

MONDAY, FEBRUARY 6, 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 Roberts
Alderman Capshaw Cushing, Alderman Vitale, Alderman Lane

Absent: Alderman Roberts

Present: Chief Jeff Beaton

APPROVAL OF THE AGENDA

Mayor Wilcox asked if there were any changes to the February 6, 2023 meeting agenda. There were none. Alderman Lane approved the agenda. Alderman Roettger seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM DECEMBER 5, 2022 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from the January 17, 2023 meeting. Alderman Lane moved approval of the minutes. Alderman Nauman seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

Tommy Wilkins, Junior, Kirkwood High School

Cole Gianino, Sophomore, Kirkwood High

John Laird, Freshman, Kirkwood High

Landen Tobias, 6th, Churchill School

Tyler Blicharz, Freshman, Kirkwood High

Tegar Hessel, 8th grade, Nipher Middle School

Lukas Lyons, 8th grade, Nipher Middle School

Abe Acquesto, 6th grade, Nipher Middle School

Joey Sample, 6th grade, Northeast Middle School

Billy Byrne, 7th grade, Nipher Middle School

Owen Terry, 7th grade, Nipher Middle School
Hector Warren, Sophomore, Kirkwood High School
Charley Sample
Max Williams
Owen Sward

ORDINANCES FOR SECOND READING AND FINAL APPROVAL

B05-23 AN ORDINANCE AMENDING CHAPTER III OF THE CITY PERSONNEL POLICY MANUAL REGARDING COMPENSATION TO ADOPT A RETIREE HEALTH INSURANCE OPTION

Alderman Lane moved approval of the second reading of Ordinance B05-23. Alderman Vitale seconded the motion.

Mr. DeClue reported that this second and final reading would amend the personnel policy with a benefit that would cover employees who retire with at least 20 years of service and are at least 60 years of age. Mr. DeClue stated that the premium would be paid fully by the retiree and added that their spouse would be eligible noting that children would not be covered. Mr. DeClue stated that the coverage would commence on July 1, 2023, aligned with the renewal date of the employee health plan. Mr. DeClue noted that this cost would be cheaper than the open market and was a reward for service to the City.

Alderman Roettger noted that no children would be covered under the retiree benefit. Mr. DeClue stated that only a spouse could be covered adding that once a coverage choice is made, the retiree cannot go back to change the coverage choice.

Alderman Vitale asked if this plan was similar to COBRA. Mr. DeClue stated that it was similar to the COBRA offering.

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

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

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

Alderman Capshaw Cushing moved approval of the final reading of Ordinance B05-23. Alderman Nauman seconded the motion.

Alderman Vitale thanked all the government officials for spending their lives protecting our citizens and added that it was important to note that this benefit was for those people and they deserve it.

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

Mayor Wilcox called for a vote.

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

Nays: None

Not Present: Alderman Roberts

ORDINANCES FOR FIRST AND SECOND READING AND FINAL APPROVAL

PUBLIC HEARING

Opened at 7:10 pm

Mr. DeClue stated that during earlier discussions, the Board of Aldermen drew a consensus for the start of a temporary moratorium for ARB meetings to be effective tomorrow, February 7, 2023, and run through the beginning of April giving the ARB time to finish the guidelines and allow builders to review guidelines.

Mr. Hetlage stated the BOA specifically tried to narrowly interpret the moratorium so as not to take the rights from property owners adding that the ARB was working hard to finalize guidelines and looking for alternate language.

Mayor Wilcox noted that this would be a temporary moratorium giving time to the ARB to complete guidelines.

Mayor Wilcox asked if there was anyone present who wanted to speak during the public hearing and added that there would be a 3 minute limit.

Wendy Haffner, 1019 Glenbrook

Ms. Haffner stated that she wanted to thank Alderman Nauman for proposing the moratorium and for the support from the Mayor and the entire Board of Aldermen and Architectural Review Board. Ms. Haffner stated that she appreciated their hard work adding that it was important to keep Glendale special. Ms. Haffner stated that the City of Glendale did not need to go the way of areas to the west of us.

Laurie Harper, 1018 Glenbrook

Ms. Harper stated that she was in support of the moratorium and offered thanks to the Mayor and the Aldermen for taking steps to engage Lochmueller Group for water runoff issues in the City. Ms. Harper stated that the ARB guidelines would include another step forward for water retention and hoped everyone voted to approve this moratorium. Ms. Harper stated that it was the responsible thing to adding that it showed that the neighborhood's concerns were in alignment with the Board.

Jennifer Grimmer, 1017 Glenbrook

Ms. Grimmer thanked everyone for their efforts and for the ongoing process noting that she appreciated the time and effort the Board put in compiling the guidelines and for reviewing plans. Ms. Grimmer stated that a vote for the moratorium would give the ARB time to solidify the guidelines.

Amy Clark, 937 Glenbrook

Ms. Clark stated that she was in support of the moratorium adding that since Lochmueller Group did the stormwater study and did not receive approval for grants, appreciated that the City of Glendale was looking at other ways to control water. Ms. Clark noted that with new construction coming, she was fearful that water would continue to enter her basement, concerned about new construction and wanted support that Glendale would control the drainage in some way. Ms. Clark thanked the Board for their time and efforts.

Marjorie Delio, 1023 Glenbrook

Ms. Delio stated that she had lived in Glendale for 23 years, adding that she was so proud of this moratorium going forward. Ms. Delio stated that people joke about little burbs like Glendale but noted that the Board listened to the neighborhood. Ms. Delio stated that the story on Glenbrook was not the only one in the City that will be affected by what is being done with the guidelines and thanked the Board for the time you give us. Ms. Delio added that she was thrilled to see all the scouts here tonight and thanked the BOA for considering the moratorium.

Alderman Roberts arrived at 7:15 pm

Tom Murray, Home Renovations

Mr. Murray stated that he commended the City noting that someone had gone to an expense to add to the value of the City and asked what the cutoff was for the moratorium. Mr. DeClue stated that the moratorium would begin February 7, 2023, end April 4, 2023 but would not include any submissions currently in the cue.

Mayor Wilcox asked if there were any others wanting to speak. There were none.

The hearing closed at 7:20 pm

**B06-23 AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM
OF UP TO TWO MONTHS ON PROPOSED ADDITIONS TO
RESIDENTIAL PROPERTIES AND NEW RESIDENTIAL
DEVELOPMENT IN THE CITY OF GLENDALE, MISSOURI, TO
ALLOW SUFFICIENT TIME FOR REVISED ARCHITECTURAL
REVIEW GUIDELINES TO BE COMPLETED AND APPROVED BY
THE BOARD OF ALDERMEN**

Alderman Lane moved approval of the first reading of Ordinance B06-23. Alderman Capshaw Cushing seconded the motion.

Mr. DeClue reported that this Ordinance would enact a moratorium on any projects going to ARB, with an end-date no later than April 4, 2023. The intent of the moratorium is to give the ARB time to complete their work and the Board of Aldermen to adopt any new rules by ordinance.

Mr. Hetlage stated that he had submitted an amended Ordinance to the Board which included red highlights outlining the changes from the original Ordinance. Mr. Hetlage stated that the amended Ordinance would make sure that someone in the process of submitting an application or working with the City would not be left out of the process. Mr. Hetlage advised the Board to review the new wording.

Alderman Lane stated that this Ordinance would allow the ARB which is composed of volunteers who serve on the Board to review plans of additions, tear downs and rebuilds adding that the Board members are experts devoting their valued time to the City. Alderman Lane stated that the ARB had been looking at developing guidelines with more teeth when reviewing plans to make the City a better place. Alderman Lane stated that the Board needed time to complete the regulations that truly need to be upgraded adding that the moratorium will allow them time to do so.

Alderman Vitale stated that agree she agreed with Alderman Lane adding that the ARB needed time to revise the Ordinances and had been working hard. Alderman Vitale stated that there was a need to add language for compliance with plans already ongoing which would not be affected by the new guidelines and grandfathered in. Alderman Vitale stated that anyone who had submitted an application, whether or not denied, submitted in good faith adding that they should be allowed to continue working within the old guidelines, with their architect and be able to appear before the Board. Alderman Vitale asked if was legal for the Board to approve this moratorium. Mayor Wilcox stated that the amendment to the Ordinance presented by Mr. Hetlage today allowed projects in the pipeline to continue under review following the existing guidelines. Alderman Vitale stated that she was in agreement with what was said and thanked the Mayor.

Alderman Roettger stated that he supported the Ordinance, asked if there was any opposing feedback received about the changes and noted that the Board needed to respect the property rights of the citizens in Glendale. Alderman Roettger stated that he did not want to see what has happened on Glenbrook in the future adding that the entire community would benefit from clarity for all submittals.

Alderman Vitale stated that she agreed with Alderman Roettger adding that the new guidelines would allow clarity and noted that all parties will understand.

Mayor Wilcox stated that the rewriting of the guidelines was important work adding that it was difficult to finish the guidelines while new submissions were pending. Mayor Wilcox stated that putting aside the submission currently in the cue, ceasing new reviews made a lot of sense.

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

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

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

Alderman Nauman moved approval of the second reading of Ordinance B06-23. Alderman Roettger seconded the motion.

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

Alderman Capshaw Cushing moved approval of the final reading of Ordinance B06-23. Alderman Nauman seconded the motion.

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

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

Mayor Wilcox called for a vote.

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

Nays: None

Ordinance B06-23 was approved.

B07-23 AN ORDINANCE AMENDING SECTION 215.005
DEFINITIONS AND ADOPTING A NEW SECTION 215.545 BOTH OF
THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF
GLENDALE, MISSOURI, ESTABLISHING REASONABLE TIME,
PLACE AND MANNER RESTRICTIONS ON THE SMOKING OF
MARIJUANA IN THE CITY OF GLENDALE, MISSOURI

Alderman Lane moved approval of the first reading of Ordinance B07-23. Alderman Capshaw Cushing seconded the motion.

Mr. DeClue reported that at the last meeting the Board passed the revised marijuana Ordinance related to Amendment 3 passed by the State of Missouri adding that this Ordinance would amend the City's municipal code concerning marijuana to define "public places" and enact a prohibition on the smoking of marijuana in those places. Examples would be public streets and sidewalks, any City property, banks, educational facilities, public transit, shopping centers, and more.

Alderman Vitale asked if a person could smoke in their home or on their deck. Mr. DeClue stated that the Ordinance documented a specific list noting where and when marijuana can be smoked. Mr. DeClue agreed that it was specific to our community. Mr. Hetlage stated that the Ordinance was using the same definition laid out in the State rules. Alderman Vitale asked about

vaping. Mr. Hetlage stated that if vaping included marijuana, the use thereof was prohibited adding that people cannot smoke anywhere the State prohibits. Alderman Vitale stated that she wanted to be sure that the Police Department did not violate people's rights.

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

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

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

Alderman Lane moved approval of the second reading of Ordinance B07-23. Alderman Nauman seconded the motion.

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

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

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

Alderman Nauman moved approval of the final reading of Ordinance B07-23. Alderman Roettger seconded the motion.

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

Mayor Wilcox called for a vote.

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

Nays: None

Ordinance B07-23 was approved.

ORDINANCES FOR FIRST READING

B08-23 AN ORDINANCE REPEALING SECTION 355.110 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE, MISSOURI, REGARDING THE PROHIBITION OF ALL NIGHT PARKING ON STREETS IN THE CITY OF GLENDALE, MISSOURI

Alderman Nauman moved approval of the first reading of Ordinance B05-23. Alderman Capshaw Cushing seconded the motion.

Mr. DeClue reported that this Ordinance was written based on earlier discussions adding that if approved it would repeal the 2-6 A.M parking prohibition law and would allow people to park on the street adding that it was a law that drew the biggest complaints.

Chief Beaton stated that the law was enacted in 1948, at a time when many homeowners did not own two or more vehicles adding that now, it seemed that every driver had a car. Chief Beaton stated that this law generated the largest number of tickets and warning, adding that there was a love/hate reaction to this ordinance with the staff in police department. Chief Beaton stated that the law was outdated, it did not help deter crime and added that there were many other avenues available to the department to catch perpetrators. Chief Beaton stated that the department would look at other ways to restrict parking such as allowing street parking on only one side of a street and consider rules about parking across from a driveway to prevent problems.

Mayor Wilcox asked if there were any questions or comments.

Alderman Roettger stated that he has half in favor and half against this law adding that it was great as a Board to review and decide. Alderman Roettger noted that facts had changed adding that it was a good time to see what would work better adding that he was curious to see how this goes and looked forward to solving the problem.

Alderman Lane stated that the Ordinance did not prevent anyone from calling the Police Department with complaints related to someone parking in front of a driveway or parking in the opposite direction on the street and asked Chief Beaton to check into these things.

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

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

The Ordinance was tabled for the next meeting.

RESOLUTIONS

R05-23 A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF GLENDALE, MISSOURI, AUTHORIZING THE GLENDALE POLICE DEPARTMENT TO APPLY FOR A HAZARDOUS MOVING VIOLATION TRAFFIC SAFETY GRANT THROUGH THE MISSOURI HIGHWAY SAFETY PROGRAM

Alderman Roettger moved approval of the reading of Resolution R05-23. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue stated that Chief Beaton was requesting authorization to apply for a grant through the Missouri Highway Safety Program. The grant would be used for traffic enforcement training costs and personnel overtime pay to enhance traffic safety enforcement and is requested every

year. Chief Beaton stated that most of the officers appreciate the extra work adding that some officers are very good at it. Chief Beaton noted that this grant also allowed officers to attend safety conferences for road safety, as well as training and overtime adding that the department could receive between 50% to 100% of the grant which would bolster traffic work. Mr. DeClue stated that the proposed grant request was \$7,209.60 adding that this amount was an increase from last year.

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 it was a pleasure meeting Pastor Scott Jonas from the Glendale Lutheran Church adding that he had been meeting with various business owners and organizations in Glendale. Mr. DeClue stated that the church had a preschool on campus, held AA meetings, community groups and was a voting center in the church building. Mr. DeClue noted that the Glendale JazzFest was held at their site in the past and added that Pastor Jonas looked forward to engaging with Glendale and the entire community in the future.

Mr. DeClue reported that our Chief had been in talks with St. Charles and St. Louis County regarding the I-44 group adding that there was interest in pursuing the group. It was noted that St. Charles' task force was successful partially due to the fact that there was only one way in and one way out of their county adding that a local task force could be dispatched through Kirkwood to make an impact in the area.

Mr. DeClue reported that he had been in communication with Karl Henke, Kirkwood's Director of Parks, and Recreation, who would be reviewing the draft plans and discuss again in March adding that progress is underway.

Alderman Roettger

None

Alderman Vitale

None

Alderman Lane

Alderman Lane asked about CodeRed and reiterated it was time to talk again to commercial establishments as well as families to sign up adding that it was easy to sign up for the emergency alerting system. Alderman Lane noted that the large group of Boy Scouts in attendance could pass the word to their parents and others. Captain Catlett stated that the emergency alert had been used already, alerting residents about the three water main brakes on a 50-yard stretch on Berry Road and had been notified about the severe weather. Captain Catlett noted that the flyer would be sent to the area schools.

Alderman Capshaw Cushing

None

Alderman Roberts

None

Alderman Nauman

Alderman Nauman reported that he had read an article about the mutual aid and shared apparatus in Webster-Kirkwood Times noting that Webster Groves FD borrowed Shrewsbury's fire truck and experienced an accident while in use. Alderman Nauman noted that the article pointed out that the WG FD's insurance policy did not cover the Shrewsbury truck. Alderman Nauman noted that Glendale had loaned out our truck and had borrowed others under mutual aid and wondered about if there was just a 'gentlemen's agreement' related to usage and liability. Captain Kauffeld stated that he could not speak to the insurance question but noted that the department had to fix a Webster truck that broke down while in use by the Glendale FD adding that he did not know if the damage was covered by insurance. Alderman Roberts stated that generally, where there is liability, i.e., hurting someone or property damage, there would be coverage adding that the FD insurance policy should be checked for specific liability coverage. Alderman Nauman stated that the W-K Times article referenced a trend to a more formal agreement adding that the City should want to be at the forefront of the issue with agreements. Captain Kauffeld stated that the FD had not loaned out the truck recently noting that the City had a back-up ability.

Mr. Byrne, a resident in the audience, stated that mutual aid might not be covered adding that there is third party coverage whereby the insurance company would cover liability if damaged while in service to another department and added that insurance subrogation could come into play. Mr. DeClue stated that the insurance policy would be reviewed and if possible see if covered could be endorsed to the policy.

Alderman Nauman stated that there was another interesting article in the W-K Times about Shrewsbury regarding Flok cameras, adding that that City would have 8 cameras. Alderman Nauman noted that Shrewsbury is similar in size to Glendale and wondered if the business community in Glendale could be considered for Flok cameras and possibly be able to offset costs. Alderman Nauman stated that he did not know about permitting or if the special use permit would come into play but added that it could be added to the special use permit. Mr. Hetlage stated that the Board could discuss the matter during a work session.

Alderman Nauman asked about Glendale Chrysler in relation to the Plan Commission decision and wondered if there was an 'age out' clause. Mr. DeClue stated that Glendale Chrysler had postponed their application adding that technically there was no timeline. Mr. DeClue stated that the City received questions about development timelines often adding that it would be nice if there could be a 60-, 90- or 120-day cancellation period at which point the application could be discontinued. Mr. Hetlage stated that he would need to look at the code. Alderman Nauman noted that it would be good for the Brookside residents.

Mayor Wilcox
None

ADJOURNMENT

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

These minutes are approved as submitted this 21st day of February, 2023

Joanne Carr
Deputy City Clerk