

City of Warson Woods

RECORD OF PROCEEDINGS

REGULAR MEETING OF THE BOARD OF ALDERMEN

October 21, 2014

The Regular Meeting of the Board of Aldermen of the City of Warson Woods was held on Tuesday, October 21, 2014, at the City Hall, 10015 Manchester Road. Upon roll call, the following members of the Board were reported present:

Mayor Larry Howe
Gordon Gosh
Mike Dell'Orco
Mark Thompson
Jim Newman
Debbie Pentland
Mark Wittich

Alderman Bruenning was excused. Also present were Police Chief Robert Stanczak, City Clerk Kathy Mahany, Treasurer Bill O'Neil, City Attorney Paul Rost, Building Commissioner Dan Wilson and Tennis Commissioner, Mark Boland. Mayor Howe called the meeting to order at 7:00 p.m. Alderman Thompson was excused at 7:30 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Alderman Dell'Orco moved, seconded by Alderman Newman, that the Agenda be approved. On Voice Vote the motion was unanimously approved.

MINUTES

REGULAR BOARD MEETING—September 16, 2014

Alderman Wittich moved, seconded by Alderman Thompson that the Minutes of September 16th be accepted as submitted. On Voice Vote, the motion was unanimously approved.

EXECUTIVE SESSION—September 16, 2014

Alderman Wittich moved, seconded by Alderman Gosh, that the Executive Session Minutes of August 19th be accepted as submitted. On Voice Vote, the motion was unanimously approved.

TREASURER'S REPORT—September 2014

Alderman Gosh moved, seconded by Alderwoman Pentland, that the Treasurer's report be received as submitted. On Voice Vote, the motion was unanimously approved.

BILLS & RECURRING DISBURSEMENTS WITH ADDENDUM TO BE APPROVED

Alderman Dell'Orco, seconded by Alderman Gosh, that the Bills and Recurring Disbursements be approved as submitted. On Voice Vote, the motion was unanimously approved.

GLENDALE FIRE REPORT— No action required.

WARSON WOODS POLICE REPORT—No action required.

PETITIONS, REQUESTS AND COMPLAINTS—

Cal Fritz, 555 Geders Lane, asked the Board if an appraisal was done on the St. Matthew's property. The City Attorney answered yes, there had been an appraisal. Mr. Fritz then asked if he could see it. The City Attorney explained that since the property has not been sold yet, the City is still in negotiations for it and until the property is sold the appraisal is considered a closed record. Once the property is sold the City then can open the records.

MISC. REPORTS

COLLECTOR—Kathy Mahany, nothing to report.

BUILDING COMMISSIONER—Dan Wilson, submitted the attached report on all the building permits issued for the calendar year 2014. He also informed everyone that there is one application that he is going to have to deny. He said this is the second denial he will be making on this property for the same request. It has already gone to the Board of Adjustment where the request was also denied. Alderman Luisetti asked if he could have a copy of the report and Mr. Wilson said yes he has copies for everyone.

PARK COMMISSIONER—Gordon Gosh, submitted the attached report.

TENNIS COMMISSIONER—Mark Boland, stated that the tennis courts are in good shape and the repairs, which were done earlier this year, are holding up well. He then urged the Board to pass the resolution for the Park Improvement Grant later on this agenda.

At this point he deferred to Mr. Carl Schenk regarding the Grant application. Mr. Schenk has taken on the responsibility of preparing the grant application on behalf of the City. Mr. Schenk then explained the application process to the Board. Alderwoman Pentland asked Mr. Schenk what he thinks the City's chances are of receiving a grant this year. Mr. Schenk replied 50/50. He went on to say that if the City does not receive a grant this year he is almost certain we will be given one next year. The Mayor then asked Mr. Schenk when the city will be notified if we do receive a grant. Mr. Schenk said by the end of December because the grant money must be spent during the calendar year 2015.

The Mayor then asked when the lights at the tennis courts will be turned off. He was answered when day light savings time ends in November.

CITY ENGINEER (ACTING)—Mike Dell'Orco, stated that the street project is almost complete for this year. He said there is some clean-up to do, joint sealing and a few slabs to be replaced. Next he informed everyone that there is quite a bit of (construction) activity

CITY ENGINEER (ACTING) Cont.

going on, on Flanders. This work is part of MSD's project clear water. MSD must meet mandates from the EPA. MSD has more work on at least Woodlawn and Beauford to complete this project in Warson Woods. There may be another street that will have MSD work done on it but Mr. Dell'Orco was not sure which street.

Alderman Luisetti asked Mr. Dell'Orco about markings in the street on Beauicare. Mr. Dell'Orco explained they may be from a utility or they may be markings that were placed by the city. Originally the street project this year was larger but they had to change the scope of work to cut costs. There were places which were more in need of repair than others so they were done first. The others will be done but at a later date.

CITY ATTORNEY—Paul Rost, stated that he will have a bill next month which will bring the City into compliance with the new FIRM flood plain map. He then said he has a short item to discuss in Executive Session later tonight.

TREASURER—Bill O'Neil, no report.

MAYOR—Larry Howe, asked the City Clerk if the state has given us any information regarding revenue that can be expected with the passage of the new Park and Storm Water tax which passed in August. The City Clerk said the state does not project income amounts they just collect and distribute the revenue. The only information the state has given the City is that the collection of the new tax will begin in January 2015.

OLD BUSINESS

- A. Update on St. Matthew's Property – Mayor Howe informed everyone that the City made an offer to purchase the St. Matthew's property and apparently Grace Church of Kirkwood (property owners) did not think the offer was worth responding to since the date and time on the offer has expired. He then said he could not divulge the price that the City offered because the property is not sold yet and we are still considered in negotiations with Grace Church of Kirkwood. The Mayor then said their attorney has acknowledged the City does have the first right of refusal. Mr. Fritz, 555 Geders Lane asked when the offer was made. The Mayor answered September 24th. Mr. Schilling, 1665 Calais Ct., asked if the City still has the first right of refusal. The Mayor answered yes we do.
- B. Update on Proposed Cell Tower – At this time the City Attorney, Paul Rost, informed everyone about a request to install a cellular telephone tower at the top of Royal Oaks Park. He then introduced Mr. Matt Schlichter of Network Real Estate, LLC, the contractor which acquires sites to build cell towers for cellular networks.

B. Continued - Mr. Schlichter said his company is contracted with T-Mobile to find various areas where cell towers are needed. He went on to explain the details of a cell tower size, height and maintenance. A lengthy question and answer period followed between Mr. Schlichter, the Board and audience. Alderman Gosh moved, seconded by Alderman Wittich to have further discussions with Mr. Schlichter regarding the possible placement of a cell tower at the top of Royal Oaks Park. In addition, pictures and information will be posted on the web site for public notification of this discussion.

C. Misc. Old Business—Alderman Gosh asked if the entrance pillar at Manchester Rd. and Andrew Dr. could be repaired. The Mayor asked him to wait until the City finds out what Fifth/Third Banks plans on doing with their property.

Next, Alderman Wittich informed everyone that Zimmerman Electric had problems fixing the lighting at that location and he asked the Board to allow the City to pay an extra \$2,500.00 over the cost of their bid. He went on to say even with the additional cost the Zimmerman Electric price is still less than the other two bids the City received to do the work. At this time the Mayor gave a short background of the project and the problems incurred. It was decided to have Zimmerman Electric submit a change order for the added costs.

NEW BUSINESS

A. Fall Festival Report – Alderman Wittich submitted the attached report and asked if there were any questions regarding the report. There were no questions.

B. Resolution No. 10212014-1 A Resolution Authorizing the Mayor to Submit an Application for a Grant for Park Improvements at Royal Oaks Park with the St. Louis County Municipal Grant Commission in October 2014 and Providing Further Authority. Alderman Dell'Orco moved, seconded by Alderman Gosh, to approve the Submission of the Grant Application for Park Improvements at Royal Oaks Park to the St. Louis County Municipal Grant Commission in October 2014. On Voice Vote, the motion was unanimously approved.

C. Bill 1600 AN ORDINANCE ENTERING INTO A CONTRACT WITH THE CITY OF GLENDALE, MISSOURI TO BUILD A SALT STORAGE FACILITY.

The Board discussed the ordinance.

After being read two times by title only, Alderman Wittich moved, seconded by Alderman Newman, that Bill 1600 be approved.

Bill No. 1600 Continued.

By Roll Call, the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Dell'Orco	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Luisetti	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pentland	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Thompson	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Wittich	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

It was announced that the motion passed (6-0) and Bill No. 1600 becomes Ordinance No. 1542.

D. Bill No. 1601 AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR 2013-2014.

After being read two times by title only, Alderman Newman moved, seconded by Alderman Gosh, that Bill 1601 be approved.

The Board discussed the ordinance.

By Roll Call, the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Wittich	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Luisetti	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pentland	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Thompson	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Dell'Orco	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

It was announced that the motion passed (6-0) and Bill No. 1601 becomes Ordinance No. 1543.

NEW BUSINESS Cont.

- A. Misc. New Business.—Alderman Gosh mentioned again that he will wait until the City finds out what Fifth Third plans on doing with their property to do the maintenance on the entrance pillar at Manchester and Andrew Drives.

EXCUTIVE (CLOSED) SESSION—Pertaining to the following: Legal actions, causes of action, litigation or privileged communications between the City’s representatives and its attorney (610.021(1)); leasing, purchasing or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor (610.021(2)); hiring, firing, disciplining or promoting employees (610.021(3)).

Alderman Dell’Orco made a motion to enter into closed session for the purposes of discussing legal actions, causes of action, litigation or privileged communications between the City’s representatives and its attorney (610.021(1)) and leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor (610.021(2)); hiring, firing disciplining or promoting employees ((610.021(3)). Alderwoman Pentland seconded the motion.

By Roll Call, the Vote was as follows:

	Ayes	Nays	Abstain	Not Present
Dell’Orco	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Bruenning	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Gosh	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Luisetti	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Newman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Pentland	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Thompson	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Wittich	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

ADJOURNMENT

Alderman Gosh moved, seconded by Alderman Dell’Orco, the meeting be adjourned. On Voice Vote, the motion was unanimously approved. The meeting closed at 8:57 P.M.

Respectfully submitted,

Kathy Mahany, City Clerk

Laurance M. Howe, Mayor