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Persons interested in making their views known on any matter on the agenda should send an email with their comments to the City Clerk at [jfrazier@claytonmo.gov](mailto:jfrazier@claytonmo.gov). All comments received will be distributed to the entire Board before the meeting.

**CITY OF CLAYTON BOARD OF ALDERMEN  
TUESDAY, SEPTEMBER 26, 2023  
NO DISCUSSION SESSION  
CITY HALL COUNCIL CHAMBERS, 2<sup>ND</sup>. FL  
10 N. BEMISTON AVENUE  
CLAYTON MO 63105**

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**CITY OF CLAYTON BOARD OF ALDERMEN  
TUESDAY, SEPTEMBER 26, 2023 – 7:00 P.M.  
CITY HALL COUNCIL CHAMBERS, 2<sup>ND</sup> FL  
10 N. BEMISTON AVENUE  
CLAYTON, MO 63105**

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**ROLL CALL**

**PUBLIC REQUESTS & PETITION**

**UNFINISHED BUSINESS**

1. Ordinance - Amending Article I Collection Service and Regulations and Article II Recycling of Chapter 235 Garbage and Trash of the Municipal Code. (Bill No. 6986.1)

**CITY MANAGER REPORT**

1. Ordinance - Property Tax Levies - Tax Year 2023 (FY 2024) – *2<sup>ND</sup> Reading* (Bill No. 6989.1)

\*\*\* General Municipal Purposes \*\*\*

\*\*\* Debt Levy General Obligation Bond Purposes\*\*\*

\*\*\* Police Building Debt Service\*\*\*

\*\*\* Special Business District \*\*\*

2. Ordinance – FY2024 Operating and Capital Improvement Budget – *2<sup>ND</sup> Reading* (Bill No. 6990)
3. Ordinance – Amend Chapter 340, by the addition of a new Section 340.300, prohibiting drivers from using handheld electronic communication devices. (Bill No. 6995)

## **CONSENT AGENDA**

1. Minutes – September 12, 2023
2. Resolution – FY2024 Clayton Recreation, Sports, and Wellness Commission (CRSWC) Budget for the Center of Clayton. (Res. No. 2023-31)
3. Resolution – Update to the Investment Policy (Res. No. 2023-32)
4. Motion - Boards and Commissions appointment.

## **ADJOURNMENT**

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021 (9)(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

*Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.*

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Amending Article I Collection Service and Regulations and Article II Recycling of Chapter 235  
Garbage and Trash of the Municipal Code. (Bill No. 6986.1)

**MATERIALS WILL BE UPLOADED TO THE AGENDA PACKET WHEN THE PROPOSED  
ORDINANCE IS COMPLETE AND AVAILABLE**



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
KAREN DILBER, DIRECTOR OF FINANCE  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** ORDINANCE - SETTING THE TAX YEAR 2023 PROPERTY TAX LEVIES  
FOR FISCAL YEAR 2024 BUDGET – *2<sup>ND</sup> READING*

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**UPDATE:**

We have received updated assessed value information from the County Assessor now that the Board of Equalization process is complete. The County advises that there may still be some changes in overall values due to new construction and further appeals. However, the County has said there will be no changes before October 1, which is the statutory deadline for the City to file our tax rates with the County Collector of Revenue. There is a statutory system in place to recoup lost revenue due to late changes in assessed value. We can address that process in 2024 if warranted.

In the meantime, we have updated our calculations accordingly. In general, the assessed values and commercial new construction decreased from the Board of Equalization process. The levies have been revised to reflect these values as shown redlined in the tables at the end of this memo. An amendment to the ordinance will be needed to accept these levy changes from the previous reading and a redlined version of the amended Bill is also attached for reference. A Motion: **TO AMEND BILL 6989 BY THE TEXT OF BILL 6989.1** (a copy of which is attached to this memo) would be in order before second reading of the Bill.

Each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2023 is a reassessment year and there were significant changes in residential and commercial assessed values. The City experienced significant new construction growth, increasing residential assessed values by over \$1.7 million and commercial assessed values by over \$33 million. Subject to the maximum voter-approved rate of tax levy, the City is allowed to receive additional revenue up to the lower of 5% or the Consumer Price Index (CPI) which was 6.5% for this year, and for the value of the new construction. Per the Fiscal Year 2024 proposed budget plan, we are submitting the maximum allowable rates for your review.

As part of the property tax levy process, the Board held a public hearing to seek public input on the proposed tax rates on September 12, 2023. Below, please find the proposed calendar year 2023 property tax levy recommendations for Budget Year 2024.

The property tax levy process is somewhat complex in that as assessments increase the City is not allowed to gain any more revenue. Therefore, the maximum tax rates we are allowed to levy

actually go down, or “roll back,” to generate no more revenue than the past year. The only ability to gain revenue is through growth in the CPI and new construction as mentioned above, and sometimes a small amount through recoupment of taxes explained below.

We have added small amounts of additional tax revenue in recent years through a recoupment process due to the revenue the City lost through successful property assessment protests over the past few years, but which were resolved in the last twelve months. In each year, the City is allowed to “recoup” the lost revenue which was due to assessed valuation reduction through protests adjudicated by the Missouri State Tax Commission after the City’s higher (pre-protest) assessed value had been used to calculate the permissible tax rate in prior years. The City is allowed to perform rate calculations in an effort to increase our levies to generate the revenue lost from having used a now incorrect total assessed value. This recoupment process is the only method for the City to attempt to receive the revenue it should have received had prior rates been calculated on the basis of the correct total assessed value.

This availability of recoupment fluctuates from year to year and this year has no effect on tax rates. Thus, the City’s maximum levies this year are projected to generate the amount of revenue from the previous year, plus CPI (capped at 5%) and revenue related to the new construction.

The calculation of assessment changes, growth, cost of living adjustments, etc. results in an annually re-calculated tax rate ceiling for various rate categories. This ceiling can only be at or below the voter-approved maximum authorized levy for each rate. The 2023 tax ceilings remained the same or decreased for all levies.

A recent court decision, not involving the City of Clayton, caused the Police Building debt service levies to decrease slightly beginning with 2021 rates.

**City General Fund and Debt Service**

The assessments on which the General Fund, Police Building Debt Service and General Obligation Debt Service levies are applied increased 7.8% for residential property and 13.2% for commercial property due to reassessment and new construction and decreased 1% for personal property. The 2023 proposed tax rates for these levies are at the tax ceilings. The General Fund tax levy, which may be used for any general purpose, is projected to generate approximately \$7.5 million, or approximately \$545,000 more than last year due to reassessment and new construction.

The City has two levies to support debt service. The first levy supports debt service of the police building. The second levy supports a general obligation bond approved by the voters in 2014 and refinanced in 2022 which was used for neighborhood street resurfacing, street lighting and alley improvements. These levies will generate approximately \$1.3 million and \$922,500, respectively.

Historical rates and the rates proposed to be levied for the 2023 calendar year (Fiscal Year 2024 budget year) are presented below. All rates are per \$100 of assessed valuation.

Property Category	2020 Tax Rate	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate First Reading	2023 Tax Rate Final	2023 Rate Compared to 2022 Rate
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General Revenue						
Residential	\$0.520	\$0.497	\$0.498	<del>\$0.488</del>	<b>\$0.490</b>	\$0.008 Decrease
Commercial	\$0.610	\$0.610	\$0.622	<del>\$0.545</del>	<b>\$0.618</b>	\$0.004 Decrease
Personal	\$0.707	\$0.707	\$0.707	<del>\$0.707</del>	<b>\$0.707</b>	No Change
General Obligation Debt Service						
Residential	\$0.077	\$0.080	\$0.068	<del>\$0.065</del>	<b>\$0.068</b>	No Change
Commercial	\$0.077	\$0.080	\$0.068	<del>\$0.065</del>	<b>\$0.068</b>	No Change
Personal	\$0.077	\$0.080	\$0.068	<del>\$0.065</del>	<b>\$0.068</b>	No Change
Police Building Debt Service						
Residential	\$0.102	\$0.091	\$0.091	<del>\$0.089</del>	<b>\$0.090</b>	\$0.001 Decrease
Commercial	\$0.107	\$0.100	\$0.102	<del>\$0.090</del>	<b>\$0.101</b>	\$0.001 Decrease
Personal	\$0.122	\$0.120	\$0.120	<del>\$0.120</del>	<b>\$0.120</b>	No Change

The schedule below provides the total rate, including the debt levies, for residential, commercial and personal property.

Property Category	2020 Tax Rate	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate First Reading	2023 Tax Rate Final	2023 Rate Compared to 2022 Rate
Residential	\$0.699	\$0.668	\$0.657	<del>\$0.642</del>	<b>\$0.648</b>	\$0.009 Decrease
Commercial	\$0.794	\$0.790	\$0.792	<del>\$0.700</del>	<b>\$0.787</b>	\$0.005 Decrease
Personal	\$0.906	\$0.907	\$0.895	<del>\$0.892</del>	<b>\$0.895</b>	No Change

For a home valued at \$700,000, it is expected that the homeowner would pay approximately \$862 in property taxes for the City of Clayton portion only. Based on last year's rate, the same homeowner would pay \$12 less than last year to the City, assuming the assessed value remained the same.

### **Special Business District**

The assessments on properties on which the Special Business District levies a tax decreased 0.2% for residential and increased 14.3% for commercial properties due to reassessment and a large amount of commercial new construction. The 2023 proposed tax rates are at the tax ceiling. The 2023 Special Business District tax levy for the Fiscal Year 2024 budget is projected to generate nearly \$588,000 which is approximately \$60,000 more than last year. Historical rates and the rates proposed to be levied for the 2023 calendar year (Fiscal Year 2024 budget year) are shown below and are per \$100 of assessed valuation:

Property Category	2020 Tax Rate	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate First Reading	2023 Tax Rate Final	2023 Rate Compared to 2022 Rate
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Residential	\$0.084	\$0.079	\$0.082	<del>\$0.085</del>	<b>\$0.082</b>	No Change
Commercial	\$0.115	\$0.116	\$0.117	<del>\$0.102</del>	<b>\$0.116</b>	\$0.001 Decrease

A commercial property located in the Special Business District assessed at \$2 million would pay approximately \$742 in property taxes for the Special Business District portion only. Based on last year's rate, the same commercial property would pay \$6 less than last year, assuming the assessed value of the property remained the same.

The following table lists the total tax rates from the City and the Special Business District for properties in the Special Business District only.

Property Category	2020 Tax Rate	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate First Reading	2023 Tax Rate Final	2023 Rate Compared to 2022 Rate
Residential	\$0.783	\$0.747	\$0.739	<del>\$0.727</del>	<b>\$0.730</b>	\$0.009 Decrease
Commercial	\$0.909	\$0.906	\$0.909	<del>\$0.802</del>	<b>\$0.903</b>	\$0.006 Decrease

**Recommended Action:** To amend the ordinance to the revised levies, and then have a second and final reading of an ordinance setting the annual property tax rates for calendar year 2023 (Fiscal Year 2024) at the rates referenced in this memorandum.

**BILL NO. 6989.1**

**ORDINANCE NO.**

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**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 2023.**

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**WHEREAS**, on September 12, 2023, in accord with the provisions of Sections 67.110 and 137.073.5(3) and (4), RSMo 2016, after due notice as required by law and prior to adoption of any tax rate, the Board of Aldermen conducted a public hearing regarding the rates hereinafter adopted at which all citizens were afforded an opportunity to be heard, and

**WHEREAS**, in accord with the provisions of Section 137.073.5(3) and (4), RSMo. 2016, the Board of Aldermen has conducted a public hearing and, prior to setting and certifying its tax rate, in a public meeting adopts this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:**

Section 1. There is hereby levied for the year 2023 upon all real and personal property, subject to taxation, in the City of Clayton, Missouri, the following ad valorem taxes for the following purposes, to wit:

A. For general revenue purposes a tax levy of \$0.490 on residential property, a tax levy of \$0.618 on commercial property and a tax levy of \$0.707 on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

B. For police building debt service purposes a tax levy of \$0.090 on residential property, a tax levy of \$0.101 on commercial property and a tax levy of \$0.120 on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

C. For general obligation debt service purposes a tax levy of \$0.068 on residential property, a tax levy of \$0.068 on commercial property and a tax levy of \$0.068 on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

Section 2. There is hereby levied for the year 2023 upon all real property, subject to taxation, in the Special Business District in the City of Clayton, Missouri, which are all commercially zoned properties designated C-1, C-2, C-3 and C-4, on the zoning map of the City of Clayton, as of August 11, 1981, lying north of the Forest Park Expressway in the City of Clayton, Missouri, the following ad valorem taxes, for Special Business District purposes a tax levy of \$0.082 on residential property and a tax levy of \$0.116 on commercial property, on each one hundred dollars (\$100.00) of assessed valuation.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.



Passed this 26<sup>th</sup> day of September 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Redlined Review Draft  
of  
BILL NO. 6989.1**

**ORDINANCE NO.**

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**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 2023.**

---

**WHEREAS**, on September 12, 2023, in accord with the provisions of Sections 67.110 and 137.073.5(3) and (4), RSMo 2016, after due notice as required by law and prior to adoption of any tax rate, the Board of Aldermen conducted a public hearing regarding the rates hereinafter adopted at which all citizens were afforded an opportunity to be heard, and

**WHEREAS**, in accord with the provisions of Section 137.073.5(3) and (4), RSMo. 2016, the Board of Aldermen has conducted a public hearing and, prior to setting and certifying its tax rate, in a public meeting adopts this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:**

Section 1. There is hereby levied for the year 2023 upon all real and personal property, subject to taxation, in the City of Clayton, Missouri, the following ad valorem taxes for the following purposes, to wit:

A. For general revenue purposes a tax levy of ~~\$0.488~~ **\$0.490** on residential property, a tax levy of ~~\$0.545~~ **\$0.618** on commercial property and a tax levy of \$0.707 on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

B. For police building debt service purposes a tax levy of ~~\$0.089~~ **\$0.090** on residential property, a tax levy of ~~\$0.090~~ **\$0.101** on commercial property and a tax levy of \$0.120 on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

C. For general obligation debt service purposes a tax levy of ~~\$0.065~~ **\$0.068** on residential property, a tax levy of ~~\$0.065~~ **\$0.068** on commercial property and a tax levy of ~~\$0.065~~ **\$0.068** on personal property, on each one hundred dollars (\$100.00) of assessed valuation.

Section 2. There is hereby levied for the year 2023 upon all real property, subject to taxation, in the Special Business District in the City of Clayton, Missouri, which are all commercially zoned properties designated C-1, C-2, C-3 and C-4, on the zoning map of the City of Clayton, as of August 11, 1981, lying north of the Forest Park Expressway in the City of Clayton, Missouri, the following ad valorem taxes, for Special Business District purposes a tax levy of ~~\$0.085~~ **\$0.082** on residential property and a tax levy of ~~\$0.102~~ **\$0.116** on commercial property, on each one hundred dollars (\$100.00) of assessed valuation.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

Passed this \_\_\_\_\_ day of September, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
KAREN DILBER, DIRECTOR OF FINANCE  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** AN ORDINANCE - FISCAL YEAR 2024 OPERATING AND CAPITAL  
IMPROVEMENTS BUDGET—*2<sup>ND</sup> READING*

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In August, the Board of Aldermen received the City Manager's proposed Fiscal Year 2024 Operating and Capital Improvements Budgets. 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 public hearing was held at the Board of Aldermen meeting on September 12, 2023.

The Board reviewed the proposed budget during a public meeting on August 18, 2023.

The Board of Aldermen has studied this proposed budget and the public has had opportunity for reviewing the budget document. The attached ordinance approving the Fiscal Year 2024 Operating and Capital Improvements Budget is presented for first reading. A summary of the budget is attached, that includes a reconciliation of changes since the proposed budget.

**Recommended Actions:** To have a second reading of the Fiscal Year 2024 Operating and Capital Improvements Budget as presented.

BILL NO. 6990

ORDINANCE NO.

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**AN ORDINANCE ADOPTING AN ANNUAL BUDGET  
FOR FISCAL YEAR 2024 COMMENCING ON OCTOBER 1, 2023  
AND APPROPRIATING FUNDS PURSUANT THERETO**

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**WHEREAS**, the City Manager has presented to the Board of Aldermen an annual budget for the Fiscal Year 2024 commencing on October 1, 2023; and

**WHEREAS**, a public hearing on the budget was conducted on September 12, 2023, pursuant to notice as provided by law, at which hearing interested persons were given an opportunity to be heard;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:**

Section 1. The annual budget for the City of Clayton, Missouri, for the Fiscal Year 2024 commencing on October 1, 2024, a copy of which is attached hereto and made a part hereof as fully set forth herein, having been submitted by the City Manager, is hereby adopted.

Section 2. Funds are hereby appropriated for the objects and purposes of expenditures set forth in said budget. The expenditures of the funds so appropriated shall be subject to the control of the City Manager.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

Passed this 26<sup>th</sup> day of September 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF CLAYTON**  
**Reconciliation of Proposed to Final FY24 Budget**

<b>Fund</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b><u>General Fund</u></b>		
Beginning Fund Balance	23,466,758	23,160,324
Initial Revenues & Other Financing Sources	29,182,889	30,899,345
Change		66,000
Revised Revenues & Other Finance Sources	29,182,889	30,965,345
Initial Expenditures & Other Financing Uses	29,489,323	30,246,415
Change	-	27,137
Revised Expenditures & Other Finance Uses	29,489,323	30,273,552
Ending Fund Balance	23,160,324	23,852,117
<b><u>Sewer Lateral Fund - No Change</u></b>		
Beginning Fund Balance	104,794	123,671
Revenues & Other Financing Sources (No Change)	97,877	97,817
Expenditures & Other Financing Uses (No Change)	79,000	80,000
Ending Fund Balance	123,671	141,488
<b><u>Special Business District Fund - No Change</u></b>		
Beginning Fund Balance	91,970	99,517
Initial Revenues & Other Financing Sources	545,246	588,544
Change	-	-
Revised Revenues & Other Finance Sources	545,246	588,544
Expenditures & Other Financing Uses (No Change)	537,699	589,166
Ending Fund Balance	99,517	98,895
<b><u>Equipment Replacement Fund</u></b>		
Beginning Fund Balance	9,293,680	9,419,161
Revenues & Other Financing Sources (No Change)	2,546,677	2,568,431
Expenditures & Other Financing Uses (No Change)	2,421,196	2,490,828
Ending Fund Balance	9,419,161	9,496,764
<b><u>Capital Improvement Fund</u></b>		
Beginning Fund Balance	8,171,331	6,876,149
Initial Revenues & Other Financing Sources	5,827,888	5,698,036
Change	-	1,214,800
Revised Revenues & Other Finance Sources	2,546,677	6,912,836
Initial Expenditures & Other Financing Uses	7,123,070	10,662,073
Change	-	(164,444)
Revised Expenditures & Other Finance Uses	2,421,196	10,497,629
Ending Fund Balance	6,876,149	3,291,356
<b><u>Bond Construction Funds</u></b>		
Beginning Fund Balance	1,981,098	369,574
Revenues & Other Financing Sources (No Change)	534,789	1,475,535
Expenditures & Other Financing Uses (No Change)	2,146,313	2,159,652
Ending Fund Balance	369,574	(314,543)
<b><u>Debt Service Funds</u></b>		
Beginning Fund Balance	1,894,319	2,279,843
Initial Revenues & Other Financing Sources	3,317,374	3,386,917
Change	-	-
Revised Revenues & Other Finance Sources	3,317,374	3,386,917
Expenditures & Other Financing Uses (No Change)	2,931,850	2,965,100
Ending Fund Balance	2,279,843	2,701,660
<b><u>Total of All Funds After Revisions</u></b>		
Total Beginning Fund Balances	45,003,950	42,328,239
Revised Revenues & Other Financing Sources	42,052,740	45,995,425
Revised Expenditures & Other Financing Uses	44,728,451	49,055,927
Total Ending Fund Balances	42,328,239	39,267,737

# City of Clayton - FY 2024 Budget Detailed Reconciliation Items

## General Fund

<b>REVENUE</b>	<b>FY23</b>	<b>FY24</b>
<i>Increase in transfers in from SBD</i>		\$55,000
<i>Increase due to reimbursement from other cities for fire training lease</i>		\$11,000
<b>Total Revenue Changes</b>	<b>\$0</b>	<b>\$66,000</b>
<b>EXPENDITURES</b>	<b>FY23</b>	<b>FY24</b>
<i>Increase in event expenditures</i>		\$55,000
<i>Reduction in personnel expenditures</i>		(\$17,530)
		(\$10,333)
<b>Total Expenditure Changes</b>	<b>\$0</b>	<b>\$27,137</b>
<b>Net Change</b>	<b>\$0</b>	<b>\$38,863</b>

## Special Business District Fund

<b>REVENUE</b>	<b>FY23</b>	<b>FY24</b>
<i>Transfers Out to General Fund</i>		\$55,000
<i>Transfers Out to Capital Improvement Fund</i>		(\$55,000)
<b>Total Revenue Changes</b>	<b>\$0</b>	<b>\$0</b>
<b>EXPENDITURES</b>	<b>FY23</b>	<b>FY24</b>
<i>No changes</i>	\$0	\$0
<b>Net Change</b>	<b>\$0</b>	<b>\$0</b>

## Capital Improvements Fund

<b>REVENUE</b>	<b>FY23</b>	<b>FY24</b>
<i>Remove transfer in from Spec. Bus. District</i>		(\$55,000)
<b>Total Revenue Changes</b>	<b>\$0</b>	<b>(\$55,000)</b>
<b>EXPENDITURES</b>	<b>FY23</b>	<b>FY24</b>
<i>Decrease related to financing decision for municipal garage</i>		(\$164,444)
<b>Total Expenditure Changes</b>	<b>\$0</b>	<b>(\$164,444)</b>
<b>Net Change</b>	<b>\$0</b>	<b>\$109,444</b>



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** ORDINANCE - PROHIBITING DRIVERS FROM USING HANDHELD ELECTRONIC COMMUNICATION DEVICES

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Ordinance 340.300 will prohibit drivers from physically holding or supporting a cell phone with any part of their body; manually typing, writing, sending, or reading text-based messages; recording, posting, sending, or broadcasting video, including video calls and social media posts; and watching a video or movie.

The ordinance will allow drivers to use voice-operated or hands-free features on electronic communication devices.

This ordinance conforms to the Missouri “Hands-Free Law”, which took effect statewide on August 28, 2023. The Missouri General Assembly preempted local regulations from deviating from the state statute.

Prior to January 1, 2025, a law enforcement officer shall not issue a citation for violation of this section and shall only issue a warning. A first-time violation will result in a fine of up to \$150 and can increase up to \$500 for repeat convictions within a two-year period. Additional penalties can occur depending on the incident.

This is a secondary enforcement ordinance, which prevents a driver from being stopped by law enforcement solely for a violation of this section.

Staff recommends approval of this ordinance.



BILL NO. 6995

ORDINANCE NO.

**AN ORDINANCE ENACTING SECTION 340.300 OF THE CLAYTON CITY CODE RELATING TO HANDS-FREE DRIVING**

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**WHEREAS**, with the passage of Section 304.822, RSMo., the Missouri General Assembly preempted the field of regulating the use of electronic communication devices by the operators of commercial and noncommercial motor vehicles and thereby superseded any local laws, ordinances, orders, rules, or regulations enacted by a municipality to regulate the use of electronic communication devices by the operator of a commercial or noncommercial motor vehicle that are not in strict conformity with the cited statute; and

**WHEREAS**, the Mayor and Board of Aldermen wish to enact regulations that strictly follow the state law so our police officers and municipal court can address violations when and as needed;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:**

**Section One.** Chapter 340 of the Code of Ordinances of the City of Clayton, Missouri, is hereby amended by the addition of one new Section, initially to be designated as Section 340.300, to read as follows:

**Chapter 340. Miscellaneous Driving Rules**

**Section 340.300. Use of Electronic Communication Devices While Driving.**

A. As used in this section, the following terms shall mean:

(1) "**Commercial motor vehicle**", a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property:

(a) If the vehicle has a gross combination weight rating or gross combination weight of twenty-six thousand one or more pounds, whichever is greater, inclusive of a towed unit which has a gross vehicle weight rating or gross vehicle weight of more than ten thousand pounds, whichever is greater;

(b) If the vehicle has a gross vehicle weight rating or gross vehicle weight of twenty-six thousand one or more pounds, whichever is greater;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. Section 1801, et seq.);

(2) **"Electronic communication device"**, a portable device that is used to initiate, receive, store, or view communication, information, images, or data electronically;

(a) Such term shall include but not be limited to: cellular telephones; portable telephones; text-messaging devices; personal digital assistants; pagers; broadband personal communication devices; electronic devices with mobile data access; computers, including but not limited to tablets, laptops, notebook computers, and electronic or video game systems; devices capable of transmitting, retrieving, or displaying a video, movie, broadcast television image, or visual image; and any substantially similar device that is used to initiate or receive communication or store and review information, videos, images, or data;

(b) Such term shall not include: radios; citizens band radios; commercial two-way radio communication devices or their functional equivalent; subscription-based emergency communication devices; prescribed medical devices; amateur or ham radio devices; or global positioning system receivers, security, navigation, communication, or remote diagnostics systems permanently affixed to the vehicle;

(3) **"Highway"**, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(4) **"Noncommercial motor vehicle"**, a motor vehicle or combination of motor vehicles not defined by the term commercial motor vehicle in this section;

(5) **"Operating"**, the actual physical control of a vehicle;

(6) **"Operator"**, a person who is in actual physical control;

(7) **"School bus"**, a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary of Transportation of the United States;

(8) **"Voice-operated or hands-free feature or function"**, a feature or function, whether internally installed or externally attached or connected to an electronic communication device, that allows a person to use an electronic communication device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

B. Except as otherwise provided in this section, while operating a noncommercial motor vehicle or commercial motor vehicle on any highway or property open to the public for vehicular traffic in this city, no operator shall:

(1) Physically hold or support, with any part of his or her body, an electronic communication device;

(2) Write, send, or read any text-based communication, including but not limited to a text message, instant message, email, or social media interaction on an electronic communication device. This subdivision shall not apply to operators of a noncommercial motor vehicle using a voice-operated or hands-free feature or function that converts the message to be sent as a message in a written form, provided that the operator does not divert his or her attention from lawful operation of the vehicle;

(3) Make any communication on an electronic communication device, including a phone call, voice message, or one-way voice communication; provided however, that this prohibition shall not apply to use of a voice-operated or hands-free feature or function;

(4) Engage in any form of electronic data retrieval or electronic data communication on an electronic communication device;

(5) Manually enter letters, numbers, or symbols into any website, search engine, or application on an electronic communication device;

(6) Watch a video or movie on an electronic communication device, other than watching data related to the navigation of the vehicle; or

(7) Record, post, send, or broadcast video, including a video conference, on an electronic communication device, provided that this prohibition shall not apply to electronic devices used for the sole purpose of continually monitoring operator behavior by recording or broadcasting video within or outside the vehicle.

C. The operator of a school bus shall not use or operate an electronic communication device while the school bus is in motion unless the device is being used in a similar manner as a two-way radio to allow live communication between the operator and school officials or public safety officials. The operator of a school bus shall not use or operate an electronic communication device or a two-way radio while loading or unloading passengers.

D. This section shall not apply to:

(1) Law enforcement officers or operators of emergency vehicles, as such term is defined in Section 304.022, RSMo., who are both using the electronic communication device and operating the emergency vehicle in the performance of their official duties;

- (2) Operators using an electronic communication device for the sole purpose of reporting an emergency situation and continuing communication with emergency personnel during the emergency situation;
- (3) Operators of noncommercial motor vehicles using an electronic communication device solely through a voice-operated or hands-free feature or function;
- (4) Operators of commercial motor vehicles using a voice-operated or hands-free feature or function, as long as the operator remains seated and is restrained by a seat belt as required by law;
- (5) Operators of commercial motor vehicles reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed ten inches tall by ten inches wide in size;
- (6) Operators using electronic communication devices while the vehicle is lawfully stopped or parked;
- (7) Commercial motor vehicles that are responding to a request for roadside assistance, when such response is conducted by a motor club as defined in Section 385.450, RSMo. or a towing company as defined in Section 304.001, RSMo.;
- (8) The use of an electronic communication device to relay information between a transit or for-hire vehicle operator and that operator's dispatcher, provided the device is mounted or affixed to the vehicle;
- (9) The use of an electronic communication device to access or view a map for navigational purposes;
- (10) The use of an electronic communication device to access or listen to an audio broadcast or digital audio recording; or
- (11) The use of an electronic communication device to relay information through a transportation network company's digital network to a transportation network company driver, provided the device is mounted or affixed to the vehicle.

E. Penalties for violations of this section shall be as provided in this subsection.

- (1) For a conviction under this section where there is no prior conviction under this section within the preceding twenty-four months, the court shall impose a fine of up to one hundred fifty dollars.

(2) For a conviction under this section where there is one prior conviction under this section within the preceding twenty-four months, the court shall impose a fine of up to two hundred fifty dollars.

(3) For a conviction under this section where there are two or more prior convictions under this section in the preceding twenty-four months, the court shall impose a fine of up to five hundred dollars.

(4) For a conviction under this section where the violation occurred in a work zone when workers are present, or for a conviction under this section where the violation occurred in an area designated as a school zone and marked in any way that would alert a reasonably prudent operator to the presence of the school zone, the court shall impose a fine of up to five hundred dollars.

(5) A violation of this section while operating a commercial motor vehicle shall be deemed a serious traffic violation for purposes of commercial driver's license disqualification.

F. A law enforcement officer who stops a noncommercial motor vehicle for a violation of this section shall inform the operator of the operator's right to decline a search of their electronic communication device. No warrant shall be issued to confiscate or access an electronic communication device based on a violation of this section unless the violation results in serious bodily injury or death.

G. A violation of this section shall not be used to establish probable cause for any other violation.

H. The provisions of this section shall be subject to the reporting requirements set forth in Section 590.650, RSMo.

I. Prior to January 1, 2025, a law enforcement officer who stops a noncommercial motor vehicle for a violation of this section shall not issue a citation for a violation of this section and shall only issue a warning.

J. No person shall be stopped, inspected, or detained solely for a violation of this section.

**Section Two.** It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

**Section Three.** The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of

recodifying or servicing the City’s Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Four.** This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen.

**Passed by the Board of Aldermen this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

THE CITY OF CLAYTON

Board of Aldermen  
In-Person and Virtual Meeting  
September 12, 2023  
7:00 p.m.

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

In-person: Ira Berkowitz, Bridget McAndrew, Susan Buse, Becky Patel, Gary Feder, Rick Hummell, and Mayor Michelle Harris.

Staff: City Manager Gipson, City Attorney O'Keefe, and Assistant City Manager Andrea Muskopf

Virtual attendance: City Clerk Frazier

PUBLIC REQUESTS AND PETITIONS

Mayor Harris gave recognition to Chief Ernie Rhodes who was deployed as a member of FEMA Urban Search and Rescue Team's Blue Incident Support Team to lead rescue efforts in Hawaii.

AN ORDINANCE AMENDING ARTICLE I COLLECTION SERVICE AND REGULATIONS AND ARTICLE II RECYCLING OF CHAPTER 235 GARBAGE AND TRASH OF THE MUNICIPAL CODE OF THE CITY OF CLAYTON

City Manager Gipson reported that the City of Clayton's Municipal Code provisions related to solid waste and recycling were first adopted in 1947 and revised in 1970. Specific sections were later amended to reflect the waste collection practices and contracts in place at that time.

The City of Clayton has contracted with Republic Services for the collection and disposal of solid waste, recycling, yard waste and compost from all single-family and multi-family properties. The new contracts that go into effect on October 1, 2023, change waste collection service from City-funded to resident-billed.

The new waste collection agreements require certain provisions of the Municipal Code to align with the new practices. The proposed amendments will take effect on October 1, 2023, along with the new contract. The required changes include the elimination of a current provision that allows private disposal contracts for residential customers. The City is also taking this opportunity to update the Code sections to provide enhanced regulatory clarity and align the regulations with current practices.

Brian Kinman, resident, The Crescent Condominium, President of the Clayton Condominium Building Association, addressed the Board with concerns regarding the current ordinance and the proposed draft ordinance expressing opposition to the proposed draft ordinance.

Jan Spalding, 8025 Maryland, addressed the Board with concerns on the proposed draft ordinance.

Elizabeth Burrow, Treasurer for Hanley Towers, explaining the difference between certain equipment used for multi-family buildings.

David Butler, Treasurer for Whitehall Condominiums, addressed the Board in support of Mr. Kinman's proposal.

Tony Soukenik, Attorney, 120 S. Central, addressed the Board as a representative for The Crescent Condominium.

**Motion made by Alderman Berkowitz to table Bill No. 6986, amending collection service and regulations. Alderman Buse seconded.**

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

AN ORDINANCE PROVIDING FOR THE APPROVAL AND EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CLAYTON AND THE EASTERN MISSOURI COALITION OF POLICE, FRATERNAL ORDER OF POLICE LODGE 15

City Manager Gipson reported that the bargaining representatives have met, discussed, and agreed upon the proposed successor Collective Bargaining Agreement which contains a resolution of the issues that affect the wages and terms and conditions of the Union members' employment. The Police Union members have ratified this agreement and it is being presented for Board approval. The agreement has a term of three years, ending on September 30, 2026.

**Alderman Berkowitz introduced Bill No. 6987, to approve a Collective Bargaining Agreement between the City of Clayton and the Eastern Missouri Coalition of Police, Fraternal Order of Police, Lodge 15 for FY2024 wage increases to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 6987, first reading, an Ordinance Approving a Collective Bargaining Agreement with the Eastern Missouri Coalition of Police, Fraternal Order of Police, Lodge 15 by title only.**

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

**Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 6987 on the day of its introduction. Alderman McAndrew seconded.**

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

**Alderman Berkowitz introduced Bill No. 6987, to approve a Collective Bargaining Agreement between the City of Clayton and the Eastern Missouri Coalition of Police, Fraternal Order of Police, Lodge 15 for FY2024 wage increases to be read for the second time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 6987, second reading, an Ordinance Approving a Collective Bargaining Agreement with the Eastern Missouri Coalition of Police, Fraternal Order of Police, Lodge 15 by title only.**



**The motion passed on a roll call vote: Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6847 of the City of Clayton.**

**AN ORDINANCE PROVIDING FOR THE APPROVAL AND EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CLAYTON AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 2665**

City Manager Gipson reported that the bargaining representatives have met, discussed, and agreed upon the attached successor Collective Bargaining Agreement which contains a resolution of the issues that affect the wages and terms and conditions of the Union members' employment. The fire union members have ratified this agreement and it is being presented for Board approval. The agreement has a term of 3 years, ending on September 30, 2026.

**Alderman Berkowitz introduced Bill No. 6988, to approve a Collective Bargaining Agreement between the City of Clayton and the International Association of Fire Fighters, Local 2665 for FY2024 wage increases to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 6988, first reading, an Ordinance Approving a Collective Bargaining Agreement with the Clayton Fire Department Shop of the International Association of Fire Fighters Local 2665 by title only.**

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

**Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 6988 on the day of its introduction. Alderman McAndrew seconded.**

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

**Alderman Berkowitz introduced Bill No. 6988, to approve a Collective Bargaining Agreement between the City of Clayton and the International Association of Fire Fighters, Local 2665 for FY2024 wage increases to be read for the second time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 6988, second reading, an Ordinance Approving a Collective Bargaining Agreement with the Clayton Fire Department Shop of the International Association of Fire Fighters Local 2665 by title only.**

**The motion passed on a roll call vote: Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6848 of the City of Clayton.**

A PUBLIC HEARING AND AN ORDINANCE SETTING THE TAX YEAR 2023 PROPERTY TAX LEVIES FOR FISCAL YEAR 2024 BUDGET - 1<sup>ST</sup> READING

**Mayor Harris opens the public hearing and requests proof of publication.**

City Manager Gipson reported that each year the City must approve property tax levies which are then submitted to St. Louis County for billing. Calendar year 2023 is a reassessment year and there were significant changes in residential and commercial assessed values. The City experienced significant new construction growth, increasing residential assessed values by over \$1.7 million and commercial assessed values by over \$33 million. Subject to the maximum voter-approved rate of tax levy, the City is allowed to receive additional revenue up to the lower of 5% or the Consumer Price Index (CPI) which was 6.5% for this year, and for the value of the new construction. Per the Fiscal Year 2024 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 on September 12, 2023. The proposed calendar year 2023 property tax levy recommendations for Budget Year 2024 are provided in the Board packet materials.

**Mayor Harris closed the public hearing.**

**Alderman Berkowitz introduced Bill No. 6989, to approve the proposed Property Tax Levies for Tax Year 2023 (FY2024) to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O’Keefe reads Bill No. 6989, 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 2023 by title only.**

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

A PUBLIC HEARING AND AN ORDINANCE - FISCAL YEAR 2024 OPERATING AND CAPITAL IMPROVEMENTS BUDGET—1<sup>ST</sup> READING

**Mayor Harris opens the public hearing.**

City Manager Gipson reported that on August 18, 2023, the Board of Aldermen received the City Manager’s proposed Fiscal Year 2024 Operating and Capital Improvements Budgets. As part of the budget process, the Board is required to hold a public hearing to seek public input prior to formal budget adoption.

**Mayor Harris closes the public hearing.**

**Alderman Berkowitz introduced Bill No. 6990, to approve the proposed FY2024 to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O’Keefe reads Bill No. 6990, first reading, an Ordinance Adopting an Annual Budget for Fiscal year 2024 Commencing on October 1, 2023 and Appropriating Funds Pursuant Thereto by title only.**

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

**Alderman Berkowitz excused himself from the meeting at 8:00 p.m.**

**AN ORDINANCE TO REZONE 500 SOUTH BRENTWOOD BOULEVARD FROM R-5 DISTRICT TO C-1 DISTRICT**

**Mayor Harris opens the public hearing and requests proof of publication.**

City Manager Gipson reported that this is a Public Hearing for review and consideration of the rezoning of certain property from R-5 Medium-Low Density Multiple-Family Dwelling District to C-1 Neighborhood Commercial District. The subject property is located at the southeast corner of the intersection of South Brentwood Boulevard and Rosiline Drive.

Anna Krane, Director of Planning, was present to answer questions.

**Mayor Harris closes the public hearing.**

**Alderman McAndrew introduced Bill No. 6991, to approve a rezoning from R-5 District to C-1 District for 500 S. Brentwood Boulevard to be read for the first time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6991, first reading, an Ordinance Providing for the Rezoning of Certain Property Located at 500 South Brentwood Boulevard from the R-5 District to the C-1 District and Other Actions Related Thereto by title only.**

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

**Motion made by Alderman McAndrew that the Board give unanimous consent to consideration for adoption of Bill No. 6991 on the day of its introduction. Alderman Buse seconded.**

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

**Alderman McAndrew introduced Bill No. 6991, to approve a rezoning from R-5 District to C-1 District for 500 S. Brentwood Boulevard to be read for the second time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6991, second reading, an Ordinance Providing for the Rezoning of Certain Property Located at 500 South Brentwood Boulevard from the R-5 District to the C-1 District and Other Actions Related Thereto by title only.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6849 of the City of Clayton.**

**ORDINANCES TO CONSIDER A REZONING, A PLANNED UNIT DEVELOPMENT, AND A MAJOR SUBDIVISION PLAT FOR 7814 FORSYTH BOULEVARD AND 2, 10, 14 & 18 SOUTH CENTRAL AVENUE**

**Mayor Harris opens the public hearings and requests proof of publication.**

City Manager Gipson reported that this is a Public Hearing for review and consideration of the rezoning and related Planned Unit Development for a proposed mixed-use development. The rezoning, Planned Unit Development, and Subdivision Plat are being addressed together in this report, though the plat and the land use elements entail separate ordinances on the Board's agenda. The project received Architectural Review Board approval and the Plan Commission recommended approval of the Site Plan, Lot Consolidation, Rezoning and Development Plan on August 21, 2023.

Anna Krane, Director of Planning was present to answer questions.

Steve Methard, VP of Development for Midas Capital, LLC, addressed the Board to answer questions.

**Mayor Harris closed the public hearing.**

**Motion made by Alderman McAndrew to amend Bill No. 6992, Exhibit C, Section 3D, (page 8) to read "...shall be open for business within twelve (12) months after issuance of a certificate of occupancy for the hotel on the subject property and shall be maintained for an entertainment use or live performance venue for the life of the development."**

**Alderman Buse seconded.**

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

**Alderman McAndrew introduced Bill No. 6992, as amended, to approve a rezoning and a Planned Unit Development for 7814 Forsyth Boulevard & 2, 10, 14, 18 S Central Avenue to be read for the first time by title only. Alderman Buse seconded.**

**City Attorney O'Keefe reads Bill No. 6992, first reading, as amended, an Ordinance Providing for the Rezoning of Certain Property Located at 7814 Forsyth Boulevard and 2, 10, 14 & 18 South Central Avenue to a Planned Unit Development District to be known as the Forsyth-Central Planned Unit District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Subject Property; and Other Actions Related Thereto by title only.**

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

**Motion made by Alderman McAndrew that the Board give unanimous consent to consideration for adoption of Bill No. 6992, as amended, on the day of its introduction. Alderman Buse seconded.**

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

**Alderman McAndrew introduced Bill No. 6992, as amended, to approve a rezoning and a Planned Unit Development for 7814 Forsyth Boulevard & 2, 10, 14, 18 S Central Avenue to be read for the second time by title only. Alderman Buse seconded.**

**City Attorney O'Keefe reads Bill No. 6992, second reading, as amended, an Ordinance Providing for the Rezoning of Certain Property Located at 7814 Forsyth Boulevard and 2, 10, 14 & 18 South Central Avenue to a Planned Unit Development District to be known as**

**the Forsyth-Central Planned Unit District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Subject Property; and Other Actions Related Thereto by title only.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6850 of the City of Clayton.**

**BILL NO. 6993 – PLAT FOR 7814 FORSYTH BLVD, & 2, 10, 14, 18 S. CENTRAL AVENUE**

**Alderman McAndrew introduced Bill No. 6993, to approve a Lot Consolidation Plat for 7814 Forsyth Boulevard and 2, 10, 14, 18 S. Central Avenue to be read for the first time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6993, first reading, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Known as 7814 Forsyth Boulevard and 2, 10, 14 & 18 South Central Avenue and Widen an Adjacent Alley in the City of Clayton, Missouri by title only.**

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

**Motion made by Alderman McAndrew that the Board give unanimous consent to consideration for adoption of Bill No. 6993, as amended, on the day of its introduction. Alderman Buse seconded.**

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

**Alderman McAndrew introduced Bill No. 6993, to approve a Lot Consolidation Plat for 7814 Forsyth Boulevard and 2, 10, 14, 18 S. Central Avenue to be read for the second time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6993, second reading, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Known as 7814 Forsyth Boulevard and 2, 10, 14 & 18 South Central Avenue and Widen an Adjacent Alley in the City of Clayton, Missouri by title only.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6851 of the City of Clayton.**

**A PUBLIC HEARING AND AN ORDINANCE AMENDING ARTICLE XV, ENTERTAINMENT OVERLAY DISTRICT**

**Mayor Harris opens the public hearings and requests proof of publication.**

**City Manager Gipson reported that this is a Public Hearing to solicit input regarding proposed amendments to Chapter 410 (Overlay and Urban Design Zoning Districts) to modify definitions, use regulations, and the boundary of the district of the existing Entertainment Overlay District (EO).**

Anna Krane, Director of Planning was present to answer questions.

Dan Phillips, President of the Park Towers Condominium Association, addressed the Board expressing his support for the amendments.

Rich Goldstein, 8025 Maryland Avenue, addressed the Board expressing his support for the amendments, but also asked that the Board be mindful of the residents in the surrounding area as it relates to noise.

**Mayor Harris closed the public hearing.**

**Alderman McAndrew introduced Bill No. 6994, to approve a text amendment to Article XV, Entertainment Overlay District to be read for the first time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6994, first reading, an Ordinance Amending Article XV “Entertainment Overlay District” of Chapter 610 (Overlay and Urban Design Zoning Districts) of the Municipal Code of the City of Clayton, Missouri by title only.**

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

**Motion made by Alderman McAndrew that the Board give unanimous consent to consideration for adoption of Bill No. 6994 on the day of its introduction. Alderman Buse seconded.**

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

**Alderman McAndrew introduced Bill No. 6994, to approve a text amendment to Article XV, Entertainment Overlay District to be read for the second time by title only. Alderman Buse seconded.**

**City Attorney O’Keefe reads Bill No. 6994, second reading, an Ordinance Amending Article XV “Entertainment Overlay District” of Chapter 610 (Overlay and Urban Design Zoning Districts) of the Municipal Code of the City of Clayton, Missouri by title only.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6852 of the City of Clayton.**

#### CONSENT AGENDA

1. Minutes – August 22, 2023
2. Resolution - Agreement with MacQueen Emergency to provide maintenance for emergency equipment (Res. No. 2023-28)
3. Resolution – On Call Consultants for engineering and surveying services. (Res. No. 2023-29)
4. Resolution – Determining the intent of the City of Clayton to reimburse itself for certain Capital expenditures. (Res. No. 2023-30)
5. Motion – Liquor license upgrade for Bar Moro, LLC at 7610 Wydown Boulevard.
6. Motion – Liquor license for Carbon Members Club LLC at 7822 Bonhomme Avenue.

7. Motion – Appointment of an ex-officio member to the Clayton Community Equity Committee.
8. Motion - Boards and Commissions appointments.

**Motion made by Alderman McAndrew to approve the Consent Agenda. Alderman Buse seconded.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye.**

Ben Poremba, owner of Bar Moro, addressed the Board thanking them for their approval of the liquor license.

**Motion made by Alderman Hummell 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 for preparation per Section 610.021(9) for labor negotiations. Alderman Patel seconded.**

**The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye.**

There being no further regular meeting discussion the Board adjourned into a closed session at 8:46 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
TONI SIERING, DIRECTOR OF PARKS & RECREATION  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** RESOLUTION – FY2024 CLAYTON RECREATION, SPORTS AND WELLNESS COMMISSION (CRSWC) BUDGET FOR THE CENTER OF CLAYTON

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You will find attached a copy of the proposed Fiscal Year 2024 CRSWC Budget for the Center of Clayton. This budget includes revenues and expenses for the period October 1, 2023, through September 30, 2024, for the three CRSWC Funds --- Operating, Equipment Replacement and Capital. The Clayton Recreation, Sports and Wellness Commission considered this budget on August 25, 2023, and approved it as proposed. On September 6, 2023, the budget was presented at the Joint Meeting of the Board of Aldermen and Board of Education.

### **Fund 80: CRSWC Operating Fund**

In the Operating Fund, the revenue projection targets an increase over FY23 end of year estimates of 6% amounting to \$3,297,928. The significant sources of revenue (91%) will continue to be from the sale of memberships, daily passes, and programs. Additional income (9%) is generated through rentals, food service, and other miscellaneous income.

There is no scheduled membership fee increase in FY24, as rates were increased by 12% in FY23. Throughout the past year, we have seen steadily increasing growth in membership numbers and are projecting that numbers will return to pre-pandemic levels this fall. We have included modest growth to membership at 6% in all categories. Daily fee revenue projections have been increased by approximately 6% and have returned to FY19 usage (pre-pandemic) as the Center has resumed most services.

Overall FY24 program revenue is projected to increase by 6% over FY23 year-end estimates as programming continues to grow post-pandemic. An expanded schedule of group fitness program offerings, many of which are now included in membership benefits, will continue throughout FY24 to increase membership sales and retention. Additional emphasis will focus on Personal Training and swim lessons (where staffing is available). Rentals, Food Service and other miscellaneous revenue remain similar.

Total expenses are projected to increase by 10% amounting to \$3,848,433 in FY24, compared to the FY23 estimated year-end of \$3,532,478. These increases are partially a result of increased personnel expenses related to full-time and part-time staff. On January 1, 2023, the minimum pay rate for all part-time positions was raised to \$15 per hour to keep the department on pace to stay ahead of the State minimum wage and remain competitive in the market. All part-time pay rates were adjusted accordingly, and the FY24 budget includes a merit increase for part-time employees. The



City's Board of Aldermen recently conducted a compensation study for full-time positions and has given preliminary authorization to adjust salaries to the 85th percentile of the market. All non-represented employees will receive an increase of at least 3%, with an average increase of approximately 6%. Additionally, the non-represented pay scale will be converted from open range to a grade and step system. Personnel expenses in FY24 are additionally increased compared to FY23 year-end estimates due to several full-time staff vacancies this year. The budget presented continues to hold on filling two full-time positions, one maintenance and one recreation, and staff will continue to evaluate these positions as operations return to pre-pandemic levels.

In addition to increased personnel costs, many supplies and contractual services have increased due to rising inflationary pressures. Purchasing cooperative programs are used whenever possible. Finally, utility costs are projected to increase as well, with potentially significant increases in both water and electricity in FY24.

Overall, the Operating Fund reflects a 6% increase in revenue over the FY23 year-end estimates and 10% increase in expenditures over the FY23 year-end projections. The Operating Fund is projected to end with a fund balance of (\$550,505) in FY24.

#### **Fund 81: CRSWC Equipment Replacement Fund**

This fund is utilized for the purchase, repair, and maintenance of fitness equipment, IT equipment or other equipment utilized throughout the Center. Primarily funded through the contributions of the City and School District, revenues will exceed expenditures in FY24. The proposed budget includes cash payments for fitness equipment, including the annual replacement of cardio equipment, for a total expense of \$30,000. Additional equipment repairs and replacements are now included in Fund 81 that were previously included in the Capital budget in the amount of \$36,536 for FY24.

Overall, the Equipment Replacement Fund reflects \$100,000 in revenue and \$66,536 in expenditures in FY24. The ERF Fund ends with a fund balance of \$33,464 at the end of FY24.

#### **Fund 82: CRSWC Capital Fund**

This fund is utilized for expenditures that are related to improvements to the Center that add substantial value or improve the expected useful life of the facility or physical plant equipment. Primarily funded through the contributions of the City and School District, revenues are projected to exceed expenditures in FY24 due to the recent renovations and reclassification of some expenses previously categorized as Capital to the Operating and Equipment Replacement Funds.

Overall, the Capital Fund reflects \$200,000 in revenue and \$93,650 in expenditures in FY24. The Capital Fund ends with a fund balance of \$106,350 at the end of FY24.

#### **Summary**

Contributions from the parent organizations have been budgeted at \$300,000 each in FY24 – with \$150,000 each budgeted for the Operating Fund, \$50,000 each to the ERF and \$100,000 each to the Capital Fund. As you can see from the fund summary, with this funding level we are projecting a negative fund balance of (\$410,691) at the end of FY24.

In addition to their cash contributions, both parent organizations continue to provide in-kind support to The Center per the partnership agreements. The Center also provides a venue for athletics, physical education and community events for the City and District.

Overall, the FY24 CRSWC budget reflects \$3,597,928 in revenue and \$4,008,619 in expenditures with a total fund balance of (\$410,691) at the end of FY24.

**Recommendation:** To approve the CRSWC Budget for FY2024 as submitted.

**RESOLUTION NO. 2023-31**

**WHEREAS**, Section 8.3 of the Amended and Restated Operation and Maintenance Agreement by and among the City of Clayton (“City”), the School District of Clayton (“District”) and the Clayton Recreation, Sports and Wellness Commission (“CRSWC”) provides that the City’s Board of Aldermen is to consider the proposed operating and capital improvement budget of the CRSWC before the start of each fiscal year after a recommendation from the Commission; and

**WHEREAS**, the CRSWC has duly considered a proposed operating and capital improvement budget for the next fiscal year and recommended its approval by the City; and

**WHEREAS**, the Board of Aldermen wishes to now fulfill its responsibilities by considering and approving a budget for the operation of the Center of Clayton in order to support and promote the health and wellness of the citizens of Clayton;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:**

1. The proposed October 1, 2023, through September 30, 2024, (“Fiscal Year 2024”) capital improvements, equipment replacement and operating budget for the Clayton Recreation, Sports and Wellness Commission as heretofore recommended by the Commission, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby endorsed, and approved by the City of Clayton.
2. The City of Clayton will include a planned annual contribution of \$300,000 in the City’s capital budget to subsidize the operation of the Center of Clayton as contemplated by the CRSWC budget approved hereby.

Adopted this 26<sup>th</sup> day of September 2023.

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Mayor

ATTEST:

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City Clerk

## CRSWC FUND SUMMARY

### As of 09/26/2023

<b>2021 Actual Amount</b>	<b>Operating Fund (80)</b>	<b>ERF (81)</b>	<b>Capital Fund (82)</b>	<b>Total</b>
Starting balance 10/01/20	\$0	\$0	\$0	\$0
Revenue	\$2,029,150	\$100,018	\$239,699	\$2,368,867
Expenses	\$2,798,233	\$32,165	\$92,527	\$2,922,925
Net	(\$769,083)	\$67,853	\$147,172	(\$554,058)
Ending Balance 9/30/21	(\$769,083)	\$67,853	\$147,172	(\$554,058)
<b>2022 Actual Amount (Unaudited)</b>				
<b>2022 Actual Amount (Unaudited)</b>	<b>Operating Fund (80)</b>	<b>ERF (81)</b>	<b>Capital Fund (82)</b>	<b>Total</b>
Starting balance 10/01/21	\$0	\$0	\$0	\$0
Revenue	\$2,496,072	\$100,000	\$386,894	\$2,982,966
Expenses	\$2,948,072	\$63,104	\$214,900	\$3,226,076
Net	(\$452,000)	\$36,896	\$171,994	(\$243,110)
Ending Balance 9/30/22	(\$452,000)	\$36,896	\$171,994	(\$243,110)
<b>2023 Adopted Budget</b>				
<b>2023 Adopted Budget</b>	<b>Operating Fund (80)</b>	<b>ERF (81)</b>	<b>Capital Fund (82)</b>	<b>Total</b>
Starting balance 10/01/22	\$0	\$0	\$0	\$0
Revenue	\$2,898,164	\$100,000	\$200,000	\$3,198,164
Expenses	\$3,328,276	\$50,000	\$100,000	\$3,478,276
Net	(\$430,112)	\$50,000	\$100,000	(\$280,112)
Ending Balance 9/30/23	(\$430,112)	\$50,000	\$100,000	(\$280,112)
<b>2023 Estimated Amount</b>				
<b>2023 Estimated Amount</b>	<b>Operating Fund (80)</b>	<b>ERF (81)</b>	<b>Capital Fund (82)</b>	<b>Total</b>
Starting balance 10/01/22	\$0	\$0	\$0	\$0
Revenue	\$3,125,705	\$100,000	\$200,000	\$3,425,705
Expenses	\$3,532,478	\$69,915	\$135,000	\$3,737,393
Net	(\$406,773)	\$30,085	\$65,000	(\$311,688)
Ending Balance 9/30/23	(\$406,773)	\$30,085	\$65,000	(\$311,688)
<b>2024 Proposed Budget</b>				
<b>2024 Proposed Budget</b>	<b>Operating Fund (80)</b>	<b>ERF (81)</b>	<b>Capital Fund (82)</b>	<b>Total</b>
Starting balance 10/01/23	\$0	\$0	\$0	\$0
Revenue	\$3,297,928	\$100,000	\$200,000	\$3,597,928
Expenses	\$3,848,433	\$66,536	\$93,650	\$4,008,619
Net	(\$550,505)	\$33,464	\$106,350	(\$410,691)
Ending Balance 9/30/24	(\$550,505)	\$33,464	\$106,350	(\$410,691)
<b>Fund 80: Operating Fund</b>				
<b>Fund 81: Equipment Replacement Fund</b>				
<b>Fund 82: Capital Fund</b>				

## CRSWC Revenue &amp; Expenditures

## Budget Basis

	2024 Proposed Budget	2023 Estimated Amount	2023 Adopted Budget	2022 Actual Amount (Unaudited)	2021 Actual Amount
<b>Operating Revenues</b>					
Admissions	\$2,148,940	\$2,027,500	\$1,757,395	\$1,516,465	\$1,264,382
Programs	\$589,963	\$557,790	\$578,079	\$477,025	\$331,609
Rentals	\$133,550	\$125,300	\$164,950	\$107,616	\$51,296
Child care	\$190	\$150	\$880	\$25	\$10
Miscellaneous	\$67,125	\$61,064	\$49,612	\$228,259	\$75,417
<b>Total Operating Revenues</b>	<b>\$2,939,768</b>	<b>\$2,771,804</b>	<b>\$2,550,916</b>	<b>\$2,329,390</b>	<b>\$1,722,714</b>
<b>Operating Expenses</b>					
Building operations	\$1,276,472	\$1,248,395	\$943,435	\$1,195,713	\$889,473
Administration	\$1,534,555	\$1,390,685	\$1,447,074	\$1,178,694	\$1,263,915
Aquatics	\$648,671	\$609,069	\$589,027	\$453,854	\$344,950
Fitness	\$382,512	\$332,907	\$333,239	\$264,102	\$211,350
Sports	\$107,459	\$99,587	\$108,849	\$97,075	\$65,749
Depreciation	\$0	\$0	\$0	\$0	\$919,089
General recreation	\$58,950	\$56,750	\$56,650	\$36,537	\$0
<b>Total Operating Expenses</b>	<b>\$4,008,619</b>	<b>\$3,737,393</b>	<b>\$3,478,274</b>	<b>\$3,225,975</b>	<b>\$3,694,526</b>
<b>Operating Loss</b>	<b>-\$1,068,851</b>	<b>-\$965,589</b>	<b>-\$927,358</b>	<b>-\$896,585</b>	<b>-\$1,971,812</b>
<b>Nonoperating Revenues (Expenses)</b>					
Utility reimbursement	\$55,160	\$51,000	\$44,160	\$50,621	\$46,156
Investment income	\$3,000	\$3,000	\$3,185	\$2,854	\$0
<b>Nonoperating Revenues (Expenses)</b>	<b>\$58,160</b>	<b>\$54,000</b>	<b>\$47,345</b>	<b>\$53,475</b>	<b>\$46,156</b>
<b>Loss Before Contributions</b>	<b>-\$1,010,691</b>	<b>-\$911,589</b>	<b>-\$880,013</b>	<b>-\$843,110</b>	<b>-\$1,925,656</b>
<b>Capital Contributions From Affiliates</b>	<b>\$911,688</b>	<b>\$843,011</b>	<b>\$843,011</b>	<b>\$1,154,058</b>	<b>\$1,631,048</b>
<b>Change in Net Position</b>	<b>-\$99,003</b>	<b>-\$68,578</b>	<b>-\$37,002</b>	<b>\$310,948</b>	<b>-\$294,608</b>
Net position (beginning of year)	\$18,522,033	\$18,590,611	\$18,627,613	\$18,316,665	\$18,611,273
Net position (end of year)	\$18,423,030	\$18,522,033	\$18,590,611	\$18,627,613	\$18,316,665
<b>Adjustments to Change in Net Position</b>					
Payments received for prior year deficit	-\$311,688	-\$243,110	-\$243,110	-\$554,058	-\$637,857
Exclude Renovation Fund activity					
Renovation Fund Expenses					\$0
Renovation Fund Revenue					-\$393,190
Add back depreciation				\$0	\$919,089
Add back net expense of asset purchases	\$0				-\$147,492
<b>Operational Outcome in Current Year</b>	<b>-\$410,691</b>	<b>-\$311,688</b>	<b>-\$280,112</b>	<b>-\$243,110</b>	<b>-\$554,058</b>
Additional billing for above deficit	\$410,691	\$311,688	\$280,112	\$243,110	\$554,058
<b>Ultimate Outcome of Current Year</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Account Number	Account Description	2021 Actual Amount	2022 Actual Amount	2023 Adopted Budget	2023 Estimated Amount	2024 Proposed Budget	% Change 2023 Adopted Budget	% Change 2023 Estimated Amount
<b>Fund: 80 - CRSWC Operations</b>								
<b>REVENUES</b>								
<b>Department: 10 - Revenue</b>								
<i>100 - Interest Income</i>								
470.11	Interest and Dividends Interest on Investments	0.00	2,854.02	3,185.00	3,000.00	3,000.00	-6%	0%
<i>Account Classification Total: 100 - Interest Income</i>		\$0.00	\$2,854.02	\$3,185.00	\$3,000.00	\$3,000.00	-6%	0%
<i>130 - Other Financing Sources</i>								
494.11	Contributions from Affiliates City of Clayton	150,000.00	150,000.00	150,000.00	150,000.00	150,000.00	0%	0%
494.12	Contributions from Affiliates Clayton School District	150,000.00	150,000.00	150,000.00	150,000.00	150,000.00	0%	0%
<i>Account Classification Total: 130 - Other Financing Sources</i>		\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	\$300,000.00	0%	0%
<b>Department Total: 10 - Revenue</b>		\$300,000.00	\$302,854.02	\$303,185.00	\$303,000.00	\$303,000.00	0%	0%
<b>Department: 50 - Parks and Recreation</b>								
<b>Program: 10 - Administration</b>								
<i>10 - General</i>								
446.10	Center General	(1,450.00)	4,080.00	3,250.00	4,600.00	5,250.00	62%	14%
<i>Account Classification Total: 10 - General</i>		(\$1,450.00)	\$4,080.00	\$3,250.00	\$4,600.00	\$5,250.00	62%	14%
<i>11 - Membership</i>								
446.11.10	Center Memberships Resident-Adult	120,144.81	144,649.49	162,300.00	172,000.00	182,320.00	12%	6%
446.11.11	Center Memberships Resident-Youth	21,980.70	23,168.17	27,050.00	24,000.00	25,500.00	-6%	6%
446.11.12	Center Memberships Resident-Senior	102,158.53	118,777.47	138,800.00	142,000.00	150,500.00	8%	6%
446.11.13	Center Memberships Resident-Family	326,319.43	364,428.47	441,000.00	476,000.00	504,500.00	14%	6%
446.11.14	Center Memberships Non-Resident-Adult	86,267.79	116,808.18	130,500.00	174,000.00	184,500.00	41%	6%
446.11.15	Center Memberships Non-Resident-Youth	13,177.32	16,607.04	17,650.00	22,000.00	23,300.00	32%	6%
446.11.16	Center Memberships Non-Resident-Senior	65,545.99	90,994.76	100,000.00	140,000.00	148,400.00	48%	6%
446.11.17	Center Memberships Non-Resident-Family	128,814.38	148,186.47	164,700.00	209,000.00	221,500.00	34%	6%
446.11.18	Center Memberships Corporate	357,490.41	392,336.35	457,500.00	520,000.00	551,200.00	20%	6%
<i>Account Classification Total: 11 - Membership</i>		\$1,221,899.36	\$1,415,956.40	\$1,639,500.00	\$1,879,000.00	\$1,991,720.00	21%	6%
<i>12 - Admission</i>								
446.12.10	Center Admissions Resident-Adult	14,029.85	22,133.07	28,600.00	31,000.00	32,825.00	15%	6%
446.12.11	Center Admissions Resident-Youth	10,439.50	15,848.00	17,500.00	28,000.00	29,680.00	70%	6%
446.12.12	Center Admissions Resident-Senior	1,356.00	1,767.03	2,035.00	3,000.00	3,190.00	57%	6%
446.12.14	Center Admissions Non-Resident-Adult	5,927.40	26,264.00	27,200.00	45,000.00	47,600.00	75%	6%
446.12.15	Center Admissions Non-Resident-Youth	1,617.85	9,770.00	13,320.00	17,000.00	18,000.00	35%	6%
446.12.16	Center Admissions Non-Resident-Senior	310.00	1,023.00	1,300.00	2,000.00	2,145.00	65%	7%
446.12.18	Center Admissions Corporate	6,570.00	11,778.00	16,240.00	12,500.00	13,250.00	-18%	6%
446.12.19	Center Admissions Punch Card	3,680.00	7,846.00	11,700.00	10,000.00	10,530.00	-10%	5%
<i>Account Classification Total: 12 - Admission</i>		\$43,930.60	\$96,429.10	\$117,895.00	\$148,500.00	\$157,220.00	33%	6%
<i>13 - Rentals</i>								
446.13.10	Center Rentals Aerobics	(430.50)	308.75	5,000.00	300.00	300.00	-94%	0%
446.13.11	Center Rentals Meeting Rooms	8,277.85	54,164.99	80,000.00	74,000.00	77,000.00	-4%	4%
446.13.12	Center Rentals Gymnasium	7,244.00	16,568.75	44,000.00	13,600.00	18,000.00	-59%	32%
446.13.13	Center Rentals Climbing Walls	0.00	1,570.00	1,500.00	1,100.00	1,500.00	0%	36%
446.13.14	Center Rentals Leisure Pool	13,650.00	19,577.50	17,150.00	19,000.00	19,450.00	13%	2%
446.13.15	Center Rentals Competition Pool	22,554.98	15,426.42	17,300.00	17,300.00	17,300.00	0%	0%
<i>Account Classification Total: 13 - Rentals</i>		\$51,296.33	\$107,616.41	\$164,950.00	\$125,300.00	\$133,550.00	-19%	7%
<i>14 - Programs</i>								
446.14.10	Center Programs Fitness-In-House	5,485.50	19,130.68	26,473.00	23,000.00	20,002.00	-24%	-13%
446.14.11	Center Programs Fitness-Contractual	10,750.00	14,613.00	14,131.00	19,775.00	21,275.00	51%	8%
446.14.12	Center Programs Fitness-Personal Training	91,952.51	124,107.30	111,540.00	102,000.00	120,661.00	8%	18%
446.14.13	Center Programs Sports-In-House	38,067.33	70,371.93	97,300.00	99,040.00	101,325.00	4%	2%
446.14.14	Center Programs Sports-Contractual	53,504.83	57,656.00	57,000.00	40,000.00	40,000.00	-30%	0%
446.14.15	Center Programs Sports-Climbing Wall	2,020.00	8,280.00	4,991.00	7,800.00	8,420.00	69%	8%
446.14.16	Center Programs Aquatics-In-House	112,438.56	130,293.97	208,704.00	189,314.00	199,150.00	-5%	5%
446.14.17	Center Programs Aquatics-Contractual	82.00	224.00	2,440.00	1,861.00	2,130.00	-13%	14%
446.14.18	Center Programs General-Instructional	17,307.00	52,347.86	55,500.00	75,000.00	77,000.00	39%	3%

Account Number	Account Description	2021 Actual Amount	2022 Actual Amount	2023 Adopted Budget	2023 Estimated Amount	2024 Proposed Budget	% Change 2023 Adopted Budget	% Change 2023 Estimated Amount
<i>Account Classification Total: 11 - Programs</i>		\$331,607.73	\$477,024.74	\$578,079.00	\$557,790.00	\$589,963.00	2%	6%
<i>15 - Concessions</i>								
446.15.10	Center Concessions Catering	0.00	1,340.24	2,000.00	1,000.00	1,200.00	-40%	20%
446.15.11	Center Concessions Vending Machines	6,704.10	16,056.70	9,000.00	16,900.00	18,000.00	100%	7%
<i>Account Classification Total: 11 - Concessions</i>		\$6,704.10	\$17,396.94	\$11,000.00	\$17,900.00	\$19,200.00	75%	7%
<i>446 - Other</i>								
446.24	Center Child Care	10.00	25.00	880.00	150.00	190.00	-78%	27%
446.25	Center Utility Lease Payments	46,155.98	50,621.89	44,160.00	51,000.00	55,160.00	25%	8%
<i>Account Classification Total: 11 - Other</i>		\$46,165.98	\$50,646.89	\$45,040.00	\$51,150.00	\$55,350.00	23%	8%
<i>Account Classification Total: 70 - Parks &amp; Recreation</i>		\$1,700,154.10	\$2,169,150.48	\$2,559,714.00	\$2,784,240.00	\$2,952,253.00	15%	6%
<i>110 - Miscellaneous</i>								
479	Sale of Merchandise	97.00	115.00	950.00	150.00	4,800.00	405%	3100%
480.10	Other Miscellaneous General	28,898.41	23,952.86	34,315.00	38,315.00	37,875.00	10%	-1%
<i>Account Classification Total: 110 - Miscellaneous</i>		\$28,995.41	\$24,067.86	\$35,265.00	\$38,465.00	\$42,675.00	21%	11%
<b>Program Total: 10 - Administration</b>		\$300,000.00	\$302,854.02	\$303,185.00	\$303,000.00	\$303,000.00	0%	0%
<b>Department Total: 50 - Parks and Recreation</b>		\$1,729,149.51	\$2,193,218.34	\$2,594,979.00	\$2,822,705.00	\$2,994,928.00	15%	6%
<b>REVENUES Total</b>		\$2,029,149.51	\$2,496,072.36	\$2,898,164.00	\$3,125,705.00	\$3,297,928.00	14%	6%

EXPENSES

Department: 50 - Parks and Recreation

Program: 10 - Administration

10 - Personal Services

500	Full-Time Salaries	529,177.24	442,087.51	501,219.00	483,190.00	558,525.00	11%	16%
505.10	Part-Time General	153,873.22	194,372.37	259,230.01	245,000.00	290,000.00	12%	18%
510	Overtime	15,731.51	17,028.69	20,019.00	14,169.00	14,397.00	-28%	2%
540	FICA - Employer Portion	50,379.94	48,197.95	59,706.02	55,707.00	64,912.16	9%	17%
550	Group Life Insurance	2,166.29	1,817.09	2,297.01	2,188.00	2,542.00	11%	16%
560	Dental Insurance	6,210.85	2,671.00	6,114.00	5,246.00	6,086.00	0%	16%
570.11	Medical Insurance Premiums	83,696.51	77,380.92	96,256.24	84,034.00	96,546.00	0%	15%
570.12	Medical Insurance HRA Reimbursement	2,360.62	1,575.18	3,258.00	3,066.00	2,835.00	-13%	-8%
580	Pension Plan	58,981.20	49,901.91	44,180.29	35,183.00	37,931.00	-14%	8%
590	Workers Compensation	8,028.65	6,243.05	12,726.74	12,908.00	15,341.00	21%	19%
<i>Account Classification Total: 10 - Personal Services</i>		\$910,606.03	\$841,275.67	\$1,005,006.31	\$940,691.00	\$1,089,115.16	8%	16%
<i>20 - Contractual Services</i>								
600	Postage	2,538.58	3,285.28	14,195.00	10,000.00	10,479.00	-26%	5%
605.11	Utilities Telephone and Cable	4,610.00	3,649.55	3,301.00	3,300.00	3,150.00	-5%	-5%
610.10	Travel and Training General	1,264.72	4,553.85	3,050.00	3,000.00	6,975.00	129%	133%
610.11	Travel and Training Certifications	0.00	100.00	0.00	0.00	0.00	0%	0%
615	Printing and Photography	2,759.36	3,309.65	20,390.00	27,000.00	30,427.00	49%	13%
620	Dues and Memberships	2,493.25	3,292.75	3,198.00	3,198.00	2,810.00	-12%	-12%
625	Advertising	5,340.32	12,915.75	24,000.00	15,000.00	19,650.00	-18%	31%
635.12	Professional Services Legal	2,438.00	3,869.00	3,500.00	3,500.00	3,500.00	0%	0%
635.14	Professional Services Financial	20,250.00	15,500.00	14,000.00	15,500.00	16,601.00	19%	7%
635.15	Professional Services Technology	93,253.78	70,842.08	88,996.00	80,471.00	85,444.00	-4%	6%
640.10	Service Contracts General	7,340.46	7,227.08	55,510.00	55,000.00	22,016.00	-60%	-60%
655	Banking and Credit Card Fees	50,542.64	72,312.49	66,742.00	79,400.00	85,936.00	29%	8%
665	Education Benefits	6,003.00	0.00	6,000.00	2,415.00	1.00	-100%	-100%
676	Employee Relations	797.00	1,504.10	3,150.00	3,150.00	3,250.00	3%	3%
685.11	Insurance Premiums Property	60,989.50	67,239.25	72,481.00	79,000.00	81,000.00	12%	3%
685.12	Insurance Premiums General Liability	20,417.00	22,330.00	21,852.00	26,000.00	27,000.00	24%	4%
685.13	Insurance Premiums Surety Forgery and Burglary Bond	700.00	320.84	700.00	700.00	700.00	0%	0%
685.14	Insurance Premiums Public Officials Liability	7,676.17	8,704.75	9,000.00	9,650.00	9,900.00	10%	3%
685.17	Insurance Premiums Unemployment Compensation	14,968.97	6,495.31	7,000.00	7,000.00	7,000.00	0%	0%
686.11	Insurance Deductibles and Losses Property - Buildings and Misc	5,000.00	0.00	5,000.00	5,000.00	5,000.00	0%	0%
<i>Account Classification Total: 20 - Contractual Services</i>		\$309,382.75	\$307,451.73	\$422,065.00	\$428,284.00	\$420,839.00	0%	-2%

30 - Commodities

Account Number	Account Description	2021 Actual Amount	2022 Actual Amount	2023 Adopted Budget	2023 Estimated Amount	2024 Proposed Budget	% Change 2023 Adopted Budget	% Change 2023 Estimated Amount
700.10	Office Supplies General	8,641.82	4,703.35	9,338.00	8,900.00	8,836.00	-5%	-1%
700.12	Office Supplies Publications	3,464.69	14,840.83	200.00	200.00	200.00	0%	0%
730.10	Recreation Supplies General	2,258.56	5,271.28	4,325.00	6,750.00	7,205.00	67%	7%
760	Uniforms and Clothing	(27.00)	2,019.01	2,610.00	2,610.00	2,760.00	6%	6%
770	Meetings and Receptions	2,031.35	2,814.81	3,130.00	3,100.00	3,200.00	2%	3%
780	Sales Merchandise	0.00	417.00	400.00	150.00	2,400.00	500%	1500%
<i>Account Classification Total: 30 - Commodities</i>		\$16,369.42	\$30,066.28	\$20,003.00	\$21,710.00	\$24,601.00	23%	13%
<i>40 - Capital Outlay</i>								
896	Depreciation Expense	147,489.00	0.00	0.00	0.00	0.00	0%	0%
<i>Account Classification Total: 40 - Capital Outlay</i>		\$147,489.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	0%
<b>Program Total: 10 - Administration</b>		\$1,383,847.20	\$1,178,793.68	\$1,447,074.31	\$1,390,685.00	\$1,534,555.16	6%	10%
<b>Program: 42 - Facility Maintenance</b>								
<i>20 - Contractual Services</i>								
605.11	Utilities Telephone and Cable	6,879.51	7,301.01	11,555.00	13,000.00	13,904.00	20%	7%
605.12	Utilities Water	34,704.41	45,600.20	40,480.00	53,000.00	66,250.00	64%	25%
605.13	Utilities Sewer	33,735.88	37,727.91	39,500.00	40,000.00	41,132.00	4%	3%
605.14	Utilities Natural Gas	99,820.26	139,901.09	71,300.00	160,000.00	164,000.00	130%	2%
605.15	Utilities Electricity	193,936.08	305,329.72	210,000.00	335,000.00	375,000.00	79%	12%
640.10	Service Contracts General	50,607.77	33,709.14	41,100.00	41,000.00	43,450.00	6%	6%
640.11	Service Contracts Building Maintenance	268,264.63	267,061.70	300,000.00	315,000.00	325,000.00	8%	3%
<i>Account Classification Total: 20 - Contractual Services</i>		\$687,948.54	\$836,630.77	\$713,935.00	\$957,000.00	\$1,028,736.00	44%	7%
<i>30 - Commodities</i>								
715.11	Agriculture Supplies Plant Materials	6,495.17	1,037.56	9,000.00	9,000.00	9,300.00	3%	3%
755.10	Other Supplies and Materials General	750.00	7,457.01	7,000.00	830.00	0.00	-100%	-100%
755.11	Other Supplies and Materials Rental Supplies	8.66	810.79	500.00	650.00	750.00	50%	15%
755.21	Other Supplies and Materials Janitorial	63,090.57	46,664.17	61,000.00	74,000.00	75,500.00	24%	2%
755.22	Other Supplies and Materials Chemicals	21,161.53	23,271.50	0.00	0.00	0.00	0%	0%
760	Uniforms and Clothing	277.50	1,837.61	2,000.00	2,000.00	2,000.00	0%	0%
<i>Account Classification Total: 30 - Commodities</i>		\$91,783.43	\$81,078.64	\$79,500.00	\$86,480.00	\$87,550.00	10%	1%
<b>Program Total: 42 - Facility Maintenance</b>		\$779,731.97	\$917,709.41	\$793,435.00	\$1,043,480.00	\$1,116,286.00	41%	7%
<b>Program: 60 - Aquatics</b>								
<i>10 - Personal Services</i>								
505.10	Part-Time General	58,533.10	68,217.29	126,973.00	110,287.00	122,000.00	-4%	11%
510	Overtime	589.35	61.88	0.00	0.00	0.00	0%	0%
540	FICA - Employer Portion	4,528.60	5,223.46	9,713.96	8,437.00	9,333.00	-4%	11%
590	Workers Compensation	757.76	817.43	1,981.00	2,040.00	2,276.00	15%	12%
<i>Account Classification Total: 10 - Personal Services</i>		\$64,408.81	\$74,320.06	\$138,667.96	\$120,764.00	\$133,609.00	9%	26%
<i>20 - Contractual Services</i>								
640.10	Service Contracts General	1,956.00	1,068.00	12,980.00	14,100.00	15,212.00	17%	8%
640.14	Service Contracts Aquatic Management	274,876.66	371,383.81	399,925.00	438,605.00	462,995.00	16%	6%
<i>Account Classification Total: 20 - Contractual Services</i>		\$276,832.66	\$372,451.81	\$412,905.00	\$452,705.00	\$478,207.00	16%	6%
<i>30 - Commodities</i>								
710	Minor Supplies and Equipment	0.00	530.76	2,400.00	2,400.00	2,400.00	0%	0%
720	Medical Supplies	1,596.85	1,326.16	2,985.00	2,750.00	2,985.00	0%	9%
730.10	Recreation Supplies General	2,110.57	3,674.21	4,350.00	3,850.00	4,350.00	0%	13%
755.22	Other Supplies and Materials Chemicals	0.00	439.95	25,520.00	25,100.00	25,520.00	0%	2%
760	Uniforms and Clothing	0.00	1,112.00	2,200.00	1,500.00	1,600.00	-27%	7%
<i>Account Classification Total: 30 - Commodities</i>		\$3,707.42	\$7,083.08	\$37,455.00	\$35,600.00	\$36,855.00	-2%	4%
<b>Program Total: 60 - Aquatics</b>		\$344,948.89	\$453,854.95	\$589,027.96	\$609,069.00	\$648,671.00	10%	7%
<b>Program: 63 - Sports Programs</b>								
<i>10 - Personal Services</i>								
505.10	Part-Time General	6,761.38	38,856.55	49,804.00	52,040.00	56,619.00	14%	9%
510	Overtime	0.00	278.53	657.00	334.00	406.00	-38%	22%
540	FICA - Employer Portion	517.21	2,993.93	3,860.40	3,981.00	4,363.00	13%	10%
590	Workers Compensation	81.59	562.16	787.54	1,807.00	936.00	19%	-48%
<i>Account Classification Total: 10 - Personal Services</i>		\$7,360.18	\$42,691.17	\$55,108.94	\$58,162.00	\$62,324.00	13%	7%

Account Number	Account Description	2021 Actual Amount	2022 Actual Amount	2023 Adopted Budget	2023 Estimated Amount	2024 Proposed Budget	% Change 2023 Adopted Budget	% Change 2023 Estimated Amount
<i>20 - Contractual Services</i>								
640.10	Service Contracts General	399.00	42,981.65	40,440.00	28,000.00	28,000.00	-31%	0%
640.15	Service Contracts Camp Instructors	35,788.67	0.00	0.00	0.00	0.00	0%	0%
640.18	Service Contracts Youth Sports	20,049.80	0.00	0.00	0.00	0.00	0%	0%
<i>Account Classification Total: 20 - Contractual Services</i>		\$56,237.47	\$42,981.65	\$40,440.00	\$28,000.00	\$28,000.00	-31%	0%
<i>30 - Commodities</i>								
730.10	Recreation Supplies General	1,951.03	11,202.50	12,980.00	12,980.00	16,655.00	28%	28%
760	Uniforms and Clothing	200.00	200.00	320.00	445.00	480.00	50%	8%
<i>Account Classification Total: 30 - Commodities</i>		\$2,151.03	\$11,402.50	\$13,300.00	\$13,425.00	\$17,135.00	29%	28%
<b>Program Total: 63 - Sports Programs</b>		\$65,748.68	\$97,075.32	\$108,848.94	\$99,587.00	\$107,459.00	-1%	8%
<b>Program: 66 - Fitness</b>								
<i>10 - Personal Services</i>								
505.10	Part-Time General	172,401.62	209,095.91	263,451.01	262,000.00	306,880.00	16%	17%
510	Overtime	3,103.39	4,237.64	3,950.00	4,860.00	4,641.00	17%	-5%
540	FICA - Employer Portion	13,455.14	16,247.74	20,456.20	20,043.00	23,832.00	17%	19%
590	Workers Compensation	2,046.00	2,055.55	4,171.47	4,324.00	5,109.00	22%	18%
<i>Account Classification Total: 10 - Personal Services</i>		\$191,006.15	\$231,636.84	\$292,028.68	\$291,227.00	\$340,462.00	17%	17%
<i>20 - Contractual Services</i>								
610.11	Travel and Training Certifications	294.00	75.00	1,200.00	1,200.00	1,500.00	25%	25%
630.11	Maintenance and Repair Equipment	8,550.43	14,282.84	15,000.00	15,000.00	15,000.00	0%	0%
640.10	Service Contracts General	0.00	929.73	5,520.00	1,640.00	0.00	-100%	-100%
640.16	Service Contracts Fitness	8,879.95	10,592.91	9,891.00	13,840.00	14,900.00	51%	8%
<i>Account Classification Total: 20 - Contractual Services</i>		\$17,724.38	\$25,880.48	\$31,611.00	\$31,680.00	\$31,400.00	-1%	-1%
<i>30 - Commodities</i>								
700.10	Office Supplies General	0.00	21.98	0.00	0.00	0.00	0%	0%
730.10	Recreation Supplies General	2,634.69	5,042.55	7,500.00	7,000.00	7,300.00	-3%	4%
760	Uniforms and Clothing	(15.00)	1,520.26	2,100.00	3,000.00	3,350.00	60%	12%
<i>Account Classification Total: 30 - Commodities</i>		\$2,619.69	\$6,584.79	\$9,600.00	\$10,000.00	\$10,650.00	11%	7%
<b>Program Total: 66 - Fitness</b>		\$211,350.22	\$264,102.11	\$333,239.68	\$332,907.00	\$382,512.00	15%	15%
<b>Program: 67 - Community Recreation</b>								
<i>20 - Contractual Services</i>								
635.10	Professional Services General	12,606.00	36,537.00	55,450.00	56,250.00	57,750.00	4%	3%
<i>Account Classification Total: 20 - Contractual Services</i>		\$12,606.00	\$36,537.00	\$55,450.00	\$56,250.00	\$57,750.00	4%	3%
<i>30 - Commodities</i>								
730.10	Recreation Supplies General	0.00	0.00	1,200.00	500.00	1,200.00	0%	140%
<i>Account Classification Total: 30 - Commodities</i>		\$0.00	\$0.00	\$1,200.00	\$500.00	\$1,200.00	0%	140%
<b>Program Total: 67 - Community Recreation</b>		\$12,606.00	\$36,537.00	\$56,650.00	\$56,750.00	\$58,950.00	4%	4%
<b>Department Total: 50 - Parks and Recreation</b>		\$2,798,232.96	\$2,948,072.47	\$3,328,275.89	\$3,532,478.00	\$3,848,433.16	16%	9%
<b>EXPENSES Total</b>		\$2,798,232.96	\$2,948,072.47	\$3,328,275.89	\$3,532,478.00	\$3,848,433.16	17%	10%
<b>Fund REVENUE Total: 80 - CRSWC Operations</b>		\$2,029,149.51	\$2,496,072.36	\$2,898,164.00	\$3,125,705.00	\$3,297,928.00	14%	6%
<b>Fund EXPENSE Total: 80 - CRSWC Operations</b>		\$2,798,232.96	\$2,948,072.47	\$3,328,275.89	\$3,532,478.00	\$3,848,433.16	17%	10%
<b>Fund Total: 80 - CRSWC Operations</b>		(\$769,083.45)	(\$452,000.11)	(\$430,111.89)	(\$406,773.00)	(\$550,505.16)	28%	35%
<b>Fund: 81 - CRSWC Equipment</b>								
<b>REVENUES</b>								
<b>Department: 10 - Revenue</b>								
<i>130 - Other Financing Sources</i>								
490.10	Sale of Assets General	17.96	0.00	0.00	0.00	0.00	0%	0%
494.11	Contributions from Affiliates City of Clayton	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	0%	0%
494.12	Contributions from Affiliates Clayton School District	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	0%	0%
<i>Account Classification Total: 130 - Other Financing Sources</i>		\$100,017.96	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	0%	0%
<b>Department Total: 10 - Revenue</b>		\$100,017.96	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	0%	0%
<b>REVENUES Total</b>		\$100,017.96	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	0%	0%
<b>EXPENSES</b>								
<b>Department: 50 - Parks and Recreation</b>								
<b>Program: 10 - Administration</b>								



Account Number	Account Description	2021 Actual Amount	2022 Actual Amount	2023 Adopted Budget	2023 Estimated Amount	2024 Proposed Budget	% Change 2023 Adopted Budget	% Change 2023 Estimated Amount
<i>40 - Capital Outlay</i>								
805	Equipment	0.00	24,723.41	27,000.00	26,915.00	30,000.00	11%	11%
815	Technology Projects	32,165.28	18,636.94	0.00	16,600.00	9,536.00	0%	-43%
850.11	Facility Improvements Interior	0.00	19,744.47	23,000.00	26,400.00	27,000.00	17%	2%
<i>Account Classification Total: 40 - Capital Outlay</i>		\$32,165.28	\$63,104.82	\$50,000.00	\$69,915.00	\$66,536.00	33%	-5%
Program Total: 10 - Administration		\$32,165.28	\$63,104.82	\$50,000.00	\$69,915.00	\$66,536.00	33%	-5%
Department Total: 50 - Parks and Recreation		\$32,165.28	\$63,104.82	\$50,000.00	\$69,915.00	\$66,536.00	33%	-5%
EXPENSES Total		\$32,165.28	\$63,104.82	\$50,000.00	\$69,915.00	\$66,536.00	33%	-5%
Fund REVENUE Total: 81 - CRSWC Equipment		\$100,017.96	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	0%	0%
Fund EXPENSE Total: 81 - CRSWC Equipment		\$32,165.28	\$63,104.82	\$50,000.00	\$69,915.00	\$66,536.00	33%	-5%
Fund Total: 81 - CRSWC Equipment		\$67,852.68	\$36,895.18	\$50,000.00	\$30,085.00	\$33,464.00	-33%	11%
<b>Fund: 82 - CRSWC Construction</b>								
<b>REVENUES</b>								
Department: 10 - Revenue								
<i>110 - Miscellaneous</i>								
480.10	Other Miscellaneous General	39,699.08	0.00	0.00	0.00	0.00	0%	0%
<i>Account Classification Total: 110 - Miscellaneous</i>		39,699.08	0.00	0.00	0.00	0.00	0%	0%
<i>130 - Other Financing Sources</i>								
494.11	Contributions from Affiliates City of Clayton	100,000.00	193,447.00	100,000.00	100,000.00	100,000.00	0%	0%
494.12	Contributions from Affiliates Clayton School District	100,000.00	193,447.00	100,000.00	100,000.00	100,000.00	0%	0%
<i>Account Classification Total: 130 - Other Financing Sources</i>		\$200,000.00	\$386,894.00	\$200,000.00	\$200,000.00	\$200,000.00	0%	0%
Department Total: 10 - Revenue		\$239,699.08	\$386,894.00	\$200,000.00	\$200,000.00	\$200,000.00	0%	0%
REVENUES Total		\$239,699.08	\$386,894.00	\$200,000.00	\$200,000.00	\$200,000.00	0%	0%
<b>EXPENSES</b>								
Department: 50 - Parks and Recreation								
Program: 10 - Administration								
<i>20 - Contractual Services</i>								
640.10	Service Contracts General	25.82	0.00	0.00	0.00	0.00	0%	0%
<i>Account Classification Total: 20 - Contractual Services</i>		25.82	0.00	0.00	0.00	0.00	0%	0%
<i>40 - Capital Outlay</i>								
805	Equipment	8,501.97	14,173.96	30,000.00	21,700.00	24,380.00	-19%	12%
850.11	Facility Improvements Interior	36,834.52	2,212.89	10,000.00	5,000.00	10,000.00	0%	100%
850.12	Facility Improvements Exterior	47,164.46	198,514.00	50,000.00	100,300.00	35,270.00	-29%	-65%
850.13	Facility Improvements Pool Area	0.00	0.00	10,000.00	8,000.00	24,000.00	140%	200%
<i>Account Classification Total: 40 - Capital Outlay</i>		\$92,500.95	\$214,900.85	\$100,000.00	\$135,000.00	\$93,650.00	-6%	-21%
Program Total: 10 - Administration		\$92,526.77	\$214,900.85	\$100,000.00	\$135,000.00	\$93,650.00	-6%	-21%
Department Total: 50 - Parks and Recreation		\$92,526.77	\$214,900.85	\$100,000.00	\$135,000.00	\$93,650.00	-6%	-21%
EXPENSES Total		\$92,526.77	\$214,900.85	\$100,000.00	\$135,000.00	\$93,650.00	-6%	-21%
Fund REVENUE Total: 82 - CRSWC Construction		\$239,699.08	\$386,894.00	\$200,000.00	\$200,000.00	\$200,000.00	0%	0%
Fund EXPENSE Total: 82 - CRSWC Construction		\$92,526.77	\$214,900.85	\$100,000.00	\$135,000.00	\$93,650.00	-6%	-21%
Fund Total: 82 - CRSWC Construction		\$147,172.31	\$171,993.15	\$100,000.00	\$65,000.00	\$106,350.00	6%	30%
REVENUE GRAND Totals:		\$2,368,866.55	\$2,982,966.36	\$3,198,164.00	\$3,425,705.00	\$3,597,928.00	12%	5%
EXPENSE GRAND Totals:		\$2,922,925.01	\$3,226,078.14	\$3,478,275.89	\$3,737,393.00	\$4,008,619.16	17%	9%
Grand Totals:		(\$554,058.46)	(\$243,111.78)	(\$280,111.89)	(\$311,688.00)	(\$410,691.16)	63%	55%



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
KAREN DILBER, DIRECTOR OF FINANCE  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** RESOLUTION - UPDATED INVESTMENT POLICY

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From time to time, it is necessary to review and revise the City's policies. Upon recommendation from the City's auditing firm, a review of our investment policy was undertaken. Minor changes were made that include guidelines for mitigating credit risk, leveraging and speculation, and annually reporting market value of the City's portfolio. We have also added the ability to consider credit unions insured by the National Credit Union Share Insurance Fund (NCUA) as financial institutions, as outlined in the Missouri Public Funds Investment Guide, issued by the Missouri State Treasurer's office.

**Recommended Actions:** To pass a resolution approving the amended investment policy.

RESOLUTION NO. 2023-32

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A RESOLUTION TO REVISE THE CITY'S INVESTMENT POLICY

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**WHEREAS**, the Board of Aldermen has the responsibility for approving and revising the City's investment policy; and

**WHEREAS**, the Board of Aldermen has reviewed the proposed investment policy and desires to approve the policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI** approves the revisions to the City's investment policy statement as presented in Exhibit 1, attached.

Passed this 26<sup>th</sup> day of September 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## **Exhibit 1**

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# ***INVESTMENT POLICY***

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It is the policy of the City of Clayton to invest public funds in a manner which will provide maximum security and the highest investment return, while meeting the daily cash flow demands of the City and conforming to all state, federal, and local laws governing the investment of public funds.

### ***Scope***

This investment policy applies to all financial assets of the City of Clayton, except retirement funds, which are administered by pension boards.

### ***Prudence***

The standard of prudence to be used by investment officials shall be the "prudent person" standard which states: "investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence would use in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income derived." The prudent person standard shall be used in the context of managing the overall portfolio.

The investment officer, acting in accordance with the investment policy and exercising due diligence, shall not be held personally responsible for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion, and appropriate actions are taken to control adverse developments.

### ***Objectives***

The primary objectives, in priority order, of the City's investment activities shall be:

*Legality:* Every investment shall be made in accordance with applicable federal, state and local statutory provisions.

*Safety:* Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital. The objective will be to mitigate credit risk and interest rate risk.

*Liquidity:* The City's investment portfolio must remain sufficiently liquid to enable the City to meet all operating requirements, which might be reasonably anticipated.

*Return on Investment:* The City's investment portfolio shall be managed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. A security with declining credit may be sold early to minimize the loss of principal.

### ***Delegation of Authority***

Article VII, Section 2 of the City Charter vests authority and management responsibility for the investment program with the Finance Director. No person may engage in an investment transaction except as provided under the terms of this policy. The Finance Director shall be responsible to the City Manager for all transactions undertaken and shall establish a system of internal controls to prevent the loss of public funds due to error, misrepresentation or fraud.

### ***Ethics and Conflicts of Interest***

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions. Employees and investment officials shall disclose to the City Manager any financial interests in financial institutions that conduct business with the City of Clayton, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall in no way whatsoever co-mingle personal and City funds or in any way participate in activities that could result in the appearance of a conflict of interest.

The City Clerk shall file the appropriate reports with the Secretary of State disclosing potential conflicts of interest and substantial interests in accordance with state law.

### ***Authorized Financial Dealers and Institutions***

In order for a financial institution to qualify for the deposit of City funds, certain conditions must be met. Financial institutions shall be restricted to banks that are members of the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUA).

A current, audited financial statement is required to be on file for each financial institution in which the City invests or deposits funds. An officer of the financial institution must certify that the institution will abide by the policies outlined herein and comply with all applicable federal, state, and local laws and regulations.

### ***Authorized and Suitable Investments***

The City may invest in the following types of securities:

- A. Bonds, bills or notes of the United States or an agency of the United States;
- B. Negotiable or non-negotiable certificates of deposit, savings accounts, and other interest-earning deposit accounts of financial institutions as defined in this policy;
- C. Repurchase Agreements--against eligible collateral, the market value of which must be maintained during the life of the agreements at a level greater than the amount advanced, plus the accrued interest. An undivided interest in the instruments pledged for such agreements must be granted to the City. If repurchase agreements are authorized, a *Master Repurchase Agreement* must be signed with the bank or dealer.

Loan leveraging, speculation, or investment in financial derivatives is expressly prohibited by this policy.

### ***Collateralization***

All investments which exceed the financial institution's insurance limits shall be secured through eligible collateral. The market value of the collateral must be equal to or greater than the value of

the investment instrument plus accrued interest, less the amount of insurance coverage. Eligible collateral shall mean securities otherwise qualified for purchase under this policy, preferably U.S. Government securities, and shall also include the State Treasurer's list of Securities Acceptable as Collateral to Secure State Deposits. (The City will maintain an updated version of this list.)

All investments purchased under this policy are to be verified in writing by the financial institution indicating clearly the amount, rate of return, maturity date, and itemized collateral.

Collateral will always be held by an independent third party. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained.

The right of collateral substitution may be granted, provided that the Director of Finance and City Manager approve of the substitution in writing. Any substituted collateral must otherwise meet all of the criteria contained in this policy.

### ***Safekeeping and Custody***

All securities purchased will be held by a third party custodian designated by the Finance Director and evidenced by safekeeping receipts.

### ***Diversification***

The City will diversify its investments by institution. With the exception of bonds, bills or notes of the United States or an agency of the United States and authorized pools, it shall be the goal of the City that no more than 80% of the City's investment portfolio will be invested in a single institution.

### ***Maximum Maturities***

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not invest in securities maturing more than 3 years from the date of purchase, unless circumstances warrant other consideration, as approved by the City Manager. However, the City may collateralize its repurchase agreements using longer-dated investments not to exceed 7 years to maturity.

### ***Internal Control***

The Finance Director shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with laws, policies and procedures. The auditors shall report their findings to the City Manager and Board of Aldermen.

### ***Performance Standards***

The investment portfolio will be designed to obtain no less than the annualized yield of a 90-day Treasury bill for the budgetary cycle being evaluated, taking into account the City's investment risk constraints and cash flow needs.

### ***Marking to Market***

The market value of the portfolio will be calculated at least annually, with a statement of the market value being communicated to the Board of Aldermen, to ensure that a review of the investment portfolio, in terms of value and price volatility, has been performed.

### ***Reporting Requirements***

The Finance Director is also charged with the responsibility of including a year-end summary on investment activity and returns in the City's Annual Comprehensive Financial Report, including information on the issuing financial institution, the type of security, the term to maturity, the interest rate, the amount of principal, performance, interest earnings, etc.

### ***Investment Policy Adoption***

The Investment Policy of the City of Clayton shall be adopted by the Clayton Board of Aldermen. The policy shall be reviewed from time to time by the Board of Aldermen, and any modifications made thereto must be approved by the Board of Aldermen.



City Manager  
10 N. Bemiston Avenue  
Clayton, MO 63105

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## REQUEST FOR BOARD ACTION

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**TO:** MAYOR HARRIS; BOARD OF ALDERMEN  
**FROM:** DAVID GIPSON, CITY MANAGER  
JUNE FRAZIER, CITY CLERK  
**DATE:** SEPTEMBER 26, 2023  
**SUBJECT:** APPOINTMENT TO THE BOARDS AND COMMISSIONS

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The following individuals have expressed interest in being appointed to or continuing to serve as a member of the following Boards or Commissions of the City. Mayor Harris has reviewed the application and submits the following recommendation for the Board's consideration.

Sustainability Committee

Amy Jennings      *Ward 2 (term runs through June 30, 2025; replacing B. Chamberlain)*

**Recommendation:** To consider the appointments.