

CITY OF WEBSTER GROVES
April 19, 2016

The City Council met this date in a regular session in the Council Chambers at City Hall at #4 E. Lockwood at 7:33 p.m.

Present at Roll Call: Mayor Gerry Welch
Councilmember Kathy Hart
Councilmember Anne Tolan
Councilmember Debi Salberg
Councilmember Toni Hunt
Councilmember Greg Mueller
Councilmember Ken Burns

A quorum was present.

Also present: Mr. Steve Wylie, City Manager
Mr. Helmut Starr, City Attorney
Ms. Katie Nakazono, City Clerk

APPROVAL OF MINUTES -APRIL 5, 2016

A motion was made by Councilmember Burns, seconded by Councilmember Salberg, to approve the Minutes for April 5, 2016.

Mayor Welch called for the vote to approve the minutes.

MEMBERS VOTING:

AYES: HART, TOLAN, SALBERG, HUNT, MUELLER, BURNS, WELCH

NOES: NONE

Mayor Welch stated that the minutes were approved.

UNFINISHED BUSINESS

BILL # 8928 – THIRD READING

On motion of Councilmember Hunt, seconded by Councilmember Hart, **BILL #8928 – ENTITLED: AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE CODE OF WEBSTER GROVES, MISSOURI, ENTITLED “THE CODE OF WEBSTER GROVES, 2015” AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES PREVIOUSLY ADOPTED, WITH CERTAIN EXCEPTIONS**, having been introduced and read twice on April 5, 2016, was taken up its title read a third time and placed upon its passage to become Ordinance #8928.

Mayor Welch called for the vote on Bill #8928.

MEMBERS VOTING:

AYES: TOLAN, SALBERG, HUNT, MUELLER, BURNS, WELCH, HART

NOES: NONE

Mayor Welch stated that Bill #8928 was approved.

BILL # 8929 – THIRD READING

On motion of Councilmember Tolan, seconded by Councilmember Salberg, **BILL #8929 – ENTITLED: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION**

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COMMISSION TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A SIDEWALK ALONG CENTRAL AND SOUTH GORE AVENUES BETWEEN WEST GLENDALE AND SOUTH ROCK HILL ROADS [FEDERAL PROJECT NO. TAP-5577(635)], having been introduced and read twice on April 5, 2016, was taken up its title read a third time and placed upon its passage to become Ordinance #8929.

Mayor Welch called for the vote on Bill #8929.

MEMBERS VOTING:

AYES: SALBERG, HUNT, MUELLER, BURNS, WELCH, HART, TOLAN

NOES: NONE

Mayor Welch stated that Bill #8929 was approved.

RECOGNITIONS

Councilmembers Hart, Salberg, and Tolan were recognized for their service to the community.

BRIEF RECESS

Following the recognitions, Council took a brief recess to thank the outgoing Council and welcome the new members.

COUNCIL RECONVENED AND ADDRESSED THE REVIEW OF VOTES CAST IN THE MUNICIPAL ELECTION APRIL 5, 2016

Mayor Welch stated that the votes cast in the Municipal Election on April 5, 2016 were as follows:

- Debi Salberg received 2,351 votes.
- Kathy Hart received 2,373 votes.
- Frank Janoski won a Council Member position with 2,589 votes.
- Sebastian “Bud” Bellomo won a Council Member position with 2,499 votes.
- Matt Armstrong won a Council Member position with 2,833 votes.
- There were 71 invalid write-in votes.

RESOLUTION #2016-11

A RESOLUTION DECLARING THREE COUNCIL MEMBERS FOR FOUR YEAR TERMS

A motion was made by Councilmember Mueller, seconded by Councilmember Hunt, to approve Resolution #2016-11.

The Mayor called for the vote.

MEMBERS VOTING:

AYES: HUNT, MUELLER, BURNS, WELCH

NOES: NONE

The Mayor stated that Resolution #2016-11 was approved.

OATH OF OFFICE

The Oath of Office was administered to newly elected Council Members Matt Armstrong, Frank Janoski and Bud Bellomo by the Honorable Judge James Whitney. The new Council Members took their seat at the dais.

REMARKS OF VISITORS

Jeanne Neuner, 819 Gray Ave., asked about the AT&T boxes. If the article in the Webster Kirkwood Times was correct, I am concerned about that. One thing I can say is at least they are green. I thought I would get over this, but the Meridian royal blue trash cans with the bumblebee yellow tops are really

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an eyesore. I live on a corner lot and they are large. They are three dimensional. If you had asked us all to paint our front doors blue with yellow trim there would have been an outrage. I am just more sorry there wasn't more foresight in realizing that an environmental company should have environmental aesthetics, and not be selling their business colors. I didn't know if this AT&T thing is going to perpetuate, and if it is I am concerned about their ability to perpetuate.

City Manager Steve Wylie stated that no one should fool themselves into thinking that they (AT&T) don't have the right to be there. What we do have are rules that govern how they are supposed to go in. They stated that they had some personnel changes and a couple of boxes were put up that actually needed a CUP according to our Code. There was a meeting last week and they agreed to cooperate with our rules. They committed to righting all the wrongs. Preliminary indication was that the boxes that are too big they are looking at removing. They can be in your right-of-way. All we can do is regulate their conditions.

City Attorney Helmut Starr stated that we did have a franchise years ago, but State legislation was passed that took that right away from us. We do have a video services provider right-of-way regulatory Code that has some provisions in it that deal with screening and size. But it is very limited as to what we can and cannot do.

Mr. Wylie stated that we will call them in to get the proper permits, and if they don't we will stop them from working and should succeed at that. Our Code is legitimate. It is more than try. It is a labor. When the screen is foliage and it dies you have to get on them to replace it and so on. It looks positive at this point.

Councilmember Hunt clarified that we do not have a franchise agreement with AT&T.

Les Wandling, 243 S. Old Orchard, asked if AT&T can come onto your private property. Mr. Starr stated, no, they have the ability to go onto the public right-of-way, but not onto private property without the permission of the property owner.

Councilmember Armstrong clarified that the right-of-way can be right up against the sidewalk. Mr. Starr stated that in a given situation the right-of-way can be into someone's yard.

Ellie Wharton, 908 Cornell, stated that they had a sight obstruction situation in North Webster on the corner of Thornton and Brentwood. She spoke to Captain Nelson about it and was informed that the station was in violation of their Conditional Use Permit. The next day, the shrubs were gone and the spaces where people were parking had been painted over with No Parking signs. That makes it easy and safe for us to come out of the intersection. I was appreciative of the immediate response I got from Captain Nelson. I thank the City and everyone for their response and for good public service.

Ron Zager, 337 Dobbin, thanked the previous Council for passing Bill #8929 and getting sidewalks on Central. It has been a long time coming. For the new Council, I'd like to ask that you consider moving the stop sign. Currently there is one at Rock Hill and Reavis. I would venture a guess that there is three or four times the vehicular traffic on Central than on Reavis. Central would be a much better place for that stop sign. It would also improve ingress and egress to the park. Failing that, if a stop sign could be added on the other side, down at Dobbin Rd., that would at least slow the traffic coming from the south and I think the people who live on Wilshire Terrace would really appreciate having a stop sign down

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there to slow the traffic whipping around the corner coming up over the hill so they could get out better. Something for the new Council to consider.

NEW BUSINESS - MAYOR, COUNCILMEMBERS, CITY ATTORNEY, CITY MANAGER

No New Business.

NEW BUSINESS

BILL #8930 – FIRST & SECOND READING

Councilmember Hunt introduced **BILL #8930 – ENTITLED: AN ORDINANCE OF THE CITY OF WEBSTER GROVES, MISSOURI, AUTHORIZING AND DIRECTING THE DEPARTMENT OF REVENUE TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER**, and at the Councilmember's request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

Councilmember Burns pointed out that the community was overwhelmingly in favor of this.

Mr. Starr stated that there is a timing issue here because the City Clerk has to send the certified election results to the State within ten days after the election results are certified. We will not meet again within ten days, therefore we are asking for a third reading this evening.

BILL # 8930 – THIRD READING

A motion was made by Councilmember Mueller, seconded by Councilmember Burns, to conduct a Third Reading of Bill #8930, and call for the vote this evening, due to compelling timing reasons.

Mayor Welch called for the vote on conducting the third reading, and calling for the vote on Bill #8930.

MEMBERS VOTING:

AYES: WELCH, HUNT, MUELLER, BURNS, ARMSTRONG, JANOSKI, BELLOMO

NOES: NONE

Mayor Welch stated that a third reading and vote would be conducted.

On motion of Councilmember Burns, seconded by Councilmember Hunt, **BILL #8930 – ENTITLED: AN ORDINANCE OF THE CITY OF WEBSTER GROVES, MISSOURI, AUTHORIZING AND DIRECTING THE DEPARTMENT OF REVENUE TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER**, having been introduced on April 19, 2016 and read for a second time on April 19, 2016, was taken up its title read a third time and placed upon its passage to become Ordinance #8930.

Mayor Welch called for the vote on Bill #8930.

MEMBERS VOTING:

AYES: HUNT, MUELLER, BURNS, ARMSTRONG, JANOSKI, BELLOMO, WELCH

NOES: NONE

Mayor Welch stated that Bill #8930 was approved

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CONSENT AGENDA

A motion was made by Councilmember Bellomo, seconded by Councilmember Mueller, to approve the Consent Agenda.

Mayor Welch called for the vote on the Consent Agenda.

MEMBERS VOTING:

AYES: MUELLER, BURNS, ARMSTRONG, JANOSKI, BELLOMO, WELCH, HUNT

NOES: NONE

Mayor Welch stated that the Consent Agenda was approved.

The following Consent Agenda was approved.

- **Resolution #2016-13** – Authorizing the City Manager to Enter into a Contract for Concession Management Services for the Recreation Complex

APPOINTMENTS TO BOARDS AND COMMISSIONS

No Appointments to Boards and Commissions.

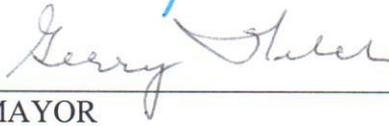
EXECUTIVE (CLOSED) SESSION

No Executive (Closed) Session.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:43 p.m. on motion of the Mayor, duly seconded.

PASSED AND APPROVED this 3rd day of May 2016.


MAYOR


CITY CLERK

