

**CITY OF WEBSTER GROVES**

**February 18, 2020**

The City Council met this date in a regular session in the Council Chambers at City Hall at #4 E. Lockwood at 7:36 p.m.

Present at Roll Call: Mayor Gerry Welch  
Councilmember Bud Bellomo  
Councilmember Laura Arnold  
Councilmember Pam Bliss  
Councilmember David Franklin  
Councilmember Emerson Smith

A quorum was present.

Also present: Mr. Steve Wylie, City Manager  
Mr. Neil Bruntrager, City Attorney  
Ms. Katie Nakazono, City Clerk

**PUBLIC HEARING**

**The Gathering Church (921 Edgar Road): An Application by The Gathering United Methodist Church for a Conditional Use Permit to Allow a Place of Worship Use Located on a 1.67 Acre Lot at 921 Edgar Rd. 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, pages 1-7, available in the City Clerk's office**). She stated that it is a Conditional Use Permit for a transfer of ownership. When it is a transfer of ownership, typically it comes straight to you. We have an unusual situation with this, and this is forwarded to you from the Plan Commission. She reviewed the zoning, surrounding uses, and existing conditions (**See Exhibit A, pages 1-2**). The zoning history is the complicated piece with this (**See Exhibit A, page 3**). We do always review the Comprehensive Plan, this is in compliance. We also review the five factors to ensure there are no issues. Typically this is not something we have to worry about with a transfer of ownership. She reviewed the use of the building and parking (**See Exhibit A, page 5-6**). They have agreed to put the shared parking agreement in so the facility can continue to operate across the street. She reviewed dimensional regulations (**See Exhibit A, page 6**). We did talk to them at Plan Commission about their trash enclosure, which isn't really an enclosure. They have agreed, and we put it in the ordinance, to make sure there is a sight-proof fence. There were residents who had come to the Plan Commission with concerns about trash and other things that had been growing. She reviewed the staff recommendations (**See Exhibit A, page 7**).

Mayor Welch asked about the trash enclosure. Can we require them to move it to the back? Ms. Perry stated that we can talk with them about the physical location. I know there will be some limitations because of how the trash truck might have to access it. We can talk to them about that. When something has been approved for many years in one location, I don't really have the ability to say you can't have it there now, but we can certainly talk with them about that, and they might be willing to move that. It has been there for a very long time.

February 18, 2020

Mayor Welch stated that none of us want trash, enclosed or not, along the street. I would recommend we find some way of getting that out of there.

Wes Boshart, 402 E. Glendale Rd., stated that he spoke at the Plan Commission. I support this church's permit. I think they will be a good church and an asset to our neighborhood, but I do have a couple of concerns. That is with the parking and traffic. It might seem that one church is closing, one church is opening, what is the big deal? But this is a good church in the sense that they are very contemporary and appeal to a lot of people. My wife and I have been to their service at the Maplewood location and they draw crowds. I think they will draw a crowd here too. Crowds larger than the old church. In Maplewood they have two services. Each time I have been there they have a police officer directing traffic. They do a good job dealing with it but it is traffic. So I am thinking about that over here on Edgar Road where we already have some traffic issues with regard to the school, I avoid that every afternoon, so maybe it has been fixed. What I am suggesting is if it is possible for the City to somehow put some contingencies so that if it becomes an issue, and if it becomes apparent that 45 minutes between services is not enough, that the City might be able to require that they have more time or whatever it takes to mitigate the situation.

Jessica Griffin, 1202 Cheshire Lane, stated that she lives in the area too. One thought I just had is that our school uses that parking lot as our evacuation lot when they do intruder drills, or if they have to evacuate the school. Is there a plan to continue that? I don't know if there was a formal agreement. I would assume knowing how The Gathering has operated that they would continue it, but I don't know.

Neil Bruntrager, City Attorney, stated that would be a private agreement between the school district and the church, not something we could regulate.

Dave Dietrich, representative for The Gathering, stated that he would assume it would be an agreement between us and we would love to be helpful to the community. It would just be a matter of knowing the times so we wouldn't have overlap. We would definitely work with the school. He also stated that the number of services right now would just be one service. If it does become too full we would split and do a 9 a.m. and a 10:45.

Councilmember Franklin asked what the total size of the congregation is now. Mr. Dietrich stated that the total size is about 1,500 between all sites. The current attendance for Hixson is about 175.

Neil Bruntrager, City Attorney, entered the following into the public record:

1. Presentation by Mara Perry – February 18, 2020
2. Staff Report to the Plan Commission – February 3, 2020
3. Minutes of the Plan Commission – February 3, 2020
4. Chapter 53, the Zoning Code of the City of Webster Groves

Mayor Welch closed the public hearing.

#### **BILL #9114 – FIRST & SECOND READING**

Councilmember Franklin introduced **BILL #9114 – ENTITLED: AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO THE GATHERING UNITED METHODIST CHURCH TO ALLOW A PLACE OF WORSHIP USE ON AN APPROXIMATELY 1.67-ACRE TRACT OF LAND AT 921 EDGAR ROAD IN THE "A4" SEVENTY FIVE HUNDRED SQUARE FOOT RESIDENCE DISTRICT AND MATTERS RELATED THERETO**, and at the Councilmember's

February 18, 2020

request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

**REMARKS OF VISITORS**

Dave Buck, 124 S. Elm Ave., stated that it is interesting that a church went before me because I believe in the Serenity Prayer. What I am about to share is not sour grapes, and it is not a criticism. It is an observation. The brutal facts are, I have been coming to these City Council meetings for about 20 years, since we have lived here. I have offered up a number of new ideas. Not every time but a lot. None of them have been adopted, much less even considered. There are big ideas, like strategic planning, nothing has happened. Affordable housing, I have a lot of experience with Beyond Housing. No one has talked to me about it. Little things like the Pledge of Allegiance, not part of the agenda. Remarks of Visitors – I just want to change the name to Remarks for the Good of the Community. I am not a visitor, I am sorry. You all have been very grateful and gracious with your time. This is my last meeting. I am not going to come again. I have to face that reality. I will keep doing my own thing with my little band of people, we don't need the City to do it.

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

No New Business.

**NEW BUSINESS**

**RESOLUTION #2020-04**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE MEMORIAL PARK TENNIS COURT RENOVATION**

A motion was made by Councilmember Arnold, seconded by Councilmember Franklin, to approve Resolution #2020-04.

Scott Davis, Director of Parks and Recreation, gave a brief presentation on the renovation (**See Exhibit B, pages 1-4**). He gave background on the project, stating that it goes back ten years discussing it with the schools. He outlined the low bid from Vee-Jay Cement Contracting Co. He stated that, for transparency, he wanted to state that the comptroller for the company is his brother-in-law. This was a sealed bid and does not fall under the City's conflict of interest policy. Mr. Bruntrager stated that it is not a conflict of interest.

Mr. Davis stated that the second portion is the lighting, which will be purchased separately. He showed funding sources, the timeline, and an overview of the project (**See Exhibit B, pages 1-4**).

Councilmember Smith asked how many RFPs went out. Mr. Davis stated that there was only one RFP. It was sent out to three companies and it was a public bid on the City's website and several job boards. We received four bids.

Councilmember Smith asked about the range of pricing in the bids. Mr. Davis reviewed the bid costs.

Mayor Welch called for the vote to approve Resolution #2020-04.

MEMBERS VOTING:

AYES: BELLOMO, ARNOLD, BLISS, FRANKLIN, SMITH, WELCH

NOES: NONE

Mayor Welch stated that Resolution #2020-04 was approved.

**BILL #9115 – FIRST, SECOND & THIRD READING**

A motion was made by Councilmember Bellomo, and seconded by Councilmember Arnold, to call for the First, Second, and Third readings of **BILL #9115 – ENTITLED: AN ORDINANCE PERMITTING THE SUBDIVISION OF CERTAIN PROPERTY AT 325 W. KIRKHAM AVE., AND 116 N. ROCK HILL ROAD IN THE “A4” SEVENTY FIVE HUNDRED SQUARE FOOT RESIDENCE DISTRICT AND THE “A3” TEN THOUSAND SQUARE FOOT RESIDENCE DISTRICT**, and at the Councilmember’s request the Bill was read three times by title only. (All three readings were conducted this evening.)

Ms. Perry gave a brief presentation on the subdivision (**See Exhibit A, pages 8-9**). We found some interesting history that didn’t allow us to go through the usual administrative approval. She reviewed the history (**See Exhibit A, page 8**). This is a plat from 1885. We have two zoning districts, they are trying to adjust between the two properties. What is going to happen is that the two lots will meet all of their zoning requirements, all the minimum lot sizes, and everything we could normally do administratively. But because we have to consolidate the two lots on Kirkham, while boundary adjusting a line, this was the simplest way to move this forward. They are asking for all three readings in one night because this property was supposed to close in December, and has not been able to close yet with the new purchasers.

Mr. Bruntrager stated that another compelling reason is that this was something that should have been done in 1999. We are trying to facilitate this movement for these homeowners.

Councilmember Franklin asked for additional explanation of the lot lines.

Councilmember Bellomo clarified that both owners agreed to this.

Councilmember Bliss asked about the zoning districts. Ms. Perry stated that the Kirkham property is going to have a back yard that is a different district.

Mr. Bruntrager again stated that the compelling reason is that this is a mistake from 1999.

A motion was made by Councilmember Arnold, and seconded by Councilmember Bellomo, to conduct the Third Reading of Bill #9115 this evening, due to the compelling reasons stated this evening. (Compelling Reasons: Correcting an error from 1999, and allowing the buyer to close on the property more expeditiously as the closing has been delayed since December.).

Mayor Welch called for the vote on the Third Reading request this evening, due to the compelling reasons cited.

MEMBERS VOTING:

AYES: BELLOMO, ARNOLD, BLISS, FRANKLIN, SMITH, WELCH

NOES: NONE

Mayor Welch stated the Third Reading of Bill #9115 will be conducted this evening due to the compelling reasons cited.

Mayor Welch called for the vote on Bill #9115.

MEMBERS VOTING:

AYES: ARNOLD, BLISS, FRANKLIN, SMITH, WELCH, BELLOMO

NOES: NONE

Mayor Welch stated that Bill #9115 was approved.

**BILL #9116 - FIRST AND SECOND READING**

Councilmember Bliss introduced **BILL #9116 ENTITLED: AN ORDINANCE LEVYING THE COST OF ABATING CERTAIN NUISANCES (PROTECTIVE FENCING, CUT/TRIM, REMOVAL OF WEEDS AND DEBRIS, ETC.) AS SPECIAL TAX BILLS AGAINST THE PROPERTIES HEREINAFTER DESCRIBED AND CONSTITUTING LEVIES AS LIENS ON THE RESPECTIVE 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.

**BILL #9117 - FIRST AND SECOND READING**

Councilmember Smith introduced **BILL #9117 ENTITLED: AN ORDINANCE REPEALING ORDINANCE #8223 TO REMOVE THE CONDITIONAL USE PERMIT FROM THE PROPERTY AT 442 E. GLENDALE AVENUE IN THE "A4" SEVENTY FIVE HUNDRED SQUARE FOOT RESIDENCE DISTRICT**, 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.

**BILL #9118 - FIRST AND SECOND READING**

Councilmember Franklin introduced **BILL #9118 ENTITLED: AN ORDINANCE AMENDING CHAPTER 60, ARTICLE VII, SECTION 60.975, SCHEDULE H OF THE CODE OF WEBSTER GROVES, "PARKING PROHIBITED," TO REMOVE TWO HANDICAPPED PARKING SPACES AT 22 EUCLID AVENUE, AND REPEALING ORDINANCE #8524**, 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.

**RESOLUTION #2020-05**

**A RESOLUTION SELECTING SG COLLABORATIVE LLC AS PREFERRED DEVELOPER FOR REDEVELOPMENT OF AN AREA GENERALLY BOUNDED BY NORTH ROCK HILL ROAD, WEST KIRKHAM AVENUE, GORE AVENUE AND WEST PACIFIC AVENUE; AUTHORIZING THE EXECUTION OF A PRELIMINARY FUNDING AGREEMENT; AND AUTHORIZING CITY STAFF TO NEGOTIATE A REDEVELOPMENT AGREEMENT FOR CONSIDERATION BY THE CITY COUNCIL**

Prior to the reading, a motion was made by Councilmember Bellomo, seconded by Councilmember Arnold, to amend Resolution #2020-05 by accepting the revised version dated February 14, 2020.

Mr. Bruntrager stated that this is going to be a long process that will include a series of public engagement meetings. This is the beginning of a non-binding negotiation.

Mayor Welch stated that we will assure a robust community engagement process and will be providing a lot of information including a calendar of steps and events.

Councilmember Arnold stated that this provides an opportunity to talk about different kinds of housing.

Councilmember Bliss stated that it provides good opportunities for public amenities and business development. And of course, housing.

Councilmember Bellomo stated that it is a great opportunity for the City.

February 18, 2020

Councilmember Franklin stated that he didn't realize when running for office how complicated this process is. It is a complicated, difficult, and a time-consuming process. There is going to be a lot of community engagement. There are no set plans.

Mayor Welch called for the vote on the amendment accepting the revised version of Resolution #2020-05 dated February 14, 2020.

MEMBERS VOTING:

AYES: BLISS, FRANKLIN, SMITH, WELCH, BELLOMO, ARNOLD

NOES: NONE

Mayor Welch stated that the amendment was approved.

A motion was made by Councilmember Arnold, seconded by Councilmember Bliss, to approve Resolution #2020-05 (as amended).

Mayor Welch called for the vote to approve Resolution #2020-05.

MEMBERS VOTING:

AYES: FRANKLIN, SMITH, WELCH, BELLOMO, ARNOLD, BLISS

NOES: NONE

Mayor Welch stated that the amendment was approved.

### **CONSENT AGENDA**

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

Mayor Welch called for the vote on the Consent Agenda.

MEMBERS VOTING:

AYES: SMITH, WELCH, BELLOMO, ARNOLD, BLISS, FRANKLIN

NOES: NONE

Mayor Welch stated that the Consent Agenda was approved.

The following consent agenda was approved:

- **Approval of Minutes** – February 4, 2020
- **Resolution #2020-06** – A Resolution Authorizing the City Manager to Execute an Addendum to the Parking Lot Lease Between the Webster Groves Presbyterian Church Association of Webster Groves, Missouri, a Benevolent Corporation, as Lessor, and the City of Webster Groves, as Lessee, Pertaining to the Property Located at 41 West Moody Avenue
- **Resolution #2020-07** – A Resolution Amending the Fiscal Year 2020 Budget

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Steve Ruzycki was appointed to the Traffic Advisory Commission.

### **EXECUTIVE (CLOSED) SESSION**

Councilmember Arnold made a motion, which was seconded by Councilmember Bellomo, to go into Executive Closed Session per Personnel [MO Statute 610.021 (3)] and Negotiated Contract [MO Statute 610.021 (12)].

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

MEMBERS VOTING:

AYES: ARNOLD, BLISS, FRANKLIN, SMITH, WELCH, BELLOMO

NOES: NONE

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

February 18, 2020

**ADJOURNMENT**

There being no further business to come before the City Council, the meeting was adjourned at 9:20 p.m. on motion of the Mayor, duly seconded.

**PASSED AND APPROVED** this 31<sup>o</sup> day of March 2020.

  
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CITY CLERK

  
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MAYOR