

City of Wildwood
Council Planning/Parks Committee
“Planning Tomorrow Today”
Minutes from the
February 28, 2017 Meeting

The Council Planning/Parks Committee meeting was called to order by Chair Baugus, at 6:0 p.m., on February 28, 2017, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome and Roll Call:

The roll call was taken, with the following results:

PRESENT – (6)

Council Member DeHart
Council Member Manton
Council Member Alexander
Council Member Levitt
Council Member Goodson
Chair Baugus

ABSENT – (2)

Council Member Cox
Council Member Bertolino

Other City Officials present:

James R. Bowlin, Mayor
Ryan Thomas P.E., City Administrator
Joe Vujnich, Director of Planning and Parks
Kathy Arnett, Assistant Director of Planning and Parks
Gary Crews, Superintendent of Parks and Recreation

II. Approval of Minutes from the Meeting of January 24, 2017:

A motion was made by Council Member Manton, seconded by Council Member Goodson, to approve the minutes of the January 24, 2017 meeting. A voice vote was taken to approve the motion, with affirmative result. Council Members DeHart and Alexander abstained from the vote. The motion was declared approved by Chair Baugus (4 to 0, with two (2) abstentions).

III. Action Items:

a.) Planning Matters – Three (3) Items for Consideration

1. Draft Letter of Recommendation on Appeal Submitted by Pulte Homes of St. Louis, L.L.C. and Final Action upon it by the Committee (Ward – Two).

Director of Planning and Parks Vujnich provided a detailed overview of the package provided to the Committee concerning matters relating to the appeal filed by Pulte Homes of St. Louis, L.L.C. This information included a detailed letter from the Planning and Zoning Commission, the Appeal Packet, and the current recommendation report from the Department of Planning and Parks. The final summary of the Departments recommendation was presented as follows:

Based upon the information and meeting materials that were provided to the Committee, it is recommending the Planning and Zoning Commissions' action on the Master Plan change and associated requests for rezoning and the application of an overlay district be upheld at this time. Therefore, the tract of land would remain designated, in its entirety, "Non-Urban Residential Area" and provide a location for further low-density residential zoning in the Caulks Creek Watershed.

Discussion among Committee members included the following: the vote of the Planning and Zoning commission; the fact the Committee supported the decision of the Planning and Zoning Commission; and conversation and questions concerning why the entire process was so lengthy.

A motion was made by Council Member Alexander, seconded by Council Member Manton, to forward the draft recommendation, as written by the Department, concerning matters relating to the appeal filed by Pulte Homes of St. Louis, L.L.C., to the City Council for its review and action. A voice vote was taken to approve this motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

2. Transfer of Right-of-Way to Address Non-Conforming Lot and Future Construction (Ward - One)

Director of Planning and Parks Vujnich summarized a complaint about a property located at 2050 Ossenfort Road. He noted the Department responded to address the subject matter of the complaint. It was explained the property owner had, in fact, contacted the City earlier to this complaint regarding improvements she wished to make, but could not do so, because a corner of an existing building (which was the subject of the complaint) was actually located in public right-of-way and could not be improved, until the encroachment issue was addressed.

Director of Planning and Parks Vujnich advised the Department did discuss with the property owner the opportunity to transfer a small area of the Ossenfort Road right-of-way from public ownership to the private property, thereby eliminating the encroachment and allow for the lot to be improved through the rehabilitation of the grounds and buildings. He noted this transfer could be accomplished by a slight shift in boundary lines. With this transfer of right-of-way, the property owner could then proceed with design and engineering drawings for the improvements to the property.

Director of Planning and Parks Vujnich noted the Department does endorse such a transfer of property, but is seeking the Committee's input regarding two (2) specific items:

1. Does the Committee endorse this transfer of right-of-way?
2. Does the Committee want to seek some form of compensation?

Discussion among Committee Members included the following: the opinion the property in question is basically a paper street; the fact compensation has not been discussed with the property owner; conversation on whether the Committee will entertain/approve such a transfer of property; the opinion that granting the right-of-way transfer could be used to ensure the property is placed on the historical registry; the question on how much the square footage of the property (right-of-way) is needed; what incentive there might be in having this property on the historical registry; and what the out-of-pocket costs to the City would be for this property transfer.

A motion was made by Council Member Manton, seconded by Council Member Goodson, to allow the Department to move forward with the investigation of the transfer of right-of-way, involving the property located at 2050 Ossenfort Road, along with determining if this property owner had assisted with the Ossenfort Road Bridge Project. A voice vote was taken to approve this motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

3. Committee's Recommendation on the City's Review and Approval Process used for the Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District. (Wards – All) .

Chair Baugus summarized his memorandum, which was part of the packet, involving the Committee's recommendation on the City's review and approval process for the Planned Residential Development Overlay Districts (PRD) in the NU Non-Urban Residence District. Mayor James Bowlin was available to summarize and offer clarity to the five (5) suggested PRD ordinance changes submitted at the November 2016 meeting. Director of Planning and Parks Vujnich summarized the entire packet submitted for the Committee's review.

Discussion among Committee Members included the following: lengthy discussion on the use/need for Planned Residential Development Overlay District (PRD) in Non-Urban Residential Areas; the opinion the word *generally* should be removed from the Master Plan description that deals with the allowance of lots less than three (3) acres in areas designated NU Non-Urban Residence District; the belief that eliminating the word *generally* from the Master plan description would let developers know, before they consider a Planned Residential Development Overlay District (PRD) request, the area must be developed with lots of three (3) acres or greater; and the opinion requiring developments of three (3) acres or greater, without exception, in the Non-Urban Residential Areas would save considerable time in the future concerning City planning.

A motion was made by Council Member DeHart, to strike the word *generally* from the Master Plan description of the Non-Urban Residential Area land use category, concerning whether lots of less than three (3) acres should be allowed on properties in areas designated as NU Non-Urban Residence District. A second to this motion was not received.

Discussion among Committee Members included the following: the opinion builders/developers should not be put through a long and involved process concerning Planned Residential Development Overlay District (PRD) requests only to be denied at the end of it; the opinion people/residents in the Non-Urban Residential Areas have spoken and do not want developments with lots less than three (3) acres; the opinion if the sentence “*generally three (3) acre lots or greater in size*” is removed from the Master Plan description, Planned Residential Development Overlay District (PRD) requests will not be applicable there any longer; the general feeling that, if the sentence “*generally three (3) acre lots or greater in size*” is removed from the Master Plan description, several adjustments will have to be made in the existing Planned Residential Development Overlay District (PRD); and the general opinion that, if the sentence is removed, *trickle down changes* will have to be discussed at length.

A motion was made by Chair Baugus, seconded by Council Member Alexander, to remove the sentence “*generally three (3) acre lots or greater in size*” from the Master Plan description of the Non-Urban Residential Area land use category, have the Department research the impact of this wording removal on the zoning and subdivision development regulations, and examine the wording in Sections 415.510-J (4) and 415.510 (K), of the Zoning Ordinance, for clarity and the organization of review standards between the Committee, Commission and City Council. A voice vote was taken to approve this motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

b. Parks Matters – Eight (8) items for Consideration

1. Farmers Market Contract with George and Rene’ Sackett (Wards – All).

Director of Planning and Parks Vujnich updated the Committee on the status/improvements involving the Farmers Market over the last few years. He noted that, since George and Rene’ Sackett have managed the market, the overall organization and participation has improved considerably. In view of the apparent success of George and Rene’ Sackett, Director of Planning and Parks Vujnich proposed the retention of them for the 2017 Season. He advised the Committee the Department is seeking its endorsement of the recommendation. The 2017 Farmers Market contract was made available to the Committee for its review. To summarize, the main points of the agreement, Director of Planning and Parks Vujnich advised the Committee of the following:

- a.) Amount of compensation for the managers' services would be slightly increased (by five hundred dollars \$500.00), since it has been unchanged since 2015, and would be eighteen thousand dollars (\$18,000.00) per year.
- b.) The total budget approved for the market in 2017 is twenty thousand dollars (\$20,000.00), which includes the market managers' payment, plus an additional two thousand dollars (\$2,000.00) for advertising, attending conferences and workshops, membership fees and dues, and a potential grant match for a program offered by the Missouri Department of Agriculture for market promotion.
- c.) Vendor fees will remain identical to last year – twenty-five dollars (\$25.00) per week for a regular participant.
- d.) Memberships of the managers are retained in the Missouri Farmers Market Association and AgriMissouri.

A motion was made by Council Member Levitt, seconded by Council Member Manton, to endorse the recommendation of the Department to retain the current Market Managers for 2017 and forward this recommendation to the City Council for its review, acceptance, and passage. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

2. Boardwalk Trail from Mobil on the Run to the Pedestrian Bridge (Ward – Eight).

Director of Planning and Parks Vujnich updated the Committee on the *Boardwalk Trail Project*, which is located between the Mobil on the Run facility and the City's first pedestrian bridge. He noted this project has been discussed for several years, and is part of the 5-Year Capital Improvement Plan. However, the project was never prioritized high enough to move to the design and engineering phases. Director of Planning and Parks Vujnich advised the Committee there is a need for this trail section for two (2) significant reasons:

1. *To address a request made by Mobil on the Run, when it was required to construct the trail section that currently exists. Mobil on the Run did not wish to build the trail section, citing a wasted cost in a section of trail that went nowhere. The City promised the trail would eventually connect to the near-by bicycle/pedestrian bridge, thereby creating a needed link sought in this area.*
2. *The desire of the Committee/Department to identify major gaps in the City's current trail network and address them over the next few years, if possible. The Boardwalk Trail Project does represent a major gap in the existing trail system and had been previously prioritized by the Committee, when the project was first introduced.*

Director of Planning and Parks Vujnich informed the Committee this trail section would be a very important link to several loops that will be created with the existing bicycle/pedestrian bridge over State Route 100, the completion of the second bicycle/pedestrian bridge currently being worked on crossing State Route 100, the bicycle/pedestrian bridge recently completed over State Route 109, and the recently

completed tunnel under State Route 109, at Pond Grover Loop Road. It should also be noted the *Boardwalk Trail Project* would also create an extremely popular connection to the *Mobil on the Run*.

Director of Planning and Parks Vujnich advised the Committee the Department had received a design and engineering proposal from Alta Planning for the boardwalk project. The main contact with Alta Planning is Paul Wojciechowski, a Wildwood resident, who would be the lead in this project. It was noted Paul Wojciechowski is an avid trail user in Wildwood and has a strong background in this area.

Director of Planning and Parks Vujnich advised the Department is seeking the endorsement from the Committee to proceed with the recommendation to engage Alta Planning for the design and engineering phase of this project, which is set for construction in 2017.

A motion was made by Council Member Goodson, seconded by Council Member Alexander, to allow the Department to move forward with the recommendation to engage Alta Planning for the design and engineering phase of the boardwalk trail. A voice vote was taken to approve the motion, with unanimous, affirmative, result. The motion was declared approved by Chair Baugus.

3. Concessionaire Agreement at Al Foster Memorial Trailhead (Ward – Six).

Assistant Director of Planning and Parks Arnett provided an overview/reminder for the Committee of the issue of selling snow cones at the Al Foster Memorial Trailhead. She noted last spring a vendor was stopped from selling snow cones for several reasons:

1. The truck was operating on City Property;
2. The business owner did not have permission to operate on the property;
3. The business owner did not have a City business license to operate in the community;
4. The sale of snow cones (sale of any item) on the railroad's property would be the expansion of a non-conforming use, without appropriate City authorization.

Ultimately, this business owner (Kona Shaved Ice) went through proper channels and could complete the season utilizing the City's Special Event Permit process to operate at the Al Foster Memorial Trailhead (for two (2) fifteen (15) day periods during the 2016 calendar year).

Assistant Director of Planning and Parks Arnett advised the Committee the same proprietor, Kona Shaved Ice, is again requesting a concessionaire agreement for this year (2017) to sell snow cones at the Al Foster Memorial Trailhead. She informed the Committee, before bringing this subject matter back to them, Department staff drafted several requirements for consideration of a concessionaire agreement:

- The allowance for such agreements would be limited to the Al Foster Memorial Trailhead property, given its proximity to the railroad attraction;
- The hours of operation would coincide to the WF & P's operation, which are 11:00 a.m. to 4:15 p.m., and would therefore be limited to 10:30 a.m. to 5:00 p.m., on Sundays, from May through October;
- The proprietor would be required to sign all agreements required by the City Attorney, relative to liability, indemnification, waivers, and payment; and
- The proprietor would not be charged for the concessionaire license, but would be required to provide twenty-five percent (25%) of the sales to the City, to be paid at least once a month during operation, and the final payment due by November 15th.

Assistant Director of Planning and Parks Arnett informed the Committee the Department is seeking to determine if its members are in agreement with the key points of a future concessionaire agreement.

Discussion among Committee Members included the following: what is the cost of a business license; a question on the 25% of total sales the proprietor would be required to pay the City and if such is beneficial to the City; and a concern that the City pays the Farmers Market to set up booths and conduct a business, but we are going to charge Kona Shaved Ice to conduct its business.

A motion was made by Council Member Levitt, seconded by Council Member Manton, to send the issue of a *Concessionaire Agreement* to the City Attorney for his review and proper wording. The draft requirements prepared by the Department should be altered to eliminate the requirement for the proprietor to provide 25% of the sales to the City and, instead, require the proprietor to pay a licensee fee that will allow concessionaire privileges for one (1) year. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

4. Overview of Process for 2017 Update to Action Plan for Parks and Recreation (Wards – All).

Director of Planning and Parks Vujnich provided an overview/history concerning the implementation of the Action Plan for Parks and Recreation. He noted that, past reviews of the four (4) goals and recommendations of the plan, indicated a level of success had been achieved in its implementation and progress. Director of Planning and Parks Vujnich advised, however, that even though the established goals and recommendations have a certain degree of universality and longevity, and could continue to be retained in the plan for the next five (5) to ten (10) years of on-going implementation, some of them are in need of either discussion, or refinement, which would be based upon new trends and directions from residents, users, and City decision makers.

Director of Planning and Parks Vujnich reviewed two (2) goals and ten (10) of the existing recommendations that should be considered first for discussion and possible revisions, as part of the 2017 review process. However, for the purpose of expediency regarding the evening's meeting, he ask the Committee to review the memorandum concerning the *Overview of Process for 2017 Update to Action Plan for Parks and Recreation 2007*, concentrating on the four (4) main goals and all the recommendations. Any changes, or recommendations for modifications, should be sent to him, so appropriate information can be gathered in preparation for the March meeting. Director of Planning and Parks Vujnich advised the Committee the ten (10) year update will be due at the end of 2017.

5. Dog Park Rules – Review and Consideration (Wards – All).

Assistant Director of Parks and Recreation Arnett summarized the success of the Wildwood Dog Park, since its opening in October 2015. She noted in 2016, three hundred seventeen (317) Wildwood residents were members. To this point, in 2017, one hundred thirty four (134) residents have purchased annual memberships. Assistant Director of Parks and Recreation advised there have been no real complaints about the dog park from those members that did not renew their dog park memberships, but rather, residents found that they really didn't use the park as much as they expected.

With the first year complete, Assistant Director of Parks and Recreation Arnett informed the Committee the Department believed it appropriate for them to review the existing rules, as well as the possible inclusion of a few additional items to address issues that were not anticipated. She noted that one (1) requirement sometimes garnering many questions was all the vaccinations required to use the dog park (Rabies; Bordetella; Canine hepatitis; Distemper; and Parvovirus). While some dog park applicants question the need for such an extensive list of vaccinations, this requirement was reviewed by two (2) local veterinarians, both of who found the requirement suitable for the dog park.

Assistant Director of Parks and Recreation Arnett then pointed out two (2) questions presented to staff that were not anticipated:

1. A dog park applicant wanted to purchase vaccines on his own (from a feed/farm store) and administer them himself, thus avoiding the need to show proof of vaccinations from an actual veterinarian.
2. An applicant wanted the waiving of the dog park fee for a *service dog*. This applicant mentioned *service dogs* are often given discounts (events, free tickets on trains and airplanes).

She noted, the Department presented these issues to the St. Louis Metro Area Dog Park Managers to see how these issues might be handled. The consensus of this group was not to waive the fee for *service dogs*. It was felt that all dog park users are

held to the same standards and rules, while receiving the same benefits. They also contribute to the maintenance issues of a dog park. Concerning the private purchase and self-administration of the various vaccines, the St. Louis Metro Area Dog Park Mangers had never dealt with such a question. They presented the issue to the Chief of Staff at Webster Groves Animal Hospital, who has over two (2) decades of experience and is a vet sponsor of the Southwest City Dog Park. He advised that there can be a loss in quality, if vaccines are not handled or stored properly, including temperature.

Assistant Director of Parks and Recreation Arnett advised the Department believes adding specific language to the dog park rules would be beneficial to clear up any potential confusion in the future:

- All required vaccinations must be administered by a licensed veterinarian and proof provided on documentation from his/her office/clinic; and
- All member households will pay the required annual fee of fifty dollars (\$50.00) for up to three (3) dogs. This annual household fee may be prorated beginning on July 1st to twenty-five dollars (\$25.00), at the discretion of the Director of Planning and Parks. Discounted fees are not available to service dogs.

A motion was made by Council Member DeHart, seconded by Council Member Levitt, to have the Department add the two (2) suggested add-ons to the existing dog park rules. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

6. Reservation and Registration Update (Wards – All).

The Committee was ask to review the attached memorandum concerning the Reservation and Registration Update.

7. Ongoing and Long-Term Maintenance Costs for Parks and Trail Facilities (Wards – All).

The Committee was ask to review the attached memorandum concerning the Ongoing and Long-Term Maintenance Costs for Parks and Trail Facilities.

8. Update on Parks and Recreation Action Plan (Wards – All).

The Committee was ask to review the attached memorandum concerning the Update on Parks and Recreation Action Plan.

c. Executive Session Matters:

Executive Session Pursuant to RSMO 610.021(2) Lease, Purchase, or Sale of Real Estate – Part II:

A motion was made by Council Member Levitt, seconded by Council Member Manton, to enter into Executive Session with regard to the lease, sale, or purchase of real estate (RSMO 610.021 (2)). A roll call vote was taken on the motion, with the following results:

Ayes: Council Members De Hart, Manton, Alexander, Levitt, Goodson, and Chair Baugus.

Nays: None

Absent: Council Members Cox and Bertolino

The motion was declared approved by Chair Baugus.

Time: 8:06 p.m.

A motion was made by Council Member Levitt, seconded by Council Member Manton, to leave Executive Session with regard to the lease, sale, or purchase of real estate (RSMO 610.021 (2)). A roll call vote was taken on the motion, with the following results:

Ayes: Council Members De Hart, Manton, Alexander, Levitt, Goodson, and Chair Baugus.

Nays: None

Absent: Council Members Cox and Bertolino.

The motion was declared approved by Chair Baugus.

Time: 8:10 p.m.

IV. Not Ready for Action – Parks and Planning Matters – Thirteen (13) items

Nothing ready for action

V. Other Matters

None

VI. Closing Remarks and Adjournment:

Director of Planning and Parks Vujnich and Chair Baugus summarized the evening's meeting and a motion was made by Council Member Manton, seconded by Council Member Goodson, to adjourn. A voice vote was taken to approve the motion, with unanimous, affirmative result, and it was declared approved by Chair Baugus at 8:11 p.m.