

**TWIN OAKS BOARD OF ALDERMEN
NOTICE OF WORK SESSION
TWIN OAKS CITY HALL
WEDNESDAY, DECEMBER 2, 2020, 6:00 P.M.
TWIN OAKS, MO 63021**

To balance both the need for continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Aldermen will not be open to public attendance *in person* but shall be accessible by the public by telephone (audio only) or by using their tablet/laptop/pc (audio/video) at:

Telephone: (312) 626-6799

Computer: <https://us02web.zoom.us/j/5197276201?pwd=SHZXODU1cGtKOWJNSTFUUFRSQnY5Zz09>

Webinar ID: 519-727-6201

Passcode: 9YgwmB

The Board apologizes for any inconvenience these requirements may pose but it is extremely important all measures in compliance with the orders issued by public health authorities be taken to protect employees, residents, and elected officials during these extraordinary times.

TENTATIVE AGENDA

1. Assistance Program for Business Impacted by COVID-19
2. The Villages of Twin Oaks Inspection Report
3. Adjournment

Frank Johnson
City Clerk

POSTED: November 30, 2020, 3 p.m.

Please note: Any person requiring physical or verbal accommodations should contact the city office 12 hours prior to meeting at 636-225-7873. Copies of public records for this agenda are available for public inspection before and at the time of the meeting.



Memo to: Board of Aldermen
From: Frank Johnson, City Clerk
Subject: COVID-19 Relief Program for Businesses
Date: November 25, 2020

BACKGROUND

At the Nov. 18 meeting, the Board expressed an interest in exploring options for providing financial relief to Twin Oaks businesses impacted by COVID-19, particularly restaurants that have been forced to stop all indoor dining due to public health orders issued by St. Louis County.

The Board suggested that one possible avenue for this would be to forgive or reimburse businesses for the business license taxes paid to the City. While the City can not disclose exact figures, staff can generally give you some idea of the impact such a measure would have.

- For the 10 restaurants located in the City, this would amount to an average of reimbursement of \$776 each. To reimburse all 10 restaurants, it would cost the City a total of \$7,769.
- In addition to the restaurants, there are two other retail business that pay a gross receipts tax as well as Schnucks and Walgreens. From a fairness standpoint, it may be unwise to arbitrarily exclude certain businesses from the program while reimbursing business license fees for, say, restaurants only. The criteria for qualifying for the reimbursement would have to clear and specific as to who qualifies and who does not.
- Generally speaking, the Missouri Constitution forbids the granting of public money to any private individual, association, or corporation. See Art. VI, Sec. 25. So, in order to legally develop such a grant program, the Board would have to legislatively determine that there is a “public purpose” such as economic development, as the Missouri courts have held that “the presence of a legitimate ‘public purpose’ makes society or the people of this state the direct beneficiary of the expenditures.” Because you are dealing with public funds, strict accounting and grant program criteria and grant fund usage oversight must be in place prior to launching any such program.

St. Louis County Small Business Rapid Deployment Fund

Following the Board’s meeting on Nov. 18, St. Louis County announced the Small Business Rapid Deployment Fund. This program provides financial assistance to small businesses and restaurants in St. Louis County, including those located within Twin Oaks.

The program provides \$5,000 grants to pay for operating expenses or business costs, including rent and payroll. Restaurants that have had to adapt to COVID-related public health restrictions can apply for \$5,000 grants to off-set related costs for things such as equipment for outdoor dining, heaters, tents, and curbside service.



The City has taken several steps to ensure business owners in Twin Oaks are aware of this program. Information about the program has been posted to the City website and Facebook page and sent out in an email to residents. In addition, the City will be mailing a letter with this information to every business address.



POTENTIAL ISSUES AND RECOMMENDATION

While the goal of assisting businesses in the City through this difficulty time is laudable, City staff and City Attorney caution the Board that, possibly, the public entities best equipped to provide that help are county, state and federal authorities—not thinly-staffed municipalities with (relatively) undersized unrestricted fund balances. Reasons for this include:

- The City has a limited budget and is facing an uncertain financial outlook. Tax receipts received in November are down significantly. The COVID-19 funds we received from the County are expressly prohibited for being used for such a purpose. Given our budget constraints, it's unlikely that we could provide relief in any meaningful amount.
- Any such program would require significant administrative and legal resources to develop, as the City would need to develop a criteria for giving out such grants and in what amount, and ensure that the criteria is both fair and targeted toward the specific businesses that need help.
- County, state and federal governments are better positioned to offer this assistance. Not only do they have greater resources to deliver more meaningful impact, they also already have existing staff, policies and procedures around grant making.

Measured against the relatively small amount of money that could potentially be provided to businesses and the concerns outlined above, a COVID-19 relief program administered by the City is not likely to be an effective use of public resources.

Villages of Twin Oaks Inspection Report - August 19, 2019

Inspection Item	Property Management Response
 <p data-bbox="233 690 1035 755">1. The parking canopy located in the southwest portion of the site has been repaired.</p>	<ul data-bbox="1108 488 1871 548" style="list-style-type: none">• Property management considering this an operational issue and will continue to get them fixed as needed.
 <p data-bbox="233 1235 1035 1300">2. ADA access is not provided. Extend the sidewalk to the pavement and slope sidewalk to meet pavement grade.</p>	<ul data-bbox="1108 1019 1892 1117" style="list-style-type: none">• After discussing the issue, Propper will prepare drawing that will connect the sidewalk four feet over to the asphalt and install ramp that leads north to the Commerce Bank sidewalk.



3. Backfill behind sidewalk to match grade.

- Propper noted that the walkability improvements requested by the City did not include backfilling/seeding this area. However, they are willing to work with us on this, if needed.
- City will inspect and notify Propper if work is required.



4. The drive isle was widened. Revise the plan to match the site condition for the City's files.

- Propper is working with their civil engineers to revise the Final Development Plan as requested. They will send it to us when finished.



5. The plan shows the sidewalk as a continuous path. Provide striping, to meet ADA requirements, from the brick pavers to concrete sidewalk.

- Completed.



6. Please remove the plastic coverings from all of the detectable warning panels, manhole lids, etc.

- Completed.



7. Trash containers shall be screened per Appendix A Urban Guidelines. Provide proper screening to meet the City Codes.

- Propper is concerned that Republic won't let its workers open fences to access trash containers and that the fencing wouldn't allow firetrucks to have the needed turning radius in the lot.
- Propper is checking with Republic in regards to the first issue and will consult with their civil engineer regarding the turning radius.



8. The plan shows 45 parking spaces along the west side of the residential building (most western building). The site has only 43 parking spaces, and the hatched area is wider than shown on the plan. Revise the plan to match the site condition for the City's files.

- This reduction was needed to allow more room for garbage trucks. Propper will revise the Final Development Plan to reflect the change.



9. The plan shows two trees in the island. Revise the plan to match site conditions for the City's files.

- This change was due to the fact that the vault underneath ended up being larger than expected and could potentially be damaged by trees. Propper will revise the Final Development Plan to reflect the change.



10. The plan shows 14 evergreen trees along the west side of the site. Only 13 trees were planted. Revise the plan to match the site condition for the City's file.

- Propper will revise the Final Development Plan to reflect the change.



11. All dead trees need to be replaced.

- The property management company has an annual budget for tree/shrub replacement and will replace plants as they die each spring.



12. The plan shows two trees in this area. Revise the plan to match the site condition for the City's files.

- Proper will revise the Final Development Plan to reflect the change.



13. All dead shrubs and plants need to be replaced.

- The property management company has an annual budget for tree/shrub replacement and will replace plants as they die each spring.



14. All dead grasses in the bio-retention basin need to be replaced.

- Will be addressed by property operations in the same manner as the dead trees and shrubs.



15. Ensure the grass is established on the south slope.

- The vegetation was already signed off on by St. Louis County.
- There is no irrigation in the area, but they will continue to put down more seed as needed.



16. All dead trees need to be replaced.

- Have already tried replacing these trees, but there is actually very little soil there due to the fact that they had to put in so much fill rock for the retaining wall. No further tree or shrub plantings will be made.
- Final Development Plan will be revised.



17. The plan shows 4 planters along the front of the existing commercial building. Provide planters as shown on the plan.

- Propper has concerns with this related to Fair Housing regulations and the limited amount of space.
- Will explore doing fewer or smaller planters.



18. The plan shows 20 plants along the south side of the bio-retention basin retaining wall. Install landscaping, which shall meet the number and size of trees as shown on the plan.

- Plantings have taken place.



19. There is seepage along the south wall. Repair bio-retention basin to ensure stormwater is conveyed through the system. Submit signed and sealed repair plans for review.

- The bio-retention area was not designed to be 100% sealed. Proper installed a French drain to catch water and carrying it to an inlet on Anne Avenue.
- Asked to let them know anytime the City feels additional maintenance is needed.



20. Provide landscaping around the pylon sign and striping, per the plans.

- This is being addressed as part of the Dunkin development.