NOTE: THE BOARD OF ALDERMEN MEETING WILL BE HELD IN-PERSON AND VIRTUALLY VIA ZOOM (link is below).

Please note, individuals may attend in-person or virtually via Zoom. Doors will open 30 minutes prior to the start of each meeting.

Please click this URL to join. https://us02web.zoom.us/j/85736200020; Webinar ID: 857 3620 0020

Or One tap mobile:

+13017158592, 85736200020# US (Washington DC), +13052241968, 85736200020# US

Or join by phone: Dial (for higher quality, dial a number based on your current location): US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782

International numbers available: https://us02web.zoom.us/u/kc2ST3ZiKK

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 <u>ifrazier@claytonmo.gov</u>. All comments received will be distributed to the entire Board before the meeting.

CITY OF CLAYTON BOARD OF ALDERMEN NO DISCUSSION SESSION TUESDAY, MAY 28, 2024 CLAYTON. MO 63105

CITY OF CLAYTON BOARD OF ALDERMEN TUESDAY, MAY 28, 2024 – 7:00 P.M. CITY HALL COUNCIL CHAMBERS, 2ND FL 10 N. BEMISTON AVENUE CLAYTON, MO 63105

ROLL CALL

PUBLIC REQUESTS & PETITION

PUBLIC HEARING

 Resolution – A Conditional Use Permit for a marijuana dispensary located at 118 S. Hanley Road. (Res. No. 2024-07)

PRESENTATIONS

1. Sustainability Advisory Committee annual update.

CONSENT AGENDA

- 1. Minutes May 14, 2024
- 2. Liquor License for MJM Enterprises STL, LLC at 200 S. Central Avenue.

CITY MANAGER REPORT

1. Resolution - FY2025-2029 Capital Improvement Plan. (Res. No. 2024-08)

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.

City Manager 10 N. Bemiston Avenue Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN

FROM: DAVID GIPSON, CITY MANAGER

ANNA KRANE, AICP, DIRECTOR, PLANNING & DEV. SERVICES

DATE: MAY 28, 2024

SUBJECT: PUBLIC HEARING & A RESOLUTION - A CONDITIONAL USE PERMIT

FOR 118 SOUTH HANLEY ROAD, A MARIJUANA DISPENSARY D/B/A

GOOD DAY FARM

This is a public hearing to consider an application for a Conditional Use Permit submitted by Amy Ryan of Armstrong Teasdale LLP on behalf of GDF-MACO, LLC, d/b/a Good Day Farm, to allow for the operation of a 3,611 square foot marijuana dispensary. The existing building will be renovated to support the proposed use.

Good Day Farm will be open from 9:00 a.m. until 10:00 p.m. Monday through Saturday and 9:00 a.m. to 8:00 p.m. on Sunday. The dispensary will be designed in compliance with Missouri requirements to include a waiting room, separated sales floor, private employee spaces, and restroom facilities. The subject property includes on-site parking with 23 spaces for visitors and employees. Deliveries, trash, and recycling services will be provided using Colorado Avenue. The applicant has stated that any marijuana products to be discarded will first be rendered unusable.

Marijuana dispensaries are subject to Section 405.350 Performance Standards and Regulations Relating to Marijuana Facilities and Chapter 405, Article VII Conditional Use Permit of the City's adopted codes as well as State regulations and licensing. The operations manual and security plan have been reviewed by staff, including the Police Department, and found to be aligned with requirements and best practices. Attached is the staff report prepared for the Plan Commission.

The Plan Commission considered this request at its meeting on May 20, 2024, and voted unanimously to recommend approval as requested.

STAFF RECOMMENDATION: To approve a Conditional Use Permit for the operation of Good Day Farm located at 118 South Hanley Road per the conditions outlined in the Resolution.



REQUEST FOR CITY PLAN COMMISSION REVIEW

Date:	May 20, 2024
Applicant:	Amy Ryan, Armstrong Teasdale LLP
Tenant:	Good Day Farm
Project Address:	118 South Hanley Road
Project Review:	Conditional Use Permit/Request for Action
Item Type:	Marijuana Dispensary
Staff:	Ryan Helle, Planner
Summary:	Consideration of a Conditional Use Permit for the operation of a licensed marijuana dispensary.

PROJECT DESCRIPTION

The applicant is seeking a Conditional Use Permit (CUP) to allow for the operation of a marijuana dispensary on the subject property, which is located on the east side of South Hanley Road, between Carondelet Plaza and Bonhomme Avenue. The property has a zoning designation of High Density Commercial (HDC) and is located in the Clayton Plaza Overlay Zoning District. The site is currently developed with a one-story commercial building, previously home to Palm Beach Tan. The applicant is seeking to operate Good Day Farm, a marijuana dispensary.

The proposed hours of operation are 9:00 a.m. to 10:00 p.m., Monday through Saturday, and 9:00 a.m. to 8:00 p.m. on Sunday. The structure measures roughly 3,611 square feet and will include a lobby, sales floor, private employee spaces, and restroom facilities. The site contains a 23-space parking lot that may be accessed from South Hanley Road and Colorado Avenue. Deliveries will be handled via Colorado Avenue which functions as a rear alley to buildings fronting South Hanley Road and Carondelet Plaza. Refuse will be stored and handled via an existing dumpster on Colorado Avenue. The applicant has stated that marijuana products will be rendered unusable if they are required to be discarded and has provided supporting documentation regarding the process.

CRITERIA FOR REVIEW

Conditional uses are those types of uses that are considered to be desirable, necessary, or convenient to the community but which by their nature can create additional traffic volume, parking demand beyond the development's capacity, and/or a detrimental impact to adjacent or neighboring properties due to noise, pollutants or other characteristics associated with that particular use.

Restaurants are permitted in this zoning district subject to approval of a Conditional Use Permit as per Article VII of this Chapter and the following criteria:

Compatibility

- 1) The proposed use is compatible with surrounding uses and with the surrounding neighborhood;
 - >> The property is developed with a single-story, commercial structure intended for office or retail uses. The site previously hosted a tanning salon that is no longer operating. Adjacent uses offices and a car wash. Restaurants and residential units may be found on adjacent blocks. The proposed use is compatible with the surrounding uses and neighborhood.
- 2) The comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood;
 - >> The proposed size and layout of the dispensary is appropriate and reasonable for the area. There will be no changes to the footprint or size of the structure housing the proposed dispensary.
- 3) The proposed use will not adversely affect the general appearance of the neighborhood due to the location of the proposed use on the parcel of ground or due to the materials used in the construction of any proposed buildings being greatly dissimilar to surrounding appearances of buildings or due to the architecture of any proposed building being of such nature as to create visual disharmony within the neighborhood;
 - >> The proposed changes are not anticipated to have an adverse impact as described under Criteria 3 above.
- 4) The proposed use will not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas;
 - >> Staff does not anticipate adverse effects with respect to water runoff, noise transfer or heat generation.
- 5) The frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area;
 - >> The subject property currently has no outdoor commercial areas, and none are proposed. Retail activity may bring additional customers to the area but is not expected to be of a volume that would result in adverse impact. The proposed use should not have negative impacts on the surrounding area.

- 6) The proposed use is likely to remain in existence for a reasonable length of time and not become vacant or unused and whether such use involves the presence of unusual, single-purpose structures or components of a temporary nature;
 - >> The proposed use does not involve single-purpose structures or temporary components.
- 7) The proposed use complies with the standards of the Zoning Code and good planning practices;
 - >> Staff are of the opinion that the use complies with the Zoning Code. The use is conditionally permitted in the HDC district and is surrounded by other retail and commercial uses. The proposed facility is located over 500 feet, walking distance, from the nearest daycare and place of worship, Kol Rinah, and the nearest school, Meramec Elementary.

Landscaping

- 8) The landscape plan for premises to be occupied by the proposed use is adequate in regard to the creation and maintenance of landscaped areas and the use of buffers for screening of the use;
 - >> Landscaping is not proposed as part of the project.

Traffic & Parking

- 9) The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety and accessibility of emergency vehicles and equipment;
 - >> Existing site access is adequate and there are no proposed changes.
- 10) The proposed use complies with the parking requirements as set forth in the Zoning Code and does not add parking demand that cannot adequately be handled by on-site off-street parking;
 - >> The site is subject to the parking requirements of Section 405.3620 per Section 410.240 of the Clayton Plaza Overlay Zoning District and Section 405.3260 of the High-Density Commercial District. This section requires that marijuana dispensary facilities provide 1 space per 300 square feet of gross floor area. The structure has roughly 3,611 square feet of floor area and would require a minimum of 12 parking spaces. The site provides 23 spaces and exceeds the parking requirement.
- 11) The number of transit movements on abutting streets and on minor streets in the neighborhood to be generated by or associated with the proposed use will not cause significant increases in hourly or daily traffic levels;
 - >> The proposed use is not likely to affect transit movements.

- 12) The proposed use will not significantly increase demands on fire and Police protection services in excess of the individual demands of adjacent land uses and whether the proposed use will not present any real or potential fire or public safety hazard;
 - >> Section 405.350.M requires that marijuana dispensaries provide adequate security including but not limited to surveillance, inventory management, the use of a safe, an alarm system, and emergency contact information. The Clayton Police Department has met with the applicant and they have no concerns regarding the proposed security plan. Staff are of the opinion that security is adequately managed and that there will not be a significant increase in demand for fire and police protection services.

Noise, Lighting & Odors

- 13) Added noise levels generated by activities associated with the proposed use will not adversely impact the ambient noise level of the surrounding area and neighborhood;
 - >> The proposed dispensary is not likely to generate more noise than adjacent uses. The site is adjacent to a car wash, office uses, and South Hanley Road.
- 14) The activities associated with the proposed use will not generate obnoxious odors to the detriment of the surrounding area;
 - >> Section 405.350.A.2 requires that the applicant provide a plan for mitigation and control of odors and other environmental impacts which may emanate from the facility. The applicant has stated that the facility will only handle prepackaged products and that no on-site activities will require odor mitigation. Should an odor manifest, the applicant would be required to take mitigating measures as identified in Section 405.350.A.2.
- 15) The intensity, duration or frequency of lighting associated with the proposed use will not adversely impact adjacent properties or significantly increase the ambient level of night light in the neighborhood;
 - >> There is no additional exterior lighting proposed as part of this permit application.

Mitigation of Potential Impacts

- 16) Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, to an acceptable level, such potentially adverse impacts. (Ord. No. 5814 §1(9.9), 4-27-04)
 - >> At this time, there do not appear to be adverse impacts associated with the proposed dispensary.

CONCLUSION

The applicant is seeking approval for the operation of a marijuana dispensary. A security plan has been presented to the Clayton Police Department without concern. The use of prepackaged products is expected to mitigate odors. Staff are of the opinion that the proposal meets the

requirements identified in section 450.350, performance standards and regulations governing marijuana facilities. Deliveries and sanitation will be adequately managed via Colorado Avenue. Staff are of the opinion that the proposed dispensary will not result in adverse impact on surrounding properties as it relates to traffic, noise, odor, utilities, and emergency services.

STAFF RECOMMENDATION

To recommend approval of the Conditional Use Permit to the Board of Aldermen as submitted.

RESOLUTION NO. 2024-07

WHEREAS, on April 5, 2024, the City received an application and letter from Amy Ryan of Armstrong Teasdale LLP on behalf of GDF-MACO, LLC, d/b/a Good Day Farm, requesting a Conditional Use Permit to allow for the operation of a 3,611 square foot marijuana dispensary.

WHEREAS, the City Plan Commission considered this request at its May 20, 2024, meeting and voted to recommend approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a public hearing with regard to this Conditional Use Permit, after due notice as required by law, at their meeting of May 28, 2024;

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

<u>Section 1.</u> Pursuant to the authority of Article VII (Conditional Use Permit) of Chapter 405 (Zoning Regulations), of the Code of Ordinances of the City of Clayton, and subject to the terms and conditions set forth in Section 2, below, the approval of a Conditional Use Permit to GDF-MACO, LLC, to allow the operation of dispensary to be known as "Good Day Farm" located at 118 South Hanley Road is hereby granted. Said property is more particularly described as follows:

9 & 20 RESUB BLK 3 LOT 33 & LOT PT 34 3 11 87 OF HANLEY'S ADDITION TO CLAYTON IN THE CITY OF CLAYTON, ST. LOUIS COUNTY, MISSOURI

<u>Section 2.</u> In addition to compliance with all Ordinances of the City of Clayton and Laws of the State of Missouri, the permitted uses shall be conducted so as to comply with the following stipulations and conditions at all times:

- (1) The permit shall be assigned to GDF-MACO LLC, d/b/a Good Day Farm (the "Permittee") and shall not be further transferred or assigned without the prior written approval of the City of Clayton.
- (2) The property and use shall be improved, maintained and operated substantially in accordance with an application for a Conditional Use Permit received by the City of Clayton on April 5, 2024, and with plans and specifications as filed with and approved by the City of Clayton.
- (3) Permitted hours of operation are Monday through Saturday from no earlier than 9:00 a.m. until no later than 10:00 p.m. and Sunday from no earlier than 9:00 a.m. until no later than 8:00 p.m.
- (4) Any exterior revisions, including signage, shall be approved by the City prior to such change.

- (5) That the Permittee is responsible for keeping the area inside and outside the establishment clean and free from litter and debris.
- (6) The use shall be operated in accordance with provisions of City Code Section 405.350.
- (7) Permittee shall maintain adequate records on site to document the basis upon which each sale is categorized as medical use pursuant to Mo. Const. Art. XIV, Section 1, or adult use pursuant to Mo. Const. Art. XVI, Section 2, and make such records available for inspection and copying by City representatives at all reasonable times for purposes of auditing tax and licensing compliance. Records shall be retained for a period of at least three (3) years. No such records, regardless of age, shall be destroyed or moved off site for at least ninety (90) days after Permittee provides written notice to the Clayton City Manager of its intent to dispose of such records, which notice shall describe the records in sufficient detail to allow the City Manager to assess whether further retention should be required.
- (8) That the Permittee shall, within thirty (30) days of the adoption of the Resolution, notify the City Clerk of the City of Clayton in writing that the conditional use permit provided for is accepted and that the conditions set forth herein are understood and will be complied with.
- (9) That Permittee's failure to comply with any of the conditions provided for in the Resolution may cause immediate termination of the permit.

<u>Section 3.</u> The City Manager of the City of Clayton is hereby authorized and directed to issue a conditional use permit in accordance with the provisions of this Resolution. Said permit shall contain all the conditions and stipulations set out in Section 2 of this Resolution.

Adopted this 28th day of May 2024.

	Mayor	
ATTEST:		
City Clerk		



PERMIT PROJECT FILE #: 24-001040 120 SOUTH HANLEY RD CLAYTON MO 63105 APPLICANT SEEKS CUP TO OPERATE A MARIJUANA DISPENSARY



All Addresses	
PERMIT #: CUP24-000005	
Permit Type Conditional Use Permit	
Subtype General CUP	
Work Description: Applicant seeks CUP to operate a marijuana dispensary	
Applicant Armstrong Teasdale LLP - Amy Ryan	
Status Under Review	
Valuation 0.00	
FEES & PAYMENTS	
Plan Check Fees	0
Permit Fees	235
Total Amount	235
Total Amount Amount Paid	235
	235 235
Amount Paid Balance Due	235
Amount Paid	235
Amount Paid Balance Due Non-Billable PERMIT DATES	235
Amount Paid Balance Due Non-Billable	
Amount Paid Balance Due Non-Billable PERMIT DATES Application Date	235
Amount Paid Balance Due Non-Billable PERMIT DATES Application Date 04/05/2024	235

Site Visit. on 05/20/2024 (Approved)

PARTIES IN INTEREST Agent Armstrong Teasdale LLP - Amy Ryan Architect Tricarico Architecture and Design - Bill Manoliadis SITE DESCRIPTION **Zoning District** HDC **Current Use** Other Other Use Vacant - previously used as tanning salon Proposed Use Other Other Use Marijuana dispensary **Estimated Cost** No. of Stories 1 SITE DEVELOPMENT Total Square Footage of Site 11552 Total Square Footage of Building(s) 3611 Ratio of Total Square Footage of Building(s) to Total Square Footage of Site .3125 Building(s) Height(s) Number of Floors 1 Total Number of Available Parking Spaces Number of Parking Spaces as Required by the Zoning Ordinance Proof that the Supplied Parking Will Meet the Demands of the Project Describe the Reason for Requesting a Conditional Use Permit Briefly describe the disposal of refuse for operation

AMENDING AN EXISTING CONDITIONAL USE PERMIT

Please describe the proposed amendment
Please describe why the proposed amendment is necessary
TRANSFERRING AN EXISTING CONDITIONAL USE PERMIT
The full legal name of the individual or entity to which the existing conditional use permit is issued
The full legal name of the individual or entity to which the conditional use permit is to be transferred
Please describe any changes to the operation
Please describe any changes to the hours of operation and decor

IIIII FEES								
FEE	~	DESCRIPTI V	QUANTITY	AMOUNT	TOTAL			
Application Fee					35.00			
Conditional Use Permit Fee					200.00			
			Plan	Check Fees	0.00			
Permit Fees 235.00								
				Total Fees	235.00			

■ PAYMENTS							■ <
DATE	ТҮРЕ	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT	
04/05/2024	Credit	V-803744500	CUP24	7429	Armstrong	235.00	
					Amount Paid	235.00	
					Balance Due	0.00	



April 30, 2024

Mr. Ryan Helle City of Clayton Department of Planning and Development Services 10 North Bemiston Avenue Clayton, Missouri 63105

Re: Conditional Use Permit Application – 118 South Hanley, Clayton, Missouri 63105 (the "Site") No. CUP-24-000005

Dear Mr. Helle,

Please accept this as GDF-MACO, LLC, doing business as Good Day Farm,'s response to your April 16, 2024 request for additional information regarding our application for a Conditional Use Permit to operate a Comprehensive Marijuana Dispensary at the above-referenced site.

1. How would marijuana products be disposed of? Would they be rendered unusable before being discarded?

Response: Marijuana products scheduled to be disposed of will be rendered unusable in a secured, non-publicly viewable or accessible area, based on the Department of Health and Senior Services' guidelines as outlined in 19 CSR 100-1.150 and our company's procedures. Please find attached the relevant provisions from our company procedures. The referenced Missouri Waste Disposal guidelines can be found at https://health.mo.gov/about/proposedrules/pdf/19CSR100-1.140Emer.pdf.

- Are any exterior changes proposed?
 Response: Yes; please see proposed exterior alterations attached ("Clayton Exterior GDF").
- 3. Section 405.350.M requires that marijuana dispensaries provide adequate security including but not limited to surveillance, inventory management, the use of a safe, an alarm system, and emergency contact information. Please describe how you will be compliant with this section and provide a security plan. Has the Clayton Police Department reviewed your security procedures?

Response: The Clayton Police Department has reviewed and approved the attached secured plan ("Clayton Camera Security Layout"). Captain Thuet confirmed he would advise the Commission of the department's approval.

4. Section 405.350.N.2 requires that the applicant provide a plan for mitigation and control of odors and other environmental impacts which may emanate from the facility. Please provide additional documentation to show compliance with this section.

Response: Our dispensary facility will only handle prepacked products and will not engage in cultivation or manufacturing; therefore, there will be no odors or other environmental impacts from our facility requiring mitigation.

Thank you for the opportunity to provide this information for the City's consideration. Please do not hesitate to let us know if we can answer additional questions.

Very truly yours,

Alex T. Gray

Alex T. Gray

Chief Strategy Officer and President of Sales

Attachments

PRODUCT DISPOSAL & DESTRUCTION

Introduction

- The inventory management system and procedures described hereinto will ensure a streamlined inventory management and disposal process. Advanced planning, routine checks, and recordkeeping are all necessary.
- Any marijuana product scheduled for disposal must be logged in the statewide track and trace system and disposed within forty-eight (48) hours of receipt at the dispensary facility.

<u>Dutchie Destruction Guide</u> [gooddayfarm.sharepoint.com]

<u>Metrc Destruction Guide</u> [gooddayfarm.sharepoint.com]

Quality Control:

- The Director of Compliance and dispensary management are responsible for ensuring the quality and safety of all marijuana products in the Company's daily inventory.
- The Director of Compliance and Inventory Manager must ensure that expired, contaminated, or otherwise unusable marijuana products are disposed of by following company policy and then properly recorded in the statewide tracking system.
- All waste disposal records must be kept in accordance with the procedure for recordkeeping and properly recorded in Metrc and on the Product Waste Disposal Log. [gooddayfarm.sharepoint.com]
- All expired, contaminated, rejected, or otherwise unusable marijuana products must be stored, secured, locked, and managed in the quarantine bin and corresponding room in Dutchie until it is destroyed.
- Any packaged product that does not meet the minimum safety standards and specifications for brand consistency or has been rejected by quality control will be held under quarantine until it can be properly destroyed.
- Any products subjected to improper storage conditions such as extreme temperature, water damage, smoke due to natural disasters, fires, accidents, or equipment failures, shall not be salvaged but held under quarantine in a secure storage area until they can be properly destroyed.
- The Company shall properly recycle all acceptable materials by separating recyclable materials and storing them in designated bins, following Company policy and local ordinances.

Storage for Disposal & Quarantined Product

- All unsellable marijuana products are labeled and separated within FDAcompliant receptacles that meet requirements within a limited access area of the dispensary facility.
- This area will be equipped with a self-closing, self-locking door mechanism requiring electronic card access, a panic button linked to the silent alarm system, and video surveillance from at least two (2) angles. All entries/exits to limited access areas will be tracked and monitored.
- Once identified, all defective and unsellable marijuana products will be marked, placed in the pre-determined area for this type of

inventory, and made distinguishable from sellable products.

Defective products will feature bright colored warnings with bold font that reads, "QUARANTINED - NOT FOR SALE." They will also feature individual bright-colored warning stickers, when applicable.

Only dispensary management and authorized employees will have access to the quarantine area.

Marijuana Waste

Marijuana products scheduled to be disposed of will be rendered unusable, based on guidelines from the Department and procedures included herein, in a secure, non-publicly viewable, or accessible area.

This area will be monitored by video surveillance from at least two (2) angles. The product shall be disposed of in the following steps:

At least two (2) employees will be present and document the disposal process of marijuana or marijuana products.

All staff must be appropriately suited, wearing PPE, which includes eyewear protection, face mask, gloves, hairnet, and closed-toe shoes.

Ensure pictures are taken of initial products, Metrc Tag, and package ID number.

Weigh all waste before disposal and enter weight from the certified scale into Metrc.

Employees will then weigh out one of the following non-compostable mixed waste materials:

Paper waste.

Cardboard waste.

Plastic waste.

Soil

Cat litter.

Employees will grind marijuana waste with a blender and incorporate it with solid waste materials outlined above, resulting in a mixture that renders the marijuana waste unusable and, at minimum, 50% non-marijuana waste by volume.

Take a photo of destroyed products and record the following information in the waste disposal log:

Date and Time of destruction.

Employee names and Agent ID.

Product ID number.

Reason for disposal.

Mixing medium.

Total weight of the disposal.

Method of Destruction

Two cameras used during destruction.

Reference the Product Waste Disposal Log.

[gooddayfarm.sharepoint.com]

Email initial, end, and log photos to the Director of Compliance and Regional Manager.

Seal the mixture and place it in the secured waste receptacle located inside the building. On the waste disposal pick-up day, the secure waste receptacle will be brought by at least two (2) employees directly to the waste disposal truck and placed directly in the truck to dispose of the material.

All areas containing waste receptacles are monitored with video surveillance. All digital recordings will be stored in compliance with the Department's regulations.

All receptacles with marijuana waste must remain locked.

The name and contact information for the waste disposal company will be available for immediate contact if waste needs to be disposed of before a scheduled pick-up.

An employee will record all waste disposal in Metrc and <u>Product Waste</u>

<u>Disposal Log.</u> [gooddayfarm.sharepoint.com]

Records of all disposals shall be kept for at least five (5) years and made available to the Department within two (2) business days of request.

Missouri Destruction Guidelines

<u>Dutchie – Destruction Guide.</u> [gooddayfarm.sharepoint.com]

<u>Metrc – Destruction Guide</u> [gooddayfarm.sharepoint.com].



April 5, 2024

The Honorable Michelle Harris Mayor of Clayton, Missouri and City of Clayton Board of Aldermen 10 North Bemiston Clayton, Missouri 63105

Re: Request for Conditional Use Permit ("CUP") Application – 118 South Hanley, Clayton, Missouri 63105 (the "Site")

Dear Honorable Mayor and Members of the Board of Aldermen:

GDF-MACO, LLC ("**Applicant**"), respectfully requests the City of Clayton, Missouri (the "City"), issue Applicant a Conditional Use Permit to operate a marijuana dispensary facility ("**Dispensary**") at the above referenced Site. Applicant applies for this CUP as an owner under contract. *See* enclosed copy of the Purchase and Sale Agreement.

The Site is situated within the City's High Density Commercial District ("HDC") and is improved with a 3,611 square foot retail structure that formerly operated as a tanning salon and now sits vacant. Applicant seeks to repurpose and reinvigorate the existing structure to operate a Dispensary.

In conformity with Amendment 3 of the Missouri Constitution and the rules and regulations promulgated by the Missouri Department of Health and Senior Services ("DHSS"), Sections 405.3170 and 405.3170 of the City's Zoning Code authorize the operation of a Dispensary for the sale of adult use and medical marijuana as a conditional use in the HDC District, subject to the performance standards set forth in Section 405.350 of the City's Zoning Code.

In addition to meeting the numerous and rigorous requirements and standards set by DHSS with respect to the ownership and operation of a Missouri Marijuana Facility License, the proposed Site complies with all marijuana-use-specific standards set forth in Section 405.350 of the City's Zoning Code:

- The Site is not located within 500 feet of any then-existing elementary or secondary school, child daycare or church in conformity with Section 405.350.A.4(a) and as measured in conformity with Section 405.350.A.4(c).
- The Site is not located within 500 feet of another marijuana related use in conformity with Section 405.350.A.4(b), as there are no other marijuana facilities in the City.
- As depicted in Applicant's plans submitted herewith, in addition to all facility requirements mandated by DHSS, Applicant complies with all interior requirements and operational requirements set forth in Sections 405.350.A.6.

- through 15 of the City's Zoning Code.
- Upon granting a CUP to Applicant, Applicant will apply for and maintain a City business license, as well maintain its License with DHSS, as required by Sections 405.350.A.15 and 16 of the City's Zoning Code.
- Applicant's hours of operation will be 9:00 a.m. to 10:00 p.m. Monday through Saturday, and 9:00 a.m. to 8:00 p.m. Sundays.

Further, Applicant's intended use of the Site meets all criteria for the issuance of the CUP set forth in Section 405.840.A of the City's Code:

- The proposed use is compatible with surrounding uses and with the surrounding neighborhood, as it is located within the City's HDC District with the purpose of said district to accommodate high density commercial uses within the central business district. Additionally, this Site was previously approved by the City and a CUP was issued by the City to Agri-Genesis LLC d/b/a Sunrise to operate a marijuana dispensary in July 2023.
- Applicant intends to use the existing structure, and therefore, the building and its size are appropriate and reasonable in relation to adjacent structures and buildings.
- The proposed use will not adversely affect the general appearance of the neighborhood and will be updated to create visual harmony with the neighborhood, working close with and in collaboration with the City's vision for its central business district amenity retailers.
- Applicant will ensure that all landscape plans are up to the City's standards for both conformity with the Code and with the surrounding neighborhood.
- The proposed use will not adversely affect the neighborhood, in terms of excessive noise, water runoff or other heat generation features, as Applicant is repurposing the existing structure.
- There will be no deleterious impact on the surrounding neighborhood, transit movements, noise levels, odors, or lighting due to this use, as it is within the City's intended district to allow such uses and is subject to strict oversight by DHSS and the City, which for all intents and purposes, contributed to the City's previous approval of this Site to operate as a marijuana dispensary.
- This use will likely remain in existence for a long period of time, as it will be the City's only Dispensary and is located in an area of intense commercial activity, and the use is codified by the Missouri Constitution, and supported by a 60.33% passage rate of the citizens of Clayton.

Applicant's proposed plan and use of the Site is consistent with good planning practice and is harmonious with the current Code, as its plan requires no zoning amendments or variances to be eligible to apply for a CUP. Further, while the City is undergoing the process of updating its Comprehensive Plan – Clayton Tomorrow 2040 - it is clear both from a current Comprehensive Plan perspective, and a focus area of the new Plan, that Clayton cares about providing its residents and transient workforce with a wide array of retail amenities within its central business district. This use is harmonious with the City's Plan to enhance and add retail uses to the business districts, which will serve not only its residents living within Clayton but the over 98% of workers that live outside of the City looking to shop at Applicant's place of business before and after work and returning to their homes outside of City limits. As such, Applicant looks forward to joining the Clayton community.

Please see enclosed Applicant's architectural plans and floor plans for the Site, as well as other supplemental documents required by the application for CUP. Please let us

know if there are any questions or any additional information we can provide. Please feel free to call me at 501.231.0594 or email me at alex@gooddayfarm.com.

Sincerely,

Alex Gray

Chief Strategy Officer and President of Sales

Alex T. Gray

Enclosures

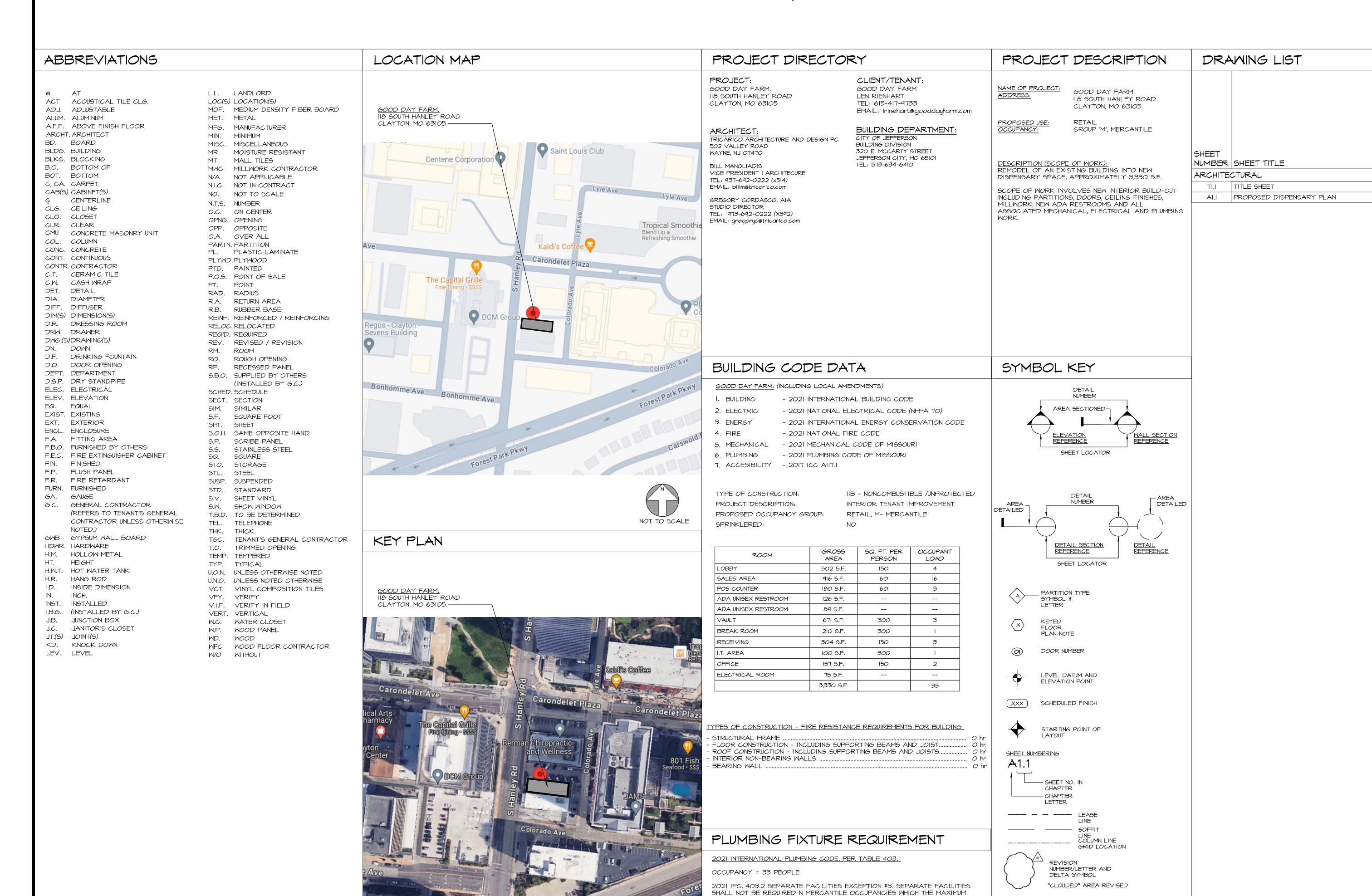
- cc. Regan Etheridge, Store Development Project Manager Good Day Farm (via email)
- cc. John Notter & Rebecca Thessen, Real Estate Brokers L3 Corporation (via email)
- cc. Jaimie Mansfield, Esq. Attorney for Applicant Quarles & Brady LLP (via email)
- cc. Eric Walter, Esq., Amy Ryan, Esq., Rhys Williams, Esq., Attorneys for Applicant Armstrong Teasdale LLP (via email)

GOOD PEOPLE. GOOD CANNABIS. GOOD DAY.

425 W. Capitol Ave. 14 Floor, Little Rock, AR 72201

GOOD DAY FARM

118 SOUTH HANLEY ROAD CLAYTON, MO 63105



OCCUPANT LOAD IS 100 OR FEWER.

_AVATORIES: | REQUIRED: 1-750

DRINKING FOUNTAIN: I PROVIDED

SERVICE SINK: I PROVIDED

• REQUIRED: I • PROVIDED: 2

• REQUIRED: I • PROVIDED: 2

NOT TO SCALE

NATER CLOSETS: I REQUIRED: 1-500



TRICARICO ARCHITECTURE AND DESIGN P 502 VALLEY ROAD, WAYNE, NJ 07470 T: 973-692-0222 F: 973-692-0223 TRICARICO.COM

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ISSUES AND REVISIONS

THE GENERAL CONTRACTOR AND/OR ALL SUB-CONTRACTORS WORKING FROM THESE PLANS AND SPECIFICATIONS ARE NOT TO SCALE SUCH INFORMATION BUT TO CONTACT THE ARCHITECT OR HIS REPRESENTATIVE REGARDING MEASUREMENTS, IF SUCH MEASUREMENTS DO NOT APPEAR CORRECT, ADD UP PROPERLY OR SCALE CORRECTLY TO THE INDICATED SIZE.

ISSUE:

04.01.24 CUP APPLICATION

NO .: REVISIONS / BY:

GOOD DAY FARM

118 SOUTH HANLEY ROAD CLAYTON, MO 63105

240200 AS SHOWN GJC THESE DRAWINGS WERE 03.18.24 COMPLETED UNDER THE DIRECT SUPERVISION OF: NJ

NICHOLAS J. TRICARICO ARCHITECT

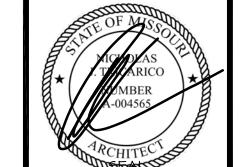
TRICARICO ARCHITECTURE AND DESIGN PC

DRAWING NAME:

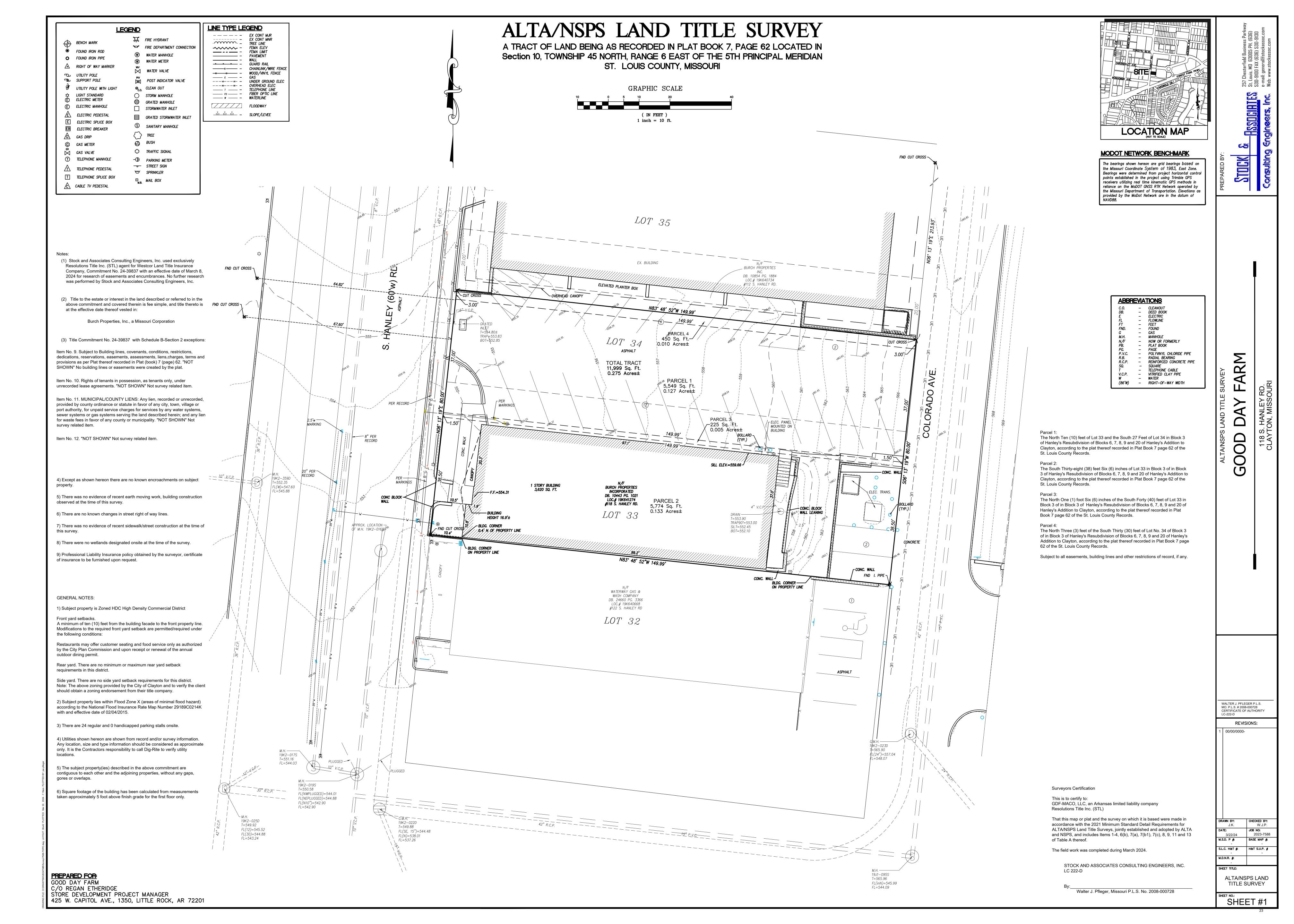
TITLE SHEET

DRAWING NO .:

FIRM REGISTRATION NO.:2004012997



NOTE: HARDCOPY SHEETS SMALLER THAN 30X42 ARE NO







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DATE: ISSUE:

03.29.24 CUP APPLICATION

NO.: REVISIONS / BY:

GOOD DAY FARM

118 SOUTH HANLEY ROAD CLAYTON, MO 63105

PROJECT NO.:

240200

RAL

SCALE:

AS SHOWN

DATE:

03.18.24

DRAWN BY:

RAL

CHECKED BY:

GJC

THESE DRAWINGS WERE
COMPLETED UNDER THE
DIRECT SUPERVISION OF: NJT

NICHOLAS J. TRICARICO ARCHITECT

TRICARICO ARCHITECTURE AND DESIGN PC

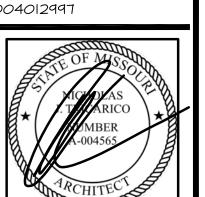
AND DESIGN
DRAWING NAME:

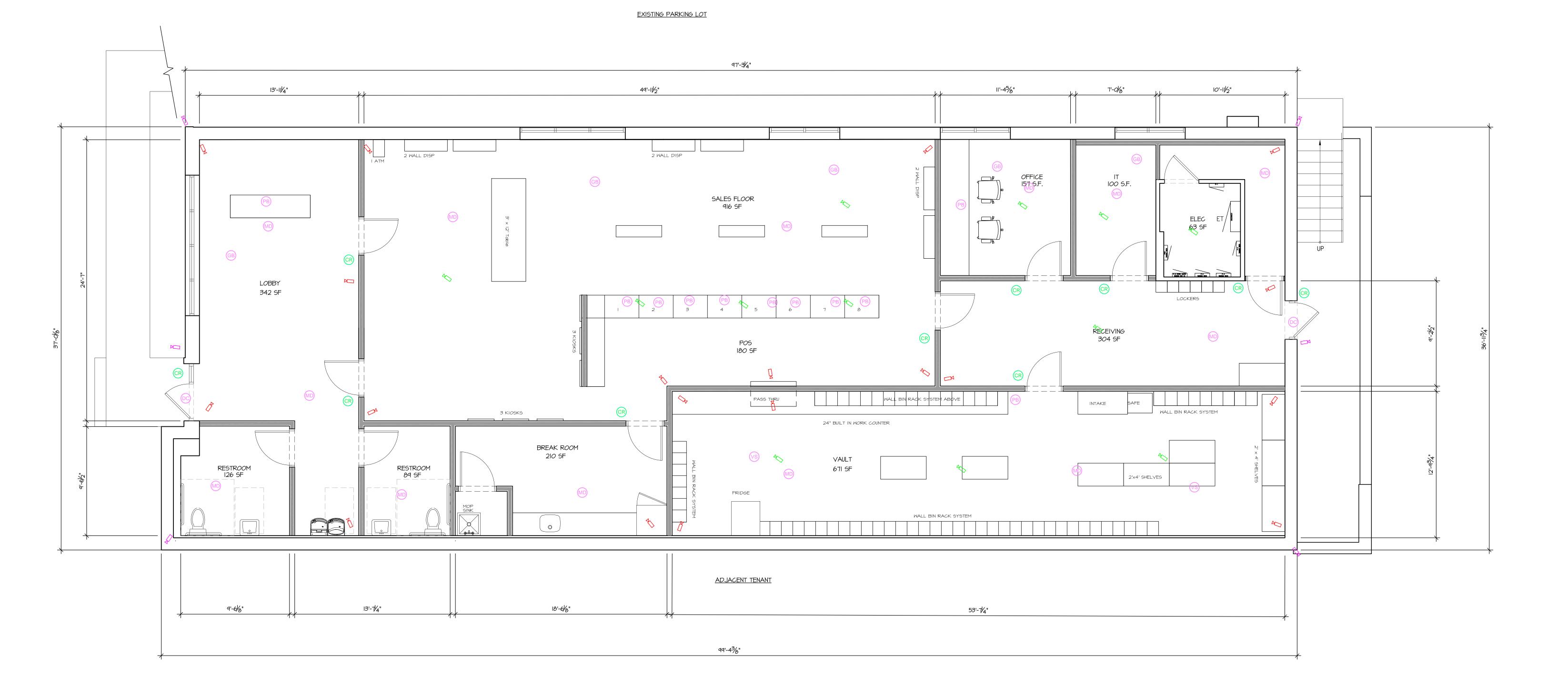
PROPOSED DISPENSARY PLAN

NOTE: HARDCOPY SHEETS SMALLER THAN 30X42 ARE NOT TO SCALE.

DRAWING NO.:

FIRM REGISTRATION NO.: 2004012997





TOTAL SQUARE FOOTAGE: 3,330 S.F.

THE CITY OF CLAYTON

Board of Aldermen In-Person and Virtual Meeting May 14, 2024 7:00 p.m.

MINUTES

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

<u>In-person</u>: Bridget McAndrew, Susan Buse, Becky Patel, Gary Feder, Rick Hummell, Jeffery Yorg, and Mayor Michelle Harris.

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

PUBLIC REQUESTS AND PETITIONS

Jean Most, 95 Aberdeen, addressed the Board stating the Hillcrest Community meeting was held recently and residents expressed concerns over the proposed overlay district regarding Washington University and Concordia Seminary.

MAYOR'S YOUTH ADVISORY COUNCIL

The members of the Mayor's Youth Advisory Council presented individual reports and suggested recommendations on the various City Board and/or committee that they were assigned to:

Gavin Wickenhauser, City Plan Commission – better communication engagement. Lavanya Mani, Livable Communities – increase after hours downtown events/activities. Audrey Aranha, Parks & Recreation – plant a community (fruit) grove; provide bike rentals in Shaw Park.

Henry Rosenbloom, Landscape Task Force – add outdoor basketball courts. Shiv Patel, Board of Aldermen – impressed with the efforts of historic landmark preservation.

Bridget Gustafson, Sustainability Committee – reduce noise pollution by banning gaspowered leaf blowers.

Adalaide Pollock, Sustainability Committee – provide educational opportunities to the youth on making the city greener.

Caleb Park, Clayton Community Foundation – invest more in communication.

Riley Zimmerman, Landscape Task Force – educate the youth via social media on issues that affect the community.

Liam Ferguson, Board of Aldermen – create a mentorship group for students.

Stella Whitney, CRSWC – focus on goals for the future of The Center.

Anaise Oge, Livable Communities – find ways to involve citizens and students in settingup events.

Yahia Said, Clayton Equity Commission – continue communication to be more inclusive; update the housing code to be equitable and keep up with modern times.

Jaylin Lin, Parks & Recreation – install more streetlights; promote sports/club programs in the schools.

Charlie Meyers, Sustainability Committee – more outreach/communications to the youth.

Story Kummer, City Plan Commission – provide tax breaks for residents who plant water absorbing plants; keep up communication to citizens.

Mayor Harris presented the Mayor's Award for Outstanding Participation to Charlie Meyers and Story Kummer.

Mayor Harris expressed appreciation to Jenny Abeles, Community Advisor and Darcy Cearley, Faculty Advisor, for their leadership and commitment to the MYAC.

PRESENTATION ON THE FY2023 AUDIT

Victoria Daly, Sikich LLP, provided the Board with a presentation on the FY2023 Audit.

A PUBLIC HEARING AND A RESOLUTION FOR A CONDITIONAL USE PERMIT FOR 4 FOREST RIDGE PLACE FOR AN ACCESSORY DWELLING UNIT

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

City Manager Gipson reported that This is a public hearing and subsequent resolution to consider granting a conditional use permit to Josephine Weil Revocable Trust, owner of 4 Forest Ridge Place, to allow for the construction of a 588 square foot accessory structure containing an accessory dwelling unit. The property has a zoning designation of R-1 Large Lot Single-Family Dwelling District. The Plan Commission and Architectural Review Board considered the applications and associated architectural and site plans for the project on April 15, 2024, and recommended approval of the CUP and approved the architectural and site plans.

Jeff Gershman, representative, L. Hedquist, KierantTimberlake Architects (virtual), and owners Richard and Josephine Weil were in attendance to answer questions.

Mayor Harris closed the public hearing.

Motion made by Alderman McAndrew to approve Resolution No. 2024-06, granting a Conditional Use Permit allowing the construction of an accessory dwelling unit at 4 Forest Ridge Place. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Mayor Harris welcomed Alderman Jeff Yorg.

MOTION TO ELECT MAYOR PRO TEMPORE

Motion made by Alderman McAndrew to elect herself as Mayor Pro Tempore. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

CONSENT AGENDA

- 1. Minutes April 23, 2024
- Motion Boards and Commissions Aldermanic Committee Assignment(s).

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; Alderman Yorg – Aye; and Mayor Harris – Aye.

AN ORDINANCE FOR CONDOMINIUM PLAT FOR 6601 CLAYTON ROAD

City Manager Gipson reported that this is an ordinance approving a condominium plat for 6601 Clayton Road. The subject property comprises one (1) multifamily structure with four (4) units. On June 29, 2022, the applicant submitted an application, condominium plat, bylaws and declaration. Staff sent comments in July 2022, which were not addressed. In the time since, interior renovations have been completed and the units have been listed for sale as condominiums. To establish the condominium plat prior to closing on the sale of units, revisions were submitted on April 12, 2024. Staff identified additional required revisions in emails to the applicant on April 16th and April 25, 2024. On May 13, 2024, the applicant submitted a revised plat to address the outstanding comments identified in the prior Request for Board Action report. The revised plat follows applicable codes, ordinances and standards of Article III Condominiums and Condominium Building Conversions.

Alderman McAndrew introduced Bill No. 7024, approving a Condominium Plat for 6601 Clayton Road to be read for the first time by title only. Alderman Buse seconded.

City Attorney O'Keefe noted that the Board received copies of the revised/corrected plat to which they are voting on tonight.

City Attorney O'Keefe reads Bill No. 7024, first reading, an Ordinance Providing for the Approval of a Plat for the 6601 Clayton Road Condominiums, a Condominium Located 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. 7024 on the day of its introduction. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Alderman McAndrew introduced Bill No. 7024, approving a Condominium Plat for 6601 Clayton Road to be read for the second time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7024, second reading, an Ordinance Providing for the Approval of a Plat for the 6601 Clayton Road Condominiums, a Condominium Located 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; Alderman Yorg – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6884 of the City of Clayton.

AN ORDINANCE FOR A CONTRACT WITH TRI-STATE MECHANICAL SERVICES, INC. FOR HVAC REPLACEMENT AT SHAW PARK AQUATIC CENTER

City Manager Gipson reported that in 2003, Shaw Park Aquatic Center underwent a major renovation which included replacing the HVAC system in the guard offices, first aid room and concession stand. This system is now over 20 years old and has required more frequent and increasing costly repairs over the last five years.

To avoid excessive maintenance costs, bid documents for HVAC Replacement at Shaw Park Aquatic Center were issued on January 11, 2024. The scope of work includes the replacement of the current HVAC system, which consists of five Carrier 38HDL units and five ceiling mounted heater units of unknown make and model. The goal of this project is to replace these units with those of similar capacity and function while providing improved energy efficiency.

Toni Siering, Director of Parks and Recreation was in attendance to answer questions.

Alderman McAndrew introduced Bill No. 7025 approving a contract with Tri-State Mechanical Services, Inc for the Shaw Park Aquatic Center HVAC Project to be read for the first time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7025, first reading, an Ordinance Approving a Contract with Tri-State Mechanical Services, Inc. for HVAC Replacement at Shaw Park Aquatic Center 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. 7025 on the day of its introduction. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Alderman McAndrew introduced Bill No. 7025 approving a contract with Tri-State Mechanical Services, Inc for the Shaw Park Aquatic Center HVAC Project to be read for the second time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7025, second reading, an Ordinance Approving a Contract with Tri-State Mechanical Services, Inc. for HVAC Replacement at Shaw Park Aquatic Center 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; Alderman Yorg – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6885 of the City of Clayton.

AN ORDINANCE FOR A CONTRACT WITH CONCRETE STRATEGIES, LLC FOR THE #1 OAK KNOLL PARK FOUNDATION REPAIR PROJECT

City Manager Gipson reported that the City of Clayton entered into a lease agreement with Clayton Early Childhood Center (CECC) for the property at #1 Oak Knoll Park effective January 1, 2023, for a term of 10 years, plus an option period for an additional ten years. To address water intrusion issues, that lease agreement specified that the City is required to make repairs to the foundation in the CECC's playground prior to January 1, 2025. The scope of work includes repairs to the north and west elevations of the building below grade, as well as repairs to the south elevation of the building around the playground. This includes applying a sealer to

the foundation below grade and repairing any loose mortar so that waterproofing material can be applied to a sound wall.

Toni Siering, Director of Parks and Recreation was in attendance to answer questions.

Alderman McAndrew introduced Bill No. 7026 approving a contract with Concrete Strategies, LLC for the #1 Oak Knoll Park Foundation Repair Project to be read for the first time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7026, first reading, an Ordinance Approving a Contract with Concrete Strategies, LLC for the #1 Oak Knoll Park Foundation Repair Project 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. 7026 on the day of its introduction. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Alderman McAndrew introduced Bill No. 7026 approving a contract with Concrete Strategies, LLC for the #1 Oak Knoll Park Foundation Repair Project to be read for the second time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7026, second reading, an Ordinance Approving a Contract with Concrete Strategies, LLC for the #1 Oak Knoll Park Foundation Repair Project 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; Alderman Yorg – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6886 of the City of Clayton.

OTHER

Alderman McAndrew reported on the following:

- CRSWC discussion on fee increases; Toni Siering and staff did a great job presenting.
- Plan Commission reviewed plans for a house on University Drive.
- Ward 3 Coffee well attended.

Alderman Buse reported on the following:

- Parks & Recreation Commission
 - o Remembrance Park continued delay due to underground AT&T lines
 - Shaw Park Pool opens May 25.
 - o Maintenance on park shelters, comfort stations, splash pad is ongoing.
 - Staff has had difficulty getting bids on the HVAC repairs project.
- UERF & NUERF continuing to show a strong economy and strong market.
- Claverack Park Neighborhood meeting

Alderman Patel reported on the following:

- A citizen active in the St. Louis Audubon Society has chosen Clayton for the "Bird Safe" Program.
- Attended an event in Columbia "Local Progress" regarding collaboration of governments on racial and economic justice.
- Commended Mayor Harris on the work done to grow and improve MYAC.
- Sustainability Committee
 - Great use of interns
 - SolSmart Silver certification; thanks to staff
 - o Working on a establishing a grant for funding for green dining alliance.
- Washington University/Concordia Seminary Overlay discussions thanks to City Manager and staff for time spent with the neighborhoods; concerned that citizen's perception is that the City is "giving something away."

Alderman Feder reported on the following:

- Expressed appreciation for the work put into the spreadsheet for the Boards and Commissions.
- Attended the St. Louis Metro Municipal League last month topic was on the unhoused.
- DeMun meeting on the Washington University/Concordia Seminary Overlay project.
- Attended the St. Louis Business Journal event; topic "Marketing Our Own Community."
- UERF doing well.
- Attended Washington University's School of Law commencement well attended and without incident; thanks to our public safety staff.
- Attended the "Open Streets" event good program, but not well attended; suggest reevaluating.

Alderman Hummell reported on the following:

- CRSWC discussion on fee increases; the School Board is focused on financial
 performance and mitigating the operation shortfalls; credits staff in their work in
 implementing a marketing program.
- NUERF overall funding continues to be consistent and strong.
- MYAC recommendations on better communications agrees that the City does a good
 job in communications, but also is mindful that the majority of citizens are challenged
 with understanding the plan/strategy.

Alderman Yorg reported on the following:

- Thanks to everyone for the warm welcome.
- Attended the St. Louis Municipal League Newly Elected Officials Training.

Mayor Harris reported on the following:

- Attended the St. Louis Area Police Chief's Association Prayer Breakfast.
- National Police Week recognition was May 12-18.
- Attended the "Open Streets" event.
- UERF
- Attending the Board of Education breakfast tomorrow.
- St. Louis Metro Municipal League St. Louis County is engaging in a Comprehensive Plan.
- St. Louis Metro Municipal League installation dinner will be held May 23.

Alderman McAndrew expressed congratulations to Assistant City Manager Andrea Muskopf for receiving the Richard R. Noll Award from the Missouri City Managers' Association.

Motion made by Alderman McAndrew to adjourn the meeting. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Meeting adjourned at 9:28 p.m.

	Mayor
ATTEST:	
City Clerk	



REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN

FROM: DAVID GIPSON, CITY MANAGER

KAREN DILBER, DIRECTOR OF FINANCE

DATE: MAY 28, 2024

SUBJECT: MOTION - A LIQUOR LICENSE FOR MJM ENTERPRISES STL, LLC AT 200

S. CENTRAL AVENUE

MJM Enterprises STL, LLC is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sunday at 200 S. Central Avenue

The Police Department has completed its review of the application and supports the issuance of the requested license. The Planning and Development department has approved the application with no objections.

The applicant has chosen not to submit a petition from surrounding property owners and first floor tenants. As a result, they are aware that this application must have a super majority vote of five Board members in order to be approved. Staff has requested that a representative attend the meeting.

Recommended Action: Staff recommend passing a motion to approve the liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sunday.



City Manager 10 N. Bemiston Avenue Clayton, MO 63105

B REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN

FROM: DAVID GIPSON, CITY MANAGER

KAREN DILBER, DIRECTOR OF FINANCE

DATE: MAY 28, 2024

RE: RESOLUTION - FIVE-YEAR CAPITAL IMPROVEMENTS PLAN FOR

INCLUSION IN THE FISCAL YEAR 2025 PROPOSED BUDGET

DOCUMENT

At the May 17, 2024, Board of Aldermen retreat and discussion session, staff presented the Board of Aldermen with the recommendations for the funded projects in the five-year Capital Improvements Plan (fiscal years 2025 – 2029). After discussion regarding specific projects, the Board made no changes to the recommended project list at that meeting.

The Capital Improvements Plan, once approved, will be incorporated into the proposed City budget document and will be a part of the public hearing process prior to budget approval.

STAFF RECOMMENDATION: To approve the attached resolution approving the five-year Capital Improvement Plan funded project list for inclusion in the fiscal year 2025 proposed City budget.

RESOLUTION NO. NO. 2024-08

RESOLUTION TO APPROVE THE FIVE-YEAR CAPITAL IMPROVEMENTS PLAN TO BE INCLUDED IN THE FISCAL YEAR 2025 PROPOSED CITY BUDGET

WHEREAS, the City maintains a Capital Improvements Program that provides for the funding of City infrastructure, facilities and amenities; and

WHEREAS, each year City staff recommends projects to be included in the Capital Improvements Plan by using the criteria outlined in the Capital Improvements Plan Ranking System; and

WHEREAS, the Board of Aldermen was presented with detailed information on the list of projects recommended for funding in the five-year Capital Improvements Plan at the May 17, 2024, Board of Aldermen retreat and discussion session; and

WHEREAS, the Board of Aldermen desires to include the Capital Improvements Plan in the Fiscal Year 2025 proposed budget document; and

WHEREAS, a public hearing will be held on the proposed budget document, including the Capital Improvements Plan, prior to approval of the fiscal year 2025 budget as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Aldermen of the City of Clayton approves the five-year Capital Improvements Plan and further directs the City Manager to include this plan in the fiscal year 2025 proposed budget document, for which a public hearing will be held as required by law.

Passed by the Board of Aldermen this 28th day of May 2024.

	MAYOR	
ATTEST:		
CITY CLERK		

CAPITAL IMPROVEMENT PLAN - FISCAL YEARS 2025 - 2029

	FY25	FY26	FY27	FY28	FY29
SUMMARY	Proposed	Planning	Planning	Planning	Planning
Beginning Fund Balance	6,222,450	4,229,672	4,710,274	4,141,691	3,489,247
Revenues					
Ongoing Revenues	5,885,668	5,969,347	6,065,191	6,158,242	6,278,543
Project Related Revenues	2,180,422	956,223	240,000	0	0
Transfers-In and One-time Revenue	0	0	0	0	0
Total Revenues	8,066,089	6,925,570	6,305,191	6,158,242	6,278,543
Expenditures					
Transfers & Debt	5,250,156	4,853,706	4,622,450	4,628,542	4,628,945
Projects	4,808,712	1,591,262	2,251,323	2,182,143	2,091,551
Total Expenditures & Transfers	10,058,868	6,444,968	6,873,773	6,810,685	6,720,496
Ending Fund Balance	4,229,672	4,710,274	4,141,691	3,489,247	3,047,294
Internal Fund Balance Target (25% of Ongoing Revenue)	1,471,417	1,492,337	1,516,298	1,539,560	1,569,636

REVEN	<u>UE</u>	FY25	FY26	FY27	FY28	FY29
		Proposed	Planning	Planning	Planning	Planning
Ongoing	Revenues					
410.15	Capital Improvement Sales Tax	1,681,387	1,715,015	1,749,315	1,784,302	1,819,988
410.16	Parks & Stormwater Sales Tax	1,450,337	1,489,244	1,528,928	1,569,407	1,610,695
410.17	Use Tax	1,513,515	1,543,785	1,574,661	1,606,154	1,638,277
403	Railroad & Other Utilities	3,000	3,000	3,000	3,000	3,000
418	Road & Bridge	1,087,429	1,098,303	1,109,286	1,120,379	1,131,583
470.11	Interest	150,000	120,000	100,000	75,000	75,000
	Total Ongoing Revenues	5,885,668	5,969,347	6,065,191	6,158,242	6,278,543
Project I	Related Revenues					
425.11	Federal Grants	965,535	-	-	-	-
426.11	State and Local Grants	525,000	315,000	240,000	-	-
427.11	Other Grants & Donations	689,887	641,223	-	-	-
	Total Project Related Revenues	2,180,422	956,223	240,000	0	0
Transfer	s-In from Other Funds & One-time Revenue					
490.11	Sale of Assets	-	-	-	-	-
480.10	Miscellaneous	-	-	-	-	-
499.5	Transfer from Equipment Replacement Fund	-	-	-	-	-
499.21	Transfer from Special Business District	-	-	-	-	-
499.63	Transfer from Ice Rink Project	-	-	-	-	-
499.10	Energy Loan Pay-back	-	-	-	-	-
470.16	Interest for Special Assessment - Ellenwood	-	-	-	-	-
477.16	Ellenwood NID		<u>-</u>	<u>-</u>	<u>-</u>	<u> </u>
		0	0	0	0	0
Total	Revenue	8,066,089	6,925,570	6,305,191	6,158,242	6,278,543

<u>EXPENDITURES</u>	FY25	FY26	FY27	FY28	FY29
	Proposed	Planning	Planning	Planning	Planning
Debt, Transfers & CRSWC Contributions					
Refund FY2 Debt Service - 2011 Police Bldg/Various					
Pay off FY3 Debt Service - 2021 Police Bldg/Various	593,000	591,400	587,100	587,100	586,300
Began FY1(Contribution to CRSWC - Annual	300,000	300,000	300,000	300,000	300,000
Contribution to CRSWC - Deficit	230,000	345,000	100,000	100,000	100,000
FY20 Only Transfer-out for Center/Pkg Lot Overage	-	-	-	-	-
Began FY1t Transfer to GF for operations	500,000	500,000	500,000	500,000	500,000
Began FY1(Transfer to ERF (estimate)	2,201,071	2,005,556	2,024,100	2,026,817	2,030,770
Begin FY20 Transfer to Fund 61 for City Portion	-	-	-	-	-
Pay-back Past Ice Rink Expenditures	314,543	-	-	-	-
Municipal Garage					
End FY44 Municipal Garage Debt Service	1,011,542	1,011,750	1,011,250	1,014,625	1,011,875
End FY34 ERF Funding Gap Contribution	100,000	100,000	100,000	100,000	100,000
Total Debt, Transfers & CRSWC Contributions	5,250,156	4,853,706	4,622,450	4,628,542	4,628,945

Recomm	ended Projects	FY25	FY26	FY27	FY28	FY29
		Proposed	Planning	Planning	Planning	Planning
Complete	Shaw Park Ballfield Playground Replacement	-	-	-	-	-
Complete	Shaw Park South Playground Replacement	-	-	-	-	-
Active	10 S Brentwood - Exterior Impr. Phase 2	-	-	-	-	-
Active	10 S Brentwood - Police Dept Training Rm	-	-	-	-	-
Active	Anderson Park Project	-	-	-	-	-
Active	Bike & Pedestrian Master Plan	-	-	-	-	-
Active	Central Business Dist. Resurfacing Phase 1	-	-	-	-	-
Active	Central Business Dist. Resurfacing Phase 2	1,735,535	-	-	-	-
Active	Demolition of Ice Rink & Relocation of Electric for Park	-	-	-	-	-
Active	Maryland Avenue Park - Acquisition & Design	-	-	-	-	-
Active	Remembrance Park - Construction	-	-	-	-	-
Active	Oak Knoll Pond Improvements	-	-	-	-	-
Active	Parks Master Plan	-	-	-	-	-
Active	Shaw Park Service Road Repairs	-	-	-	-	-
Active	Sidewalks, Curbs & Accessibility Impr.	120,000	120,000	120,000	120,000	120,000
Active	Shaw Park Tree Top Playground Splash Pad Upgrades	-	-	-	-	-
54	Microsurfacing of Clayton Gardens, Clayshire, Parkside, Polo & Carondelet	-	-	-	-	-
54	Microsurfacing of Old Town, Skinker Heights, Hi-Pointe, DeMun, Northmoor Park	-	-	-	-	-
54	Mircosurfacing Moorlands, Hillcrest, Wydown Forest	-	-	631,029	-	-
54	Shaw Park Lighting System Upgrades	420,000	-	-	-	-
53	Oak Knoll Comfort Station Enhancements	-	-	-	-	-
53	8300 SPD Municipal Garage Preconstruction	-	-	-	-	-
51	North Shelter Enhancements	-	-	-	-	-
51	South Shelter Enhancements	-	-	-	-	-
48	Shaw Park Tennis Center Lighting	-	-	-	-	-
42	Roof at #1 Oak Knoll Park	-	-	-	-	-
31	10 S Brentwood - Garage Security	-	-	-	-	-
31	City Hall - Council Chamber Security	100,000	-	-	-	-
23	Pavement Sealing of Brentwood Blvd and Maryland Ave	-	-	-	-	-
23	Pavement Sealing of Moorlands, Hillcrest, Wydown Forest	-	-	-	-	-
66	Asphalt Overlay-Hunter/S Gay/Shaw Park Dr/Lower Shaw Park Lot	-	-	722,654	-	-
66	Microsurfacing of Davis Place	-	-	337,454	-	-

35	Oak Knoll Pavilion & Picnic Pad	_	-	- 1	-	-
23	Pavement Rejuvenator-Various Locations	_	-	140,186	-	_
52	#1 Oak Knoll Park Foundation Repairs	_	-	-	-	-
46	Shaw Park Fields 1 & 2	710,000	-	-	-	-
46	Shaw Park Fields 3 & 4	-	-	300,000	-	-
45	Oak Knoll Lighting Upgrades	335,130	350,000	-	-	-
83	Municipal Garage Renovation Construction	-		-	-	-
59	8011 Bonhomme - Fire Supression System (Dry)	-	-	-	367,000	-
54	Microsurfacing of Claverach Park	-	-	-	236,266	-
54	Microsurfacing of Wydown Blvd, Forsyth, N. Meramec	-	-	-	1,079,913	-
47	10 S Brentwood Garage 3rd Level Concrete Repairs	101,000	-	-	-	-
47	10 S Brentwood Garage 1 & 2 Level Concrete Repairs	-	95,000	-	-	-
45	10 S Brentwood Plaza Waterproofing	-	-	-	-	-
	SPAC Flooring replacement (First Floor entry, locker rooms and lobby)	75,000	-	-	-	-
1	SPAC-HVAC replacement	-	-	-	-	-
51	Alley Repairs FY2028	-	-	-	378,964	-
38	Maryland Ave. Retaining Wall Repair	-	-	-	-	-
	Diesel Exhaust Sytem-Fire Department (3294, 3297)	-		-	-	-
	Fire Training Facility	919,849	854,964	-	-	-
	Window Replacement 10 N Bemiston	-	-	-	-	-
43	Parks Shade Structures	-	-	-	-	175,000
43	Parks Shade Structures (Dog Park)	-	-	-	-	75,000
24	#1 Oak Knoll Park Windows	-	-	-	-	200,000
35	Subdivision Monuments	67,198	171,298	-	-	-
	Pavement Rejuvenator on CBD streets	-	-	-	-	100,213
	Microsurfacing of Old Town, Skinker Heights, Hi-Pointe, DeMun Park, Northmoor Park,					
	Hanley Place & Maryland Terrace	-	-	-	-	709,338
	Hanley House Exterior House Repairs	225,000	-	-	-	-
	IT Dept expansion	-	-	-	-	85,000
	Curb Accessibility improvements	-	-	-	-	100,000
	Alley Repairs FY2029	-	-	-	-	274,000
	Parking lot repaving	-	-	-	-	253,000
	Residential Microsurfacing	-	-	-	-	-
	Residential Mill & Overlay	-	-	-	-	-
	Residential Rejuvenator	-	-	-	-	-
	Arterial Microsurfacing	-	-	-	-	-
	Arterial Mill & Overlay	-	-	-	-	-
	Arterial Rejuvenator	-	-	-	-	-

	Alley Reconstruction	-	_	- 1	-	- 1
	Sidewalk Repair/Reconstruction	-	-	-	-	-
	Lighting	-	-	-	-	-
	Signals	-	-	-	-	-
	Parking Lots Microsurfacing	-	-	-	-	-
	Parking Lots Mill & Overlay	-	-	-	-	-
	Parking Lots Rejuvenator	-	-	-	-	-
	City Hall/Fire Station - Roof	-	-	-	-	-
	Municipal Garage - Roof	-	-	-	-	-
	Police Station/10 S Brentwood Roof	-	-	-	-	-
	Police Station/10 S Brentwood HVAC Terimal and Package Unit	-	-	-	-	-
45	Hanley House Fire Suppression System & Interior Restoration	-	-	-	-	-
	Total Recommended Projects	4,808,712	1,591,262	2,251,323	2,182,143	2,091,551
	Total Planned Expenditures	10,058,868	6,444,968	6,873,773	6,810,685	6,720,496

Unfund	ed Projects	FY25	FY26	FY27	FY28	FY29
		Proposed	Planning	Planning	Planning	Planning
49	Streetlight Replacement - Wydown Blvd.	-	•	-	-	-
49	Streetlight Replacement - Project	-	-	-	-	-
31	Shaw Park South Entrance	-	-	-	-	-
31	FD Garage/Storage Facility	-	-	-	174,000	-
22	Remodel FD Captain's Office	-	-	-	63,700	-
•	Livable Community Master Plan Project Recommendation	500,000	-	-	-	-
27	Fire Admin Asst. Office Reconfiguration Project	7,000	70,150	-	-	-
	Total Unfunded Projects	507,000	70,150	0	237,700	0