

THE CITY OF CLAYTON

Board of Aldermen
In-Person and Virtual Meeting
August 9, 2022
7:04 p.m.

Minutes

The meeting was open to individuals to attend in-person and/or virtually via Zoom.

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

In-person: Aldermen: Rich Lintz, Bridget McAndrew, Susan Buse, Becky Patel, Gary Feder, Mayor Harris, City Manager Gipson, City Attorney O'Keefe, and City Clerk Frazier

Staff: Assistant City Manager Muskopf

Virtually: Aldermen Ira Berkowitz

Motion made by Alderman McAndrew to approve the July 26, 2022, minutes. Alderman Berkowitz seconded.

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

David Berland, citizen, attended virtually; addressed the Board inquiring about the development project on Manchester Road in the City of Brentwood.

A RESOLUTION TO CONSIDER APPROVING A MUNICIPAL PARKS GRANT APPLICATION FOR ADDITIONAL FUNDS FOR CONSTRUCTION OF A POCKET PARK AT 7811 MARYLAND AVENUE

City Manager Gipson reported that in 2018, the City of Clayton acquired land at 7811 Maryland Avenue with the intent to create an urban park in Downtown Clayton. The conceptual design for this park was approved in 2019 and, since that time, the Clayton Community Foundation (CCF) has been raising funds to help pay for this project. To date, the CCF has raised more than \$73,000 towards the development of the park on Maryland Avenue and recently received a pledge for an additional \$50,000 toward the project. The City was also awarded a St. Louis County Municipal Park Grant in the amount of \$225,000 in 2021 for construction of this park.

A Request for Bids for construction of the park was issued in March 2022. Based on the construction climate at that time, minor changes were made to the scope of the project in an attempt to bring the bids in at budget; these changes included removal of the water feature and scaling back a portion of the retaining wall and concrete hardscape. Unfortunately, the bids still came in over budget, with the lowest bid at \$454,889.

To move this project forward, City staff recommends applying for additional Municipal Park Grant funding of up to \$325,000. If approved, this would bring the total Municipal Park Grant funds awarded for this project to \$525,000, which is the maximum for which the City of Clayton would be eligible. Current cost estimates for the project put the development of the park at just under \$590,000. If this application is successful, the grant along with funds raised by CCF will provide the resources necessary to develop the site into a new public park as originally designed (including the water feature). The City should receive notification before the end of the year with the intent to begin the work in early 2023.

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

Alderman Lintz moved to approve Resolution No. 2022-18 authorizing the submittal of a municipal parks grant application for the construction of a pocket park at 7811 Maryland Avenue. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING AN AMENDMENT TO CERTAIN PARKING RESTRICTIONS AND ENACTING NEW PARKING RESTRICTIONS

City Manager Gipson reported that the proposed ordinance will amend Title III Traffic Code by repealing and replacing Schedule III Parking Restrictions. The purpose of the change is to add a section of Ellenwood Avenue to Table III-A No Parking Areas and deleting the same section from Table III-J Five-Hour Parking Areas. Specifically, the section of Ellenwood Avenue direct in front of The Church of St. Michael & St. George would no longer be restricted to five-hour parking. An overnight, 12:00 AM to 7:00 AM, would be implemented to match the current south side of the Church property on Wydown Boulevard.

Gary Carter, Director of Economic Development was present to answer questions.

The Board raised concerns regarding if the surrounding property owners and/or neighborhood trustees were notified of the changes.

Alderman Lintz introduced Bill No. 6906, approving an amendment to Table III-A and Table III-J of the Parking Regulations in Schedule III Parking Restrictions to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6906, first reading, an Ordinance Amending Table III-A and Table III-J of the Parking Regulations in Schedule III Parking Restrictions of the Clayton City Code by title only.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH AMERICAN RESPONSE VEHICLES FOR A NEW AMBULANCE

City Manager Gipson reported that the Fire Department is requesting approval of a contract for the purchase of a 2023 American Emergency Vehicles Trauma Hawk Custom Type I Ambulance on a Ford F550 cab and chassis with American Response Vehicles. This purchase includes a Stryker Power Load Cot Fastener and Power Pro Cot.

The Fire Department worked with American Response Vehicles (aka ARV) on the design of new ambulance. ARV has provided their proposal based this design and, on the Houston, -Galveston Area Council (H-GAC) cooperative purchasing program known as HGACBuy. The Total Discounted Price from ARV is \$398,463.00.

Paul Mercurio, Assistant Fire Chief (virtual attendance) and John Wulf, Assistant Director of Public Works were present to answer questions.

Alderman Lintz introduced Bill No. 6907, approving a contract with American Response Vehicles for a new ambulance to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6907, first reading, an Ordinance Approving a Contract with American Response Vehicles for a New Ambulance by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6907 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6907, approving a contract with American Response Vehicles for a new ambulance to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6907, second reading, an Ordinance Approving a Contract with American Response Vehicles for a New Ambulance by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6764 of the City of Clayton.

A MOTION TO CONSIDER APPROVING THE PUBLIC ART FOR FORSYTH POINTE WEST TOWER - 8027 FORSYTH BOULEVARD

City Manager Gipson reported that the subject property is located on the north side of Forsyth Boulevard between North Brentwood Boulevard and North Meramec Avenue and has a zoning designation of Planned Unit Development (PUD). On March 24, 2020, the Board of Aldermen approved plans for a 965,061 square-foot mixed-use building with a 14-story tower at the west end and a 16-story tower at the east end. The development is currently under construction.

Per Ordinance 6648, which governs this development, per the PUD point system related the public art was awarded 5 points (out of a possible 5 points) and described as, *“The building will include public art pieces at both the western and eastern tower open entry areas. Both development parties are committed to incorporating meaningful and lasting art into the ground floor areas. Owners of the west and east towers shall hire a consultant for the selection of public art/sculptures.”* The approved development plan for the property also mentions public art stating, *“The buildings will include public art/sculpture at both the western and easter towers, outdoors and*

accessible to the public at the corners or in a location otherwise approved by the Public Art Advisory Commission and the Architectural Review Board. The developer shall hire an art consultant to assist with the selection of an artist(s) and the proposed locations of the public art the developer has committed to in the PUD.”

US Capital Development is developing the western tower and has secured the services of Via Partnership to assist with the selection and approval of the public art for the corner entrance to the western tower. The proposed art piece will be located at the southwest corner of the development. This location is catty-cornered to Chapman Plaza. A sculpture titled “Campfire” has been selected for the west tower lobby entrance.

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

William Shearburn, art consultant, was present to answer questions from the Board.

Scott Haley, US Capital, was present to answer questions from the Board.

Motion made by Alderman Lintz to approve the public art for Forsyth Pointe West Tower at 8027 Forsyth Boulevard. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING AN AGREEMENT WITH MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE CENTRAL BUSINESS DISTRICT (CBD) RESURFACING PHASE 2 PROJECT

City Manager Gipson reported that this item was last before the Board of Alderman for consideration at the July 26, 2022 meeting. During the discussion at that meeting, there were questions from the board regarding the removal of the brick paver crosswalks. The crosswalks were listed as part of the project grant application; however, they were non-participating items to be paid fully by the City. City staff has confirmed with East-West Gateway that the brick paver crosswalks can be removed from this project grant as well as the existing grant agreement for the Central Business District Phase 1 project. The cost of brick paver crosswalk for both projects is estimated to be \$364,520 (\$233,520 for Phase 1 and \$131,000 for Phase 2).

East West Gateway confirmed by email that the removal of these non-participatory items is permitted under the grant and the agreement can be executed in its current form with the items removed during design if desired. This means a decision on whether to include these items in the project can be made at a future date. If brick paver crosswalks are decided to be removed from the project, staff will plan to retain a small quantity of these items to make any repairs needed to existing brick paver crosswalks.

Matt Malick, Director of Public Works, addressed the Board to answer questions.

Alderman Lintz introduced Bill No. 6905, an ordinance to approve an agreement with MODOt for the Central Business District Resurfacing Phase 2 Project to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6905, first reading, an Ordinance Providing for the Approval and Execution of a STP-Urban Program Agreement Between the City of

Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6905 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6905, an ordinance to approve an agreement with MODoT for the Central Business District Resurfacing Phase 2 Project to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O’Keefe reads Bill No. 6905, second reading, an Ordinance Providing for the Approval and Execution of a STP-Urban Program Agreement Between the City of Clayton and the Missouri Highways and Transportation Commission and Actions Related Thereto by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6765 of the City of Clayton.

OTHER

Alderman Lintz reported on the following:

- UERF and NUERF Boards met yesterday; UERF Board approved reducing the assumed rate of return from 7% to 6.5% which in turn increases the City’s contribution.

Alderman McAndrew thanked the Public Works staff for placing dumpsters at Shaw Park for use by residents affected by the flood.

Alderman Patel reported on the following:

- Oak Knoll Musical Nights event – thanks to Parks’ staff for their continued work on the park.
- Sustainability Committee
 - Ongoing discussion on solar panels
 - Discussion on the environmental impact of rear yard waste collection pick-up
 - “Lights Out” Heartland campaign
- Acknowledged the anniversary of the Michael Brown event

Alderman Feder reported on the following:

- Clayton Community Equity Committee meets tomorrow in person at City Hall; they will be welcoming their new members.

Mayor Harris thanked the Public Works, Fire Department, Police Department and Parks Department staff for their work during the rainstorms and flooding. She noted that Chief Rhodes has been deployed to Kentucky to provide services.

Kudos to Matt Malick, Director of Public Works, for arranging the installation of the flower baskets on the light posts on Bemiston Avenue and Forsyth Boulevard.

Motion made by Alderman Lintz to adjourn the meeting. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

There being no further business the meeting adjourned at 8:06 p.m.

Mayor

ATTEST:

City Clerk