

CITY OF FRONTENAC



MINUTES OF THE CITY OF FRONTENAC BOARD OF ALDERPERSON APRIL 16, 2019

The April 16, 2019 regular meeting of the Board of Alderpersons of the City of Frontenac was called to order at 7:37 p.m. with Mayor Margot Martin, presiding. The Alderpersons present were David Bray, Nalini Mahadevan, Brian Warner, Dan Kemper, Jamie Griesedieck and Tom O'Brien.

Also in attendance was City Administrator, Jaysen Christensen; City Clerk, Leesa Ross; City Attorney, Kevin O'Keefe; Police Chief, Mark Guttman; Fire Chief, Marc Ulses; Building Commissioner and Zoning Administrator, John Morgan; Public Works Director, Jeff Wappelhorst and Finance Officer, Lea Ann Bennett.

After the Pledge of Allegiance, Mayor Martin asked for a motion to approve tonight's agenda.

A. MOTION TO APPROVE AGENDA

Alderperson Warner asked to add a resolution to the agenda to censure Alderperson Bray for being an alderman, while selling his property to the library. He said he thought it was an impropriety and that it showed as a lack of transparency.

MOTION: Alderperson Warner motioned and Alderperson Griesedieck seconded to amend tonight's agenda.

POLL VOTE: Alderperson Mahadevan, "Aye"; Alderperson Warner, "Aye"; Alderperson Kemper, "Nay"; Alderperson Griesedieck, "Aye"; Alderperson O'Brien, "Nay"; Alderperson Bray, "Nay"; and Mayor Martin, "Aye". The motion passed by a vote of 4-3. **MOTION PASSED.**

Mr. O'Keefe stated this should be added to item #5 under new business.

B. PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS)

There were no comments by the audience.

C. CERTIFICATION OF ELECTION RESULTS

City Clerk Ross read the certified election results.

OFFICIAL ELECTION RESULTS - CITY OF FRONTENAC, ELECTION DATE, APRIL 2, 2019

Mayor

Kate Hatfield	443	50.28 percent of votes
Mike Schoedel	437	49.60 percent of votes

Aldersperson Ward 1

Dan Kemper	255	97.33 percent of votes
Invalid Write-In	7	2.67 percent of votes

Aldersperson Ward 2

Nalini Mahadevan	187	97.89 percent of votes
Invalid Write-In	6	3.11 percent of votes

Aldersperson Ward 3

Tom O'Brien	224	97.97 percent of votes
Invalid Write-In	7	3.03 percent of votes

The votes were certified by the St. Louis County Board of Election Commissioners on April 11, 2019.

D. VOTE TO APPROVE ELECTION RESULTS

Mayor Martin asked for a motion to approve the certified results of the April 2, 2019 municipal election.

MOTION: Aldersperson O'Brien motioned and Aldersperson Warner seconded to approve the certified election results from the April 2, 2019. All Alderspersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

E. SWEARING IN OF NEWLY ELECTED OFFICIALS

Ms. Ross swore in Mayor Kate Hatfield, Alderspersons Dan Kemper, Nalini Mahadevan and Tom O'Brien.

F. PRESENTATION TO OUTGOING ELECTED OFFICIALS

Aldersperson Warner presented Mayor Martin with a plaque of appreciate for her 15 years of service to the City of Frontenac. Mr. Christensen presented a picture to Mayor Martin and stated it would be hung in City Hall. Ms. Ross presented Mayor Martin with flowers.

Mayor Martin thanked everyone for their thoughtful and thanked the City staff members and departments.

Aldersperson Bray started he has moved out of the ward and is resigning his seat as Aldersperson Ward 3.

Mayor Hatfield took her seat on the dais.

G. ROLL CALL

Mayor Hatfield asked for a roll call.

Roll Call: Aldersperson Mahadevan, Aldersperson Warner, Aldersperson Kemper, Aldersperson Griesedieck, and Aldersperson O'Brien, all present.

Mayor Hatfield appointed Dan Millman as Aldersperson Ward 3.

MOTION: Aldersperson O'Brien motioned and Aldersperson Kemper seconded to approve the appointment of Dan Millman as Aldersperson Ward 3. All Alderspersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

Ms. Ross swore in Mr. Millman. He took his seat on the dais.

G. PRESENTATION TO OUTGOING ELECTED OFFICIALS

Mayor Hatfield presented Aldersperson David Bray with a plaque of appreciation for his work as Aldersperson for the City of Frontenac.

Mayor Hatfield swore in newly appointed Fire Chief, Marc Ulses. Marc's son Nick pinned his badge on him. Everyone applauded and congratulated Marc.

H. MAYOR'S COMMENTS, REPORTS, APPOINTMENTS

Mayor Hatfield stated she would like to appoint Andrea Niehoff as Municipal Judge; Keith Cheung as Prosecuting Attorney and Margaret Sherwood as City Treasurer.

Mayor Hatfield asked for a motion to approve these appointments.

MOTION: Aldersperson O'Brien motioned and Aldersperson Kemper seconded to approve Mayor Hatfield's appointments for municipal judge, prosecuting attorney and city treasurer. All Alderspersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

I. COMMENTS BY BOARD OF ALDERPERSON MEMBERS

There were no comments by the Board of Alderpersons.

J. REPORTS OF OFFICERS AND COMMITTEES AND APPROVED MINUTES

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|----|---|------------|
| 1. | Planning & Zoning Commission: | March 2019 |
| 2. | Ways & Means Committee: | March 2019 |
| 3. | Public Works Commission: | March 2019 |
| 4. | Building Commissioner
& Zoning Administrator | March 2019 |
| 5. | Financial Report | March 2019 |

Mayor Hatfield stated the above reports will stand as submitted.

K. CITY STAFF'S REPORT

1. City Clerk
2. Finance Officer
3. City Administrator

Ms. Ross had no report.

Ms. Bennett stated revenues out performed last year and are currently 3% over budget. She stated expenses are currently 1 ½% under budget year to date. She stated sales tax numbers are up as two large retailers who had previously not reported, reported twice in March. She stated this was a timing issue and stated revenues which were up 5.2% are currently up 6%.

Mr. Christensen stated the city had explored a walking trail from Malcolm Terrace Park in Creve Coeur to an area near Villa Duchesne. He stated he has heard from Frontenac residents who overwhelmingly rejected the idea due to privacy, crime and the fear their property values would decrease. Mr. Christensen stated the city is no longer exploring this possibility.

Mr. Christensen stated the city is exploring the possibility of changing the May meeting date to either Wednesday, May 29 or Thursday, May 30. He stated one reason is the budget must be approved by the end of May and it will give Ms. Bennett more time to for the budget presentation and also, Ms. Ross will be out of town attending a conference that week. The Board members stated either day was okay with them. Mr. Christensen stated the next Board of Alderpersons meeting will be set on Wednesday, May 29 at 7:00 p.m.

Mayor Hatfield asked that a budget meeting be set prior to May 29. Mr. Christensen stated we could set the meeting on Tuesday, May 21 at 5:00 p.m., as the Ways & Means Committee will approve the budget on May 14. Ms. Bennett stated she will email the budget to the Board on Friday, May 17

- L. CONSENT AGENDA:** Public Hearing, March 19, 2019
Regular Meeting, March 19, 2019
Warrant Lists, March 1 – March 31, 2019

Mayor Hatfield asked for a motion to approve the consent agenda.

MOTION: Alderperson O’Brien motioned and Alderperson Warner seconded the approval of the consent agenda.

ROLL CALL VOTE: Alderperson Warner, “Aye”; Alderperson Kemper, “Aye”; Alderperson Griesedieck, “Aye”; Alderperson O’Brien, “Aye”; Alderperson Millman, “Aye”; and Alderperson Mahadevan. All Alderpersons present voted “Aye.” The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

M. UNFINISHED BUSINESS

None

N. NEW BUSINESS:

1. **Bill No. 2019-1928:** An ordinance authorizing a conditional use permit to allow the Miriam Academy to locate at 11411 North Forty Drive and repealing prior permits for the property.

Ms. Ross gave the second reading of Bill No. 2019-1928.

Mayor Hatfield asked for a motion for a second reading.

Bill No. 2019-1928: An ordinance authorizing a conditional use permit to allow the Miriam Academy to locate at 11411 North Forty Drive and repealing prior permits for the property.

Alderperson Warner stated the traffic survey has many assumptions and stated they have no idea how the traffic will be.

Alderperson O’Brien stated Miriam has stated they will have up to 120 students and currently have 62, with a light staff. He stated he would prefer the previous proposal for the property of 11 homes.

Alderperson Millman asked who gets the final say on the approval. Alderperson O’Brien stated the city’s approval is contingent on approval by the Village of Westwood.

Mr. Brian Rensing of CBB was present and gave an overview of the traffic study. It was determined that the library’s traffic will impact the intersection, and that is an unknown, at this time. That was the largest concern of the Board of Alderpersons.

MOTION: Alderperson O’Brien motioned and Alderperson Kemper seconded approval of Bill No. 2019-1928.

Mayor Hatfield asked Ms. Ross for a poll vote.

ROLL CALL VOTE: Alderperson Warner, “Aye”; Alderperson Kemper “Aye”; Alderperson Griesedieck, “Aye”; Alderperson O’Brien, “Aye”; Alderperson Millman, “Aye”; and Alderperson Mahadevan, “Aye. The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

Bill No. 2019-1928 became Ordinance No. 2019-1882.

Mr. Russ Schaumburg of Spoede Road made comments regarding the traffic count and high density zoning.

2. **Bill No. 2019-1929:** An ordinance amending Chapter 150 of the Code of Ordinances of the City of Frontenac, Missouri to establish a video conference meeting policy.

Ms. Ross gave the first reading of Bill No. 2019-1929.

Mr. O’Keefe recommended only a first reading on this bill as more had to be determined on how to implement this policy, and the two-way audio and visual aspect of the bill. He said he will work on this and distribute an updated copy along with a red-lined version. Mr. O’Keefe stated he needed to clarify what happens if a signal is lost, and stated, that should not compromise a quorum. He stated he needed more detail if a video-feed is suspended, what happens in this instance.

This bill will be continued to the next meeting.

3. **Bill No. 2019-1930:** An ordinance amending Chapter 215 of the Frontenac Municipal Code of Ordinances to prohibit the supplemental feeding of deer and other wildlife.

Ms. Ross gave the first reading of Bill No. 2019-1990.

Mr. Christensen stated this will make it illegal to feed deer and wildlife. He said there are concerns of increased numbers of deer sightings, and he stated other neighboring cities, Des Peres, Creve Coeur, Town & Country and Ladue have already passed similar legislation. He said enforcement is a challenge but it will be used more as an educational tool.

Alderperson Griesedieck stated he had concerns about Section D, which mentions the storing of pet food in garages, etc. He said this is not specific enough. Mr. Christensen stated we can look at the bill more and pin some things down.

Former Mayor Martin stated she received a call from a resident that a neighbor deliberately feeds deer, which attracts more deer. Alderperson Griesedieck stated this bill needs to be looked at more before passage.

MOTION: Alderperson Griesedieck motioned and Alderperson Warner seconded to table Bill No. 2019-1930. All Alderpersons present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

4. Discussion of fiscal year 2019-2020 budget.

Mr. Christensen stated the Ways & Means Committee was tasked with looking into employee salaries and raising salaries to the 60th percentile. He stated he needs direction to determine if they should proceed and work on a recommendation for the Board of Alderpersons. He said he is looking for direction whether to provide a salary survey and the cost estimate.

The consensus of the Board of Alderpersons was to allow the Ways & Means Committee to move forward with this, and present a proposal to the Board of Alderpersons.

5. Censure of David Bray

Alderperson Warner motioned to move forward with a resolution to censure Mr. Bray for holding the position of alderman while selling his property to the library. Alderperson Warner stated I think he should have resigned. He said it created the appearance of impropriety and lack of transparency.

Mr. Bray stated Mr. Warner never mentioned he should resign. He said I did not do anything illegal and he stated he did not negotiate with the library. He said he spoke with Ms. Smith and she mentioned having employees break into three groups, and stagger their start times to help with traffic, and he said he asked them to give up part of Spoede Road to widen the road.

Alderperson Millman stated there was a letter from Mr. Bray which was sent to the residents. Alderperson Griesedieck stated he did not receive it.

Alderperson Warner stated Mr. Bray negotiated on behalf of the City with the library regarding Spoede Road.

Mayor Hatfield stated documents were received in the Sunshine Law Request. Alderperson Warner again stated Mr. Bray created the appearance of impropriety. He said selling property in such a pretentious location. Alderperson Warner stated he had a problem in January after the two men spoke at the meeting.

Alderperson Mahadevan stated to Mr. Bray, I think you should have resigned, and I told you this and she said, especially after you voted against all the density caused by the Senior Living Facility.

Mr. Schaumburg made comments and did not agree with Mr. Warner.

Mr. Tackes of Clayton Terrace stated he was in favor of the motion to censure Mr. Bray.

Mr. Johnson of Hermitage Hill stated he was against the motion to censure Mr. Bray.

Mayor Hatfield stated the motion died for a lack of a second.

Aldersperson Griesedieck stated he seconded the earlier motion because he agreed that Aldersperson Warner deserved to put this out to the public. He stated I wish Mr. Bray had resigned but I do not believe this issue should be a censure form the Board. He said the Board does need a code of conduct from some things that happened in the past.

Aldersperson Mahadevan stated the Board should be mindful of meetings with developers, as there is an appearance of improprieties. She stated should we be doing that? We do need a code of conduct.

Mr. Schaumburg made additional comments. Mayor Hatfield said everyone should read all the information and she stated Mr. Bray did disclose his sale to the City.

Ms. Chris Warner stated we did not know this was happening, and she said he should have recluse himself.

Mr. Chris Tompras asked Mr. Bray should recluse himself for what?

O. EXECUTIVE SESSION FOR R.S. MO 610.021 (12) CONTRACT NEGOTIATIONS

MOTION: Aldersperson Griesedieck motioned and Aldersperson Kemper seconded to go into executive session for R.S. MO 610.021 (12) Contract Negotiations.

ROLL CALL VOTE: Aldersperson Kemper, "Aye"; Aldersperson Griesedieck, "Aye"; Aldersperson O'Brien, "Aye"; Aldersperson Millman, "Aye"; Aldersperson Mahadevan, "Aye"; and Aldersperson Warner, "Aye". All Aldersperson present voted "Aye". The vote was unanimous. **MOTION PASSED by a vote of 6-0.**

P. ADJOURNMENT

Mayor Hatfield asked for a motion and second to adjourn the meeting.

MOTION: Aldersperson O'Brien motioned and Aldersperson Kemper seconded the meeting be adjourned. All Alderspersons present voted "Aye". The vote was unanimous. **MOTION PASSED.**

The meeting adjourned at 9:00 pm.