

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.

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

CITY OF CLAYTON BOARD OF ALDERMEN
EXECUTIVE SESSION – 6:00 P.M.
TUESDAY, SEPTEMBER 24, 2024
CITY HALL ADMIN. CONFERENCE RM, 2ND. FL
10 N. BEMISTON AVENUE
CLAYTON MO 63105

1. Section 610.021 (3) (13) Revised Statutes of Missouri, relating to personnel.

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.

CITY OF CLAYTON BOARD OF ALDERMEN
TUESDAY, SEPTEMBER 24, 2024 – 7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 2ND FL
10 N. BEMISTON AVENUE
CLAYTON, MO 63105

ROLL CALL

PUBLIC REQUESTS & PETITIONS

UNFINISHED BUSINESS

1. Ordinance - Property Tax Levies - Tax Year 2024 (FY 2025)–*2nd Reading* (Bill No. 7040)
 - *** General Municipal Purposes ***
 - *** Debt Levy General Obligation Bond Purposes***
 - *** Police Building Debt Service***
 - *** Special Business District ***

2. Ordinance - FY2025 Operating & Capital Improvement Budget–*2nd Reading* (Bill No. 7041)

PUBLIC HEARING

1. Resolution – A conditional Use Permit for 176 Carondelet Plaza, new restaurant *d/b/a*, Rooster. (Res. No. 2024-16)

CONSENT AGENDA

1. Minutes – September 10, 2024

CITY MANAGER REPORT

1. Presentation and report on Clayton’s Municipal Court
2. Resolution – Conditional Use Permit transfer and amendment for Seedz Restaurant located at 6344 and 6350 S. Rosebury Avenue. (Res. No. 2024-17)
3. Dia De Los Muertos/Day of The Dead Event Proposal

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
KAREN DILBER, DIRECTOR OF FINANCE
DATE: SEPTEMBER 24, 2024
SUBJECT: ORDINANCE - SETTING THE TAX YEAR 2024 PROPERTY TAX LEVIES
FOR FISCAL YEAR 2025 BUDGET - *2ND READING*

UPDATE:

We have received updated assessed value information from the County Assessor now that the Board of Equalization process is complete. We have updated our calculations accordingly. Residential assessed values and new construction increased, commercial assessed values decreased, and commercial new construction remained unchanged 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 attached for reference. A Motion: **TO AMEND BILL 7040 BY THE TEXT OF BILL 7040.1** (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 2024 is not a reassessment year; therefore, there is little change in previously assessed properties. The City experienced moderate new construction growth, increasing residential assessed values by over \$4.8 million and commercial assessed values by over \$9.1 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 3.4% for this year, and for the value of the new construction. Per the Fiscal Year 2025 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 10, 2024. Below, please find the proposed calendar year 2024 property tax levy recommendations for Budget Year 2025.

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 as explained below.

We are sometimes able to add small amounts of additional tax revenue 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 prior to the setting of current rates. 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 does impact property tax calculations. 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, plus a small amount available for recoupment.

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. Compared to the 2023 ceiling adjusted for prior year recoupment, the 2024 ceiling decreased by 0.003 for both City and Special Business District residential levies. The commercial levies for City, Police and Special Business District increased by 0.008, 0.001, and 0.002 respectively. The other tax levies’ tax rate ceilings did not change.

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 0.7% for residential property, 0.5% for commercial property and 7.5% for personal property. The 2024 proposed tax rates for these levies are equal to the tax ceilings plus the allowable recoupment rates. The General Fund tax levy, which may be used for any general purpose, is projected to generate approximately \$7.64 million, or approximately \$127,000 more than last year.

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 \$928,000, respectively.

Historical rates and the rates proposed to be levied for the 2024 calendar year (Fiscal Year 2025 budget year) are presented below. All rates are per \$100 of assessed valuation.

Property Category	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate	2024 Tax Rate First Reading	2024 Tax Rate Final	2024 Rate Compared to 2023 Rate
General Revenue						
Residential	\$0.497	\$0.498	\$0.490	\$0.497	\$0.493	\$0.003 Increase
Commercial	\$0.610	\$0.622	\$0.618	\$0.658	\$0.666	\$0.048 Increase
Personal	\$0.707	\$0.707	\$0.707	\$0.707	\$0.707	No Change
General Obligation Debt Service						
Residential	\$0.080	\$0.068	\$0.068	\$0.068	\$0.068	No Change
Commercial	\$0.080	\$0.068	\$0.068	\$0.068	\$0.068	No Change
Personal	\$0.080	\$0.068	\$0.068	\$0.068	\$0.068	No Change
Police Building Debt Service						
Residential	\$0.091	\$0.091	\$0.090	\$0.090	\$0.090	No Change
Commercial	\$0.100	\$0.102	\$0.101	\$0.108	\$0.108	\$0.007 Increase
Personal	\$0.120	\$0.120	\$0.120	\$0.120	\$0.120	No Change

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

Property Category	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate	2024 Tax Rate First Reading	2024 Tax Rate Final	2024 Rate Compared to 2023 Rate
Residential	\$0.668	\$0.657	\$0.648	\$0.655	\$0.651	\$0.003 Increase
Commercial	\$0.790	\$0.792	\$0.787	\$0.834	\$0.842	\$0.055 Increase
Personal	\$0.907	\$0.895	\$0.895	\$0.895	\$0.895	No Change

For a home valued at \$700,000, it is expected that the homeowner would pay approximately \$866 in property taxes for the City of Clayton portion only. Based on last year's rate, the same homeowner would pay \$4 more 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 increased 4.1% for residential and 0.7% for commercial properties. The 2024 proposed tax rates are at the tax ceiling plus the allowable recoupment rates. The 2024 Special Business District tax levy for the Fiscal Year 2025 budget is projected to generate approximately \$606,000 which is over \$18,000 more than last year. Historical rates and the rates proposed to be levied for the 2024 calendar year (Fiscal Year 2025 budget year) are shown below and are per \$100 of assessed valuation:

Property Category	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate	2024 Tax Rate First Reading	2024 Tax Rate Final	2024 Rate Compared to 2023 Rate
Residential	\$0.079	\$0.082	\$0.082	\$0.084	\$0.082	No Change
Commercial	\$0.116	\$0.117	\$0.116	\$0.123	\$0.124	\$0.008 Increase

A commercial property located in the Special Business District assessed at \$2 million would pay approximately \$794 in property taxes for the Special Business District portion only. Based on last year's rate, the same commercial property would pay \$51 more 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	2021 Tax Rate	2022 Tax Rate	2023 Tax Rate	2024 Tax Rate First Reading	2024 Tax Rate Final	2024 Rate Compared to 2023 Rate
Residential	\$0.747	\$0.739	\$0.730	\$0.736	\$0.733	\$0.003 Increase
Commercial	\$0.906	\$0.909	\$0.903	\$0.957	\$0.966	\$0.063 Increase

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 2024 (Fiscal Year 2025) at the rates referenced in this memorandum.

BILL NO. 7040.1

ORDINANCE NO.

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 2024

WHEREAS, on September 10, 2024, 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(4), RSMo. 2016, the Board of Aldermen states through this Ordinance that is adopted in a public meeting held as provided by law, and following a duly noticed public hearing held as aforesaid, that the tax rates hereinafter provided are necessary to maintain the public services upon which the residents of Clayton rely.

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 2024 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 \$0.493 on residential property, a tax levy of \$0.666 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 \$0.108 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 2024 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 \$0.124 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 2024.

Mayor

ATTEST:

City Clerk

**Redlined Review Draft
of
BILL NO. 7040.1**

ORDINANCE NO.

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 2024.

WHEREAS, on September 10, 2024, 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(4), RSMo. 2016, the Board of Aldermen states through this Ordinance that is adopted in a public meeting held as provided by law, and following a duly noticed public hearing held as aforesaid, that the tax rates hereinafter provided are necessary to maintain the public services upon which the residents of Clayton rely.

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 2024 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 ~~\$0.497~~ **\$0.493** on residential property, a tax levy of ~~\$0.658~~ **\$0.666** 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 \$0.108 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 2024 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 ~~\$0.084~~ **\$0.082** on residential property and a tax levy of ~~\$0.123~~ **\$0.124** 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, 2024.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: DAVID GIPSON, CITY MANAGER
KAREN DILBER, DIRECTOR OF FINANCE
DATE: SEPTEMBER 24, 2024
SUBJECT: ORDINANCE - FISCAL YEAR 2025 OPERATING AND CAPITAL
IMPROVEMENTS BUDGET—*2ND READING*

In August, the Board of Aldermen received the City Manager's proposed Fiscal Year 2025 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 10, 2024.

The Board reviewed the proposed budget during a public meeting on August 23, 2024.

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 2025 Operating and Capital Improvements Budget is presented for second reading. A summary of the budget is attached, that includes a reconciliation of changes since the proposed budget.

Recommended Actions: To have the second reading of the Fiscal Year 2025 Operating and Capital Improvements Budget as presented in the proposed budget.

BILL NO. 7041

ORDINANCE NO.

**AN ORDINANCE ADOPTING AN ANNUAL BUDGET
FOR FISCAL YEAR 2025 COMMENCING ON OCTOBER 1, 2024
AND APPROPRIATING FUNDS PURSUANT THERETO**

WHEREAS, the City Manager has presented to the Board of Aldermen an annual budget for the Fiscal Year 2025 commencing on October 1, 2024; and

WHEREAS, a public hearing on the budget was conducted on September 10, 2024, 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 2025 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 24th day of September 2024.

Mayor

ATTEST:

City Clerk

CITY OF CLAYTON
Reconciliation of Proposed to Final FY 2025 Budget

Fund	FY 2024	FY 2025
<u>General Fund</u>		
Beginning Fund Balance	23,404,114	24,829,883
Revenues & Other Financing Sources (No Change)	30,822,488	31,534,327
Initial Expenditures & Other Financing Uses	29,396,719	31,305,645
Change	-	103,403
Revised Expenditures & Other Finance Uses	29,396,719	31,409,048
Ending Fund Balance	24,829,883	24,955,162
<u>Sewer Lateral Fund - No Change</u>		
Beginning Fund Balance	129,379	175,345
Revenues & Other Financing Sources (No Change)	100,966	100,344
Expenditures & Other Financing Uses (No Change)	55,000	80,000
Ending Fund Balance	175,345	195,689
<u>Special Business District Fund - No Change</u>		
Beginning Fund Balance	81,334	60,677
Revenues & Other Financing Sources (No Change)	568,509	568,752
Expenditures & Other Financing Uses (No Change)	589,166	562,888
Ending Fund Balance	60,677	66,541
<u>Equipment Replacement Fund</u>		
Beginning Fund Balance	9,416,616	9,611,782
Revenues & Other Financing Sources (No Change)	2,727,696	2,454,748
Expenditures & Other Financing Uses (No Change)	2,532,530	4,550,054
Ending Fund Balance	9,611,782	7,516,476
<u>Capital Improvement Fund</u>		
Beginning Fund Balance	6,418,966	3,327,981
Revenues & Other Financing Sources (No Change)	6,463,891	7,210,669
Expenditures & Other Financing Uses (No Change)	9,554,876	8,287,654
Ending Fund Balance	3,327,981	2,250,996
<u>Bond Construction Funds</u>		
Beginning Fund Balance	2,366,348	(314,543)
Revenues & Other Financing Sources (No Change)	1,495,477	314,543
Expenditures & Other Financing Uses (No Change)	4,176,368	-
Ending Fund Balance	(314,543)	-
<u>Debt Service Funds</u>		
Beginning Fund Balance	2,031,737	2,290,655
Revenues & Other Financing Sources (No Change)	3,224,018	3,269,315
Expenditures & Other Financing Uses (No Change)	2,965,100	2,967,225
Ending Fund Balance	2,290,655	2,592,745
<u>Total of All Funds After Revisions</u>		
Total Beginning Fund Balances	43,848,494	39,981,780
Revenues & Other Financing Sources (No Change)	45,403,045	45,452,698
Revised Expenditures & Other Financing Uses	49,269,759	47,856,869
Total Ending Fund Balances	39,981,780	37,577,609

City of Clayton - FY 2025 Budget Detailed Reconciliation Items

General Fund

<u>REVENUE</u>	FY24	FY25
<i>No changes</i>	\$0	\$0
<u>EXPENDITURES</u>	FY24	FY25
<i>Increases due to additional steps granted</i>		\$21,000
<i>Increase due to new position added</i>		\$82,403
Total Expenditure Changes	\$0	\$103,403
Net Change	\$0	(\$103,403)

Capital Improvements Fund

<u>REVENUE</u>	FY24	FY25
<i>No changes</i>	\$0	\$0
<u>EXPENDITURES</u>	FY24	FY25
<i>Correction in account number, no change to amount</i>	\$0	\$0
Total Expenditure Changes	\$0	\$0
Net Change	\$0	\$0



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
RYAN HELLE, PLANNER

DATE: SEPTEMBER 24, 2024

SUBJECT: PUBLIC HEARING & A RESOLUTION - A CONDITIONAL USE PERMIT –
176 CARONDELET PLAZA FOR A RESTAURANT *D/B/A* ROOSTER

This is a public hearing to consider an application for a Conditional Use Permit submitted by Craig LaBoube, Kaemmerlen Facility Solutions d/b/a Rooster, to allow for the operation of a 6,266 square foot restaurant.

The subject property is located on the south side of Carondelet Plaza, just east of South Hanley Road. The property has a zoning designation of Planned Unit Development (PUD). The site is currently developed with a mixed-use commercial, office, and residential structure. The selected commercial space was previously home to Whitebox Eatery and Golftec.

Rooster will be open seven (7) days a week from 8:00 a.m. to 2:00 p.m. The restaurant concept is a full-service sit-down restaurant serving variety of breakfast, brunch, and lunch options. The restaurant will have 140 indoor seats, and no outdoor dining is proposed at this time. Required parking will be accommodated in the attached garage, and additional parking may be found on the adjacent street or nearby garages. Deliveries will be made in the morning in front of the restaurant. The restaurant will continue to use the existing recycling and garbage pickup services. During the Plan Commission meeting, the applicant stated that they are already members of the Green Dining Alliance and plan to continue operating in conformance with those requirements for this location.

The Plan Commission considered this request at its meeting on September 16, 2024, and voted unanimously to recommend approval as requested.

STAFF RECOMMENDATION: To approve a Conditional Use Permit for the operation of Rooster Restaurant located at 176 Carondelet Plaza per the conditions outlined in the Resolution.

RESOLUTION NO. 2024-16

WHEREAS, on August 29, 2024, the City received an application and letter from Craig LaBoube of Kaemmerlen Facility Solutions, requesting a Conditional Use Permit to allow for the operation of a 6,266 square foot restaurant known as Rooster.

WHEREAS, the City Plan Commission considered this request at its September 16, 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 September 24, 2024;

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

Section 1. 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 Kaemmerlen Facility Solutions, d/b/a Rooster, to allow the operation of restaurant located at 176 Carondelet Plaza is hereby granted. Said property is more particularly described as follows:

A TRACT OF LAND BEING LOT 2 OF THE RESUBDIVISION OF 'THE
PLAZA IN CLAYTON", IN THE CITY OF CLAYTON, ST. LOUIS COUNTY,
MISSOURI

Section 2. 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 Kaemmerlen Facility Solutions, d/b/a Rooster (the "Permittee") and shall not be further transferred or assigned without the prior written approval of the City of Clayton.
- (2) The property shall be improved, maintained and operated substantially in accordance with an application for a Conditional Use Permit received by the City of Clayton on August 29, 2024, and with plans and specifications as filed with and approved by the City of Clayton.
- (3) Permitted hours of operation are up to seven (7) days a week from no earlier than 8:00 a.m. until no later than 2:00 p.m.
- (4) The Permittee shall obtain an Outdoor Dining Permit from the City's Planning Department prior to commencing outdoor dining.

(5) Any exterior revisions, including signage, shall be approved by the City prior to such change.

(6) That the Permittee is responsible for keeping the area inside and outside the establishment clean and free from litter and debris.

(7) No outdoor music or similar audio shall be permitted without the prior written approval of the City.

(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.

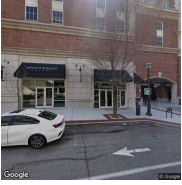
Section 3. The City Manager of the City of Clayton is hereby authorized and directed to issue a conditional use permit in accordance with the provisions of this Resolution. Said permit shall contain all the conditions and stipulations set out in Section 2 of this Resolution.

Adopted this 24th day of September 2024.

Mayor

ATTEST:

City Clerk



PERMIT PROJECT
 FILE #: 24-000696
 176 CARONDELET PLAZA CLAYTON MO 63105
 ROOSTER RESTAURANT - INTERIOR ALTERATION



PERMIT #: CUP24-000013

Permit Type

Conditional Use Permit

Subtype

Restaurant CUP



Work Description:

Interior Alteration



Applicant

Kaemmerlen Facility Solutions - Craig LaBoube



Status

Under Review



Valuation

0.00



FEES & PAYMENTS

Plan Check Fees

0.00

Permit Fees

235.00

Total Amount

235.00

Amount Paid

0.00

Balance Due

235.00

Non-Billable



PERMIT DATES

Application Date

08/29/2024

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

Site Visit. on 09/16/2024 (Completed)



PARTIES IN INTEREST

Agent



Architect



SITE DESCRIPTION

Zoning District

C-1



Current Use

*Restaurants, wine bars, and and prepared food dispensing uses.



Proposed Use

*Restaurants, wine bars, and and prepared food dispensing uses.



Estimated Cost

\$135,000.00

No. of Stories

INTENDED USE-RESTAURANT

Briefly describe the type and character of the operation

New Rooster Restaurant in the location of the existing White Box Eatery



Days and Hours of Operation

7 Days a week 8a - 2p



Will a liquor license be request?

Yes



Which type?

Liquor License

Square Footage of Proposed Use

6266

Number of Seats

140

Employee Parking Spaces

10

Patron Parking Spaces

40

Valet Parking?

No



Location of Parking Facilities

Onsite. Interior parking garage



Describe when and how deliveries will be made to the operation

Morning Delivery thru front door



If restaurant is to offer deliveries, please describe your ability to comply with the attached City of Clayton Delivery Policy



Briefly describe the manner in which the disposal of refuse for the operation will occur

The building has onsite dumpster emptied daily



Does the restaurant intend to participate in a recycling program?



OUTDOOR DINING/SEATING

Please provide a copy of survey showing building line, property line, right-of-way line, proposed seating plan and landscaping



Is this an outdoor dining service area or seating for self-service? Briefly explain the operation.



Is the food service and menu the same as the indoor facilities? Please explain



Square footage of the Area

Number of Seats

Please explain how patrons will access the outdoor dining/seating facilities from the restaurant



Description of Furniture



Description and proposed location of Pedestrian Barrier



Description of Landscaping



Description of Lighting



Hours of Operation

Will there be public right-of-way encroachment?



Number of Feet

AMENDMENT TO AN EXISTING RESTAURANT CONDITIONAL USE PERMIT

Please describe the proposed amendment



Please describe why the proposed amendment is necessary



TRANSFER OF AN EXISTING RESTAURANT CONDITIONAL USE PERMIT

The full legal name of the restaurant operation currently approved, as set forth on the existing conditional use permit



The full legal name (owner, partnership, corporation, etc.) and complete address of the entity to which the C.U.P will be transferred



Please describe any changes to the operation



Please describe any changes to the menu



Please describe any changes to the hours of operation, seating and decor



FEES

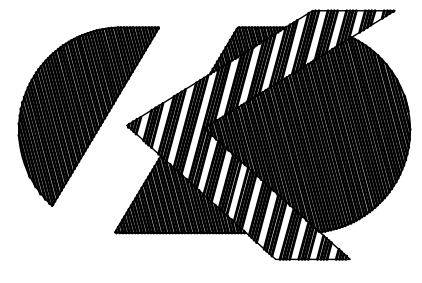


FEE	DESCRI	QUANTITY	AMOUNT	TOTAL
Application Fee				35.00
Conditional Use Permit Fee				200.00
Plan Check Fees				0.00
Permit Fees				235.00
Total Fees				235.00

PAYMENTS



DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT
Amount Paid						0.00
Balance Due						235.00



KAEMMERLEN
FACILITY
SOLUTIONS
SINCE 1924

1539 S. KINGSHIGHWAY
SAINT LOUIS, MO 63110
314-535-2222 OFF
314-535-6205 FAX

Interior Improvements for

Rooster Restaurant

176 Carondelet Plaza
Clayton, MO 63105



3-6-24 Permit Issue

3-6-24 Permit Issue Permit Issue

Floor Plan and
Demo Plan

A1

Rooster Restaurant
176 Carondelet Plaza
2023.184

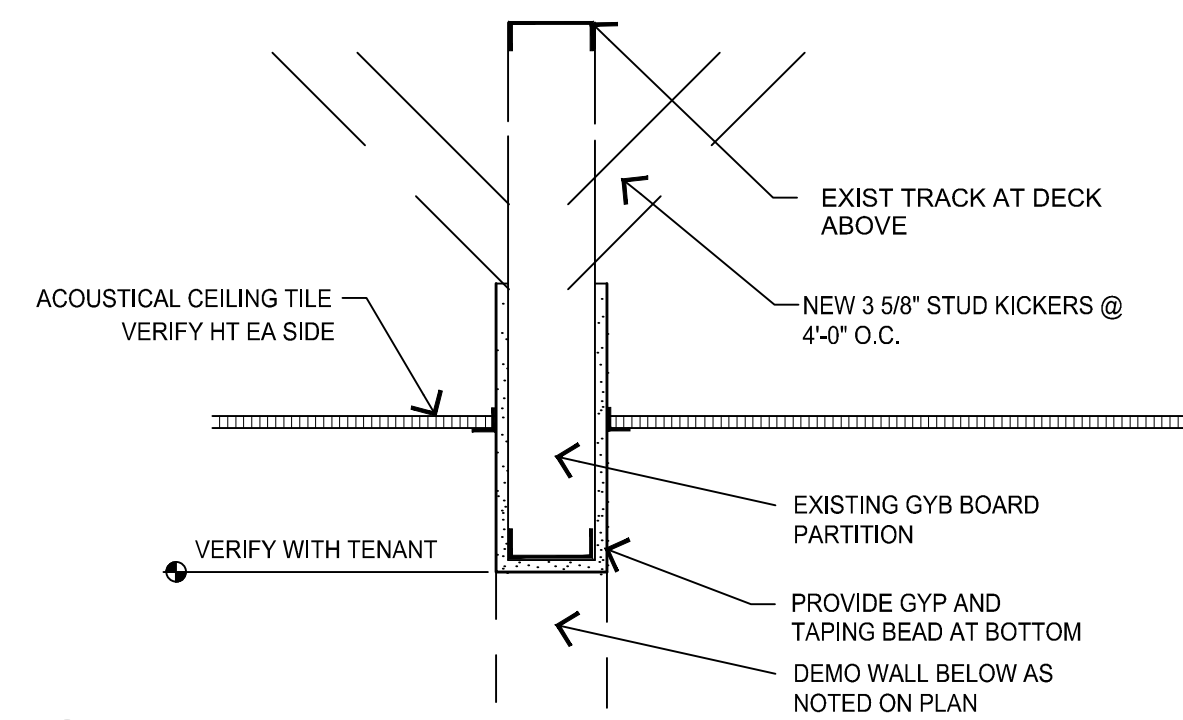


Location Plan
Not To Scale

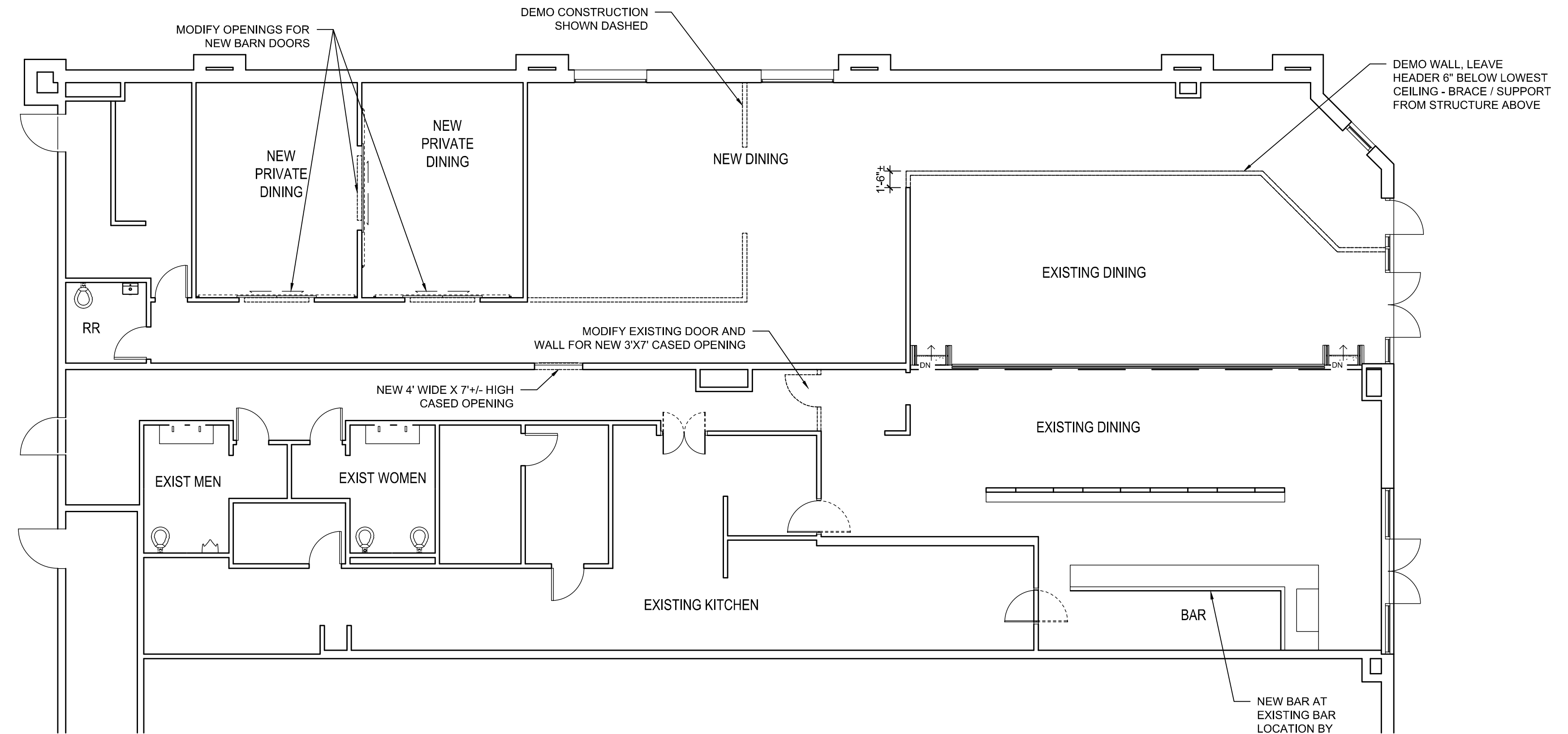
AREA OF CONSTRUCTION
1ST FLOOR AREA

Building Data

Tenant Name: Rooster Restaurant
Address: 176 Carondelet Plaza
Building Code: 2021 IBC, IEBC, IPC
Tenant Area: 6266 usf
Occupancy Load
dining Area = 3184 sf / 15 = 212
kitchen / BOH = 1350 / 200 = 7
Total = 219
Construction Classification of Existing Shell Building: Type IB Unprotected
Code Use Group Classification of Space: A-2
Building Use Description: Existing Restaurant and Expansion
Use Group Separation = Existing 1 hour partitions
Exit Access Corridores = 0 hour
Non load-bearing walls = 0 hour
Height of Existing Building: two stories at tenant area.
Fire Protection Features Provided in this Building: Fully Sprinkled

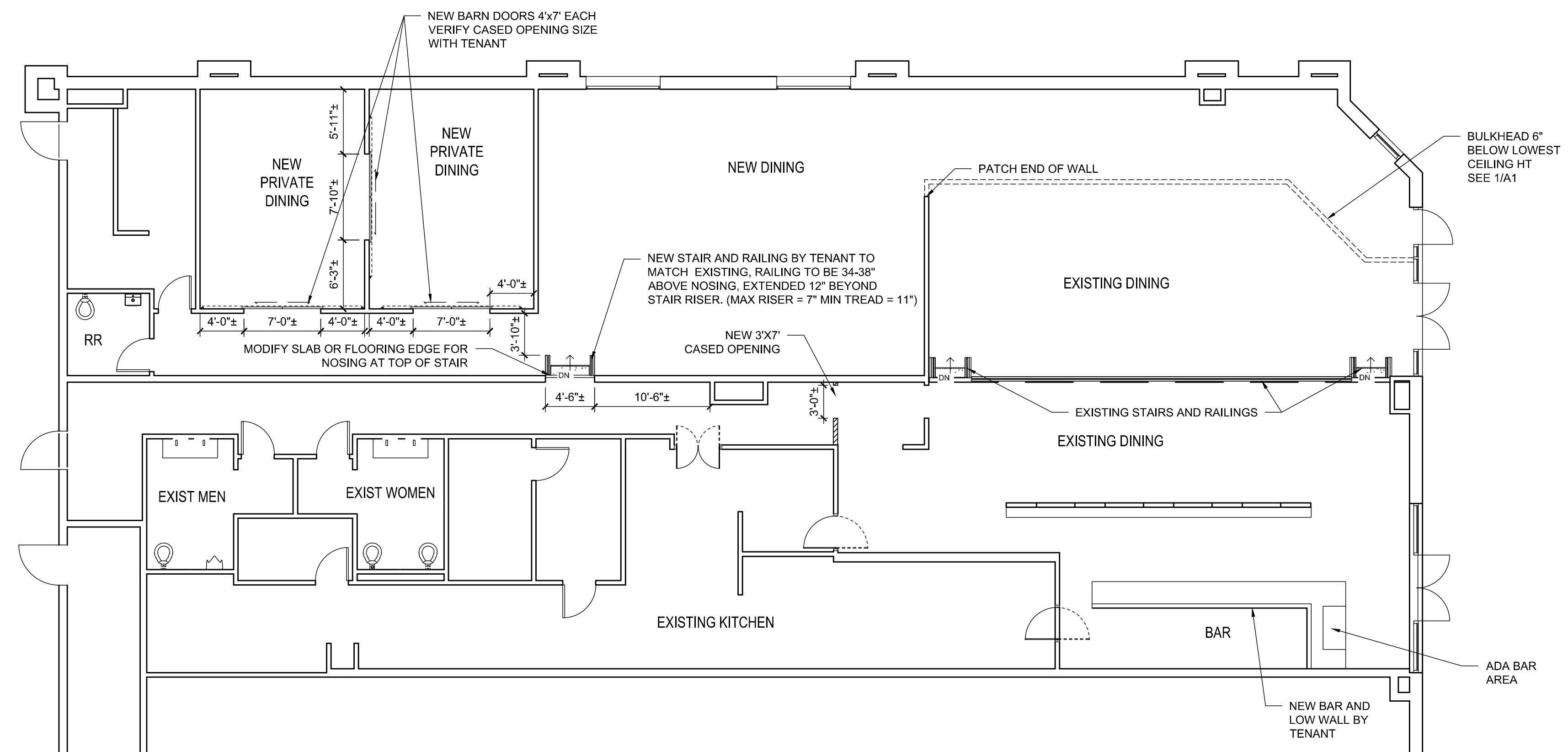


1 Drywall Bulkhead Detail
1 1/2" = 1'-0"



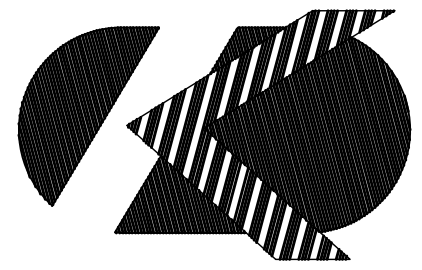
Demo Plan

1/8" = 1'-0" (24x36 Sheet Size)



Floor plan

1/8" = 1'-0" (24x36 Sheet Size)



KAEMMERLEN
FACILITY
SOLUTIONS
SINCE 1924

1539 S. KINGSHIGHWAY
SAINT LOUIS, MO 63110
314-535-2222 OFF
314-535-6205 FAX

Interior Improvements for

Rooster Restaurant

176 Carondelet Plaza
Clayton, MO 63105



3-6-24 Permit Issue

3-6-24 Permit Issue Permit Issue

Fixture Plan and
Details

A2

Rooster Restaurant
176 Carondelet Plaza
2023.184

Conditions of these Architectural Documents.

- Project Summary: Project shall consist of interior improvements to the existing building at shown. Project shall consist of minor improvements to expand the existing restaurant space as shown.
- Uhlig Architecture, LLC (UA) shall not assume any responsibility for services provided by others in implementing the improvements to this project. The construction means and methods are the sole responsibility of the *General Contractor*, contracted to perform the work by the *Tenant*.
- Existing conditions base floor plans were provided by others. UA is not responsible for exact locations of existing partitions, structural items, MEP, etc. based on base plan provided. *General Contractor* and his subcontractors shall field verify location of all existing conditions. Any relocation of MEP or structural items necessary, shall be coordinated by subcontractors.
- UA shall exercise usual and customary professional care in its efforts to comply with all laws, codes and regulations in effect as of the date of this Agreement. Design changes required complying with newly enacted laws; codes and regulations after this date shall entitle UA to a reasonable adjustment in schedule and compensation as Additional Services.
- Inasmuch as the evaluating or remodeling of existing structures requires that certain assumptions be made by UA regarding existing conditions, and because some of these assumptions may not be verifiable without Client's expending substantial sums of money or destroying adequate or serviceable parts of the structure, Client agrees to the fullest extent permitted by law to indemnify and hold harmless UA, its officers, sub-consultants, contract personnel and employees (collectively, UA) against all damages, liabilities or costs, including reasonable attorney's fees, arising out of or in any way connected with the existing structure, or from any deficiencies or any inaccuracies in any information or documentation furnished to UA by Client, excepting only those damages, liabilities or costs attributable to the sole negligence and willful misconduct by UA.
- It is understood and agreed that the UA's Basic Services do not include project observation or review of the Contractor's performance or any other construction phase services, and that such services will be provided for by the Client. The Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and the Client waives any claims against UA that may be in any way connected thereto. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless UA, its officers, members, employees and sub-consultants (collectively, UA) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising out of or in any way connected with the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of UA. If the Client requests in writing that UA provide any specific construction phase services and if UA agrees in writing to provide such services, then they shall be compensated for as Additional Services.
- The Client acknowledges that the requirements of the Americans with Disabilities Act (ADA), Fair Housing Act (FHA) and other federal, state and local accessibility laws, rules, codes, ordinances and regulations will be subject to various and possibly contradictory interpretations. The Consultant, therefore, will use its reasonable professional efforts and judgment to interpret applicable accessibility requirements currently in effect as of the date of permit issue. The Consultant, however, cannot and does not warrant or guarantee that the Client's Project will comply with all interpretations of the accessibility requirements and/or the requirements of other federal, state and local laws, rules, codes, ordinances and regulations as they apply to the project. Existing restrooms are remaining as is.
- All documents produced by UA shall remain the property of UA and may not be used by Client for any other purpose without the written consent of UA.
- The terms owner and tenant are used herein to indicate the authority figure(s) for this project.

Project General Notes

- Base building specifications govern work indicated on this drawing.
- All work shall be performed within existing building.
- General Contractor* is responsible for obtaining all necessary building permits, approvals and inspections. All work shall be performed according to codes and regulations which govern this site per federal, state and local authorities.
- General Contractor* shall coordinate project schedule with *Building Owner*.
- General Contractor* shall verify that the work complies with the *Building Owner's* insurance requirements.

General Contractor shall provide and maintain full insurance as required by the *Building Owner*.

- General Contractor* shall be responsible for all fire-stopping and fire dampers required by codes.
- General Contractor* shall verify the *Owner* has reviewed and approved all new items to be installed prior to order or fabrication.
- General Contractor* and all subcontractors shall coordinate their respective work with all architectural, mechanical, electrical, and plumbing drawings.
- Do not scale the drawings.
- The word "align" as used in these documents shall superseded any dimensional information given.
- The words "to match existing" shall indicate the *General Contractor* will verify the specification and construction of the existing items.
- The word "typical" means typical for all similar conditions.
- Architectural drawings are for design scope intent only. Details shown are not all inclusive. *General Contractor* shall consult with the *Architect* to resolve conditions not shown.
- General Contractor* to provide and install fire extinguishers as required by local fire protection district.
- Remove from building site debris, rubbish, and other materials resulting from demolition and construction. Transport and legally dispose off site. Burning of removed materials is not permitted on project site. Coordinate construction dumpster location with *Building Manager*.
- General Contractor* shall be responsible for job site safety per OSHA requirements.
- General Contractor* shall be responsible for field verifying existing dimensions and conditions. Report any discrepancies (in writing) to the *Architect* prior to proceeding with construction.
- Notify the *Architect* immediately, if any discrepancies occur between floor penetrations and structural elements.
- The *Architect* shall not assume any responsibility for the proper design and installation of mechanical, electrical, fire suppression and plumbing systems. These items as required for these improvements, shall remain the full responsibility of the *General Contractor*.
- Changes in this work are only authorized, if in writing from the *Owner*. *General Contractor* shall issue change order with all costs associated with change.
- General Contractor* shall be responsible for any damage occurring to the property during or after construction which was caused by the *General Contractor*, his employees or subcontractors.
- General Contractor* shall inspect and check adequacy and installation of thru-wall flashing, prior to covering with finish materials. Check shall include, but is not limited to inspection for holes or penetrations, appropriate lapping, sealing and overall workmanship in conformance with these notes.
- Any temporary utilities required for the work shall be the responsibility of the *General Contractor*.
- General Contractor* is responsible for shoring as required during demolition and new construction.
- General Contractor* shall coordinate with *Structural Engineer* prior to installation of any new roof top equipment if required.
- Any new roof or partition penetrations shall be approved by and further coordinated with *Building Owner* prior to any work being done. Use warranty roofer if existing.

Millwork / Furniture Notes

- All interior casework and furniture items are by others and are shown herein for coordination purposes only. Architect assumes no responsibility for furniture and casework design, installation, performance, compliance with applicable codes, or finished in their entirety.

Toilet Accessories Notes

- All toilet accessories are existing.

Door and Window Notes

- Labor, handling and installation of doors, frames and hardware shall be the responsibility of the *General Contractor*.
- Doors not labeled or noted are existing doors to remain as is.
- All door hardware shall be extra heavy duty.
- Install all door hardware in compliance with manufacturer's written instructions.
- Verify finish with tenant.

- All doors in the means of egress shall provide locking hardware not requiring a key or special knowledge for exit operation from the egress side of the door.
- Provide blocking for barn door hardware.
- Tenant* shall review hardware shop drawings prior to *General Contractor* placing order.
- Door handles, pulls, latches, locks and other operating devices shall be at a maximum height of 48" above finished floor. The operating devices shall be capable of operation with one hand and shall not require tight pinching or twisting of the wrist to operate.
- Verify new barn door style with tenant.

Finish Notes

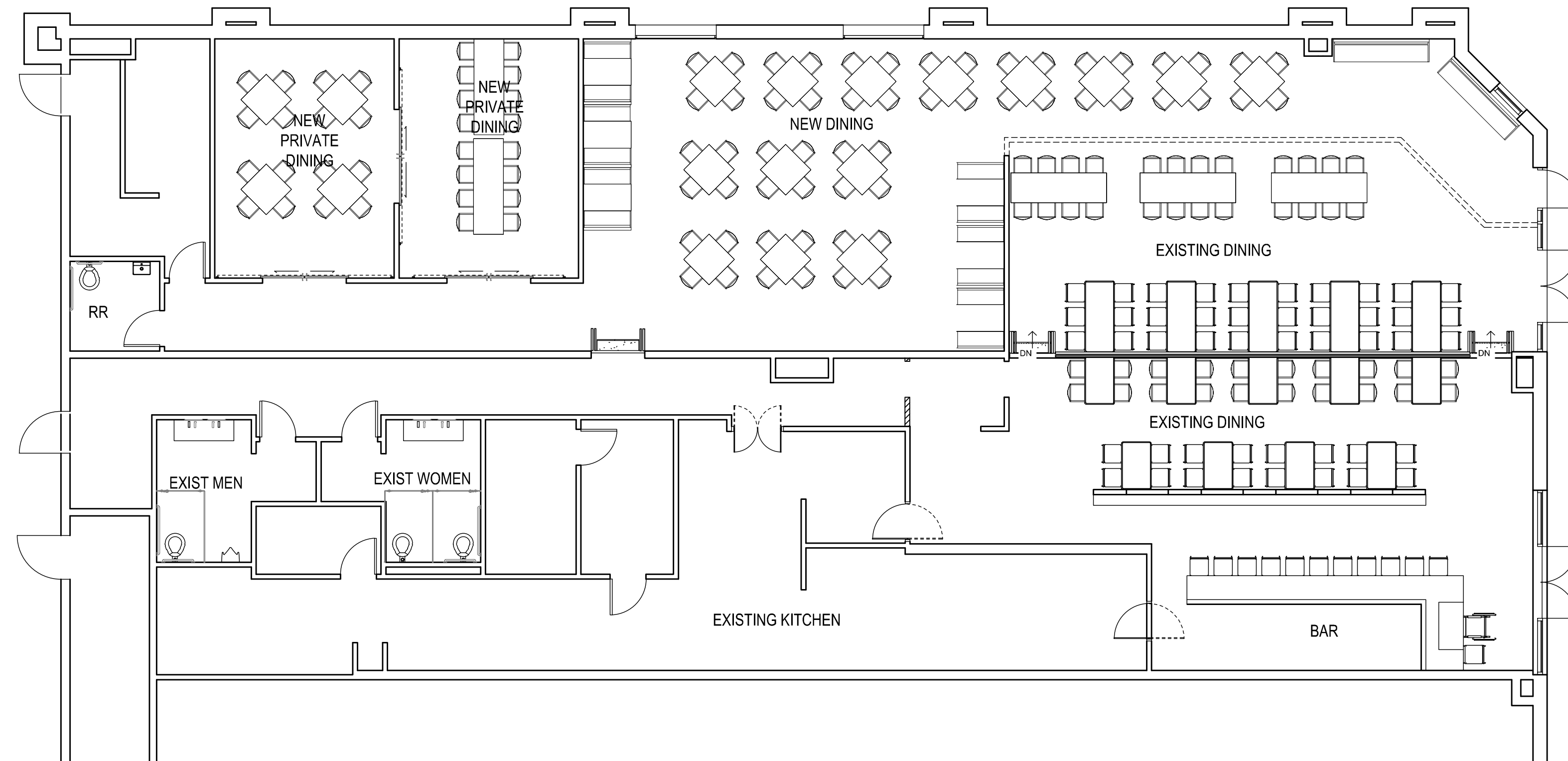
- General Contractor* shall coordinate and submit finish material samples to the *tenant* for review and approval. *Tenant* is responsible for final selection of new finish materials.
- Sweep clean the concrete floor prior to installation of flooring material. Fill all holes cracks and depressions so floor is level.
- General Contractor* shall be responsible for examining and confirming all substrate conditions where new materials are applied. Substrate shall be smooth, free of defects and shall conform to the requirements of the finished material manufacturer's recommendations.
- All finishes shall meet the current code requirements for flame spread and smoke development per current IBC code. Classification are:
Class A: Flame spread index 0-25; smoke-developed index 0-450.
Class B: Flame spread index 26-75; smoke-developed index 0-450.
Class C: Flame spread index 76-200; smoke-developed index 0-450.

Painting Notes

- All surfaces scheduled to receive paint shall be cleaned and new paint systems installed per manufacturer's instructions.
- Systems listed are manufactured by *Sherwin Williams* (or approved equal).
- Install the following *Sherwin Williams* paint system for exterior and interior unpainted metal surfaces:
1st coat: SW DTM Acrylic Primer/Finish B66W1 (2.5 - 5.0 mils dft)
2nd coat: SW DTM Acrylic Coating B66-200 semi-gloss
3rd coat: SW DTM Acrylic Coating B66-200 semi-gloss (2.5 - 4.0 mils dft/ct)
- Install the following *Sherwin Williams* paint system for interior drywall wall and ceiling surfaces:
1st coat: SW Prep-Rite 200 latex primer B28W200 (1.1 mils dft)
2nd coat: SW ProMar 200 interior latex eg-shel B20W200 Series
3rd coat: SW ProMar 200 interior latex eg-shel B20W200 Series (1.6 mils dft/ct)

Mechanical, Electrical, Plumbing and Fire Suppression Notes

- Mechanical, electrical, fire suppression and plumbing is design-build by appropriate subcontractor. Each of these subcontractors shall be responsible for obtaining their individual permits necessary for construction.
- Any new mechanical, electrical, and plumbing components shown are to be used as architectural guidelines for general location of these items in the space. The specific sizing and engineering of these components, to ensure acceptable operation of the individual systems and conformance with applicable codes and regulations, are the responsibility of the *General Contractor*.
- Provide access panels (size as required) for all concealed mechanical, electrical and plumbing items which require service access. Finish shall match adjacent wall surface.
- Install exit sign and emergency lighting combination fixture as required by codes and/or local fire protection district.
- Provide exterior emergency lighting at exterior of building at egress doors if not existing
- All fire and smoke alarms are the responsibility of the *Electrical Contractor*. Coordinate with local fire protection district.



Furniture Plan
1/8" = 1'-0" (24x36 Sheet Size)

THE CITY OF CLAYTON

Board of Aldermen
In-Person and Virtual Meeting
September 10, 2024
7:11 p.m.

MINUTES

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

In-person: Bridget McAndrew, Susan Buse, Becky Patel, Rick Hummell, Jeff Yorg, and Mayor Michelle Harris.

Staff: City Manager Gipson, City Attorney O’Keefe, City Clerk Frazier, Assistant City Manager Muskopf

Absent: Gary Feder

PUBLIC REQUESTS AND PETITIONS

None

AN ORDINANCE AMENDING SECTION 215.765 TO MODIFY THE ALLOWABLE HOURS OF USAGE FOR MOTOR-DRIVEN OUTDOOR MAINTENANCE EQUIPMENT

City Manager Gipson reported that the Board of Aldermen discussed leaf blowers and gas-powered lawn equipment on April 19, 2024, and July 19, 2024. The Board of Aldermen expressed a desire to further restrict the permitted hours for contracted lawn maintenance using gas-powered equipment. The attached ordinance would reduce the permitted hours for the operation of motor-driven outdoor equipment on weekdays for contractors from 7:00 AM to 8:00 PM as currently allowed, to 7:00 AM to 6:00 PM.

Motion made by Alderman McAndrew to amend Bill No. 7038 by the new text of Bill No. 7038.1 as provided in the Board packet. Alderman Buse seconded.

The motion passed unanimously by a voice vote.

Alderman McAndrew introduced Bill No. 7038.1, approving an amendment to Section 215.765 to modify the allowable hours of usage for motor-driven outdoor maintenance equipment to be read for the second time by title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7038.1, second reading, an Ordinance Amending Section 215.765 to Modify the Allowable Hours of Usage for Motor-Driven Outdoor Maintenance Equipment by title only.

The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Hummell – Aye; Alderman Yorg – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6899 of the City of Clayton.

A RESOLUTION ESTABLISHING A TENANT BILL OF RIGHTS

City Manager Gipson reported that the Board of Aldermen has discussed the establishment of a Tenant Bill of Rights multiple times. The proposed resolution contains all changes and revisions requested by the Board of Aldermen during those discussions.

The proposed tenant Bill of Rights will not create any new regulations but is rather a compilation of existing provisions related to fair housing and housing standards contained within Federal, State and Local laws.

Motion made by Alderman McAndrew to approve Resolution No. 2024-13, Establishing a Tenant Bill of Rights. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND AN ORDINANCE SETTING THE TAX YEAR 2024 PROPERTY TAX LEVIES FOR FISCAL YEAR 2025 BUDGET – 1ST READING

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

City Manager Gipson reported that as part of the property tax levy process, the Board will hold a public hearing to seek public input on the proposed tax rates. Included in the Board's packet is the proposed calendar year 2024 property tax levy recommendations for Budget Year 2025.

Mayor Harris closed the public hearing.

Alderman McAndrew introduced Bill No. 7040, approving an Ordinance Setting the Tax Year 2024 Property Tax Levies for the FY2025 Budget to be read for the first time by title only. Alderman Buse seconded.

City Attorney O'Keefe reads Bill No. 7040, 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 2024 by title only.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND AN ORDINANCE FOR THE FISCAL YEAR 2025 OPERATING AND CAPITAL IMPROVEMENTS BUDGET—1ST READING

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

City Manager Gipson reported that in August, the Board of Aldermen received the City Manager's proposed Fiscal Year 2025 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 closed the public hearing.

Alderman McAndrew introduced Bill No. 7041, an Ordinance Approving the FY2025 Operating & Capital Improvement Budget to be read for the first time by

title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7041, first reading, An Ordinance Adopting an Annual Budget for Fiscal Year 2025 Commencing on October 1, 2024 and Appropriating Funds Pursuant Thereto by title only.

The motion passed unanimously on a voice vote.

CONSENT AGENDA

1. Minutes – August 27, 2024
2. A contract for Professional Design Services for the Fire Training Center.

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

FY2024 3RD QUARTER FINANCIAL REPORT

Karen Dilber, Director of Finance presented to the Board on the FY2024 3rd Quarter Financial report as provided in the Board packet.

AN ORDINANCE FOR THE 3RD QUARTER AMENDMENT TO THE FISCAL YEAR 2024 BUDGET

Karen Dilber, Director of Finance reported to the Board summarizing the proposed amendments to the FY2024 3rd Quarter Budget.

Alderman McAndrew introduced Bill No. 7042, approving the FY2024 3rd Quarter Budget Amendment to be read for the first time by title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7042, first reading, an Ordinance Amending the Fiscal Year 2024 Budget and Appropriating Funds Pursuant Thereto by title only.

The motion passed unanimously on a voice vote.

Alderman McAndrew moves that the Board give unanimous consent to consideration for adoption of Bill No. 7042 on the day of its introduction. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Alderman McAndrew introduces Bill No. 7042, approving the FY2024 3rd Quarter Budget Amendment to be read for the second time by title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7042, first reading, an Ordinance Amending the Fiscal Year 2024 Budget and Appropriating Funds Pursuant Thereto by title only.

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

– Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6900 of the City of Clayton.

AN ORDINANCE ESTABLISHING SECTION 225.095 TO REQUIRE NOTICE OF THE TENANT BILL OF RIGHTS

City Manager Gipson reported that the Board of Aldermen has established a Tenant Bill of Rights (Resolution 2024-13). Section IV of the Tenant Bill of Rights requires the following access to information:

1. The Tenant Bill of Rights or notice thereof must be posted on the premises of each rental property containing three (3) or more units in the City of Clayton.
2. Property owners or their designated property managers must provide a copy of the Tenant Bill of Rights to each leaseholder.

The proposed ordinance will make the notification requirement enforceable.

City Manager Gipson noted that the City will notify property owners of the November 1, 2024, effective date.

Alderman McAndrew introduces Bill No. 7043, an ordinance establishing Section 225.095 to Require Notice of the Tenant Bill of Rights to be read for the first time by title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7043, first reading, an Ordinance Establishing Section 225.095 Notice of Tenant Bill of Rights by title only.

The motion passed unanimously on a voice vote.

Alderman McAndrew moves that the Board give unanimous consent to consideration for adoption of Bill No. 7043 on the day of its introduction. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

Alderman McAndrew introduced Bill No. 7043, an ordinance establishing Section 225.095 to Require Notice of the Tenant Bill of Rights to be read for the second time by title only. Alderman Buse seconded.

City Attorney O’Keefe reads Bill No. 7043, second reading, an Ordinance Establishing Section 225.095 Notice of Tenant Bill of Rights by title only.

The motion passed on a roll call vote: Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Hummell – Aye; Alderman Yorg – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6901 of the City of Clayton.

RESOLUTION FOR THE FY2025 CLAYTON RECREATION, SPORTS AND WELLNESS COMMISSION (CRSWC) BUDGET FOR THE CENTER OF CLAYTON

City Manager Gipson reported that the proposed FY2025 CRSWC Budget for the Center of Clayton includes revenues and expenses for the period October 1, 2024, through September

30, 2025 for the three CRSWC Funds --- Operating, Equipment Replacement and Capital. The CRSWC considered this budget on August 16, 2024, and approved it as proposed. On September 4, 2024, the budget was presented at the Joint Meeting of the Board of Aldermen and the Board of Education.

Toni Siering, Director of Parks & Recreation, was present to answer questions.

Motion made by Alderman McAndrew to approve Resolution No. 2024-15, the CRSWC FY2025 Budget. Alderman Buse seconded.

The motion passed unanimously on a voice vote.

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

The motion was approved unanimously on a voice vote.

There being no further discussion the Board adjourned at 7:51 p.m.

Mayor

ATTEST:

City Clerk



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
RYAN HELLE, PLANNER

DATE: SEPTEMBER 24, 2024

SUBJECT: RESOLUTION - A CONDITIONAL USE PERMIT AMENDMENT – 6344 & 6350 S. ROSEBURY AVENUE KNOWN AS SEEDZ CAFÉ AND SEEDZ PROVISIONS

This is a request to consider an application for a Conditional Use Permit (CUP) transfer and amendment submitted by The Krolmeister Group LLC, d/b/a SEEDZ PLANT-BASED FOOD AND BEV. The new owner of Seedz Café and Seedz Provisions is requesting transfer of the existing CUP for Seedz Café and to amend the CUP to include Seedz Provisions. The existing restaurant space measures approximately 800 square feet. Seedz Provisions measures 325 square feet.

The existing CUP allows for operation of the restaurant between 10:00 a.m. to 8:00 p.m. Tuesday through Sunday. The existing restaurant is a full-service, sit-down restaurant and currently provides 23 seats. The proposed expansion area would be used for an existing tenant, Seedz Provisions, which resides in the same structure as Seedz Café and is under the same legal entity. Seedz Provisions presently has no CUP. Seedz Provisions is described as a coffee shop and provides 10 seats. The applicant has stated that employees will be shared between the two businesses and will be on a singular payroll. Additionally, the applicant has stated that Seedz Provisions may be rebranded to Hache Herbal Infusions. The applicant is not requesting a liquor license at this time and has stated that all alcohol has been removed from the premises. Delivery service from the restaurant is not proposed. No floorplan changes are proposed.

The restaurant is located outside of Downtown Clayton; therefore, parking is required for employees. The DeMun neighborhood is a dense, mixed-use area comprising of older structures. Parking is limited aside from street parking, resident alley parking, one parking lot for Sasha's Wine Bar, and parking at Captain Elementary School. The previous CUP from 2013 stated that there were four parking spaces behind the building for employees. The landlord and applicant have stated that no such parking spaces are present. The applicant has stated that employees and patrons typically park on South Rosebury Avenue or DeMun Avenue. Given that there are no changes to the operation of the businesses staff are of the opinion that the use of street parking is sufficient.

Expansion of use is considered a major amendment to a Conditional Use Permit, and therefore, requires approval by the Board of Aldermen.

STAFF RECOMMENDATION: To approve a Conditional Use Permit for the operation of Seedz Café and Seedz Provisions, located at 6344 and 6350 South Rosebury Avenue per the conditions outlined in the Resolution.

RESOLUTION NO. 2024-17

WHEREAS, on August 11, 2024, the City received an application from Richard Bonin, of The Krolmeister Group LLC, d/b/a SEEDZ PLANT-BASED FOOD AND BEV, requesting an amendment to an existing Conditional Use Permit Transfer to allow the operation of an approximately 1,152 square foot restaurant to be known as Seedz Café and Seedz Provisions, located at 6344 and 6350 South Rosebury Avenue;

WHEREAS, an expansion of use is considered a major amendment and requires review by the Board of Aldermen; and

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

Section 1. Pursuant to Chapter 405 (Zoning Regulations), Article VII (Conditional Use Permit), Section 405.805 (Amendment to a Conditional Use Permit), a Conditional Use Permit issued to The Krolmeister Group LLC, d/b/a SEEDZ PLANT-BASED FOOD AND BEV, for the operation of Seedz Café and Seedz Provisions located at 6344 and 6350 South Rosebury Avenue, is hereby authorized; Said property is more particularly described as follows:

LOT 29 OF THE DEMUN PARK SUBDIVISION
IN THE CITY OF CLAYTON, ST. LOUIS COUNTY, MISSOURI

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

- 1) The permit shall be granted to The Krolmeister Group LLC, d/b/a SEEDZ PLANT-BASED FOOD AND BEV (the "Permittee"), and shall not be transferred or assigned without the prior written approval of the City of Clayton.
- 2) The property shall be improved, maintained and operated substantially in accordance with an application dated August 11, 2024, and with the plans and specifications as filed with and approved by the City of Clayton.
- 3) Hours of operation shall be limited to the hours of 10:00 A.M. to 8:00 P.M. Tuesday – Sunday.
- 4) Seedz Café will be designed and operated so as to accommodate no more than twenty-three (23) patrons inside the restaurant, including the bar area. Seedz Provisions will be designed and operated as to accommodate no more than ten (10) patrons inside the restaurant.
- 5) Outdoor dining will be operated in accordance with the Annual Outdoor Dining Permit as issued by the City.
- 6) No offensive or annoying odors will emanate from the building. The question of whether an odor is offensive or annoying shall be at the reasonable judgment of the Department of Planning & Development Services taking into account the location of the permitted facility, the nature and intensity of the odors at issue and the proximity and use of nearby properties.

- 7) Delivery service to the restaurant will be made after 7:00 a.m. from the alley through the back door of the building.
- 8) Vehicular deliveries of orders are not permitted. Deliveries of off-site orders shall only be made by foot.
- 9) All refuse will be placed in sealed plastic bags. The trash area will be kept in a clean, orderly and sanitary manner at all times.
- 10) Both the inside and outside of the restaurant, including the sidewalk area, will be swept, free of litter and generally kept in a clean and orderly manner.
- 11) The Permittee shall install a hood suppression system if required by the Clayton Fire Department.
- 12) Any future exterior alterations/renovations must be approved by the City prior to such change. Any signage shall conform to the City's Sign Ordinance and be approved by the City prior to installation.
- 13) No service stations or service fixtures shall be permitted outside the building.
- 14) No outdoor lighting shall be permitted without the prior written approval of the City of Clayton.
- 15) No outdoor speakers or music shall be permitted.
- 16) The Permittee shall within thirty (30) days of the adoption of this Resolution, notify the City Clerk of the City of Clayton in writing that the conditional use permit is accepted and that the conditions set forth herein are understood and will be complied with.
- 17) Breach of any of the conditions provided for in this permit shall automatically affect the revocation of this permit, and same shall be rendered null and void.

Adopted this 24th day of September 2024.

Mayor

ATTEST:

City Clerk



Dia De Los Muertos/Day of The Dead Event Proposal

In Partnership With



Clayton's Event Goals



Develop	Civic pride
Promote	Diversity in Clayton and a sense of welcoming in Clayton
Spotlight	Local businesses and the Special Business District
Encourage	Activity, accessibility, and unity
Celebrate	Vibrancy and create a festive environment in downtown Clayton



MISSION STATEMENT

To enhance regional awareness of the cultural contributions from Hispanic musicians, dancers, artisans, and chefs. This initiative also aims to preserve these rich traditions and educate future generations, including Latin American children adopted in the United States and children of immigrants who may not have the opportunity to engage with these art forms.



WHO ARE WE?

A collective of volunteers dedicated to organizing Hispanic festivals, presentations, community events, school arts education, lectures, community service projects, and networking opportunities across the St. Louis area. Our mission is to bring together all Hispanics, regardless of their social, economic, or political backgrounds, while also showcasing the vibrant and diverse Hispanic culture to community.



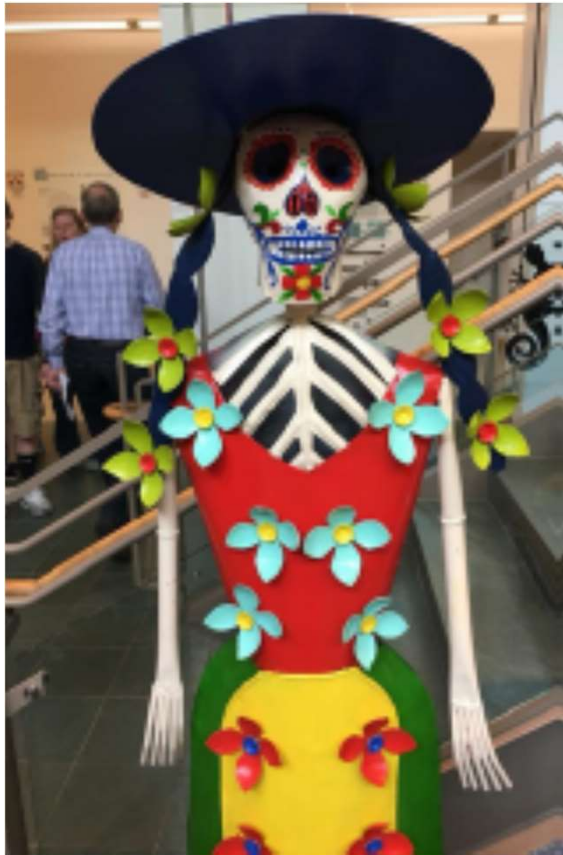
WHAT WE DO?

Hispanic Festival, Inc. is a 501(c)(3) non-profit organization committed to educating the public by celebrating our rich Hispanic cultures and traditions. We organize the largest Hispanic festivals in the St. Louis area, including the Fiesta in Florissant, the Greater St. Louis Hispanic Festival, and the Day of the Dead/Día de los Muertos. In addition to these festivals, we facilitate events for our Hispanic Festival partners, visit schools to promote Hispanic arts, and collaborate with local art institutions and businesses to celebrate our heritage. We also oversee community service projects for low-income families and provide college scholarships.



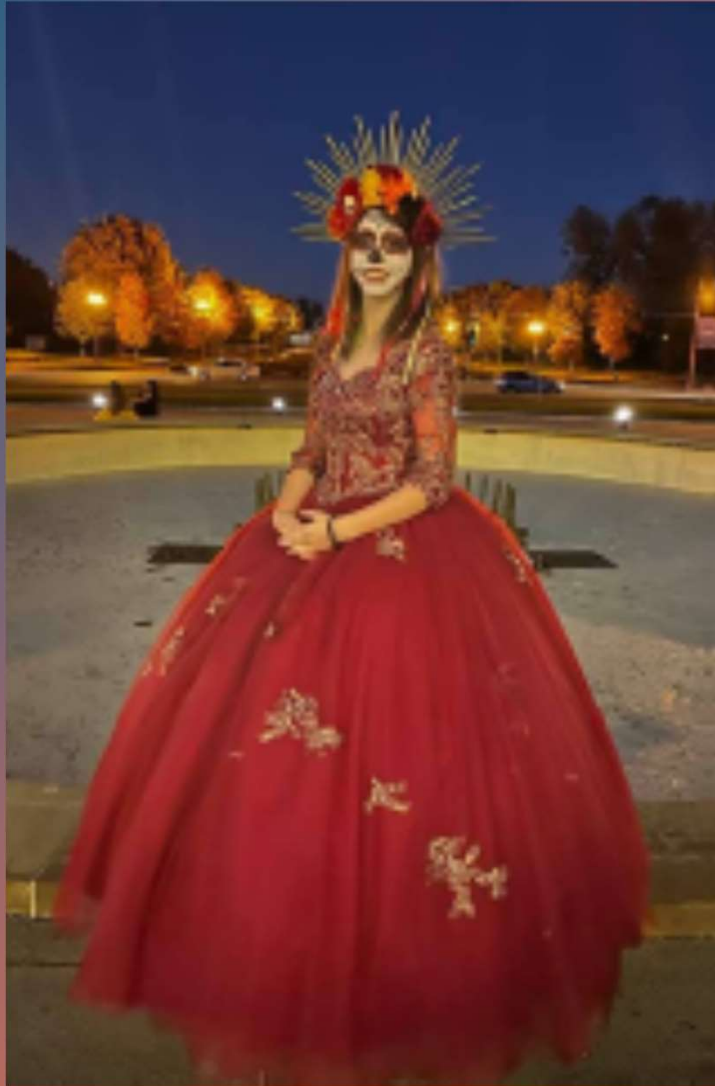
Event Overview

We propose a vibrant Día de los Muertos celebration that honors the rich traditions of this cultural event while fostering community engagement. The event will include a community altar, pet altar, live music, dancers, live art, crafts for kids, information booths, and local artisans, ensuring an immersive experience that celebrates the lives of those who have passed while promoting cultural awareness and participation.



Event Objectives

- **Cultural Preservation:** To educate and celebrate the traditions of Día de los Muertos.
- **Community Engagement:** Provide a space for the community to come together and honor loved ones, celebrate life, and share experiences.
- **Inclusive Participation:** Engage residents of all ages with diverse activities, including a unique pet altar to honor beloved pets.
- **Support Local Artisans and Businesses:** Promote local artists, musicians, dancers, and small businesses through booths and performances.



Event Details

- Date: Saturday, October 26
- Time: 4pm to 8pm
- Location: N. Brentwood
- Community Altar
- Pet Altar
- Live Music
- Dancers
- Arts & Craft Activity
- Local Artisans
- Food Vendors & Information
- Face Painting

Budget

• Community Altar	\$750
• Pet Altar	\$500
• Sound	\$1,000
• DJ	\$750
• Live Band	\$1,000
• Dancers	\$1,000
• Arts & Crafts	\$500
• Face Painting	\$500
• Vendors & Artisans	\$500
• Live Artist	\$500
• Staff	\$4,000
• Restrooms	\$800
• Contingency	\$2,500
Total	\$13,800