

**MONDAY, MARCH 21, 2022 7:00 P.M.**  
**BOARD OF ALDERMEN**  
**MINUTES**

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MAYOR MIKE WILCOX

ALDERMAN PAUL ROETTGER

ALDERMAN AARON NAUMAN

ALDERMAN LISA CAPSHAW CUSHING

ALDERMAN BERRY LANE

ALDERMAN RICH FANNING

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 7:03 PM by Mayor Wilcox.

ROLL CALL

Present: Alderman Roettger, Alderman Capshaw Cushing,  
Alderman Fanning, Alderman Lane, Alderman Nauman

Absent: Alderman Vitale

Present: Chief Jeff Beaton

APPROVAL OF TENTATIVE AGENDA

Mayor Wilcox asked if there were any changes or corrections to the Agenda for the March 21, 2022, meeting. Alderman Fanning moved approval of the agenda for the March 21, 2022, meeting. Alderman Nauman seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM MARCH 9, 2022 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from March 9, 2022, meeting. Alderman Lane moved approval of the March 9, 2022, meeting. Alderman Nauman seconded the motion, which was unanimously approved.

TREASURER'S REPORT- FEBRUARY 2022

Mr. DeClue reported that sales tax receipts were doing well with \$72,000 received to date compared to \$59,000 at this time last year adding that the gross receipt taxes were also high possibly due to the cold and snowy year totaling approximately \$15,000. Mr. DeClue stated that the court revenue was up substantially this year at \$6,000 compared to \$800 last year.

Mr. DeClue noted that with the courts were stabilized with the addition of Mr. Malone and Judge Graville adding that they worked well together. Mayor Wilcox asked if the City was below the cap set by the State. Mr. Hetlage stated that the City was below the threshold range at less than 1%.

## CITIZEN COMMENTS

Debbie Holley, 207 Edwin

Ms. Holley introduced herself and stated that she and her husband, Tom, have lived in Glendale for 50 years and wouldn't live anywhere else and read from a prewritten letter as follows:

Last fall I wrote a letter to each member of the Board about our streets. I had done a little digging to try to figure out why the roads were in such a state of disrepair. The response I got from the Board was that I should talk to Terry Jones. So, Terry and I had a couple of great conversations which ultimately reinforced my belief that the overall street plan needed to be revisited and overseen by the Board.

You know when you live a town like Webster, Kirkwood or Glendale, there is this unspoken covenant this is made between residents and their City Government. We residents understand that we are expected to maintain our houses and yards in a manner which reflects the standards of the community. Conversely, we expect the City to maintain the streets and city properties in line with those same community standards.

As you drive around town, (especially this time of year), there is no question that an overwhelming majority of Glendale residents keep their half of that unspoken agreement. They take tremendous pride in their homes, their yards, and their city which is one reason why this is such a great place to live.

But my message to you tonight is regardless of why or how this has happened, I think our City Government has failed to maintain and resurface our streets in a timely manner. I don't believe that City has held up its end of that unspoken agreement with its residents. Terry Jones agreed with me that many of the streets in South Glendale have deteriorated to the point where they've become an embarrassment. They are uneven and crumbling and full of patches and potholes. They need immediate attention, but help doesn't seem to be on the horizon. Ms. Holley added that the streets are particularly dangerous for pedestrians, especially at night.

This is my understanding of where we stand today:

1. We are in year 7 of a 15-year project of laying down asphalt that lasts 10 to 12 years;
2. The streets around me were paved with chip seal 10-12 years ago. The street plan is moving slowly from North to South so none of these streets are included on the 2022, 2023, or 2024 resurfacing calendar. So, even though Chip seal lasts just 5-8 years, most South Glendale streets will go 15-19 years without seeing an asphalt truck. The street department doesn't have an answer for this issue. At this point, it's going to take action and intervention by the Board of Aldermen to make the necessary changes to the overall street resurfacing plan.

I've come here tonight to ask you to consider doing two things:

1. Would you, as the Board, please take a hard look at the current street plan and see what it would take to try to finish the entire project in 4 years instead of up to 8 years. What

would it mean in terms of financing, labor, MSD's calendar, all of it? Because, the truth is, many of our streets simply don't have many more years left in them. I honestly don't see how we can do nothing at this point.

2. Would you take 15 minutes some day this week and go see the problem for yourselves? I've made it easy for you. I drew up a route around South Glendale which will give you a good idea of the condition of the streets we drive every day. As you drive, I would ask that you imagine what they will look like 7 or even 8 years from now, during the day, at night or another 8 to 14 years from now. I appreciate the opportunity to speak with you tonight.

The Board thanked Ms. Holley for attending the meeting.

#### ORDINANCES FOR SECOND AND FINAL APPROVAL

**B04-22 AN ORDINANCE CONTRACTING FOR A PERIOD OF FIVE (5) YEARS WITH A FIVE (5) YEAR RENEWAL OPTION WITH THE CITY OF WARSON WOODS, MISSOURI, FOR THE SERVICES OF THE CITY OF GLENDALE FIRE DEPARTMENT FOR FIGHTING, CONTROLLING AND PREVENTING FIRES WITHIN THE CORPORATE LIMITS OF THE CITY OF WARSON WOODS AND FOR CERTAIN LAW ENFORCEMENT SERVICES**

Alderman Lane moved approval of the first reading of Ordinance B04-22. Alderman Roettger seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue reported that this ordinance would provide certainty and an extension with Warson Woods. Mayor Wilcox stated that Mayor Howe was open to a 5-year renewal with a 10-year total, keeping the Kirkwood ambulance service and the Kirkwood dispatch service the same, adding that the ambulance service would be billed to the residents as in the past. Mr. DeClue stated that the Warson Woods Board of Aldermen passed this agreement at their last meeting on Tuesday but needed our approval and added that Mayor Howe would be retiring from office. Mr. DeClue stated that this contract continued a 60-year service agreement that Glendale has had with Warson Woods. Mayor Wilcox stated that he spoke with Mr. Fitzgerald, current candidate for Mayor of Warson Woods, to advise him about the 5 plus 5-year agreement and to ask about his thoughts about the agreement, knowing that Mr. Fitzgerald would take office in May if elected, after approval of the agreement. Mayor Wilcox stated that Mr. Fitzgerald advised that he was in agreement, noted that the agreement was appropriate and would not look anywhere else for a contract. Mr. DeClue stated that he mentioned the same to Mayor Howe adding that the Police Department was also behind the agreement. Mr. DeClue stated that the 5-year agreement was contingent upon financial terms adding that stability was essential.

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

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

The first reading passed.

Mayor Wilcox asked Mr. DeClue to read the Ordinance by title only.

Alderman Fanning moved approval of the second reading of Ordinance B04-22. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report

Mr. DeClue reported that the information was noted earlier.

Mayor Wilcox asked if there was any other questions or discussions

Alderman Roettger asked if Chief Silvernail was on board with the agreement. Mr. DeClue stated that the Chief was in agreement.

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

The second reading passed.

Mayor Wilcox asked Mr. DeClue to read the Ordinance by title only.

Alderman Lane moved approval of the final reading of Ordinance B04-22. Alderman Fanning seconded the motion.

Mayor Wilcox asked for a report. There was no additional information offered.

Mayor Wilcox asked if there was any other questions or discussions There were none.

Mayor Wilcox called for a vote.

Ayes: Alderman Roettger, Alderman Capshaw Cushing,  
Alderman Fanning, Alderman Lane, Alderman Nauman

Nays: None

Not Present: Alderman Vitale

The Ordinance passed.

#### PUBLIC HEARING FOR B05-22

Mr. Hetlage opened the public hearing and stated that the ordinance to create 400.115, was a zoning amendment to initiate agreement with the City of Oakland and Glendale to set up an Overlay District along the Glendale boarder which meets with the Oakland border. The zoning ordinance was intended to create an overlay district in Oakland and Glendale for the front yard in Glendale and the back yard in Oakland which would clarify

the governing body involved with property zoning questions depending on the location of the majority of the lot. Mr. Hetlage stated that he had worked with the Oakland City Attorney to define an ordinance that is agreeable to both Oakland and Glendale when deciding issues related to construction projects located within each city. Mr. Hetlage stated that the City of Oakland approved the ordinance last Wednesday which approved the overlay that would expressly provide that if there was work to be done in a rear yard, particularly a detached structure, the zoning review would go to the appropriate city.

Mr. Hetlage added that all variances related to the overlay area would be reviewed by both cities. Mr. Hetlage noted that the Planning and Zoning Commission reviewed the ordinance and recommended approval. Mayor Wilcox asked if there were other cities experiencing a similar situation. Mr. Hetlage stated that this was unique but had occurred in other municipalities. Mr. DeClue noted that Glendale had a similar border issue with Kirkwood on the western border of the City.

Mr. Potthast, owner of 802-804 W. Lockwood, stated that he was in favor of the ordinance and was already working with the City of Oakland regarding his project.

Mr. Hetlage noted that the Glendale ARB would review applications in situations where the majority of the project was located in Glendale adding that the same would be true for Oakland should the majority of the construction site be located in Oakland.

The public hearing closed at 7:21 pm

**B05-22 AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 400 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE, MISSOURI, REGARDING RESIDENTIAL PROPERTIES IN THE CITY OF GLENDALE, MISSOURI SHARING A COMMON BORDER WITH THE CITY OF OAKLAND, MISSOURI**

Alderman Fanning moved approval of the first reading of Ordinance B05-22. Alderman Lane seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue reported that he had attended the Oakland session who had spent a few hours in discussions adding that Board members were in favor.

Mayor Wilcox asked if there was any questions or comments.

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

The first reading passed.

Mayor Wilcox asked Mr. DeClue to read the Ordinance by title only.

Alderman Roettger moved approval of the second reading of Ordinance B05-22. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report

Mr. DeClue reported that there was nothing to add.

Mayor Wilcox asked if there was any other questions or discussions There were none.

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

The second reading passed.

Mayor Wilcox asked Mr. DeClue to read the Ordinance by title only.

Alderman Lane moved approval of the final reading of Ordinance B05-22. Alderman Fanning seconded the motion.

Mayor Wilcox asked for a report.

Mayor Wilcox asked if there was any other questions or discussions There were none.

Mayor Wilcox called for a vote.

Ayes: Alderman Roettger, Alderwoman Capshaw Cushing,  
Alderman Fanning, Alderman Lane, Alderman Nauman

Nays: None

Not Present: Alderman Vitale

The Ordinance passed.

## REPORTS

### Mr. DeClue

Mr. DeClue reported on the Glendale Chrysler plans related to a change in the conditional use permit stating that the City had not received any information as yet from Glendale Chrysler regarding their definitive plans. Mr. DeClue noted that Ms. Belding, Glendale Chrysler, was in the process of sending out computer workups and renderings showing the Brookside residents what they will see from their rear yards regarding their proposed plans. Mr. DeClue stated that the City had not received any information from Glendale Chrysler showing their plans for an addition to the rear of their property. Mr. DeClue stated that an email was received from Mr. Kissling, a resident of Brookside, which indicated that Glendale Chrysler was still interested in adding a storage unit and car wash. Mr. DeClue stated that he did not know anything about the details but added that the process for Conditional Use Permit changes required Glendale Chrysler to present a full set of engineered plans that would then go to the Planning and Zoning Commission which at that time would receive preliminary approval or conditional approval which would then be presented to the Board of Aldermen for final approval. Mr. DeClue stated

that during the process, codes would be reviewed and compared. Mr. DeClue stated that all this would be carried out in a few months from now following a prescribed timeline adding that he was not sure about Glendale Chrysler's timeline at this point and noted that he was planning on receiving plans from Glendale Chrysler sometime in the future. Mr. DeClue stated that the BOA could oppose additional conditions based on residents united against the project adding that the City did not have the project design as yet.

Alderman Nauman stated that the BOA would only see the changes and approval. Mr. Hetlage stated that the application would go to Planning and Zoning and then to the BOA.

Mayor Wilcox asked if the Board could use outside sources to understand technical details presented within the engineered plans once received, noting that an earlier plan to remove trees at the site had been reviewed and marked for removal due to health issues which had been then reviewed by a third-party arborist who said the trees were healthy. Mr. DeClue stated that without litigating, the City could ask our new Forester to review the health of the trees and the City could receive expert advice about technical issues including decibels related to a proposed car wash adding that the City had Architects and Engineers on the Planning and Zoning Commission who will also review the plans. Mr. DeClue stated that the City could hire experts for the technological portions of the plans. It was noted that Rock hill had taken readings and made decision about their carwash before a decision was made. Alderman Lane stated that the City had not been presented with any plans as yet. Alderman Nauman stated that the Glendale Chrysler open house attended by Mayor Wilcox, Mr. DeClue, Chief Beaton and had the opportunity to ask questions on a macro level, adding that Board members do not live on Brookside and would not deal with evaporation or decibel levels. Mr. DeClue also stated that the City had not received any plans from Glendale Chrysler.

Alderman Nauman stated that he was surprised that the Brookside residents received the plans adding that Alderman Vitale and he had not received any plans and added that none of their questions had been answered to date. Alderman Nauman stated that some issues could not be discussed until Glendale Chrysler settled on technologies adding that the plans could be a conceptual carwash. Mr. DeClue stated that he would keep the Board posted on the situation and would advise when the full plans came to the City and the scheduling of Planning and Zoning. Alderman Roettger stated that a business narrative should come with the plans defining what would be new and what would be changed. Mr. DeClue agreed adding that he had talked with the Glendale Chrysler engineer who had no submission as yet. Alderman Lane stated that she had taken offense that Glendale Chrysler would not treat the residents as neighbor's adding that there was a buffer zone, and it was included in the current CUP. Alderman Nauman stated that the Glendale Chrysler application would define the amount to be reduced or not reduced. Alderman Nauman also stated that in Glendale Chrysler's defense, they did set up multiple appointments for Brookside residents adding that the majority of the residents did not attend any meetings. It was noted that the future ordinance will have certain criteria along with the current permit, that the Board would need to use to judge the matter once plans have been submitted.

Mr. DeClue reported that Mr. Jones has spoken with Ms. Holley adding that Mr. Jones and he would review the request and provide a response Alderman Capshaw Cushing stated that she had educated herself about road issues and added that Ms. Holley had sent a letter to her defining

the issues. It was noted that there would be much planning and financing necessary and possibly a bond issue required. It was noted that Mr. Jones had done a great job focusing on street projects and that the City had to push back projects due to COVID. Mr. DeClue stated that the maintenance would begin with a seal on the roads would add to the life of the streets.

Alderman Nauman stated that the Board needed to revisit the plan and look to align with the existing plan. Mr. DeClue stated that Mr. Jones was working with an engineer to determine which streets are of long-term concern and have identified certain streets which need immediate attention adding that ARPA money would be used for this project

Ms. Carr

None

Alderman Roettger

None

Alderman Vitale

None

Alderman Lane

None

Alderman Capshaw Cushing

None

Alderman Fanning

None

Alderman Nauman

Alderman Nauman reported that Chief Beaton and his department had been handling a residential code violation related to a boat on a lawn and asked about the outcome. Chief Beaton stated that there were a number of complaints about the boat that were unfounded adding that the main concern related was that the boat was sitting on grass which was a code violation. The owner stated that they would install a pad for the parked boat as it was legal to park a boat in the rear yard. The responding officer issued a compliance letter which gives the resident 30 days to rectify the issue and comply with the city code and would follow up to make sure the matter is settled. Mayor Wilcox stated that he would call the neighbor.

Alderman Nauman thanked Chief Beaton for the report.

Mayor Wilcox

None

ADJOURNMENT

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

These minutes are approved as submitted this 18th day of April, 2022 .

Joanne Carr  
Deputy City Clerk