

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF
TRUSTEES OF TWIN OAKS, ST. LOUIS COUNTY, MISSOURI
WEDNESDAY, SEPTEMBER 7, 2016**

The regular meeting was called to order at 7:00 pm in the Board Room of the Village Office. Roll Call was taken:

Trustees: Russ Fortune – yea Lisa Eisenhauer – yea
 Jeff Graves – yea Tim Stoeckl - yea
 Dennis Whitmore – yea

Also Present: Paul Rost, Village Attorney
 Kathy Runge, Village Administrator/Clerk

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

Chairman Fortune asked for a motion to approve the agenda. Trustee Eisenhauer made the motion to approve the agenda, seconded by Trustee Stoeckl and motion passed with the unanimous consent of the Board of those present.

APPROVAL OF THE CONSENT AGENDA

Chairman Fortune requested a motion to approve the Consent Agenda. Trustee Whitmore made one correction to the Workshop Minutes with regard to his entrance time. Trustee Whitmore then motioned to approve the Consent Agenda consisting of the corrected Workshop Meeting Minutes from August 17, 2016, the Regular Meeting Minutes from August 17, 2016, and the Bills for Approval List from August 4th through August 17th, seconded by Trustee Graves and the motion passed with the unanimous consent of the Board of those present.

PRELIMINARY CITIZEN COMMENTS

Resident Patrick Kelley just wanted to remind the Board about moving the radar sign on the east side of Boly up one lot and the installation of another on the west side. He also wanted to reiterate the need for sidewalks.

REPORT OF COMMITTEES/COMMISSIONS/CONTRACTORS

Park Committee: Cindy Slama, Park Chair, reviewed the agenda items discussed at the August Park Committee meeting; the Autumn Leaf Gate, winter lighting, a new event for

2017, bands, and landscaping for the new Creek Restoration Project. She also stated that the Park Committee would like to send out a survey to the residents about the park.

Police Report: Officer Maxwell reviewed the August, 2016, police report with the Board. He stated that the amount of cars in the report were exaggerated as the officers were continually backing each other up on calls. Discussion ensued.

Crescent Ave. and Crescent Rd. Intersection Analysis: Wes Theissen, BFA, reviewed options for re-directing the intersection at Crescent Road and Crescent Avenue. He gave a ballpark figure of \$200 – \$300,000 for the project. Discussion ensued. Chairman Fortune stated, that with the limited traffic flow, he felt it may not be worth studying further. The Board agreed.

Trustee Eisenhower suggested placing some type of a ½ planter on Crescent Road to impede those disobeying the one-way street. Discussion ensued.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Bill No. 518 – AN ORDINANCE AMENDING ORDINANCE NO. 498 CALLING FOR AN ELECTION IN THE VILLAGE OF TWIN OAKS ON BECOMING A CITY OF THE FOURTH CLASS AND RELATED MATTERS. First reading of Bill No. 518 was read. Attorney Rost explained that the original ordinance exceeded the 50 word requirement of the Board of Election. He stated that the verbiage was reduced on the ballot and there would be an explanatory piece of paper inside the voting booths. A second reading of Bill No. 518 was read. Trustee Whitmore motioned to approve Bill No. 518 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhower-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 518 being duly passed becomes Ordinance No. 499.

Bill No. 519 – AN ORDINANCE RE-ADOPTING RE-ESTABLISHING AND MAKING PUBLIC A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL PERSONAL INTEREST OF CERTAIN MUNICIPAL OFFICIALS. First reading of Bill No. 519 was read. Further discussion regarding the ordinance. A second reading of Bill No. 519 was read. Trustee Whitmore motioned to approve Bill No. 519 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhower-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 519 being duly passed becomes Ordinance No. 500.

Bill No. 520 – AN ORDINANCE AMENDING SCHEDULE I, TABLE I-A, PERTAINING TO STOP SIGN LOCATIONS. First reading of Bill No. 520 was read. A second reading of Bill No. 520 was read. Trustee Whitmore motioned to approve Bill No. 520 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhauer-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 520 being duly passed becomes Ordinance No. 501.

Bill No. 521 – AN ORDINANCE APPROVING THE PURCHASE OF MOSQUITO CONTROL SERVICE WITHIN THE VILLAGE OF TWIN OAKS. Bill No. 521 was read. Further discussion regarding the ordinance and contract. A second reading of Bill No. 521 was read. Trustee Whitmore motioned to approve Bill No. 521 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhauer-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 521 being duly passed becomes Ordinance No. 502.

Bill No. 522 – AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE ZONING CODE OF THE VILLAGE OF TWIN OAKS TO ALLOW FOR SPECIAL BUSINESS PERMIT PROCEDURES. First reading of Bill No. 522 was read. A second reading of Bill No. 522 was read. Trustee Whitmore motioned to approve Bill No. 522 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhauer-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 522 being duly passed becomes Ordinance No. 503.

Bill No. 523 – AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE ZONING CODE OF THE VILLAGE OF TWIN OAKS TO REVISE FEE AND DEPOSIT AMOUNTS. First reading of Bill No. 523 was read. A second reading of Bill No. 523 was read. Trustee Whitmore motioned to approve Bill No. 523 as submitted, seconded by Trustee Graves and the motion passed 5-0 as follows: Trustee Fortune-yea, Graves-yea, Stoeckl-yea, Eisenhauer-yea and Whitmore-yea. Chairman Fortune stated that Bill No. 523 Being duly passed becomes Ordinance No. 504

SPECIAL DISCUSSION

Urban Forestry Management Contract: The Board reviewed the Urban Forestry Contract with Davey Resource Group/Urban Forestry Consortium. The Board directed Attorney Rost to prepare the ordinance for passage at the next meeting.

Honeysuckle Control: Chairman Fortune stated that there was a honeysuckle problem that encompassed the entire Village. He stated that the Village needed to work with the Condominiums to eradicate it as much as possible. Discussion ensued. He asked Administrator Runge to work with John, Public Works, to come up with a plan.

Attorney's Report: Attorney Rost stated that the 2nd amendment to the REA agreement (allowing 6000 sq. feet) with DESCO had been executed. He also presented the Board

with a draft estoppel certificate. With the possible purchase of the old Citgo site by Regions Bank, DESCO had drafted and was asking the Village to sign the estoppel certificate. He explained that under the Restriction and Easement Agreement (REA) between SM Properties (DESCO), to which the Village was now a party as Bank of America's successor, the Village was required to provide an estoppel certificate to DESCO upon request. The REA provides that the estoppel certificate would generally need to state that the REA is unmodified and in full force and effect (or, if there has been modification, that the same is in full force and effect as modified and stating the modifications). Attorney Rost had made changes to the certificate and asked the Board to authorize the Chairman to sign the certificate as soon as the Village Attorney and DESCO could agree on language in the first paragraph regarding reliance on the certificate.

After discussion, Trustee Eisenhauer made a motion, seconded by Trustee Graves, that Chairman Fortune be authorized to sign the estoppel certificate in the form approved by the Village Attorney. Motion passed with the unanimous consent of the Board of those present.

Chairman and Trustee Comments: Trustee Stoekl stated that Chairman Fortune had attended the condominium association meeting and how well it was received. Trustee Whitmore thanked him for his time in coming.

Trustee Graves stated that it had been brought to his attention that the evergreens were suffering off Crescent Road. Chairman Fortune stated that the condominiums were responsible for upkeep of their easement off Crescent Road. He added that the Village would be willing to work with them, if needed.

Chairman Fortune stated that he had a request from Gene Holtzman, Hutkin, to meet with the owners of Big Bend Square regarding the new development. They had asked that only he and a select member of the P and Z attend. Chairman Fortune stated that he did not want the look of impropriety in any way – especially without the knowledge of other P and Z members. He stated that he, Administrator Runge, and Attorney Rost would be the only ones attending.

FINAL CITIZEN COMMENTS

Resident Pat Kelley, asked that the Village look into what the County was spraying for mosquitoes. Discussion ensued.

ADJOURNMENT

Trustee Eisenhauer motioned to adjourn the regular meeting at 8:35 p.m., seconded by Trustee Whitmore and the motion passed with the unanimous consent of the Board of those present.

CLOSED SESSION WAS NOT CALLED.

Date of Approval: 9-21-16

ATTEST:


Kathy A. Runge,
Village Administrator/Clerk


Russ Fortune,
Chairman, Board of Trustees