

**CITY OF WEBSTER GROVES**  
**July 5, 2016**

The City Council met this date in a regular session in the Council Chambers at City Hall at #4 E. Lockwood at 7:40 p.m.

Present at Roll Call: Mayor Gerry Welch  
Councilmember Toni Hunt  
Councilmember Greg Mueller  
Councilmember Ken Burns  
Councilmember Matt Armstrong  
Councilmember Frank Janoski  
Councilmember Bud Bellomo

A quorum was present.

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

**PUBLIC HEARING**

**Here We Grow Early Childhood Center: An Application by Lindsay Jones, Here We Grow Early Childhood Center, LLC, for a Conditional Use Permit to Allow a Child Day Care Center Use Located on a 99,574 Square Foot Lot at 12 E. Lockwood Avenue in the “A4” Seventy-Five Hundred Square Foot Residence District**

Mayor Welch opened the public hearing. Mara Perry, Director of Planning and Development, gave a brief presentation [**Exhibit A - Copy in City Clerk’s office**]. She reminded Council that this is one of the shortened processes. This is a Conditional Use that is being requested that is just a change of ownership. The request before you this evening is for the property on the other side of the parking lot. It is a piece of property zoned “D” Commercial on the northern half of the property, and “A4” on the southern half. She showed an aerial photograph and existing conditions of the property (**See Exhibit A, page 2**). The entrance to the daycare center is off of the western side of the building and goes into the basement. She reviewed the history of the location (**See Exhibit A, pages 3**). Based on all of this history, you can see it has been a child care center for a few decades. Most of the conditions have carried through from ordinance to ordinance. What you do need to review are the five factors (**See Exhibit A, page 3**). She reviewed the request, access, circulation, parking, hours, setbacks, tree preservation and landscaping, and signage (**See Exhibit A, page 4-6**). No new signage can go on the residentially zoned portion of the property. If they want to put something on the existing sign, if they want to be integrated into the Masonic Lodge’s sign that is there, that is in the sign code.

Councilmember Burns asked if that is the sign on Lockwood. Ms. Perry agreed that it was.

Ms. Perry stated that previous applicants have wanted a separate monument sign. The current applicant has not asked for that.

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Councilmember Armstrong asked, without the sign on the awning, how does a customer know where to go? Ms. Perry stated that in most cases, people are directed. They know which door they are being directed to. Our Code is pretty specific, it is a residential district.

Steve Wylie, City Manager, asked if they could have an awning that has a sunshine or something on it. Ms. Perry stated that it could be something that is not just a sign. There could be an awning with a symbol.

Councilmember Armstrong stated that he understands that it is the Code, but he is concerned about customers. With daycares you don't always make an appointment because you want to see how it really is.

Councilmember Hunt asked if there can be directional signs. Ms. Perry stated that there can be directional signs directing you to a particular location.

Councilmember Mueller asked if the current Grow and Learn sign (on the awning) can be seen from Lockwood. Ms. Perry stated that she doesn't believe it can.

Councilmember Janoski asked about the enrollment limit previously. Ms. Perry stated that the enrollment for the last ordinance was 65. Before that it was up to 80. At any given time it has been between 65 and 80.

Ms. Perry reviewed Staff Recommendations, **(See Exhibit A, page 6)**.

Sydnee Sanders, co-owner of Here We Grow, stated that she is glad to be here and happy to answer questions.

Councilmember Janoski asked when they are anticipating opening. Ms. Sanders stated that they are aiming for the last week of August/first week of September. It is conditional on many inspections and this process, but that is our goal.

Councilmember Armstrong asked if any of the inspections are conditional on this process. Ms. Sanders stated that their licensing is conditional on this process.

Councilmember Armstrong asked how long it takes to get the licensing after this is approved. Ms. Sanders stated that they are looking at three more inspections, which could take six to eight weeks. But some of them can run concurrent with this process. Our official licensing cannot happen until we can hand them our CUP.

Councilmember Armstrong asked if they have clients lined up. Ms. Sanders stated that they have a few. We have held back a little bit on advertising until more of this process is accomplished. We want to make sure all of our ducks are in a row.

Councilmember Burns asked if they were aware that the next meeting isn't until August. Mayor Welch stated that they were going to consider doing all three readings this evening to move this along.

Councilmember Hunt asked if they were aware of the signage. Ms. Sanders stated that they are. We have talked to the Masons about doing a small advertisement on their sign in the front.

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Councilmember Armstrong asked if that was sufficient. Ms. Sanders stated that to her it is not, but we can work with it. I don't think it is anything we can change so we will have to roll with it.

Joan McGinnis, 657 Clark, asked if they have ever run a day care before. Ms. Sanders stated that she currently runs an in-home center, so we are expanding.

Helmut Starr, City Attorney, entered the following into the public record:

1. Staff Report to the City Council – July 5, 2016
2. Presentation by Ms. Perry with Accompanying Photos, Site and Surroundings, Zoning Map, Aerial Photos, Survey from 1993, and Basement Floor Plan from 2011.
3. Chapter 53, the Zoning Code of the City of Webster Groves

Mayor Welch closed the public hearing.

**BILL #8938 – FIRST & SECOND READING**

Councilmember Bellomo introduced **BILL #8938 – ENTITLED: AN ORDINANCE APPROVING THE APPLICATION BY HERE WE GROW CHILDCARE (LINDSAY JONES) FOR A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE CENTER USE AT 12 E. LOCKWOOD (MASONIC TEMPLE) ZONED “A4” SEVENTY-FIVE HUNDRED SQUARE FOOT AND “D” COMMERCIAL**, 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.

A motion was made by Councilmember Mueller, seconded by Councilmember Armstrong, to call for the third reading of Bill #8938 this evening, due to the compelling reason to meet the needs of our new businesses and to speed up the process, provide certainty for our new business, and the fact that we have no additional meeting in July.

Mayor Welch called for the vote on the compelling reason to conduct the third reading this evening.

MEMBERS VOTING:

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

NOES: NONE

Mayor Welch stated that there is a compelling reason to conduct the third reading this evening.

**BILL # 8938 – THIRD READING**

On motion of Councilmember Armstrong, seconded by Councilmember Mueller, **BILL #8938 – ENTITLED: AN ORDINANCE APPROVING THE APPLICATION BY HERE WE GROW CHILDCARE (LINDSAY JONES) FOR A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE CENTER USE AT 12 E. LOCKWOOD (MASONIC TEMPLE) ZONED “A4” SEVENTY-FIVE HUNDRED SQUARE FOOT AND “D” COMMERCIAL**, having been introduced and read twice on July 5, 2016, was taken up its title read a third time and placed upon its passage to become Ordinance #8938.

Mayor Welch called for the vote on Bill #8938.

MEMBERS VOTING:

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

NOES: NONE

Mayor Welch stated that Bill #8938 was approved.

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**REMARKS OF VISITORS**

Martha Valenta, 712 Cornell Ave., stated that in the past when she contacted the Police for issues it took them a long time to arrive. When she met with officers they asked why she lived in the area. Recently, she had a broken vacuum left in her yard and was reluctant to call the Police. When she did, she was told that it could be expected in her area. She stated that she feels like there is a bias on the part of some of the Police against her neighborhood. I know there are negative activities in all neighborhoods.

Mayor Welch asked the Police Chief to speak with Ms. Valenta.

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

No New Business.

**UNFINISHED BUSINESS**

**BILL # 8936 – THIRD READING**

On motion of Councilmember Mueller, seconded by Councilmember Janoski, **BILL #8936 – ENTITLED: AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR ROUTE 66 AUTO CENTER, LLC, TO ALLOW A USED CAR LOT ON AN APPROXIMATELY .86-ACRE TRACT AT 8455 WATSON ROAD IN THE “C” COMMERCIAL DISTRICT**, having been introduced and read twice on June 21, 2016, was taken up its title read a third time and placed upon its passage to become Ordinance #8936.

Mayor Welch called for the vote on Bill #8936.

MEMBERS VOTING:

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

NOES: NONE

Mayor Welch stated that Bill #8936 was approved.

**NEW BUSINESS**

**BILL #8939 – FIRST & SECOND READING**

Councilmember Hunt introduced **BILL #8939 – ENTITLED: AN ORDINANCE LEVYING THE COST OF ABATING CERTAIN NUISANCES (REMOVAL OF WEEDS, DEAD TREES, AND DEBRIS, DEMOLITION, ETC.) AS SPECIAL TAX BILLS AGAINST THE PROPERTIES HEREINAFTER DESCRIBED AND CONSTITUTING SAID LEVIES AS A LIEN ON SAID PROPERTIES**, 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.

Prior to the vote on the Consent Agenda, Councilmember Bellomo, stated, “I want to clarify my statements in the minutes of the June 21<sup>st</sup> council meeting regarding the amendment I proposed to the city’s 2016-2017 budget, specifically about the contract the city had with Insight St Louis for 2015-2016 and previous years.

Prior to the meeting, I had asked City Manager Wylie if the contract was bid, and if it was, what were the other quotes; and if not, why not. He said it was not bid and explained that he has the authority to approve contracts below a certain amount.

In questioning my proposed amendment, Council member Mueller objected to awarding money on a no-bid basis to an independent contractor and stated that is not spending money wisely.

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Whether or not the City Manager should have the authority to do so could be another discussion at another time for the council to consider. But to make it clear, and to the best of my knowledge, the council approved the previous four years' budgets, which included this contract to an independent contractor on a no-bid basis, with no objections from council members."

**CONSENT AGENDA**

A motion was made by Councilmember Burns, seconded by Councilmember Janoski, to approve the Consent Agenda.

Mayor Welch called for the vote on the Consent Agenda.

MEMBERS VOTING:

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

NOES: NONE

Mayor Welch stated that the Consent Agenda was approved.

The following consent agenda was approved:

- **Approval of Minutes** – June 21, 2016
- **Resolution #2016-23** – Authorizing the City Manager to Purchase a Police Motorcycle
- **Resolution #2016-24** – Authorizing the City Manager to Purchase Network Licensing for the IT Department

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

No Appointments to Boards and Commissions.

**EXECUTIVE (CLOSED) SESSION**

Councilmember Janoski made a motion, which was seconded by Councilmember Bellomo, to go into Executive Closed Session per Attorney-Client Privileged Communications [MO Statute 610.021(1)].

Mayor Welch called for the vote to go into Executive (Closed) Session.

MEMBERS VOTING:

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

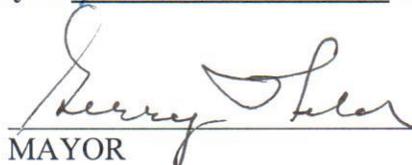
NOES: NONE

Mayor Welch stated that they would go into Executive (Closed) Session.

**ADJOURNMENT**

There being no further business to come before the City Council, the meeting was adjourned at 8:31 p.m. on motion of the Mayor, duly seconded.

PASSED AND APPROVED this 2<sup>ND</sup> day of AUGUST 2016.

  
MAYOR

  
CITY CLERK