

MONDAY, APRIL 3, 2023 7:00 P.M.
BOARD OF ALDERMEN
MINUTES

MAYOR MIKE WILCOX

ALDERMAN PAUL ROETTGER

ALDERMAN AARON NAUMAN

ALDERMAN LISA CAPSHAW CUSHING

ALDERMAN BERRY LANE

ALDERMAN TONY ROBERTS

ALDERMAN SARAH VITALE

CITY ATTORNEY, JIM HETLAGE
CITY ADMINISTRATOR, BEN DECLUE
DEPUTY CITY CLERK, JOANNE CARR

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Wilcox.

ROLL CALL

Present: Alderman Roettger, Alderman Nauman, Alderman Lane
Alderman Capshaw Cushing, Alderman Vitale, Alderman Roberts

Absent:

Present: Chief Jeff Beaton, Ms. Alex Darmody

APPROVAL OF THE AGENDA

Mayor Wilcox asked if there were any changes to the updated April 3, 2023 meeting agenda. There were none. Alderman Nauman approved the agenda. Alderman Capshaw Cushing seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM MARCH 20, 2023 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from the March 20, 2023 meeting. There were none. Alderman Lane moved approval of the minutes. Alderman Vitale seconded the motion, which was unanimously approved.

REPUBLIC SERVICES REPRESENTATIVES

Present: Patrick Mack,
Susan Piazza, Manager, Republic Services

Mayor Wilcox welcomed Mr. Mack and his wife along with Ms. Piazza from Republic Services and the residents who were present. Mayor Wilcox stated that Mr. Mack was beloved by the City of Glendale, was heartbroken about the loss of their daughter and wanted Mr. Mack to know how much he was loved and appreciated. Mayor Wilcox noted that if Mr. Mack had been running for Mayor, he would win in a landslide, adding that Mr. Mack was like one of the residents in Glendale. Mayor Wilcox read the Proclamation to Mr. Mack and thanked him again

for all that he did and was appreciated and loved by the City of Glendale and had the full support of the community.

CITIZEN COMMENTS

Diana Allen, 224 Parkland Avenue

Ms. Allen stated that she would have liked to have seen the new ARB draft guidelines before the Board of Aldermen voted to approve the new changes.

Ginger Fawcett, 213 Cornelia Avenue

Ms. Fawcett stated that she had expressed an interest in the past in reviewing the draft guidelines and added that people would like to see them before the vote and noted that she was afraid that today's vote might stop the review process.

David Wolf, 318 N. Sappington Avenue

Mr. Wolf urged the Alderman to table the guidelines tonight, stating that most people did not have an idea about them. Mr. Wolf stated that he had a copy and did not take issue with them but noted that for the protection of our community, a study should be done to determine the change in home values due to the changes in the guidelines. Mr. Wolf stated that because no study was done, it was unclear about what would become of certain homes and their property values, adding that there could be a drastic change in the marketability of homes. Mr. Wolf stated that he was concerned about the restricted FAR and what financial impact it would have on Glendale. Mr. Wolf stated that he was a licensed professional real estate agent, stated that a study was needed to be done and would be happy to assist in any way and asked that the Board be good stewards.

Wendy Hafner, 1009 Glenbrook

Ms. Hafner stated that she agreed with the earlier speakers regarding the notification and communication of the draft guidelines but added that she happened to see the draft guidelines when she stopped by City Hall. Ms. Hafner stated that she did not know the draft guidelines were posted and readable but did have a question about the FAR related to incentives for a .30% FAR requirement. It was noted that only the .25% FAR for small lots allowed for incentives totaling .30% but that all other lots in Glendale would be subject to a .30% FAR. Ms. Hafner thanked the Board for the clarification and added that communication was an issue.

Ginger Fawcett, 213 Cornelia

Ms. Fawcett stated that she was a professional home designer, real estate agent and a rehabber, asked what could be changed in the guidelines such as incentives. Ms. Fawcett asked if the incentives related to R1 or R2 and were there incentives for ½ story additions. Mr. DeClue stated that the incentives related to both residential districts adding that there was a definition in the code which allows some portions of the ½ story to be exempt from the FAR noting that it was changed from 3' to 5'.

Ms. Fawcett stated that a third story interior with or without dormers should be excluded from the FAR calculations similar to Kirkwood and Webster Groves adding that she recommended that the vote be tabled.

Ms. Allen stated that she was also a real estate agent, worked with builders and did not like large buildings on postage stamp lots, adding that she would also ask that the vote be tabled. Ms. Allen stated that information was powerful and looked forward to the opportunity and time to review the draft guidelines for the ARB.

Andy Haskenhoff, Glendale City Forester, 900 Brownell Avenue

Mr. Haskenhoff stated that as Forester for the City of Glendale, he was not advised or consulted regarding the new guidelines and was offended that he was not asked for input. Mr. Haskenhoff stated that representing Frontenac Forestry, he heard that a representative from the Homebuilders Association had asked for the draft guidelines but had a hard time getting them from the city. Mr. Haskenhoff also stated that he took issue with the definitions of root zone, heritage trees, etc., and that the guidelines did not talk about the condition issues related to hazardous trees and tree protection zones or tree fencing.

Mr. Haskenhoff noted that in general, items related to sod placement, utilities, and tree protection, etc. as well as items noted above, should be reviewed. Mr. Haskenhoff stated that the Board should consider comments from the public and added that the Tree Board should have received a call.

STAFF INTRODUCTION: OFFICE ASSISTANT ALEX DARMODY

Ms. Darmody stated that she joined the team in the office three weeks ago, graduated from Webster University in December with degrees in Journalism, Graphic design, Film and Photography, and Social Media. Ms. Darmody stated that she was the editor of the school journal, The Journal, was a design editor for magazine, worked for Brentwood Parks & Rec for 2 plus years, grew up in St. Louis, South City, Clayton, Webster Groves settling in Maplewood. clayton webster then Maplewood. Ms. Darmody stated she was familiar with office work, fielding phone calls and enjoyed working with the City's social media with adding new graphics, working with Canva noting that "if you want something on social media, I can make it work.

PUBLIC HEARING: B11-23

Mr. DeClue open the public hearing at 7:35 pm

Mr. DeClue stated that Ordinance B11-23 would amend the zoning code to work in tandem with the new draft guidelines including Basement, Height of Buildings, Floor Area, Floor Area Ratio, Half Story, and Heritage Tree, etc.

Ms. Fawcett stated that the ½ story was addressed in a different manner in other cities.

Mayor Wilcox asked if there were any other comments. Mr. DeClue closed the hearing.

ORDINANCES FOR SECOND READING AND FINAL APPROVAL

B11-23 AN ORDINANCE AMENDING SECTION 400.010 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE, MISSOURI, REGARDING CHANGES IN DEFINITIONS RELATED TO THE CITY'S REVISED ARCHITECTURAL REVIEW BOARD GUIDELINES

Alderman Roettger moved approval of the second reading of Ordinance B11-23. Alderman Nauman seconded the motion.

Alderman Roettger stated that the draft guidelines had been a work in progress for 2.5 years and noted that the ARB group was highly educated and understood what they were doing what they were doing. Alderman Roettger stated that the Board worked with other city codes, researching their codes adding that if details were missing or not clear or understood, the draft guidelines

were a living breathing document. Alderman Roettger stated that there were legitimate concerns about the financial ramifications but noted that he did not know about how to study the outcomes that would be presented through the use of the new codes. Alderman Roettger stated that everyone knew that the old guidelines did not work, adding that data can be derived as the City moves forward using the new guidelines and definitions. Alderman Roettger stated that the city will learn about issues on an individual basis and with reporting as the guidelines are incorporated into construction. Alderman Roettger stated that the new guidelines would not ruin the community and agreed with Mr. Wolf regarding the unknowns adding that he did not know how things would work out in a negative sense or a positive sense but noted that the document could be changed if necessary, going forward.

Alderman Nauman stated that if the Board of Aldermen table the moratorium many of the new guidelines including historic preservation, water retention rules, etc., adding that the guidelines could be tweaked later once collected data and builders' comments were documented. Alderman Nauman stated that the FAR was the number one thing both the Board of Aldermen and the ARB discussed and added that the moratorium was posted and there were comments posted.

Alderman Nauman stated that with the postponement, the moratorium will be rescinded tomorrow, and the old guidelines will be used. Alderman Nauman noted that the Boards were trying to acknowledge the difficulties in building on small lots adding that incorporation of the .25% FAR for small lots with incentives, giving homeowners and builders the discretion to decide what they wanted to design adding that the ARB worked 2.5 years trying to work all this out.

Alderman Lane stated that over the last 2.5 years the Board of Aldermen and the ARB had very thoughtful meetings, during ARB meetings, there were different dialogues with builders regarding water runoff taxing the storm water system and many other issues. Alderman Lane stated that the ARB are professionals in their own right, very thoughtful and detailed in the work that they do and added that the new guidelines would not ruin the real estate market but only improve the City of Glendale.

Alderman Vitale thanked the residents for coming to the board meeting today to voice your concerns and also thanked the ARB for spending the time and means necessary to bring the new guidelines all together, adding that it was a project of the love for the city of Glendale and the preservation of the character of the city. Alderman Vitale stated that she respected both sides, adding that her main concern was whether or not residents were given notice in time to read everything, to consider the new guidelines, to think about and make intelligent and thoughtful comments about what was read. Alderman Vitale stated that was what she believed the Citizen Comments were for. Alderman Vitale stated that every meeting was open to the public including the workshops, added that the ARB had spent so much time writing the new guidelines. Alderman Vitale stated that she understands both sides, adding that her only concern was related to the notice.

Alderman Capshaw Cushing stated that she did not want anyone to feel that they were not heard or not treated as important. Alderman Capshaw Cushing stated that she believed in the document, adding that smart people who love Glendale put it all together. Alderman Capshaw

Cushing stated that as an attorney, the guidelines are not the rule of law noting they can be changed.

Alderman Roberts stated that what the ARB did was no small effort noting that the document was made up of 82 pages, adding that it opened his eyes as a citizen. Alderman Roberts stated that citizens reach out to him noting that they did not know when the vote was happening, telling him that they had no notice that it was occurring. Alderman Roberts noted that based on what the City Forester said, he was not given notice of discussions, nor was a builder asked what the repercussions would be if the Ordinance was tabled.

Mr. DeClue stated that there were no applications pending, noting that the deadline passed with the postponement, adding that if there were applications to be reviewed by the ARB during the postponement, they would be reviewed following the old guidelines. Alderman Roberts asked if we could extend the moratorium. Mr. Hetlage stated that the goal with the moratorium was to offer a short period of time for guideline review so that citizen's right to build would not be extended or taken away.

Mayor Wilcox stated that there were options. Option one, the Board could bring the Ordinance up to a vote in two weeks adding that the document was never meant to be perfect but was not sure that two weeks was enough time to share the document with the public; Option two, the Board could have a forum, then hold a vote in two weeks or later. Mayor Wilcox state that given what Alderman Roettger had said about the document being a living, breathing document, the Board could vote now and then rewrite the document where necessary later if it is found that some portion in the guidelines needed changing. Mayor Wilcox also stated that if the Board were to pass the Ordinance adding that the bigger parts have been discussed and accepted at the first reading, make a concerted effort, once the guidelines are in place to listen to the community about results. Mayor Wilcox noted that the old guidelines would be behind us, but we could then take an effort to have workshop for residents or anyone who wants to read the document as a stakeholder, make sure recommendations are documented and then edit the document going forward.

It was noted that two weeks was not enough time for everyone to read and react to the document and it was also noted that the community needed a living document.

Alderman Vitale stated that the entire Board of Aldermen have spoken with the ARB adding that the proposals from the community are legitimate and was not sure about emails sent to the city. Alderman Vitale stated that she agreed with the amount of work the ARB put into the guidelines but noted that she had concerns like Alderman Roberts concerning the notice adding that people did not get information and who would like time to review. Alderman Vitale asked that the new guidelines be tabled for two weeks. Mayor Wilcox noted that a forum could be scheduled for discussion and comments.

Alderman Roettger noted that a study would not show what would happen with the new guidelines in place adding that no study had been done for any other changes to the guidelines.

Mayor Wilcox stated that there is more concern about building large homes on small lots in Glendale. Mr. Wolf stated that he had no problem with the guidelines, did not want big homes on small lots but noted that the Board did not take time to do the metrics.

It was noted that was prudent to look at economics, and that no one was complaining or attacking the ARB.

Alderman Capshaw Cushing disagreed about the lack of a study noting that while sitting at workshops, the Board studied all the details of the guidelines, adding that going forward, the Board would keep an eye on applications and reiterated that both boards did study the guidelines. Alderman Capshaw Cushing stated that she trusted the document and would watch what will go on.

Alderman Nauman asked that if the guidelines get tabled, can the guidelines be tabled as long necessary adding that the moratorium will be over. Mr. Hetlage stated that the old guidelines will just continue. Alderman Nauman stated that the process could happen on a continuum so that the information could be disseminated more broadly, feedback received following a review of the details.

Alderman Vitale again stated that her concern was the notice noting that as Alderpersons, we have read all the documentation adding that with the first reading approved and tabling the vote, the Board still has full respect for what has been done and have the right to vote the way we do. Alderman Vitale stated that citizens are here trying to get information adding that the City needs to provide the document for review so that everyone understands what the Boards are doing, understand that we believe in everyone's property rights and also the right to have notice for their neighborhoods and the city. Alderman Vitale asked the Mayor what the next step should be even if it takes two weeks. Mayor Wilcox stated that the Board gives everyone the right to be heard, adding that the meetings are always open to the public, and noted that residents should come to other meetings as well as today's meeting.

Alderman Roberts stated that the Board would listen to the respondents adding that if they want to send emails, it would be real feedback.

Alderman Capshaw Cushing noted that should the moratorium end, the old guidelines will return.

Mayor Wilcox asked if there were any additional questions or comments. There were none.

Alderman Nauman moved to postpone the approval of Ordinance B11-23 indefinitely. Alderman Vitale seconded the motion which was unanimously approved.

B12-23 AN ORDINANCE AMENDING SECTIONS 535.040, 535.070,
535.080, 535.090 AND 535.150 OF CHAPTER 535 OF TITLE V OF THE
MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE,
MISSOURI, REGARDING ARCHITECTURAL REVIEW BOARD
PROCEDURES AND ADOPTION OF REVISED ARCHITECTURAL REVIEW
BOARD GUIDELINES

Alderman Lane moved approval of the second reading of Ordinance B12-23. Alderman Roettger seconded the motion.

Alderman Nauman moved to postpone Ordinance B12-23 indefinitely. Alderman Vitale seconded the motion which was unanimously approved.

RESOLUTIONS

R11-23 A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR A FARMERS' MARKET AT 421 N. SAPPINGTON ROAD

Alderman Lane moved approval of the reading of Resolution R11-23. Alderman Capshaw Cushing seconded the motion.

Alderman Vitale stated that she would recuse herself due to the location of the Farmer's Market and personal interest.

Mayor Wilcox asked for a report.

Mr. Vitale reported that his vision there would be to have a coffee shop open in the morning, a snow cone shop open in the afternoon next to the produce stand which would be open Friday through Sunday. Mr. Vitale stated that the produce market would open in early April, and the Coffee shop/snow cone stand would open sometime during the middle of May until October, with the coffee shop remaining open all year.

Mr. Vitale stated that the coffee shop would open at 7 am and close at noon, the snow cone shop would open at noon and close at the end of the day and open 7 days a week. Mr. Vitale stated that there would be lighting and cameras. Mayor Wilcox asked if there would be lights illuminated at night. Mr. Vitale stated that they would turn it off at night and added that the neighbors were aware of the plans, noting that they were all awesome about the plans. Mr. Vitale stated that he was erected that fence for safety adding that the lights would be programed to shut off with plans to keep the lights out of neighboring residents' properties.

It was noted that the coffee shop and the snow cone shop would need special use permits, which run for 90 days, as well as the produce market.

Mr. Vitale stated there would be no picnic tables, and no alcohol and noted that he would be renting to the new tenants. Mr. Vitale stated that regarding parking, the Moonbeam shop opened later in the morning but was hoping that some parking would spill off to the City Hall parking lots on the weekend. It was noted that the City Hall closed at 5:00 pm, which should allow for evening traffic. Mr. Vitale stated that he would be in touch with the police department if necessary, adding that the venues would be busy to begin with but would taper off as the season progressed with many residents walking to the shops. Mr. Vitale stated that they would name the new venture Mee Mee's Market after a member of his family.

Mr. Kody Rapp thanked the Board for their time and stated that he had participated in his family's produce business for 16 years, which was now in its 4th generation. Mr. Rapp stated that there was a location in St. Ann and St. Charles and wanted to open his own market in Glendale. Mr. Rapp stated that he planned to open the market this upcoming weekend beginning at 8 am, ending at 6 pm, Friday through Sunday, and would have a 10 x 10 pop up tent with 8' tables, one being an L shaped table and noted that there was an abundance of local family connections. Mr. Rapp advised that he would have local produce by June and July. Alderman Capshaw Cushing noted that was a wonderful idea.

Mr. Rapp stated that he had worked with City Hall regarding signage. Mr. Vitale stated that he would place a banner on the back fence announcing the new venues, adding that he has been in communication with all the businesses in his building.

It was noted that the Plan Commission approved the request and recommended that the Board approve the Special Use Permit.

It was noted that when the Fire House and new Administration building was designed, there was a plan for a plaza as a community hub to be located between the two buildings where the parking lot is currently located. Mr. Roberts stated that it would be nice to have the market adding that it was a good thing for the neighborhood.

Mayor Wilcox asked if there were any additional comments or questions. There were none.

Mayor Wilcox called for a voice vote which was unanimously approved.

REPORTS

Mr. DeClue

Mr. DeClue reported that Election Day was scheduled for tomorrow, and reminded the Board that Prop M was on the ballot and that all employees were asked to park in the north parking lot tomorrow.

Mr. DeClue reported that there was a snafu on entry way related to a material shortage, but that the work would continue again on Wednesday or Thursday. Mr. DeClue stated that the Plan Commission would meet on Wednesday, on the 12th at Glendale Chrysler, who will host the group at 6:00 pm. Mr. DeClue stated that the neighbors have been emailed and invited to attend, the group would be walking in some of the back yards to get the neighborhood perspective and noted that this was a public meeting. Alderman Lane asked about the car wash. Mr. DeClue stated that one lane would be a hand wash lane, and one would be a mechanical was lane. Mr. DeClue stated that no decision was made during the first meeting, none will be made during the upcoming meeting and added that there would be a third meeting which would initiate recommendations to the Board of Aldermen.

Mr. DeClue reported lastly that Firefighter Mick Cox has put in his notice adding that the Firefighter praised the city and the Fire Chief and appreciated all the time spent in training as

Fire Marshal. Mr. DeClue stated that he was going into the private sector and was leaving in good terms with the City.

Alderman Roettger

None

Alderman Vitale

None

Alderman Lane

None

Alderman Capshaw Cushing

None

Alderman Roberts

None

Alderman Nauman

Alderman Nauman stated that he met with the resident at 791 Bismark, Beatrice Dissett, who allowed a tour of her property which is an amazing lot. Alderman Nauman stated that Ms. Dissett is challenged with water run off noting that there is a unique situation with a stormwater inlet flowing in from Bismark and another one from Berry Rd. The water flow was expanding the boundary of the creek creating the loss of large growth trees, and significant root exposure. Alderman Nauman stated that it was evident during the tour that through the years an attempt was made to channel the area with trap rock, and fencing, which most predate Ms. Dissett's homeowner ship which took place in 2012. Alderman Nauman stated that there were animals in the inlets, disintegrating corrugated pipes and, PVC pipe coming from an unknown source. Ms. Dissett tried to reach out to MSD but not having much luck. Alderman Nauman suggested that a meeting be organized with Public Works, Alderman Roper, Mr. Smith, the City Engineer, to identify significant hot spots which Ms. Dissett may be able to rectify and identify what could be the obligation of MSD. Alderman Nauman stated that although this is a private property, the situation was unique, noting that MSD contributes to the problem and added that an action plan should be put in place. Alderman Vitale stated that it was a great idea, and it was noted that the time would be found to set a date for a meeting.

Jim Hetlage

None

Mayor Wilcox

Mayor Wilcox asked Mr. DeClue to start the process for a forum for draft guideline comments including giving the opportunity to the Home Builders Association and involvement with the Board of Aldermen.

Alderman Vitale stated that even though there will be a new person in my seat in a few weeks who will a wonderful addition to the Board of Alderman, Alderman Vitale would be available to volunteer to help with the ARB issues adding that a citizen's forum would help.

ADJOURNMENT

Alderman Nauman moved to adjourn the meeting, seconded by Alderman Lane. The motion was unanimously approved.

These minutes are approved as submitted this 17th day of April, 2023

Joanne Carr
Deputy City Clerk