

**BOARD OF ALDERMEN
CITY OF TOWN AND COUNTRY
JANUARY 11, 2016**

WORK SESSION

The work session meeting of the Board of Aldermen of the City of Town and Country was held at 6:30 PM on Monday, January 11, 2016.

Present were: Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo, and Wright.

Mayor Dalton presided.

City Attorney Steve Garrett represented the City.

1. Discussion-Regular meeting agenda items

No votes were taken.

REGULAR MEETING

The regular meeting of the Board of Aldermen of the City of Town and Country was held at 7:00 PM on Monday, January 11, 2016 at the Municipal Center, 1011 Municipal Center Drive.

PLEDGE OF ALLEGIANCE

Mike Schmerold, Mason Ridge Elementary School Principal, led the Pledge of Allegiance.

ROLL CALL

The 7:12 PM roll call indicated Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo and Wright to be present.

Mayor Dalton presided.

City Attorney Steve Garrett represented the City.

MINUTES – 12/14/15

Alderman Mange moved for approval, seconded by Crawford.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of 12/14/15 were unanimously approved by voice vote.

MINUTES – 12/21/15 FAX

Alderman Mange moved for approval, seconded by Alderman Wright.

Mayor Dalton called for any corrections or amendments.

Hearing none, the minutes of the 12/21/15 fax meeting were unanimously approved by voice vote.

HEARING FROM CITIZENS

Mariette Palmer, 604 Greenwich Green Lane, spoke regarding future appointments to the Planning and Zoning Commission.

Barbara Ann Hughes, 101 Hawthorne Estates, gave statistics with regards to cost and deer/car collisions for the deer management program since 2008 and 2009 respectively. She asked that the Board consider a more cost effective plan. A copy of this statement is attached hereto and made a part of these minutes.

Alderman Meyland-Smith noted that contributions from residents as well as the costs to process venison for donation are also components of the total amounts cited for the deer management program. He added that during the timeframe referenced, the program has accounted for just 0.7% of the expenses from the City's General Fund.

PUBLIC HEARING(S)

- *A public hearing on the application of Matt Horn, Ziglin Signs, on behalf of Parkway Consolidated School District, owner, for variances from Chapter 420, the Sign Regulations of the Municipal Code, for a business identification sign for Mason Ridge Elementary School located at 715 South Mason Road, in the Suburban Estate (SE) Zoning District.*

A court reporter with Midwest Litigation was present to record the hearing.

Mayor Dalton opened the public hearing.

Alderman Frautschi recused herself and left the dais due to a perceived conflict of interest as she involved with the PTO at Mason Ridge School.

The City Clerk entered the following exhibits:

1. Typewritten notice of hearing posted at the Municipal Center and on the subject property, and mailed to property owners within 300 ft. of subject property, with a list of property owners attached.
2. Resolution No. R01-2016

Matt Horn, Ziglin Signs, and Mike Schmerold, Principal, were present on behalf of the request.

Mr. Horn described the sign to contain an LED board that was fully programmable. He stated that the full capabilities of the sign were noted on their proposal but would not necessarily be utilized as the intent was to be in keeping with the conservative values of the surroundings and school.

Mr. Schmerold explained that the new sign was desired to update the look and functionality, as well as for the ease of getting info out to the public quickly. He added that the new capability of making changes remotely would be very helpful.

Alderman Benigas referenced the Trinity Lutheran Church sign and the related legislation's conditions. In response to Alderman Benigas, Mr. Schmerold stated that the sign would likely have only a few different messages at any given time. He also confirmed that while the sign has the ability to do many variations and colors, the school does not want to interfere with traffic or safety so would likely not be utilizing either to their fullest extent.

Alderman Meyland-Smith recused himself and left the dais due to his membership and affiliation with Trinity Lutheran Church, which has become a reference in discussion about the current application.

In response to Alderman Anderson, Mr. Horn confirmed that the sign has the capability to scroll but it would not be utilized. He added that a stagnant message would post on the sign and be held for 6-8 seconds before changing to the next stagnant message.

Mr. Horn clarified that the top of the sign is proposed to have a red glow with white letters but it could be changed to opaque red vinyl so that only the white letters were lit. He also stated that the base materials could be altered but changes would be budget restrictive.

Alderman Mange read aloud the conditions from Resolution No. R03-2012 regarding the sign at Trinity Lutheran Church.

Upon inquiry by Alderman Rallo, Mr. Horn explained that the proposed sign can display an 18 character message.

Mayor Dalton called for public comments.

Hearing none, the public hearing was closed.

Aldermen Fraustchi and Meyland-Smith returned to the dais.

APPOINTMENTS

COMMUNICATIONS AND REPORTS

Alderman Wright

Alderman Wright reported that the January 13 meeting of the Public Art Commission has been cancelled.

Alderman Crawford

Alderman Crawford announced that the Community Relations Commission will be meeting at 7:00 PM on Thursday, January 14, at the Longview Farm House.

Alderman Anderson

Alderman Anderson stated that the Police Commission will meet at 7:00 PM on Tuesday, January 19, at the Fire House.

Alderman Frautschi

Alderman Frautschi reported that the January Public Works & Stormwater meeting has been cancelled.

UNFINISHED BUSINESS

BILL NO. 15-88, AN ORDINANCE AMENDING CHAPTER 210 OF TITLE II OF THE MUNICIPAL CODE OF THE CITY OF TOWN AND COUNTRY, MISSOURI, BY ENACTING SECTION 210.335 RELATING TO NOISE AND VIBRATION REGULATION AND CONTROL (sponsored by Alderman Anderson) (1st reading 12/14/15)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 15-88 was read for the second time and placed upon its final passage.

Alderman Wright moved for approval, seconded by Alderman Crawford.

Alderman Anderson moved to accept Substitute Bill No. 15-88 for consideration, seconded by Alderman Frautschi.

Alderman Anderson gave highlights of the changes captured in the Substitute Bill.

Alderman Meyland-Smith moved to amend Substitute Bill No. 15-88 by adjusting the noted start time throughout the bill from 7:00 AM to 7:30 AM in order to be consistent with other noise ordinances that are currently enforced in the City.

Alderman Anderson seconded the motion and a voice vote carried.

A voice vote as held on acceptance of the amended Substitute Bill and carried.

Hearing no further amendments, the roll call vote was as follows: AYE, Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Substitute Bill No. 15-88, as amended, became Ordinance No. 3960.

Sharon Guenther*, 1406 S. Mason Road, stated that she was worried the changes weren't restrictive enough and expressed concern about how the ordinance would be enforced.

Mayor Dalton explained that complaints from residents prompted discussion by the Police Commission and the subsequent changes. He added that this change is a first step and the conversation would be ongoing regarding various noise disruptions throughout the City.

*Please note, Ms. Guenther's statement and the related response was actually given during the following agenda item, it remains in this order for continuity of these minutes.

BILL NO. 15-89, AN ORDINANCE AUTHORIZING AN AGREEMENT WITH HR GREEN, INC. FOR ON-CALL TRAFFIC ENGINEERING SERVICES (sponsored by Alderman Frautschi) (1st reading 12/14/15)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 15-89 was read for the second time and placed upon its final passage.

Alderman Frautschi moved for approval, seconded by Alderman Mange.

The roll call vote was as follows: AYE, Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Bill No. 15-89 became Ordinance No. 3961.

BILL NO. 15-90, AN ORDINANCE REVISING THE STRUCTURE OF ADVISORY COMMISSIONS WITH THE CITY OF TOWN AND COUNTRY, MISSOURI, AND AMENDING VARIOUS SECTIONS OF CHAPTERS 125, 145 AND 225 OF THE MUNICIPAL CODE RELATED TO SAME (sponsored by Aldermen Wright & Rallo) (1st reading 12/14/15)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 15-90 was read for the second time and placed upon its final passage.

Alderman Wright moved for approval, seconded by Alderman Rallo.

Alderman Wright moved to amend the bill by deleting sections 125.150.E., 125.290.E., and 125.360.C. in their entirety regarding the service of nonresident representatives as the concept needed further consideration.

Alderman Anderson seconded the motion and a voice vote carried.

The roll call vote was as follows: AYE, Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Bill No. 15-90, as amended, became Ordinance No. 3962.

BILL NO. 15-91, AN ORDINANCE APPROVING A FIRE PROTECTION AND AMBULANCE SERVICE AGREEMENT AND A LEASE WITH WEST COUNTY EMS AND FIRE PROTECTION DISTRICT (sponsored by the Board as a Whole) (1st reading 12/14/15)

Mayor Dalton called for a second reading, without objection. Without objection, Bill No. 15-91 was read for the second time and placed upon its final passage.

Alderman Crawford moved for approval, seconded by Alderman Meyland-Smith.

Alderman Meyland-Smith stated that he served on a committee with Aldermen Frautschi and Crawford that discussed this agreement. He expressed gratitude for City Administrator Gary Hoelzer and wished to acknowledge his work and invaluable leadership on this matter.

The roll call vote was as follows: AYE, Aldermen Anderson, Benigas, Crawford, Frautschi, Mange, Meyland-Smith, Rallo and Wright; NAY, none; ABSTAIN, none; ABSENT, none.

The motion carried unanimously and Bill No. 15-91 became Ordinance No. 3963.

NEW BUSINESS

BILL NO. 16-01, AN ORDINANCE ORDERING THE INSTALLATION OF A FIRE HYDRANT ON SOUTH WOODS MILL ROAD IN THE CITY OF TOWN AND COUNTRY, ST. LOUIS COUNTY, MISSOURI (sponsored by Alderman Crawford)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 16-01 was read for the first time by title only.

Mayor Dalton declared Bill No. 16-01 continued to the meeting of Monday, January 25, 2016 for the second reading and consideration.

BILL NO. 16-02, AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF TOWN AND COUNTRY, MISSOURI, FOR THEIR APPROVAL AT THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON THE 5TH DAY OF APRIL, 2016, A PROPOSITION TO AUTHORIZE THE CITY TO CONTINUE APPLYING AND COLLECTING THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER (sponsored by the Board as a Whole)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 16-02 was read for the first time by title only.

Mayor Dalton declared Bill No. 16-02 continued to the meeting of Monday, January 25, 2016 for the second reading and consideration.

RESOLUTION NO. R01-2016, A RESOLUTION APPROVING SIGN CODE VARIANCES FOR MASON RIDGE ELEMENTARY SCHOOL, 715 SOUTH MASON ROAD

Alderman Frautschi and Alderman Meyland-Smith recused themselves for reasons previously stated and left the dais.

Alderman Benigas moved to continue the Resolution to the meeting of January, 25, 2016. He suggested the applicant review the Trinity Lutheran Church restrictions and consider if the proposed sign accomplishes what is needed. He added, for example, that with the sign's 18 character limit, the message "school closed today" would not be possible.

Alderman Anderson seconded the motion.

Alderman Rallo asked for clarification regarding rules of recusal. In response, Attorney Garrett stated that financial interest or potential gain would be a conflict. He added that it is up to the individual to decide if there is a personal interest that could make one impartial or cloud their ability to properly consider the matter.

Alderman Crawford asked for more information from the applicant regarding the maximum characters that can be displayed on the proposed sign.

Alderman Benigas further suggested the applicant consider the base of the sign and perhaps make it more consistent with the school building.

A voice vote on the motion to continue was held and carried.

Alderman Frautschi and Meyland-Smith returned to the dais.

BILL NO. 16-03, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. FOR CIVIL ENGINEERING SERVICES ASSOCIATED WITH THE TOWN SQUARE PROJECT AND AMENDING THE 2016 BUDGET BY INCREASING A CAPITAL IMPROVEMENTS FUND EXPENDITURE ACCOUNT AND APPROPRIATING FUNDS (sponsored by Aldermen Mange & Anderson)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 16-03 was read for the first time by title only.

Mayor Dalton declared Bill No. 16-03 continued to the meeting of Monday, January 25, 2016 for the second reading and consideration.

BILL NO. 16-04, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LOCHMUELLER GROUP, INC. FOR A PARKING STUDY ASSOCIATED WITH THE TOWN SQUARE PROJECT AND AMENDING THE 2016 BUDGET BY INCREASING A CAPITAL IMPROVEMENTS FUND EXPENDITURE ACCOUNT AND APPROPRIATING FUNDS TO COVER THE INCREASE (sponsored by Aldermen Mange & Anderson)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 16-04 was read for the first time by title only.

Mayor Dalton declared Bill No. 16-04 continued to the meeting of Monday, January 25, 2016 for the second reading and consideration.

BILL NO. 16-05, AN ORDINANCE ACCEPTING THE BID AND AUTHORIZING AN AGREEMENT WITH VEE-JAY CEMENT CONTRACTING, INC. FOR A TENNIS COURT REPLACEMENT AT LONGVIEW FARM PARK, AMENDING THE 2016 BUDGET FOR SAME BY INCREASING PARKS & STORMWATER FUND EXPENDITURE ACCOUNTS AND THE RELATED MUNICIPAL PARKS GRANT REVENUE AND APPROPRIATING FUNDS TO COVER THE INCREASES (sponsored by Alderman Wright)

Mayor Dalton called for a first reading, without objection. Without objection, Bill No. 16-05 was read for the first time by title only.

Mayor Dalton declared Bill No. 16-05 continued to the meeting of Monday, January 25, 2016 for the second reading and consideration.

WARRANT LIST-12/21/15 Fax

Alderman Mange moved for approval, seconded by Alderman Crawford.

Mayor Dalton called for any amendments.

Hearing none, a voice vote was taken and the fax warrant list of December 21, 2015, in the amount of \$35,400.18 was unanimously approved by voice vote.

WARRANT LIST-01/11/16

Alderman Mange moved for approval, seconded by Alderman Crawford.

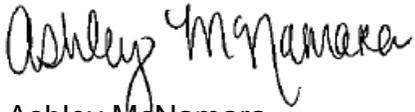
Mayor Dalton called for any amendments.

Hearing none, a voice vote was taken and the warrant list of January 11, 2016, in the amount of \$309,493.09 was unanimously approved by voice vote.

OTHER

ADJOURN

On motion of Alderman Rallo, seconded by Alderman Anderson and unanimously approved by voice vote, the meeting adjourned at 8:13 PM.



Ashley McNamara
City Clerk

Barbara Ann Hughes
101 Hawthorne Estates
Town and Country, Missouri 63131

Comments Made Before the 1-11-16 Board of Alderman Meeting

The 2015 Statistics are in...

Based upon statistics generated by the City of Town and Country the current deer management program is not working despite a comment from the City Administrator as posted on the KMOV website.

12-15-15 *"I think our current approach is working they are down overall from years ago. There was a blip this year."* Attributed to Gary Hoelzer, City Administrator by KMOV

How can you believe that this is a successful program when in 2009 there were 94 deer/car collisions and six years later in 2015 there are 90 deer/car collisions?

Deer/car collisions are up according to Town and Country's own data as published on the City's website:

2009	94	
2010	79	If you remember, that year the City killed 288 deer.
2011	92	
2012	97	
2013	91	
2014	74	
2015	90	Up from 2014 representing a 21% increase.

Costs associated with the program. I also want to thank Betty Cotner for providing me with the following data.

2008	\$14,373	
2009	\$149,857	
2010	\$66,565	
2011	\$23,253	
2012	\$143,327	
2013	\$10,644	
2014	\$40,609	
2015	\$46,500	(estimated)
2016	\$79,380	(estimated)
TOTAL	\$574,508	I added this twice just to make sure of the number.

I also want to address a comment made by Alderman Wright at the last Board of Alderman meeting after I had left the podium.

She commented something to the effect about spending money to save lives...

I would think that most individuals in the room would agree with her comment, but...

If you look at the City's own numbers regarding deer/car collisions - the collisions have gone up 4 years out of the last 7 years the program was implemented by the Board of Aldermen with the largest increase from 2014 to 2015 - 74 up to 90 - again representing that 21% increase. One would think that after this many years of deer management that the numbers would be going down, but they went up.

I disagree wholeheartedly with the City Administrator's comment "our current approach is working".

Your deer management program is not cost-effective and not working. Period.

I would like my comments to be entered into the public record.

Thank you,
Barbara Ann Hughes

Municipal Center
1011 Municipal Center Drive
Town & Country
Missouri 63131-1101
Tele. (314) 432-6606
Fax (314) 432-1286



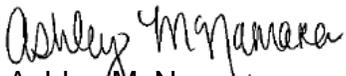
Jonathan F. Dalton
Mayor

Gary A. Hoelzer
City Administrator

**NOTICE OF PUBLIC HEARING
BOARD OF ALDERMEN
CITY OF TOWN & COUNTRY, MO**

Notice is hereby given that the Board of Aldermen of the City of Town and Country will hold a Public Hearing on Monday, January 11, 2016 at 7:00 P.M., in the Municipal Center, 1011 Municipal Center Drive, 63131, on the application of Matt Horn, Ziglin Signs, on behalf of Parkway Consolidated School District, owner, for variances from Chapter 420, the Sign Regulations of the Municipal Code, for a business identification sign for Mason Ridge Elementary School located at 715 South Mason Road, in the Suburban Estate (SE) Zoning District.

All interested parties may examine all public documents relating to this matter at the Municipal Center and may appear and be heard at the public hearing. For direct inquiries, please contact City Planner Melanie Rippetoe at (314) 587-2827.


Ashley McNamara
City Clerk
December 23, 2015

PROP_ADD	OWNER_NAME	OWN_ADD	CITY	STATE	ZIP
13150 SOUTH OUTER 40 RD	CEDARS PROPERTIES LLC THE	1401 S BRENTWOOD BLVD SUITE 170	SAINT LOUI	MO	63144
921 MASONRIDGE RD	DOUGLAS RONALD L & CHERYL A H/W	921 MASONRIDGE RD	SAINT LOUI	MO	63141
750 S MASON RD	FIRST CHURCH CHRIST SCIENTIST	750 S MASON RD	SAINT LOUI	MO	63141
13048 FAIRFIELD OAKS RD	GILMORE DANIEL A SUSAN J H/W	23581 COPPERLEAF BLVD	BONITA SP	FL	34135
832 MASONRIDGE RD	GOELLNER DANIEL R & INGRID H H/W	832 MASONRIDGE RD	SAINT LOUI	MO	63141
810 MASONRIDGE RD	KIYANCLAR A HULYA & M EMIN H/W TRS	1342 AUTUMN WOOD CIR	BALLWIN	MO	63011
13037 FAIRFIELD OAKS RD	NILLES GREGORY J & MARGARET H H/W	13037 FAIRFIELD OAKS RD	SAINT LOUI	MO	63141
887 MASONRIDGE RD	OSIEK ROSS G & DONNA S H/W	887 MASONRIDGE RD	SAINT LOUI	MO	63141
865 MASONRIDGE RD	PAPPAS THEODORE A & BETTE K H/W	865 MASONRIDGE RD	SAINT LOUI	MO	63141
715 S MASON RD	PARKWAY CONSOLIDATED SCHOOL DISTRICT 2 S	455 N WOODS MILL RD	CHESTERFIE	MO	63017
13201 CLAYTON RD	PRINCIPIA CORPORATION THE	13201 CLAYTON RD	SAINT LOUI	MO	63131
13049 FAIRFIELD OAKS RD	RUSH JEAN & RICHARD W/H	13049 FAIRFIELD OAKS RD	SAINT LOUI	MO	63141
13117 MASON BEND LN	SAMIMI SAM A SHAHLA H/W	13117 MASON BEND LN	SAINT LOUI	MO	63141
13102 MASON BEND LN	VAMSEE PLACE SUBDIVISIONINC	13102 MASON BEND LN	SAINT LOUI	MO	63141
13109 MASON BEND LN	VINJAMURI MADHAV SUJATA H/W	13109 MASON BEND LN	SAINT LOUI	MO	63141