

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF ALDERMEN OF TWIN OAKS,  
TWIN OAKS TOWN HALL  
ST. LOUIS COUNTY, MISSOURI  
WEDNESDAY, AUGUST 17, 2022**

Mayor Russ Fortune called the meeting of the Twin Oaks Board of Aldermen to order at 7:00 p.m.  
Roll Call was taken:

Mayor: Russ Fortune – yea

Aldermen: April Milne – absent                      Lisa Eisenhower – yea  
Dennis Whitmore – yea                      Tim Stoeckl – yea

Also Present: Frank Johnson, City Clerk/Administrator  
Paul Rost, City Attorney

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 clarified that the discussion item concerning the stormwater issue actually pertained to Boly Lane and not Autumn Leaf Drive. He asked for a motion to approve the agenda as amended. Alderman Dennis Whitmore motioned to approve the agenda with noted changes, seconded by Alderman Lisa Eisenhower. The motion passed by a voice vote.

**APPROVAL OF THE CONSENT AGENDA**

Mayor Fortune asked for a motion to approve the Consent Agenda consisting of the Regular Session Minutes of August 3, 2022; the Bills list from July 30 through August 13, 2022; and the Credit Card List from July 1 through July 30, 2022. Alderman Whitmore motioned to approve the consent agenda, seconded by Alderman Tim Stoeckl. The motion passed by a voice vote.

**REPORT OF COMMITTEES/COMMISSIONS/CONTRACTORS**

**Financial Statements:** Financial Consultant Jeff Blume reported on the City's revenues and expenses through the month of July. Mr. Blume stated that the City's sales tax revenue continues to be strong and is running ahead of budget. Expenses are also tracking in line with the City's budget and the City's net revenue remains positive.

**Park Committee:** Park Committee Chairman Joe Krewson reported the vendors the Committee is planning to have for Family Fun Day on Oct. 1, 2022, which include a bungee trampoline, a bounce house/slide inflatable, two face painters, a balloon artist and a multi-skilled entertainer.

The contracts for the vendors are on the agenda for approval. The Committee also discussed the potential for sponsorships for City events and potential ideas for the “cow pond” area of the Park.

### **PUBLIC HEARING**

Mayor Fortune opened the public hearing on the recommendation of the Planning and Zoning Commission concerning amendments to Chapter 400, Sections 400.130 and 400.190 of the Twin Oaks Municipal Code pertaining to home-based businesses.

City Attorney Paul Rost explained that the recommended changes are due to recently enacted state laws limiting local authority in the regulation of home occupations. The proposed changes are an attempt at retaining the essence of the City’s regulations regarding home-based businesses while being in compliance with the new law. He stated that the law is vague as written and it’s confusing how to interpret some of its provisions, particularly the scope of sections that prohibit a City from requiring any permit, license, variance, or other type of prior approval to operate a “no-impact, home-based business.”

The proposed changes still ask residents operating a home-based business to submit information concerning the business to the City to ensure compliance with state laws but removes or modifies some language or terms that might not comply with the new laws such as prior approval. It also includes the definitions around home-based business and home-based occupations outlined by the state legislation.

City Attorney Rost stated that, going forward, the issue facing Twin Oaks and other cities is whether the intent of the legislation is to prohibit City’s from requiring **any** kind of business license or just to prohibit the requirement of an additional, specific home business license.

Alderman Whitmore asked for clarification on if the City would proceed with asking for a business license in such cases. City Attorney Rost stated that the City should proceed with caution but not necessarily change the process, apart from the proposed revisions, in the hopes that further clarification will be forthcoming from the state legislature.

### **NEW BUSINESS**

**Bill No. 22-20: An Ordinance Approving Text Amendments to the Zoning Code of the City of Twin Oaks Pertaining to Home Occupations.** City Clerk/Administrator Johnson read the bill. Mayor Fortune asked for any questions regarding Bill No. 22-20. Mayor Fortune requested City Clerk/Administrator Johnson read the bill a second time. Alderman Stoeckl motioned to approve Bill No 22-20, seconded by Alderman Eisenhauer, and the motion passed on a roll call vote as follows: Alderman Milne-absent, Alderman Whitmore-yea, Alderman Stoeckl-yea and Alderman Eisenhauer-yea. Mayor Fortune stated that Bill No 22-20 being duly passed becomes Ordinance No. 22-20.

**Resolution No. 2022-19: A Resolution of the Twin Oaks Board of Aldermen Approving an Agreement with Game World Event Service LLC for Bungee Trampoline and**



**Inflatable Activities at Twin Oaks Family Fun Day, October 1, 2022.** City Clerk/Administrator Johnson read the resolution. Mayor Fortune asked for any question regarding Resolution No. 2022-19. Alderman Whitmore motioned to approve Resolution No. 2022-19, seconded by Alderman Stoeckl, and the motion passed by a unanimous voice vote.

**Resolution No. 2022-20: A Resolution of the Twin Oaks Board of Aldermen Approving an Agreement with Circus Kaput LLC for Face Painting and Family Entertainment at Twin Oaks Family Fun Day, October 1, 2022.** City Clerk/Administrator Johnson read the resolution. Mayor Fortune asked for any question regarding Resolution No. 2022-20. Alderman Eisenhower motioned to approve Resolution No. 2022-20, seconded by Alderman Whitmore, and the motion passed by a unanimous voice vote.

### **DISCUSSION ITEMS**

**Accounting RFP:** City Clerk/Administrator Johnson reviewed the results of the Accounting RFP that closed on August 8. The RFP was sent directly to 14 CPA firms, but the City received no proposals. Based on conversations several of the firms, City Clerk/Administrator Johnson believes the main issue seemed to be not having available staff for the work and/or the small size of the City making it not cost-effective. He recommended the Board discuss next steps at their Sept. 7 meeting.

**Holiday Decorating Contest:** Alderman Whitmore proposed several changes for this year's version of the holiday lights decorating contest. He stated he would like to see cash prizes offered for first and second place and that there be three categories for the awards: homes, condominiums and apartments.

City Clerk/Administrator Johnson stated that the Board has previously discussed some potential downsides to offering cash prizes. The judging of the contest was done on an informal basis. If there is actual money at stake, a more rigorous process would be needed, which would require additional staff time and/or the use of outside judges. He also noted that the City had good participation in the contest without the incentive of such prizes. Discussion ensued.

The Board also discussed the best approach for incorporating the apartments at the Villages of Twin Oaks into the contest. City Clerk/Administrator Johnson stated that he would write a summary of the proposed rules for the contest for discussion and approval at the Board's next meeting.

**Crescent Road Sidewalk:** City Clerk/Administrator Johnson informed the Board that the title reports and survey work necessary for the ROW exhibits for the properties at 2 Golden Oak Court, 90 Crescent Avenue, and 98 Crescent Avenue have been completed. He gave an overview of the preliminary ROW exhibits. Discussion ensued concerning the amount of ROW the Board should seek to acquire for the project. The Board recommended the exhibits be drawn in such a way as to minimize the amount of ROW needed while still maintaining continuity within the parcels. City Clerk/Administrator Johnson stated that he would discuss the changes with the City engineer and have the ROW exhibits revised.



The Board also discussed the amount of stormwater easement needed on 90 Crescent Avenue, and different ways for handling the stormwater runoff from the roadway. The Board agreed that it was necessary to wait for the previously authorized stormwater analysis to be completed before a final decision could be made. City Clerk/Administrator Johnson stated that he would meet with the property owner and BFA once the analysis is finished in order to finalize the concept for the stormwater portion of the project.

**Appreciation Dinner:** Mayor Fortune stated that with the closure of Nicoletti's Restaurant, the Board needs to consider alternatives for the City's annual appreciation dinner. He listed several options, including having it one of the locations for an Italian restaurant that is in the process of finalizing a deal to open in the vacant restaurant space underneath the Villages of Twin Oaks apartments. The Board agreed with this option, and directed staff to inquire about availability and began pulling together the guest list.

**Autumn Leaf Drive Stormwater Issue:** City Clerk/Administrator Johnson informed the Board that a resident on Autumn Leaf Drive had requested the City's assistance in dealing with an ongoing stormwater issue. The resident's driveway, which faces Boly Lane, declines steeply from the street and during periods of heavy rainfall, the stormwater runoff overflows the drains the resident has installed and floods his garage and home.

City Clerk/Administrator Johnson stated that the Board has provided assistance with this kind of issue to residents in the past, and had Maintenance Supervisor John Williams obtain a bid for building a small asphalt water deflector in front of the driveway. The Board directed City Clerk/Administrator Johnson to approve and pay for the requested work.

### **ATTORNEY'S REPORT**

There was no attorney's report.

### **CITY CLERK'S REPORT**

City Clerk/Administrator Johnson referred the Board to his written report and provided a summary of its contents. He updating the Board on the City's progress in establishing new Municipal Court procedures and reported the results of two investigations into damage to Park property as a result of pavilion rentals.

He also reported that staff met with Topps Paving to discuss a short-term solution to seal the crack down the centerline on Boly Lane. Topps recommend an application of a new product using mastic asphalt. The Board agreed to go forward with the recommendation from Topps.

### **MAYOR & ALDERMEN COMMENTS**

Mayor Fortune updated the Board on the planning for the Twin Oaks Golf Outing scheduled for Oct. 15. Due to a number of resident who previously participated unable to attend this year's event and the Valle Park Fire Protection District also holding a golf tournament the following weekend, the City has opted to postpone the Twin Oaks event to spring 2023. The City will notify residents of the postponement and encourage them to support the Valley Park Fire event.

Alderman Whitmore asked if the opening date for early September Aldi's remains the same. Mayor Fortune and City Clerk/Administrator Johnson stated that they had not heard any different. He also requested that the City revisit the issue of the trees along Crescent Road, assess their condition, and remove any dead or dying trees.

### **FINAL CITIZEN COMMENTS**

There were no final citizen comments.

### **ADJOURNMENT**


There being no further business Mayor Fortune ask for a motion to adjourn the meeting. Alderman Eisenhower so motioned, seconded by Aldermen Stoeckl and the regular meeting was adjourned at 8:28 pm.

Drafted By: \_\_\_\_\_  
Frank Johnson  
City Clerk/Administrator

Date of Approval: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
Frank Johnson  
City Clerk/Administrator

  
\_\_\_\_\_  
Russ Fortune,  
Mayor, Board of Aldermen