



MINUTES
BOARD OF ALDERMEN
CITY OF GREEN PARK, MISSOURI
November 16, 2015

Mayor Reinagel called the Meeting of the Board of Aldermen to order at 7:00 p.m. on Monday, November 16, 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. Text amendment to the Zoning Code of the City of Green Park to add a new definition and planned use.**

City Attorney Paul Rost stated that Budrovich which operates the “Bud Dome” in the Green Park Commerce Center was approached by a gentleman who wants to sell sandwiches and soups to the kids and parents who use the training facility as well as to the employees who work in the Green Park Commerce Center. The City’s zoning code defines such a use as a “Restaurant, Limited” but does not allow for such a use in the PLI District. At the same time, the Bud Dome also wants to amend the definition of Sports/Athletic Training Facility which is its use, to make it clear that there can be youth sports tournaments and leagues, there will be no adult leagues. The text amendment would take care of this.

Dan Peters, attorney representing Budrovich, stated the Budrovich Indoor Training Facility known as the Bud Dome is owned by Budrovich. Budrovich employs approximately 150 plus employees. The facility has been extremely successful and is the premier youth training facility in the area, however, no concessions or food is available to the parents and kids using the facility as well as employees who work in the Green Park Commerce Center. Jeff Budrovich was approached by the owner of JP’s Deli and has proposed a 400 square foot kitchen in the facility to offer take-out sandwiches/soups. There will be no dining in offered and no alcohol offered.

There were no public comments.

- 2. Amended Final Development Plan for Budrovich Indoor Training Facility at 9711 & 9719 Green Park Industrial Drive for Restaurant Limited.**

This item is related to Item 1. There were no public comments.

3. Amended Final Development Plan submitted on behalf of Eagle Nonwovens, Inc. located at 10301 Lake Bluff Drive for a building expansion.

Eric Fisher of Stock & Associates Consulting Engineers, Inc., representative of Eagle Nonwovens, Inc., gave a brief explanation of the proposed 20,300 square foot expansion.

There were no public comments.

4. Zoning code text amendment to Subdivision Regulations to enact provisions relating to Condominium Plats.

City Attorney Paul Rost stated this is an amendment to the Subdivision Code to create a process for creating commercial condominiums. Currently the City has no regulations in place for these types of condominiums.

There were no public comments.

REGULAR MEETING:

1. Reading and Approval of the Minutes of the Board of Aldermen Meeting of October 19, 2015.

Mayor Reinagel asked for a motion to approve the Minutes of the Board of Aldermen Meeting of October 19, 2015. A motion was made by Alderman Monteleone 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

Stan Erb, representing Hilvin Investments, stated he owns the property at 9965 to 9981 Lin Ferry. He toured the Fresh Thyme locations at Manchester and Fairview Heights and was very impressed with their operation. He encouraged everyone to support the project and stated it was a great use for the property.

Carol Gapsch, property owner, stated her support of Fresh Thyme Farmers Market at this location and said it was an ideal use for the property. It is a great opportunity for the City and will bring the right kind of traffic to the area and will greatly benefit the City.

Ron Emmenegger, property owner of 9958 to 9968 Lin Ferry, echoed what everyone else said. He stated that Fresh Thyme is a proven viable property owner that is willing to make a huge investment in the City. Stated that Fresh Thyme is a perfect fit for the area and does not see traffic being a problem. To not approve would not be in the best interest of the City.

There were no additional public comments.

3. Reports of Officers & Committees:

3.1 Mayor & Board of Aldermen

Mayor Reinagel stated he did not have anything to report, but advised a work session will be scheduled in the next couple of weeks.

Alderman Broughton stated the Clydesdale sign was still in the site triangle and thought McBride was going to address the number of signs. He also could not find where they had a permit from St. Louis County for the 4x8 sign. City Administrator, Zella Pope, responded by stating a permit from St. Louis County is not required and the 4x8 sign is not in the sight triangle or right-of-way because McBride had the property surveyed. The stakes are still in the ground from the survey and the sign is located behind the stakes.

Alderman Thuston advised that a flyer had been distributed to some Green Park residents regarding the Fresh Thyme Farmers Market that he took great offense to and these same people even made visits to citizens' homes. The flyer claimed that Fresh Thyme was being forced down citizens' throats and they refused to do a traffic study or change the size of the building. Alderman Thuston stated these tactics put fear into our residents. People need to look at the facts as presented legally and look at the economic impact on our City.

Alderman Baras stated that parking calculation updates need to be sent to Planning & Zoning. Our requirements are outdated and not even in compliance with St. Louis County.

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, reported a work session will be scheduled for the first week in December and requested what days were good for everyone. Zella will get back with a firm date.

3.5 Treasurer Report

The treasurer report is in the packet.

3.6 County Police Report

Officer Kappler presented the October Police Report.

4. Unfinished Business

4.1 Request for Reconsideration – Development Plan submitted on behalf of Fresh Thyme Farmers Market to be located at 9920 Lin Ferry.

Mayor Reinagel entertained a motion for request for reconsideration of the Development Plan submitted on behalf of Fresh Thyme Farmers Market to be located at 9920 Lin Ferry by an Alderman who voted “nay” previously. Alderman Jones made the motion for request for reconsideration. The motion was seconded by Alderman Baras. Upon a voice vote the motion passed unanimously.

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

Mr. John King, the attorney representing InSite Real Estate and Fresh Thyme Farmers Market, introduced Ed Gebauer, Professional Engineer with InSite; Kevin Kamp, the Civil Engineer with Civil & Environmental Consultants, Inc. (CEC); and Lee Cannon, Traffic Engineer with CBB Transportation Engineers. Mr. King stated that Fresh Thyme is an indoor farmers market. They buy from local farmers or from the Midwest. Fresh Thyme has reduced the size of the building by 250 square feet bringing the size of the building to 28,700 square feet. The sales footprint will be 18,500 square feet and the storage/prep area will occupy 10,100 square feet footprint. Hours of operation will be seven days a week, 7 a.m. to 10 p.m. The prep workers will come in at 4 a.m. They will employ 90 full and part-time workers. The most employees on a shift at one time will be approximately 25 workers. Sales are estimated at approximately \$12 million. The City will get 85% of the capital improvement ½ % sales tax and will share in the remaining 15% with other cities in the pool.

Mr. King discussed parking calculations and setbacks. He stated that variances have been granted to many other businesses along Lindbergh Boulevard such as Mobile, Dairy Queen, Lions Choice and others. Many municipalities and St. Louis County have lower parking calculations.

Stan Erb, Hilvin Investments, stated he has been in commercial real estate for more than forty years. The parking requirements are much higher than what they realistically need to be. These calculations are dependent on the maximum use all at the same time. Mr. King displayed letters of support for Fresh Thyme from numerous neighboring property owners.

Much discussion ensued and a comparison between the Green Park location and the Kirkwood location was made. Lee Cannon, Traffic Engineer with CBB, addressed the traffic analysis. Discussion was also made regarding the amount of time a typical customer will spend in the store.

The Board discussed, among other things, that the project may be more successful in this area than other places justifying the need for the required parking, that traffic concerns remain, and that although the store was slightly smaller, it still encroached 20 feet into the setback. Mayor Reinagel noted that the City has made concessions along Lindbergh Boulevard with projects in the past and that the library generated a lot of traffic and he was not sure there are extenuating circumstances here.

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. A note regarding maintenance of public storm sewers/culverts must be placed on the development plans.

On roll call, 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 failed.

5. New Business

5.1 Bill #747 an ordinance for a Text Amendment to the Zoning Code to add a new definition and Planned Use.

City Attorney Paul Rost stated Items 5.1 and 5.2 are related. Budrovich operates the “Bud Dome” in the Green Park Commerce Center. Jeff Budrovich has been approached by a gentleman who wants to sell sandwiches and soups to the kids and parents who use the Bud Dome for training and to the employees who work in the Green Park Commerce Center. The City’s zoning code defines such a use as a “Restaurant, Limited” but does not allow for such a use in the PLI District. At the same time, the Bud Dome also wants to amend the definition of Sports/Athletic Training Facility which is its use, to make it clear that while there can be youth sports tournaments and leagues, there will be no adult leagues. Bill 747 takes care of those items.

Alderman Thuston made a motion that Bill No. 747 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. Bill No. 747 was read for the first time. Alderman Monteleone made a motion that Bill No. 747 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. Bill No. 747 was read for a second time. Alderman Monteleone made a motion that Bill No. 747 be enacted as an Ordinance. The motion was seconded by Alderman Hamilton. Upon the roll being called the Board of Aldermen voted as follows:

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		

Bill No. 747 becomes Ordinance No. 709.

5.2 Bill #748 an Ordinance amending the Final Development Plan submitted on behalf of Budrovich Indoor Training Facility located at 9711 & 9719 Green Park Industrial Drive to include “Restaurant Limited” as a permitted use and to include youth tournaments and leagues within “Sports/Athletic Training Facility.”

Bill #748 would approve the amendment to the development plan for the site to show where the small “Restaurant, Limited” use would be and where its dedicated parking would be.

Alderman Hamilton made a motion that Bill No. 748 be read for the first time. The motion was seconded by Alderman Jones. Upon a vote being taken it was announced that the motion passed. Bill No. 748 was read for the first time. Alderman Monteleone made a motion that Bill No. 748 be read for the second time. The motion was seconded by Alderman Broughton. Upon a vote being taken it was announced that the motion passed. Bill No. 748 was read for a second time. Alderman Monteleone made a motion that Bill No. 748 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. 748 will become Ordinance No. 710.

5.3 Bill #749 an ordinance amending the Final Development Plan submitted on behalf of Eagle Nonwovens, Inc. located at 10301 Lake Bluff Drive for a building expansion.

Eric Fisher, of Stock & Associates Consulting Engineers, Inc., representing Eagle Nonwovens, Inc., stated this is a 20,370 square foot building expansion. He stated that all trees removed in the construction process will be replaced in kind. They will have two water quality features. They have received approval from Metropolitan Sewer District and Mehlville Fire Protection District. City Engineer Derrick Madej said his comments were informational and as a courtesy to the applicant.

Alderman Hamilton made a motion that Bill No. 749 be read for the first time. The motion was seconded by Alderman Jones. Upon a vote being taken it was announced that the motion passed. Bill No. 749 was read for the first time. Alderman Monteleone made a motion that Bill No. 749 be read for the second time. The motion was seconded by Alderman Broughton. Upon a vote being taken it was announced that the motion passed. Bill No. 749 was read for a second time. Alderman Thuston made a motion that Bill No. 749 be enacted as an Ordinance. The motion was seconded by Alderman Baras. 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. 749 will become Ordinance No. 711.

5.4 Bill #750 an ordinance adding a Zoning Code Text Amendment to Subdivision Regulations to Enact Provisions Relating to Condominium Plats.

Paul Rost stated the City was approached by a commercial building owner on Lindbergh Business Court about what the City’s process was for him to convert his office building from a rental building into a condominium office building. The space that was now rented as offices in his existing building would be platted as condos and then sold for office space – there is no residential space. This is an amendment to the Subdivision Code to create a process for creating commercial condominiums. The City has no regulations in place for this situation. This creates regulations based on the Missouri Uniform Condominium Act but with specific requirements for submittal of documents and Planning and Zoning and Board of Aldermen review. It is best to have a procedure in place in case the business owner comes back seeking to convert his building to condos.

Alderman Jones made a motion that Bill No. 750 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. Bill No. 750 was read for the first time. Alderman Broughton made a motion that Bill No. 750 be read for the second time. The motion was seconded by Alderman Jones. Upon a vote being taken it was announced that the motion passed. Bill No. 750 was read for a second time. Alderman Jones made a motion that Bill No. 750 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. 750 will become Ordinance No. 712.

5.5 Bill #751 an ordinance of the City of Green Park calling for an election for the offices of one Alderman for each ward of the city to be held on April 5, 2016.

Mayor Reinagel stated this is the annual ordinance for the general election.

Alderman Thuston made a motion that Bill No. 751 be read for the first time. The motion was seconded by Alderman Jones. Upon a vote being taken it was announced that the motion passed. Bill No. 751 was read for the first time. Alderman Monteleone made a motion that Bill No. 751 be read for the second time. The motion was seconded by Alderman Broughton. Upon a vote being taken it was announced that the motion passed. Bill No. 751 was read for a second time. Alderman Broughton made a motion that Bill No. 751 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. 751 will become Ordinance No. 713.

5.6 Bill #752 an ordinance of the City of Green Park repealing Section 500.110 pertaining to notification of New Electric Customers for purposes of Occupancy Permits.

Paul Rost advised Ameren informed all cities in St. Louis County that it would no longer provide the City with notification of new electric customers, citing privacy concerns. As a result, this section of the code is no longer applicable. The City will have to look into other means of obtaining the same information.

Alderman Monteleone made a motion that Bill No. 752 be read for the first time. The motion was seconded by Alderman Jones. Upon a vote being taken it was announced that the motion passed. Bill No. 752 was read for the first time. Alderman Broughton made a motion that Bill No. 752 be read for the second time. The motion was seconded by Alderman Thuston. Upon a vote being taken it was announced that the motion passed. Bill No. 752 was read for a second time. Alderman Jones made a motion that Bill No. 752 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. 752 will become Ordinance No. 714.

5.7 Resolution #267 approving an exclusive Right to Lease Agreement between the City and Maurer Realty LLC for real property at 11100 Mueller Road.

Mayor Reinagel advised the lease agreement with Steve Bahn has expired. After one year of being with Steve Bahn the City would like to try a different realtor to lease Suite's 2 & 3. City Administrator Zella Pope stated Bahn will be removing his sign as soon as possible.

Alderman Hamilton made a motion to adopt Resolution #267 approving an exclusive Right to Lease Agreement between the City and Maurer Realty LLC for real property at 11100 Mueller Road. The motion was seconded by Alderman Jones. Upon a voice vote the motion passed unanimously.

6. Citizens Comments & Petitions

There were no citizen comments.

7. Miscellaneous

Alderman Thuston asked if salt for de-icing the streets had been purchased yet. Zella Pope replied there was some salt left from last season and she would be contacting Jason Beishir about the status of our supply.

Alderman Monteleone asked about status of outstanding issues that he previously brought to the City's attention. The monument sign and striping at Flori has not been taken care of. Zella Pope replied that she contacted MoDOT regarding the striping at Lindbergh and Flori and they stated striping is done for the year. She also contacted Schaefer Electric regarding the light out on the parking light pole and the monument sign. They will be out to repair them.

Joe Monteleone asked about trash containers at the bus stops along Lindbergh Boulevard. Zella Pope replied this is in MoDOT's right-of-way but is Bi-State's bus shelters. Bi-State is responsible for the upkeep of their shelters.

8. Adjournment

Alderman Hamilton 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 8:35 p.m.

Mayor Bob Reinagel

Attest:

Administrator/City Clerk