



MINUTES
BOARD OF ALDERMEN
CITY OF GREEN PARK, MISSOURI
October 19, 2015

Alderman Baras, President of the Board, called the Meeting of the Board of Aldermen to order at 7:00 p.m. on Monday, October 19, 2015, at the Green Park City Hall, 11100 Mueller Road, Suite 5, Green Park, Missouri. The roll was called and the following officers were present:

	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Mayor: Bob Reinagel			X
Aldermen: Fred Baras	X		
Carol Hamilton	X		
Tim Thuston	X		
Joe Monteleone	X		
Michael Broughton	X		
James Jones	X		

PUBLIC HEARING:

- 1. Development Plan submitted by St. Louis, MO (9920 Lin Ferry) c/o InSite Real Estate, LLC on behalf of Fresh Thyme Farmers Market to be located at 9920 Lin Ferry Drive.**

Dan Uebelhor, Project Manager for InSite Real Estate, LLC, introduced himself and the civil engineer on the project, Kevin Kamp of Civil & Environmental Consultants, Inc. (CEC). Mr. Uebelhor gave a brief description of the Fresh Thyme Farmers Market concept and stated they are a full service specialty grocer of fresh and natural foods. Fresh Thyme is looking at building sixty (60) stores by 2019, with six (6) in the local area.

Jonathan Byrd, 10906 Suanis Court, Ward 1, voiced his opposition to this project stating the proposed building is too large for this site, increased traffic will cause a back up problem, feels the market is saturated and does not need another grocery store, it will affect union jobs with possible layoffs at Schnucks and Dierbergs, and Fresh Thyme is not friendly to labor and trades and bring in out-of-state workers.

Carol Gapsch, property owner in Green Park, stated she is very familiar with this type of store and it brings a different product and concept than what is currently available in this area. She feels it will bring new revenue to the city, increase jobs and new opportunities, and will draw people from all around. Mrs. Gapsch sees Fresh Thyme Farmers Market as a plus for the area.

2. Proposed zoning code text amendment to add off-site vehicle parking as a conditional use on lots in commercial use.

City Attorney Paul Rost advised the proposed zoning code text amendment serves to create a new description of parking off-site and as a conditional use sets up certain requirements and limitations. There were no public comments.

3. Conditional Use Permit for off-site vehicle parking submitted by Richard Baseler for 9529 Yuma Drive.

David Heyl, representative for 9529 Yuma Drive, stated the conditional use permit would allow parking of new cars from Bommarito's excess inventory. There were no public comments.

REGULAR MEETING:

1. Reading and Approval of the Minutes of the Board of Aldermen Meeting of September 21, 2015.

Alderman Baras asked for a motion to approve the Minutes of the Board of Aldermen Meeting of September 21, 2015. A motion was made by Alderman Thuston and seconded by Alderman Jones that the minutes be approved. Upon a voice vote being taken, it was announced the motion passed.

2. Citizen Comments & Petitions

Pat Kelly introduced himself as the new Executive Director of the St. Louis County Municipal League. He is visiting municipalities to inform people what the St. Louis County Municipal League is working on. Mr. Kelly stated the Municipal League is working on initiatives to change Senate Bill 5 with reference to the 25% requirement and make changes to requirements for police certification. They also have a new proposal for the sales tax issue and are working on MoDOT funding.

There were no additional public comments.

3. Reports of Officers & Committees:

3.1 Mayor & Board of Aldermen

Alderman Baras advised that Mayor Reinagel is recuperating from back surgery, so as President of the Board, Alderman Baras will be filling in for the Mayor. He stated that a letter went to all the businesses in the Green Park Commerce Center regarding truck traffic on Green Park Road. Zella Pope will provide a copy of the letter to anyone that request a copy.

Alderman Broughton proposed an aldermanic work session be scheduled to discuss and develop a written policy and procedures for the handling of complaints of alleged violations of the city's Property Maintenance Code and other city ordinance violations. Alderman Baras stated the city already has established policy and procedures for the handling of complaints as stated in the City Code Book. He stated everything starts with the City Administrator, Zella Pope, when handling complaints. Alderman Baras did agree to schedule a work session but not until the Mayor returns to work as requested by Zella Pope.

3.2 City Attorney

City Attorney, Paul Rost, had nothing to report at this time.

3.3 City Engineer/Building Commissioner

City Engineer, Derrick Madej, had nothing to report at this time.

3.4 City Administrator/City Clerk

City Administrator, Zella Pope, had nothing to report at this time.

3.5 Treasurer Report

The treasurer report is in the packet.

3.6 County Police Report

Officer Kappler presented the September Police Report.

4. Unfinished Business

There was no unfinished business.

5. New Business

5.1 Resolution #266 approving the Preliminary Development Plan submitted by St. Louis, MO (9920 Lin Ferry) LLC, for a grocery store at 9920 Lin Ferry.

Kevin Kamp (CEC) discussed the City Engineer's comments dated September 24, 2015, and focused on items #11, 12, and 15 regarding sidewalks along Lindbergh Boulevard and Lin Ferry Drive, maintenance of public storm sewers/culverts within the city's right-of-way, and the height of the proposed monument sign which Fresh Thyme agreed to reduce from 9 feet to 8 feet high.

Much discussion ensued. Concerns regarding the size of the building versus the size of the lot, the need for more parking, possible parking on neighboring lots without permission, encroachment of setbacks, the impact of increased traffic, and whether the market can bear another grocery store in the area, among other things, were discussed.

City Attorney Paul Rost questioned Mr. Kamp whether applicant had had any discussion with adjacent property owners about cross access or shared parking agreements. A representative from the library, Dave Gannon, stated the library has had an informal agreement for twenty plus years with Mr. Ron Emmenegger, owner of the property to the north of this site but that there was no written agreement. Ms. Pope stated that Mr. Emmenegger appeared at City Hall earlier in the week and was very supportive of the proposed Fresh Thyme project. Alderman Baras requested the city be provided with something in writing showing cross access agreements.

Alderman Thuston asked if a traffic study was done. Mr. Kamp stated that CBB Transportation was requested to provide a study of the impact of traffic at the intersections of Lin Ferry and Lindbergh Blvd. A copy will be provided to Zella Pope. Mr. Kamp also stated that MoDOT has approved the plans.

Alderman Thuston made a motion to adopt Resolution #266 approving the Preliminary Development Plan submitted by St. Louis, MO (9920 Lin Ferry) LLC, for a grocery store at 9920 Lin Ferry. The motion was seconded by Alderman Baras based on the following conditions:

1. The traffic determination memo submitted by CBB must be provided to the city.
2. The applicant must report back on any shared parking agreements that may be acquired before final vote on the ordinance.
3. A note regarding the owner's responsibility for general maintenance of public storm sewers/culverts under the entrance must be placed on the development plans.

The Board of Aldermen voted as follows:

	AYE	NAY	ABSENT
Alderman Thuston	X		
Alderman Hamilton		X	
Alderman Baras	X		
Alderman Broughton		X	
Alderman Monteleone		X	
Alderman Jones		X	

Resolution #266 did not pass.

Kevin Kamp asked the aldermen what the major concerns were in not approving the Preliminary Development Plan. Alderman Jones stated the size of the building needs to be smaller to accommodate City requirements and increase parking spaces. Alderman Monteleone stated the size of the lot is just too small for the size building that has been proposed which is evident in the twelve statements of need submitted. He wants to see more parking and a smaller building. Alderman Hamilton agreed with Alderman Monteleone and has a real concern of the anticipated increased traffic. Alderman Broughton also voiced his concern with the traffic and the dangerous intersections.

Zella Pope advised that Fresh Thyme could resubmit revised plans but that there was no guarantee that the Board would reconsider its denial. Any submission would have to be as soon as possible to get it on the agenda for the November board meeting.

5.2 Bill #745 an Ordinance approving Text Amendments to the Zoning Code of the City of Green Park pertaining to “Vehicle Parking, Off-Site” as an authorized conditional use.

City Attorney Paul Rost gave an explanation of the proposed text amendment.

Alderman Hamilton made a motion that Bill No. 745 be read for the first time. The motion was seconded by Alderman Thuston. Upon a vote being taken it was announced that the motion passed. Alderman Broughton voted nay. Bill No. 745 was read for the first time. Alderman Thuston made a motion that Bill No. 745 be read for the second time. The motion was seconded by Alderman Monteleone. Upon a vote being taken it was announced that the motion passed. Alderman Broughton voted nay. Bill No. 745 was read for a second time. Alderman Thuston made a motion that Bill No. 745 be enacted as an Ordinance. The motion was seconded by Alderman Jones. Upon the roll being called the Board of Aldermen voted as follows:

	AYE	NAY	ABSENT
Alderman Thuston	X		
Alderman Hamilton	X		
Alderman Baras	X		
Alderman Broughton		X	
Alderman Monteleone	X		
Alderman Jones	X		

It was announced that Bill No. 745 will become Ordinance No. 707.

5.3 Bill #746 an Ordinance approving a Conditional Use Permit for 9529 Yuma Drive.

David Heyl, representative for 9529 Yuma Drive, stated the conditional use permit is to park excess new cars from Bommarito’s inventory. There will be no more than 90 vehicles. Hours of operation will be Monday through Friday, 8 a.m. to 9 p.m.; Saturdays from 8 a.m. to 5 p.m., and no hours on Sunday. White gravel will cover the parking lot. There is a natural green space 28’ buffer that will be maintained.

Paul Rost stated that the Planning and Zoning Commission recommended approval based on ten conditions, the initial duration is for three (3) years, no washing of vehicles is permitted on site, no customers are permitted on site, and they are limited to ninety (90) vehicles. The conditions are set forth in the proposed ordinance.

Alderman Thuston made a motion that Bill No. 746 be read for the first time. The motion was seconded by Alderman Hamilton. Upon a vote being taken it was announced that the motion passed. Alderman Broughton voted nay. Bill No. 746 was read for the first time. Alderman Monteleone made a motion that Bill No. 746 be read for the second time. The motion was seconded by Alderman Hamilton. Upon a vote being taken it was announced that the motion passed. Alderman Broughton voted nay. Bill No. 746 was read for a second time. Alderman Monteleone made a motion that Bill No. 746 be enacted as an Ordinance. The motion was seconded by Alderman Hamilton. Upon the roll being called the Board of Aldermen voted as follows:

	AYE	NAY	ABSENT
Alderman Thuston	X		
Alderman Hamilton	X		
Alderman Baras	X		
Alderman Broughton		X	
Alderman Monteleone	X		
Alderman Jones	X		

It was announced that Bill No. 746 will become Ordinance No. 708.

5.4 Special Event Application submitted by McBride & Son Homes for a sign to be located at 9400 Green Park Road

Alderman Thuston recused himself.

Clint Scibinski, McBride and Son Homes, requested a 4' x 8' tall sign be located at 9400 Green Park Road in their marketing efforts to sell the homes at Clydesdale Manors subdivision. Permission has been granted by the property owner, Tim Thuston. McBride Homes is also requesting an extension of the 21-day Special Event Permit to one (1) year. If the lots are closed prior to that time, the sign will be removed. Out of the 18 lots available approximately half of them have already been sold.

Alderman Jones made a motion to approve the Special Event Application submitted by McBride & Son Homes for a sign to be located at 9400 Green Park Road with the following conditions: 1) this includes the other (less than 10) promotional signs used in the parking lot area; 2) the duration of time the signs may be in place is extended to the earlier of one (1) year or the closing date of the sale of the last lot in Clydesdale Manors subdivision. The motion was seconded by Alderman Hamilton. Upon a voice vote, it was announced the motion passed unanimously.

6. Citizens Comments & Petitions

There were no citizen comments.

7. Miscellaneous

There were no miscellaneous items discussed.

8. Adjournment

Alderman Thuston made a motion to adjourn the meeting. The motion was seconded by Alderman Jones. Upon a voice vote being taken, the motion passed and the meeting adjourned at approximately 8:58 p.m.

Fred Baras, President of the Board

Attest:

Administrator/City Clerk