

MONDAY, APRIL 5, 2021 7:00 P.M.
BOARD OF ALDERMEN
MINUTES

MAYOR MIKE WILCOX

ALDERMAN PAUL ROETTGER

ALDERMAN AARON NAUMAN

ALDERWOMAN LISA CAPSHAW CUSHING

ALDERWOMAN BERRY LANE

ALDERWOMAN VITALE

ALDERMAN JOHN SCHUSTER

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.

The April 5, 2021, Board of Aldermen Meeting was conducted via videoconference.

ROLL CALL

Present: Alderman Roettger, Alderwoman Lane, Alderwoman Cushing
Alderman Nauman, Alderman Schuster, Alderwoman Vitale

Absent: None

Present: Terry Jones, Superintendent of Public Works, Chief Jeff Beaton

APPROVAL OF TENTATIVE AGENDA

Mayor Wilcox asked if there were any changes or corrections to the Agenda for the April 5, 2021 meeting. Alderwoman Lane moved approval of the agenda for the April 5, 2021 meeting. Alderman Schuster seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM MARCH 15, 2021 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from March 15, 2021 meeting. Alderman Nauman moved approval of the March 15, 2021 meeting. Alderwoman Lane seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

None

RESOLUTIONS

R12-21 A RESOLUTION AUTHORIZING A LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF GLENDALE AND CHRISTOPHER B. GRAVILLE. FOR MUNICIPAL JUDGE SERVICES

Alderman Lane moved approval of the reading of Resolution R12-21. Alderman Schuster seconded the motion which was unanimously approved.

Mayor Wilcox asked for a report.

Mr. DeClue reported that at the last meeting the Board voted to have Judge Graville as judge upon the retirement of Judge Burnett and approved the addition of Prosecuting Attorney Brian Malone from Lashly and Baer and his Legal Service Agreement as Prosecutor and added that this agreement with Judge Graville was not ready for the last meeting. Mr. DeClue stated that Judge Graville's fee would be \$500 per month and would be invoiced to his law firm instead of paid out through Glendale's payroll.

Mayor Wilcox asked if there were any additional questions and there were none.

Mayor Wilcox called for a vote which was unanimously approved.

ORDINANCES FOR FIRST READING

B02-21 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF GLENDALE, MISSOURI, A ONE-YEAR EXTENSION OF THE COOPERATION AGREEMENT WITH THE CITIES OF KIRKWOOD, GLENDALE AND OAKLAND, MISSOURI, RELATING TO THE USE AND MAINTENANCE OF THE KIRKWOOD AQUATIC CENTER

Alderman Lane moved approval of the first reading of Ordinance B02-21. Alderman Roettger seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue reported that Kyle Henke from Kirkwood parks was on the zoom call. Mr. DeClue stated that Glendale entered into an agreement with Kirkwood and Oakland 20 plus years ago for the construction and use of the aquatic center adding that the construction bond was met. Mr. DeClue stated that following the conclusion, the city had been approving an agreement year by year since 2019. Mr. DeClue stated that the charge for the 2019 swim year was \$51,118 and the estimate for next year was \$39,757 and the estimated 2021 fee was \$64,449.00. Mr. DeClue stated next year following the COVID pandemic, the cities would discuss expanding the agreement.

Mr. Henke thanked the Board for inviting him to the meeting noting that he had nothing to add regarding fees adding that the exhibits and estimates included in the packet were accurate. Mr. Henke stated that last year that the aquatic center did quite a bit with St. Louis County grant money adding that there was one more project to do. Mr. Henke stated that capital costs were

not included in the estimates adding that any capital repairs not covered by the grant were pulled out.

Mayor Wilcox asked if the fees were only for the pool. Mr. DeClue stated it was only for the aquatic center.

Alderman Roettger stated that Glendale was always two years in arrears.

Mr. DeClue stated that was the case noting that since the beginning of the arrangement, the time frame had an operating deficit. Mr. DeClue noted that moving forward in the future, the city would have discussions about changing the fee process to an ongoing year structure depending on each fiscal year adding that the city could budget.

Alderman Roettger noted that the Board will have a third new member adding that Oakland and Glendale agreed to stay affiliated with the pool and have access to the center noting that once COVID was settled, the Board would need to start over again with discussion regarding more options. Alderman Roettger stated that the cities would meet when the time was right.

Mr. Henke agreed with Alderman Roettger.

Mayor Wilcox asked if there was any other questions or discussions.

Mr. DeClue read the Ordinance by title only.

Mayor Wilcox called for a voice vote which was unanimously approved. The first reading passed.

The Ordinance was tabled for the next meeting.

B03-21 AN ORDINANCE TO ADOPT A MID-YEAR REVISION TO THE COMPENSATION PLAN OF THE CITY OF GLENDALE, MISSOURI FOR THE PURPOSE OF ADJUSTING THE PAY SCALE FOR SEASONAL HOURLY EMPLOYEES IN THE PUBLIC WORKS DEPARTMENT

Alderwoman Lane moved approval of the first reading of Ordinance B02-21. Alderman Schuster seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue reported that Superintendent Jones' memo was included in the packet adding that every four years or so, the department looked at our neighboring cities' wages for summer help and noted that Glendale's wage was too low. Mr. DeClue stated that Glendale was \$2.50 behind and should move the hourly wage from \$9.00/\$10.00 to \$11.50/\$12.00 which would add a few thousand dollars this year. Mr. DeClue stated that the Public Works department did not hire

anyone last summer due to COVID and the revenue impact. Mr. DeClue noted that this would only relate to seasonal employees.

Superintendent Jones reported that Mr. DeClue summed up the situation well.

Superintendent Jones stated that the PW listed an ad for four weeks, tried to arrange one interview but had no call back. Superintendent Jones stated that a second application was received with a wage request beyond the City's range. Superintendent Jones stated that the Glendale wage was not attractive to anybody adding that following surveys showing the pay scales in the surrounding communities, their range was \$12.60 per hour adding that Glendale would remain conservative. Superintendent Jones noted that the Missouri wage is \$10.40 per hour adding that although it was not required, it did look bad. Superintendent Jones stated the summer wage would be \$11.50 this summer.

Mayor Wilcox asked if there was a reason there was an Ordinance included in the code for this issue.

Mr. Hetlage stated that the code reads that it was always approved for all wages as part of the budget adding that State law notes that a contract wage earner had to be approved by the Board.

Mayor Wilcox stated that made sense that it was under the budget and code.

Mayor Wilcox asked if there was any questions or discussions.

Mr. DeClue read the Ordinance by title only.

Mayor Wilcox called for a voice vote which was unanimously approved. The first reading passed.

The Ordinance was tabled for the next meeting.

REPORTS

Ben DeClue

Mr. DeClue reported that the CA report covered all the latest updates adding that if there were any questions, please let him know.

Mr. DeClue asked Alderwoman Vitale and Alderman Nauman to check their emails if they had not already regarding an email from Ms. Belding at Glendale Chrysler regarding meeting with neighbors and operating changes.

Mr. DeClue reminded the Board about the Municipal election the following day adding that Alderman Schuster will be greatly missed following the election of Mr. Fanning who was on the ballot for Alderman Schuster's Board seat.

Mayor Wilcox added that he will miss Alderman Schuster.

Joanne Carr

None

Alderman Roettger

Alderman Roettger stated all was quiet on the resident front unless Alderwoman Cushing had any information. Alderman Roettger stated that he was glad to see that the Board was addressing Superintendent Jones issues adding that the crew was out in his neighborhood finishing up the road work. Alderman Roettger stated that in light of the budget season and the potential for new cash flow once the Government money comes in, the Board should think strategically and consider the infrastructure as is being considered on a Federal level. Alderman Roettger added that the Board could look closely at our infrastructure focusing on Public Works.

Alderwoman Vitale

Alderwoman Vitale acknowledge receiving the email from Ms. Belding but was waiting to make sure that it was okay. Alderwoman Vitale stated she would respond to the email.

Alderwoman Lane

Alderwoman Lane thanked Superintendent Jones for his informative letter about how we need to pay our seasonal help adding that she hoped that the wage would be \$11.50.

Alderwoman Lane reported that the Webster-Kirkwood reported that Glendale had a use tax since 1996 adding that once the Wayfair Use Tax is passed, how will we delineate the collection of taxes between Glendale and Kirkwood.

Mr. DeClue stated that it would be a function of software and interacting with the Department of Revenue adding that so far it was not an issue noting that since COVID, the use tax collection had been rising and should continue to rise.

It was noted that there were two versions, and the City prefers the Senate version. The House version stated that the use tax needed to return to the ballot for approval adding that it was heard that the Senate will hold firm but was willing to give up the use tax wording, so we did not need to put it back on the ballot.

Alderwoman Lane thanked Mr. DeClue for the update.

Alderwoman Lane stated that the ARB Committee would be meeting at the end of April following discussion during the earlier meeting indicating that the members would work during the next 60 days completing new sections for the ARB Guidelines. Alderwoman Lane stated that they were moving forward and felt that it was very important work and hoped to be ready with a full report at the end of the summer. Alderwoman Lane thanked Alderman Schuster for serving on the committee and of course on the Board of Aldermen adding that he was very thoughtful.

Alderwoman Lane stated that the Jazzfest Committee would be meeting and working on contracts this month adding that three bands have been identified with a back-up plan. Alderwoman Lane noted that the committee was saving one band for the 2022 Jazzfest.

Alderwoman Lane stated that people needed to get out noting that October 8 would be a good date in light of COVID adding that it would be a fantastic evening.

Alderwoman Capshaw Cushing

Alderwoman Cushing reported that there was a water problem near 1 Kings Pond which caused the ADA pad to float. Alderwoman Cushing stated that Superintendent Jones jumped right on the issue and the problem was fixed within a week. Mr. Margiotta liked what was done and hoped the fix was permanent. Alderwoman Cushing thanked Superintendent Jones for all his work.

Alderman Nauman

Alderman Nauman has heard nothing more about Glendale Chrysler adding that Ms. Belding had been handling the maintenance on the property well and highlighted that the collision repair center would be closed and repurposed. Alderman Nauman stated that he would meet with Ms. Belding before anything was turned into the City. Alderman Nauman noted that the Brookside residents would be included in the meetings adding that it would give both Alderman Vitale and he a chance to hear the neighbor's concerns and it will allow us to talk with them before anything was finalized. Alderman Nauman stated that the Manchester Road Improvement project may be included along with some other things.

Mr. DeClue noted that a number of issues were tied together related to the Manchester Road Project which related to the loss of frontage.

Alderman Schuster

Alderman Schuster thanked Alderwoman Lane and Mr. DeClue for their kind words adding that Mr. Rich Fanning would be a welcome and contributing member to the BOA. Alderman Schuster stated that Mr. Fanning has been active in the local community and knows he will do a good job. Alderman Schuster noted that Mr. Fanning was friend and neighbor.

Alderman Schuster reported that he has been invited to join the Executive Board of the Municipal League of Metro St. Louis and thanked everyone for their kind words.

Jim Hetlage

Mr. Hetlage reported that an 8-page outline was included in the packet adding that Spring break was two weeks ago.

Mr. Hetlage reported that the Missouri Senate passed the Wayfair Bill, which is the charging of use tax on sales via internet, providing procedures for the charge of taxes paid to cities equal with 'brick and mortar' stores vs internet. Mr. Hetlage noted that in order for certain members to be comfortable with a tax increase, there will be use tax on internet sales and a decrease in gross receipt taxes related to video companies from approximately 4.5% to 3.5%.

Mayor Wilcox asked if Mr. Hetlage meant streaming. Mr. Hetlage stated he did, adding that there was recently a new push to see that streaming companies paid gross receipt taxes. Mr. Hetlage noted that lobbies get active with the State related to these matters adding that cell phone companies and video companies had good lobbies as well.

Mayor Wilcox noted that a corresponding Wayfair Bill was in the House Mr. Hetlage stated that the House Bill was 551 and the Senate Bill was 153 adding that there were few differences. Mr. Hetlage stated that the Bills would go to joint committees for the consolidation of language in the Senate Bill adding that the Missouri Municipal League supported the Senate version of the Bill.

Mr. Hetlage stated that House Bill 27, regarding open records laws, required greater posting of agendas, and notices on websites and social media or at least a link to the notices. Mr. Hetlage stated that the Bill also proposed rules requiring that new laws and ordinances be posted within three business days of adoption for transparency adding that this was recommended out of two committees.

House Bill 177 defined what were closed records and modifies the wording, lockdown procedures, etc. adding that a Bill allows records to be closed including personal emails and phones depending how they are sent.

House Bill 262 requires Municipalities expenditures to be included on a data base easily accessible to the public.

Mr. Hetlage reported that House Bill 491 which prohibits Cities from regulating home based businesses and added that it was recommended to pass. The Bill included rules for restricting operation of non-impact home business, the Bill would consider an occupancy limit for the house, sale of lawful goods and services, it may involve one or more person at a time working at the home as long as parking was not a problem, adding that the bill noted that retail or professional businesses could be the type of business that would be considered a no impact home business and added that a sign outside the home may be allowed which could impact the sign code and generally has been getting much attention.

Mr. Hetlage stated that Gas Tax legislation passed and was getting attention.

House Bill 248 which addressed property assessments that could limit the ability of assessors to change home values related to homes without improvements or values of homes based on neighboring sales increases.

House 980 pertains to the removal of April election dates and move Municipal elections to the 1st Tuesday of November ballot. Mr. Hetlage stated that supporters say that the change would be a cost saving measure and those opposed to the Bill recognize that it would be difficult to get Bond issues noticed during the Presidential race and election. Mr. Hetlage stated that the Bill went to the standing committee on downsizing State Government and passed 9-3 adding that in the second committee it passed 6-4. Mr. Hetlage stated that there was more opposition to the Bill and the Missouri Municipal League is opposed to the Bill as well.

House Bill 75/Senate Bill 51 related to public health orders which basically says employer service industries place of accommodations cannot be liable for the transmission of COVID

unless they can prove recklessness or willfulness that caused the transmission. Mr. Hetlage stated that these Bills were pushed by business.

Mr. Hetlage stated that the Missouri Senate and House were active during the first half of the year and got more done.

Mayor Wilcox

Mayor Wilcox reported that within the next month or two, the Mayor would like to schedule a financial workshop to discuss cash flow in relation to Prop E, Prop P, and the Cares Act money and rules about how to use the Federal Funds. Mayor Wilcox noted that Alderman Roettger commented about thinking strategically adding that it makes sense to schedule a workshop to understand how to use the funds.

Mr. DeClue stated that he would set that up.

Mayor Wilcox noted that the Board would be swearing in a new member in May and wondered about everyone's thoughts related to in-person meetings wondering if the Board should wait a little longer before getting back together.

Alderman Nauman suggested that the Board return to face-to-face meetings possibly with the plan to return through multiple phases such as meeting in a socially distanced manner with a limited number of people allowed to attend and later, move to the dais, if we can get the footprint right.

Mayor Wilcox stated that the Board would work with Mr. DeClue to plot out a return during the next couple of months to ensure that everyone on the Board has been fully vaccinated adding that there was a long list of retirements, thank yous and congratulatory events that need to take place face-to-face.

Alderman Roettger stated that a comparison could be made with neighboring Municipalities to determine a date.

Mr. Hetlage stated that Mr. DeClue would check with St. Louis County for limitations on occupancy.

Mayor Wilcox reported that a food drive was scheduled for May 8th called "Mayor's for Meals, 2021" adding that there was an event last March which occurred before we were aware of the event. Mayor Wilcox noted that Glendale held a food drive in May and repeated a collection in December in lieu of the cancelled Scouting for Food drive scheduled for the previous November. Mayor Wilcox added that this will be the only food drive held in 2021 and could be an annual event going forward. Mayor Wilcox noted that many Municipalities will be holding similar drives in their communities on the same day adding that we will use the same set up as was done for the last two, enlisting the help of Superintendent Jones along with and Board members who can attend.

Alderman Roettger stated that May 8th was the scheduled Kirkwood Graduation Day for his senior adding that Alderman Nauman also had a senior graduating. Superintendent Jones stated that he could handle the set up but added that he had a graduating senior as well.

Superintendent Jones thanked Alderman Schuster for his years of service including the 21 years Superintendent Jones worked for the City. Superintendent Jones stated that Alderman Schuster had been involved with the City in various levels of leadership, always offered good advice and friendship. Superintendent Jones added that he appreciated the personal advice received and friendship from his wife, Jan as well noting that their nephew, Adam, had worked well for PW. Superintendent Jones offered his appreciation for Alderman Schuster's guidance and leadership adding that he would be missed.

Chief Beaton reported that he appreciated Alderman Schuster's leadership role in Glendale including the guidance offered during the many committee meetings Alderman Schuster attended including public safety adding that Alderman Schuster was a great public advocate for the City, Police and Fire Departments and would be truly missed on this Board.

ADJOURNMENT

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

These minutes are approved this 3rd day of May 2021.

Joanne Carr
Deputy City Clerk