

**MONDAY, MAY 20, 2024 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 TONY ROBERTS                    ALDERMAN WHITNEY ROPER

CITY ATTORNEY, JIM HETLAGE  
CITY ADMINISTRATOR, FRANK JOHNSON  
DEPUTY CITY CLERK, JOANNE CARR

MEETING CALLED TO ORDER

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The meeting was called to order at 7:04 PM by Mayor Wilcox.

ROLL CALL

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

Absent: Alderman Roper, Alderman Roettger

Present: Mr. Hetlage, City Attorney, Chief Jeff Beaton, Police Chief, Terry Jones,  
          Superintendent of Public Works

APPROVAL OF TENTATIVE AGENDA

Mayor Wilcox asked if there were any changes or corrections to the Agenda for the May 20, 2024, meeting. Alderman Lane moved approval of the agenda for the meeting. Alderman Capshaw Cushing seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM MAY 6, 2024, MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from May 6, 2024, meeting. Alderman Nauman moved approval of the minutes. Alderman Lane seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

**Wendy Hafner, 1009 Glenbrook**

I respectfully ask the BOA to disallow the division of 785 Bismark into two plats. It is clearly published in the City of Glendale ordinances that R1 plats must be a minimum of 80' wide and these two lots would be 60' and 68'. In reading all of the available notes as well as attending the May 8<sup>th</sup> plan commission meeting, I question the integrity of these property owners. At the May 8<sup>th</sup> plan meeting they blamed their realtor for making them think they could subdivide this lot. I find this very hard to believe since Foundation Up has been in business for 6 years and surely should know how to perform their due diligence before making a purchase. For Foundation Up

to ask the City of Glendale to change its ordinance so they can build what they want is beyond the pale and should be denied.

**Greg Poniewaz, 923 Dwyer Ave**

To the Board of Alderman,

Many of you are familiar with me as I am a long time resident of Glendale (same house for over 30 years) and continue to fight for 'reasonable' new housing construction when necessary that fits in with the general appearance of the community and meet the FAR and Mun Code guidelines the city has established but against those that don't.

And while some steps in the right direction have been taken by the board in reducing the FAR over the years and coming up with new detailed building specifications, it seems like the City continues to find a way to grant an exception.

Apparently, this was recently done at the tear down/new build on the corner of Hillard and Clif Side. Another variance granted.

So as a board, you need to figure out what you're doing. Are the new guidelines to be followed for at least a few years to see how they work or are they simply lip service that means nothing if everyone gets an exception.

Tonight, is another request for an exception from a builder who has not built in Glendale before and has already shown that they are either trying to deceive the community off their intent (not to mention the original seller) or they don't seem to understand the rules for what can be built. Neither should be tolerated.

Since I only have 3 minutes, it's impossible to re-hash the information I provided at the plan commission so I would encourage you to read my statement from that meeting. But just to mention a few items to consider:

1. Despite having information on their website about a lot they have in Glendale that could be subdivided prior to any approval by the City, they deny that this was their intent and blame it on confusion. I believe the City is aware of this and did ask them to remove that information.
2. They have stated that their intent is to build two houses that would qualify as "affordable housing." I've been in this community for 30 years and we all know this is nonsense. A builder is not going to go through twice the work and the additional expense of building 2 smaller houses. They want to build two oversized houses to make the most profit. So can the board ask the builder to clarify in terms of what those smaller "affordable houses" will sell for and the details of what they will have in regard to bedrooms, bathrooms, etc. That way, we can understand what "affordable" means.
3. I would ask the board that when a new builder comes into our community, they should have to prove themselves before we start looking at a variance. Let them build one house here within the current building codes and see what type of quality it is. Does it fit into the surrounding houses, etc.
4. As a reminder, bigger is not always best. We have one of the best communities in all of St. Louis County. It has been proven over and over and over again that quality houses

that have great designs, use quality materials, and have great landscaping will sell for the same amount as a larger house that has more bedrooms, but uses lesser materials and is awkward for the property.

And so, maybe the builders don't have to use every square foot of available lot to build the biggest house. Build a quality house that is still going to have multiple bedrooms and baths and you can still make good money in doing so, but you will help the community keep its integrity and prove that you are a good builder. Reject the request for a variance or to change the zoning law. Thank you for listening.

### TREASURER'S REPORT

Mr. Johnson reported that the April Treasurer's report showed more positive results with the City's cash position stable, strong reserves and a strong investment portfolio. Mr. Johnson reported that the use tax and utility taxes increased.

### PRELIMINARY PLAT APPLICATION – 785 BISMARCK AVENUE

Mr. Johnson reported that the City has received a preliminary plat application for 785 Bismarck that would split the current single lot into two separate lots. The new lots would have widths of 60' and 68' respectively, which is far short of the minimum 80' width required by the zoning code for the R-1 district. The Plan Commission reviewed the application at their meeting on May 8 and unanimously voted to recommend the Board reject the preliminary plat application. Several residents spoke out in opposition to the application at the Plan Commission meeting as well.

Mr. Johnson reported that the Plan Commission reviewed the plat application for 785 Bismarck Avenue and unanimously voted to recommend that the Board of Aldermen reject the preliminary plat application. Mr. Johnson stated that letters were sent to adjoining neighbors, adding that residents in attendance and residents commenting by email all were in opposition to the split of 785 Bismarck. Mr. Johnson noted that the administration spoke with the applicant who declined to attend the meeting and had noted via phone that they thought that in submitting the application, the City might want two more lots available in the city.

Mr. Hetlage stated that the lot was owned as a single lot and not as separate lots adding that as a lot of record, a change in plat designation would cancel the lot of record status and require that both lots have an 80' width in an R1 zoning district. Alderman Roberts asked about the next step in the process. Mr. Hetlage stated that the next step would be an appeal to the Board of Adjustment and not St. Louis County. Alderman Nauman reported that Ms. Dissett, a neighboring resident stated that there were no residents in favor of the plan adding that the residents understood the rules about lots of record and subdivision narrowness. Alderman Nauman noted that it would be hard to build on the lot and added that the use of lot topography could be an advantage. Mr. Johnson stated that the applicant had a right to bring application to the Plan Commission adding that by accepting the application for the meeting, it was not notice that the City was in approval of the request.

Alderman Roberts moved to approve the preliminary plat application. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a vote.

Ayes: None

Nays: Alderman Lane, Alderman Roberts, Alderman Capshaw Cushing, Alderman Nauman

Not Present: Alderman Roper, Alderman Roettger

The application is denied.

#### ORDINANCE FOR SECOND READING AND FINAL APPROVAL

B11-24 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF GLENDALE, MISSOURI, AN AGREEMENT WITH ST. LOUIS COUNTY, MISSOURI, FOR CERTAIN ORDINANCE VIOLATIONS OF THE CITY OF GLENDALE TO BE HEARD AND DETERMINED ON SPECIALTY DOCKETS OF THE ST. LOUIS COUNTY MUNICIPAL COURT

Alderman Lane moved approval of the second reading of Ordinance B11-24. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report.

Mr. Johnson stated that the City of Glendale had a contract with St. Louis County for a court process which is no longer in existence that handled mental health situations beyond Glendale's court services. Mr. Johnson stated that this Ordinance would replace the canceled contract with a new contract for services under St. Louis County's updated program.

Mayor Wilcox asked if there were any questions. There were none.

Mayor Wilcox called for a voice vote which approved the second reading.

Mr. Johnson read the Ordinance by title only.

Alderman Roberts moved approval of the final reading of Ordinance B11-24. Alderman Lane seconded the motion.

Mayor Wilcox asked for a report. Mr. Johnson stated that there was nothing to add.

Mayor Wilcox asked for a vote.

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

Nays: None

Not Present: Alderman Roper, Alderman Roettger

The Ordinance Passed.

B12-24 AN ORDINANCE AMENDING SECTIONS 340.115 AND 340.125 OF  
THE GLENDALE MUNICIPAL CODE PERTAINING TO  
REGULATION OF UTILITY VEHICLES AND LOW-SPEED  
VEHICLES IN THE CITY OF GLENDALE, MISSOURI

Alderman Lane moved approval of the second reading of Ordinance B12-24. Alderman Capshaw Cushing seconded the motion.

Mayor Wilcox asked for a report.

Mr. Johnson reported that the Ordinance changed to reflect a \$25.00 fee for the permit and noted that inspections will take place either at City Hall or at the applicant's home. Chief Beaton stated that non-residents will need to come to the City for inspections and added that owners of low-speed vehicles driving to City Hall to obtain permits will have a conditional variance for that time period. It was noted that nonresidents would need to comply with the Ordinance should they drive through the City of Glendale.

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

The second reading passed.

Mr. Johnson read the bill by title only.

Alderman Nauman moved approval of the final reading of Ordinance B12-24. Alderman Lane seconded the motion.

Mayor Wilcox asked for a report and asked if there were additional questions. There were none.

Mayor Wilcox asked for a vote.

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

Nays: None

Not Present: Alderman Roper, Alderman Roettger

The Ordinance Passed.

## ORDINANCES FOR FIRST READING

### B13-24 AN ORDINANCE AMENDING TABLE II-B OF SCHEDULE II OF TITLE III OF THE GLENDALE MUNICIPAL CODE REGARDING DESIGNATED STOP INTERSECTIONS IN THE CITY OF GLENDALE, MISSOURI

Alderman Lane moved approval of the first reading of Ordinance B13-24. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report.

Mr. Johnson stated that this Ordinance follows the installation of the stop sign previously placed on Elmwood and would allow the sign to be included on the list of stop signs already designated in the Code.

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

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

The first reading passed.

Mr. Johnson read the bill by title only.

## DISCUSSION

### Aquatic Advisory Board Appointments

Mr. Johnson reported that there would be two new appointments to the Aquatic Board following the approval of the new contract with Kirkwood. Mr. Johnson stated that Ms. Rita Kuster was appointed last year and will be asked if she would like to renew her appointment but added that Ms. Carol Kennedy, due to her longevity on the Board, will be asked to step down. Mr. Johnson noted that Ms. Kennedy was appointed to the Aquatics Board in 2011 or before adding that the new contract states that each appointment will be renewed every three years. Ms. Kennedy will have the option to join again after one year.

Alderman Nauman suggested that a complete job description be obtained and noted that a Scout parent may be interested. Mr. Johnson stated that he would work on redefining the description based on the new contract with Kirkwood.

### OCMI Property Tax

Mr. Johnson reported that at the last meeting, Public Works Superintendent Terry Jones and he provided the Board with an update on MSD's plans for the existing OMCI watershed taxing districts with the passage of Prop S, adding that the property tax authorized through the OMCI will be set to zero starting in 2025 and would be available in its current form for one more year.

MSD is providing the municipalities with the ability to continue collecting additional stormwater revenue through the OMCI's, providing that a 75% majority agree to extend the tax, at what level, and added that MSD would like proof of full support. Mr. Johnson noted that as an example of the additional money that would be generated annually if the property tax were set at 1/4 of its current assessment would amount to approximately \$36,776. At this level, the cost to homeowners would be in the range of \$20-25 per year for every \$700,000 of appraised home value.

Mr. Johnson stated that under Prop S, all cities would be enrolled in a new program that would distribute a portion of the additional revenue generated on a per capita basis. Under this new system, Glendale would receive \$75,000, which is slightly more than the \$73,552 the City will receive in the final year of the OCMI program. Mr. Johnson also noted that he wanted to gauge the interest of the Board in the new program and would bring back information about other cities' actions. The Board of Aldermen unanimously noted that they were interested in pursuing this program.

Alderman Nauman stated that a Stormwater Ordinance was necessary adding that the City needed to find creative ways to address water hotspots and to fund the new Stormwater plan which identifies major project areas. Mr. Johnson noted that additional funding may come from MSD in the future and just trying to find more opportunities to fund the stormwater problems.

#### REPORTS

##### Mr. Johnson

None

##### Ms. Carr

None

##### Alderman Roettger

None

##### Alderman Roper

None

##### Alderman Lane

None

##### Alderman Capshaw Cushing

None

##### Alderman Roberts

Alderman Roberts asked if the 'No Mow' month is affected by the City Code related to vegetation maintenance. Chief Beaton stated that it did adding that the sign's placed on residents' lawns are not legally binding and noted that some cities carve out the month of April for residents who practice 'No Mow' month. Chief Beaton stated that Glendale was not one of those cities.

Alderman Nauman

None

Mayor Wilcox

None

EXECUTIVE SESSION

Alderman Nauman moved to adjourn to Executive Session. Alderman Capshaw Cushing seconded the motion. There being no further questions or discussion, Mayor Wilcox called for a vote:

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

Nays: None

Not Present: Alderman Roper, Alderman Roettger

ADJOURNMENT

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

These minutes are approved as amended this 3rd day of June, 2024.

Joanne Carr  
Deputy City Clerk