

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF ALDERMEN OF TWIN OAKS,
TWIN OAKS TOWN HALL
ST. LOUIS COUNTY, MISSOURI
WEDNESDAY, AUGUST 19, 2020**

The meeting of the Twin Oaks Board of Aldermen was called to order at 7:00 pm. Roll Call was taken:

Mayor: Russ Fortune-yea

Aldermen: April Milne –yea
Dennis Whitmore –yea

Lisa Eisenhower – yea
Tim Stoeckl – yea

Also Present: Frank Johnson, City Clerk
Paul Rost, City Attorney-attended
Tiffany Campbell, BFA Engineering
Tim Breece, Propper Development
Matt Rossman-Rossman Partners LLC
Ross Brown-Rossman Partners LLC

Permanent records are kept of all minutes and ordinances. Each ordinance is read a minimum of two times by title, unless otherwise noted.

APPROVAL OF THE AGENDA

Mayor Fortune asked if there were any changes to the agenda. Hearing none, Alderman Milne motioned to approve the Agenda, seconded by Alderman Whitmore. The motion passed by a voice vote.

APPROVAL OF THE CONSENT AGENDA

Mayor Fortune asked if there were any changes to the Consent Agenda consisting of the August 5 2020 Regular Session Minutes, the Bills List from August 1, 2020 to August 14, 2020 and the Credit Card List from June 16, 2020 to July 16, 2020. Alderman Whitmore motioned to approve the Consent Agenda seconded by Alderman Milne. The motion passed by voice vote.

REPORTS OF COMMITTEES/COMMISSIONS/CONTRACTORS

Park Report: Cindy Slama, Park Chairman, was not in attendance. Mayor Fortune stated that he had spoken with Ms. Slama as well as each Board member on an individual basis and they were in agreement to postpone indefinitely the September 18, 2020 concert with

Vince Martin. The consensus was with the pandemic situation along with the recent St. Louis County mandate regarding crowd size it was not wise to hold the concert that evening.

July Financials: Jeff Blume, Financial Consultant, reviewed the Financial Statements for July 2020 with the Board. Mr. Blume stated that at this time everything is looking good. Sales Tax collections within the City have remained strong. Mr. Blume stated that since the City is not part of the St. Louis County pool and is a point of sale community the taxes which are collected in Twin Oaks stay in Twin Oaks. Mr. Blume did however state that since the additional federal unemployment benefit has ended the City may see a dip in tax collection within the next several months.

Mr. Blume did state that the City has not been spending on Capital projects this year which is a positive.

Mr. Blume stated that the City will need to begin working on the 2021 Budget and thinking about what projects they would like to consider for next year. He did state that the City does have an infrastructure which needs to be maintained. He suggested the Board may want to think about any of these type of items which may need to be included in the Budget for next year. Mayor Fortune stated he would like to begin the budget process at the September 2nd meeting.

Mr. Blume stated that in September the City will begin a monthly contribution to a Sinking Fund which is being established to save for payment of the balloon payment on City Hall which will be due within the next seven years. These payments will be retroactive to the beginning of 2020.

PRELIMINARY CITIZEN COMMENTS

There were no preliminary citizen comment.

NEW BUSINESS

Bill No. 20-10-An Ordinance Approving A Second Amended Final Development Plan Submitted By Rossman Partners, LLC For The Outlot Of The Big Bend Square Mixed-Use Development: First reading of Bill No. 20-10 was read. Mayor Fortune ask if there was any discussion on Bill No. 20-10. Mayor Fortune asked if all of the changes that were requested to be made have been made. Tiffaney Campbell of BFA Engineering stated that some areas of the plans have not had the wording change from "Restaurant" to "Retail/Restaurant". Ms Campbell also stated that the lighting around the building seemed low.

Mayor Fortune asked if the new brick samples requested were received. Matt Rossman of Rossman Partners stated that they had not sent the samples at this time. He did however

share a drawing with the new samples. He will get the physical samples mailed within the next few days.

Mayor Fortune asked what the status was regarding the use by Dunkin Donuts of the pylon sign. Tim Breece of Propper Development stated that an agreement was worked out to provide space on the pylon sign for Dunkin Donuts.

City Clerk Johnson stated that the markings for the drive-thru have been corrected on the amended plans. Alderman Whitmore stated he still has concerns with the traffic flow through the drive-thru. He is concerned that traffic will become congested in this area. Discussion ensued. Matt Rossman stated that Dunkin Donuts does not have a concern with the traffic flow at this time. Discussion ensued and the consensus of the Board was if Dunkin Donuts is fine with the traffic flow plan they were as well.

Mayor Fortune asked the Board if they were comfortable passing the ordinance tonight without viewing the physical sample of the brick. Attorney Rost stated that the ordinance included the black brick. He stated that the City would not have any recourse with Dunkin Donuts if the incorrect color brick was installed.

Mayor Fortune polled the opinion of the Board. Alderman Milne stated that she did not feel the City should be dictating what color brick a company is installing on the façade of a building. She does not feel that Twin Oaks is a Planned Community which would have very clear restrictions.

Alderman Stoeckl stated that the City required Regions Bank within the past several years to amend their corporate color scheme to blend in with the remainder of the City.

Alderman Eisenhower stated that Twin Oaks is not a Planned Community, however the City does have guidelines set out which have been followed as recently as during the construction of Regions Bank. Alderman Eisenhower proposed passing the ordinance without the brick selection so Rossman Partners can get the process moving in acquiring permits and pass a new ordinance at the next Board meeting with the new brick color. The Board was in agreement.

The second reading of Bill No. 20-10 was read. Alderman Eisenhower motioned to direct the City Clerk to have an ordinance prepared for September 2 meeting to amend Ordinance 20-10 to approve elevations to be submitted by developer calling out specific Nichiha Brick Veneer System of red brick veneer hues (but not Modern Brick Midnight hue.), seconded by Alderman Whitmore and the motion passed on a roll call vote as follows: Aldermen Milne-yea, Eisenhower-yea Whitmore-yea and Stoeckl-yea. Mayor Fortune stated that Bill No. 20-10 Being duly passed becomes Ordinance No. 20-10.

Resolution 2020-22-A Resolution Approving And Authorizing The Establishment Of A Debt Service Retirement Account And Policy For Funding The Account: Mayor Fortune asked for any questions concerning Resolution 2020-22. Mayor Fortune asked for a motion to approve Resolution 2020-22. Alderman Whitmore motioned to approve Resolution 2020-22, seconded by Alderman Eisenhower. The motion passed by voice vote.

Resolution 2020-23-A Resolution Of The Twin Oaks Board Of Aldermen Approving the City Clerk's Request To Destroy Certain Records: Mayor Fortune asked for any questions concerning Resolution 2020-23. Mayor Fortune asked for a motion to approve Resolution 2020-23. Alderman Milne motioned to approve Resolution 2020-23, seconded by Alderman Whitmore. The motion passed by voice vote.

Conflict Of Interest Policy For Plan Review: City Clerk Johnson stated that the City has been approached by a company interested in establishing a business within Twin Oaks. BFA Engineering did work on a small portion of the plans, however Ms. Campbell was not the engineer working on this project. City Clerk Johnson wanted to see the Board's feelings if this project becomes a reality, would the City feel comfortable with BFA reviewing the project plans as our engineers or would they want to work with another engineering company for this project.

Alderman Milne stated that the City has used other engineering companies in the past. The City may want to contact these companies to work on a single project basis. These companies would already be familiar with the City.

Attorney Rost stated that BFA is a large enough Company that the City could always use someone else within the Company not involved in the particular project to review the plans. He has confidence that BFA would be very ethical in this type of situation.

Mayor Fortune stated that he has no concern with BFA being ethical in this process. BFA only worked on a small portion of the entire project. The Board was in agreement at this time it would not be a concern to have BFA work on this project on behalf of the City. The Board did feel that it may be beneficial to contact engineering companies to see if there would be any future interest if the need were to ever arise

ATTORNEY'S REPORT

Attorney Rost stated he had nothing further to report.

CITY CLERK'S REPORT

General Updates

Capital Improvement Program

- The City is planning to hold a workshop on the 2020 and 2021 Capital Improvement Program at the next board meeting on Sept. 2 to discuss allocating funds for potential capital projects.

Project Updates

Meramec Station Road Striping

- Following approval by the board at the August 5 meeting, Traffic Control completed the restriping of Meramec Station Road on Friday, August 14.

Dunkin Donuts Development Plan

- The City received the latest revisions to the development plan and the material samples on August 14. The plans were incorporated into an ordinance for final review by the board.

Golden Oak Court Lighting

- Work started on installing the new light in Golden Oak Court but had to be halted after the contractor hit several unmarked wires. The contractor will be working with Ameren and the utility locator this week to address the issue so work can proceed. The hole has also filled with water from recent storms and will need to be pumped out.
- The City is expecting to receive a request for a change order from the contractor to compensate for the 2 to 4 hours of “downtime” that will be incurred when they wait for Ameren to come and test the unmarked wires.

Boly Lane Entrance Lighting

- Approved contract has been sent to the contractor. The pole has been ordered and a start date for the work will be scheduled when it arrives.

Additional Notes

- Review of the building permit for the deck on Autumn Leaf has been completed. A permit is not able to be issued at this time as the proposed work does not meet the city’s requirements for minimum yard sizes. The property owner was notified by email and on August 14. A physical copy of the city’s response to the application will also be mailed.
- City staff has completed an update to the City’s permit applications and the corresponding page for the website. Additional information explaining the permitting process has been added and all applications are now available as form-fillable PDFs.

- Myself, Mayor Fortune and Alderman Stoeckl will be attending the virtual annual conference for the Missouri Municipal League on Sept. 14-16.

MAYOR AND ALDERMAN COMMENTS

Alderman Milne asked if something could be sent out to the residents about the new striping on Meramec Station Road. She was very pleased how the project turned out.

Mayor Fortune stated that with the recent rains the water issue behind the homes on Autumn Leaf and the sewer issue with Mr. Brockman and Mr. Marple have returned. City Clerk Johnson is doing some research on the water runoff and once he has completed this a meeting will be scheduled with Twin Oaks Presbyterian Church. A meeting is being scheduled with MSD regarding the sewer back up issue.

FINAL CITIZEN COMMENTS

Tim Breece of Proper Development stated that the apartment rentals are at 95% and they are very pleased with the progress. However, with the Pandemic they are having trouble filling the retail area below the apartments. He proposed two ideas for the retail space to the Board for their opinions and insight. The first would be additional apartment space. This however would be a permanent solution. The second proposal was shared office space. Since so many people are working at home now and possibly in the future, it would give individuals a working space away from home they would rent. This option could be changed in the future back to a retail space.

Both Alderman Eisenhauer and Alderman Milne feel there is a need for this type of workspace. Especially in this area. Discussion ensued. The Board was in agreement that they would prefer the workspace option since it would provide the opportunity in the future to revert back to a retail establishment.

CLOSED SESSION

Alderman Eisenhauer motioned for the Board of Alderman to go into closed session pursuant to Chapter 610 RSMo for the purpose of dealing with matters relating to the following: Legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorney (§610.021(1)), seconded by Alderman Milne. The motion passed by roll call vote as follows: Aldermen Eisenhauer-yea, Milne-yea, Whitmore-yea and Stoeckl-yea.

ADJOURNMENT

The Board returned to regular session at 9:05 p.m. There being no further business, Alderman Eisenhauer motioned to adjourn the regular meeting at 9:05 p.m., seconded by

Alderman Milne and the motion passed with the unanimous consent of the Board of those present.

Drafted By: Theresa Gonzales
Theresa Gonzales,
Administrative Assistant

Date of Approval: 9-2-2020

ATTEST:

Frank Johnson
Frank Johnson
City Clerk

Russ Fortune
Russ Fortune,
Mayor, Board of Aldermen