

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning & Development Services
James Eckrich, Director of Public Works/City Engineer

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, June 7, 2018

JW



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, June 7, 2018 in Conference Room 101.

In attendance were: **Chair Michelle Ohley** (Ward IV), **Councilmember Barry Flachsbart** (Ward I), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Michael Moore** (Ward III).

Also in attendance were: Mayor Bob Nation; Planning Commission Chair Merrell Hansen; Jim Eckrich, Director of Public Works/City Engineer; Justin Wyse, Director of Planning & Development Services; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:45 p.m.

Chair Ohley announced that Councilmember Moore was in attendance as proxy for Councilmember Hurt.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the May 24, 2018 Committee Meeting Summary

Councilmember Flachsbart made a motion to approve the Meeting Summary of May 24, 2018. The motion was seconded by Councilmember Mastorakos and **passed** by a voice vote of 4-0.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

A. Planning Commission Nominee Interview

Chair Ohley introduced Planning Commission nominee Guy Tilman.

In response to questions, Mr. Tilman stated that the role of the Planning Commission is to follow the ordinances that the City has in place. The Commission does not make ordinances or make judgements about what is good or bad. A good commissioner is an individual who takes the time to thoroughly understand the projects presented, which includes researching the history of

the project, performing site visits and asking questions to make sure the proposed use is appropriate and complies with the City's Unified Development Code.

Councilmember Mastorakos stated that she has received feedback from residents regarding the recent influx of intense developments coming to Chesterfield. Residents are concerned about the loss of greenspace, density of the developments and how the developments will affect the future quality of life. She asked for assurance from Mr. Tilman that he will weigh the issue of what is going on for present and future projects in relation to how the City will look. Mr. Tilman responded that during the upcoming Comprehensive Plan review, citizen input will play an important role in determining future guidelines for the City. During this process, we will get a good sense for what the residents are looking for and what are they not looking for. It is not the Planning Commission's job to change the Comprehensive Plan to suit what the Commission believes is correct or incorrect. The Plan goes through a political process and should be reviewed by residents. Mr. Tilman further stated that the Comprehensive Plan is an important activity for the City to undertake and now is a good time to do so. He hopes that in the planning process, the Commission will take the time to lay out a strong plan that includes input not just from developers, Staff and elected officials, but also includes the faith-based community and residents. He suggested that a review take place every two to three years to avoid future conflicts with dated Code requirements, such as those we have dealt with recently.

Chair Ohley stated that during a previous conversation she had with Mr. Tilman, he expressed to her that he would be interested in this position but he did not want the position if he would be replacing someone who was not asked to return. However, it turns out this is actually the reason for the opening. Mr. Tilman stated that he has spoken to the person that he would be replacing and they have come to an understanding. It was never his intention to come in and replace anyone. He stated that he does not want his appointment to be a distraction from the job that the Planning Commission should be focusing on. The Planning Commission has a lot of work to do and if his appointment is going to be disruptive, then someone needs to speak up now.

Mayor Nation stated that everyone knows Mr. Tilman and he is highly respected. He has special talents that will be very beneficial to the City. He pointed out that a commissioner does not represent a specific Ward. The commissioners are performing an administrative function on behalf of the City. The Planning Commission is apolitical and performs administrative functions using the Comprehensive Plan and the Unified Development Code as guidelines.

Chair Ohley stated that there is no doubt in her mind that Mr. Tilman is most qualified for this position and she personally would want him involved in the Comprehensive Plan process. However, for the record, based on her stance regarding the gender bias issue, she does take exception to the fact that a female was not asked back and that a male nominee has been presented.

Councilmember Mastorakos stated that in her experience with Mr. Tilman, he has always been exceptionally courteous, knowledgeable and has always been generous with his time. She believes that he will carry that forward in meeting with residents, who at times can be very emotional. He will listen and not take the situation lightly.

Councilmember Mastorakos made a motion to forward the Planning Commission nomination of Guy Tilman to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 3-1 with Chair Ohley voting nay.**

B. Building Department Services

STAFF REPORT

Mr. Justin Wyse, Director of Planning & Development Services, stated since the City's incorporation, Chesterfield has contracted with St. Louis County for the review, issuance and inspection of permits for building, mechanical, electrical and plumbing permits. When anyone applies for a building permit, whether it be a small bathroom remodel or a large development such as Pfizer, they must apply for Municipal Zoning Approval (MZA). Mr. Wyse then explained the City's Municipal Zoning Approval (MZA) process. The City does not charge for this service. The only costs incurred with this process are direct staff costs to administer the program. The County recoups their cost through the permit fees that they obtain.

It is a common practice throughout the area for municipalities to contract with St. Louis County for building code services. Several reasons are listed below:

- Economies of scale across the County help minimize the variation in costs and revenue from year to year.
- Some disciplines require specialized employees to properly review and inspect.
- A larger volume of work allows for staffing redundancy to handle short term disruptions without increasing costs.
- Utilizing another agency reduces the overall size of the local government and reduces long term liability to the organization.
- Contracting through the County increases consistency and uniformity throughout the region and discourages political interference in life safety system review.

After careful review, Staff estimates that 11 new positions would be needed to accommodate this level of activity in-house. Staff estimates \$1,100,000 would be needed to establish a minimum staffing level. In addition to salary and benefits, the estimate includes items such as computers, pool vehicles for inspectors and permitting software. Another significant barrier to providing the service is where to physically locate the department. The City currently does not have space for 11 new employees.

Staff recommends continuing the current arrangement with St. Louis County. Overall, it is a positive relationship and Staff is not in favor of bringing the permitting, review, and building inspection process in-house.

DISCUSSION

In response to Councilmember Moore's question, Mr. Wyse stated the upside to having building inspections done in-house would be that the City would have increased local control, but at a cost.

In response to Councilmember Mastorakos' question regarding residential re-occupancies, Mr. Wyse stated that the City does not contract with the County for that type of inspection. He explained that when a new house is built in Chesterfield, an initial occupancy permit is issued. If the house is sold, the buyer is not required to obtain a re-occupancy permit.

Councilmember Flachsbart made a motion to concur with the Staff recommendation that the current arrangement with St. Louis County is an overall positive relationship and the City should not consider creating the permitting, review and building inspection process in-house. The motion was seconded by Councilmember Moore.

DISCUSSION ON THE MOTION

Mayor Nation stated that he received a call from a resident today who is handicapped and lives in an older apartment complex. She alleges that in her apartment there is mold and radon, and that ADA requirements are not in compliance. He believes that requiring a re-occupancy permit for apartments is something the City should consider. The buyer of a house has protection by virtue of the building inspection that is performed upon the sale of a house. However, a tenant moving in and out of an apartment complex does not have any assistance.

Chair Ohley asked what costs would be involved for such a process. Mr. Wyse stated that Staff would have to look into the matter further. The County may be able to administer the inspection process, but further investigation will be required. Mr. Wyse confirmed that the City requires commercial re-occupancy permits, but not residential re-occupancy permits.

After further discussion on whether to hold the item or move it forward, **the above motion was passed by a voice vote of 4-0** with the understanding that Staff will research the possibility of requiring re-occupancy permits for apartment complexes.

C. U.S.P.S. Update – information sharing on new changes to Federal regulations pertaining to new developments

STAFF REPORT

Mr. Justin Wyse, Director of Planning and Development Services, stated that the US Postal Service has been trying to influence developers of new single family developments to install centralized delivery units/cluster mailboxes. In December of 2017, they issued formal guidelines on the requirement. Staff is bringing this matter to the Committee's attention in the event any constituents would question the use of cluster mailboxes.

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 6:21 p.m.