

**MONDAY, AUGUST 19, 2019, 7:00 P.M.**  
**BOARD OF ALDERMEN**  
**MINUTES**

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MAYOR MIKE WILCOX

ALDERMAN PAUL ROETTGER

ALDERMAN AARON NAUMAN

ALDERMAN TOM SCHOEMEHL

ALDERMAN BERRY LANE

ALDERMAN MIKE BAUGUS

ALDERMAN JOHN SCHUSTER

CITY ATTORNEY, JIM HETLAGE  
CITY ADMINISTRATOR, BEN DECLUE  
DEPUTY CITY CLERK, JOANNE CARR

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Wilcox

ROLL CALL

Present: Alderman Roettger, Alderman Lane, Alderman Schoemehl  
Alderman Nauman, Alderman Baugus

Absent: Alderman Schuster

PLEDGE OF ALLEGIANCE

Alderman Lane motioned to approve the tentative agenda. Alderman Schoemehl seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM AUGUST 5, 2019 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from August 5, 2019. Alderman Baugus moved approval of the minutes as submitted. Alderman Nauman seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

Mike Chellis, Resident, 933 Brownell

Mr. Chellis approached the Board of Aldermen with his opinion about the fire department and police department, noting the he just learned that negotiations tanked, and failed once again. Mr. Chellis stated the he was aa retired Firefighter Paramedic, noting that he had been out of the loop for three years. Mr. Chellis stated that upon the transition and the swearing in of the Mayor, there appeared to be a somber mood with the Board but noted that the Board was now revitalizing, ‘the light was coming on’. Mr. Chellis stated that there had been a disconnect in the past, noting that he would like to help and be a voice, adding that if the Board did not mind, he would come to future meetings.

Mayor Wilcox noted that he was not supposed to comment but wanted to say that on all contract negotiations there are highs and lows, and the people working on negotiations were not discouraged and continue to work towards an agreement. Mayor Wilcox thanked Mr. Chellis for his comments.

#### TREASURER'S REPORT – JULY 2019

Mr. DeClue reported that Mr. Lawrence asked that the Board note that utility taxes are down due the temperate spring and early summer which hurt the City which accounts for the revenue figures this period. Mr. DeClue also noted that Workers' Compensation increase which explained that variance year to year.

#### RESOLUTIONS

R26-19            A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL COOPERATIVE AGREEMENT WITH ST. LOUIS COUNTY WHICH INCORPORATES CONSOLIDATED PLAN OF ST. LOUIS COUNTY AND SETS FORTH THE TERMS AND CONDITIONS FOR CONTINUED PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS ADMINISTERED THROUGH ST. LOUIS COUNTY

Alderman Lane moved approval of the reading of Resolution R26-19. Alderman Nauman seconded the motion.

Mr. DeClue reported that St. Louis County required Municipalities to pass this ordinance every few years, adding that the CDBG provides allocation to the City of \$20,000, with a maximum of \$5,000 in grant money offered to seniors for home loans. Mr. DeClue noted that if anyone knew of a neighbor on a fixed income who needed some type of home repairs, let them know there is a way forward.

There being no additional discussion or questions, Mayor Wilcox called for a vote which was approved unanimously.

R27-19            A RESOLUTION AUTHORIZING A CONTRACT WITH BYRNES AND JONES CONSTRUCTION FOR CONCRETE CURB AND GUTTER REPLACEMENTS ON STREETS WITHIN THE CITY OF GLENDALE

Alderman Roettger moved approval of the reading of Resolution R27-19. Alderman Baugus seconded the motion.

Mr. DeClue stated that one bid was received following a resubmittal from Byrnes and Jones, noting as discussed at the last Board meeting, the City would forgo the Austin street project for another year, add those funds to this project, and look at the next budget year for the Austin

improvement. Mr. DeClue stated that the attached memo from Mr. Jones noted the streets to be re-curbed.

Mayor Wilcox asked about the time frame for the project.

Mr. DeClue stated that there was a September 13 deadline.

There being no additional discussion or questions, Mayor Wilcox called for a vote which was approved unanimously.

R28-19            A RESOLUTION AUTHORIZING A CONTRACT WITH  
CARGILL INC FOR THE PURCHASE OF ROCK SALT FOR  
FISCAL YEAR 2020

Alderman Roettger moved approval of the reading of Resolution R28-19. Alderman Baugus seconded the motion.

Mr. DeClue reported that this resolution approved a contract with Cargil for a secondary salt supply, in addition to the Chesterfield Rock Salt Consortium. Mr. DeClue stated that this bid from Cargil was \$83.00 per ton, \$5.00 cheaper than last year. Mr. DeClue stated that it was recommended that the Board move forward with resolution.

Mr. Jones reported that this salt supply was for emergency purposes only, adding that the City was not responsible for payment unless it used the salt.

Mayor Wilcox asked if Warson Woods was included in this agreement. Mr. Jones stated that Warson Woods had their own salt which was sold to them out of the consortium supply, adding that this salt was not available to them.

There being no additional discussion or questions, Mayor Wilcox called for a vote which was approved unanimously.

ORDINANCE REQUIRING SECOND READING AND FINAL ADOPTION

B14-19            AN ORDINANCE APPROVING THE SUBDIVISION OF  
GLENDALE LOT 17 WARWICK SUBDIVISION INTO TWO  
LOTS AND AUTHORIZING THE EXECUTION OF THE  
WARWICK PLACE PLAT TWO PLAT

Alderman Lane moved approval of the reading of Ordinance B14-19. Alderman Nauman seconded the motion.

Mr. DeClue reported this is an ordinance would allow the subdivision of 830 Warwick from one lot to two lots and had been approved earlier by the Plan Commission and two hearings, one for preliminary approval and the second for final approval. Mr. DeClue noted that the Board of Aldermen had approved the subdivision with a first reading at the last Board meeting.

Mr. DeClue stated that the subdivision would create two lots of enough size per the zoning code and noted that the applicants were available for any additional questions.

Mayor Wilcox asked for a vote on second reading which was passed unanimously.

Mr. DeClue read the ordinance by caption only.

Alderman Baugus moved approval of the final approval of Ordinance B14-19. Alderman Lane seconded the motion.

There being no additional discussion or questions, Mayor Wilcox called for a vote:

Ayes: Alderman Lane, Alderman Baugus, Alderman Roettger, Alderman Schuster,  
Alderman Nauman, Alderman Schoemehl

Nays: None

Not Present: Alderman Schuster

The ordinance was approved

#### ORDINANCE REQUIRING FIRST READING

#### PUBLIC HEARING: ZONING CODE CHANGE TO ALLOW FOR THE BOARD OF ADJUSTMENT TO HEAR USE VARIANCES

The public hearing opened at 7:20 pm.

Mr. DeClue reported that this ordinance would formalize rules and regulations allowing an Area Variance and a Use Variance by code to be heard by the Board of Adjustment should a request be submitted for review. Mr. DeClue stated that Missouri State law allows both types of variance requests and case law allows such appeals. Mr. DeClue added that the Glendale code was silent on the matter, and following a request made by a resident, it was decided that Mr. Hetlage would write standards following other Cities' codes to be added to the Glendale code.

Mr. DeClue noted that area matters could be appealed, and with this ordinance, use variances could be heard as well, adding again that State Law allowed this code as governing principles.

Mr. Hetlage added, as stated by Mr. DeClue, in zoning law, the concept of a use variance was recognized, and since all properties in Glendale are considered unique, with this ordinance, a property owner would have some recourse, if unsatisfied, they could appeal to the courts. Mr. Hetlage added that this zoning change leads to the next ordinance, adding that Mr. DeClue and I recommend approval.

Alderman Roettger asked if the City had ever had a situation where someone needed a use variance.

Mr. Hetlage stated that generally a Special Use Permit was requested for Use, adding that this zoning change would not be for a particular use but a zoning code change.

Public hearing closed at 7:25

B15-19 AN ORDINANCE AMENDING SECTION 400.940 OF THE MUNICIPAL CODE OF THE CITY OF GLENDALE, MISSOURI, TO PROVIDE A PROCEDURE FOR THE BOARD OF ADJUSTMENT TO CONSIDER USE VARIANCES

Alderman Lane moved approval of the first reading of Ordinance B15-19 by caption only. Alderman Roettger seconded the motion.

Mr. DeClue stated that the report was given during the public hearing.

There being no additional discussion or questions, Mayor Wilcox called for a voice vote which was unanimously approved.

Mr. DeClue read the ordinance by caption only.

Mayor Wilcox tabled the ordinance for the next meeting.

PUBLIC HEARING: ZONING CODE CHANGE TO ALLOW FOR ACCESSORY BUILDINGS TO BE USED FOR HOME OCCUPATIONS BY SPECIAL USE PERMIT

Public hearing opened at 7:26 pm.

Mr. DeClue reported that this ordinance request came about related to the use variance noted earlier. Mr. DeClue stated that several developers and contractors asked about renovating a garage for a home business use, and it was found that the code did not allow home office use of a detached garage; however, the code was silent regarding attached garages, adding that if a resident wanted to open their business in their attached garage, they could do so. Mr. DeClue stated that with a Special Use Permit, the City can work with homeowners, and include specific exclusions so that as an example, a manufacturing could not run a business in a detached garage. Mr. DeClue stated that the purpose would be to allow a service-based business to operate out of their detached garage with a special use permit in place and would not include residency in a detached garage.

Alderman Roettger asked about the difference between a detached structure or an attached structure in this case.

Mr. DeClue stated that the code does not allow a home business in a detached but was not disallowed in an attached structure such as an attached garage, adding that this ordinance would allow for incidental use for a home occupation, subject to special use permit which would consider the same factors such as increased traffic hazards, affecting character of the neighborhood, and would prohibit signs as well.

Alderman Roettger asked if there was an applicant now.

Mr. DeClue stated there was not applicant at this time, but noting that with the passage of this ordinance, the Board may anticipate a request for a special use permit.

Alderman Roettger asked if residents could speak at that time.

Mr. DeClue stated that they could, and Alderman Schoemehl noted that residents could speak at this time as well.

Ms. Cindy Finney, 725 W. Lockwood,

Ms. Finney stated that she was definitely in favor of this ordinance, noting that she ran a business in her home for 20 years, and with a move to a new home with a flooding basement, would like to use her garage for the same business. Ms. Finney noted that it would be a fair thing to approve adding that it would be allowed in a detached garage.

Alderman Nauman stated that he was aware of conditions, and saw no barriers involved.

Ms. Finney stated that at the old location, they used street parking but added that parking would be better at the new location. Ms. Finney added that she did not foresee any problems and thought that her business would be the first to show the ordinance was beneficial to the residence of the City.

Ms. Trish Goldberg, 273 Parkland

Ms. Goldberg stated that there were other businesses in Glendale utilizing detached structures for business such as Sappington Rd., Kirkham Ave. and Brownell which was an accounting firm for years, adding that Ms. Finney's business would not set a precedent.

Ms. Kelly Childs, 941 Kirkham Ave.

Ms. Childs stated that she had been a client of Ms. Finney's, met wonderful people, made great connections and was in favor of the ordinance.

Mr. John Troy, 705 N. Sappington

Mr. Troy stated that he was in favor of changing the ordinance for all the reasons Ms. Finney mentioned.

Margie Beggs-Irwin, 18 Cheyenne Ct.

Ms. Beggs stated that she was in favor of this ordinance and added that as society was changing it seemed people were moving their business home on a case by case basis.

Ms. Sue Shumante, 51 Cheyenne Ct.

Ms. Shumante stated that the current statute was confusing, noting that there were statutes for good reason but did not see a threat in this ordinance and hoped that the barrier was removed.

Julie Redmond, 198 Cornelia Ave.

Ms. Redmond stated that she had been a neighbor to Ms. Finney before Ms. Finney moved to W. Lockwood, never had an issue with the business next door, and didn't foresee it a problem with the business in a garage.

Public hearing closed at 7:40 pm

B16-19        AN ORDINANCE AMENDING SECTION 400.120 OF THE MUNICIPAL CODE OF THE CITY OF GLENDALE, MISSOURI, TO ALLOW FOR ACCESSORY BUILDINGS TO BE USED FOR HOME OCCUPATIONS BY SPECIAL USE PERMIT

Alderman Lane moved approval of the first reading of Ordinance B16-19 by caption only. Alderman Baugus seconded the motion.

Mr. DeClue stated that the report was given during the public hearing.

There being no additional discussion or questions, Mayor Wilcox called for a voice vote which was unanimously approved.

Mr. DeClue read the ordinance by caption only.

Mayor Wilcox tabled the ordinance for the next meeting

Mr. Hetlage stated that following the approval of this ordinance, an applicant could submit a request for a special use permit, and it could be placed on the September 3<sup>rd</sup> agenda.

#### DISCUSSION ITEM: EXTERNAL COMMUNICATIONS ANTENNA PURCHASE FOR FIRE HOUSE

Chief VanGaasbeek reported to the Board that the fire department had some issues with sound quality with the firehouse sound system. Chief VanGaasbeek stated that the department needed an exterior antenna to create a better signal between the firehouse and the police department to correct sound issues during communication, adding that regardless of the dispatching decision, the fire department needed the antenna.

Chief VanGaasbeek reported that tones or voices did not come in clearly, and by wiring the system to the exterior would make the sound better. Chief VanGaasbeek noted that the cost would come from the CIP budget, with a total cost of \$5,000.00, including a \$1,500.00 labor charge.

Alderman Schoemehl asked if this was new technology, could the system be returned if it did not solve the problem.

Chief VanGaasbeek stated that it was not new technology, and the equipment could be returned, but with installation, there would be a gap created which would need to be repaired. Chief VanGaasbeek stated that the department tried to trace down the problem but could not determine the cause adding that this antenna would be the last attempt to fix this problem

Mayor Wilcox asked how the department knows this will work.

Chief VanGaasbeek stated that direct access to the box should work, adding that Mr. DeClue had been present when technicians were onsite, noting that this antenna would be infinitely preferable. Chief VanGaasbeek noted that Wireless USA did trouble shooting, and this antenna was their recommendation.

Alderman Nauman asked if the City could receive a guarantee from Wireless USA and hoped that the system came with a warranty.

Alderman Schoemehl stated that the Board would like to see a guarantee, noting that it was important to discuss this issue, adding that the Board supports the addition of an antenna but wants to be sure the system works for the fire and police departments. Alderman Schoemehl added that Wireless USA did many things for the City and felt that the system would work but added that the Board wanted a guarantee of restitution if it failed.

Chief VanGaasbeek asked if the City receives a warrantee, does the Board agree to move forward.

Alderman Roettger stated that it would be the least Wireless USA could do considering they installed the original communication system that was not working well.

## REPORTS

### Ben DeClue

Mr. DeClue reminded the Board about the upcoming Ice Cream Social and Glendale Night Out on Friday, August 23<sup>rd</sup>, noting that last year's event was greatly attended and a good time. Mr. DeClue added that the Fire Department, Police Department and Abbot Ambulance would be attending again in addition to other local agencies and clubs.

**Joanne Carr**

None

**Alderman Roettger**

Alderman Roettger reported that the newest data from AON had been received and was reviewed and corrected by Mr. DeClue and Mr. Lawrence before the report was passed onto LAGERS. Alderman Roettger stated that LAGERS actuaries would take the data for review. Alderman Roettger stated that there would be two costs for consideration, one, the cost of freezing our current plan, and second, the cost for the new LAGERS plan noting that one could not run before the other. Alderman Roettger stated that if the Board went to the voters in April for a vote, the Prop P money may be used for different things. Alderman Roettger stated that the next step would be to go to the voters, adding that the Board needed to fix the Pension separately.

**Alderman Baugus**

None

**Alderman Lane**

None

**Alderman Schoemehl**

None

**Alderman Nauman**

None

**Alderman Schuster**

None

**Jim Hetlage**

None

**Mayor Wilcox**

Mayor Wilcox reported that he had been invited to the County office in Clayton on August 12<sup>th</sup> and met with Representative Lisa Clancy and County Executive Sam Page. The meeting was held for the Mayors from District 5. Mayor Wilcox stated that the Mayors were advised that the County wanted to be more transparent with the Municipalities and welcomed communication about local concerns, adding that it was a very good meeting.

Mayor Wilcox reported that he had lunch with the Kirkwood and Des Peres Chamber of Commerce and added that the Chamber would forward an invoice for reduced annual dues following a request a more social type membership.

**MISCELLANEOUS**

None

## EXECUTIVE SESSION

Alderman Lane moved to adjourn to Executive Session. Alderman Nauman seconded the motion. There being no further questions or discussion, Mayor Wilcox called for a vote:

Ayes: Alderman Roettger, Alderman Baugus, Alderman Nauman,  
Alderman Lane, Alderman Schuster, Alderman Schoemehl

Nays: None

Not Present

## ADJOURNMENT

Alderman Nauman moved to adjourn the meeting, seconded by Alderman Schoemehl. The motion was unanimously approved.

These minutes are approved as submitted this 3rd of September 2019.

Joanne Carr  
Deputy City Clerk