

THE CITY OF CLAYTON

Board of Aldermen  
In-Person and Virtual Meeting  
April 9, 2024  
7:00 p.m.

MINUTES

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

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

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

Absent: Becky Patel

PUBLIC REQUESTS AND PETITIONS

None

PRESENTATION ON THE PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD (ARB) ANNUAL REPORT

Anna Krane, Director of Planning and Development provided a PowerPoint© presentation to the Board.

CONSENT AGENDA

1. Minutes – March 26, 2024

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

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

AN ORDINANCE FOR A CONTRACT FOR #1 OAK KNOLL PARK FOR THE ROOF REPLACEMENT PROJECT

City Manager Gipson reported that the City of Clayton entered into a lease agreement with Clayton Early Childhood Center 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. That lease agreement specified that the City is required to replace the roof at #1 Oak Knoll Park prior to January 1, 2025. Bid documents for the #1 Oak Knoll Park Roof Replacement Project were issued on December 1, 2023. The City received three responsive bids for this work on January 25, 2024, and the lowest bid was from Vince Graye Slate and Tile Roofing Co., Inc. in the amount of \$653,494. After some clarifying questions, the City received an amended bid from Vince Graye Slate and Tile Roofing Co. in the amount of \$609,847.

As the low bid received was over the City's budgeted amount of \$500,000 for the project, staff was instructed to re-bid the project with multiple bid alternates. Bid alternates for the roof material included Faux Synthetic Slate Tiles and Slate-Like Architectural Shingles, as well as to replace the flashing, gutters and downspouts with a material other than copper. Re-bid documents for the #1 Oak Knoll Park Roof Replacement Project were issued on March 1, 2024. Three responsive bids were received for this project on March 26, 2024 as summarized in the staff report to the Board.

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

Mayor Harris and the Board of Aldermen each expressed their concerns regarding the use of slate versus non-slate materials and the costs. Alderman Berkowitz requested that Mayor Harris' email to the Board regarding the subject and a copy of the letter from the Landmarks Association of St. Louis is included as part of the record of the minutes.

**Motion made by Alderman Berkowitz to amend Bill No. 7017 by inserting the name of contractor, Vince Graye Slate and Tile Roofing Co. for the use of Slate Roof with Copper FSG product. Alderman McAndrew seconded.**

**The motion passed on a voice vote of 4 – Ayes; 2 – Nays (Aldermen McAndrew and Buse).**

**Alderman Berkowitz introduced Bill No. 7017, as amended, approving a contract with Vince Graye Slate and Tile Roofing Co. for the use of Slate Roof with Copper FSG product to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 7017, first reading, an Ordinance Approving a Contract for the #1 Oak Knoll Park Roof Replacement Project as amended by title only.**

**The motion passed on a voice vote of 4 – Ayes; 2 – Nays (Aldermen McAndrew and Buse).**

**Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 7017, as amended, on the day of its introduction. Alderman McAndrew seconded.**

**The motion failed on a voice vote of 4 – Ayes; 2 – Nays (Aldermen McAndrew and Buse).**

#### AN ORDINANCE TO AMEND SECTION 130.190 - FAILURE TO APPEAR IN MUNICIPAL COURT

City Manager Gipson reported that the Clayton Community Equity Commission (CEC) had a subcommittee that discussed law enforcement and municipal court operations. One area of particular focus was the City's code provision related to the charge of failure to appear in Municipal Court. On March 14, 2024, the CEC unanimously recommended approval of the attached ordinance that modifies the failure to appear offense within the Municipal Code. The changes clarify that failure to appear is not a chargeable offense when the original charge was a minor traffic violation or municipal code violation. The revisions are consistent with state law and Missouri Supreme Court rules. The proposed ordinance revisions do not impact the ability of the Municipal Judge to issue a bench warrant for a failure to appear.

Alderman Feder inquired as to *Section 1, B., "Minor Traffic Violations," f. A traffic ordinance violation occurring within a construction zone or school zone*"; noting that it seems to be a more serious offense compared to a minor violation.

City Attorney O'Keefe stated that the section is taken directly from the Revised Statutes of Missouri 479.350 and that he will check to confirm.

**Alderman Berkowitz introduced Bill No. 7018, approving an amendment to Section 130.190 – Failure to Appear in Municipal Court to be read for the first time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 7018, first reading, an Ordinance Amending Section 130.190 Failure to Appear in Municipal Court by title only.**

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

**Motion made by Alderman Berkowitz that the Board give unanimous consent to consideration for adoption of Bill No. 7018 on the day of its introduction. Alderman McAndrew seconded.**

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

**Alderman Berkowitz introduced Bill No. 7018, approving an amendment to Section 130.190 – Failure to Appear in Municipal Court to be read for the second time by title only. Alderman McAndrew seconded.**

**City Attorney O'Keefe reads Bill No. 7018, first reading, an Ordinance Amending Section 130.190 Failure to Appear in Municipal Court by title only.**

**The motion passed on a roll call vote: Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6877 of the City of Clayton.**

## OTHER

Alderman McAndrew reported on the following:

- Plan Commission/ARB – the Commission approved the proposed Hotel DeMun project.

Alderman Buse reported on the following:

- Parks & Recreation Commission meeting was cancelled; Toni Siering sent an email update of current projects: Remembrance Park – discovered additional underground lines during construction; Anderson Park – received a request to include a skate park

Alderman Feder reported on the following:

- Clayton Chamber of Commerce Legislative meeting – Wesley Bell, St. Louis County Prosecutor, was a speaker and praised the works of the Clayton Police Department and staff for the work that they do compared to other area municipalities.

Alderman Hummel reported on the following:

- Various public engagements held recently:

- School District of Clayton Forum
- Washington University/Concordia Seminary open house
- Livable Community Master Plan
- City of Clayton “Cardinal’s Home Opener Lunch” event
- Plan Commission/ARB – Hotel DeMun
- Ward 3 Coffee
  - Clayton Community Foundation – discussion regarding public art in the east end of the city.
  - Hotel DeMun – continued concerns regarding parking were expressed

Mayor Harris reported on the following:

- East-West Gateway meeting
  - Discussed the crime reduction study and proposed plan
- “A Community Remembered” marker event was held on April 3 on the Centene property in commemoration of the Black community from the 1880s-1960s.
- “Cardinal’s Home Opener Lunch” event
- Municipal election held April 2 – congratulations to incumbents Aldermen Patel and McAndrew, and newly elected Jeffery Yorg
- Local eclipse event

As a follow-up to Alderman Feder’s question regarding Bill No. 7018, Failure to Appear in Municipal Court, City Attorney O’Keefe acknowledged that inclusion of *Section 1, B., “Minor Traffic Violations,” f. A traffic ordinance violation occurring within a construction zone or school zone*; was inaccurately carried over into the ordinance.

City Attorney O’Keefe stated that the Board could make a motion to reconsider the vote on passage of Bill No. 7018 by anyone who voted with the prevailing side, and if passed by a majority vote, the bill could then be amended and reconsidered for passage.

**Motion made by Alderman Berkowitz to reconsider Bill No. 7018. Alderman McAndrew seconded.**

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

**Motion made by Alderman Berkowitz to amend Bill No. 7018 proposed Section 130.190 B, 1 f. by striking subsection f. Alderman McAndrew seconded.**

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

**Motion made by Alderman Berkowitz to adopt Bill No. 7018 as amended. Alderman McAndrew seconded.**

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

**City Attorney O’Keefe reads Bill No. 7018, as amended, an Ordinance Amending Section 130. 190 Failure to Appear in Municipal Court.**

**The motion passed on a roll call vote: Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Feder – Aye; Alderman Hummell – Aye; and Mayor Harris – Aye. The bill, having received majority approval, was adopted, and became Ordinance No. 6877.1 of the City of Clayton.**

**Motion made by Alderman Berkowitz to adjourn the meeting. Alderman McAndrew seconded.**

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

Meeting adjourned at 8:12 p.m.

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Mayor

ATTEST:

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City Clerk

## June Frazier

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**From:** Michelle Harris  
**Sent:** Monday, April 8, 2024 12:42 PM  
**To:** \*Mayor and Board of Aldermen  
**Cc:** Toni Siering  
**Subject:** Oak Knoll Roof Project

Dear all,

In light of our upcoming discussion I wanted to share some things I have learned since we last met on this. Since we usually try to look at decisions through a sustainability lens, I was wondering about any environmental impacts from the various materials we are considering. To get some guidance, I reached out to the Climate Mayors, US Green Building Council/Building Energy Exchange, and Landmarks Association. I was directed to a number of articles and websites, but here is a summary of what I found, which I hope is helpful.

### Asphalt Shingles

- Asphalt shingles are a petroleum product, and their manufacture relies on the extraction of fossil fuels, contributing to carbon emissions and depletion of non-renewable resources.
- Rainwater runoff from these shingles can carry pollutants such as oil and chemicals.
- Recycling can be challenging. It is estimated that ~12 million tons of asphalt shingle waste and installation scrap are generated annually in the US. More than 90% ends up in landfills where it does not decompose but emits harmful chemicals.
- The short life span, (industry averages are quoted at 20-30 years) exacerbates all of these issues.

### Composite (Faux) Slate

- Synthetic slate shingles are a petroleum based product, manufactured with virgin rubber or plastic, or recycled rubber or plastic, then injection-molding these materials into metal forms that are cast from authentic slate.
- Although I couldn't find where it can be re-used at the end of its life, all types of faux slate can be recycled.
- The longer life span (industry quotes 50-60 years) lessens the impact of any environmental factors.

### Slate

- Slate is a natural product, handcrafted at a quarry with little manufacturing and no chemical emissions.
- Slate's durability (estimates are ~100 years) further conserves resources devoted to production or installation.
- Some slate can be reused, and all slate can be recycled.

Some of the resources I was directed to by those organizations mentioned above:

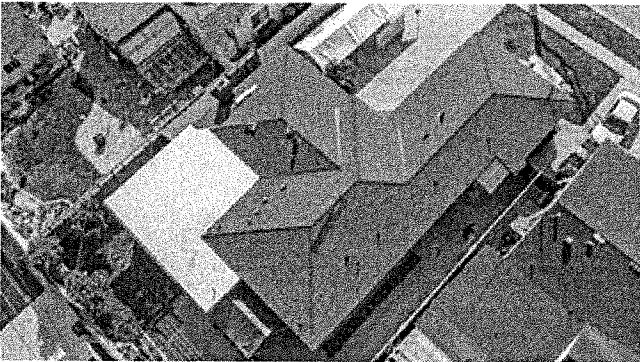
U.S. Environmental Protection Agency  
Office of Resource Conservation and Recovery

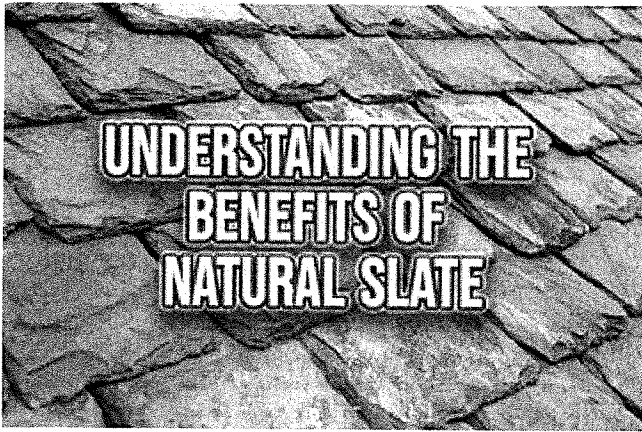
**Documentation for Greenhouse Gas Emission and  
Energy Factors Used in the Waste Reduction Model  
(WARM)**

**Construction Materials Chapters**

May 2011

Prepared by E2  
For the U.S. Environmental Protection Agency  
Office of Resource Conservation and Recovery





**Michelle Harris**  
Mayor

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4/9/29

Honorable Michelle Harris  
City of Clayton  
10 N. Bemiston Ave.,  
Clayton, MO. 63105

Re: Roofing Material at the Childcare Center in Oak Knoll Park

**Dear Ms. Mayor**

My name is Andrew Weil and I am the Director of the Landmarks Association of St. Louis. We are a historic preservation advocacy organization that was founded in 1959 to protect the architectural heritage of the St. Louis Region.

It has come to my attention that the City of Clayton is contemplating replacing the slate roofing material on the building in Oak Knoll Park with asphalt shingle or faux slate?

I believe that this would be a mistake for several reasons:

Asphalt shingles and faux slate are petroleum-based products, which is antithetical to the sustainability initiatives that the City of Clayton retains as a priority.

Such products, while expedient and cheaper, have a much shorter lifespan compared with natural slate roofs. Through using such products, you will save money in the short term for the citizens of Clayton, but over the course of a century, you will need to replace the roofs several times, ultimately resulting in a net loss for the constituents of the future.

Slate is a natural material that typically has a lifespan of well over 100 years. Barring severe wind or hail damage (in theory covered by insurance) your great grand children will be the ones making the next decision about how to replace the roof you are contemplating replacing today.

I would encourage you to replace the original material in kind. Not only will this retain the original beauty and architectural intent of the building, but ultimately fulfill your fiduciary responsibilities to present and future generations of Clayton's citizens.

Andrew B. Weil, Executive Director, Landmarks Association of St. Louis  
1805 S. 9<sup>th</sup> Street. St. Louis  
St.L MO 63104