

## PUBLIC NOTICE

**CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI  
REGULAR MEETING OF THE BOARD OF ALDERPERSONS  
VIA VIDEO/TELECONFERENCE  
THURSDAY, MAY 21, 2020  
7:30 P.M.**

**Notice is hereby given that the City of Bellefontaine Neighbors (“City”) will hold its regularly scheduled Board of Alderpersons meeting on Thursday, May 21, 2020, 7:30 p.m. via video/teleconference.**

In view of the COVID-19 pandemic, and the Federal, State, County, and City Emergency Declarations, and in accordance with the provisions of Sec. 610.020, RSMo., the City acknowledges that it would be dangerous and impractical, if not impossible, for this meeting to be physically accessible to the public. The City also recognizes the need for the public’s business to be attended to in order to protect the public health, safety, and welfare. In order to balance the need for both continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Alderpersons will not be open to public attendance in person. **THE MEETING WILL BE ACCESSIBLE BY THE PUBLIC IN REAL TIME ONLY BY A VIDEO/TELEPHONE CONFERENCE CALL VIA ZOOM. THE INSTRUCTIONS TO JOIN ARE BELOW:**

**To Join the meeting by via website:**

- (1) Go to Zoom at <https://zoom.us>**
- (2) Select Join a Meeting**
- (3) Enter Meeting ID: 825 620 8214**
- (4) Enter Password: 4i85eK**

**To Join the meeting by phone call (audio):**

- (1) Call 1 312 626 6799 US (Chicago)  
1 646 558 8656 US (New York)**
- (2) When prompted, enter the Pass Code 452739**

**THE AGENDA FOR THIS BOARD MEETING IS SET FORTH HEREIN.**

Instruction for providing public comments: Persons interested in making their views known on any matter will be able to speak during the video/teleconference meeting under “Public Comments.” In addition, anyone may send an email with their comments to the City Clerk at [FStevens@cityofbn.com](mailto:FStevens@cityofbn.com) by no later than Wednesday, May 20, 2020 by 12:00 p.m. All comments received by email will be entered into the public record and publicly read as time allows. All emailed comments will also be distributed to the entire Board at or before the meeting. Thank you for your understanding and patience as we all try to get through these unprecedented times.

**POSTED: 2020-5-20 @10:00 AM**

**REGULAR BOARD MEETING  
THURSDAY – MAY 21, 2020 -7:30PM**

**BELLEFONTAINE NEIGHBORS MAYOR AND BOARD OF ALDERPERSONS  
WILL CONVENE FOR THE ABOVE REFERENCED MEETING  
VIA ZOOM.**

**AGENDA**

1. CALL MEETING TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. PRESENTATION OF UNAPPROVED MINUTES: REGULAR B.O.A. 5/7/2020 AND SPECIAL 5/13/2020
5. MEETING OPEN TO PUBLIC: (With a 3-minute time limit or as long as the Mayor deems necessary).
6. APPROVAL OF INVOICES OVER \$500
7. PLANNING AND ZONING – PAT BARRETT
8. CHIEF OF POLICE
9. CITY ATTORNEY
10. OLD BUSINESS
  - A. MEMORANDUM OF AGREEMENT WITH AFFINIA HEALTHCARE – ALDERWOMAN TATMAN
11. NEW BUSINESS
  - A. RESOLUTION NO. 2020-02 – CARES ACT - INTRODUCED BY ALDERWOMAN WEST
  - B. BILL NO. 2573, AN ORDINANCE AN ORDINANCE ESTABLISHING AN EMERGENCY PURCHASING PROCEDURE FOR THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI DURING A PUBLIC HEALTH CRISIS OR OTHER STATE OF EMERGENCY INTRODUCED BY ALDERPERSON CHRISTIAN.
  - C. BILL NO. 2575, AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A CONTRACT WITH AT&T FOR FIBER CONNECTION SERVICES INTRODUCED BY ALDERWOMAN REED.
  - D. BILL NO. 2576, AN ORDINANCE ESTABLISHING COMPENSATION FOR CITY ADMINISTRATOR INTRODUCED BY ALDERWOMAN AVANT-ELLIOTT.
12. REPORT OF MAYOR
  - A. PAYING BILLS ON LINE?
  - B. ALLOCATE ADDITIONAL FUNDS FOR ASPHALT - STREET DEPARTMENT
13. REPORT OF ALDERMEN
14. MEETING OPEN TO PUBLIC: (With a 3-minute time limit or as long as the Mayor deems necessary).
15. ADJOURNMENT

**THIS AGENDA WITH PUBLIC NOTICE OF THE BOARD OF ALDERPERSON'S MEETING ON MAY 21, 2020 WAS POSTED ON MAY 20, 2020 AT 10:00 A.M. IN BELLFONTAINE NEIGHBORS CITY HALL (FRONT DOOR) AND ON THE CITY'S WEBPAGE AT [www.cityofbn.com](http://www.cityofbn.com). FOR A COPY, CONTACT THE CITY CLERK'S OFFICE.**

Copies of this notice may be obtained by contacting:  
Fran Stevens, City Clerk  
City of Bellefontaine Neighbors  
9641 Bellefontaine Road  
St. Louis, MO 63137  
(314) 867-0076

POSTED 2020-5-20 @10:00 AM

**CITY OF BELLEFONTAINE NEIGHBORS  
BOARD OF ALDERMEN  
REGULAR MEETING MINUTES  
MAY 7, 2020 – 7:30PM**

Mayor Pierson read a statement regarding the reason for the zoom meeting.

**PRESENT:** Mayor Tommie Pierson, Sr., Alderwoman Barbara West, Alderwoman Theresa Reed, Alderman Michael Wiese, Alderman James Thomas, Alderman Jim Christian, Alderwoman Alease Dailes, Alderwoman Miranda Avant-Elliott, City Attorney Dorothy White-Coleman, Police Chief Jeremy Ihler, City Clerk Fran Stevens

**MEETING WAS CALLED TO ORDER BY** Mayor Pierson at 7:30pm.

**ROLL CALL:** City Clerk called the roll and all members were present except Alderwoman Dinah Tatman, Ward 1.

**APPROVAL OF THE AGENDA:** Motion to approve agenda made by Alderwoman Avant-Elliott seconded by Alderman Wiese. Motion carries. Alderwoman Avant-Elliott stated that 5 Alderpersons requested the 4/16/2020 BOA meeting.

**PRESENTATION OF THE UNAPPROVED MINUTES: 3/19/2020, 4/16/2020, 4/30/2020**

Motion to approve Regular Board Meeting Minutes of March 19, 2020 made by Alderwoman Avant-Elliott seconded by Alderwoman West. Motion carries.

Motion to approve Regular Board Meeting Minutes of April 16, 2020 made by Alderwoman Dailes seconded by Alderwoman West. Motion carries.

Motion to approve Regular Board Meeting Minutes of April 30, 2020 made by Alderwoman Avant-Elliott seconded by Alderwoman Dales. Motion carries.

**MEETING OPEN TO THE PUBLIC:** The meeting was opened to the public to speak 3 minutes each.

Judy Draper, Municipal Judge – Gave a synopsis and discussed various stages of opening Bellefontaine Neighbors Municipal Court, hiring of court clerk and desire to be open by June 2020.

**Wanda Lane 99XX Martingale** – Inquired if the 5/7/2020 BOA Meeting was posted on the website, stated that the (3) bills presented at this meeting was not posted for the public and inquired if the Conoco Station is still violating ordinances and questioned if they were given special privileges. City Clerk responded that the 5/7/2020 meeting notice was posted on the website and the (3) bills were not posted. Mayor responded that the Conoco Station was not receiving special privileges from him.

**Everetia Perry – 12XX Danfield** – Stated that she has been a BN resident since 2004 and has noticed that recently there are a lot of gun shots heard. Inquired if BN has shot spotter and is curious as to what steps are being taken to combat this behavior. Police Chief stated that he would address this issue in his message.

**Melanie Sims – 60XX Haddock** – Stated that the refund for park rental was not honored and wanted to know if she would be reimbursed for the bank fee associated with the return. City Clerk responded that the Finance Clerk is handling this issue and explained that the check was not honored because the amount associated with the check was increased when presented to the bank.

**Rickey L Hopkins, Sr. – 11XX Darr Dr.** – He had reoccurring issues with basketball goals and children playing ball disturbing residents. Alderwoman West informed him that she would review the ordinance with the Police Chief.

Questions regarding invoices over \$500.00: Alderwoman Reed:

- Vernier Sales & Service – Amy -Parks and Rec explained that this was payment for the boiler.

- Additional \$700.00 for Attorney invoice – Attorney D. White-Coleman explained that this was a mistake made by her finance department in charging for each meeting attended in March. The submitted invoice should deduct \$700.00.
- Additional charge for City Attorney making copies for the BOA. City Attorney stated this not unusual.
- Charges for internal conversations with Attorney’s office staff. City Attorney stated after review of at least 2 years of prior Attorney’s invoices she will revise her invoices if BN has not paid for internal consultations.
- Charges for discussion with Alderwoman Tatman regarding the Bellefontaine Family Fest 2020?

**APPROVAL OF INVOICES OVER \$500.00**

Motion to approve invoices over \$500.00 in the amount of \$10,580.45 made by Alderwoman Reed seconded by Alderwoman Avant-Elliott. Motion carries.

**CHIEF OF POLICE:** Chief Ihler stated that the gun violence has risen and he gave a report of numerous incidents involving gun association. Question was posed as to who to call when hearing guns shots and Chief answered to call 911 and give description best as possible.

Alderwoman Dailes stated that more police patrol is needed. Alderwoman West stated that the Police Department is diligent and care about the municipality. Alderwoman Reed questioned the resources given to citizens and there was conversation regarding citizens and police situations. Alderwoman Reed concluded that it would be nice for the police to stop and introduce themselves when driving around and see residents. Alderman Wiese encouraged residents to ask questions and come to meetings. Chief Ihler discussed the body camera program and the need to upgrade at a cost of \$1,783.00. Chief Ihler will provide information for the next special meeting to be held on 5/13/2020. There are no BN Policemen with COVID-19.

**CITY ATTORNEY:** Explained the connection issues regarding COVID-19 and explained Bill No 2573 which address the operation plan and Bill No 2574 which address the change in sunshine law to allow video conferencing.

**NEW BUSINESS:**

- A. **BILL NO. 2572, AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A CONTRACT WITH IDEMIA IDENTITY AND SECURITY USE, LLC LEASING BY THE POLICE DEPARTMENT OF EQUIPMENT AND SOFTWARE TO READ FINGER AND PALM PRINTS INTRODUCED BY ALDERPERSON THOMAS.**
- B. **BILL NO. 2573, AN ORDINANCE ESTABLISHING AN EMERGENCY PURCHASING PROCEDURE FOR THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI DURING A PUBLIC HEALTH CRISIS OR OTHER STATE OF EMERGENCY INTRODUCED BY ALDERPERSON CHRISTIAN.**
- C. **BILL NO. 2574, AN ORDINANCE AMENDING SECTION 1-26 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, TO PROVIDE FOR MEETINGS VIA VIDEO-CONFERENCE AND ADOPTING A VIDEO CONFERENCE MEETING POLICY TO SUPPLEMENT THE OPEN METINGS AND RECORDS POLICY OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI. INTRODUCED BY ALDERPERSON WIESE.**

Motion made by Alderman Thomas and seconded by Alderman Christian to tabled Bill Nos. 2572, 2573 and 2574 until a special meeting is held on 5/13/2020 because the public did not receive these bills before presentation. The (3) bills will be on the website and presented at the 5/13/2020 meeting.

Motion made by Alderwoman Avant-Elliott and seconded by Alderman Thomas to hold special meeting 5/13/2020 at 6:00pm. via zoom. Motion carries.

**D. REC CENTER FURNITURE AND CARPET CLEANING BIDS**

Motion made by Alderwoman Reed and seconded by Alderwoman Avant-Elliott to approve Midwest Carpet Cleaning Service in the amount of \$1,220.00 to clean Rec Center furniture and carpet. Motion carries.

Motion made by Alderwoman West and seconded by Alderman Wiese to send Request For Proposal for pool repair. Motion carries.

**REPORT OF MAYOR:** Mayor Pierson stated the County Executive is scheduled to lift the Stay At Home Order on 5/18/2020. He encourages everyone to continue to practice good health, wear mask and gloves and maintain social distance.

**REPORT OF ALDERMEN:**

**Alderman Avant-Elliott** – She is requesting to have a non-city business meeting for healthy board collaboration. Motion made by Alderman Avant-Elliott and seconded by Alderman West to postpone appointing individuals until after June 2, 2020. Encouraged everyone to complete the Census 2020.

**Alderman Dailes** – Influence Church wants to distribute food on the city hall parking lot on Fridays. She also noticed that a lot of people are moving into Bellefontaine Neighbors without building permits.

**Alderman Christian** – Reported that the pothole at 367 and Comet is being worked on by MoDOT. There are cones, asphalt and taping around the pothole. MoDOT will return in about 2 weeks.

**Alderman Thomas** – Reiterated the situation with the pothole at 367 and Comet and stated that he was present when they were working on the pothole. He is looking forward to June 2, 2020.

**Alderman Wiese** – Was wondering if there is any chance that the outside pool could not open this year and Martha (Rec Center) explained that the needed repairs will prevent opening. He mentioned that discussion about gun violence and crime should be discussed at every meeting. Questioned if there was a risk with the city given out food and City Attorney expressed that it should be stated if it is not a city function.

**Alderman Reed** – Planning and Zoning will have a meeting on May 11, 2020. Veteran’s Home has cancelled it’s Memorial Day function, inquired if the street department had patched Bella Brook and Running Brook and if the inspectors are working on grass violations. Was concerned about the Community Development Block Grant and asked the Mayor if protective gear was distributed to city workers. There was conversation regarding the Idemia Agreement.

**Alderman West** – Motion made by Alderman West and seconded by Alderman Avant-Elliott for the BOA to receive notice of Mayor Pierson’s credit card activity. Motion carries.

**MEETING OPEN TO PUBLIC** - The meeting was opened to the public to speak 3 minutes each.

**Wanda Lane – XX Martingale** – Stated that citizens should never be attacked by Alderpersons.

**Adjournment:** Motion to adjourn BOA meeting made by Alderman Avant-Elliott and seconded by Alderman Wiese. Motion carries.

Meeting adjourned at 10:09PM.

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

Approved by the Board of Aldermen on \_\_\_\_\_

**SPECIAL BOARD MEETING  
WEDNESDAY – MAY 13, 2020 -6:00PM**

**BELLEFONTAINE NEIGHBORS MAYOR AND BOARD OF ALDERPERSONS  
WILL CONVENE FOR THE ABOVE REFERENCED MEETING  
VIA ZOOM.**

**PRESENT:** Mayor Tommie Pierson, Sr., Alderwoman Barbara West, Alderwoman Dinah Tatman, Alderwoman Theresa Reed, Alderman Michael Wiese, Alderman James Thomas, Alderman Jim Christian, Alderwoman Miranda Avant-Elliott, City Attorney Dorothy White-Coleman, Police Chief Jeremy Ihler, City Clerk Fran Stevens

**MEETING WAS CALLED TO ORDER BY** BOA President, Alderwoman Avant-Elliott at 6:11 pm.

**ROLL CALL:** City Clerk called the roll and all members were present except Alderwoman Alease Dailes, Ward 4. Mayor Pierson arrived at 6:18 p.m.

**APPROVAL OF THE AGENDA:** It was mentioned that the word “REGULAR” would be changed to “SPECIAL” before posting minutes to the website. Motion to approve agenda made by Alderman Christian seconded by Alderman Wiese. Motion carries.

**NEW BUSINESS:**

**A. ALDERWOMAN TATMAN PRESENTED A POTENTIAL OPPORTUNITY FOR OUR CITY TO BECOME A COVID-19 TESTING CENTER.**

Alderwoman Tatman discussed and explained the ramifications of Affinia Health Care utilizing the city’s parking lots as a COVID-19 testing site for approximately 2 weeks. After question and answer session Alderwoman Tatman made a motion to allow the testing site seconded by Alderman Thomas. Motion carries. Alderwoman Reed abstained.

**B. BILL NO. 2572, AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A CONTRACT WITH IDEMIA IDENTITY AND SECURITY USE, LLC LEASING BY THE POLICE DEPARTMENT OF EQUIPMENT AND SOFTWARE TO READ FINGER AND PALM PRINTS.**

Motion to read Bill No. 2572 for 1<sup>st</sup> and 2<sup>nd</sup> reading and adding that this is a “sole source agreement” made by Alderman Thomas seconded by Alderman Wiese. Votes are as follows: Alderwoman West-yes, Alderman Tatman-yes, Alderwoman Reed-yes, Alderman Wiese-yes, Alderman Thomas-yes, Alderman Christian-yes, Alderwoman Dailes-absent, Alderwoman Avant-Elliott-yes. Motion passed.

**Bill No. 2572 become Ordinance No. 2567 if and when signed by the Mayor.**

**C. BILL NO. 2573, AN ORDINANCE ESTABLISHING AN EMERGENCY PURCHASING PROCEDURE FOR THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI DURING A PUBLIC HEALTH CRISIS OR OTHER STATE OF EMERGENCY.**

Motion to read Bill No. 2573 for 1<sup>st</sup> and 2<sup>nd</sup> time made by Alderman Christian seconded by Alderman West. Questions – Alderwoman Avant-Elliott inquired as to the difference from the other emergency ordinance and this emergency bill. Attorney White-Coleman answered that the current ordinance is for handling routine emergency(s) and this bill is because a State of Emergency has been declared; this bill will be a part of the emergency operation plan. Alderwoman West asked who is the director of purchasing and City Attorney answered that would be the Mayor. Alderwoman Reed inquired as to the length of this bill effectiveness. City Attorney answered until it is lifted by Resolution. Alderwoman Tatman added that Bill No. 2573 would be utilized under state of emergencies. Votes are as follows: Alderwoman West-no, Alderwoman Tatman-yes, Alderwoman Reed-no, Alderman Wiese-yes, Alderman Thomas-yes, Alderman Christian-yes, Alderwoman Dailes-absent, Alderwoman Avant-Elliott-no. Bill No. 2573 failed with 3-no votes to 4-yes votes.

**D. BILL NO. 2574, AN ORDINANCE AMENDING SECTION 1-26 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, TO PROVIDE FOR MEETINGS VIA VIDEO-CONFERENCE AND ADOPTING A VIDEO CONFERENCE MEETING POLICY TO SUPPLEMENT THE OPEN METINGS AND RECORDS POLICY OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI.**

Motion to read Bill No. 2574 for 1<sup>st</sup> and 2<sup>nd</sup> time made by Alderman Wiese seconded by Alderwoman Avant-Elliott.

Question – Alderwoman Reed inquired as to the reason for this bill and City Attorney White-Coleman answered that this bill would update the code and put procedures in place. Votes are as follows: Alderwoman West-yes, Alderwoman Tatman-yes, Alderwoman Reed-yes, Alderman Wiese-yes, Alderman Thomas-yes, Alderman Christian-yes, Alderwoman Dailes-absent, Alderwoman Avant-Elliott-yes,

**Bill No. 2574 become Ordinance No. 2568 if and when signed by the Mayor.**

**E. REJIS/ATT PROPOSAL**

Alderwoman Reed stated that in the past this proposal was in the form of a bill and inquired as to the change? Motion to present this proposal in bill form made by Alderwoman Avant-Elliott seconded by Alderwoman West. Motion carries.

**F. POLICE VEHICLE PURCHASE**

Chief Ihler explained the police vehicle purchases and there was discussion regarding the purchases. Alderwoman Avant-Elliott made a motion to approve the purchase of 3 cars and 1 sedan in the amount of \$168,444 seconded by Alderman Thomas. Motion passed.

**ADJOURNMENT:** Motion to adjourn Special Meeting made by Alderman Thomas seconded by Alderwoman West. Motion carries.

Meeting adjourned at 7:09 pm.

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

Approved by the Board of Aldermen on \_\_\_\_\_.



**From: Planning & Zoning Commission**  
**To: Board of Alderpersons**  
**Re: Recommendations for Section 29 Zoning-Related Fees Proposed in Board Bill 2569**

**May 14, 2020**

**Background**

At the BOA meeting March 19th, Board Bill 2569 was on the agenda. The proposed Bill resets various fees by the City for permits and other services. Included in it are fees established by Zoning Sections 29-95, 29-112 and 29-118. The Bill was tabled because Planning & Zoning has to first review the proposed changes and make recommendations to the Board in accordance with Sec. 29-112(a). On Monday May 11, 2020, Planning & Zoning met to review affected fees. The following are Recommendations from that meeting.

**Recommendations:**

**Article XVI Conditional Use Regulations - Section 29-95(1) Procedures**, on page 5 of Board Bill 2569

**Recommended Fees: \$400 for Commercial Conditional Use Permits and \$175 for Residential/In-Home Child Care Conditional Use Permits.** Both amounts are based on 12% inflation since 2012, the last time fees were raised. In both cases, recommended fees have been rounded up from "Current Fee Corrected for CPI" (Consumer Price Index).

**Article XIX Zoning Changes and Amendments - Section 29-112(c) Zoning Changes and Amendment**, on page 6 of BB 2569

**Recommended Fee: \$250 for Zoning Changes & Amendments** based, in part, on the Consumer Price Index. Since Zoning Changes are a more involved process, the Recommended Fee of \$250 is a 25% increase vs 12% increase over the previous fee.

**Article XX Enforcement, Violations and Penalties - 29-118(3) Enforcement, Violations and Penalties**, on page 7 of BB 2569

**Recommended Fees: \$40 for Residential Occupancy Permits and \$125 for Commercial Occupancy Permits**, rounded up from fees corrected by the CPI.

Bellefontaine Neighbors Fee Schedule		Cities used for comparisons:							
		Ballwin, Black Jack, Brentwood, Bridgeton, Crestwood, Dellwood, Ferguson, Florissant, Green Park, Hazelwood, Jennings, Kirkwood,							
		Maryland Heights, Moline Acres, Pagedale, St. Ann, University City							
		Consumer Price Index (CPI) 2020 vs. 2012 per BLS statistics ( <a href="https://www.bls.gov/data/inflation_calculator.htm">https://www.bls.gov/data/inflation_calculator.htm</a> ) =						1.12	
Fee Type	Current Fee Amount	High	Average	Low	Proposed Fees	Proposed = x Current Fee	Current Fee Corrected for CPI	Recommended Fees	
Conditional Use Commercial, Sec 29-95	\$350	\$500	\$206.00	\$75	\$500	1.43	\$392	\$400	
Conditional Use Residential/Day Care, Sec 29-95	\$150	\$500			\$250	1.67	\$168	\$175	
Zoning Amendment, Sec 29-112	\$200	\$500	\$163.22	\$50	\$500	2.50	\$224	\$250	
Occupancy Residential, Sec 29-118	\$30	\$100	\$34.70	\$15	\$50	1.67	\$34	\$40	
Occupancy Commercial, Sec 29-118	\$100	\$125	\$100.71	\$85	\$150	1.50	\$112	\$125	

**Suggestions by Planning & Zoning (not Recommendations):**

1. It has been eight years since fees affected in BB 2569 have been updated. P&Z members suggested revisiting these fees every four (4) years starting in 2025, avoiding election years.
2. In four places on page 4 of BB 2569, incremental fees "For Each Additional \$1000" are proposed at \$7.50 (from \$3.75). To simplify collection in the Building Department & reflect inflation, P&Z suggests rounding additional cost to \$5.00.

Respectfully Submitted,

Pat Barrett  
 Chair – Planning & Zoning



**From:** Planning & Zoning Commission

May 15, 2020

**To:** Board of Alderpersons

**Re:** Recommendations for Sections 29-90(c) Sign Regulations—Non-Residential Districts, 19-48 Excessive Illumination and 3-46 Display of Bottles, Etc. in Show Windows Prohibited

### **Background**

Early this year, a gas station along Bellefontaine Road in the city started or continued to display temporary signs, pennants hung between the main building & canopy and display lights around the windows of the building which flashed and changed color. Additionally, the station had a fan-powered billowing figure for the purpose of attracting attention. The pennants and fan-powered figure have since been removed after verbal & other notifications by the city. The temporary signs remain as do the flashing lights around the windows. Finally, there are multiple pictures & graphic representations of alcohol containers on the building. Liquor bottles visible through the windows are in violation of existing city code; the owner has been given warning. Many of the same features also exist at another gas station in the city but theirs do not violate the city code in its present form. Flashing display lights have also been installed in another commercial business here.

The overall appearance at these locations detracts from the residential character of the city. The displays and adornment would likely not be allowed in many other municipalities and give our city an unfavorable image. After review of the situation, and with guidance by the City Attorney, it is the opinion of Planning & Zoning that additional limitations are needed to three sections of the city code to curb such lights, ornamentation & adornment in the future. It is understood that Non-Conforming Use will allow the continuation of any such lights, etc. not specifically forbidden in the code as it stands today. These additional limitations will prevent similar lights, ornamentation, etc. from being added in the future and will be retroactive for these businesses if the premises change owners or if the owners' business licenses expire. The following are recommendations to that end:

### **Recommendations:**

Additions to Section 29-90(c) "Sign regulations—non-residential districts"

- No signs shall be air-powered, inflated or mechanized in such a way as to wave, move or bring attention to themselves.
- Scrolling marquees shall be allowable so long as they do not exceed 18 inches in height x 84 inches in width

Additions to Section 29-90 "Sign regulations—non-residential districts"

- (f) Reasonable security lighting or motion sensors/motion detection systems for security purposes shall be acceptable. Such systems shall be tested, adjusted and calibrated by their installers to avoid nuisance tripping.
- (g) Displays for public information operated by the City of Bellefontaine Neighbors, St. Louis County, or non-profit sports facilities shall be allowed. They may include scrolling marquee signs or video signs of any resolution. Size and placement limitations for signs shall apply

Amendments to Section 19-48 "Excessive Illumination"

- Change title to "Excessive, unconventional or unorthodox lighting"
- No lights shall be attached to a sign, building, canopy or any other outdoor structure that flash, pulsate, change color, or otherwise attract attention from drivers, passersby or nearby residents. Non-flashing, non-projecting, solid color lights used as holiday decorations shall be allowable for up to six contiguous weeks per year.
- Any unconventional accent lighting or adornment of buildings, canopies or other outdoor structures shall require the owner apply for and obtain a Conditional Use Permit prior to installation. Unconventional adornment includes, but is not limited to, continuous promotional pennant flags and island-, blade- and sail-pole flags for a period of time longer than allowed in Sec. 29-92 "Regulation of temporary and real estate signs". The Permit application must describe or show the proposed accent lighting and/or adornment in clear detail. The City may require visual aids to fully illustrate the proposed change. Colors and patterns used shall not detract from the character of the surrounding neighborhood. Lewd graphics or artwork of any kind is strictly forbidden. Size and placement limitations for signs shall apply.

Amendments to Section 3-46 "Display of bottles, etc. in show windows prohibited"

- No alcohol containers or their graphic representations shall be positioned in, on or by windows or glass doors to be visible from the outside.

Respectfully Submitted,

Pat Barrett  
Chair – Planning & Zoning

**MEMORANDUM OF AGREEMENT**

This MEMORANDUM OF AGREEMENT (“MOA”) is made by and between The City of Bellefontaine Neighbors, Missouri (the “City”), with its office located at 9641 Bellefontaine Road, St. Louis, Missouri 63137 and Affinia Healthcare (“Affinia Healthcare”), a Missouri nonprofit community health center organization that serves the region of St. Louis, with its office located at \_\_\_\_\_.

Beginning on Thursday June 11, 2020, Affinia Healthcare desires to provide mobile COVID-19 testing services on the parking lot of the City at 9669 Bellefontaine Road, St. Louis, MO 63137. The State of Missouri Community Outreach mobile unit will transport Affinia Healthcare staff to perform COVID-19 testing from 9am to noon.

The City agrees to support Affinia Healthcare in this endeavor, and at no rental or other cost to Affinia Healthcare, as both organizations strongly desire to promote continued health and wellness throughout the St. Louis region during the COVID-19 pandemic. The City may terminate this MOA without cause by providing five (5) calendar days’ notice to Affinia Healthcare, in advance and in writing, at the above written address, to: Attention \_\_\_\_\_.

The parties will agree jointly concerning the content and timing of all pertinent written public communications distributed through television, radio, and newspaper media.

Each party agrees to release and to forever discharge the other, its directors, officers, employees, agents, attorneys, successors and assigns from any and all matters, claims, demands, damages, causes of action, debts, liabilities, controversies, judgments and suits of every kind and nature whatsoever, foreseen or unforeseen, known or unknown, which have arisen or may arise as a result of this activity. It is mutually understood and agreed that each party is an independent contractor with respect to the other party, and the parties are contracting with each other solely for the purpose of carrying out the terms and conditions of this MOA. Nothing in this MOA shall constitute or be considered a waiver of the City’s sovereign immunity. The City shall maintain general liability and related insurance coverage on its physical premises. Affinia Healthcare shall maintain professional liability and general liability insurance coverage on behalf of its employees and agents, and shall carry workers’ compensation insurance on all employees. Affinia Healthcare shall name the City as an additional insured and provide acceptable evidence of same to the City prior to commencing its obligations under this MOA.

WITNESSETH:

\_\_\_\_\_  
Mayor Tommie Pierson, Sr.  
City of Bellefontaine Neighbors, Missouri

\_\_\_\_\_  
Alan O. Freeman, DMgt, President  
Affinia Healthcare

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Introduced By: Alderperson West**

**Resolution No: 2020-02**

**A RESOLUTION REQUESTING THAT MUNICIPALITIES WITHIN ST. LOUIS COUNTY RECEIVE AN EQUITABLE DISTRIBUTION OF THE \$175 MILLION IN FUNDING RECEIVED BY ST LOUIS COUNTY FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT TO REIMBURSE MUNICIPALITIES FOR ACTUAL PUBLIC SAFETY COSTS INCURRED RELATED TO COVID-19**

**WHEREAS**, The United States Congress enacted the Coronavirus Aid, Relief and Economic Security Act (the "CARES Act") providing a \$2 trillion dollars economic relief package to provide assistance for American workers, families, and small businesses; to provide assistance to state and local governments; and to preserve jobs for American industry; and

**WHEREAS**, the US Department of the Treasury distributed funds from the CARES Act proportionally based on 2019 census data directly to local governments, including directly to cities and counties with a population greater than 500,000 and directly to state governments; and

**WHEREAS**, the State of Missouri received \$1.9 billion dollars from The CARES Act, a portion of which was subsequently distributed in part to Missouri counties proportionally based on population, except those counties that received a direct payment under the CARES Act, along with a recommendation from the Governor that counties that received funds directly from the State of Missouri in turn distribute CARES Act funds to local governments located within their jurisdictions; and

**WHEREAS**, no municipality in St. Louis County (the "County") has received any CARES Act funds from the Federal government, the State of Missouri or the County; and

**WHEREAS**, Based on St Louis County's population numbers, which necessarily includes the residents of municipalities located in the County, the County received \$175 million directly from the United States Treasury designated to cover necessary expenses that are incurred due to the public health emergency caused by the COVID-19 pandemic; and

**WHEREAS**, the County Council has appropriated the entirety of the \$175 million in funding from The CARES Act and has given the County Executive absolute authority overuse and distribution of these funds without further review or oversight by the County Council; and

**WHEREAS**, the US Department of the Treasury has issued eligibility guidelines for use of the CARES Act funds which includes, in part, that payroll expenses for public safety may be presumed to be costs for services substantially dedicated to mitigation or

responding to the COVID-19 public health emergency from and after the effective date of The CARES Act from March 27, 2020 thru December 31, 2020 (the "Eligibility Period"); and

**WHEREAS**, the County does not provide any public safety fire services to the residents of St. Louis County; and

**WHEREAS**, the County provides non-contracted law enforcement services only to the unincorporated areas of the County, which makes up 32.15% of the County's total population; and,

**WHEREAS**, 67.85% of the residents of the County are serviced by municipal police departments or contracted law enforcement services paid for out of municipal funds; and,

**WHEREAS**, to date, the City of Bellefontaine Neighbors has incurred public safety payroll costs for fire, ems and law enforcement during the Eligibility Period in the amount of \$305,734 for payroll and related fringe benefit costs and all such costs are presumed by the US Department of the Treasury to be COVID related expenses during the Eligibility Period; and

**WHEREAS**, the \$175 million in CARES funding received by the County should justly be shared pro rata with municipalities based on their population inasmuch as all levels of government including both County and municipal governments are incurring COVID related public safety expenses.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS AS FOLLOWS:**

That if any portion of the \$175 million in funding received by St Louis County under the CARES Act is expended by the St Louis County Executive as reimbursement for law enforcement expenses, including but not limited to payroll and benefits for the St Louis County Police Department during the Eligibility Period, a proportional amount should be paid to the municipalities who provide the majority of law enforcement services to the citizens of St. Louis County. Further, such reimbursement for public safety expenses should necessarily include all municipal law enforcement, ems and fire services whether those services are provided directly by the municipality or by contract with another public safety agency.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS ON THIS \_\_\_\_\_ DAY OF MAY, 2020.**

\_\_\_\_\_  
Tommie Pierson, Sr., Mayor

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

**INTRODUCED BY ALDERPERSON CHRISTIAN**

**BILL NO. 2573**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING AN EMERGENCY PURCHASING PROCEDURE FOR THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI DURING A PUBLIC HEALTH CRISIS OR OTHER STATE OF EMERGENCY.**

**WHEREAS**, the U.S. Center for Disease Control has alerted the country of the pandemic threat of a widespread outbreak of COVID-19, also known as the coronavirus; and

**WHEREAS**, the President of the United States has declared a state of emergency in response to COVID-19; and

**WHEREAS**, the Governor of the State of Missouri declared a state of emergency on March 13, 2020, in response to COVID-19; and

**WHEREAS**, County Executive Sam Page, on March 13, 2020, declared a state of emergency in St. Louis County relating to the immediate and significant risk posed to the health, safety, and wellbeing of the people of St. Louis County by COVID-19; and

**WHEREAS**, on March 19, 2020, the City of Bellefontaine Neighbors, Missouri (the "City") also passed Resolution No. 2020-01 which declared a state of emergency in the City; and

**WHEREAS**, on March 19, 2020, the Board of Alderpersons passed Ordinance No. 2566 which approved an Emergency Operations Plan, in conformity with Exhibit A attached thereto and incorporated therein by reference, that outlines actions to be taken by local government officials to reduce the vulnerability of City residents and employees to the threat of the COVID-19 pandemic and other crises or disasters creating a state of emergency; and

**WHEREAS**, the Board of Alderpersons desires to amend the Emergency Operations Plan to include the procedure to be utilized for emergency purchases made by the City during the COVID-19 pandemic and other crises or disasters which create a state of emergency;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section 1.** The Board of Alderpersons hereby amends the Emergency Operations Plan incorporated by reference as Exhibit A into Ordinance No. 2566, by adding the following to Appendix 3 - RESOURCE & SUPPLY PROCUREMENT PROCEDURES, Appendix 3 to Annex G:

## Emergency Purchases Procedure

In case of an emergency which requires immediate purchase of supplies or contractual services when the immediate procurement of such supplies is essential to prevent delays which might adversely affect the health, welfare, or convenience of the citizens or cause substantial disadvantage to the City, the Director of Purchasing may authorize the purchase, at the lowest obtainable price, of any supplies or contractual services not in excess of ten thousand dollars (\$10,000.00) without requiring formal competitive bids. The Board of Alderpersons must approve negotiated procurement of supplies and services of a value in excess of ten thousand dollars (\$10,000.00) when formal competitive bids are not obtained.

**Section 2.** This Ordinance shall take effect and be in full force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS ON THIS \_\_\_\_\_ DAY OF MAY, 2020.**

\_\_\_\_\_  
Tommie Pierson Sr., Mayor

Attest:

\_\_\_\_\_  
Fran Stevens, City Clerk

INTRODUCED BY ALDERPERSON REED

BILL NO. 2575

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A CONTRACT WITH AT&T FOR FIBER CONNECTION SERVICES**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The Board of Aldermen hereby authorizes the Mayor to enter into and execute, on behalf of the City of Bellefontaine Neighbors, a Contract with AT&T for fiber connection services (the "Contract"), which Contract shall be at rates that vary from time to time as approved by the Board of Alderpersons, based on the proposal attached hereto as **Exhibit A**, and on such reasonable terms consistent with the intent and purposes hereof and as approved by the Mayor and the City Attorney.

**SECTION 2.** This Ordinance shall be in full force and effect from and after the date of its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Tommie Pierson, Sr., Mayor

Attest:

\_\_\_\_\_  
Fran Stevens, City Clerk

**Exhibit A**

**Proposal for AT&T Fiber Connection Services**



REJIS Commission  
 4255 W Pine Blvd  
 Saint Louis MO  
 63108  
 (314) 535-1950

# Proposal

#555

Customer: 30050 Bellefontaine Neighbors Police Department

**Prepared for:**

Angie Wojtkowski  
 Bellefontaine Neighbors Police Dept.  
 9641 Bellefontaine Road  
 Bellefontaine Neighbors, MO 63137

**TOTAL**

**\$1,783.00**

Expires: 8/2/2020

Date  
 5/4/2020

Client Service Rep:  
 Brian P Haley

Quantity	Item	FRQ	Rate	Amount
1	WN-0093 AT&T 20 Mbps Fiber Connection	MTH	\$515.00	\$515.00
	WN-0093			
1	WN-0025 Firewall - Cisco ASA 5506 with Base License	OTO	\$712.00	\$712.00
	Includes one year of Cisco SmartNet maintenance.			
1	WN-0031 Firewall Maintenance-Cisco ASA 5506 with Base License	ANN	\$106.00	\$106.00
	This annual maintenance will begin after the first year.			
5	SV-037 IT - WAN/LAN Support	OTO	\$90.00	\$450.00
	Hours for labor are ESTIMATES ONLY. Agencies will be billed for the actual number of hours worked on this project or service.			
			<b>Subtotal</b>	\$1,783.00
			<b>Tax (0%)</b>	\$0.00
			<b>Total</b>	\$1,783.00

Frequency information is provided to assist the customer in determining ongoing costs.

**Frequency Codes:**

OTO - One Time Only MTH - Monthly QTR - Quarterly SA - Semi Annually ANN - Annually

**EXHIBIT A**





REJIS Commission  
4255 W Pine Blvd  
Saint Louis MO  
63108  
(314) 535-1950

# Proposal

#555

Customer: 30050 Bellefontaine  
Neighbors Police Department

## Proposal Notes:

Bellefontaine Neighbors Police Department is changing to AT&T 20 Mbps Fiber Connection.

## General Notes:

- Prices for REJIS software and services are valid for 90 days from the proposal date.
- If quotes from vendors for hardware/software requests are part of this proposal, the final price may fluctuate and will be adjusted accordingly during the billing process.
- Hours for labor are ESTIMATES ONLY. Agencies will be billed for the actual number of hours worked on this project or service.
- All agencies that access REJIS services must meet anti virus and NCIC/CJIS security requirements.
- For custom code developed by REJIS, the following statement applies. "As implied under the REJIS operating charter to support regional government entities, REJIS will retain ownership of the developed software and will make it available to any/all regional government entity(ies) that can utilize this capability. REJIS retains title to all copyrights, trade secrets, and intellectual property rights to the software. The Agency agrees that the software shall not be disclosed, given, sold to, or used by another party without written approval of REJIS".
- Please contact your Client Services Representative with any questions.



555



REJIS Commission  
4255 W Pine Blvd  
Saint Louis MO  
63108  
(314) 535-1950

# Proposal

#555

Customer: 30050 Bellefontaine  
Neighbors Police Department

## Signature Page:

### Customer Approval:

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

### REJIS Approval:

Signature: Daniel Isom  
Print Name: Dr. Daniel Isom  
Title: Executive Director  
Date: 5/4/2020



555

INTRODUCED BY ALDERMAN MIRANDA AVANT-ELLIOTT

BILL NO. 2576

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ESTABLISHING COMPENSATION FOR CITY ADMINISTRATOR**

**WHEREAS**, the Mayor and Board of Aldermen believe it is prudent and in the best interest of the City and its residents to hire a qualified person to oversee the financial processes and procedures to improve the financial solvency of the city and assure that the city is in compliance with federal, state, and local mandates related to finances.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.** Division 1 of Article III of Chapter 2 of the code for the City of Bellefontaine Neighbors is hereby amended by adding Finance Director to section 2-31.

**Section Two.** Division 8 of Article III of Chapter 2 of the code for the City of Bellefontaine Neighbors is hereby amended by adding three new sections related to Finance Director.

**Section Three.** Finance Director.

There is hereby created the office of finance director of the city. The finance director shall be appointed by the Mayor with the approval of a majority of the members elected to the Board of aldermen and shall serve at the pleasure of the Mayor or City Administrator, and Board. The finance director shall furnish a bond in a sum satisfactory to the Board with sureties thereon acceptable to the Board of Aldermen designed for the protection of money received by the director on behalf of the city and any funds entrusted to the director's care, the preservation and delivery of the records of the city and to indemnify the city against any loss or losses or expenses incurred through the violation of this Code or any other city ordinance or failure of the to perform the duties specified by law or by the Board of Aldermen from time to time.

**Section Four.** Finance Director Compensation.

The finance director shall receive compensation for performing the duties of the position as established by the Board of Aldermen from time to time.

From and after the effective date of this ordinance and continuing until changed by the Board of Aldermen, compensation for performing the duties of the position of Finance Director of the City of Bellefontaine Neighbors shall be \$2000 monthly.

**Section Six.**

It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words or this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

**Section Seven.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Eight.**

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Fran Stevens, City Clerk

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Tommie Pierson Sr., Mayor