The roadway striping would currently remain in its current configuration and preserve parking on the north side at this time. The location of this northern curb line shall provide sufficient width on Forsyth to allow for future proposed lane reconfiguration improvements by restriping the roadway.

In addition, city staff proposes the establishment of an escrow to cover the restriping of the roadway, adjustment of traffic signal heads, and up to two future traffic health analyses to assist the city in determining if circumstances warrant the proposed lane reconfiguration and the elimination of on-street parking. The length of the escrow will be eight years from the date of occupancy.

The goal of the city's pavement management plan is to install a new surface treatment (mill and overlay or microsurfacing) on Forsyth every seven years. During any repaving, the roadway would be restriped and present an opportunity for revisions. Forsyth is currently scheduled to be repaved this year (2020) and the next proposed repaving would be in 2027. An eight-year escrow (from occupancy) would provide for an opportunity to revise the lanes approximately halfway to the following surface treatment scheduled for 2034. Considering current prices and a 1.5% annual inflation (2020 vs. 2030), we recommend escrowing \$56,000.

This escrow could be utilized by the City to make the roadway changes required to add the dedicated westbound Forsyth left turn lane at Brentwood and the eastbound Forsyth left turn lane in to the development. That change would also almost certainly require removal of the parking on the north side of this block at that time. Since this is city right-of-way, the determination to reconfigure the traffic/parking lanes shall be at the sole judgment and discretion of the city. The sorts of issues and criteria city staff anticipates considering when circumstances are reassessed and lane reconfiguration is being considered include:

1. Traffic Queues – If traffic queues are observed with some frequency to impact adjacent signalized intersections, data collection and analysis would be initiated. Escrowed funds could be used to conduct the analysis and, if warranted, make the proposed lane reconfiguration improvements.

2. Accidents – If reported traffic accidents increase in the block or signalized intersections at each end, the city could utilize the escrow funds to make the proposed lane reconfiguration improvements. In some cases this will require interpretation of the crash data, but staff anticipates that rear end crashes be generally, not be as significant as other collisions as they tend not to be indicative of

a traffic capacity issue.

3. Capacity issues observed on the traffic network by changes in patterns, future development, etc. that would require the lane reconfiguration improvements. Future developments in this area may need to be analyzed with and without the dedicated left turn lane on WB Forsyth at Brentwood. If it is found that the presence of the WB Forsyth left turn lane at Brentwood would result improved traffic flow and public safety, the city could utilize the escrow funds to make the proposed lane reconfiguration improvements.

Since existing traffic configuration will be in essentially the same state as current day, but experience heavier traffic flows, staff would recommend the developer fund a traffic signal optimization of the adjacent intersections upon 50% or greater occupancy. This would ensure the traffic generated by the development is accounted for in the signal timing. This estimated cost is \$4,000 and would be separate from the escrow mentioned above.

The final site plans and escrow agreement would be finalized between staff and the developer if this approach is acceptable to the Board.

Alderman Buse expressed, with regard to the traffic associated with this development, the importance of maintaining a pedestrian friendly and welcoming streets criteria.

Motion made by Alderman Boulton to accept the option for the Forsyth Pointe Lane Configuration as presented tonight. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

A RESOLUTION TO CONSIDER APPROVING THE FY2021 BUDGET FOR THE CENTER OF CLAYTON

Patty DeForrest, Director of Parks and Recreation, addressed the Board providing a PowerPoint presentation of the CRSWC FY2021 Budget.

Motion made by Alderman Boulton to approve Resolution No. 2020-12, adopting the FY2021 CRSWC Budget. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING THE 3RD QUARTER AMENDMENT TO THE FY2020 BUDGET

City Manager Gipson reported that as part of the quarterly budget review, staff is presenting for your consideration the third amendment to the Fiscal Year 2020 (FY20) budget. Previously the budget was amended for changes in revenue projections related to the pandemic and a list of reduction in expenditures was also approved at that time. This majority of this amendment adds the sale of the Forsyth/Brentwood parking lot and amends the budget to take out the planned bond issue for the ice rink in this fiscal year due to the delay in the project

Alderman Boulton introduced Bill No. 6806, to approve the FY2020 3rd Quarter Budget amendment to be read for the first time by title only. Alderman Lintz seconded.

City Attorney Karr reads Bill No. 6806, 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 Boulton that the Board give unanimous consent to consideration for adoption of Bill No. 6806 on the day of its introduction. Alderman Lintz seconded.

The motion passed unanimously on a voice vote.

Alderman Boulton introduced Bill No. 6806, to approve the FY2020 3rd Quarter Budget amendment to be read for the second time by title only. Alderman Lintz seconded.

City Attorney Karr reads Bill No. 6806, second reading, an Ordinance Amending the Fiscal Year 2020 Budget and Appropriating Funds Pursuant Thereto by title only.

FY2020 3RD QUARTER FINANCIAL REPORT

Janet Watson, Director of Finance and Administration, provided the Board with a summary of the report that was provided in the Board meeting packet.

DISCUSSION ON THE CLAYTON COMMUNITY FOUNDATION (CCF) REPRESENTATION ON THE COMMUNITY EQUITY COMMISSION (CEC)

City Manager Gipson provided a brief background stating that the discussion request came by way of a Board liaison to the CCF where it had been discussed.

Becky Patel, CCF member, addressed the Board stating that she had been attending the virtual CEC meetings and the CCF also discussed how the CEC is an important priority of the City and that they want to be supportive. The CCF raised the question if it should be a more formalized representation. She commented that the CEC is very transparent and open to public attendance.

Alderman Boulton added that Becky has been a CCF liaison for the Parks & Recreation Commission under the CCF “pillar” and recommended that the Board formalize (maintain) a CCF liaison on that Commission. Alderman McAndrew echoed the recommendation.

Mayor Harris commented that Parks & Recreation falls under CCF’s four pillars of its mission and it is a great idea to have them as an “ex-officio” representative on that Commission. However, the CEC does not fall under the CCF four pillars, therefore she feels that she does not want to “cross the line.”

The Board was in consensus to accept a CCF ex-officio for the Parks & Recreation Commission, but not for the CEC.

Other

Alderman Lintz reported:

- Plan Commission/ARB

- discussion with the PAAC on the murals; soon to come before the Board of Aldermen.

Alderman McAndrew expressed appreciation to the Parks & Recreation staff for the great work on handling visitors to the Shaw Park Aquatic Center – very well ran during the current COVID pandemic.

Alderman Buse reported:

- Sustainability Committee
- Maryland Park future
- CCF fundraising

Mayor Harris reported:

Motion made by Alderman Sokol 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 McAndrew seconded the motion.

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

There being no further regular business the meeting adjourned at 8:35 p.m.

Mayor

ATTEST:

City Clerk

**Notice for this meeting was given as required by law at 9:53 p.m. on Friday, September 4, 2020. Monday, September 7, was a holiday. When notice of this meeting was posted staff inadvertently forgot that Monday was a holiday. In accord with the provisions of Sec. 610.020.4, RSMo., there was good cause for holding the meeting on less than 24 hour notice exclusive of weekends and holidays when city hall was closed because two public hearings relating to setting the City's ad valorem tax rates and adopting the City's budget had been advertised and duly noticed well in advance of the meeting and it would have been a disservice to those who wished to be heard on those matters to cancel the meeting.*