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AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, April 11, 2011
7:00 PM

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

PUBLIC HEARING
Five Year Capital Improvement Plan FY 2012 - 2016

ACCEPTANCE OF AGENDA

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month
6:00 p.m. – 7:00 p.m. – Work Session
7:00 p.m. – Regular Meeting of the City Council

1. CONSENT ORDINANCE READINGS

a. **Bill No. 5305 - An Ordinance Authorizing The Installation Of One (1) Fire Hydrant For Ladue Court Villas Located In The Cul-De-Sac At The End Of The Ladue Court Extension In The City Of Creve Coeur, Missouri. Final Reading**
Summary: Request by Creve Coeur Fire Protection District for Council to approve legislation to install a fire hydrant for Ladue Court Villas.

2. CONSENT AGENDA

a. **Council Minutes dated March 28, 2011**

b. **Bill No. 5305 - An Ordinance Authorizing The Installation Of One (1) Fire Hydrant For Ladue Court Villas Located In The Cul-De-Sac At The End Of The Ladue Court Extension In The City Of Creve Coeur, Missouri. Final Passage**
Summary: Request by Creve Coeur Fire Protection District for Council to approve legislation to install a fire hydrant for Ladue Court Villas.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated April 6, 2011 in the amount of $336,964.77 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

3. **Bill No. 5301 - An Ordinance To Amend Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, By Restricting Horses To A Minimum Of Three Acres, With No More Than One Horse Per One Acre Of Fenced Pasture. Final Reading and Passage**

   Summary: Section 205.030.A and Section 405.460.21 contain conflicting regulations governing the keeping of horses on residential property. The record before the City Council at the time of recodification of the Municipal Code clearly indicates an intention to eliminate said conflicts. Therefore, an application has been submitted by the Zoning Administrator to amend the code to eliminate the conflict in regulations.

4. **Bill No. 5302 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A Waterway Automotive Detail Center Located At 11664 Olive Boulevard. Final Reading and Passage**

   Summary: Application was made by Michael Goldman, General Counsel for Waterway Gas & Wash, for a conditional use permit for a Waterway Automotive Detail Center, within the 2,360 square foot building at 11664 Olive Boulevard, in the “CB”, Commercial zoning district. Section 405.370(C)(1)(i)(3), car washes (except bus washing and truck washing) in the “CB”, Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits.

5. **Resolution No. 956 - A Resolution Directing The City Administrator To Commence Negotiations To Reconcile The Scope Of Projects Of The Olive Boulevard Transportation Development District To Available Sources Of Funds And Achieve Completion Of Such Projects As Soon As Practical and Feasible.**

   Summary: The proposed resolution will direct city staff to move toward completion of Olive TDD projects based on available funds as soon as practicable. Requested by Council Member Bryant.

NEW BUSINESS

6. **Bill No. 5307 - An Ordinance Authorizing The Execution Of A Police Mutual Aid Agreement Between The Cities Of Creve Coeur, Frontenac And Town And Country. First Reading**
   Summary: The formation of the West Central Dispatch Center (WCDC) the police departments of Creve Coeur, Frontenac and Town and Country have deemed it to be in their best interest to enter into a police mutual aid agreement. The purpose of the agreement is to provide for mutual cooperation in the event of an emergency situation.

7. **Resolution No. 957 - A Resolution To Adopt The Capital Improvement Plan For The City Of Creve Coeur For The Period FY 2012 Through FY 2016**
   Summary: The City updates the 5-year capital improvement plan each year to ensure that the City's infrastructure, facilities, and capital equipment needs and priorities are being planned for using maximum fiscal responsibility.

8. **Resolution No. 958 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of An Agreement With Adler Custom Signworks, Inc. To Provide And Construct A Monument Sign For The Golf Course And Ice Arena For $19,639.85.**
   Summary: The City has budgeted funds in the current fiscal year for new signage at Craig and Olive, for the Creve Coeur Golf Course & Ice Arena. Staff is recommending the City contract with Adler Custom Signworks to construct and install the sign for $19,639.85. The cost of electrical, irrigation and landscaping, which will be handled under separate contracts or in-house, and will be $6,000, for a total cost of $25,639.85.

9. **Request to solicit donations/sponsorships for special events.**
   Summary: Pursuant to Ordinance 5189, city staff is requesting permission to solicit donations and sponsorships for the Heart to Heart 5/10K Run and the Greens for Greens Charity Golf Tournament.

BUSINESS FROM THE MAYOR and CITY COUNCIL

10. **Request for Excused Absence**
    Summary: Mayor Dielmann is requesting an extension for his excused absences to April 25, 2011.

11. **Olive/I-270 Landscaping**
    Summary: Requested by Council Member Bryant.

BUSINESS FROM CITY ADMINISTRATOR

12. **House Bill 534**
    Summary: Continued discussion of House Bill 534, which would end sharing of sales tax in St. Louis County. As a city with a large commercial base, the current formula results in Creve Coeur sharing a significant amount of sales tax dollars throughout the county. Creve Coeur shared $984,000 in sales tax with St. Louis County and other cities over the last 12 months, or about 20% of our total receipts for our 1% sales tax.

Pursuant to Section 610.022 RSMo., the City Council could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. And/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted: ___________________________ posted 4/7/11 3:45 p.m.
Deborah Ryan, MRCC
City Clerk

MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, March 28, 2011
7:00 PM

CALL MEETING TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Council President Wang at the Creve Coeur Government Center, 300 North New Ballas Road on Monday, March 28, 2011.

PLEDGE OF ALLEGIANCE

Council President Wang led the Pledge of Allegiance.

INVOCATION

Council President Wang said the invocation.

ROLL CALL

The following members were in attendance:

Mrs. Kistner	Council Member Ward I
Mr. Wang	Council Member Ward II
Mrs. Nealey	Council Member Ward II
Mr. Haddenhorst	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mrs. Rhoades	Council Member Ward IV

* - Mayor Dielmann, Council Member Kreuter Ward I and Council Member Bryant Ward IV were absent.

COMMENTS FROM THE GENERAL PUBLIC

Lynn Berry resident of 626 Graeser Acres read and presented a statement for the record expressing concern about left turns at Graeser and Olive. (Exhibit A)

Mel Klearman Advisory Director of the Olive/Graeser TDD stated making a left hand turn onto Olive Blvd from Graeser is much safer now that the new traffic lights are working and the streets are aligned, even though there is no dedicated left turn signal.

Mark Perkins stated MoDOT makes the decisions regarding dedicated left turn signals.

Council Member Hoffman stated we could take a look at the new traffic signal and intersection after the new Walgreens opens and revisit the dedicated left turn signal after the traffic patterns become more regular.

David Caldwell resident of 257 Brooktrail Lane stated as a point of order, on the consent agenda there are several different ordinances on for approval that include projects that are called out in the five year CIP. The CIP has not had a hearing, had first reading of the Bill or been approved. This makes a mockery of the spirit of the public hearing process and public input.

Jim Heines stated we can defer the items if the Council wishes. The agreements that are included with the ordinances as called out on the consent agenda are not to agree to build the actual project. These agreements are stating that if the City goes forward with the project we will follow the regulations of the STP Grant agreements. If we are going to accept the grant money in the future then these ordinances have to be approved per MoDOT requirements.

ACCEPTANCE OF AGENDA

Council Member Kistner moved, seconded by Council Member Haddenhorst to approve the agenda as presented.

Council Member Hoffman requested that Item 15 be moved up to Item 3a.

Carl Lumley stated the Consent Agenda needs to be amended to reflect approval of minutes of March 14th not the 13th. Also, a redlined version of the minutes has been placed on the dais which would be the proposed final version for approval by Council. Carl Lumley requested the addition of Item 11a – Bill No. 5306 as an emergency item under new business, repealing and replacing the ordinance that accepts the dedication of Dautel on the vacation of the old right of way. The legal description on the prior ordinance has errors.

Council President Wang requested that Item 12 – Reappointment of Municipal and Provisional Judges be moved up to Item 3b.

Council Member Rhoades requested that Item 11 be deferred until the April 11 meeting.

Council Member Kistner moved, seconded by Council Member Nealey to approve the agenda as amended, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month
6:00 p.m. – 7:00 p.m. – Work Session
7:00 p.m. – Regular Meeting of the City Council

FUTURE PUBLIC HEARINGS
Monday, April 11, 2011 - 7:00 p.m. - Five Year Capital Improvement Plan FY 2012 - 2016

1. CONSENT ORDINANCE READINGS

a. **Bill No. 5298 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A STP-Urban Program Grant Project With The Missouri Highways And Transportation Commission To Enable The City To Construct The West Olive Lighting Project. Final Reading**

b. **Bill No. 5299 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A STP-Urban Program Grant Project With The Missouri Highways And Transportation Commission To Enable The City To Construct The Ladue Road Sidewalk Phase II Project. Final Reading**

c. **Bill No. 5300 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Maintenance Agreement With The Missouri Highways And Transportation Commission For Black Powder Coat On Traffic Signals And Lighting Facilities On Olive Boulevard (State 340). Final Reading**

City Clerk read Bill Nos. 5298, 5299 and 5300 for the final time.

2. CONSENT AGENDA

Council Member Kistner moved, seconded by Council Member Hoffman to approve the Consent Agenda as presented.

a. **Council Meeting Minutes dated March 13, 2011**

b. **Bill No. 5298 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A STP-Urban Program Grant Project With The Missouri Highways And Transportation Commission To Enable The City To Construct The West Olive Lighting Project. Final Passage**

c. **Bill No. 5299 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A STP-Urban Program Grant Project With The Missouri Highways And**

Transportation Commission To Enable The City To Construct The Ladue Road Sidewalk Phase II Project. Final Passage

d. **Bill No. 5300 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Maintenance Agreement With The Missouri Highways And Transportation Commission For Black Powder Coat On Traffic Signals And Lighting Facilities On Olive Boulevard (State 340). Final Passage**

e. **Resolution No. 955 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Purchase And Installation Of Four Wisconsin V-465d Leaf Vacuum Motors From L & C Truck Repair Inc., For An Amount Of $38,992.44.**

Council Member Rhoades moved, seconded by Council Member Kistner to substitute the minutes and to correct the date of the minutes to March 14th, 2011, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

Council Member Kistner moved, seconded by Council Member Rhoades to approve the consent agenda as amended, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Haddenhorst – Aye
Council Member Nealey – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 5298 becomes Ordinance No. 5181. Bill No. 5299 becomes Ordinance No. 5182. Bill No. 5300 becomes Ordinance No. 5183.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated March 23, 2011 in the amount of $78,287.79 has been provided for Council review. No vote is required.

3a. Delmar Gardens

Mr. Haddenhorst recused himself.

Mark Perkins stated at the request of the Council at the last meeting he sent a letter to Mark Oppenheimer of Delmar Gardens inquiring if he had any additional information to provide at this time regarding any applications. Mark Perkins stated he received a short reply e-mail indicating that they would let the staff know prior to making application and offering no additional information at this time other than what was printed in the St. Louis Business Journal.

Robert Fry stated the developer should be more forthcoming.

Ms. Rhoades thanked Mr. Perkins for following up and confirming to citizens that there is nothing happening behind the scenes at the City.

3b. Reappointment of Municipal and Provisional Judges

Council Member Kistner moved, seconded by Council Member Hoffman to reappoint the Municipal and Provisional Judges for a term which expires on April 12, 2015, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried. Judge Engelmeyer was present with his family and thanked the Council.

UNFINISHED BUSINESS

3. Bill No. 5296 - An Ordinance Establishing Revised Donations Policy And Procedures Of The City Of Creve Coeur. Final Reading and Passage

City Clerk read Bill No. 5296 for the final time.

Council Member Kistner moved, seconded by Council Member Rhoades to approve Bill No. 5296, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye

Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 5296 becomes Ordinance No. 5184.

4. **Substitute Resolution No. 949 - A Resolution Approving Changes To The Donations Policy and Procedures of the City of Creve Coeur.**

Council Member Rhoades moved, seconded by Council Member Hoffman to postpone Substitute Resolution No. 949 indefinitely, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Haddenhorst – Aye
Council Member Nealey – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

5. **Bill No. 5297 - An Ordinance To Amend Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, By Adding Pet Spas As A Permitted Use In Commercial Zoning Districts “MX” Mixed Use, “PC” Planned Community, “GC” General Commercial, And “CB” Core Business, And Establishing Definition For Such Use. Final Reading and Passage**

City Clerk read Bill No. 5297 for the final time.

Council Member Kistner moved, seconded by Council Member Hoffman to approve Bill No. 5297, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 5297 becomes Ordinance No. 5185.

NEW BUSINESS

6. **Bill No. 5301 - An Ordinance To Amend Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, By Restricting Horses To A Minimum Of Three Acres, With No More Than One Horse Per One Acre Of Fenced Pasture. First Reading**

City Clerk read Bill No. 5301 for the first time.

Community Development Director Paul Langdon made a presentation regarding this application and indicated this Bill is to correct discrepancies in the Municipal Code Book.

7. **Bill No. 5302 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A Waterway Automotive Detail Center Located At 11664 Olive Boulevard. First Reading**

City Clerk read Bill No. 5302 for the first time.

City Planner Whitney Kelly made a presentation regarding this application.

8. **Bill No. 5303 - An Ordinance To Adopt The International Property Maintenance Code, 2009 Edition First Reading**

City Clerk read Bill No. 5303 for the first time.

Mark Perkins stated Council was briefed by staff a few months ago regarding this proposal. Mark Perkins stated the adoption of this ordinance is part of our move toward establishing a re-occupancy program for apartments and eventually re-occupancy of owner -occupied dwellings.

Steve Unser, Chief Building Official stated the ordinance that is before Council for consideration is to adopt the International Property Maintenance Code which is a code that is adopted by other local municipalities and establishes minimum requirements and standards for residential and non -residential buildings. This will be used as our guidelines for inspections.

Council Member Kistner asked if there is a difference between inspections for rentals versus owner -occupied.

Steve Unser stated there is a difference as there is a higher turnover for rental and often times a private inspector is hired for owner occupied homes and they are often not familiar with city standards.

Council Member Rhoades submitted for the record a letter received from the St. Louis Association of Realtors dated March 25, 2011. (Exhibit B) Council Member Rhoades stated the gist of the letter is urging the City to include single family homes in the future which she would support.

Council Member Kistner asked if the existing inspectors could handle this additional work load.

Steve Unser stated at this point the three existing inspectors are more than qualified to handle it and based on present work load they could absorb the additional duties. If building construction increases we may need to look at hiring additional staff. We are looking into hiring a part -time office assistant to help administer the program in terms of phone calls, paperwork and tracking.

Council Member Kistner stated she would like to see a turn-around time included and implemented in this new program.

Carl Lumley stated for the record staff will be posting this in the lobby for 90 days because we are adopting a technical code which will be available for inspection. Carl Lumley stated due to the 90 days notice second reading for this Bill will not be until June 27th and an effective date of July 1, 2011.

Robert Kent resident of 13084 Fern Trails Lane stated this is a matter of property value issues as well as safety.

Michelle White, Attorney for the St. Louis Apartment Association stated the information and numbers included in the Council packet are grossly underestimated regarding the number of anticipated inspections. Ms. White stated to have a start date of July 1, 2011 would really be an issue for many of these complexes and management companies as their budgets have already been set for the year.

Vickie Navarette 1002 Mariners' Point and property manager for EdgeWater stated she is opposed to the July 1, 2011 start dated and asked the staff to consider that budgets for most management companies are completed on the calendar year.

Celeste Reuter, Governmental Affairs Director of the St. Louis Association of Realtors stated she would encourage that the inspections be expanded to cover all residential properties, not just apartments. Ms. Reuter states she would like to see a defined start date for the program on re-inspections as well as a defined timeline for re-inspection on all residential properties.

Steve Unser stated regarding the inspection numbers that was previously discussed, staff gathered those number by contacting the property managers back in fall of 2010. Steve Unser stated regarding the market- ready apartment the ordinance indicates that the certificate of occupancy is good for three months (90 days). Mr. Unser stated he would recommend to an apartment manager that when this ordinance goes into effect is to call and get the inspector in premises when the dwelling is ready to be leased. Mr. Unser stated it is not the intent of this ordinance to make every apartment come into compliance with today's code standards. However, the apartments will need to be in compliance with the codes that were in existence at the time the apartment building was built.

Mr. Klearman stated inspections are necessary.

Carla Powell, Property Manager for Kings Landing stated she also feels the estimated inspection numbers have been grossly underestimated. Ms. Powell stated she would like to request that staff consider limiting this ordinance to properties that are more than 10 years old. Kings Landing is a new complex and is up to date with today's standards in safety and construction.

Luke Savanala stated these inspections would be redundant in most cases.

Mark Perkins stated if we can only approve this ordinance at the earliest is June 27th then realistically we would be looking at an August 1, 2011 start date. We would have to provide notice that the ordinance has been approved, even though there has been some notice now, and we would want to allow at least 30 days for apartment managers to prepare.

Council Member Rhoades moved, seconded by Council Member Kistner moved to defer Bill No. 5303 until June 13, 2011, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Haddenhorst – Aye
Council Member Nealey – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

9. Bill No. 5304 - An Ordinance To Revise The Miscellaneous Fees Portion Of The Community Development And Public Works Fee Schedule (Appendix B To Title IV) First Reading

City Clerk read Bill No. 5304 for the first time.

Council Member Rhoades moved, seconded by Council Member Kistner to defer this until the first meeting in June, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

10. Bill No. 5305 - An Ordinance Authorizing The Installation Of One (1) Fire Hydrant For Ladue Court Villas Located In The Cul-De-Sac At The End Of The Ladue Court Extension In The City Of Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5305 for the first time.

11. Resolution No. 956 - A Resolution Directing The City Administrator To Commence Negotiations To Reconcile The Scope Of Projects Of The Olive Boulevard Transportation Development District To Available Sources Of Funds And Achieve Completion Of Such Projects As Soon As Practicable.

City Clerk read Resolution No. 956.

Council Member Kistner moved, seconded by Council Member Rhoades to defer Resolution No. 956 until April 11, 2011, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

11a. Bill No. 5306 – An Ordinance Repealing Ordinance No. 5177 and Accepting the Dedication of the New Dautel Lane Right Of Way and Maintenance of the Public Road Pavement within Said Right of Way; and Vacation of the Existing Dautel Lane Right Of Way, with an Emergency Clause.

City Clerk read Bill No. 5306 for the first time.

Council Member Kistner moved, seconded by Council Member Haddenhorst for the second reading of Bill No. 5306, with the vote upon such motion being as follows, to-wit:

Council Member Kistner – Aye
Council Member Hoffman – Aye
Council Member Wang – Aye
Council Member Rhoades – Aye
Council Member Haddenhorst – Aye
Council Member Nealey – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

The City Clerk read Bill No. 5306 for the second time.

Council Member Kistner moved, seconded by Council Member Hoffman to approve Bill No. 5306, with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 5306 becomes Ordinance No. 5186.

APPOINTMENTS

12. Reappointment of Municipal and Provisional Judges

Item discussed earlier in the meeting. Item 3b.

BUSINESS FROM THE MAYOR and CITY COUNCIL

13. Campaign Finance Disclosure Reports

Council Member Kistner stated she was notified just before last week that a campaign committee that was active four years ago, that was believed to have been closed, had not been closed. During the last four years there was no any activity. Since there was no activity it was suggested that she complete 14 quarters of no activity reports. Council Member Kistner stated she completed those and submitted stamped copies for the record. (Exhibit C)

Tony Kardis resident of 678 Graeser Road stated politicians fail to follow the law and then file papers and or pay the fine and then say everything is okay. Mr. Kardis asked rhetorically why are they better than ordinary citizens and why do politicians not have the integrity to follow the law. Mr. Kardis asked if all City Council Members take an oath to enforce the constitution and the laws of the State of Missouri, a rhetorical question for all of you.

BUSINESS FROM CITY ADMINISTRATOR

14. Mill Crossing

Mark Perkins stated the Prosecuting Attorney has been working to obtain compliance with what are now the previous owners of the project, which in and of itself become a problem in turns of gaining compliance. Mark Perkins stated the trustees of Mill Crossing Development have been very upfront in working with the City in trying to gain compliance.

Mr. Kent thanked Mr. Siefried for his diligent efforts to cause the current owners to comply.

15. Delmar Gardens

Item discussed earlier in the meeting. Item 3a.

16. House Bill 534

Mark Perkins stated there is a Bill in the Legislature to propose an end to the current sales tax sharing formula for St. Louis County and the difference this year from previous years is that the Bill has gained some traction and has been voted out of Committee and is receiving more serious consideration. St. Louis County is unique to all of Missouri in how tax revenue is shared. There are point of sale communities and pool cities. Creve Coeur is a little of both, but because we are above the average we share a portion of our sales tax. We get a little back because our portion is in the pool. This Bill has been proposed by a Legislator in Fenton. This is becoming a significant issue for many cities as budgets have been cut due to dwindling revenue sources. The Bill itself suggests a January 2, 2012 implementation date and that would probably be difficult for those municipalities who have already budgeted the revenue.

Council Member Kistner asked if this is something that the Council Members would like to weigh in on collectively to our representatives.

Mark Perkins stated he received an email communication from Representative Schupp regarding this issue and how Creve Coeur will be impacted. Mark Perkins stated he will continue to watch this issue and report back to Council.

Mr. Caldwell mentioned the streamlined internet sales tax measure that is also before the Legislature.

17. 2011 Estimated Property Tax Rate

Dan Smith stated the Missouri Revised Statutes require that the City of Creve Coeur provide to the County Clerk an estimated property tax rate for 2011 no later than April 8th. This rate is calculated based on the assessment valuation figures provided by the St. Louis County Collector on March 15, 2011. The tax rates are calculated using the calculation provided by the state auditor's office which complies with the Hancock Amendment. Based on the assessed value information provided by the auditor it is estimated that the Creve Coeur tax rates will be as follows for 2011:

Residential	8.7 cents per $100 assessed value
Commercial	7.9 cents per $100 assessed value
Agricultural	10 cents per $100 assessed value

Dan Smith stated these rates assume property taxes will be leveled at the ceiling allowed by law and represent a .30 cent increase in residential, no increase in commercial and .90 cents increase in agricultural. The actual tax rates will be set by ordinance in September 2011. The rate could change at that time based on updated assessed valuation figures.

Council Member Kistner moved, seconded by Council Member Haddenhorst go into Executive Session at 8:59 p.m., pursuant to Section 610.020 (1) (legal matters), and Section 610.022, with the vote upon such motion begin as follows, to-wit:

Council Member Nealey – Aye
Council Member Hoffman – Aye
Council Member Wang – Aye
Council Member Kistner – Aye
Council Member Rhoades - Aye
Council Member Haddenhorst – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

Council Member Kistner moved, seconded by Council Member Hoffman to adjourn Executive Session at 9:12 p.m. with the vote upon such motion being as follows, to-wit:

Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Nealey – Aye
Council Member Rhoades – Aye
Council Member Kistner – Aye
Council Member Haddenhorst – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

Council Member Haddenhorst moved, seconded by Council Member Kistner to adjourn at 9:15 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Nealey – Aye
Council Member Haddenhorst – Aye
Council Member Rhoades - Aye
Council Member Wang – Aye
Council Member Hoffman - Aye
Council Member Kistner – Aye

The vote on the motion being 6 ayes and 0 nays, motion carried.

Deborah Ryan
City Clerk

AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 Of The City Charter

BILL No ___5305_____ **ORDINANCE No. __________**

AN ORDINANCE AUTHORIZING THE INSTALLATION OF ONE (1) FIRE HYDRANT FOR LADUE COURT VILLAS LOCATED IN THE CUL-DE-SAC AT THE END OF THE LADUE COURT EXTENSION IN THE CITY OF CREVE COEUR, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR MISSOURI AS FOLLOWS:

SECTION 1: The Missouri American Water Company, shall in accordance with the terms of franchise contract, ordinance No. 165, between the City of Creve Coeur and the Missouri American Water Company, install one (1) public fire hydrant in the City of Creve Coeur at the following location, to-wit:

> One (1) new public fire hydrant in the cul-de-sac at the end of the Ladue Court extension.

SECTION2: All of said work shall be done under the supervision of the City Council or its proper representative, and for the purpose of this ordinance, the Missouri American Water Company is hereby given permission to make all necessary excavations for the proper execution of said work.

SECTION 3: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF ___________________, 2011

AJ WANG
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF ___________________, 2011

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK

Creve Coeur FIRE PROTECTION DISTRICT
Administrative Center • 11221 Olive Boulevard • St. Louis, Missouri 63141-7652
Office (314) 432-5570 • Fax (314) 432-2367

March 10, 2011

Ms. Debbie Ryan
City Of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

Re: Fire hydrant ordinance for Ladue Court Villas.

Dear Ms. Ryan:

Please prepare an ordinance authorizing the Missouri American Water Company to install one new fire hydrant:

- One (1) – new public fire hydrant shall be installed in the cul-de-sac at the end of the Ladue Court extension.

There will be an extension of an 8-inch water main from the existing public fire hydrant to the proposed public fire hydrant in the cul-de-sac.

Please forward copies of the ordinance to Missouri American Water Company and the Creve Coeur Fire Protection District. If you need additional information, please contact me at 314-432-5570, fax – 314-432-2367 or email – aoestereich@ccfire.org.

Yours in Fire Safety:

Arthur K. Oestereich
Fire Marshal

Cc: Susan Moynihan – Missouri American Water Company
Rhein Dabler – The Clayton Engineering Company, Inc.

City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141
(314) 432-6000
www.creve-coeur.org

DATE: April 6, 2011

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated April 6, 2011, in the amount of $336,964.77

NO DEPARTMENT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01481	0		032211	22-Mar-11	CAMPBELL, JENNIFER	REFUND 2010 LIC FEE-NVR OPENED	01-00-00-4402	40.00
00084	2		3828239107	15-Mar-11	COCA-COLA	SODA FOR VENDING AT GARAGE	01-00-00-4739	235.90
01257	0	P001178	0671667	23-Mar-11	KIESLER'S POLICE SUPPLY	7 CASES FEDERAL 40 AMMO	01-00-00-2411	2,186.80
00189	0		032511	25-Mar-11	MIRIKITANI & ASSOCIATES	CLASSES & COACHING FOR PD EMP.	01-00-00-2411	1,245.00

Sum of Invoices *3,707.70*

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
00303	1		10278817	24-Mar-11	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE 5-YR CIP	01-11-13-6260	119.48	
							Sum of Invoices		*119.48*

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00149	5		CPM14686811	04-Mar-11	ICMA	ANNUAL RENEWAL-CPMP	01-12-11-6262	2,675.00
00932	0		032911	29-Mar-11	WEISS, MELISSA	MILEAGE REIMB-MARCH 2011	01-12-11-7307	7.14

Sum of Invoices *2,682.14*

CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

4/6/2011

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00029	0		100949	22-Mar-11	BUSCOMM	LASERFICHE MAINT AGREEMENT	01-12-51-6213	844.20
00029	0		100333	09-Feb-11	BUSCOMM	SOFTWARE MAINT	01-12-51-7332	249.61
00278	0		F53717250101	30-Mar-11	GLOBAL	MOBIL PATA HD-PD COPIER	01-12-51-6213	50.00
00050	0		INV0015870	15-Mar-11	REJIS	PIX FIREWALL MAINTENANCE	01-12-51-6213	21.24

Sum of Invoices *1,165.05*

Finance

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01299	0		13123	16-Mar-11	GILMORE & BELL, P.C.	LEGAL SVCS-ARBITRAGE REBATE	01-13-11-6203	800.00
00021	0		032911	29-Mar-11	GOEWERT, LINDA	MILEAGE REIMB-MARCH 2011	01-13-11-7307	21.17
00140	6		28440	03-Mar-11	MISSOURI DEPARTMENT OF REVENUE	SALES TAX REPORT-FEBRUARY 2011	01-13-11-6203	35.00
00030	0		031411	14-Mar-11	SMITH, DANIEL N.	REIMB FOR GFOA MTG-MARCH 2011	01-13-11-6264	15.00

Sum of Invoices *871.17*

MUNICIPAL COURT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00648	0		PRINTSHOP	14-Mar-11	ST LOUIS DEPT OF HEALTH-PRINTSHOP	700 DOCKET CARDS	01-13-14-7304	73.00

Sum of Invoices *73.00*

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01365	0		08312	29-Mar-11	DIRECT EXPRESS OFFICE SUPPLIES	TONER CARTRIDGE-BLDG DEPT	01-13-15-7312	128.07
00154	0		217329327	18-Mar-11	KONICA MINOLTA BUSINESS SOLUTIONS	COPIER MAINTENANCE	01-13-15-6213	357.54
01484	0		231662-1	25-Mar-11	OFFICE SOURCE, INC.	TONER CARTRIDGE-COPPS OFFICE	01-13-15-7312	109.19
01484	0		231662-0	24-Mar-11	OFFICE SOURCE, INC.	TONER CARTRIDGES-COPPS OFFICE	01-13-15-7312	380.45
00077	0		3111198	18-Mar-11	QUILL	INKJET CARTRIDGES, NOTEPADS	01-13-15-7312	71.34
00050	0		INV0015870	15-Mar-11	REJIS	NETWORK ACCESS FEE	01-13-15-6213	183.00
01169	0		107685380	24-Mar-11	STAPLES ADVANTAGE	VARIOUS OFFICE SUPPLIES	01-13-15-7312	176.71
01169	0		107620463	18-Mar-11	STAPLES ADVANTAGE	TONER CARTRIDGES-CITY CLERK	01-13-15-7312	388.77
01169	0		107574309	16-Mar-11	STAPLES ADVANTAGE	CREDIT MEMO	01-13-15-7312	(4.28)
01169	0		107599242	17-Mar-11	STAPLES ADVANTAGE	PENS, LABELS, LAMINATE SLEEVES	01-13-15-7312	57.95
01169	0		107578294	17-Mar-11	STAPLES ADVANTAGE	SCISSORS	01-13-15-7312	4.28

Sum of Invoices *1,853.02*

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00088	0		104066-1	28-Mar-11	ARCHWAY LIGHTING SUPPLY, INC.	COMP	06-14-31-6212	59.25
00088	0		104369	30-Mar-11	ARCHWAY LIGHTING SUPPLY, INC.	LIGHT BULBS	06-14-31-6212	212.80
00015	1		452738595	30-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (033011)	06-14-31-7301	1.92
00015	1		452736176	24-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (032411)	06-14-31-7301	1.92
00015	1		452738595	30-Mar-11	CINTAS CORP. #452	UNIFORMS (033011)	06-14-31-7308	5.01
00015	1		452736176	24-Mar-11	CINTAS CORP. #452	UNIFORMS (032411)	06-14-31-7308	5.01
00080	0		2867-174-5	26-Mar-11	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	20.99
00080	0		5967-109-5	18-Mar-11	DIERBERGS	BIRTHDAY CAKES	06-14-31-7304	45.96
00080	0		4019-144-5	01-Apr-11	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	53.97
00117	0		5080515	31-Mar-11	HOME DEPOT	MISC SMALL TOOLS	06-14-31-6212	15.88
00117	0		5080515	31-Mar-11	HOME DEPOT	PART FO OLYMPIA	06-14-31-7302	13.15
00117	0		5080515	31-Mar-11	HOME DEPOT	BUILDING SUPPLIES	06-14-31-6211	11.59
00867	1	P001164	I0053107	26-Mar-11	MURPHY	COMPRESSOR REPLACEMENT	06-14-31-9501	16,400.00
00048	0		185875	21-Mar-11	PAVYER	OLYMPIA BLADE SHARPENING	06-14-31-6211	56.51

Sum of Invoices *16,903.96*

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00970	0		1388-359288	29-Mar-11	O'REILLY AUTO PARTS	SUPPLIES FOR VEHICLE MAINT.	06-14-32-6210	48.08
00953	0		84208	31-Mar-11	GATEWAY GOLF CARS, LTD	CLUTCH FOR EZGO CART	06-14-32-6210	285.77
00175	0		0614326211	15-Mar-11	MTI DISTRIBUTING, INC.	ROLLER BEARINGS 3100	06-14-32-6211	106.50
00042	1		60631	21-Mar-11	MPR SUPPLY	4" GATE VALVE, PIPE DOPE	06-14-32-6212	259.53
00116	0		1324.	30-Mar-11	SAM'S CLUB	FIRST AID SUPPLIES	06-14-32-6271	30.81
00177	0		00262947	18-Mar-11	VEATCH CHEMICAL CO.	ROUGH FERTILIZER	06-14-32-7303	684.40
00173	0		IN092127	22-Mar-11	SUPREME TURF PRODUCTS	FERTILIZER & SOLUBLE NUTRIENTS	06-14-32-7303	515.00
00173	0		IN092126	22-Mar-11	SUPREME TURF PRODUCTS	CALCIUM & FERTILIZER	06-14-32-7303	390.00
00173	0		IN092352	25-Mar-11	SUPREME TURF PRODUCTS	COLORING AGENT	06-14-32-7303	160.00

Sum of Invoices *2,480.09*

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01206	0		3399930SO	03-Mar-11	CLEVELAND GOLF / SRIXON	GOLF CLUBS FOR RESALE	06-14-33-8323	333.04
01206	0		3410301SO	15-Mar-11	CLEVELAND GOLF / SRIXON	GOLF BALLS FOR RESALE	06-14-33-8324	62.90
01206	0		3396523SO	01-Mar-11	CLEVELAND GOLF / SRIXON	GOLF BALLS FOR RESALE	06-14-33-8324	278.30
01206	0		3403510SO	08-Mar-11	CLEVELAND GOLF / SRIXON	HATS/APPAREL	06-14-33-8325	261.80
00665	1		0143649-IN	07-Mar-11	M&M GOLF CARS	SMALL TOOLS FOR CART MAINT	06-14-33-7302	71.89

Sum of Invoices *1,007.93*

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00015	1		452738595	30-Mar-11	CINTAS CORP. #452	WIPING TOWELS (033011)	06-14-34-7301	4.80
00015	1		452736176	24-Mar-11	CINTAS CORP. #452	WIPING TOWELS (032411)	06-14-34-7301	4.80
00084	2	P001142	3898358732	29-Mar-11	COCA-COLA	DRINKS FOR RESALE (8317)	06-14-34-8317	506.80
01304	0	P001152	0071347	25-Mar-11	LANDSHIRE, INC.	SANDWICHES FOR RESALE (8315)	06-14-34-8315	127.22
01471	0		83260	16-Mar-11	RL MUELLER NATIONAL DIST., INC.	FOOD FOR RESALE	06-14-34-8315	60.50
01471	0		83260	16-Mar-11	RL MUELLER NATIONAL DIST., INC.	FOOD FOR RESALE	06-14-34-8317	152.85

Sum of Invoices *856.97*

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00088	0		104315	28-Mar-11	ARCHWAY LIGHTING SUPPLY, INC.	LIGHT BULBS	01-16-11-6212	207.00
00102	0		700889	24-Mar-11	BEYERS LUMBER	FILTER FOR HEAT PUMP #57	01-16-11-6212	11.94
00102	0		700025	09-Mar-11	BEYERS LUMBER	PLUMBING SUPPLIES	01-16-11-6212	19.99
00102	0		700017	09-Mar-11	BEYERS LUMBER	PLUMBING & ELECTRICAL SUPPLIES	01-16-11-6212	8.87
00015	1		452733068	17-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/17/11)	01-16-11-7308	10.00
00015	1		452736167	24-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/24/11)	01-16-11-7308	10.00
00128	1		S2943450.001	16-Mar-11	FROST ELECTRIC	ELECTRICAL SUPPLIES	01-16-11-6212	66.46
00108	1		S1812644.001	21-Mar-11	WHOLESALE PLUMBING SUPPLY	PLUMBING SUPPLIES	01-16-11-6212	11.31

Sum of Invoices *345.57*

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01310	0		10853	23-Mar-11	A1 BARCODE SYSTEMS	INVENTORY SYSTEM SOFTWARE UPDATE	01-21-11-7304	320.50
00640	0		WEB000162827	15-Mar-11	BOB BARKER CO.	6 BOXES LATEX GLOVES	01-21-11-6271	52.26
01474	0	P001174	116105.	24-Mar-11	HACKETT SECURITY, INC.	12 MONTHLY CELL FEE	01-21-11-9503	120.00
01474	0	P001174	116105.	24-Mar-11	HACKETT SECURITY, INC.	STOPPER PULL STATION COVER	01-21-11-9503	85.00
01474	0	P001174	116105.	24-Mar-11	HACKETT SECURITY, INC.	FIRE ALARM INTERFACE	01-21-11-9503	635.00
00002	0		033011	30-Mar-11	HAHN, LISA	TUITION/BOOK REIMBURSEMENT	01-21-11-6261	2,712.83
01477	1		946969149	18-Mar-11	HM RECEIVABLES CO. II, LLC	(5) SELF SCORE TESTS	01-21-11-6203	140.62
00028	0		03/22/2011	22-Mar-11	KAYSER, DON	FBINAA MONTHLY MEETING FEES	01-21-11-6264	36.00
00050	0	P001026	INV0015870*	15-Mar-11	REJIS	SUBSCRIPTION FEE-MARCH 2011	01-21-11-6202	4,030.39
00050	0		INV0015870	15-Mar-11	REJIS	LIVESCAN CONNECTION	01-21-11-6202	50.00
00050	0		INV0015870	15-Mar-11	REJIS	IMDS ORACLE DB MAINTENANCE	01-21-11-6202	21.00
00050	0	P001026	INV0015871	14-Mar-11	REJIS	LOG TAPE SEARCH	01-21-11-6202	25.00
00050	0	P001027	INV0015870**	15-Mar-11	REJIS	GLOBAL SOFTWARE SVCS-MAR 2011	01-21-11-6213	2,798.75
01048	1		2546528612	18-Mar-11	VERIZON WIRELESS	MONTHLY CHG. EMERG. AIR CARD	01-21-11-6253	43.01
01436	0		11-004	06-Apr-11	WEST CENTRAL DISPATCH	2011 QUARTERLY UTILIZATION FEE	01-21-11-6227	77,610.00
00091	0	P001008	182229	21-Mar-11	WIRELESS USA	CONSOLE MAINT-APRIL 2011	01-21-11-6211	190.00

Sum of Invoices *88,870.36*

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00050	0		INV0015870	15-Mar-11	REJIS	IMDS ORACLE DB MAINTENANCE	01-21-21-6202	10.50

Sum of Invoices *10.50*

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00096	0		114810	24-Mar-11	EVS	REPAIRS TO VARIOUS VEHICLES	01-21-22-6210	162.53
00096	0		114826	25-Mar-11	EVS	CAR 2411 C/OVER TO SECTOR CAR	01-21-22-6210	590.39
00094	1		135196	22-Mar-11	FIRESTONE	CAR 2409 30000 MILE SERVICE	01-21-22-6210	214.44
00094	1		135240	23-Mar-11	FIRESTONE	CAR 2406 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		135239A	23-Mar-11	FIRESTONE	CAR 2404 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		135436	28-Mar-11	FIRESTONE	CAR 2417 BATTERY/3000 MILE SVS	01-21-22-6210	137.41
00347	1		435306	11-Feb-11	KUSTOM SIGNALS, INC.	VIDEO CAMERA WINDSHIELD MOUNTS	01-21-22-6211	172.26
00347	1		437866	21-Mar-11	KUSTOM SIGNALS, INC.	RETURN KIT PARTS NOT NEEDED	01-21-22-6211	(88.26)
00118	0		13806	29-Mar-11	OLD STYLE BODY COMPANY	CAR 2405 REPAIR DOOR LOCK	01-21-22-6210	114.00
00050	0		INV0015870	15-Mar-11	REJIS	14 VERIZON DATA LINES	01-21-22-6253	714.00
00311	0		512299	28-Mar-11	WEBER CHEVROLET	CAR 2419 3000 MILE SVS	01-21-22-6210	37.12

Sum of Invoices *2,089.87*

PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01048	1		2544518784	13-Mar-11	VERIZON WIRELESS	AIR CARD 2/14 - 3/13/11	01-31-11-6253	43.01

Sum of Invoices *43.01*

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	15		3149891849 4/11	19-Mar-11	AT&T	IRRIGATION SENSOR-OLIVE/I270	01-31-41-6253	98.32
00114	15		3143178753 4/11	19-Mar-11	AT&T	IRRIGATION SENSOR-ST. MONICAS	01-31-41-6253	42.96
00008	1		4390675	15-Mar-11	BEARING HEADQUARTERS	BEARINGS FOR SALT SPREADER	01-31-41-6210	97.64
00010	0		881762	21-Mar-11	BRANNEKY HARDWARE	WATERHOSE FITTINGS-BOBCAT	01-31-41-6211	10.98
00010	0		881514	16-Mar-11	BRANNEKY HARDWARE	CLEANING SUPPLIES, GROMMET KIT	01-31-41-6212	25.22
00010	0		880969	09-Mar-11	BRANNEKY HARDWARE	BUILDING MAINT SUPPLIES	01-31-41-6212	139.11
00010	0		881280	15-Mar-11	BRANNEKY HARDWARE	FLOODLIGHTS FOR BALLAS MEDIANS	01-31-41-6251	105.00
00013	0		1763-168815	23-Mar-11	CARQUEST	OIL FILTERS FOR STOCK	01-31-41-6210	39.78
00013	0		1763-168249	14-Mar-11	CARQUEST	BELTS FOR 1-TON SPREADER	01-31-41-6210	10.20
00013	0		1763-168188	14-Mar-11	CARQUEST	BELTS FOR SALT SPREADER	01-31-41-6210	10.20
00013	0		1763-165616	02-Feb-11	CARQUEST	V-BELT FOR SALT SPREADER	01-31-41-6210	8.93
00013	0		1763-165782	04-Feb-11	CARQUEST	CREDIT MEMO-MDSE RETURN	01-31-41-6210	(8.93)
00013	0		1763-169154	29-Mar-11	CARQUEST	HEAD LIGHTS FOR TRUCKS	01-31-41-6211	33.44
00013	0		1763-169161	29-Mar-11	CARQUEST	RELAYS FOR SNOW PLOW LIGHTS	01-31-41-7310	251.12
00015	1		452736173	24-Mar-11	CINTAS CORP. #452	SAFETY MATS (3/24/11)	01-31-41-6212	37.16
00015	1		452733074	17-Mar-11	CINTAS CORP. #452	SAFETY MATS (3/17/11)	01-31-41-6212	37.16
00015	1		452736173	24-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (3/24/11)	01-31-41-7301	18.18
00015	1		452733074	17-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (3/17/11)	01-31-41-7301	18.18
00015	1		452733075	17-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/17/11)	01-31-41-7308	74.70
00015	1		452736174	24-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/24/11)	01-31-41-7308	38.17
00080	0		3029-180-5	26-Mar-11	DIERBERGS	FOOD FOR SNOW PLOW CREWS	01-31-41-7310	113.70
01438	0	P001154	14636	23-Mar-11	EDELEN DOOR & WINDOW	REPLACE ROTTED STEEL DOOR	01-31-41-6212	1,820.00
00141	0		112496	24-Mar-11	ELECTRO BATTERY	CREDIT MEMO-JUNK RETURNS	01-31-41-6211	(4.50)
00141	0		112495	24-Mar-11	ELECTRO BATTERY	BATTERY FOR ASPHALT ROLLER	01-31-41-6211	35.04
00117	0		8074040	28-Mar-11	HOME DEPOT	RATCHET STRAPS, RECEIVER HITCH	01-31-41-6210	58.70
00349	0		543458-001	22-Mar-11	HTE TECHNOLOGIES	HYDRAULIC PIPE CAPS	01-31-41-6210	18.58
01134	0		1870442	14-Mar-11	KIMBALL MIDWEST	SHARPENING WHEEL, CHUCK ASSEMB	01-31-41-7302	113.95
00156	0		0047021	28-Mar-11	L & C TRUCK REPAIR, INC.	REPAIR DRIVER SIDE WINDOW #307	01-31-41-6210	86.57
00794	1	P001053	0207924-IN	28-Mar-11	LANGE STEGMAN	DELIVERY OF 329.61 TONS ROAD S	01-31-41-7310	2,495.15
01490	0		W612930	17-Mar-11	MEDNIK * RIVERBEND	RAGS FOR SHOP	01-31-41-6212	79.83
00348	0		63222	25-Mar-11	MIDWEST SYSTEMS TRUCK EQUIPMENT, INC.	CHUTE ASSEMBLY FOR SALT SPREDR	01-31-41-6210	619.85

CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00040	0		752127	24-Mar-11	MILBRADT	OIL FILTERS	01-31-41-6211	4.88
00040	0		752072	23-Mar-11	MILBRADT	FILTERS FOR ASPHALT ROLLER	01-31-41-6211	50.21
00411	0		102006	22-Mar-11	N.B. WEST CONTRACTING CO.	COLDPATCH FOR POTHOLE REPAIR	01-31-41-7305	365.00
01095	1		513565	23-Mar-11	NAPA AUTO PARTS	SHOP TOOLS	01-31-41-7302	71.28
00608	0		62953	23-Feb-11	NORTHWEST TIRE & AUTO	TRAILER RECEIVER BALL, ANCHOR	01-31-41-6210	63.59
00608	0		63392	15-Mar-11	NORTHWEST TIRE & AUTO	CLIPS FOR PINDLE HITCH	01-31-41-6210	37.44
00092	12		25182	21-Mar-11	ST LOUIS COUNTY	TRAFFIC SIGNAL MAINTENANCE	01-31-41-6251	1,685.88
01489	0		KA855	14-Mar-11	SUPERCO SPECIALTY PRODUCTS	DURA-LUBE FOR SALT SPREADERS	01-31-41-6210	457.25
00609	0		760363	14-Mar-11	SUPERIOR EQUIPMENT CO., INC.	FUEL CAP FOR UNDERGROUND FUEL	01-31-41-6212	116.08
00270	1		36657-00	28-Mar-11	TERMINAL SUPPLY CO.	ROCKER SWITCHES	01-31-41-6210	64.96

Sum of Invoices *9,440.96*

HEALTH & WELFARE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00105	1	P001157	0346-013412109	28-Feb-11	ALLIED WASTE	CONDO SERVICE-MARCH 2011	01-31-42-6214	2,555.81
00105	1	P001157	0346-0133672278	31-Jan-11	ALLIED WASTE	CONDO SERVICE-FEBRUARY 2011	01-31-42-6214	2,555.81
00105	1	P001157	0346-0133318622	31-Dec-10	ALLIED WASTE	CONDO SERVICE-JANUARY 2011	01-31-42-6214	2,555.81
00105	1	P001157	0346-013195807	30-Nov-10	ALLIED WASTE	CONDO SERVICE-DECEMBER 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-013163454	31-Oct-10	ALLIED WASTE	CONDO SERVICE-NOVEMBER 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-013132822	30-Sep-10	ALLIED WASTE	CONDO SERVICE-OCTOBER 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-013016328	31-Jul-10	ALLIED WASTE	CONDO SERVICE-AUGUST 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-013045069	31-Aug-10	ALLIED WASTE	CONDO SERVICE-SEPTEMBER 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-012978529	30-Jun-10	ALLIED WASTE	CONDO SERVICE-JULY 2010	01-31-42-6214	2,555.81
00105	1	P001157	0346-013447576	15-Mar-11	ALLIED WASTE	RESIDENTAL SERVICE-MARCH 2011	01-31-42-6214	83,131.20
00105	1	P001158	0346-013447576	15-Mar-11	ALLIED WASTE	RECYCLING SERVICE-MARCH 2011	01-31-42-6217	24,067.20
01480	1		2110238327	15-Mar-11	IESI MO - CHAMP LANDFILL LLC	LANDFILL FEE	01-31-42-6214	44.59

Sum of Invoices *130,245.28*

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00129	0		I922326	23-Mar-11	ART'S LAWN MOWER SHOP	FILTERS FOR KUBOTA TRACTOR	01-31-43-6211	165.95
00129	0		I922703	30-Mar-11	ART'S LAWN MOWER SHOP	HYDRO FLUID FOR KUBOTA TRCTRS	01-31-43-6211	85.00
00010	0		882161	29-Mar-11	BRANNEKY HARDWARE	ARBOR DAY ITEMS	01-31-43-6212	10.00
00010	0		881514	16-Mar-11	BRANNEKY HARDWARE	CLEANING SUPPLIES, BATTERIES	01-31-43-6212	25.22
00010	0		881703	18-Mar-11	BRANNEKY HARDWARE	LOPPERS,SHEARS, PRUNERS	01-31-43-7302	80.69
00010	0		880969	09-Mar-11	BRANNEKY HARDWARE	PRUNERS	01-31-43-7302	79.96
00015	1		452733074	17-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (3/17/11)	01-31-43-7301	18.18
00015	1		452733075	17-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/17/11)	01-31-43-7308	74.69
00015	1		452736174	24-Mar-11	CINTAS CORP. #452	UNIFORM RENTAL (3/24/11)	01-31-43-7308	38.17
00015	1		452736173	24-Mar-11	CINTAS CORP. #452	CLEANING SUPPLIES (3/24/11)	01-31-43-7301	18.18
00110	0		307362	24-Mar-11	RICMAR INDUSTRIES	PARKS RESTROOMS SUPPLIES	01-31-43-6212	407.26
00110	0		307361	24-Mar-11	RICMAR INDUSTRIES	RESTROOM SUPPLIES FOR THE PRKS	01-31-43-6212	466.41
00173	0		IN092129	22-Mar-11	SUPREME TURF PRODUCTS	FERTILIZER	01-31-43-7303	205.00
00108	1		1	25-Mar-11	WHOLESALE PLUMBING SUPPLY	PARTS FOR RESTROOM SUPPLIES	01-31-43-6212	566.37

Sum of Invoices *2,241.08*

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00368	0		7-436-75714	24-Mar-11	FEDEX	SHIPPING FEE	01-32-11-6203	12.88
00213	0		032211-1	22-Mar-11	MCLAUGHLIN COURT REPORTING SERVICES, INC	CRT REPORTER-P&Z 3/21/11	01-32-11-6203	131.00
00303	1		10277844	16-Mar-11	MISSOURI LAWYERS MEDIA	PUB HRG NOTICE-LOU FUSZ	01-32-11-6260	34.80

Sum of Invoices *178.68*

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00009	0		40444	01-Apr-11	BOLLS, SCOTT	MILEAGE REIMB-MARCH 2011	01-32-61-7307	618.63
00152	3		032311	23-Mar-11	INTERNATIONAL CODE COUNCIL	2009 INT'L PROPERTY MAINT CODE	01-32-61-6261	130.50
00112	0		40217	18-Mar-11	MPS	FORMS PRINTING	01-32-61-7304	138.00
00316	0		41411	01-Apr-11	ST. LOUIS MET FIRE MARSHALS ASSOC.	SEMINAR REG.-D. WOODS	01-32-61-6261	40.00
00032	0		40511	05-Apr-11	UNSER, STEVE	REIMB-'09 INT'L PROPERTY MAINT CODE	01-32-61-6261	27.50
00032	0		40511	05-Apr-11	UNSER, STEVE	REIMB-'09 UNIFORM PLBG CODE	01-32-61-6261	110.84
00056	0		40111	01-Apr-11	WOODS, DENNIS	MILEAGE REIMB-MARCH 2011	01-32-61-7307	253.98

Sum of Invoices *1,319.45*

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount	
01333	0		CC20100008	30-Mar-11	M & H CONCRETE	PHASE II NEW BALLAS SIDEWALK	02-61-71-9510-11602	872.80	
01333	0	P001083	PAY #7	01-Apr-11	M & H CONCRETE	CONCRETE REPLACEMENT PROGRAM	02-61-71-9510-11607	64,433.70	
01333	0		PAY #8	01-Apr-11	M & H CONCRETE	CONCRETE REPLACEMENT PROGRAM	02-61-71-9510-11710	5,153.00	
							Sum of Invoices		*70,459.50*

GRAND TOTAL OF ALL INVOICES ***336,964.77***

BILL NO. __5301____ **ORDINANCE NO. ________**

AN ORDINANCE TO AMEND CHAPTER 405, THE ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI, BY RESTRICTING HORSES TO A MINIMUM OF THREE ACRES, WITH NO MORE THAN ONE HORSE PER ONE ACRE OF FENCED PASTURE.

WHEREAS, Section 205.030.A and Section 405.460.21 contain conflicting regulations governing the keeping of horses on residential property; and,

WHEREAS, the record before the City Council at the time of recodification of the Municipal Code clearly indicates an intention to eliminate said conflicts; and

WHEREAS, an application has been submitted by the Zoning Administrator to amend the code to eliminate the conflict in regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for an addition to the provisions of the City Code of Ordinances and related amendments to other sections as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on March 21, 2011, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a unanimous vote and recommended approval of the subject amendments at its meeting on Monday, March 21, 2011; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and this Bill having been read by title in open meeting two times before final passage by the City Council; and

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: Section 205.030, Restrictions on Horses, paragraph A, of Chapter 205, Animals and Fowl, of the City of Creve Coeur's Code of Ordinances shall be amended to include no more than one horse per one acre of fenced pasture, as follows:

Section 205.030 Restrictions on Horses

A. In accordance with Section 405.460(B)(21) of the Zoning Code, horses may be kept in a stable on lots that are a minimum of three (3) acres with no more than one (1) horse per one (1) acre of fenced pasture ~~per three (3) acre parcel~~. The stable is required to be set back a minimum of fifty (50) feet from any property line. The lot upon which a horse is kept shall be free of debris. The lot shall be fenced and kept in good repair to prevent the horse from running at large.

SECTION 2: Section 405.460, Accessory Uses and Structures, subsection 21, of Chapter 405 Zoning Ordinance, shall be amended to include a minimum lot size of three acres, and no more than one horse kept per one acre of fenced pasture to the requirements of horses and horse stables in residential districts, as follows:

Section 405.460 Accessory Uses and Structures:

21. Horses and horse stables in residential districts "A", "B", "C" and "D" provided that:
    a. The lot on which the use exists is at least ~~one (1) acre~~ three (3) acres in size;
    b. No more than one (1) horse is kept per one (1) acre of fenced pasture;
    c. All horses are kept within a stable; and,
    d. The stable is set back from any property line a minimum of fifty (50) feet.

SECTION 3: All ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

SECTION 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF ____________________, 2011.

____
A. JAMES WANG
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF ___________________, 2011.

____
AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 Of The City Charter

ATTEST:

____
DEBORAH RYAN, MRCC
CITY CLERK

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION #11-003 TEXT AMENDMENT TO THE RESTRICTION ON HORSES IN RESIDENTIALLY ZONED PROPERTIES

FOR THE MEETING OF: March 21, 2011

LOCATION: All Residential Zoning Districts

REQUEST:
An application has been submitted to revise sections of the City of Creve Coeur Zoning Regulations and Public Health, Safety, and Welfare Regulations of the Code of Ordinances to only allow horses on residential properties of at least three acres where no more than one horse is kept per one acre of fenced pasture.

ADDITIONAL INFORMATION:
Section 405.460(B)(21), under Accessory Uses And Structures, currently allows horses and horse stables in residential districts "A", "B", "C" and "D" provided that: a. the lot on which the use exists is at least one acre in size; b. no more than one horse is kept per acre; c. all horses are kept within a stable; and d. the stable is set back from any property line a minimum of 50 feet. Whereas Section 205.030, Restrictions on Horses under Public Health, Safety, and Welfare Regulations of the Code of Ordinances, states that horses may be kept in a stable on lots that are a minimum of three acres with no more than one horse per three acre parcel.

Key Issues:
- Does the request integrate with existing permitted uses?
- Does this request further the goals and/or implement the Comprehensive Plan?
- Is this a reasonable exercise of zoning authority?

Comp. Plan References
Residential Preservation and Economic Development States:
- Encourage the continued preservation of the suburban landscape character of the area, its open green spaces, and stream corridors.

Code References
- Article VIII Zoning Regulations, Section 405.460(B)(21): Accessory Uses and Structures
- Title II: Public Health, Safety, and Welfare, Article II, Section 205.030: Restrictions On Horses

APPLICANT: Paul Langdon, AICP
Director of Community Development
City of Creve Coeur

REPORT PREPARED BY:

Whitney Kelly, AICP — 3/17/2011
City Planner — Date

ATTACHMENTS: Draft Ordinance

INTRODUCTION

Staff became aware of conflicting restrictions between the Zoning Regulations and the Public Health, Safety, and Welfare Regulations regarding keeping horses on residential property after a general inquiry from the public. The zoning regulations currently allow horses and horse stables on lots of at least one acre and one horse per acre. The Public Health, Safety, and Welfare Regulations restrict horses to three acre lots, with no more than one horse per three acre parcel, in accordance with the Zoning Regulations. During the recodification process in 2010, the City Attorney's notes, in discussions with the City Council, indicates that the Zoning Regulations would be changed to match the Public Health and Safety Regulations, however this was not completed by the recodifier at the time.

DISCUSSION

Upon further review, Staff recommends that both regulations be modified to include a minimum of three acres with no more than one horse per one acre of fenced pasture to provide for the appropriate space for the animal, reduce overcrowding, and ensure proper soil conditions. This will reduce the number of lots available for the keeping of horses, but the demand for this is low and the impacts of one over-crowded pasture can be considerable. Therefore Section 405.460 will be amended as follows:

Section 405.460 Accessory Uses and Structures

21. Horses and horse stables in residential districts "A", "B", "C" and "D" provided that:
    a. The lot on which the use exists is at least ~~one (1) acre~~ <u>three (3)</u> acres in size;
    b. No more than one (1) horse is kept per <u>one (1)</u> acre <u>of fenced pasture</u>;
    c. All horses are kept within a stable; and
    d. The stable is set back from any property line a minimum of fifty (50) feet.

RELATED AMENDMENTS

Article IV Animal Regulations, under Title II Public Health, Safety and Welfare, of the City of Creve Coeur Code of Ordinances will also be amended for conformity, as follows:

Section 205.030: Restrictions on Horses

A. In accordance with Section 405.460(B)(21) of the Zoning Code, horses may be kept in a stable on lots that are a minimum of three (3) acres with no more than one (1) horse per <u>one (1) acre of fenced pasture</u> ~~per three (3) acre parcel~~. The stable is required to be set back a minimum of fifty (50) feet from any property line. The lot upon which a horse is kept shall be free of debris. The lot shall be fenced and kept in good repair to prevent the horse from running at large.

The attached ordinance reflects the proposed changes outlined above. If the members of the Planning Commission are not in agreement with these changes, they should vote on a motion(s) to amend the attached draft ordinance accordingly, before voting on a recommendation for the entire draft ordinance.

Conclusion and Action

Staff recommends that Section 405.460(21) be amended to require a minimum of three acres with no more than one horse per one acre of fenced pasture for Horses and Horse Stables in residential districts.

Motion

If the Planning Commission has chosen to accept the draft ordinance as written, the following would be a suitable motion for this application:

> "I move to recommend approval of a text amendment to include lots of at least three acres in size and no more than one horse is kept per one acre of fenced pasture for the permitted Accessory Uses and Structures of Horses and Horse Stables in residential districts "A", "B", "C" and "D" (conditions may be added, eliminated, or modified by preceding motion).

Appendix 1: Comprehensive Plan

Included and attached by reference. See body of report for specific excerpts.

Appendix 2: Zoning Code

Included and attached by reference. See body of report for specific excerpts.

CITY OF CREVE COEUR, MO. • 1949 •

city of **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

March 22, 2011

Mayor Harold Dielmann
City Council Members
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

Re: Text Amendment
#11-003

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of March 21, 2011, reviewed the request of Paul Langdon, Zoning Administrator, for approval to revise sections of the Code of Ordinances to only allow horses on residential properties of at least three acres where no more than one horse is kept per one acre of fenced pasture.

By unanimous vote, the P&Z Commission recommends approval of the Text Amendment per the attached draft ordinance.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:pr

cc: M.C. Perkins, City Administrator
Carl Lumley, City Attorney
J. Heines, Director of Public Works
G. Eidman, Chief of Police
A. Oestereich, Fire Marshal
S. Unser, Chief Building Official
G. Seifried, Project Manager
B. Holmes, Senior Plans Examiner

CITY OF CREVE COEUR - MINUTES

PLANNING AND ZONING COMMISSION MEETING

MONDAY, MARCH 21, 2011

7:00 P.M.

A Public Hearing/regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, March 21, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: ***Mr. Timothy Madden, Chair***
Dr. Michael Barton - ABSENT
Mr. Gary Eberhardt - ABSENT
Mr. Barry Glantz
Ms. Cynthia Kramer
Dr. Scott Saunders
Mr. Jim Schnarr

OTHERS PRESENT: ***Mr. Leland Curtis, Acting City Attorney***
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Pat Rosenblatt, Recording Secretary

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The agenda was accepted as written.

3. APPROVAL OF MINUTES

A. Draft Minutes of March 7, 2011

In the absence of Mr. Lumley, Mr. Curtis offered a minor correction to Page 3, after which Mr. Glantz made a motion, seconded by Dr. Saunders, for approval of the March 7 minutes, as corrected, which unanimously carried.

4. PUBLIC COMMENT

None

5. NEW BUSINESS

A. Application #11-003 – PUBLIC HEARING

A proposed text amendment to revise sections of the City of Creve Coeur Zoning Regulations and Public Health, Safety, and Welfare Regulations of the Code of Ordinances to only allow horses on residential properties of at least three acres where no more than one horse is kept per one acre of fenced pasture.

A presentation was made by Paul Langdon, Zoning Administrator, regarding the application.

Comments and questions from Commission members.

There being no further comments, the City Attorney presented exhibits for the record and the public hearing was closed.

(This ends the First Public Hearing)

Mr. Schnarr moved to recommend approval of a text amendment to include lots of at least three acres in size and no more than one horse is kept per one acre of fenced pasture for the permitted Accessory Uses and Structures of Horses and Horse Stable in residential districts “A”, “B”, “C” and “D”. Ms. Kramer seconded the motion, with the resultant vote as follows, to-wit:

Mr. Glantz – aye	Ms. Kramer – aye	Mr. Schnarr – aye
Dr. Saunders – aye		Chair - aye

B. Application #11-007 – PUBLIC HEARING

A request for a new conditional use permit for a Waterway Automotive Detail Center, within the 2,360 square foot building at 11664 Olive Boulevard, in the “CB” Core Business Zoning District.

A presentation was made by Henry Dubinsky, Chairman of Waterway, regarding the application.

Comments and questions from Commission members.

Comments and questions from Mr. Carl Moskowitz, 291 Bellington Lane.

There being no further comments, Mr. Curtis introduced exhibits into the record and the public hearing was closed.

(This ends the second and final Public Hearing)

Mr. Schnarr moved to recommend approval of the conditional use permit for the Waterway Automotive Detail Center located at 11664 Olive Boulevard, submitted with Application #11-007, subject to the conditions contained in the attached ordinance attached to the staff report dated March 18, 2011. Mr. Glantz seconded the motion, with the resultant vote as follows, to-wit:

Dr. Saunders – aye	Mr. Schnarr – aye	Ms. Kramer – aye
Mr. Glantz – aye		Chair – aye

7. <u>WORK AGENDA</u>

A. City Council requests Planning and Zoning Commission statement of preference for security screening (metal detector) during meetings.

Mr. Langdon stated that discussion was raised at the City Council level about the use of metal detectors, which is now used only on court nights. It would require additional police staff to operate the unit as well as do the screening and supervisor the space. The Council is inclined to use it for their own meetings but felt that if it is appropriate for their meetings, it would probably be appropriate for the P&Z meetings. Since public hearings are now heard at the P&Z level, the call to the general public is larger. Discussion followed. Commission members were in favor of the security screening.

B. Street Lighting Plan: City Council requests that the Planning and Zoning Commission consider a level of priority and time frame for developing a street lighting plan for the City.

Mr. Langdon pointed out that there is no plan in place for street lighting at the present time, noting a number of studies that will be reviewed in the next twelve months and asked if the members wanted to add another one to the list. Dr. Saunders stated that his observation at the City Council meeting is that the issue began with Mr. Caldwell's question about streetlights along the discussed section of Olive, saying he feels there is a need for some type of uniform consensus among P&Z and City Council as to what we are trying to achieve in terms of lighting. Mr. Glantz felt it was worthy of discussion. Mr. Schnarr pointed out possible massive costs associated with it and establishing priority as to when it is needed. Mr. Langdon was not aware of any pressing residential concerns but felt it is really about what to do with the commercial areas, especially Olive Boulevard. Discussion followed. Ms. Kramer felt discussion on some level could be valuable to the overall vision for long term. Mr. Langdon suggested starting with the City Center to get familiar with the issues and familiar with a particular area, which does include a portion of Olive, and then extend it to include the rest of the arterials.

Ms. Lynn Barry, 626 Graeser Road, stated that there are a lot of people walking at night and alluded to the Comprehensive Plan which was originally designed as a walking community. With the change of lighting on Olive, she pointed out that it is a lot darker and harder to walk at night. She felt more people would be walking toward the Downtown Center if there could be more pedestrian lighting on Olive. Dr. Saunders suggested bringing back a review of the TDD plans for street lighting. Discussion continued.

8. <u>OTHER BUSINESS</u>

A. Planning Division Report

Mr. Langdon mentioned the following projects for the near future:

City Center
Street Lighting
"LI" Light Industrial District

Applications for the next meeting could include:

Public Hearing amendment dealing with horses
Public Hearing CUP for Waterway
Review amended SDP for Dierbergs for an outside dining area.

B. City Attorney

Mr. Lumley had no report.

9. <u>ADJOURNMENT</u>

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 8:45 p.m.

Timothy Madden, Chair

Pat Rosenblatt, Secretary

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, MARCH 21, 2011

7:00 P.M.

APPLICATION NO. 11-003

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair
Ms. Cynthia Kramer
Dr. Scott Saunders
Mr. Jim Schnarr
Mr. Barry Glantz
Mr. Leland B. Curtis, Acting City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Pat Rosenblatt, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
St. Louis, MO 63128
(314)487-2259

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CHAIRMAN MADDEN: Like to call to order the Planning and Zoning Commission Meeting for the City of Creve Coeur for Monday March 21st, 2011.

We'll start with roll call.

(Roll call was conducted.)

CHAIRMAN MADDEN: A public hearing on

Application No. 11-003.

I think Mr. Langdon's going to be handling this.

MR. LANGDON: Yeah.

(Paul Langdon was sworn by the court reporter.)

MR. LANGDON: Good evening, Mr. Chair, Members of Commission. My name's Paul Langdon, Director of Community Development for the City of Creve Coeur.

This is a public hearing on application by staff to amend the Zoning Code regarding to keeping of horses on residential property.

Part and parcel with this request will be a similar one that goes to the City Council only that will amend the City's Public Health, Safety and Welfare Regulations that deal with this same issue.

In fact, that's the problem is that they deal with it separately. At present this request originated out of a generic inquiry from a real estate agent.

There's no particular property that we're aware of that's at risk one way or the other, or that anybody

has any particular concerns, but the ordinances do not agree.

One says that you can have one horse on a 1-acre lot and no more than one per acre, that's in the Zoning Code, and then in the Health, Safety and Welfare Regulations it says you have to have a 3-acre lot, but you can have one horse per 3 acres on those properties.

Fortunately, I guess, I actually have, in past experience, dealt with a lot of horse use on residential property. And one of the common problems is -- is this standard of designating an acre lot that's big enough for a horse.

I can tell you from past experience that what often happens is, one, people don't want the horse in the front yard, so take out the front yard; two, they don't want it in the area adjacent to the house, so take out that area, and now the horse is on a very small area.

And unless they're meticulous about keeping up that pasture, if you will, you soon have a problem with the adjacent neighbors.

So it's my recommendation that we increase the amount of area needed for each horse, and also, I believe, given the character, given we actually don't have high demand for horses in residential property, that we go with the minimum lot size of 3 acres. And one horse per acre

is fine as long as it's an acre for the horse.

And so what you have in there is a change, so it's 1 acre -- one horse per acre for pasture, fenced pasture. So now we have a definable area we can measure; we can determine if it's, in fact, large enough. We have a standard that meets with sort of character in the community, I believe, only the largest lots are available for this use. And to my knowledge, there are no situations where we're going to create a hardship for an existing property.

Obviously, if anyone has a horse on property that meets the current standards and we change the ordinance, it would be preexisting nonconforming. They could continue to have the same number of horses on that property going into the future.

It's fairly straightforward. You have a draft ordinance in front of you that is just for the portion of the Zoning Code. That's the only portion you have purview over. As I said, it will go straight to City Council if you recommend it.

Have any questions?

CHAIRMAN MADDEN: Questions?

MR. SAUNDERS: Paul, you may not know the answer on this based on what you just said, but do we have any properties that would be nonconformance?

MR. LANGDON: Not to my knowledge.

MR. SAUNDERS: Okay.

MR. SCHNARR: You say all horses are to be kept in a stable, and yet you're talking about pasture. Should we re-word all horses are to be kept within a stable? I mean that's nothing more than weather protection.

MR. LANGDON: Right, they have to have the pasture along with the stable.

MR. SCHNARR: Right.

MR. LANGDON: So it says lots of 3-acres with no more than one horse per fenced pasture, so it's both as it's written.

MR. SCHNARR: But it says all horses kept in a stable, either in the pasture or in the stable. I mean it just seemed to me that if it is important to say that you want a stable to be provided, that's fine.

MR. LANGDON: Uh-huh.

MR. SCHNARR: But you can't say you want to keep the horses within the stable if they've got a pasture. That's where they're going to be.

MR. LANGDON: I guess I don't mean exclusively. There is shelter there as well for the animal.

CHAIRMAN MADDEN: So if you have a 3-acre lot --
MR. LANGDON: Uh-huh.
CHAIRMAN MADDEN: -- what you're saying is the

most you could have is two horses?
I mean if you have your home on there --
MR. LANGDON: Right. By the time you take out the areas you can't fence off, that's correct.
CHAIRMAN MADDEN: Mr. Glantz.
MR. GLANTZ: You say that we have, under this, there wouldn't be any nonconforming uses. What would trigger -- if somebody had a horse on one acre right now, what would -- they would be, quote, grandfathered in, for lack of a better word, what would be a trigger point in the future that would require them to change?
MR. LANGDON: The Zoning Code says that this discontinuation of a nonconforming for, I believe it's six months, essentially, abandons, so let's say the horse passes away or it's sold, then they would have a certain amount of time to replace it or they lose the standing.
Typically changing the animal doesn't really affect the standard. It's the same analogy draws like a sign; just because you change the name of the business doesn't mean that the business itself doesn't continue.
MR. SCHNARR: But if the property was sold, then all bets are off?
MR. LANGDON: I don't believe so. I think that it would -- cause use runs with the land, not the ownership. So you could sell it as horse property even if

it's not within conformity.
Again, same as we do with conditional uses of

any kind; it runs with the land, so restaurant can go away. A new one can come in totally new ownership, new franchise, but as long as meet the same conditions, they can continue the use.

MR. GLANTZ: But you're fairly confident that we don't have the horse condition that we're talking about?

MR. LANGDON: I'm not aware of any horse property presently.

CHAIRMAN MADDEN: That what I was going to ask.

As far as you know, there's no horses being stabled in the --

MR. LANGDON: As far as I know.

CHAIRMAN MADDEN: Okay.

MR. LANGDON: I can't swear that's 100 percent true. No one's informed me of any and I haven't seen any.

CHAIRMAN MADDEN: Okay. Anything else for Paul?

I guess that would end the formal public hearing, so we'll move --

Is there anybody in the audience that wants to make a comment on this? I guess not.

Anymore discussion?

MR. LELAND CURTIS: Mr. Chairman, before you close the public hearing, I'd like to introduce the

following exhibits: Notice documentation, which is in possession of City Clerk; the specific documents that contain staff reports, Planning and Zoning letters, minutes or excerpts, documents from presenters, any written materials, some are contained in the packet here, the entire City Code, Ordinance and Charter, City Comprehensive Plan and any of public file regarding the application or letters that may have been received.

CHAIRMAN MADDEN: Okay.

MR. LELAND CURTIS: All that into evidence.

CHAIRMAN MADDEN: Okay. And now we'll officially end the public hearing.

(Public Hearing ended.)

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning Public Hearing stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the public hearing.

________________________________, RPR, MO-CCR, IL-CSR, KS-CCR

Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

9

BILL NO. __5302___ **ORDINANCE NO. _________**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A WATERWAY AUTOMOTIVE DETAIL CENTER LOCATED AT 11664 OLIVE BOULEVARD

WHEREAS, application was made by Michael Goldman, General Counsel for Waterway Gas & Wash, for a conditional use permit for a Waterway Automotive Detail Center, within the 2,360 square foot building at 11664 Olive Boulevard, in the “CB”, Commercial zoning district; and

WHEREAS, under Section 405.370(C)(1)(i)(3), car washes (except bus washing and truck washing) in the “CB”, Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, March 21, 2011, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(3); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the Planning and Zoning Commission reviewed and, by a unanimous vote and recommended approval of the subject amendments at its meeting on Monday, March 21, 2011; and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a car wash for an automotive detail center located at 11664 Olive

Boulevard, in the "CB" Core Business zoning district, within the Reuther's Auto Group site development whose legal description is as follows:

> A tract of land in part of Lot 1 of Studt's HOME PLACE according to the plat thereof recorded in Plat Book 7, Page 38 of the St. Louis County records and described as follows: Beginning at a point being the intersection of the south line of Olive Boulevard with the east line of Ham Drive; thence along the south line of Olive Boulevard, North 74° 27' 30" East, 96.79 feet to a point; thence South 0° 40' 00" East, 301.15 feet to a point; thence South 89° 28' 45" West, 95.00 feet to a point in the east line of said Ham Drive; thence along the east line of Ham Drive, North 0° 40' 00" West, 277.18 feet to the point of beginning, containing 27,541 square feet

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. This Conditional Use Permit shall be for the operation of a car wash for auto detail only.
2. Said use shall be located in the 2,360 square foot leased building currently addressed as 11664 Olive Boulevard located on the Reuther's Auto Group property, having its principal office at 11654 Olive Boulevard.
3. The hours of operation shall be between 7a.m. and 7p.m., seven days a week.
4. All proposed cleaning and detailing of vehicles will be located within the building structure.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. There shall be no outdoor storage or long-term placement of any automobiles, trailers, materials or equipment on the site.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the automotive detail center permitted by this ordinance.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
10. All new, modified or altered overhead utilities servicing the subject tenant space shall be placed underground.
11. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
12. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

13. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF ____________________, 2011.

____
A. J. WANG
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF ___________________, 2011.

____
AJ WANG, COUNCIL PRESIDENT
ACTING FOR MAYOR DURING TEMPORARY ABSENCE
PURSUANT TO SECTION 3.4 OF THE CITY CHARTER

ATTEST:

____
DEBORAH RYAN, MRCC
CITY CLERK

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION #11-007 CONDITIONAL USE PERMIT WATERWAY AUTO DETAIL CENTER AT REUTHER'S

FOR THE MEETING OF: March 21, 2011

LOCATION: 11664 Olive Boulevard

REQUEST:
Michael Goldman, on behalf of Waterway Gas & Wash, has submitted a request for a conditional use permit to operate an automotive detail center in the approximately 2400 sq. ft. building on the Reuther's Automotive Group property at 11664 Olive Boulevard. The property is located south of Olive Boulevard between N. New Ballas and Old Ballas Roads and is currently zoned "CB" Core Business District.

ADDITIONAL INFORMATION:
Section 405.370(C)(1)(i)(3)indicates that car washes (all uses within SIC Code 7542 except bus washing and truck washing) are Conditional Uses within the Core Business District.

Key Issues:

- Does the request integrate with existing permitted uses?
- Does this request further the goals and/or implement the Comprehensive Plan?
- Does this use meet the criteria for Conditional Use Permit approval?

Comp. Plan References

- Core Business District
- Central Business District Land Use Plan

Zoning Code References

- 405.370 "CB" Core Business
- 405.1070 Conditional Use Permits

APPLICANTS: Michael P. Goldman
General Counsel
Waterway Gas & Wash
727 Goddard Ave
Chesterfield, MO 63005

REPORT PREPARED BY: Whitney Kelly 3/14/2011

Whitney Kelly, AICP, City Planner — Date

ATTACHMENTS: Applicant's Application Materials Received 02/28/2011
Draft Ordinance

BACKGROUND AND ZONING REQUEST

An application has been submitted by Michael Goldman, General Council for Waterway Gas & Wash Company, for a Conditional Use Permit to operate an automotive detailing center in the 2,360 sq. ft. building at 11664 Olive Boulevard located on the Reuther's Auto Group campus. All such uses are regulated under Section 405.370(C) *Conditional Uses* within the Core Business District.

LAND USE HISTORY AND ZONING OF SUBJECT SITE

The subject property was originally built 1941, and later served as the service center for the Reuther's Automotive Group. The property is zoned "CB" Core Business District.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Retail/Office Development	"CB" Core Business District	Olive Boulevard
South	Office	"CB" Core Business District	NA
East	Automotive Dealership	"CB" Core Business District	NA
West	Retail Development	"CB" Core Business District	Hamm Ave

COMPREHENSIVE PLAN REVIEW

The subject property is located in the "Central Business District 1" area and within the Central Business District (CBD) Land Use Plan adopted in 2005. These documents advocate higher density redevelopment than the site currently provides and the establishment of a true "center" of the community as the heart of the Central Business District. The Central Business District area encourages a mix of uses, including retail, residential, government, and park uses. The Comprehensive Plan recommends connection to the neighborhoods and adjacent area through a series of on-street and off-street pedestrian facilities. The Comprehensive Plan further recommends that all new development or redevelopment of non-residential uses should comply with the Design Guidelines. In reviewing a copy of the lease the applicants are aware that redevelopment of the site could occur. However, they are not proposing any improvements to the building and all activity will be occurring inside the existing structure, with parking in the spaces behind the building. Given the extremely limited impact of the proposed use on the existing facilities, and the overall plan goals to see the site redevelopment, it is the staff opinion that significant investments in furtherance of the Comprehensive Plan are excessive and may ultimately inhibit redevelopment of the larger tract.

ZONING REVIEW

The overall development has legally pre-existing, but non-conforming site coverage, but is generally in conformance with the Zoning Code. Since neither the external building shell nor the surrounding parking and landscaping are changing as a direct result of this application, there is minimal opportunity to pursue changes on the Reuther's campus property. These conditions also preclude the need for a site development plan in conjunction with the conditional use permit.

Car washes, except bus washing and truck washing, are permitted with conditions in the Core Business District. Given that the applicant will not be making any changes to the existing structure and that the site provides adequate parking, and the proposed use is low key, low impact, and low demand in nature, there is limited opportunity to require large scale physical improvements to the site, however minor changes regarding standard property maintenance issues are recommended as condition of approval.

PROPERTY MAINTENANCE

While visiting the property, Staff has found the following property maintenance problems:

- Displaced concrete wheel stops
- Unsecured dumpster enclosure
- Debris and dumpster stored along the south east fencing (see photo's in Appendix 4)
- Inoperable vehicles and trailers stored on site
- Broken window at the subject building
- Non-shielded outward casting light underneath canopy of building

While these issues are generally on the larger Reuther's site, they are benefiting from the request as the landlord of the property. Staff feels that conditions of approval need to ensure that both properties are kept tidy and to minimal property maintenance standards adopted by the City of Creve Coeur. Therefore, the draft ordinance has conditions requiring that all property maintenance violations be addressed prior to the issuance of the final certificate of occupancy. If there are issues that cannot be addressed within this timeframe, the applicant will be able to work with the City's Code Enforcement Officer, under the direction of the Chief Building Official, on an appropriate schedule of repairs. Building code violations are not under consideration at this time, but may also become evident during the occupancy permit process.

FORM OF THE DRAFT ORDINANCE

As stated above, the proposed Waterway Automotive Detail Center is entirely within an existing development where façade improvements or additional site coverage is neither proposed nor requested. As such, the attached draft ordinance does not contain a section relating to site development plan conditions. However, property maintenance issues though out the Reuther's Auto Group campus must be addressed, and therefore conditions to such are included.

ACTION

If the Planning and Zoning Commission finds the associated draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following is an example of an appropriate motion for this application:

> "I move to recommend approval of the Conditional Use Permit for the Waterway Automotive Detail Center located at 11664 Olive Boulevard, submitted with Application #11-007, subject to the conditions contained in the draft ordinance attached to the staff report dated March 18, 2011" (conditions may be added, eliminated, or modified by preceding motion).

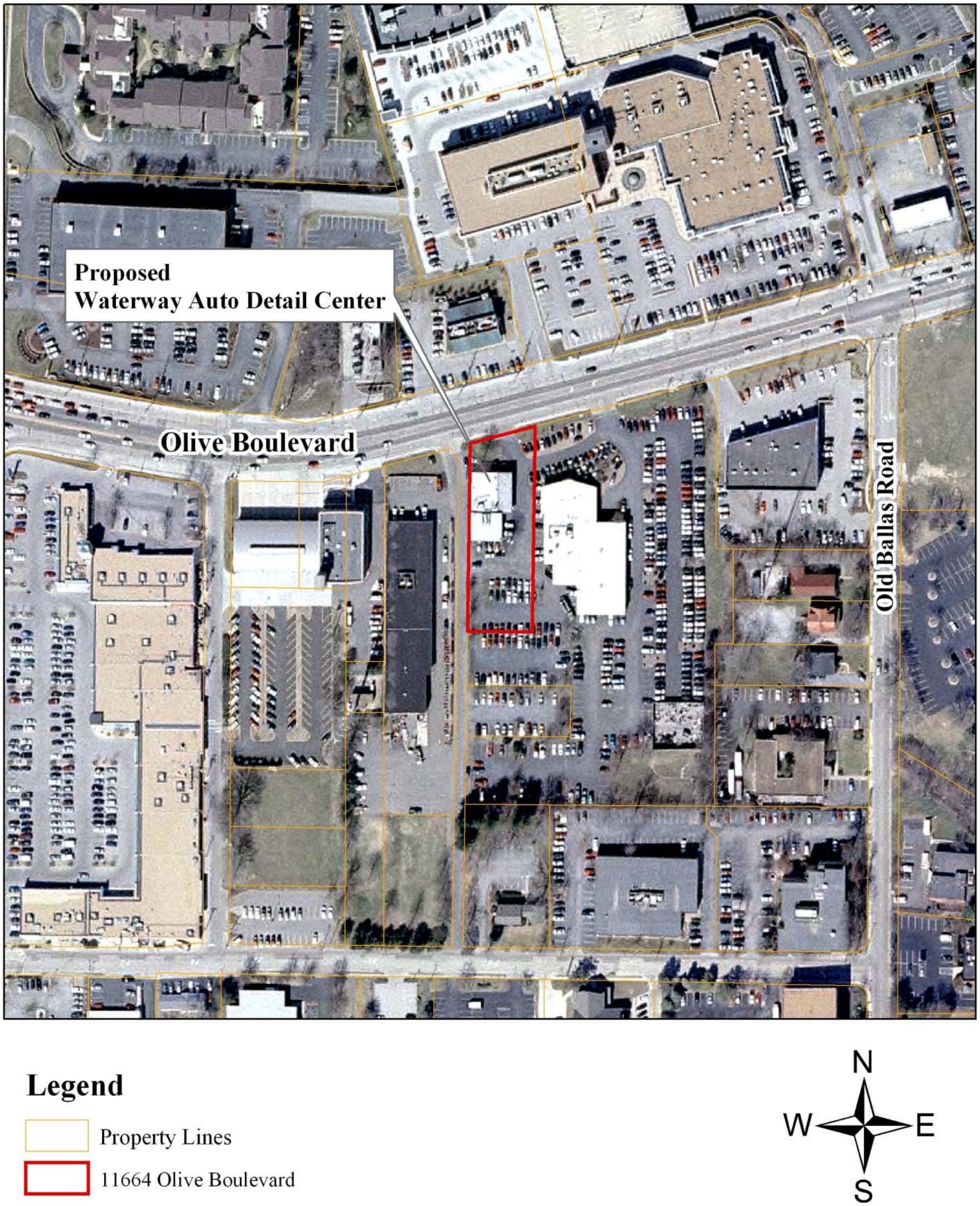
APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



APPENDIX 4: SITE PHOTOGRAPHS Application #11-007	Photo Date: 03/15/2011
	Description: View of the proposed Waterway Auto Detail Center from Olive Boulevard.
	Description: View of the east side of the building along Olive Boulevard. Note the unshielded lights.
	Description: View of east side of the building looking north west. Note the broken window in the first garage door, as well as the exposed lighting.

	Description: Photo of unenclosed dumpster on Reuther's property
	Description: photo of one of the inoperable vehicles stored on the Reuther's site.
	Description: View of the southeast portion of the Reuther's property with an unenclosed dumpster and debris.

To: City of Creve Coeur, Planning and Zoning Commission
From: Michael Goldman, Waterway Gas & Wash Company, General Counsel

Re: Conditional Use Permit - Waterway Gas & Wash Company
Detail Center 11,654 Olive Boulevard

Waterway Gas & Wash Company is hereby requesting a conditional use permit (CUP) for the property located at 11,654 Olive Boulevard for use as a detail center. Waterway has been a long term corporate citizen of Creve Coeur at our 11,059 Old Olive Street Road location. At that location, we are primarily in the full service car wash, gasoline, and convenience store business. Waterway has recently expanded our services to include drop off detail services. The detail service involves a deeper cleaning than is possible at our current location due to time and equipment restraints. At the detail center, customers will generally leave their car for 5-6 hours, and pick it up after completion of such services as leather treatment, stain treatment of carpets, cleaning of engines, exterior buffing, etc. The 11,654 Olive location is on the broader Reuther Automotive Group campus. Historically, automotive services, including detail, have been performed in this building. Automobile washing is a conditional use in the CB district under 405.370 C 1 (i)(3) of the Creve Coeur municipal code.

CONDITIONAL USE PERMIT APPLICATION

This application should be prepared and submitted in consultation with Planning Division staff. Conditional Use Permit applicants must appear before the Planning and Zoning Commission and the City Council at a regular meeting.

Return To: The Department of Community Development
Government Center
300 N. New Ballas Road
Creve Coeur, Missouri, 63141

APPLICANT INFORMATION

Applicant Name: MICHAEL GOLDMAN

Applicant Address: 727 GODDARD AVE.
CHESTERFIELD, MO 63005

Phone Number: 636-537-3551

Fax Number: 800-861-5329

Email: MIKE@WATERWAY.COM

RELATIONSHIP OF THE APPLICANT TO THE PROPERTY

Owner: ____ Tenant: ✓

BUILDING/SITE OWNER INFORMATION

Owner Name: REUTHER LAND MANAGEMENT, LLC

Owner Address: 11654 OLIVE, CREVE COEUR, MO 63141

Phone Number: 314-432-8408

EMAIL ~~Fax Number~~: JANET@REUTHER.COM

PROPERTY INFORMATION

Property Address: 11664 Olive Blvd, Creve Coeur, MO 63141

Existing Use: AUTOMOBILE SERVICE

Zoning District: CB

AREA DATA

Zoning of Area Properties

North: ______ East: ______

South: ______ West: ______

Land Use of Area Properties

North: ______ East: ______

South: ______ West: ______

REQUEST

The applicant hereby requests a conditional use permit for the following land use activity, per Section 26-52 of the Creve Coeur Zoning Ordinance:

Fully identify the use: AUTOMOBILE DETAILING

PROPOSED USE INFORMATION

Gross Floor Area – Existing and Proposed: 2,360 EXISTING & 2,360 PROPOSED

Number of Parking Spaces – Existing and Proposed: 20 EXISTING & 20 PROPOSED

Number of Handicapped Accessible Parking Spaces: 2 EXISTING & 2 PROPOSED

Number of Seats (for restaurant only): ______

Number of Employees at the busiest shift: 4

Hours of Operation: 7:00 AM - 7:00 PM

Will the applicant apply for a liquor license: Yes ________ No ✓

RATIONALE

Please describe in detail, on an attached sheet, the reasons why the applicant believes the request for a conditional use permit should be approved by the Planning Commission and City Council. Document the statement with all of the necessary supporting evidence.

SIGNATURES

______________________________ 2-28-11
Applicant Date

______________________________ 2-28-2011
Property Owner or Agent Date
(if different from applicant)

REQUIRED MATERIALS TO SUBMIT WITH THIS APPLICATION

- Rationale (see above)
- Legal description of all properties involved
- Plan/survey of existing conditions on site
- Plan of proposed conditions on site (if different)
- Elevations of proposed buildings
- Elevations of proposed signs
- Electronic copy of all materials

Rev.: 2/09

Subject Property

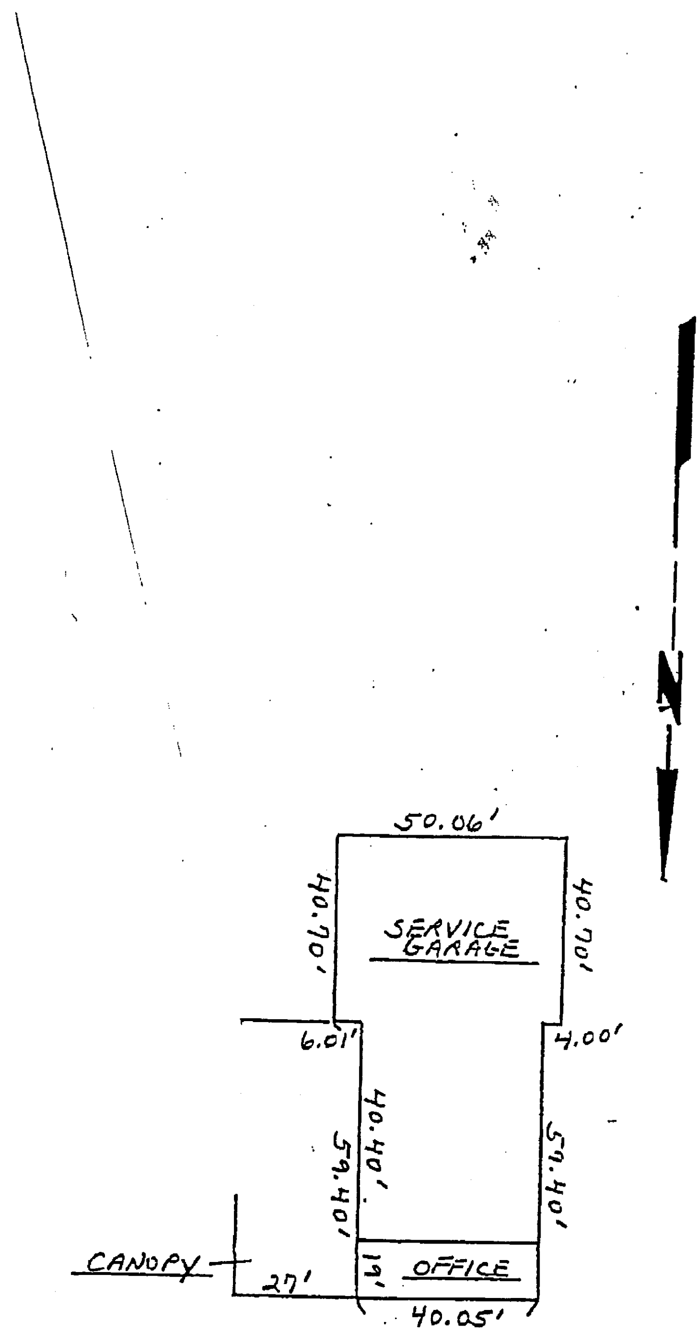


Exhibit A


340
CLEAR AREA
Ham Ave
PARKING AREA
PARKING
AREA
Reuther
Automotive
Group
Ham Ave
Ham

city of **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

March 22, 2011

Mayor Harold Dielmann
City Council Members
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

Re: Waterway Automotive Detail Center
Application #11-007

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of March 21, 2011, reviewed the request of Michael Goldman, on behalf of Waterway Gas and Wash, for a conditional use permit to operate an automotive detail center in the approximately 2,400 sq. ft. building on the Reuther's Automotive Group property at 11664 Olive Boulevard.

By unanimous vote, the P&Z Commission recommends approval of the Conditional Use Permit, subject to the conditions contained in the attached draft ordinance.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:pr

cc: Mr. Henry Dubinsky
M.C. Perkins, City Administrator
Carl Lumley, City Attorney
J. Heines, Director of Public Works
G. Eidman, Chief of Police
A. Oestereich, Fire Marshal
S. Unser, Chief Building Official
G. Seifried, Project Manager
B. Holmes
D. Woods
P. Burke

CITY OF CREVE COEUR - MINUTES

PLANNING AND ZONING COMMISSION MEETING

MONDAY, MARCH 21, 2011

7:00 P.M.

A Public Hearing/regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, March 21, 2011, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: ***Mr. Timothy Madden, Chair***
Dr. Michael Barton - ABSENT
Mr. Gary Eberhardt - ABSENT
Mr. Barry Glantz
Ms. Cynthia Kramer
Dr. Scott Saunders
Mr. Jim Schnarr

OTHERS PRESENT: ***Mr. Leland Curtis, Acting City Attorney***
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Pat Rosenblatt, Recording Secretary

2. ADDITIONS TO – ACCEPTANCE OF THE AGENDA

The agenda was accepted as written.

3. APPROVAL OF MINUTES

A. Draft Minutes of March 7, 2011

In the absence of Mr. Lumley, Mr. Curtis offered a minor correction to Page 3, after which Mr. Glantz made a motion, seconded by Dr. Saunders, for approval of the March 7 minutes, as corrected, which unanimously carried.

4. PUBLIC COMMENT

None

5. NEW BUSINESS

B. Application #11-007 – PUBLIC HEARING

A request for a new conditional use permit for a Waterway Automotive Detail Center, within the 2,360 square foot building at 11664 Olive Boulevard, in the "CB" Core Business Zoning District.

A presentation was made by Henry Dubinsky, Chairman of Waterway, regarding the application.

Comments and questions from Commission members.

Comments and questions from Mr. Carl Moskowitz, 291 Bellington Lane.

There being no further comments, Mr. Curtis introduced exhibits into the record and the public hearing was closed.

(This ends the second and final Public Hearing)

Mr. Schnarr moved to recommend approval of the conditional use permit for the Waterway Automotive Detail Center located at 11664 Olive Boulevard, submitted with Application #11-007, subject to the conditions contained in the attached ordinance attached to the staff report dated March 18, 2011. Mr. Glantz seconded the motion, with the resultant vote as follows, to-wit:

Dr. Saunders – aye	Mr. Schnarr – aye	Ms. Kramer – aye
Mr. Glantz – aye		Chair – aye

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, MARCH 21, 2011

7:00 P.M.

APPLICATION NO. 11-007

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair
Ms. Cynthia Kramer
Dr. Scott Saunders
Mr. Jim Schnarr
Mr. Barry Glantz
Mr. Leland B. Curtis, Acting City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Pat Rosenblatt, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
St. Louis, MO 63128
(314)487-2259

1

CHAIRMAN MADDEN: Like to call to order the Planning and Zoning Commission Meeting for the City of Creve Coeur for Monday March 21st, 2011.

We'll start with roll call.

(Roll call was conducted.)

CHAIRMAN MADDEN: Okay. Now we'll move on to

Public Hearing on Application No. 11-007.

And are you going to be presenting it?

MS. KELLY: Yes.

(Whitney Kelly was sworn.)

MS. KELLY: Good evening. I'm Whitney Kelly, City Planner for the City of Creve Coeur.

Waterway Gas & Wash Company has submitted a request for a conditional use permit for a retail center at the Accessory Building of Reuther site at 11664 Olive Boulevard.

Conditional use permit require City Council approval for all car wash facilities in this area.

They are not proposing any improvements to the building, and all activity will be occurring inside the existing structure with parking for, once cars are completed, in this back area off of Olive Boulevard.

Given the extremely limited impact of the proposed use on the existing facility and the overall goals to see this site redeveloped, it is staff opinion

that significant investment and, further, the comprehensive planning and requiring building improvements is not necessary.

However, there are a number of property maintenance issues that are located at this site, as well as the adjoining Reuther property, and as a co-applicant and beneficiary of the CUP as well, we request that those property maintenance use be addressed as written in the conditional use permit.

I don't have any other major issues with the site. If you have any questions, I'm here and the applicant is here as well.

CHAIRMAN MADDEN: Any questions?

Mr. Schnarr.

MR. SCHNARR: You have in your notes about property maintenance --

MS. KELLY: Uh-huh.

MR. SCHNARR: Is that really -- does that need to be a part of this conditional use permit? It sound like to me this is all Reuther's property. Don't we inspect the property and say, wait a minute, guys, you're in violation?

MS. KELLY: It is this property as well as Reuther, and as property owners of both sites, we just like to use it as an incentive to get both properties in

compliance with our existing -- with our building codes.

On this site we have a broken window and unshielded lights, as well as there are a couple of car stops that were displaced.

There is -- on the Reuther property itself, there was un-enclosed dumpsters; the lighting is bad here, but there's a large dumpster here, and a lot of debris at the back fence. And there were cars -- inoperable vehicles located throughout the site and retention basin needs to be cleared out as well.

MR. GLANTZ: Has the -- sorry.

CHAIRMAN MADDEN: Mr. Glantz.

MR. GLANTZ: Is the current property owner been informed and notified of property maintenance issues that we're listing on here?

MS. KELLY: Yes, sir, the applicant has indicated he did talk to the property owner and they are

amenable to having -- to clearing up the site, and meeting all the property maintenance issues.
MR. GLANTZ: Is there a timeframe for when that has to be accomplished?
MS. KELLY: We suggested, as part of the conditional use permit, that it be completed within -- prior to receiving the occupancy, and if it takes longer than that, they are to work with our chief building office

on a timeline.
MR. GLANTZ: But, and you say that the property owner, the current property owner, is in agreement with those items?
MS. KELLY: Yes, sir, that's what the applicant has indicated to us.
MR. GLANTZ: And is the list -- sorry to --
CHAIRMAN MADDEN: That's okay.
MR. GLANTZ: -- belabor the point.
Is the list of the five or six items that we have, is that the complete list or is there more exhaustive list that City staff --
MS. KELLY: That was my observation when we were on site, one during a building permit process that if more were to come up, we would ask that those be completed as well, but it's not an exhaustive list.
MR. SCHNARR: Under normal circumstances, who would make these inspections? I mean --
MS. KELLY: Our building officials, our building inspectors themselves.
MR. SCHNARR: So what you're saying, the building has been operating in violation for a time, and

now because the conditional use permit change, we're saying, hey, you got to put an enclosure around that building?

MS. KELLY: Yes, sir.

MR. SCHNARR: Is the same -- never mind.

CHAIRMAN MADDEN: Anybody else, a question up here or a comment?

Oh, Cynthia.

MS. KRAMER: I'm sorry, I just have another question.

So if this is not done, and they were to ask for extended time to clean it up, I guess the question is if they just -- kind of just doesn't happen in a timely fashion, what's the recourse then?

MS. KELLY: I believe our building inspectors would move to violation notices and proceed with our normal process that way and fine.

CHAIRMAN MADDEN: I thought you said they wouldn't get their occupancy permit.

MS. KELLY: Well, it states that as part of the occupancy process, if they determine that, well, this is going to take longer, and the building official is in agreement that it will take longer and decides to go ahead and issue the certificate of occupancy for this applicant, but as time drags on and Reuther is not meeting their obligation, then we would proceed with the violation notices and proceed with court action and fine.

CHAIRMAN MADDEN: But the applicant will be okay

and his business, right?

MS. KELLY: Yes, sir.

CHAIRMAN MADDEN: Okay.

MS. KRAMER: Thank you.

CHAIRMAN MADDEN: Is there anybody in the audience that has a comment?

Mr. Moskowitz, come forward state your name and address.

MR. MOSKOWITZ: Ms. Kelly, can you leave the --

MS. KELLY: I'm sorry.

MR. MOSKOWITZ: My name's Carl Moskowitz, and I live at 29 Bellington Lane.

CHAIRMAN MADDEN: Oh --

(Carl Moskowitz was sworn by the court reporter.)

MR. MOSKOWITZ: I just have a couple of quick questions for the applicant concerning the detailing operations.

Says all included -- enclosed in the building, but there has to be a car wash there, still is one, and I'm just wondering if that's going to end up turning into another Waterway Car Wash on Olive Street Road at that location.

CHAIRMAN MADDEN: And your second question or --

MR. MOSKOWITZ: That's it.

CHAIRMAN MADDEN: Okay. Mr. Dubinsky, would you like to come forward, get sworn in, answer his question, please.

MR. DUBINSKY: Sure.

(Mr. Henry Dubinsky was sworn by the court reporter.)

CHAIRMAN MADDEN: For the record, will you state your name and address, please.

MR. DUBINSKY: Yes, my name is Henry Dubinsky. I'm chairman of Waterway, and I live at 10 Country Estates in Frontenac.

Many years ago I lived in Creve Coeur. I was a member of the Council in Creve Coeur for a long time.

We will not have no -- no plans of any kind to turn this into another car wash.

The reach for this application is that we do -- we have begun the last year, year and a half, to do certain type of details that we can't readily do at our existing car wash site. Very small number of vehicles per day. Done completely inside the building with a series of services that would take too long to be done at this car wash facility.

We have, for the last year, we've had a facility in Maryland Heights, not too far from our car wash in Maryland Heights, but not on the same property. And the

answer to the question is that somebody might ask, there are none of our existing car wash sites offer the opportunity to provide these services on those sites, so we look for a site with little more visibility than where we currently are at Maryland Heights. And spoke with Janet Chop (phonetic) regarding this property. Reached an agreement to use this property with the understanding that at some point in the future the property might be sold to a larger development that would be keeping with long-term objectives, which is an outgrowth original master plan that was passed when I was an alderman, so I understand the -- I understand the desire for more intensive development in this area at some point in the future.

CHAIRMAN MADDEN: Does anybody have any questions for Mr. Dubinsky?

Mr. Glantz.

MR. GLANTZ: Do you anticipate any, other than what's been presented here tonight, do you anticipate any signage or --

MR. DUBINSKY: Yes, but I believe the signage application is separate. I think we have shown the City Planners what we have in mind, which would be signs in the exact spots that existing signs are, exact same size as the existing signs.

MR. GLANTZ: That was going to be my follow-up

question, whether that was a separate application.

MR. DUBINSKY: That's my understanding.

CHAIRMAN MADDEN: Any questions for Mr. Dubinsky?

Mr. Moskowitz. Can you come up, please.

MR. MOSKOWITZ: Would it be asking too much that the conditions for approval include a restriction for the car wash?

MS. KELLY: Mr. Chair, I'd like to clarify that the conditions do include that it is for a auto dealer detail only as written.

MR. MOSKOWITZ: That doesn't restrict a car wash though.

MS. KELLY: It does say for the operation of a car wash for auto detail only, so.

CHAIRMAN MADDEN: Mr. Glantz.

MR. GLANTZ: Mr. Moskowitz, what's, if I may, what's the concern about a car wash?

MR. MOSKOWITZ: It's the traffic situation turning in from Olive Street Road. I've seen near misses going in on Olive Street with that exit. In fact, my car almost got clobbered going in there. I just think Ballas Road would be a worse situation.

MR. GLANTZ: So I guess this question is for City staff.

So does this application allow a car wash or is there -- I know there's a difference between car wash and auto detailing. Can you clarify what's -- what is allowed and what isn't allowed?

MS. KELLY: This is for auto detail only inside the existing structure. There's to be no outside cleaning of a vehicle. All activity will occur within the building.

CHAIRMAN MADDEN: Mr. Dubinsky, how many cars you think you'll do a day there?

MR. DUBINSKY: On the average?

CHAIRMAN MADDEN: Yes.

MR. DUBINSKY: It will be four or less. There could be more than four on some days, so we're not talking about --

CHAIRMAN MADDEN: Not major traffic then.

MR. DUBINSKY: Well, I know how difficult -- I tried to turn in there last Friday morning westbound, and so I know how difficult it is to get in there, as -- as this site sits, even though we would never have any plans to put a car wash there, it wouldn't work.

CHAIRMAN MADDEN: Okay.

MR. DUBINSKY: Okay.

CHAIRMAN MADDEN: Any other questions for

Mr. Dubinsky?

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Okay. Do you have something to add Curtis?

MR. LELAND CURTIS: Yes, Mr. Chairman. I'd like to introduce into the record at this public hearing the notice documentation, which is in the possession of the City Clerk, the specific documents that contain staff reports, P&Z letters, minutes and any excerpts, documents of presenters and written materials; the entire City Code, Ordinance, Charter, Comprehensive Plan and public file in its entirety regarding this application.

CHAIRMAN MADDEN: Thank you.

Mr. Glantz.

MR. GLANTZ: I do want to add one other thing while the public hearing is on.

I appreciate the clarification by staff and residents and the applicant. I think it's nice to see that a property that is underutilized, if that's the right word, has a real potential to be redeveloped, and I think that redevelopment is a real opportunity in our City, and it's good to see that starting to happen.

CHAIRMAN MADDEN: Thank you.

Any other discussion?

Okay. Going to formally close the public hearing.

(Public Hearing ended)

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STATE OF MISSOURI)

) SS

COUNTY OF ST. LOUIS)

I, Deborah K. McLaughlin, Registered Professional Reporter, Missouri Certified Court Reporter, Illinois Certified Shorthand Reporter and Kansas Certified Court Reporter, do hereby certify that I reported the Planning and Zoning Public Hearing stenographically and later reduced to typewriting; and that this is a true and accurate transcript of the public hearing.

______________________________, RPR, MO-CCR, IL-CSR, KS-CCR
Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

RESOLUTION NO. 956

A RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO COMMENCE NEGOTIATIONS TO RECONCILE THE SCOPE OF PROJECTS OF THE OLIVE BOULEVARD TRANSPORTATION DEVELOPMENT DISTRICT TO AVAILABLE SOURCES OF FUNDS AND ACHIEVE COMPLETION OF SUCH PROJECTS AS SOON AS PRACTICAL AND FEASIBLE.

WHEREAS, DESPITE EXTENSIVE EFFORTS SUFFICIENT SOURCES OF FUNDS HAVE NOT BEEN IDENTIFIED TO COMPLETE ALL PLANNED PROJECTS OF THE OLIVE BOULEVARD TRANSPORTATION DEVELOPMENT DISTRICT, AND

WHEREAS, THERE ARE VARIOUS PARTIES IN INTEREST REGARDING SUCH PROJECTS AND RELATED AGREEMENTS, AND

WHEREAS, THE CITY COUNCIL HAS DETERMINED THAT IT WOULD BE IN THE PUBLIC INTEREST TO RECONCILE THE SCOPE OF SUCH PROJECTS WITH AVAILABLE SOURCES OF FUNDS AND ACHIEVE COMPLETION OF SUCH PROJECTS AS SOON AS PRACTICABLE,

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI THAT:

SECTION 1 – The City Administrator shall promptly commence negotiations with all parties in interest to: (i) reconcile the scope of the projects of the Olive Boulevard Transportation Development District to available sources of funds and (ii) achieve completion of such projects as soon as practical and feasible.

SECTION 2 – THIS RESOLUTION SHALL BECOME EFFECTIVE UPON ITS PASSAGE.

ADOPTED THIS ____ DAY OF ___________, 2011.

____
AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 Of The City Charter

ATTEST:

____
DEBORAH RYAN, MRCC
CITY CLERK

From: Bryant, Laura T [mailto:Laura.T.Bryant@ehi.com]
Sent: Wednesday, September 29, 2010 2:34 PM
To: Perkins, Mark C.
Cc: Carl Lumley; JeanneRhoades; Ryan, Deborah
Subject: as discussed - request for written analysis of Olive Blvd TDD options

Mark:

As discussed, please provide (at the next City Council meeting) a brief analysis of available options concerning the future of the Olive Blvd. TDD. This analysis need not be in-depth, but should be detailed enough for us to conduct proper due diligence.

Also, Beth's comments about Jeanne's voting record on the Olive Blvd. TDD really begged the question: How has the Council voted on all the previous extensions and restated agreements? I know there have been a lot, so if you (or Debbie) could please provide a summary of the dates?

Thanks!

Laura Bryant
Ward 4/Creve Coeur City Council

WARD IV COUNCIL CORNER

LAURA BRYANT & JEANNE RHOADES

Eminent Domain Petition

We'd like to thank everyone – in all four wards – who signed a Creve Coeur charter amendment petition concerning eminent domain last month. Almost 1500 signatures were collected in only one day at the polls, a clear indication that you not only are interested in how eminent domain should be handled in our community, but that you also have the power to enact significant change.

The proposed charter amendment requires a supermajority of six out of eight Council votes to authorize eminent domain in the future. (The supermajority vote is a well-established provision under Missouri statutes – for example, when a rezoning application is being considered, 30% of the property owners within 185 feet of a parcel can initiate a protest petition to force a supermajority vote.) The charter amendment, which we hope will appear on the April 2007 ballot, would help ensure eminent domain is debated and scrutinized just as carefully as any protested rezoning.

We are proud to have been a part of this effort, which was spearheaded by Council Member Kassander, with assistance from Council Member Wang (Ward 2), plus two other citizens – Chamber of Commerce liaison Susan Murphy (Ward 2) and Neal Breitweiser (Ward 1). Under the proposed charter amendment, business and residential property owners would gain the same protection from indiscriminate eminent domain threats. Furthermore, no matter how important a proposed project might be, the bar would be set high when any property owners' rights are at stake.

TDD Controversies

Unfortunately, the City Council has been extremely divided on eminent domain, especially with three Council members – Kistner (Ward 1), Lynch (Ward 2), and Haddenhorst (Ward 3) – and the Mayor sitting on the Olive Boulevard Transportation Development District (TDD) board.

We became alarmed in June 2005 when the Creve Coeur City Council voted 5-3 to authorize the TDD Board to use eminent domain against a local Amoco gas station and car wash. (Council/TDD Board members Kistner, Lynch and Haddenhorst, as well as former Councilmen Barton and Mitchell, voted yes. We, along with Council Member Kassander, voted against the action.)

Later, we questioned whether TDD threats for a "total-taking" via condemnation were justified for the small sliver of land needed for the Olive Blvd. improvements. We were concerned that due to plans of the TDD Construction Manager and Developer (The Koman Group) to "assemble property" and construct a building on the Amoco site – as indicated on the Koman Web site – the TDD's threats appeared to represent the use of eminent domain for private economic development, to benefit Koman's CityPlace office park.

More recently, Koman announced that projected costs for the TDD improvements already exceed the original $5.7 million budget by $3.6 million, although construction has barely begun. Koman is proposing that the Council approve additional public funding to cover the shortfall, in lieu of reducing the scope of the project. This could include increased sales taxes and/or property tax abatements – both attached to Koman's future CityPlace developments. (All information can be verified on our city's Web site.)

Accountability & Transparency

Despite the many obstacles encountered to date, we are dedicated to making our city's traffic infrastructure as safe, efficient and attractive as possible, and truly hope that the public improvements promised by the Olive Blvd. TDD will come to fruition. However, it is just as important to insist on accountability and transparency, especially when property rights are at stake.

We believe that it is critical to adhere to these principles as Creve Coeur moves to redevelop its Central Business District. For example, in our 2000 citywide survey, the only proposal concerning commercial developers that was not favored by residents was: "*allowing taller buildings in exchange for green space or other amenities*." Two years later, the Comprehensive Land Use Plan featured examples (pp. 90-93) of "town centers" with buildings two-to-six stories high, similar to downtown Kirkwood and University City's Loop.

However, we have heard that funding the proposed infrastructure improvements in that area, including new streets and multiple parking garages, may necessitate a trade-off with developers, such as allowing greater building heights and/or other financial incentives. Meanwhile, the city is now reviewing the zoning code to possibly increase existing building height restrictions – from the current six-story limit up to ten stories (without a conditional use permit) – in parts of the Central Business District.

We remain committed to protecting property rights, and will strive to keep you informed as these events continue to unfold. As always, we encourage you to share your comments and concerns.

Council Actions

City Council took the following actions on October 23 and November 13:

- Held a public hearing and approved an agreement with AT&T Missouri for the provision of video services in the city.
- Approved the creation of a dog park in Conway Park, accepted a $2000 donation from Southwest Bank for the dog park, and approved a contract with Kennedy Fence to constructe a fence for the dog park for $26,876.
- Approved an ordinance of a final subdivision plat for Enclave Bellerive, Plat 2, located near Ladue and Mason Roads.
- Approved First Bank as the city's depository institution for '07 & '08.
- Approved a resolution expressing support for further investigation into the possible use of of other municipal incentives provided by Missouri Chapter 353 for the Olive Boulevard Transportation Development District (TDD).
- Approved a text amendment to the city's zoning code regarding the permitting of cellular towers and other telecommunications facilities in all zoning districts.
- Had two readings of an ordinance amending the official zoning map to rezone about .83 acres from MX, Mixed Use District to GG, General Commercial for the property at 12520 Olive Boulevard.
- Approved city funding of $2000 to decorate the Olive/270 bridge for the winter season.
- Had two readings of two ordinances amending the license agreements regarding transmission lines in the public right-of-way.

Ward IV Council Corner

Laura Bryant & Jeanne Rhoades

In this column, we discuss significant issues that impact our Ward 4 neighbors as well as residents in the other three wards. This is one of the most important functions of the monthly "Council Corner," because it enables Council Members to publicly document certain topics – like those below – that deserve greater scrutiny.

Civics 101

Under the First Amendment, U.S. citizens are empowered to "petition the Government for a redress of grievances." So it was certainly shocking when, almost nine years ago, a former Creve Coeur Mayor and Councilwoman simultaneously sued a Ward 4 resident for submitting a petition – with 23 other signatures – that merely asked our city government to apply consistent conflict-of-interest standards to all city officials.

Although the two baseless suits eventually were thrown out of court, we are recalling those events not only because history teaches the best lessons about government, but because the petitioning process recently became controversial again in Creve Coeur. Ward 3 resident Charlotte D'Alfonso submitted more than 450 signatures to document extensive grassroots support and request that the Mayor appoint her to fill David Kassander's empty Council seat. The number of signatures her supporters collected actually exceeded what most Council Members receive during typical municipal elections.

Unfortunately, the power of the petitioning process was diminished when Mayor Dielmann ignored this unprecedented effort and instead appointed another resident. Although we both voted no, the Mayor's appointment was approved by four Council Members, three of whom also serve on the Olive Blvd. Transportation Development District (TDD) board.

Just as troubling were a Council/TDD Board Member's public comments, on the record, that the Ward 3 citizen petition somehow represented a "perversion" of the appointment process. On the contrary, we applaud those hundreds of Ward 3 residents for their active involvement in the political process, because we both strongly believe that the right of the people to select their own representative is the single most fundamental tenet of any democracy.

Further, we believe it is again time to state the obvious: that petitioning the Creve Coeur government is a constitutional right and a responsible way to communicate citizen concerns, whether the issue is inconsistent application of the ethics code, eminent domain or even the Mayor's appointments.

Exit Strategy?

Meanwhile, we remain as concerned as ever about the grossly over-budget and behind-schedule Olive Blvd. TDD – especially since three Council Members and our Mayor sit on the seven-member board and control the majority vote. What is currently alarming is that the TDD is now asking city staff to provide free or subsidized project management services (courtesy of Creve Coeur taxpayers). Aside from this request for yet another bailout, we are very worried by the precedent such an arrangement might represent.

Given these recently acknowledged problems, along with lack of funding and necessary right-of-way, it may be high time to seriously consider an "exit strategy" for the Olive Blvd. TDD, and look for a ways to best utilize remaining funds, pay off all bonds and then shut it down. It is possible that such action might open up new opportunities for grants and other funding mechanisms for future Olive Blvd. improvements – possibly including some of the lighting, landscaping and other streetscape "beautification" enhancements the TDD originally promised.

This is why we both have now directly approached MoDOT (Missouri Department of Transportation), asking if any of the TDD's construction plans can be re-prioritized to preserve some existing pedestrian access and ensure road and intersection improvements that suit the interests of our City overall – not just the "vision" of one individual.

Due Diligence

A Ward 4 resident recently sent a letter to subdivision trustees about the proposed sales tax increase. Regardless of whether or not we agree with all of his comments, we do value his opinion, respect his efforts and, most importantly, acknowledge his fundamental point – when the City asks for a tax increase, it is appropriate for taxpayers to demand greater scrutiny.

As always, we urge all citizens to conduct their own due diligence, including reading the city newsletter and web site, local newspapers and the *CreveCoeurVoter.com* blog.

Council Activity

City Council activity on September 27 and October 11 included the following:

- Approved Ordinance 5154 ordering the levy and establishment of the rates of annual taxes for 2010.
- Adopted Resolution 931 entering an agreement with Adler Custom Signworks to construct a sign for LaVerne Collins Park.
- Adopted Resolution 932 entering an agreement with Horner & Shifrin for engineering design services related to the Emerson Road Concept Plan.
- Approved Ordinance 5155 to change the name of Cardinal Ritter Drive to Ronald McDonald House Lane.
- Approved Ordinance 5456 executing a co-operation agreement with St. Louis County regarding emergency communications system.
- Adopted Resolution 933 authorizing the purchase of seven police vehicles.
- Approved Ordinance 5157 authorizing the issuance of a conditional use permit for a Jimmy John's Gourmet Sandwiches restaurant at 11429 Olive Blvd.

http://www.crevecoeurvoter.com/editorials.asp#99

CreveCoeurVoter.com

Dr. Robert Hoffman- W-3
02/23/2011

My name is Bob Hoffman, candidate for Council Member Ward 3, running for the one year unexpired that I was appointed to last fall. Since being seated on the Council I have met many constituents of Ward 3 and the city in general. The major concern that I have encountered is zoning. The major issue that got me involved in city politics was the attempted rezoning of the Thompson Center. I learned much about the process and was involved in many meetings. While we were successful in the blocking of a large development proposed several years ago, I am sure the issue for the site will come forward again. I am strongly committed to continue the present -A-zoning for the site.

My priority for Ward 3 is to maintain the present zoning and development in accordance with our Comprehensive Plan. There are several parcels of land that may come before P&Z and City Council .I am a firm believer in the Comprehensive Plan. The feeling of many people that I have spoken to is that maintaining the residential quality of our neighborhoods is the highest priority.

Regarding our budget, I would like to see us explore more cooperative efforts similar to the dispatching services soon to go live with neighboring communities. I believe that this will be the best option going forward to save dollars. Regionalization will become necessary for the entire area to survive. I think it would be worthwhile for all departments to examine their options.

I believe that the framework to oversee our pension plan is already in place. As with any business entity, this plan needs to be reexamined with regularity, especially in light of our present economic environment.

At present I do not support any new tax revenues. I do believe that businesses and private citizens alike need to pay their fair share of fees and inspections. Increasing revenue was never the goal of red light cameras. The purpose of the cameras remains safety. The behavior changes that have occurred in regards to red light running are already apparent. We should continue to monitor the intersections and adjust the placement of cameras to decrease the number of crashes.

I voted against the recent proposals for two CIDs because I believe that citizens should have a direct voice in increasing taxes. The present TDD needs a rapid exit strategy. If additional funding cannot be obtained, we need to find a quick and effective way to end the TDD.I am greatly concerned that lighting has been removed along Olive. We should never sacrifice control of such matters to a TDD board without direct oversight. The resultant lack of lighting, proper medians and other beautification need to be addressed. I understand that the funding is lacking for such amenities, but alternative funding must be explored.

In regards to a downtown area, I believe we need to look at a central theme or idea to bring people to the area. It should be pedestrian friendly and have bike racks to minimize auto traffic.

Regarding *informal vetting*: There is a need to have preliminary discussions with developers in order to bring in the commerce necessary to maintain the high quality of service our residents demand. With that said, disclosure is a must even if it occurs in executive session. We have the means per our Charter to discuss delicate matters in private session and this is where it may belong. With the advent of electronic data, all of our records are public and accessible. It will be interesting to see how the public hearings work out at P&Z.

Politically, I did recuse myself at P&Z for the issue of the Ronald McDonald House. While I am not paid by St. John's Hospital, I am a practicing pediatrician and use St. John's as a major admission facility for my patients. In the future, I see no other conflicts on the horizon. I have not received any contributions from anyone who does business in the city. I do not oppose seeking such donations along with complete disclosure.

My contact information is: Hoddman@aol.com
Home phone: 314-576-4885

Thank you, Bob Hoffman Council Member Ward 3 http://www.crevecoeurvoter.com/editorials.asp#93

CreveCoeurVoter.com

You Paid For It- A Nice Road
11/22/2010

Following is a transcript of KTVI's November 21, 2010 9 PM news broadcast, featuring Eliot Davis.

There is commentary at the end. First the transcript:

Straight ahead on **You Paid For It**, a dream project in West County becomes a nightmare. Why an Olive Blvd. beautification may cost tax payers $9 million for one mile of work.

A troubled West County beautification project with an ugly price tag for tax payers. We head to Creve Coeur to shine a bright light on this deal in tonight's **You Paid For It**.

This beautification project was supposed to transform this stretch of Olive Blvd. in Creve Coeur from just a dull, dry road to a shining example of tax dollars at work. Instead officials are stuck trying to regroup and figure out just which way to proceed on this beautification dream that's turned into a nightmare.

I talked to Creve Coeur Mayor Harold Dielmann. He also sits on the board in charge of the projects.

Elliott Davis: *What was the initial budget?*
Mayor Dielmann: *$5 million*
Davis: *So what do you anticipate it's going to cost?*
Dielmann: *$9 million*

Davis voice over: And how much beautification would you now get for that $9 million?

Davis: *How many miles of this road are you improving?*
Dielmann: *Approximately a mile.*

Not only will this deal cost almost double what it was supposed to, it's several years behind schedule. And some of what was promised may not happen. A mile of Olive was supposed to be widened. That may not happen now. The median down the middle of the street is iffy.

Creve Coeur resident David Caldwell says you were supposed to have new lighting all along Olive along with the new sidewalks.

Caldwell: *They have tore down streetlights that they (don't) have not put in money in the project to replace the street lights.(* (Editor- pardon my grammar- there's a reason I write this blog instead of speaking it.)

Davis voice over: Caldwell criticized the plan when it was first rolled off the City Hall drawing board saying it was ill-conceived, ill-planned, and under-funded.

Caldwell: *I don't think they engaged the proper amount of professional input.*

The project is funded through an Olive Transportation Development District or TDD. Sales taxes generated from businesses and customers in the area were put into a fund to pay for the beautification. Things went wrong from the get-go. They couldn't widen the street as planned.

That affected the new sidewalk. They found they couldn't bury the unsightly utility lines after all. And everything ended up costing more than the city thought.

Dielmann: *The whole project has changed totally since its begin and that's why it's behind schedule and over budget.*
Davis: *Somebody didn't do all their homework.*
Dielmann: *We did our homework, but when you change the rules it changes the project.*

Still the mayor is confident the city will eventually be finished with the project- with a lot more time and, of course, a lot more of your money.

Davis: *Right now you see it as a failure?*
Caldwell: *Yes, I see it as a failure.*

Davis: *You think overall this thing has been a good deal for tax payers?*
Dielmann: *Yes, they're going to have a nice road when it's all done.*
Davis: *How do you answer critics who say this project has been a disaster?*
Dielmann: *Well, it hasn't been a disaster* …(cut off)

To have your say here's the person to call- Creve Coeur Mayor Harold Dielmann- 314-432-6000. Tell him what you think. After all, **You Paid For It**.

<u>Commentary:</u>
So much to say and so little time to say it- and then it gets edited. That's a fact, not a complaint. We thank Eliot Davis for covering this matter. He listened to both sides and did his homework. Mayor Dielmann and CCV have plenty of time and opportunity to make their case without being on TV. Mayor Dielmann would like to explain in detail the problems caused by MoDOT and the delays caused by the I-64 shutdown, among other things. And we would have liked to have heard the completion of his explanation why the project was not a disaster, which was cut off in mid-sentence. Probably he would point out a few things which did get done. CCV would like to talk more about the sidewalk to nowhere and the high overhead cost of doing anything via a TDD. Some would like to talk about the timeline and all the political misdeeds of the project, such as the eminent domain threats and anonymous mailers which disrupted the city for months.

Creve Coeur residents deserve complete transparency on the Olive TDD now, as the city officials who sit on the TDD board recently pushed through yet another plan to downsize the project and keep spending money. There is approximately $2 million of the original $5 million which has not been spent. Ward 4 Council Members Laura Bryant and Jeanne Rhoades wrote in the November Creve Coeur Newsletter, *Given these recently acknowledged problems, along with the lack of funding and necessary right-of-way, it may be high time to seriously consider an exit strategy for the Olive Blvd. TDD, and look for a way to best utilize the remaining funds, pay off all bonds and then shut it down.* CCV agrees. If $3 million has been spent, and spending another $2 million is just a step along the way to spending $9 million- and we will bet anything that it will go higher- is that what Creve Coeur residents want to do to get, as Mayor Dielmann says, *a nice road when it is all done*?

Mark Perkins stated a no feed ordinance would be difficult to enforce but we would rely on neighbors to let the City know if they have a deer feeder or salt lick in their yard.

Council Member Rhoades stated she is in favor of a no-feed ordinance and also considering establishing a short-term deer task force or maybe having the REB look at it.

Council Member Haddenhorst stated the deer are wild animals but are becoming domesticated which is becoming a serious public issue that needs to be addressed. Council Member Haddenhorst stated he is fully in support of a sharp shooter and the meat being given to local food pantry.

Council Member Kistner thanked Council Member Nealey for all of her hard work on this issue. It might be helpful to hold a single forum for public comment and bring forth the information received from the forum and we could then make a decision. There has to be a will to act or not and this doesn't need to be a long drawn out process.

Council Member Nealey stated she is of the opinion that there is a need. Holding an informational meeting regarding this issue would be helpful.

Mark Perkins stated we could present this information to the Public Safety Committee meeting which is scheduled for Wednesday and get their feedback regarding a sharp shooter program as well as a no-feed ordinance before we bring the issue back to the Council for consideration.

15. Olive Blvd TDD Agreement Exit Strategy

Council Member Bryant stated she requested this item to make sure this information is documented. There is a memo dated October 6, 2010 along with two Ward IV columns and two CreveCoeurvoter.com pieces. (Exhibit B) Council Member Bryant stated what motivated her to bring this back up was the that most recent CID vote sent a strong signal that City Council was not willing to bailout the TDD and the second thing was it was nice to discover that another Council Member, Council Member Hoffman, also expressed an interest in an exit strategy. It is time to bring this back up and have a discussion about what our options are. With the provision that there are going to be some legal issues involved in this and it is going to be a long term process which will extend beyond her term of office. Because of the legal issue there will probably be multiple conversations in Executive Session of which she will not be privy to. There are legal concerns and considerations that the Council will have to take into account because there are rights that we just need good legal guidance on.

Council Member Kistner stated she had asked City Administrator Mark Perkins to get the same conversation going but as a result of agenda items and not having a full Council for discussion the item has been postponed.

Mark Perkins stated the City Attorney and himself has had discussion with Garrick Hamilton who represents the Koman Group regarding how the project can be moved off base as we have been at a stalemate with regard to the 2007 supplemental financing agreement. Mark Perkins stated we would expect by the end of the month we would have something back to Capital Land with yet another option for them to consider in order completing the financing of Phase I and we are pushing hard on that. Mark Perkins stated in discussion of close out we are talking about completing whatever projects the Olive Blvd TDD can complete and the TDD will continue for many years because there is debt service that will need to be completed. The Olive Blvd TDD will not go anywhere but the projects certainly can be completed as soon as possible.

Council Member Bryant moved, seconded by Council Member Rhoades to direct the City Administrator to move forward in the process to begin an exit strategy for the Olive Blvd TDD to complete any projects eligible as soon as possible.

Council Member Kistner stated for discussion purposes what if the City finds another funding source to get all the projects completed?

Council Member Bryant stated at the risk of sound repetitive the TDD Board and the Council has looked and many different funding sources over many years including eminent domain, blight, CID, etc. The motion stands to get the projects scheduled completed and shut down the TDD as quickly as possible.

Council Member Rhoades stated in a memo in the packet it states that if the supplemental funding plan does not come to fruition then the Olive Blvd has approximately $850,000 to use for completion of projects. Council Member Rhoades asked if the funding does not come to fruition who makes the final decision regarding the TDD to decide what to do with the remaining funds.

Mark Perkins stated he would need to work with the City Attorney in reviewing the agreements carefully and discuss with MoDOT on what priority for street/intersection upgrades should be completed.

Council Member Rhoades asked if the Council has any authority to make a decision regarding the TDD?

Mark Perkins stated it all depends on the language in the agreements.

Council Member Kistner stated she feels very strongly that the Council should inform themselves before taking a vote that limits the options of the Council and then move forward at the first opportunity.

Council Member Kreuter stated he wouldn't vote right now to shut the TDD down.

Council Member Wang stated he is concerned with the procedural process to vote on an important issue under business from Mayor and Council.

Council Member Hoffman asked for clarification that if new funding becomes available would the motion currently on the table allow it?

Council Member Bryant stated no, the TDD is to spend the funding that they currently have available and be done. Council Member Bryant stated she will withdraw her current motion for this meeting but it will be moved for approval at the next meeting. It is time to do this and we have been through enough cycles.

15a. City Committees

Council Member Rhoades requested that Council give this subject some thought about the number of committees we have and the function of each committee. We could explore options to reorganize and make the committees we have more efficient. These committees consume a large amount of staff time to manage.

Mark Perkins stated a couple of years ago we did combine a couple and some of the task forces that have been created are moving along and really could be combined with standing committees.

BUSINESS FROM CITY ADMINISTRATOR

16. Subdivision Street Lighting Policy

Mark Perkins stated Mr. Caldwell's subdivision's street lights have never been paid as there was never an application made with the City. Mark Perkins stated staff will be contacting the trustees of that subdivision to make application for lighting subsidization.

17. Court Receipts

Dan Smith stated currently court receipts are paid by walk in customers downstairs at the court office. The mail is opened by the court and collections during court proceedings. Dan Smith stated the auditors have suggested a change of internal control regarding court payments. Staff would like to proceed with this and include the new cost in next year's budget.

Council Member Kistner asked if there is any reason why a finance person couldn't provide that service in the court area as to not inconvenience the customer if they have a court or procedural question.

Dan Smith stated he would have to send an employee down to court and then we would lose segregation of duties.

18. Transportation Development District Updates

Mark Perkins stated at Olive and Graeser staff expects the traffic light to be operational by March 28th or sooner. Mark Perkins stated he, Dan Smith and the Olive/Graeser TDD are looking at prospects for issuing bonds or some other financing tool and that review is ongoing. Ribbon cutting is being possibly scheduled around mid April once all for the improvements are completed.

Mark Perkins stated the connector road is under construction in the Olive Blvd TDD and should be completed within 30 days.

***** Council Member Kistner left Council Chambers at 10:27 p.m.

http://crevecoeur.patch.com/articles/creve-coeur-city-council-election-preview-ward-one

CreveCoeur.Patch.com

Creve Coeur City Council Election Preview: Ward One

Incumbent Beth Kistner defends her 8-year record while challenger Tony Kardis says it's time for fresh leadership.

By Don Kaiser

March 25, 2011

The first ward covers the eastern section of Creve Coeur, an area trying to balance new development, old infrastructure and the concerns of longtime residents. It features some of the most mature residential neighborhoods in the city.

Beth Kistner has served 8 years on Creve Coeur city council. If elected this year, her next term will be her final term; Creve Coeur has 10 year term limits for its council members. Kistner is a 16-year resident of Creve Coeur. Her career background is in telecommunications and presently she serves as a consultant in corporate telecommunications and government relations. She sees the institutional knowledge gained from nearly a decade representing Ward One as an asset. "I want to put that knowledge to work one last time for the citizens of Creve Coeur before term limits force me to retire from council," Kistner says.

Tony Kardis has never held elected office in Creve Coeur. However, he says he has been actively involved in numerous political campaigns in his 30-plus years as a Creve Coeur resident. Nevertheless, compared to his opponent's long political track record, Kardis admits some see him as an "outsider." It's a position he embraces. He says he decided to run for council to shake things up and bring a fresh voice to City Hall. He is a retired Ladue High School science teacher with a life-long interest in environmental issues. "I was recycling before recycling was even cool," says Kardis.

Creve Coeur Patch sat down for face-to-face interviews with both candidates, and, in the interest of fairness, featured the same three questions:

- What is the most important issue facing ward 1?
- What is your position on the history and future of Transportation Development Districts (TDD's) as development tools in Creve Coeur?
- What is your vision for the proposed "Downtown Creve Coeur?"

TOPIC: ISSUES FACING THE WARD

Kardis: "My wife and I like to walk and in so-doing, we get to see up-close the effects of development along Olive Street Rd (Olive Blvd). That's this ward's biggest concern: How potential building along Olive might encroach on the lifestyles of people who live right behind it." Kardis specifically noted the stretch of older vacant buildings on the south side of Olive just west of Spoede Rd., running down toward Mary Meadows Lane. "This entire area has long been talked about in terms of new development," Kardis says. "Those lots are very narrow. There are houses no more than 250 feet back and there's concern from residents about what's going to happen." Kardis says the key is balance. "We need to build good business relationships, but it also has to fit in well with the neighborhoods."

Kistner: "In Ward One, and the whole city for that matter, our biggest challenge is making sure we keep our financial house in order. The next two years will be a challenge for Creve Coeur in terms of rising costs and flat revenues," Kistner says. "I will keep working with our administrative staff to reduce unnecessary expenses and generate revenue growth without raising taxes or compromising the first-rate services Creve Coeur residents have come to expect."

TOPIC: TRANSPORTATION DEVELOPMENT DISTRICTS (TDD'S) IN CREVE COEUR

Background: A Transportation Development District (TDD) is a separate political entity authorized by state law and formed by local municipalities. It use special sales tax assessments within a defined geographical area to pay for transportation infrastrucure improvements in that area. Such improvements must be approved by the Missouri Highway and Transportation Commission before any extra TDD taxes can be collected.

Creve Coeur presently has two TDD's; both along Olive Blvd. The eastern TDD (Graeser-Olive TDD) was created to pay for road improvements and a new traffic signal at the intersection of Olive Blvd. and Graeser Rd in conjunction with a new Walgreens. The new signal has been operational since Tuesday. This so-called "Graeser TDD" is viewed by both ward 1 candidates as an example of how TDD's are supposed to work.

The TDD to the west, the so-called "Olive Blvd. TDD" (Olive and New Ballas) has not enjoyed such broad-based community support. It has been fraught with cost overruns that have forced a rather significant scaling-back of the original plans. In addition to her seat on Creve Coeur City Council, Beth Kistner also serves on this TDD board.

Tony Kardis: "Finish the work in progress, wrap it up and let's get out of it. There have been too many tax dollars wasted; money turned over to the TDD is loss of control. My opponent has been on that TDD board since its inception, so she's had plenty of opportunities to clean things up. There are so many promises that never came through in terms of streetlights, landscaping, to name but a few," Kardis says. "There should be no more TDDs unless the city becomes controller of the TDD. When you put developers in control of the board, which is exactly what has happened in this case, it's like the fox watching the chicken coop."

Beth Kistner: "You know...most of the constituents I talk to don't share that opinion of the Olive TDD. For them, it's a non-issue, but *politically* it has become a sort of flash point issue. If you want to harrass a political opponent about something, it lends itself to that," Kistner says. "What went wrong with that Olive TDD was our initial estimate that was provided by a top-notch transportation engineering firm. It looked like a great project, but they were off by a million dollars. That's a serious order of magnitude." Kistner says she does not support calls to immediately "wrap up" work on the Olive Blvd. TDD. "We need to at least look for additional sources of funding, but if that funding source does not become apparent in a matter of months, yes we may have no other choice but to wrap it up...but not just yet."

TOPIC: MASTER PLAN FOR "DOWNTOWN CREVE COEUR"

Background: In 1969, before I-270 was created, Creve Coeur city government adopted a master plan that included a vision of a "Downtown Creve Coeur" centered near the intersection of Olive Blvd. and New Ballas Rd.

One of the key recommendations in that plan was to "establish a city center, with high-rise, multiple-use buildings containing a mixture of commercial, office and residential uses; commercial service establishments such as cinemas, restaurants and lounges; and a community center with a library and meeting rooms, as well as a community open space complex" ('69 Plan, p. XIV).

In the subsequent four decades, little of that original plan has materialized, other than a sizeable office component at the Creve Coeur Corporate Center and City Place campus.

Patch wanted to know if the candidates had a vision for a "Downtown Creve Coeur."

Kardis: "First of all..no new TDD's to do anything with downtown. It needs to be something planned by the city staff so we're not spending money on planners. It must be budgeted out of the current budget. If private contractors want to do things, they need to fund their own projects. Again...and I can't say this enough...no TDDs." Kardis went on to describe a walkable/bikeable Creve Coeur: "As I mentioned, my wife and I love to walk. We need more destinations that walkers can go to; shops, bookstores, coffee places, pizza places...we love Fortel's....things like that. Creve Coeur is trying to artificially create a downtown where none existed before, and that's fine but we can't just have office buildings. We're not like Kirkwood or Webster Groves. They are much older cities and they grew up around long-established downtowns. We have a plan in place (based on the 1969 master plan) and we just need to implement it."

Kistner: "That (New Ballas) area known as downtown Creve Coeur is over-ripe for development. The city does not need to force it to happen. It will happen. We do have a master plan, a plan of vision, and we'd like to direct development in such a way that it will bring some nice benefits to Creve Coeur and make it an even more desirable location, but ultimately downtown Creve Coeur will come out of the private sector. We can't force it and we're not looking at things like eminent domain. It will eventually happen though."

Voters will go to the polls on Tuesday April 5, 2011.

BILL NO. ___5307____ **ORDINANCE NO. _____________**

AN ORDINANCE AUTHORIZING THE EXECUTION OF A POLICE MUTUAL AID AGREEMENT BETWEEN THE CITIES OF CREVE COEUR, FRONTENAC AND TOWN AND COUNTRY.

WHEREAS, with the formation of the West Central Dispatch Center (WCDC) the police departments of Creve Coeur, Frontenac and Town and Country have deemed it to be in their best interest to enter into a police mutual aid agreement, and

WHEREAS, the purpose of the agreement is to provide for mutual cooperation in the event of an emergency situation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

The City of Creve Coeur hereby authorizes the City Administrator, on behalf of the City, to enter into a Police Mutual Aid Agreement with the Cities of Frontenac and Town and Country, attached hereto as Exhibit *"A"*.

ADOPTED THIS ________DAY OF APRIL, 2011

____

A.J. WANG
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF APRIL, 2011

____

Harold Dielmann
Mayor

ATTEST:

____
DEBORAH RYAN, CITY CLERK

MUTUAL AID AGREEMENT

WHEREAS, the City Police Departments of Creve Coeur, Frontenac, and Town and Country, Missouri have deemed it to be in their best interest to enter into a Mutual Aid Agreement to provide for mutual cooperation in the event of an emergency situation.

WHEREAS, for purposes of this agreement, an emergency situation exists when a law enforcement officer has a reasonable belief that a crime is about to be committed, is being committed, or has been committed involving injury or threat of injury to any person, property, or governmental interest, and immediate response is reasonably necessary to prevent or end such emergency situation or mitigate the likelihood of injury involved in such emergency situation. The determination of the existence of any emergency situation shall be at the discretion of the officer making the initial response, or at the discretion of an officer, or governmental officer, of the political subdivision in which the emergency situation is believed to be occurring.

WHEREAS, Section 70.820 RSMo authorizes cities to enter into mutual aid agreements with other cities to assist each other in "emergency situations" as that term is defined in Section 70.820 RSMo;

WHEREAS, this agreement is intended only to cover "emergency situations" as defined in Section 70.820 RSMo and is not intended to have any effect on any other agreements or procedures in place (such as "Code 1000") that address significant emergencies, including earthquakes, floods, tornadoes and other events set forth in Section 70.837 RSMo or otherwise provided by law;

WHEREAS, the cities of Creve Coeur, Frontenac and Town and Country have all passed ordinances authorizing approving this Mutual Aid Agreement;

NOW THEREFORE, the cities of Creve Coeur, Frontenac, Town and County do agree as follows:

A. Any request for mutual aid assistance regarding "emergency situations" pursuant to this Agreement are to be made by the on-duty supervisor/watch commander of the agency requesting assistance. Requests are to be directed to the on-duty supervisor/watch commander of any or all other agencies during an immediate need for their police services. It is the intent of this Agreement that assistance is provided for immediate emergency response, and not to facilitate ongoing recovery efforts from a prolonged disaster; which shall be addressed by other arrangements to be made between the City governments.

B. When providing assistance pursuant to this Agreement, police officers of the assisting agency or agencies shall remain employees of their respective City, but will take direction from supervisory personnel of the agency requesting assistance. All aspects of the operation are to be under the control and supervision of the agency requesting assistance.

C. During a requested mutual aid event pursuant to the Agreement, radio communications between the responding agency or agencies will be managed by the West Central Dispatch Center. If needed and directed, the agencies may utilize the prescribed common mutual aid channel or request the use of a St. Louis County Riot channel during the mutual aid request for assistance. If any alternate channel is assigned, the communications personnel will exact their best effort to assist in transmitting and receiving on the assigned channel.

D. Any City providing assistance pursuant to this Agreement, will maintain its normal workers compensation and liability coverage for its employees, vehicles and equipment. The requesting City agrees to maintain adequate liability insurance under state law, and to hold harmless and indemnify the City or Cities requested to provide assistance for any and all claims (other than workers compensation claims of their respective employees) occurring while its personnel and equipment are working under the direction of the Mayor, City Administrator, Chief of Police or his/her designee of the requesting City. These indemnities shall include attorney's fees and costs that may arise from providing aid pursuant to this agreement

E. Agencies will provide assistance, pursuant to this Agreement, as requested, subject to the availability of staffing and equipment.

F. When requested hereunder, agencies will provide assistance in the form of staffing, vehicles, and equipment. Vehicles and equipment should be operated by qualified police officers of the agency providing the equipment whenever possible. However, this should not restrict any qualified personnel of the requesting agency from operating vehicles or equipment when qualified police officer operators of the providing agency are not available for that purpose.

G. The parties to this Agreement may terminate this Agreement at any time after providing thirty days prior written notice. The parties to this Agreement shall, every three years, review the Agreement for any modifications and amendments as so agreed upon by the parties.

IN WITNESS WHEREOF, the undersigned have set their signatures on the respective dates set forth below. This document may be signed in duplicate originals.

CITY OF CREVE COEUR, MISSOURI

By: ______________________________

Date: ________________

CITY OF FRONTENAC, MISSOURI

By: ___________________________

Date: _______________

CITY OF TOWN AND COUNTRY, MISSOURI

By: ____________________________

Date: ________________

CREVE COEUR POLICE DEPARTMENT
INTEROFFICE MEMO

DATE: April 5, 2011

TO: Mark Perkins, City Administrator

FROM: Chief Glenn Eidman

SUBJECT: Mutual Aid Agreement

In the planning stages of the WCDC, all three member cities requested their respective cities establish a mutual aid agreement. This agreement reflects the State Statute that allows emergency responders to assist other agencies. The three Police Chief's involved in the consortium felt that it would provide a legal framework and give us the authority to exercise aid when the situation dictated.

Additionally, it is required for our CALEA accreditation process.

The ordinance provides the legal authority for officers of the Creve Coeur Police Department to assist the Cities of Frontenac and Town and Country, officers from those departments to assist Creve Coeur officers in any type of "emergency situations". The terms are defined in the State Statute Section 70.820 RSMO.

Specific guidelines for requesting assistance, liability coverage, and other relevant issues are outlined in the agreement.

The cities of Frontenac and Town and Country have already passed a similar ordinance.

RESOLUTION NO. _957__

A RESOLUTION TO ADOPT THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF CREVE COEUR FOR THE PERIOD FY 2012 THROUGH FY 2016

WHEREAS, on March 3, 2011 the Finance Committee reviewed the Capital Improvement Plan forwarding its recommendations to the City Council; and

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed Capital Improvement Plan on March 7, 2011; and

WHEREAS, a public hearing was held before the City Council on April 11, 2011 for public comment and input on the proposed Capital Improvement Plan; and

WHEREAS, Section 9.6 (c) of the City Charter requires adoption of the Capital Improvement Plan by the last day of the twelfth month of the current fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI THAT:

SECTION 1: The City Council hereby adopts the Capital Improvement Plan, which is attached hereto and is hereby incorporated as a part of this Resolution as if fully set out herein.

SECTION 2: The adoption of this Resolution and the Capital Improvement Plan contained therein complies with the requirements outlined in Section 9.4 and 9.6 of the Creve Coeur City Charter.

SECTION 3: The City Council hereby declares its intent to proceed with the full implementation of the Capital Improvement Plan that is the subject of this Resolution.

SECTION 4: This Resolution shall take effect immediately upon its adoption.

Adopted this 11th day of April, 2011.

____
AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 of the City Charter

Attest:

____
Deborah Ryan
City Clerk

City of Creve Coeur

Memo

To: Mayor and City Council

From: Mark Perkins, City Administrator

Date: April 11, 2011

Re: Capital Improvement Plan Addendum

The following updates have been made to the draft CIP that was provided to the City Council on February 25, 2011.

Revenue Projection
An amount of $9,000 has been added to FY2012 proceeds from the sale of assets under "estimated additional revenue". This is the result of the planned sale at auction of one 2-ton 1998 dump truck ($5,000) and one 14 cubic-yard leaf vacuum ($4,000).

Debt service for Millennium Park
The projected debt service for Millennium Park in FY2016 has been revised from $707,244 to $711,400.

Capital Equipment
Two license-plate recognition units have been added to the draft CIP: one unit would be purchased in FY12 and a second unit in FY14. The units are anticipated to cost $24,000 each. The LPR system is a mobile unit that scans license plates from passing cars and can assist the Police Department in investigations and in responding to crimes in progress. These units qualify as capital equipment as they have a useful life of more than 5 years and cost more than $20,000 each.

One leaf vacuum is proposed to be added to the planned equipment purchases in FY2012 at an estimated cost of $35,000. As indicated above, an existing leaf vacuum which is in need of replacement will be sold at auction and is expected to generate approximately $4,000 in revenues.

Additionally, it had been proposed in the earlier CIP draft that two leaf vacuum engines would be purchased in FY12; however, these engines will be purchased in FY11 in lieu of one new leaf vacuum which had been budgeted for FY11.

Energy Efficiency Projects
The initial draft of the CIP proposed that the projects be financed through a performance contract whereby a third-party contractor would obtain financing for the projects and guarantee debt service payments not to exceed the actual energy savings resulting from the projects. However, a financing plan for the projects will

not be recommended until further review of options has been completed, which may include the City paying for some of the projects directly, the City securing a low interest or zero interest loan, securing energy efficiency grant and rebate funding, securing a loan and guaranteed energy savings contract through a performance contract, or a combination of any of these financing options.

Additionally, the final scope of the project will only be determined after a more precise and detailed energy audit of the Government Center and Dielmann Complex has been considered. A detailed energy audit of the Government Center and Dielmann Complex would identify energy efficiency upgrades that would provide the quickest return on investment. A preliminary energy audit identified up to $750,000 in potential building upgrades that may save an estimated $50,000 per year through reduced energy costs.

In addition to energy savings, some of the building upgrades, such as the replacement the Government Center's 60-year-old boiler (estimated cost $200,000), need to be completed to ensure that the building's mechanical systems continue to function.

I would be happy to provide answer any questions or provide additional information as requested.

FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FY2012-2016

	FY2011 PROJECTED	FY2012	FY2013	FY2014	FY2015	FY2016
9501 Building & Improvement Projects						
02 ADA Improvements (CDBG)	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
03 Dielmann Complex - Olive Blvd Signage	$ 30,000					
12 Energy Efficiency Projects Performance Contract (Gov Ctr and Rec Complex)		$ 750,000				
13 Public Art		$ 20,000				
Subtotal	**$ 50,000**	**$ 790,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**
% of Total Capital Outlay	**3%**	**21%**	**1%**	**1%**	**1%**	**1%**
9506 Park Development Projects						
01 Misc. Park Improvements & Grant Match			$ 20,000	$ 20,000	$ 20,000	$ 20,000
06 Golf Course Bridge Replacement			$ 25,000			
09 Conway Park Playground Addition and Tennis Court Repairs		$ 221,000				
Subtotal	**$ -**	**$ 221,000**	**$ 45,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**
% of Total Capital Outlay	**0%**	**6%**	**2%**	**1%**	**1%**	**1%**
9509 Storm Water Projects						
01 Small Projects/Improvements to Stormwater System	$ 11,000		$ 20,000	$ 20,000	$ 20,000	$ 20,000
02 Stormwater Master Plan Update	$ 30,000	$ 40,000				
03 Middlebrook Drive Stormwater Improvements		$ 50,000				
Subtotal	**$ 41,000**	**$ 90,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**
% of Total Capital Outlay	**2%**	**2%**	**1%**	**1%**	**1%**	**1%**
9510 Street & Sidewalk Improvements						
01 Street/Sidewalk Maintenance & Replacement Program	$ 1,000,000	$ 1,100,000	$ 1,100,000	$ 1,100,000	$ 1,100,000	$ 1,100,000
02 Conway Road Resurfacing	$ 30,000	$ 700,000				
10 N. New Ballas Rd. - Phase II Sidewalk (Emerald Green to Ladue)			$ 220,000			
11 Emerson Road Conceptual Plan	$ 42,100					
12 Dautel Road Realignment	$ 200,000					
13 West Olive Lighting		$ 530,000				
14 Ladue Si\dewalk			$ 520,000			
15 Graeser Rd Overlay (grant match only)					$ 108,000	
16 Engineering for Future Street Projects			$ 30,000		$ 30,000	
	$ 1,272,100	**$ 2,330,000**	**$ 1,870,000**	**$ 1,100,000**	**$ 1,238,000**	**$ 1,100,000**
% of Total Capital Outlay	**75%**	**63%**	**85%**	**77%**	**80%**	**78%**

FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FY2012-2016

	FY2011 PROJECTED	FY2012	FY2013	FY2014	FY2015	FY2016
9515 Capital Equipment						
01 Capital Equipment	$ 336,500	$ 286,000	$ 250,000	$ 274,000	$ 250,000	$ 250,000
Subtotal	**$ 336,500**	**$ 286,000**	**$ 250,000**	**$ 274,000**	**$ 250,000**	**$ 250,000**
	20%	**8%**	**11%**	**19%**	**16%**	**18%**
TOTAL CAPITAL OUTLAY	**$ 1,699,600**	**$ 3,717,000**	**$ 2,205,000**	**$ 1,434,000**	**$ 1,548,000**	**$ 1,410,000**
9514 Debt Service						
01 Millennium Park (year 2000 amenities)	$ 992,243	$ 995,819	$ 993,344	$ 804,994	$ 707,244	$ 711,400
03 Graeser - Olive Signalization and Related Improvements		$ 55,000	$ 55,000	$ 55,000	$ 55,000	$ 55,000
04 Performance Contract for Energy Efficiency (Gov Ctr & Rec Complex)		$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000
Subtotal	**$ 992,243**	**$ 1,100,819**	**$ 1,098,344**	**$ 909,994**	**$ 812,244**	**$ 816,400**
% of Total Year End Figures	**37%**	**23%**	**33%**	**39%**	**34%**	**37%**
TOTAL YEAR END FIGURES (Capital Outlay & Debt Service)	**$ 2,691,843**	**$ 4,817,819**	**$ 3,303,344**	**$ 2,343,994**	**$ 2,360,244**	**$ 2,226,400**

FUND BALANCES	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**
Beginning Fund Balance (estimated Cash Basis as of July 1)	$ 1,154,713	$ 1,807,599	$ 1,003,850	$ 382,422	$ 328,933	$ 287,212
Estimated Capital Improvement Sales Tax Revenue (1/2 Cent)	$ 1,850,000	$ 1,877,750	$ 1,905,916	$ 1,934,505	$ 1,963,523	$ 1,992,975
Estimated Interest Revenue	$ 35,000	$ 38,000	$ 36,000	$ 36,000	$ 35,000	$ 36,000
Est. Addtnl Revenue (Outside agencies, Fed, reimbursement & other)	$ 709,729	$ 1,648,320	$ 440,000	$ 20,000	$ 20,000	$ 20,000
General Fund Transfers	$ 750,000	$ 400,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000
Energy Savings Transfers from GF (payback of performance contract debt)		$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000
Energy Savings Transfers from EF (payback of performance contract debt)		$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000
Anticipated Year End Expenditures	$ 2,691,843	$ 4,817,819	$ 3,303,344	$ 2,343,994	$ 2,360,244	$ 2,226,400
Ending Fund Balance (Cash Basis)	**$ 1,807,599**	**$ 1,003,850**	**$ 382,422**	**$ 328,933**	**$ 287,212**	**$ 409,787**

FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FY2012-2016

	FY2011 PROJECTED	FY2012	FY2013	FY2014	FY2015	FY2016
Estimated Additional Revenue (Funding Sources)	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**
Community Development Block Grants for ADA Improvements	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
Laverne Collins Park - Land Water & Conservation Grant	$ 15,000					
Spoede Rd Overlay & audio-visual signal STP-S Grant	$ 305,229					
Beirne Park & Lake School Park Improvements - STL County Muni Park Grant	$ 300,000					
Conway Rd Overlay STP-S Grant		$ 583,994				
Proceeds from sale of assets	$ 69,500	$ 9,000				
Energy Efficiency Projects Performance Contract Financing		$ 471,500				
Energy Efficiency & Conservation Block Grant for lighting retrofits		$ 30,576				
Ameren UE Rebates for lighting retorfits		$ 15,250				
Conway Park - STL County Muni Parks Grant		$ 200,000				
West Olive Lighting - STPE Grant		$ 318,000				
Ladue Sidewalk - STPE Grant			$ 420,000			
Subtotal	**$ 709,729**	**$ 1,648,320**	**$ 440,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**

#	Future Projects NOT included the 5-year CIP	Notes
1	~~1-270 Fly Over Ramp or Pedestrian Bridge (est. $10 mi.)~~	Cost is prohibitive. No funding source or need for this project for the foreseeable future.
2	~~Ambois Road Extension Project~~	Lack of communicated interest. High cost.
3	Community Message Board ($70,000)	
4	Council Chamber Security and Accessibility Enhancements	
5	Downtown Streetscape & Infrastructure	
6	Dual Left Turn Lanes on East & West Olive @ Old and New Ballas and Independent Left and Right Turn Lanes on North Bound Lanes per 2008 Downtown Traffic Study	
7	Emerson Road widening, reconstruction, and sidewalk (est. $1.62 mi.)	
8	Extend Studt East to Craig per 2008 Downtown Traffic Study	
9	~~Fernridge Creek Drainage Project (est. $2.8)~~	Will reconsider stormwater projects with FY12 stormwater master plan update.
10	Government Center Electrical Switchgear Replacement ($250,000)	
11	Hibler Road Reconstruction - Falaise to Dead End (est. $295,000)	
12	Lindbergh Blvd. Streetscape enhancement Project - (est. $5 mi.)	
13	Millennium Park Retention Basin Conversion to Lake	
14	Mosley Road Reconstruction (est. $1.5 mi.)	
15	~~N. New Ballas Rd. Sidewalks south of Ladue, Phase II (est. $750,000)~~	No right-of-way for this project. Existing sidewalk on west side.
16	~~N. Walling Drive Detention (est. $270,000)~~	Will reconsider stormwater projects with FY12 stormwater master plan update.
17	~~Office Parkway Intersection (est. $30,000)~~	Reflectors installed on island to improve visibility.
18	Olive Blvd Improvements - New Ballas Rd to Old Ballas Rd ($1.8 mi.)	
19	~~Olive Median Irrigation/Lighting - Speede to Warson (est. $1.2 mi.)~~	Lack of communicated interest. Project unlikely to score well on grant applications.
20	Public Works Truck Shelter ($220,000)	
21	~~Royal Gate/Royal Manor (est. $350,000)~~	Will reconsider stormwater projects with FY12 stormwater master plan update.
22	**Salt Storage Building**	Project would involve constructing a storage facility capable of holding up to 1,200 tons of salt. The City currently has one salt storage facility at its public works garage site that has a capacity of 2,400 tons. A location for this project has not been identified.
23	Silt Removal at Golf Course, Phase II (est. $200,000)	
24	~~Sound Barriers Along 1-270, Phase I (est. $6 mi. total, Ph. I $1.5 mi.)~~	High cost to benefit ratio.
25	West Olive Enhancements, Phase II - Mason to Fernview (est. $2.2 mi.)	

Future Projects are identified projects with either no available funding or a scope and/or estimate for the project that has not been fully developed. The projects are listed in alphabetical order, not in order of priority.

Projects proposed to be removed from the future list are shown with a ~~strikethrough~~.

New projects that are proposed to be added to the future list are shown in **bold**.

DRAFT 4/7/2011

city of **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

March 17, 2011

Honorable Mayor and Members of City Council
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Dear Mayor and City Council Members;

On March 3, 2011, the Finance Committee met to review the proposed five year Capital Plan. After review and discussion, the committee voted 4-0 to recommend adoption of the five year Capital Plan to the Mayor and City Council.

Respectfully,

Stan Edelstein
Chairman
Finance Committee

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city of **CREVE COEUR**

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March 8, 2011

Mayor Harold Dielmann
City Council Members
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

Re: C.I.P. FY 2012-2016
Application #11-006

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of March 7, 2010, reviewed the Capital Improvement Plan FY 2012-2016 presented by Jaysen Christensen, Assistant to City Administrator, for recommendation of approval to City Council.

By unanimous vote, the P&Z Commission recommends approval of this C.I.P., which will be before the City Council in a work session on Monday, March 14, 2011 and a public hearing on Monday, April 11, 2011.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:pr

cc: J. Christensen, Assistant to the C.A.
M.C. Perkins, City Administrator
Carl Lumley, City Attorney
J. Heines, Director of Public Works
G. Eidman, Chief of Police
A. Oestereich, Fire Marshal
S. Unser, Chief Building Official
G. Seifried, Project Manager

City of Creve Coeur

To: Mayor and City Council

From: Mark Perkins, City Administrator

Date: February 25, 2011

Re: Capital Improvement Plan Update – FY2012-16

The proposed Capital Improvement Plan (CIP) for the five-year period beginning July 1, 2011 is provided herein. The plan is also being submitted to the Planning and Zoning Commission and Finance Committee for their review and recommendations. A public hearing before the City Council will be scheduled in April. As in previous years, input from the public, City staff, and the City's boards, commissions and committees has been considered as part of the CIP update.

Revenues

The ½ cent capital improvement sales tax is the major funding source for the CIP. The City has experienced a recent increase in sales tax growth compared to recent years. Capital sales tax revenues are projected to be $1,850,000 at the end of the current fiscal year compared to last year's FY11 projection of $1,767,500. Cumulative 5-year capital improvement sales tax revenues are projected to be approximately $9,675,000 compared to the cumulative 5-year revenues of approximately $9,107,000 projected one year ago. This represents a cumulative increase of approximately $568,000 or 6% for the 5-year revenues. A 1.5% annual increase in sales tax revenue is projected in years 2013 through 2016.

A General Fund transfer of $400,000 is recommended for FY2012, and annual transfers of $250,000 are recommended in FY2013 through FY2016 in order to ensure a positive ending fund balance. These transfers will provide funding for the City's street program and are possible due to the City's significant fund balance.

The City has been successful in obtaining grant funding for street and park projects, and it is anticipated that we will be able to obtain future grant funding as well to supplement the plan as presented.

Expenditures

Total year-end figures for the current fiscal year are projected to be $2,691,843 including a capital outlay of $1,699,600 and debt service of $992,243. Total year-end figures for FY2012 are projected at $4,781,819 including $3,681,000 in total capital outlay and $1,100,819 in debt service. Significant projects for FY2012 include energy efficiency upgrade projects at the Government Center and Dielmann Complex ($750,000), Public Art ($20,000), Conway Park playground construction and tennis court improvements ($221,000), stormwater master plan update ($40,000), Middlebrook Drive stormwater repairs ($50,000), Conway Road resurfacing ($700,000), and West Olive Blvd. lighting installations ($530,000).

The majority of CIP expenditures are dedicated to preserving the City's streets and sidewalks through concrete-slab replacement, asphalt overlay, and other preservation techniques. An amount of $1,100,000 is dedicated to this objective in FY2012. Priorities are guided by the City's infrastructure management program and street rating system.

Proposed funding for FY2012 capital equipment replacement is proposed in the amount of $250,000, and an equal amount of $250,000 per year is projected for capital equipment expenditures in FY2013-16.

Major equipment proposed to be purchased in FY2012 includes:

- 2-Ton Truck w/ spreader and plow $110,000
- Pick-up Truck $25,000
- Leaf Vacuum Engine Replacements (2) $22,000
- Tar Kettle $27,000
- Cab & Chassis for Chipper Truck $65,000

All of the new equipment purchases will replace existing 10-to-15 year old pieces of equipment. The equipment replacement schedule factors in the increasing maintenance costs of equipment as it wears and ages.

Debt Service

Debt service will continue to comprise a significant portion of the City's CIP dollars and limit the inclusion of new projects for the next five years with the exception of projects for which alternative funding sources are identified.

New Projects

Changes from the previous year's CIP include the following new projects.

9501 Building & Improvement Projects

12 – Energy Efficiency Projects at Government Center and Dielmann Complex ($750,000). This project involves completing a detailed energy audit of the Government Center and Dielmann Complex to identify energy efficiency upgrades that will provide the quickest payback. Once identified, these projects will be financed through a performance contract in which a licensed third-party Energy Services Company (ESCO) will contract with the City to guarantee that the upgrades will generate the savings to pay for the cost of the upgrades. Based on a preliminary energy audit, the project may include installing web-based digital control systems in both the Government Center and Dielmann Complex, installing a solar domestic hot water system, and installing a heat recovery system on the ice arena refrigeration system. The FY11-15 CIP included $200,000 for the replacement of the aging Government Center boiler and $78,500 for a lighting retrofit throughout the City's facilities.

These projects have been deferred in order to be considered for inclusion in the performance contract. The City will pay at least a portion of the upfront costs of the Government Center boiler ($200,000) as the energy cost savings of a new boiler are not enough to offset the total cost of the new equipment on their own. Regardless of energy savings, replacing the boiler, which is over 60 years old, has been identified as a high priority. Including the boiler in the performance contract with the other energy efficiency projects will take advantage of low interest financing, potential grant and utility rebate funding, and turn-key project management.

9509 Stormwater Projects

03 – Middlebrook Drive Stormwater Improvements ($50,000). This project will replace the rotting culvert pipe under Middlebrook Drive. The project was identified as a top priority by the Stormwater Committee in 2010.

9510 Street & Sidewalk Projects

13 – West Olive Lighting ($530,000). This project includes the installation of decorative lighting in the medians on Olive Blvd. between Cross Creek and Mason Rd. The installation of the bases and conduits for the lighting was installed during the West Olive enhancement project in 2008. The addition of the proposed lighting is the final item to be completed from the 2003 project. The project will be funded by a $318,000 federal STP-E grant and a $212,000 local match.

14 – Ladue Sidewalk ($520,000). This project will include the construction of a sidewalk along the north side of Ladue Road from Coeur de Ville to Graeser Rd. The sidewalk will replace the existing asphalt pedestrian path which is deteriorating and substandard. The project will be funded by a $420,000 federal STP-E grant and a $100,000 local match.

15 – Graeser Road Overlay – grant match ($108,000). The City will apply for a federal STP-S grant to complete an asphalt overlay of Graeser Rd from Ladue Rd. to Olive Blvd. The amount of $108,000 represents matching grant funding that would be required of the City, which is equal to approximately 20% of the total estimated project cost. Should the City be awarded the grant, the total amount of the project will be shown in the CIP.

16 – Engineering for Future Street Projects ($60,000). It is recommended that funds be reserved for conceptual designs and engineering work for future street projects to be identified in order to budget for future costs and aid the City in securing grant funding for these projects. Equal amounts of $30,000 are included in FY13 and FY15.

Changes to Existing Projects

9501 Building & Improvement Projects

13 – Public Art ($20,000). This project will be delayed from FY11 to FY12. The FY11-15 CIP included $20,000 for public art improvements. It is anticipated that this funding will not be used in FY11. The Public Art Task Force has therefore requested that $20,000 be included in the

budget and CIP for FY12. The Task Force is considering a project that would involve constructing up to four lighted concrete pads throughout the City to display loaned public art.

9506 Park Development Projects

06 – Golf Course Bridge Replacement ($25,000). This project is recommended to be completed in FY13 instead of FY12. The project will involve replacing a narrow cart path bridge adjacent to hole number 5. Delaying the project one year will allow public works crews to complete other priorities in FY12.

9509 Stormwater Projects

02 – Stormwater Master Plan Update ($70,000). Completion of this project will be delayed from FY11 to FY12. The total project cost will also increase from $40,000 to $70,000 as the scope of the project has increased by including additional locations throughout the City and by including GIS mapping. The FY11-15 CIP included $40,000 for FY11 of which approximately $30,000 will be spent by year end. Staff is requesting $40,000 for FY12 to finish the project. The project will update and re-evaluate the City's 1999 Storm Water Master Plan. The previous master plan was designed in 1999. Since that time numerous stormwater issues that were identified in that report have been addressed. A re-evaluation of the 1999 plan, remaining issues identified in that report and investigation of new complaints will be addressed in the updated master plan.

9510 Street & Sidewalk Improvements

02 – Conway Road Resurfacing ($730,000). Completion of this project will be delayed from FY11 to FY12. Engineering work will be completed in FY11 with construction to be completed in early FY12.

10 – North New Ballas Rd – Phase II sidewalk from Emerald Green to Ladue ($220,000). This project has been delayed from FY11 to FY13 due to the difficulty of obtaining easements. Additionally, the cost of this project has been reduced from $305,000 to $220,000 as the section of sidewalk on Ladue Road between Emerson and New Ballas will now be completed in FY13 as part of the Ladue Rd sidewalk project, which is being funded by a federal STP-E grant.

Changes to the Future Project List

A list of potential projects for a future CIP is included in the CIP document. Future projects are identified as projects with either no available funding or with a scope and/or estimate that has not been fully developed. These projects are *not* part of the five-year CIP.

Staff has reviewed the future projects list and recommends that a salt storage building be added to the list. The City's existing salt storage building, which is located on the public works maintenance property, can store a maximum of 2,400 tons of salt. The City uses approximately 2,000 tons of salt during a typical winter. A second facility would decrease the risk of running out of salt during a severe winter.

Several projects are being recommended for removal from the future project list due to lack of communicated demand, high cost to benefit ratio, and/or changing priorities. Projects that are being recommended for removal are shown in strikethrough font with an adjacent explanation of why the project is being recommended for removal.

No other changes are proposed at this time. The proposed schedule of meetings to review and adopt the FY12-16 CIP is enclosed.

Cc: Planning & Zoning Commission, Finance Committee, Economic Development Commission, Storm Water Committee, Parks & Recreation Committee, Recycling, Environment & Beautification Committee

9501 Building & Improvement Projects

Five-Year Capital Improvement Program
Fiscal Years 2012-2016

ADA Improvements

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$20,000	$20,000			$20,000	$20,000	$20,000	$20,000	$20,000	

Project Description
A number of ADA-related projects are currently being considered.

Existing Condition
None

Justification
None

Operating Budget Impact
None.

Comments
The City is designating this funding with the anticipation of receiving grant funding in the amount of $20,000 from Community Block Grant Commission. This is an annual grant available to municipalities to address accessibility projects. Scheduling of this project is subject to a successful grant application and availability of grant funding.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$20,000
Equipment	
Other	
Total	$20,000

Energy Efficiency Projects

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$750,000	$517,326	$232,674		$750,000					

Project Description

Project involves a comprehensive overhaul of mechanical systems in the Government Center and Dielmann Complex.

Existing Condition

None

Justification

None

Operating Budget Impact

Preliminary projected energy savings of $50,000 per year.

Comments

Final projects will be indentified in energy audit. Potential projects include:

Government Center

- Retrofit Lighting
- Install new web-based digital control system
- Replace old boiler with new high efficiency condensing boiler
- Install new domestic hot water heater- evaluate feasibility of solar domestic hot water system

Recreation Center

Heat Recovery

- The 300 ton refrigeration system maintains the ice and rejects heat through the cooling tower. "Waste heat" used by the facility as a free heat source.

Efficiency of the Ice Refrigeration Equipment:

- Head Pressure - The refrigeration equipment will be made more efficient as an additional benefit of the heat recovery strategies.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$750,000
Equipment	
Other	
Total	$750,000

Public Art

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$20,000	$20,000			$20,000					

Project Description

The Public Art Task Force has requested that $20,000 be allocated for a public art improvement project that may include the construction of concrete pads with lighting at multiple sites along Olive Blvd and at the Government Center at the proposed rain garden site on the north side of the property. These sites could be used to temporarily display loaned art pieces.

Existing Condition

None

Justification

None

Operating Budget Impact

None.

Comments

The FY2011-15 CIP included $20,000 for public art in FY2011. However, no public art expenditures are anticipated in FY11, and the Public Art Task Force has requested that $20,000 again be allocated for public art in FY12.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$20,000
Equipment	
Other	
Total	$20,000

9506 Park Development Projects

Five-Year Capital Improvement Program
Fiscal Years 2012-2016

Park Grant Local Match

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
		$20,000			$20,000	$20,000	$20,000	$20,000	

Project Description
This item anticipates future park grant proposals by budgeting the local match that is normally required for grant applications. Funding in Fiscal Year 2012 is assigned to grant matches for Conway Park playground improvements and the replacement of the wall adjacent to the tennis courts ($21,000 match).

Existing Condition
None.

Justification
Park grants are competitive. By budgeting for the local match, the grant application can be completed without searching for available funds or making amendments to the program.

Operating Budget Impact
None.

Comments
None.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	
Equipment	
Other	$20,000
Total	$20,000

Golf Course Bridges

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$60,000		$60,000	$35,000		$25,000				

Project Description
This project includes the replacement of three cart path bridges at the golf course. Two of the three cart path bridges over the creek on holes numbers 7 and 9 were replaced in FY2010. One additional bridge at hole number 5 is planned to be replaced in FY2013.

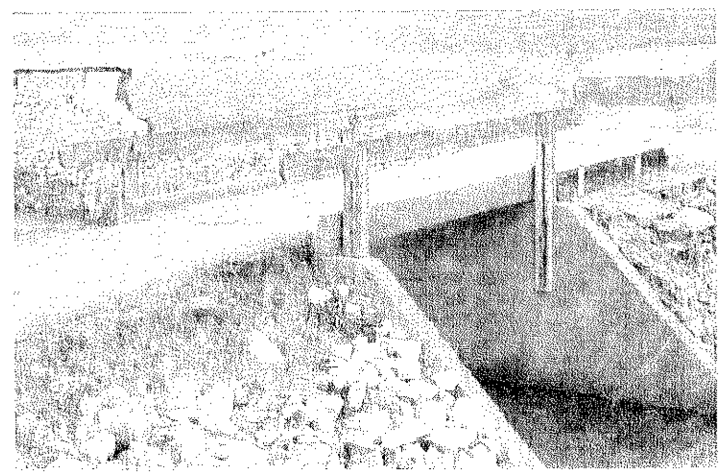
Existing Condition
None

Justification
The current concrete panel bridges are narrow, and safety railings are deteriorating. These will be replaced with pre-manufactured, structural-steel span bridges.

Operating Budget Impact
None.

Comments
None.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$60,000
Equipment	
Other	
Total	$60,000



Conway Park Playground & Tennis Court Improvements

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$221,000	$200,000	$21,000			$221,000				

Project Description
The project includes installing new playground equipment, replacing landscaping and the wooden tie retaining wall around the tennis courts with a modular block wall, and replacing the existing and outdated playground equipment with a picnic table area including a concrete pad and modular block walls in place of the existing wooden tie walls.

A St. Louis County Municipal Parks grant in the amount of $200,000 will pay for approximately 90% of this project.

Justification
Playground equipment improvements at Conway Park were identified as a priority in the City's 2008 parks needs assessment. The current tennis court wall is constructed of railroad ties, which are rotting. The new wall would be constructed of modular concrete blocks.

Operating Budget Impact
The project is expected to reduce costs associated with park maintenance.

Comments
None.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$221,000
Equipment	
Other	
Total	$221,000

9509 Storm Water Projects

Five-Year Capital Improvement Program
Fiscal Years 2012-2016

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Small Projects/Improvements to Storm Water System

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$20,000		$20,000			$20,000	$20,000	$20,000	$20,000	

Project Description
Implement various storm water improvements that were identified in the 1999 report from the Kuhlmann Design Group and those that are being identified in the 2011-2012 storm water master plan update. Many of the projects are small in nature and require the storm water Committee's review and approval prior to implementation.

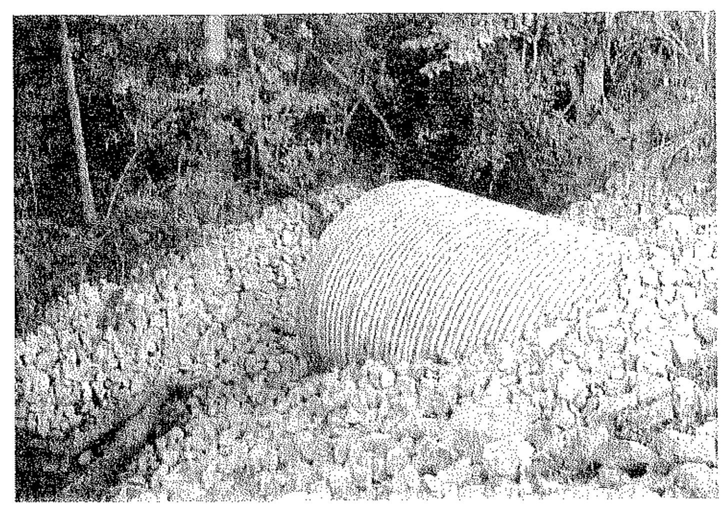
Existing Condition
None

Justification
None

Operating Budget Impact
None.

Comments
Planning and budgeting for regular maintenance and repair of storm water systems is necessary to maintain the integrity of the overall system.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	
Equipment	
Other	$20,000
Total	$20,000



Storm Water Master Plan

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$70,000		$70,000	$30,000	$40,000					

Project Description
This project includes the re-evaluation of the City's Storm Water Master Plan. A previous master plan was designed in 1999. Since that time numerous storm water issues identified in that report have been addressed. A re-evaluation of the 1999 plan, remaining issues identified in that report, and investigation of new complaints will be addressed in this updated report.

Existing Condition
None

Justification
None

Operating Budget Impact
None.

Comments
The 1999 Storm Water Report identified storm water issues and rated their severity. Construction projects were created from that report in an attempt to address flooding, erosion, and deficient systems. Since that time many of the projects identified in that report have been addressed. A re-evaluation of the current status of the City's storm water concerns will help create a new list of potential projects and prioritize them.

Expenditure Type:	
Planning, Design, & Engineering	$70,000
Land Acquisition	
Construction	
Equipment	
Other	
Total	$70,000

Middlebrook Drive Stormwater Improvements

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$50,000		$50,000		$50,000					

Project Description
This project involves replacing the culvert pipe under Middlebrook Drive.

Existing Condition
The culvert pipe is rotting and will eventually create significant erosion and become a hazard.

Justification
This project was identified as a top priority by the Stormwater Committee in 2010.

Operating Budget Impact
None.

Comments
None.

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$50,000
Equipment	
Other	
Total	$50,000

9510 Street & Sidewalk Improvements

Five-Year Capital Improvement Program
Fiscal Years 2012-2016

Street/Sidewalk Maintenance & Replacement Program

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$1,100,000		$1,100,000		$1,100,000	$1,100,000	$1,100,000	$1,000,000	$1,000,000	

Project Description
Concrete replacement and asphalt resurfacing of subdivision streets and replacement of existing sidewalks throughout city.

Existing Condition
An annual street inventory is prepared and a list of streets that need to have base repairs and an overlay. The annual street inventory also identifies slab replacement for streets that are broken, settled and/or cracked.

Justification
To maintain a good riding surface and preserve the existing infrastructure. By overlaying the streets on a 7 to 10 year interval, the City has been able to keep potholes to a minimum and provide a good riding surface for residents. Several areas throughout the community need sidewalk slab replacement, required for ADA compliance. This program will enhance the City's overall Pedestrian Plan and allow users to travel safely over our sidewalks.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$1,100,000
Equipment	
Other	
Total	$1,100,000

Conway Road Resurfacing

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$730,000	$584,000	$146,000	$30,000	$700,000					

Project Description
Project includes removal and replacement of the existing asphalt surface on Conway Road. Once completed, the wearing coarse on this road is expected to last up to 10-12 years. This project will be funded by a $584,000 federal STP-S grant and a $146,000 local match.

Existing Condition
None.

Justification
Conway Rd is a major corridor in the City. The roadway is nee of maintenance, and the adjacent pedestrian asphalt pathway is in need of replacement. The new pedestrian path will be a concrete ADA-compliant sidewalk.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$730,000
Equipment	
Other	
Total	$730,000

North New Ballas Sidewalk, Phase II

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$220,000		$220,000		$220,000					

Project Description
This sidewalk project is the continuation of the New Ballas Sidewalk Phase 1 and will involve placing sidewalk on the west side of North New Ballas from Emerald Green south to Ladue Road. Phase II also includes funding for completing an unfinished segment of Phase I at 425 North New Ballas Rd. When all segments of Phase I and Phase II are completed, a new sidewalk network will provide pedestrian access from residential areas to schools and the proposed Downtown District.

Existing Condition
None

Justification
There is a lack of pedestrian access on the west side of New Ballas Rd which creates a potentially unsafe environment.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$220,000
Equipment	
Other	
Total	$220,000

West Olive Lighting

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs: Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$530,000	$318,000	$212,000		$530,000					

Project Description
The project includes the installation of decorative lighting in the medians on Olive Blvd. between Cross Creek and Mason Rd. The installation of the bases and conduits for the lighting was installed during the West Olive enhancement project in 2008. The addition of the proposed lighting is the final item to be completed from the 2003 project. This project will be funded by a $318,000 federal STP-E grant and a $212,000 local match.

Existing Condition
None.

Justification

Operating Budget Impact

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$530,000
Equipment	
Other	
Total	$530,000

Ladue Sidewalk Construction

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$520,000	$420,000	$100,000			$520,000				

Project Description
The project includes construction of sidewalk along the north side of Ladue Road from Coeur de Ville to Graeser Rd. This project will be funded by a $420,000 federal STP-E grant and a $100,000 local match.

Existing Condition
None.

Justification
There existing pedestrian asphalt pathway is deteriorated and substandard. Constructing an ADA-compliant sidewalk along Ladue Road will increase safety and improve pedestrian mobility, which is one of the goals of the 2002 Comprehensive Land Use Plan.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$520,000
Equipment	
Other	
Total	$520,000

Graeser Road Overlay (grant match only)

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
		$108,000					$108,000		

Project Description
The City will apply for a federal STP-S grant to provide an asphalt overlay of Graeser Rd from Ladue Rd. to Olive Blvd. The amount of $108,000 represents the City's share, which is equal to approximately 20% of the total estimated project cost. Should the City be awarded the grant, the total amount of the project will be included in the CIP.

Existing Condition
None.

Justification
Graeser Rd is a major north-south corridor in the City. The roadway is need of repair.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$108,000
Equipment	
Other	
Total	$108,000

Engineering and Conceptual Designs for Future Street Projects

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$60,000		$60,000			$30,000		$30,000		

Project Description
These funds are planned to be used for engineering or conceptual designs of future and yet to be identified street projects.

Existing Condition
None

Justification
These designs will aid the City in determining what projects are financially feasible and may aid in securing future grants for street projects.

Operating Budget Impact
None

Comments
None

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	$60,000
Equipment	
Other	
Total	$60,000

9515 Equipment Replacement

Five-Year Capital Improvement Program
Fiscal Years 2012-2016

CITY OF CREVE COEUR, MO. • 1949 •

Capital Equipment

Total Project Cost	Outside Funding Source	City Share	Estimated Total Capital Costs						
			Prior Years	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	Future
$286,000		$286,000		$286,000	$250,000	$274,000	$250,000	$250,000	

Project Description

City equipment costing greater than $20,000 and having a useful life of at least five years based on replacement schedule. All Public Works Department equipment listed below is for replacement of existing equipment that is at least 10 years old. The license plate recognition (LPR) system is a mobile unit that can be set up anywhere in the City to scan license plates to support officers responding to crimes in progress and assist in investigations. The LPR system is a first-time purchase. It is recommended that one LPR unit be purchased in FY12 and a second unit be purchased in FY14.

Existing Condition

Equipment has reached the end of its useful life.

Justification and Operating Budget Impact

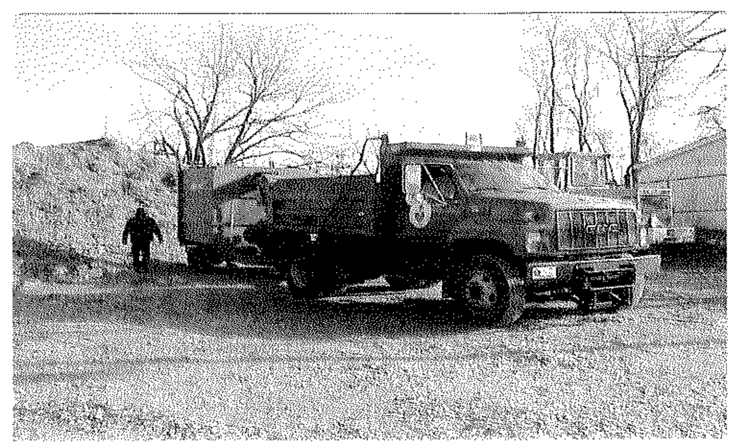
Replacement of old public works equipment is necessary in order to provide reliable services and appropriately control annual maintenance costs. The LPR system will assist the Police Department in investigations and in responding to crimes in progress.

Comments

The following major equipment purchases are planne d for FY2012 as replacements for existing older equipment:

- Replace 2-Ton Truck w/ spreader & plow (Public Works) $110,000
- Replace Pick-up Truck (Public Works) $25,000
- Replace Tar Kettle (Public Works) $27,000
- Replace Cab & Chassis for Chipper Truck (Public Works) $65,000
- Replace Leaf Vacuum (Public Works) $35,000
- License Plate Recognition System (Police) $24,000

Expenditure Type:	
Planning, Design, & Engineering	
Land Acquisition	
Construction	
Equipment	$286,000
Other	
Total	$286,000



RESOLUTION NO. 958

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ADLER CUSTOM SIGNWORKS, INC. TO PROVIDE AND CONSTRUCT A MONUMENT SIGN FOR THE GOLF COURSE AND ICE ARENA FOR $19,639.85.

WHEREAS, the median at Olive Boulevard and Craig Road is located in the City right of way; and

WHEREAS, existing sign for the Creve Coeur Executive Office Park has fallen into disrepair; and

WHEREAS, visibility of the Golf Course & Ice Arena has been identified as an issue by visitors and city staff; and

WHEREAS, this project and/or these improvements have been competitively bid per the requirements, as outlined in the City of Creve Coeur Code of Ordinances

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

Section 1.

The Contract between **Adler Custom Signworks, Inc.** and the City attached hereto as "Proposal to Provide Professional Services Related to the Preparation of Concept Plans for the Construction of a Monument Sign at Olive Boulevard and Craig Road for the Creve Coeur Golf Course and Ice Arena and hereafter referred to as "Exhibit A," is hereby approved and the execution is hereby authorized. The Contract as executed shall be in substantially the form of Exhibit A, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Contract.

Adopted this 11th day of April 2011.

____
AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 of the City Charter

Attest:

____

Deborah Ryan, MRCC
City Clerk

CITY OF CREVE COEUR PROJECT CONTRACT
Creve Coeur Golf Course and Ice Arena Monument Sign
For $19,639.85

THIS AGREEMENT, made and entered into this day _______**,** ______ **2011** by and between the City of Creve Coeur, Missouri, hereinafter called the City and **Adler Custom Signworks,** hereinafter called the Contractor.

That for and in consideration of the acceptance of Contractor's bid dated March 8, 2011, (including any and all revisions submitted prior to the date hereof) for the **Creve Coeur Golf Course and Ice Arena Monument Sign (the "Project")** and the award of this Contract to said Contractor by the City and in further consideration of the agreements of the parties herein contained, to be well and truly observed and faithfully kept by them, and each of them, it is agreed between the parties, to wit, as follows:

The Contractor at its own expense, hereby agrees to furnish, all labor, materials, tools and equipment called for to complete the work described in the aforesaid bid and the Project documents described herein, and shall perform all incidental work necessary to complete the Project, as shown on the Plans and as herein specified. The Notice to Contractors, the Plans, Bid Form, Contract Bond, Special Conditions, and the General Conditions and Standard Specifications for the aforesaid Project (the "Project Documents") and any and all change orders made in signed writing by the parties are incorporated herein and made part hereof as if fully set out herein.

The Contractor further agrees that it is fully informed regarding all of the conditions affecting the work to be done, and labor, materials, tools and equipment to be furnished for the completion of this Contract, and that its information was secured by its own investigation and research and not from any statements or estimates of the City; and that it will make no claim against the City by reason of any estimates, statements, tests, or representation of any officer, agent, or employees of the City. Any action arising out of, or concerning, this contract shall be brought only in the Circuit Court of St. Louis County, Missouri. All parties to this contract consent to the jurisdiction and venue of that court.

The said Contractor agrees further to begin work not later than the authorization date in the Notice to Proceed issued by the City, and to complete the work by June 30, 2011 or such additional time as may be allowed by the administrator under the Contract. The Contractor acknowledges and agrees that the City may, in its discretion and without cause, suspend the Contract or terminate it. If work is suspended by the City for 30 days or less, the contract sum and contract time shall not be adjusted for any increases in the cost and time caused by such suspension. If the period of suspension exceeds 30 days, the Contractor may terminate the Contract at any time by written notice to the City delivered within five business days after notice from the City concluding the period of suspension. In the event of termination of the Contract by the Contractor or by the City, the Contractor shall be entitled to receive payment only for work actually performed and executed, including the pro rata overhead and profit based on the percentage of work so performed. In lieu of termination, the contract sum and contract time may be adjusted for any increases in the cost and time caused by a suspension in excess of 30 days, if the parties agree by signed writing to such changes.

The work shall be done to the complete satisfaction of the Director of Public Works for the City of Creve Coeur.

The Contractor agrees that it will comply with all federal and state laws and regulations and local ordinances and specifically, without limiting the foregoing duty, that it will comply and cause each of its subcontractors, if any, to comply with all federal and state laws and regulations and directives and local ordinances pertaining to nondiscrimination against any person on the ground of race, color, sex, or national origin, or any other prohibited basis, in connection with this Contract, including but not limited to in connection with procurement of labor, materials, tools and equipment therefore.

The Contractor expressly warrants that it has not employed any third person to solicit or obtain this Contract in its behalf, or to cause or procure the same to obtained upon compensation in any way contingent, in whole or in part, upon such procurement; and that it has not paid, or promised or agreed to pay, to any third person, in consideration of such procurement, or in compensation for services in connection therewith, any brokerage, commission, or percentage upon the amount receivable by it hereunder; and that it has not, in estimating the Contract price demanded by it, included any sum by reason of any such brokerage, commission, or percentage; and that all monies payable to it hereunder are and will remain free from obligation of any other person for services rendered, or supposed to have been rendered, in the procurement of the Contract. Contractor, further agrees that any breach of this warranty shall constitute adequate cause for the annulment of this Contract by the City, and that City may retain to its own use from any sums due or to become due hereunder an amount equal to any brokerage, commission or percentage so paid, or agreed to be paid in violation of this warranty.

Contractor certifies that it currently has no knowledge of any violation of Article XIV of the City Charter or City Code Section 2-168 by any city elected or appointed officer, employee or board or commission member regarding this Contract and Contractors agrees to immediately disclose to the City any information regarding such a violation of which it may subsequently become aware.

The City agrees to pay the Contractor in the manner and in the amount provided in the said General Conditions and Bid.

This Contract is not valid until approved by the City Council as required by City Code Section 2-218(b).

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hands and sealed this ____ day of ________, 2_____.

APPROVED BY THE CITY COUNCIL: **DATE**

CITY OF CREVE COEUR, MISSOURI
300 N NEW BALLAS ROAD
CREVE COEUR, MISSOURI 63141

ATTEST:

BY ______________________________________
Mark Perkins, City Administrator

____
City Clerk

BY _________________________________
James H. Heines, Director of Public Works

CONSTRUCTION FIRM

(SEALS)

____

BY _______________________________________
Name

____
Title

Revised 010120011

Memorandum

Date: April 4, 2011
To: Mark Perkins, City Administrator
From: Melissa Weiss, Public Information Officer & Management Analyst
Re: Olive Boulevard Signage for the Golf Course & Ice Arena and Millennium Park

Overview

The City has budgeted $30,000 in the current fiscal year for signage for the Creve Coeur Golf Course and Ice Arena at Craig and Olive, as well as for Millennium Park at Olive and Barnes West Drive. Staff has identified visibility of the Golf Course/Ice Arena and Millennium Park as a concern. Many non-residents are not aware of these amenities, which is of particular importance in marketing the Golf Course/Ice Arena.

Golf Course/Ice Arena

The Creve Coeur Executive Office Park sign located in the public right of way at Olive Boulevard and Craig Road was previously maintained by an association of businesses in the Office Park. As parcels were sold, this association dissolved and the sign is now located in the public right of way. The city has received several complaints about the sign, which has fallen into disrepair. This issue was discussed with City Council in late 2009, at which time it was recommended that city staff explore alternatives and contact the property owners in the office park to obtain feedback. After contacting all twenty property owners it was determined that there was not enough interest in the project to cover the cost of refurbishing or replacing the existing sign in order to maintain the Executive Office Park identity. As such, city staff has developed a concept for a Creve Coeur Golf Course & Ice Arena sign for this location. This concept was presented to City Council in late 2010 and was put out for bid in 2011.

The Parks & Recreation Committee reviewed two sign options and indicated their support for erecting improved signage at Craig and Olive for the recreation complex. They recommended a larger monument sign that beyond the city's budget, but were amenable to other signage identifying the Golf Course & Ice Arena along Olive Boulevard.

<u>Sign Concept</u>

The proposed design is similar to the sign for the Government Center (see attachment) and would be internally lit, with landscaping and irrigation.

Costs
The city received 5 bids on this project and staff recommends contracting with Adler Custom Signworks, the same company who constructed the LaVerne Collins Park sign, despite the fact that Adler was not the lowest bidder. The lowest bidder, Graphic Innovations, has had little experience in constructing large monument signs and city staff had concerns about their understanding of the scope of work. The majority of their experiences on large monument signs were for projects that the owner assisted on when he worked at another company. The second lowest bidder, The Designery Shop, will not run electricity to the base of the sign, as requested in the bid document. The addition of this cost to the project makes Adler Custom Signworks the next lowest bidder for the project. City staff is confident of their quality of work as evidenced by the LaVerne Collins Park sign.

Company	**Project Cost**
Graphic Innovations	$17,250
The Designery Shop	$19,365[1]
Adler Custom Signworks	$19,639.85
Warren Sign	$19,962
Stone's Sign Shoppe	$29,388.25

[1] Price does not include all requested components of sign.

In addition to these costs staff is working with AmerenUE to run electricity to the site and Missouri American Water to install a water tap for irrigation at the median. City staff will demo the existing sign and also landscape the median. The landscape pictured in the attached rendering was recommended by Lewisites, but is not included in this budget. The Department of Public Works is recommending a similar, but less expensive landscape for this median. These additional items are estimated to cost $6,000, bringing the total cost of the sign to $25,639.85.

Millennium Park
City staff is proposing to install a sign identifying Millennium Park along Olive Boulevard similar to the city's entrance signs. It would be difficult to place a large monument sign at this location due to space limitations. The prime location for a monument sign is located in MoDOT right of way, which is not permitted. Immediately outside of the right of way, the land drops off steeply. As a result, building a monument sign at this location would be expensive in order to get it high enough to be visible from the street. See attached map for proposed sign location.

The proposed sign would have an arrow pointing towards the park. Two single sided signs would be placed back-to-back and mounted on steel poles. The cost of this sign is estimated to be $5,000.

Total Sign Costs
As previously mentioned, there is $30,000 in the Fiscal Year 11 Capital Improvement Program for signage at both Millennium Park and the Golf Course & Ice Arena. The

estimated cost for both signs is $30,639.85. There is additional money in the Public Works Department sign budget to cover the cost above the $30,000 in the CIP.

Memorandum

To: Melissa Weiss

CC: Mark Perkins

From: Fran Thies

Date: 4/7/2011

Re: Signage for Dielmann Complex at Craig and Olive

The Dielmann complex is home to the ice arena, golf course, and community services office. This means that in addition to the ice arena and golf course all City facility rentals and resident ID cards are made at the complex. It is a daily challenge to direct the public, including Creve Coeur residents, to our facility due to its proximity. Better signage off Olive, instead of just an Office Parkway sign, would give us not only a directional presence but would also increase awareness that we have this recreational venue. On a daily basis we field calls from both residents and non that do not know we have a golf course or ice arena in our City. The Park and Recreation Committee viewed two renderings for signage on Olive and liked both. If budget allowed, they favored the larger sign as it served as a monument for years to come. I have attached minutes from the Park and Rec Committee meeting of Nov 3, 2010 stating their support of this project.

Melissa, thank you for your work on obtaining design options for this purpose. Please let me know if I can be of further assistance in this process.

CONFIDENTIAL

Draft Minutes
Park and Rec. Committee Meeting
Tuesday, November 3, 2010
6:30 p.m. Tappmeyer House

In Attendance:
Jeff Bernstein, Committee Chair, Dan Sims, Linda Sosna, Joan Stradal, Cindy Wessel

Also attending:
Fran Thies, Recreation Director (staff liaison); Tim Brinks, Assistant Recreation Director
Absent:
Brent Smith, Kevin Rejent, Jeanne Rhoades, Council Liaison

1. Roll call and introduction of new member, Joan Weis Stradal and Tim Brinks, assistant recreation director.

2. Minutes from May meeting read, Cindy Wessel motioned to accept, Motion seconded by Linda Sosna. All in favor.

3. Jeff Bernstein agreed to serve as committee chair for one year; Cindy Wessel agreed to serve as vice-chair. All in favor.

4. Results of 5K run were presented and discussion as to how proceeds were to be distributed. Suggestion was received for benches or bleacher near fields at Millennium Park. If cost prohibitive, some sort of shade structure may be possible. Jeanne Rhoades suggested via email that "wildflower" garden at Millennium Park should be re-evaluated. REB committee planted a native plant demo garden which receives almost no maintenance and has become unsightly. This will be deferred to REB who may wish to revisit with Park Committee feedback/input.

5. Updates received from Public Works regarding grant, completion of path at Beirne Park and Dog Park entrance paving. Public Works is now working on parking lot curb repair at Beirne Park.

6. Malcolm Terrace Park Grant report and REB Community Garden Recommendations for moving to MTP. Based upon REB recommendations, P&R committee felt that City should provide only land and water for community gardens. All other components of the garden suggested by REB including fencing, raised beds and shed were deemed not the responsibility of the City. Joan Stradal made motion that garden should be self-sustaining and no additional money should be spent. Motion was seconded by Linda Sosna. All in favor.

7. While the 9:15 p.m. lighting curfew in Millennium Park will deter many events from being scheduled at the Tappmeyer House in the evening,

especially during winter months. Therefore, Linda Sosna motioned that the need to extend the current low level lights along the remaining path and onto the parking lot for safety reasons should be considered. Jeff Bernstein seconded. All in favor.

8. The Park and Recreation Committee supports the need to construct a sign at Craig and Olive identifying the Golf Course and Ice Arena. After reviewing 2 renderings submitted by Melissa Weiss, Dan Sims made a motion that the Committee recommend a sign constructed of brick, similar, yet scaled down in size to the 2nd rendering. Being cognizant of the economic conditions, the committee feels this will be a monument to last a lifetime and should reflect such. Motion was seconded by Cindy Wessel. Ayes from Linda Sosna and Jeff Bernstein, Nay from Joan Stradal.

9. Holidays on Ice, annual community ice skating event, will be held Monday, December 27. Free admission with a canned good donation to benefit a local food pantry. Skate rental will be $1 as in past years. Tuesday, December 28 and Wednesday, December 29, discount sessions will be held.

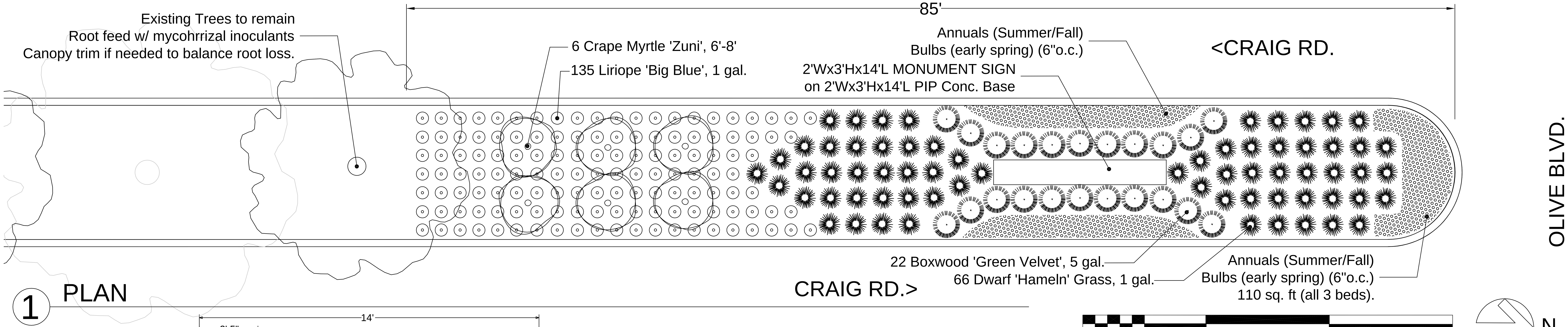
10. Arbor Day – REB wants to be involved in Arbor Day 2011 and has asked to move the celebration to Malcolm Terrace Park. REB asked for P&R committee volunteer. The event will be held at MTP but no committee member was interested in assisting REB with this event.

11. Joan Stadal prepared a list of concerns for the committee to look into regarding various parks. They included overgrowth of vines in the wooded area of Beirne Park, Traffic on Country View Dr, restroom shutdown schedule and safety issues related to a 'fire pit' she discovered at MTP. These items will be addressed by staff and reported at next meeting.-

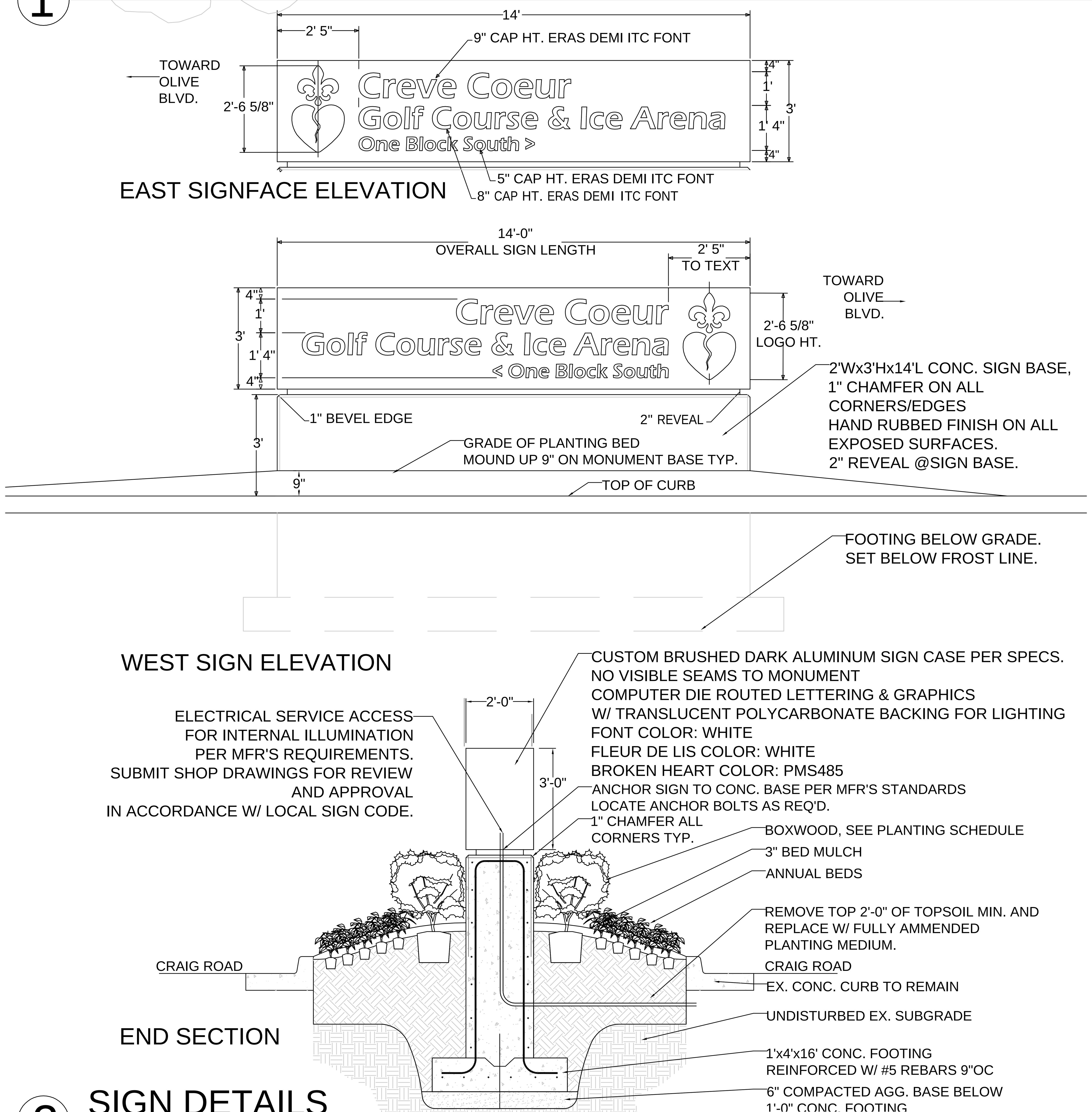
Meeting adjourned at 8 p.m.

Respectfully submitted

Fran Thies
Director of Recreation

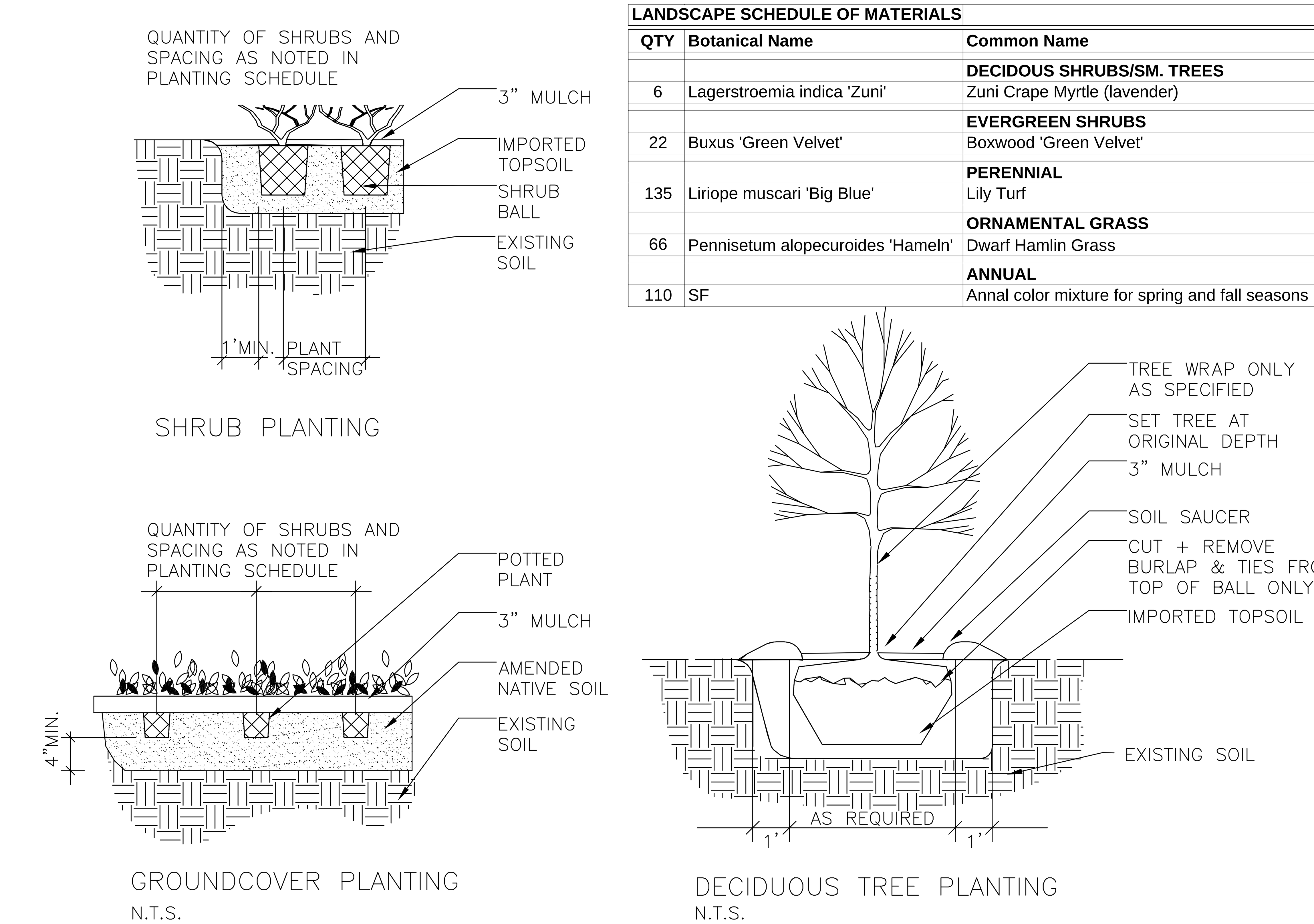


1 PLAN



2 SIGN DETAILS
N.T.S.

LANDSCAPE SCHEDULE OF MATERIALS			
QTY	Botanical Name	Common Name	SIZE
		DECIDOUS SHRUBS/SM. TREES	
6	Lagerstroemia indica 'Zuni'	Zuni Crape Myrtle (lavender)	15 gal.
		EVERGREEN SHRUBS	
22	Buxus 'Green Velvet'	Boxwood 'Green Velvet'	5 gal.
		PERENNIAL	
135	Liriope muscari 'Big Blue'	Lily Turf	1 gal.
		ORNAMENTAL GRASS	
66	Pennisetum alopecuroides 'Hameln'	Dwarf Hamlin Grass	1 gal.
		ANNUAL	
110	SF	Annal color mixture for spring and fall seasons	flat



3 PLANTING DETAILS
N.T.S.

lewisites
LANDSCAPE ARCHITECTURE
1030 north lindbergh blvd
saint louis, missouri, usa
earth 63132
314.989.9530
314.989.9540fx

Olive & Craig Median Monument Sign
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

No.	Date
	12/03/2010

L-1.0

- single sided HDU sign with routed out graphics
- painted background and logo
- gold leaf inlay for "Millennium Park"

adler custom signworks
4065 Wedgeway Court Saint Louis, MO 63045 p. 314.209.1915 f. 314.209.1917 toll. 888.449.2701 www.acsignworks.com

CREVE COEUR POLICE DEPARTMENT
INTEROFFICE MEMO

DATE: April 6, 2011

TO: Mark Perkins, City Administrator

FROM: Chief Glenn Eidman

SUBJECT: Charity Golf Tournament/Solicitation of Sponsor

The Creve Coeur and Town and Country Police departments sponsored a charity golf tournament last year in an effort to raise money for numerous charitable organizations The police departments feel fortunate to have strong support from our communities and cities, and we want to give back to the community in a charitable way.

In compliance of Ordinance 5296, the Police Department is requesting permission to solicit donations for our Charitable Golf Tournament to be held on May 16th, 2011.

The organizations that were sponsors and donated items in Creve Coeur are listed below. We are seeking permission to request their support for this year's charity event:

Contract Painting
Drury Hotels
Genovese Jewelers
Granite City Brewery
Bonneville radio
Plaza Motors
JED Limosine
Milbrandt Lawn Equipment
Bristols Sea Food Grill

<u>Bandannas Bar-B-Q</u>

<u>First Watch</u>

<u>Fridays</u>

<u>CK Power</u>

<u>Marriott Hotels</u>

<u>Weber Chevrolet</u>

Thank you for your consideration in this matter.

Chief Glenn Eidman

Glenn A. Eidman
Chief of Police

Memorandum

Date: April 5, 2011
To: Mark Perkins, City Administrator
From: Melissa Weiss, Public Information Officer & Management Analyst
Re: Sponsorship of Heart to Heart 5/10K Run

The Parks and Recreation Committee and city staff are planning to hold the 7th Annual Heart to Heart 5/10K Run on Saturday, June 18. City staff is requesting permission to solicit St. John's Mercy Medical Center for a $2,500 sponsorship of this event. St. John's has sponsored the run since its inception.

In the past, they donated $5,000. This year, this event is self-sustaining and is not contingent upon sponsorship. However, city staff would like to continue collaborating with St. John's on this event that promotes health and wellness in Creve Coeur.

The sponsorship would help pay for the cost of t-shirts ($2,000 cost) and printing of forms for the run ($350). If St. John's agreed to sponsor the run, their name and logo could be featured in the advertisement for the run in an upcoming newsletter and also on the t-shirts.

Dear Friends,

Hope 2011 is off to a positive start. In years past, through the generosity of the St. Louis community, the *Greens for Green Charity Golf Tournament* raised over $100,000 for Missouri Special Olympics, BackStoppers and numerous other charities

Again this year, the Town and Country Police Department will be joined by the Creve Coeur Police Department to host the *Greens for Green Charity Golf Tournament.* While our previous efforts have been successful, we sincerely believe, with your help, that we can continue to raise money for worthwhile charities when they need it the most while enjoying the day golfing with friends and colleagues.

On **Monday May 16, 2011**, the *Greens for Green Charity Golf Tournament* will be held again at Annbriar Golf Course. Check-in will begin at 11:00 AM with lunch provided. Tee-off will be at 12:30 PM and a banquet dinner will follow the day's festivities. Deadline for team registration is May 6, 2011.

If you are not a golfer or if you are unable to attend, a tax-deductible donation can still be made through various sponsorships. For your convenience, we have enclosed information describing the ways in which you can be involved. Please complete the form and return it by May 6, 2011.

We hope that you can join us in supporting some very important and meaningful charities, while enjoying a fun-filled day on the golf course. For additional information and assistance, please contact one of the tournament coordinators listed.

Paul Wilson
Town and Country Police
314-432-4696
wilsonpm@town-and-country.org

Neal Kohrs
Creve Coeur Police
314-432-8000
nkohrs@ci.creve-coeur.mo.us

T&C Police Charity Fund is a federally recognized 501 (c) (3),
Federal Tax ID 65-1230763

Town & Country Police, & Creve Coeur Police

Greens for Green Charity Golf Tournament

Monday, May 16th, 2011
Check-in and Lunch Begin at 11:00 AM
Tee-Off at 12:30 PM, Followed by Banquet Dinner
Annbriar Golf Course
Waterloo, il

All proceeds benefit Missouri Special Olympics,
The Backstoppers and other local charities.

Sponsorship Levels

Gold Sponsor (Free Foursome, Major Signage & Recognition)	$1000 or more
Silver Sponsor (Major Signage & Recognition at Banquet)	$500-$999
Bronze Sponsor (Large Signage)	$200-$499
Hole Sponsor (Signage at Tee Box)	$100
Entry Fee	$100 per golfer

Registration Deadline for Golfers is May 6, 2011

To Become a Sponsor:

Individual or Company Name: ______________________________

Address: ______________________________

Phone: ____________________ Email: ____________________

Level of sponsorship and/or items donated: ______________________________

Register Player Names:

1. ____________________ 2. ____________________

3. ____________________ 4. ____________________

Contact person for team: ____________________ Phone: ____________________

Please return this form with any donations and checks made payable to:

Town & Country Charity Fund
C/o Officer Paul Wilson
1011 Municipal Center Drive
Town & Country, MO 63131
Phone: 314-432-4696 Fax: 314-432-4991
Email: wilsonpm@town-and-country.org

BILL NO. 5296 **ORDINANCE NO. 5184**

AN ORDINANCE ESTABLISHING REVISED DONATIONS POLICY AND PROCEDURES OF THE CITY OF CREVE COEUR.

WHEREAS, prevention of fraud and corruption is an important objective for any organization, and

WHEREAS, the City of Creve Coeur desires to encourage the prevention and reporting of any fraud or corruption which may occur within its organization, and

WHEREAS, in 2004 the City of Creve Coeur originally adopted an anti-fraud and corruption policy in response to recommendations made by the City's auditors, and

WHEREAS, it is recognized that solicitation of donations by individual City officials or employees from parties having current or potential contracts, applications or other formal business before the City can create a potential conflict of interest, and

WHEREAS, amending and codifying the current policy to address solicitation of donations by individual City officials or employees helps the City to maintain the integrity of its relationships with vendors, developers, service providers, or any other parties having current or pending interests with the City,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AS FOLLOWS:

SECTION 1. The revised Donations Policy and Procedures of the City are hereby established and incorporated into Chapter 130 Article III of the City Code of Ordinance as follows:

A. The following statement of purpose is added as Section 130.050.D:

This policy also establishes procedures and guidelines regarding the solicitation and acceptance of donations to the City for use by its citizens, employees and officials. Employees and officials as individuals are also subject to the City's Anti-Fraud & Corruption Policy. A uniform set of procedures shall be followed in solicitation and acceptance of all donations and proper approval shall be obtained prior to solicitation or acceptance. All cash, equipment, in-kind services, materials, donated to the City, sponsorship arrangements, and business discount offers to City employees and/or officials shall be accounted for in accordance with the procedures set forth in this policy.

B. The following definitions are added to Section 130.060:

Donation. For purposes of this policy, the term "donation" means a monetary contribution and/or equipment, in-kind goods or services, or business discounts, which a City department or the City would accept and for which the donor would not receive any goods or service in return.

Business Discount. For the purposes of this policy, the term "business discount" means any offer, formal or informal, to discount the normal purchase price of any item for City employees and/or officials because of their affiliation with the City of Creve Coeur. Such offers may include coupons, promotional discounts, and other programs that would provide special discounted rates to City employees and/or officials that are not extended to the general public.

Sponsorship. For the purposes of this policy, the term "sponsorship" means an arrangement in which a person would make a donation in support of a City event and the City would provide in return benefits such as name recognition and special participation in the event.

C. The following is added as new Section 130.070.C (and existing Sections 130.070.C-G are re-lettered accordingly):

1. Donations and sponsorships valued at $1,000 or less.

a. The City Administrator will consider the guidelines established in subsection C.3 of this policy and either accept or reject offers of donations of money, equipment and in-kind contributions or sponsorships to the City up to $1,000.

b. Donated money will be expended for general purposes or specified purposes, if agreed upon with the donor, as one-time supplements to the City's operating budget. Donations of equipment will be considered based on program outcomes, department goals and needs. Each donation will be evaluated for usefulness, and costs of potential replacement/rental rates will be considered. In-kind contributions and sponsorships, or business discounts for specific events will be treated in the same way as donated funds.

c. The City Administrator will accept or reject donations to the City and sponsorship arrangements with the City and business discount offers for City employees and/or officials with a cumulative value of up to $1,000. Acceptance of such discount offers by individuals shall comply with the policies and procedures set forth in the City's Anti-Fraud and Corruption Policy. Unless otherwise directed by the City Council, the City Administrator shall determine any necessary allocation of gifts to the City.

d. Donations, sponsorships, and business discounts that are approved by the City Administrator shall be recorded by the Office of the City Administrator. Recorded information shall include the name of the donor or sponsor, a description of the donation, sponsorship or discount including approximate material value, and the date of approval by the City Administrator.

2. Donations and sponsorships valued at more than $1,000.

a. For monetary, equipment and in-kind contributions, sponsorships, or discounts with material values over $1,000, a report to the City Council will be written outlining the purpose of each proposed transaction and any relevant considerations of the guidelines provided in subsection C.3. The City Council will decide, on a per-case basis, if donations or sponsorships should be accepted or rejected. Corporations offering in-kind contributions will be requested to state the value of the offered item or service.

b. All donations and sponsorships valued at more than $1,000 either separately or cumulatively during a calendar year require City Council approval. Subsequent to Council's acceptance, procedures for handling transactions of more than $1,000 shall be the same as those for the acceptance of transactions valued at $1,000 or less.

3. Guidelines for Accepting Donations

The following criteria shall be considered in the acceptance or rejection of all donations:

a. Does acceptance of funds, equipment or in-kind services, materials, or business discounts, present a conflict of interest for the City or its employees? Regardless of the value, donations shall not be accepted if there is reason to believe there may be a conflict of interest. Examples may include donations from:

   1. donors that are involved in a matter under current review with a pending outcome with any City process such as any zoning or development matter, building inspection, police investigation, property maintenance code investigation, or any investigation into the violation of municipal code.

   2. contractors, vendors, or persons seeking to provide services/materials to the City of Creve Coeur.

b. Do restrictions upon the use of the item or funds make it practical to accept?

c. Do restrictions on disposal or retention of the item or funds make it practical to accept?

d. Is required accounting for the item or funds excessively difficult?

e. Would donated materials or equipment require extensive repair or maintenance, and if so, is maintenance support available?

f. Does the equipment or materials require the purchase of additional items to be useful?

g. Will the donation result in an increase to the City's budget? Donations are to be considered one-time supplements and should not be used to develop new programs or services which would require budget supplements from the City in the current or subsequent years.

4. Solicitations

a. Solicitation of donations to the City shall be subject to this subsection C.4 as well as the same procedures that would apply to acceptance of an unsolicited donation under subsection C.3. Approval of a solicitation shall constitute approval of acceptance unless the terms and conditions required for acceptance are materially different from those included with the solicitation.

b. City officials and employees shall obtain approval prior to soliciting donations to the City. If the solicitation is for a donation of less than $1,000, approval shall be obtained from the City Administrator. If the solicitation is for a donation of $1,000 or more, approval shall be obtained from the City Council.

c. Other than a donation solicitation approved pursuant to subsection C.4.b, no elected or appointed City official or employee of the City shall directly solicit anything of value, for any purpose, from a person or corporation:

1. that is currently seeking or subject to official action of, or doing business with, the City, or anticipated to be doing so in the immediate future; or

2. whose interests may be substantially affected by the performance or nonperformance of the individual's official duties.

d. City officials and employees soliciting donations in compliance with this policy (i.e. either with approval or after restrictions no longer apply) from those that are or have previously engaged in the conduct set forth in subsection C.4.c of this policy, shall make clear that such solicitations are not connected to or presented as requests for payment for services rendered and otherwise strive to avoid any semblance of impropriety.

e. Those soliciting donations are prohibited from exerting any form of pressure upon those they have benefited through official acts.

f. City officials and employees shall not offer any form of "special access" to themselves in exchange for donations.

g. City officials and employees shall not solicit anything of value, for a private purpose, through the use of the City's letterhead, official stationary, assigned City email address, or any other means that suggest that the solicitation is made with authority or on behalf of the City.

h. City officials shall not directly solicit anything of value from City employees. City employees shall not directly solicit anything of value from their subordinates. Notwithstanding the foregoing, fundraising campaigns directed to all employees may be approved by the City Administrator.

i. This policy does not apply to solicitations of campaign contributions. Such activities are subject to separate regulations, including Chapter 130 RSMo.

D. Existing Section 130.070.C (hereby changed to 130.070.D) is revised so that the first sentence reads as follows:

Any complaint regarding a violation of the provisions of Section 130.070(A) or Section 130.070(C) shall be presented to the Missouri Ethics Commission established under Section 105.955 RSMo. or its successor.

SECTION 2: This Ordinance shall take effect in accordance with Section 3.11(g) of the Charter.

ADOPTED THIS 28 DAY OF March, 2011.

A. J. Wang
President Of City Council

APPROVED THIS 28 DAY OF March, 2011.

AJ Wang, Council President
Acting for Mayor During Temporary Absence
Pursuant to Section 3.4 of the City Charter

ATTEST:

Deborah Ryan
City Clerk

Memorandum

To: City Council

CC: Mark Perkins, City Administrator

Debbie Ryan, City Clerk

From: Mayor Dielmann

Date: 4/5/2011

Re: Mayor's absence from Council Meetings

Pursuant to Sections 3.6(b) and 4.3 of the city charter, I am requesting an extension of my excused absences through the April 11 Council meeting.

However, my doctor indicates that I will be able to return on April 25, 2011.

HB 534 -- Distribution of St. Louis County Sales Tax

Sponsor: Leara

Currently, cities in St. Louis County are divided into two groups, Group A and Group B, for the purpose of distributing the county sales tax. Once a Group A city chooses to become part of Group B, it cannot revert back to Group A. A Group B city cannot choose to become a Group A city.

Beginning January 1, 2012, this bill changes the distribution of revenue from the St. Louis County sales tax to the municipalities and the county back to the way it was distributed prior to January 1, 1994; authorizes a Group B city to adopt an ordinance to become a Group A city; and authorizes a Group A or Group B city that has changed groups to transfer back to its original group.

St. Louis County Municipal League Legislative Update #9
Week Ending March 18, 2011
Changes in Red

Hearings on a wide variety of bills are now being conducted and many are now coming out of committee and being added to the perfection calendar for debate. Bills relating to the same subject are grouped together.

Sales Taxes

SB 309 (Kehoe) – Would allow fire district in St. Louis County to levy sales taxes. Surprisingly, this bill has been filed by a newly elected senator from mid-Missouri, not by someone from St. Louis County. Local Government Committee (Oppose)

SB 427 (Lamping) – Would repeal all state AND LOCAL use taxes. This would seemingly cost the state and cities that have enacted use taxes millions of dollars. Ways & Means Committee

HB 52 (Ellinger) – Implements the streamlined sales and use tax agreement to allow collection of sales taxes on remote sales (catalog, internet, etc.) to help level the playing field for local merchants and recover lost taxes to political subdivisions. Heard in Tax Reform Committee 2/16 (Support)

HB 55 (Sater) – Exempts over the counter drugs from state and local sales tax. Continues the erosion of the local sales tax base. (Oppose) Committee Substitute Passed Ways & Means Committee 2/10

HB 116 & 316(Flanigan) – Provides sales tax amnesty for businesses for state and local taxes. Could generate $10-15 million for local governments across the state. Passed House. Assigned to Senate Ways & Means Committee (Support)

HB 278 (McNeil) - Implements the streamlined sales and use tax agreement to allow collection of sales taxes on remote sales (catalog, internet, etc.) to help level the playing field for local merchants and recover lost taxes to political subdivisions. Similar to HB 52. Heard in Tax Reform Committee 2/16 (Support)

HB 534 (Leara) – Beginning in 2012, the sharing of sales taxes from the "A" to the "B" cities would end. Depending on the interpretation it may also allow any current "B" city to become an "A" city. Passed House Local Government Committee 3/9. This is a very important bill for all municipalities as the "A" cities would not have to share sales tax revenue and the "B" cities and the County would lose the shared amount. The League Board discussed how services would be affected to the hundreds of thousands of residents who live in the pool area if the legislation passed. It was assumed there would be substantial turmoil in the County. This was similar to the position the Board took to oppose the elimination of the earnings tax in St. Louis because there is no plan to replace the lost revenue. For this reason, the Board voted to support the current sales tax distribution system unless a viable alternative can be developed that does not impact local revenues.

Replacing Income or Property Taxes with Sales Tax

A report from former Republican Budget Director James Moody indicates that the state sales tax rate would have to be over 10% to achieve revenue neutrality. Local taxes would be in addition to the state rate and would cause many shoppers to head to adjacent states for purchases, thereby reducing, instead of increasing revenue to the state. The link to Mr. Moody's report is:
http://www.jamesrmoody.com/fileshare/January%2024%20State%20Auditor%20submission.pdf
To put pressure on the legislature to act on this issue, local resident Rex Sinquefeld has filed an initiative petition to place this issue before voters statewide in 2012. The gathering of signatures could begin in May.

SJR 1 (Ridgeway) – "Fair Tax" would replace the state individual and corporate income tax, the corporate and bank franchise tax and state sales and use tax with a STATE tax on the sale, use or consumption or personal property or taxable services equal to five and eleven-one hundredths percent beginning January 1, 2013. The current general state rate is 4%. It is not clear if this would be revenue neutral. Local sales tax rates would have to be recalculated to be revenue neutral. Ways & Means Committee (Oppose)

HB 152 (Kelly, 24) – Expands the sales tax base to cover services and lowers the income tax rates for individuals and businesses (Fair Tax, similar to SJR 1). Tax Reform Committee (Oppose)

HB 335 (Burlison) – Would allow any political subdivision to enact a sales tax or property tax to replace the PERSONAL property as long as the new tax levy is revenue neutral. Heard in Tax Reform Committee 2/23

HB 408 (Koenig) - Eliminates the corporate franchise tax, and adds a .4939% replacement state sales tax. Passed Ways & Means Committee 3/13

HJR 8 **(Koenig) – Expands the sales tax base to cover services and phases out income tax rates through 2019 for individuals and businesses (similar to Fair Tax – SJR 1). Committee Substitute Passed Tax Reform Committee 2/23 (Oppose)** This bill may come up for debate when the legislature goes back into session the week of March 28. As the sales tax rate climbs to absorb the elimination of income taxes, more buyers may shop on-line or in Illinois, hurting Missouri businesses. Contact House members to let them know how detrimental this could be to state and local finances.

Assessment and Property Taxes

SB 52 (Cunningham) - Requires county assessors to consider foreclosures, bank sales, and the average time homes remain on the market when establishing the value of parcels of real property for property tax purposes. Many of these are purchased cheaply in groups and therefore could lower the local property tax base if treated like normal sales. Passed Ways & Means Committee 3/17

HB 60 (Nolte) - Limits the increase in assessed valuation of residential property to the percentage of increase in the federal Social Security benefits in the previous year for an individual who is 65 years of age or older or who is disabled, has a federal adjusted gross income of less than $72,380, and owns and lives in his or her principal residence. Would reduce needed revenue to cities. Heard in Local Government Committee 2/9 (Oppose)

HB 175 (McNeil) – Increases income limits for property tax circuit breaker. Helps older residents with property taxes without impacting local government revenues. (Support)

HB 222 (Schneider) – Begins assessment of new construction in 4th year, rather than 2nd year following completion for unoccupied property. Passed Ways & Means Committee 3/3

HB 380 (Zimmerman) – Allow seniors to defer property taxes and avoid tax increases. Political subdivisions would receive replacement revenue from the state. The state would recoup its payments when properties are sold.

HB 490 (Diehl) – Would prohibit the use of certificates of value for the sale of property, thereby making assessments much more difficult. Passed General Laws Committee 3/7

HB 744 (Brown, 85) – Would freeze assessments for six years and then reassess property in 2017. Heard in Ways & Means Committee 3/10

Municipal Personnel

SB 179 (Brown) – Allows 4th class cities to enact an ordinance to appoint a marshal. Currently only the voters can change this to an elected position. Local Government Committee.

SB 231 (Lager) – Prohibits political subdivisions from restricting firefighters from serving being a candidate for elective office, except their own fire district. Ironically, current law prohibits municipal employees in St. Louis County from serving on fire boards. Passed Local Government Committee 3/10. On Perfection Calendar (Oppose)

SB 238 (Schmitt) – Infectious diseases contracted by firefighters shall be presumed to have occurred in the line of duty for calculation of death or disability benefits. Passed Judiciary Committee 3/9

HB 51 (Taylor) - Authorizes a $2 surcharge to be collected in all criminal cases involving a violation of state traffic laws, including infractions. The surcharge will be disbursed equally between the Peace Officer Standards and Training Commission (POST) Fund and the newly created Fire Safety Training Fund. Public Safety Committee.

HB 157 (Faith) - No municipal employment contract shall exceed a two-year period, but such contract may be renewed so long as each renewal does not exceed two years. Heard in Local Government Committee 2/9.

HB 162 (Fisher) – Expands workers' compensation provisions to include occupational diseases. Passed House. Assigned to Senate Criminal Jurisprudence Committee

HB 295 (Hinson) – Would categorize infectious diseases contracted by firefighters as job related for disability purposes. Heard in Public Safety Committee 2/23

HB 309 (Black) – Establishes a $7 court cost to fund police retirement program.

HB 635 (Silvey) – Fire fighters as candidates for political office. Identical to SB 231. Public Safety Committee (Oppose)

HB 672 (Dugger) – Appointment of 4th class city marshal. Identical to SB 179

HB 703 (Colona) – Would allow police officers to join unions and to meet and confer with the city on salaries and other conditions of employment, similar to other employees. This implements a court decision on this topic from a few years ago.

Payday Loans

SB 295 (Keaveny) - Payday loans under $500 may not be renewed and the borrower has 90 days to repay. Commerce Committee (Support)

HB 132 (Still) – Prohibits renewal of payday loans and limits interest rate to 36%. Heard in Financial Institutions Committee 3/9 (Support)

HB 359 (Leara) – Limits payday loans to $500 and sets interest rate at 18% or $80, whichever is lower. Financial Institutions Committee (Support)

HB 522 (Rizzo) – Payday loans under $500 may not be renewed and limits interest rate to 15%. Financial Institutions Committee (Support)

HB 656 (Brandom) – Limits payday loan renewals to 3 times, rather than the current 6 times, and limits interest rates to 60% rather than 75%. Passed Financial Institutions Committee 3/16 (Support)

Billboards

SB 120 (Stouffer) – Prohibits cities from adopting ordinances that: 1) totally ban billboards; 2) are not reasonable; 3) or do not allow for "customary industry usage." This would remove local control over billboards, including large lighted billboards on commercial/industrial property. Moved to the Senate Informal Perfection Calendar and could be brought up for debate at any time. Contact Senators to allow continued local control over billboard, particularly in metropolitan areas where the citizens generally oppose these garish structures. (Oppose)

HB 228 (Schoeller) - Prohibits cities from adopting ordinances that: 1) totally ban billboards; 2) are not reasonable; 3) or do not allow for "customary industry usage". Identical to SB 120. Heard in Transportation Committee 2/22 (Oppose)

Economic Development and TIF

SB 155 (Rupp) – Would require TIF proposals to be submitted to East-West Gateway, RCGA and the Regional Business Council for comment. A negative recommendation from the TIF commission would kill a proposal by eliminating current authority for the governing body to override the TIF commission with a supermajority. Since counties now control ½ of the seats on a TIF commission, the counties would effectively first have to agree to a TIF, then the city council. This would dramatically reduce renewal efforts. Heard in Ways & Means Committee 2/24 (Oppose)

HB 447 (Funderburk) – Identical to SB 155. Would require TIF proposals to be submitted to East-West Gateway, RCGA and the Regional Business Council for comment. A negative recommendation from the TIF commission would kill a proposal by eliminating current authority for the governing body to override the TIF commission with a supermajority. Heard in Local Government Committee 3/16 (Oppose)

Taxpayer Bill of Rights (TABOR) Limits State Spending

SJR 8 (Kraus) - Would require refunds to taxpayers in any fiscal year that total state revenues increase over the preceding fiscal year's total state revenue by five percent or more. Heard in Ways & Means Committee 3/17

SJR 20 (Lager) - Would limit state general revenue appropriations to the amount of appropriations made in the previous fiscal year increased by an inflationary growth factor. Excess funds would be used to reduce income taxes. Ways & Means Committee

HJR 11 (Burlison) - prohibits appropriations in any fiscal year from exceeding the total state general revenue appropriations from the previous year by more than the appropriations growth limit, which is the annual rate of inflation and the annual percentage change in Missouri's population. Heard in Downsizing Government Committee 2/17

Traffic Cameras and Traffic Issues

SB 11 (McKenna) – Bans texting by all drivers. Amended by Senator Lembke to require the timing of traffic-control signals to conform to regulations promulgated by the Department of Transportation and to establish minimal yellow light change interval times for traffic-control devices. Senate Calendar of Bills for 3rd Reading

SB 16 (Lembke) - Prohibits political subdivisions from using red light cameras. A recent study from the Insurance Institute for Highway Safety says that red light cameras have prevented fatal accidents in large cities that use them. See the report here: http://www.iihs.org/news/rss/pr020111.html. Heard in Local Government Committee 2/23. (Oppose)

SB 73 (Kraus) - Requires any fine collected for a motor vehicle violation detected through the use of an automated traffic enforcement system to go to the local school district where the violation occurred. Heard in Local Government Committee 2/23 (Oppose)

SB 277 (Lager) No municipality may pass an ordinance that denies the use of commercial motor vehicles on all streets within the municipality. General Laws Committee

HB 53 (Meadows) - Prohibits the use of an automated speed cameras except in a school, construction, or work zone. Public Safety Committee (Oppose)

HB 104 (Nance) - Requires 50% of the revenue generated from fines and court costs collected as a result of a red light traffic violation on a state highway to be distributed to MODOT. Heard in Transportation Funding Committee 2/10 (Oppose)

HB 105 (Nance) – Requires all municipalities to report total annual revenue from fines and court costs for traffic violations to the state department of revenue. Heard in Public Safety Committee 1/26

HB 177 (McNeil) – Prohibits the use of speed cameras except in school zones. Public Safety Committee (Oppose)

HB 207 (Meadows) – Limits red light cameras to school or construction zones. Public Safety Committee (Oppose)

HB 406 (Wieland) - Prohibits political subdivisions from using red light cameras. Heard in Public Safety Committee 3/7 (Oppose)

HB 735 (Hough) - No municipality may pass an ordinance that denies the use of commercial motor vehicles on all streets within the municipality. At least one street, with lawful traffic movement and access from both directions, to be used by commercial vehicles to access any roads in the state highway system must be designated. Identical to SB 277. Heard in Transportation Committee 3/15

General Senate Bills

SB 93 (Kraus) – Requires municipal business licenses to be issued within 60 days. Heard in Commerce Committee 3/8

SB 225 (Engler) – Outstate circuit and associate circuit judgeships will become nonpartisan elected offices. The League believes the Missouri Plan by which nominees are selected by the governor, followed by voters retaining or not retaining judges is a better solution and has been widely copied across the U.S. Does not apply in St. Louis County. Passed Governmental Organization Committee 2/21

SB 249 (McKenna) – Creates the Political Subdivision Construction Bidding Standards Act" for entities that do not have specific state or local competitive bidding requirements when soliciting construction bids and awarding contracts of $25,000 or more and creates a central repository for bids. Heard in Local Government Committee 3/9

SJR 6 (Chappelle-Nadal) - Constitutional amendment would require the St. Louis Board of Electors to hold monthly meetings from January 2013 through December 2016. The amendment also authorizes voters in St. Louis City and County to modify the Missouri Constitution regarding the board. Any such modification must be submitted to voters of the city and county separately for their approval. Local Government Committee

SJR 12 (Green) – Increase legislative term limits from 8 to 12 years. Passed Elections Committee 2/28 (Support)

SJR 19 (Chappelle-Nadal) – If approved by voters statewide, St. Louis City would rejoin the County as the 92nd municipality. The bill makes no provisions for what would happen with the "county" offices in the city, the sales tax structure in the County or the multitude of other issues that would need to be addressed. Local Government Committee

General House Bills

HB 95 (Dugger) – Allows municipalities under 10,000 population to cancel elections if the number of candidates is equal to the number of positions to be filled. Passed House Elections Committee 3/1

HB 139 (Smith, 150) – Amended to require municipalities to submit to the state financial and policy information which would be posted on the Missouri Accountability Portal. A copy of the annual audit must also be sent to the state auditor. This seems to an unfunded mandate. Passed House 2/24. Senate General Laws Committee

HB 145 (Schoeller) – Requires public entities to publish the name of and dues paid to organizations to which they belong and the name and compensation of lobbyists they employ. Heard in Local Government Committee 3/2

HB 400 (Diehl) – Prohibits cities from levying a hotel room tax for tourism promotion if the county already imposes a similar tax, which is the case in St. Louis County. The goal of the legislation is to require any municipality seeking authority for a hotel tax for tourism to get legislative approval. Many cities in the state currently have specific hotel tax authority. Committee Substitute Passed Local Government Committee 3/16

HB 438 (Schupp) – Statewide smoking ban. The only exemptions are tobacco stores, 20% of hotel rooms and outdoor work areas, but not outdoor sports stadiums. Heard in Local Government Committee 3/9 (Support)

HB 467 (Diehl) – Missouri Science and Innovation Reinvestment Act which would create a fund to build entrepreneurial infrastructure for job creation in the technology field. It would capture a small percentage of the new growth in wages from science and technology workers to fund the program. Heard in House Economic Development Committee 2/15 (Support)

HB 566 (Denison) - Creates the Political Subdivision Construction Bidding Standards Act" for entities that do not have specific state or local competitive bidding requirements when soliciting construction bids and awarding contracts of $25,000 or more and creates a central repository for bids. Similar to SB 249. Heard in Local Government Committee 3/2

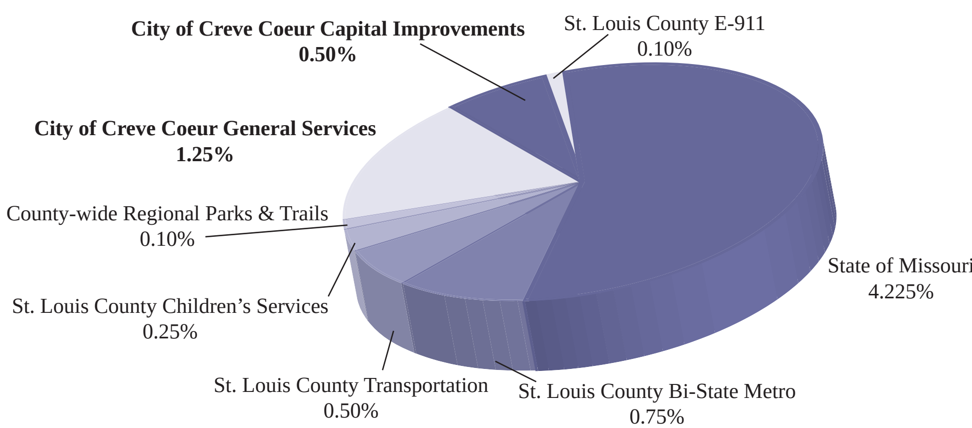
HB 709 (Nichols) – Would allow municipalities for forgo elections if only one candidate files. Write in candidates would need to complete the process 11 weeks prior to the election. Elections Committee

HJR 34 (Nasheed) - Increases legislative term limits from 8 to 12 years. Identical to SJR 12. (Support)

Understanding the Sales Tax Sharing System

Retail sales in St. Louis County are subject to a 1% local sales tax that is shared among the cities in St. Louis County and the County itself. St. Louis County is the only county in the state which has adopted such a sharing formula. The City of Creve Coeur receives approximately 80% of the sales tax revenue generated by Creve Coeur businesses with the remaining 20% shared with other cities and the County. In 1993, a revenue sharing plan was adopted that names cities either 'A', 'B' or 'A/B'.

Where Does My Sales Tax Go?



'A' cities, or 'point-of-sales' cities, receive sales tax revenue generated within their city limits, but sharing applies if the average sales tax income per capita city resident exceeds the average sales tax income per capita county-wide. If Creve Coeur's per capita average exceeds the prior year's county-wide per capita average, the city shares 7.5% of the sales tax income. If Creve Coeur's per capita average exceeds the county's prior year per capita average by 25% of more, the city shares 12.5% of the sales tax income with St. Louis County for the pool. This sharing percentage continues to increase with the city per capita sales tax income.

'B' cities, also called 'pool' cities, receive a population based pro-rated share of the sales tax revenue collected by St. Louis County. Newly created cites and areas annexed since the sharing formula became effective are 'B' cities. Cities in existence at the time of the sharing formula are a mixture of 'A' ('point-of-sale') and 'B' ('pool').

Creve Coeur is an 'A/B' city, primarily a 'point-of-sale' ('A') city, except for parts of Ward 4 that were annexed in the 1990s, which are 'pool' ('B'). Total sales tax revenue generated in Creve Coeur last year was $6,461,408 for both retail and capital sales tax. However, $1,268,574 was shared with other cities under the County formula, resulting in net sales tax revenue for Creve Coeur of $5,192,834. If you have any questions, please contact Dan Smith, Director of Finance, at 872-2519 or dnsmith@ci.creve-coeur.mo.us.

Sales Tax Rates Compared

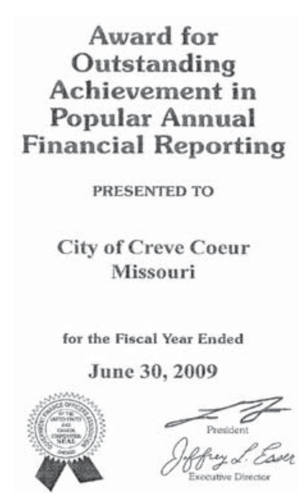
Creve Coeur's total sales tax is among the lowest of area cities. The rate shown below for Creve Coeur includes an additional 0.25% effective April 1, 2011.

Municipality	Sales Tax Rate
Olivette	8.425%
Des Peres	8.425%
Brentwood	8.425%
Richmond Heights	8.425%
Town & Country	8.175%
Chesterfield	7.925%
Creve Coeur	7.675%
Maryland Heights	7.425%

Note: Tax rates do not include special taxing districts, such as Transportation Development Districts (TDD).

This information is from the city's Comprehensive Annual Financial Report (CAFR).

A copy of the CAFR is available at the Government Center.



March 9, 2011

Honorable Chuck Gatschenberger
Chairman, House Local Government Committee
Missouri House of Representatives
201 West Capitol Avenue, Room 408B
Jefferson City, MO 65101

Dear Chairman Gatschenberger and
Members of the Local Government Committee:

I am writing on behalf of the City of University City and the mayors of the cities noted below. We are writing to express our opposition to House Bill 534, which is the subject of a hearing by the Local Government Committee today. We are unable to attend your hearing but ask that you consider our grave concerns about the negative effect this bill would have on our communities and all of St. Louis County as you discuss this bill.

Saint Louis County has benefitted over the years from the foresight of previous civic leaders who designed and implemented the system of shared sales tax revenues. Understanding the challenges we faced as a region with so many municipalities; knowing that all communities were not equally positioned to provide a commercial tax base to fund city services; and realizing that the Saint Louis region as a whole would benefit when residents throughout the community had sufficient services, they came up with this unique system for the shared distribution of sales taxes. This system asks some cities to sacrifice part of their revenue for the greater good, and helps cities which cannot expand their tax bases because of long-term housing patterns, size of the community, and a myriad of other issues.

People from throughout Saint Louis County support commercial enterprises throughout the County, not only in their hometowns. The ability to provide this on-going economic boost to their neighbors would be greatly impacted by the increased taxes they might have to shoulder if their local communities lose this shared revenue. Almost 70% of the residents of this region reside in "B" cities that will suffer if this bill is passed.

We respectfully request that you oppose House Bill 534.

Sincerely,

Mayor Shelley Welsch, City of University City
Mayor Tim Pogue, City of Ballwin
Mayor Norman McCourt, City of Black Jack
Mayor Anita Mason, City of Breckenridge Hills
Mayor Jack Agnew, City of Dellwood
Mayor Robert Lowery, City of Florissant
Mayor Richard Magee, City of Glendale
Mayor Benjamin Sutphin, City of Jennings
Mayor Patrick Green, City of Normandy
Mayor Mary Louise Carter, City of Pagedale
Mayor Kenneth Williams, City of Uplands Park
Mayor Robert L. Hensley, City of Velda City
Mayor Earlene Luster, City of Velda Village Hills
Mayor James McGee, City of Vinita Park
Mayor Gerry Welch, City of Webster Groves
Mayor Linda Whitfield, City of Wellston
Mayor Gail M. Winham, City of Winchester
Mayor Lawrence Besmer, City of Woodson Terrace

FIRST REGULAR SESSION

HOUSE BILL NO. 534

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LEARA.

1256L.01I D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 66.620 and 66.630, RSMo, and to enact in lieu thereof two new sections relating to distribution of local sales taxes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 66.620 and 66.630, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 66.620 and 66.630, to read as follows:

66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county

EXPLANATION — Matter enclosed in bold-faced brackets **[**thus**]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, **and beginning January 1, 2012,** the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. **[**From and**]** After January 1, 1994, **and before January 1, 2012,** the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and

subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting

therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865 while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so

appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100 entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

(5) The provisions of this subsection shall expire January 1, 2012.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, **and before January 1, 2012,** the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which

has been annexed or incorporated since April 1, 1993, **and before January 1, 2012,** to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B**, or any city, town, or village in group B may adopt an ordinance to cease to be a part of group B and become part of group A**. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. **[**Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.**]**

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments

made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

66.630. 1. County sales taxes imposed pursuant to sections 66.600 to 66.630 on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county imposing a county sales tax. The amounts so collected, less the one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620 until March 31, 1988. Beginning April 1, 1988, seventy-five percent of the distributable sales tax revenue shall be distributed in accordance with section 66.620. The remaining twenty-five percent of the distributable sales tax revenue shall be held in an interest-bearing account and, less annual costs of distribution, shall be distributed monthly to each city, town or village and the county based upon the number of transactions occurring within each city, town or village and the unincorporated area of the county during the preceding month as reported to the department of revenue in the monthly dealer sales report subject, however, to the redistribution formula defined in section 66.620 **for taxes distributed before January 1, 2012,** and, except that any city, town or village and the county contained in group B as defined in section 66.620 shall have distributed to it by the director of revenue its share of the remaining twenty-five percent as calculated herein in accordance with section 66.620. The cost incurred by the department of revenue for distribution shall be paid by each city, town or village in proportion to the number of transactions occurring within its boundaries and shall be deducted annually from such distributable revenue. In the event that an alternative distribution system is adopted pursuant to section 67.581, all of the moneys collected under this section shall be distributed in accordance with that formula. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant.

2. As used in this section, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

T

St Louis County Missouri

Sales Tax 101

Sales Tax Authority

Year	Rate	Purpose	Sharing	Adopted
1971	1.00%	Local Option Tax	None	
1977	1.00%	County Sales Tax	POS/Pool	
1993	1.00%	County Sales Tax	Formula	
1993	0.25%	Local Option	Formula	36
1995	0.50%	Capital	15.0%	79
1995	0.50%	Park & Stormwater	None	49
1999	0.25%	Municipal Fire	None	14
2005	0.50%	Economic Development	None	9

1971 Local Option 1.0%

- Proposed in 1969 as a Statewide 1.0% to be shared by all cities on a per-capita basis but failed due to outstate opposition
- Approved by General Assembly in 1972 as a Local Option Available Effective April 1, 1973
- Distribution of tax 100% Point of Sale

1977 Compromise

- Initiated by desire for St Louis County to adopt countywide sales tax authority
- Pooling Concept Created with “A-POS” and “B-POOL)
- County to receive POOL percentage based on unincorporated population
- Cities had option to be “A” or “B” and option to change each decade following census

1984 Sales Tax Compromise

- Initiated by Counrty due to to concerns over
  - Annexation after Town & Country Decision
  - Incorporation Efforts in Maryland Heights
- POS Municipal Boundaries Frozen at 1985 for purposes of POS Status
  - Annexed Areas to Remain in the Pool
  - Newly Incorporated Cities Automatically in Pool
  - Once in the pool, always in pool. Eliminated ability to move back and forth from 1977 Legislation
- Compromise generally driven by coalition of POS and POOL Cities without county support

1993 – HB 618

- Sharing of Sales Tax Proposed by County Executive
- Sharing Plan agreed to following caustic debates and negotiations
  - Cities for Growth
  - Cities for a Fair Share
  - St Louis County
- HB 618 & Sharing Formula was a political compromise not fully embraced by all POS or POOL Cities.

1993 Compromise

Compromise encompassed 3 parts:

1. Sharing of 1.0% Tax on Formula Basis

2. Authority for Adoption of 0.25% Tax
   – POS Cities to offset lost revenues from sharing
   – Increase Dollars in the Pool by POS Sharing of 0.25% tax and by Pool Adoption of Tax

3. Authority for a County Wide Use Tax
   – 100% of Use Tax into Pool for Sharing

4. County Annexation Factor

1993 Sales Tax

- Established a Sharing Formula based on a logrithmic scale that increases sharing as a cities per capita yield grows in comparison to the county wide average. Implementation of formula ended up as a complicated sharing formula that few understand or can replicate

- Initial bill required minimum population of 500 to participate in sharing from the POOL if a city did not have a sales tax already in effect. All cities without a sales tax except Bellerive adopted a sales tax. Law later amended to drop the 500 requirement.

- Sharing Included Certain Minimums starting in 2000:
  - 0.0% Sharing if Under County PCA (Except Annexation Factor)
  - 7.5% If City PCA over County PCA
  - 12.0% If City PCA> 125% of County PCA
  - No Maximum or Cap on Sharing

1.0% Sales Tax 2010

	Generated	Received	Impact of Sharing
Point of Sale	67,692,285	54,163,578	-20.0%
Pool Cities	43,315,820	46,971,1432	8.4%
Unincorporated	29,608,642	39,916,635	34.8%

HB 618 – POS Sharing

	Population	Sharing $	Sharing %
Twin Oaks	362	-283,166	-44.5%
Fenton	3,822	-1,592,509	-38.3%
Des Peres	8,087	-1,193,250	-29.9%
Frontenac	3,483	-489,386	-29.4%
Brentwood	7,693	-1,018,275	-28.8%
Edmundson	840	-90,519	-26.7%
Richmond Heights	9,602	-946,275	-26.5%
Sunset Hills	4,910	-475,961	-25.7%
Manchester	6,156	-575,961	-25.2%
Ellisville	7,720	-711,581	-25.0%

HB 618 - Pool Sharing

	Population	1.0% Shared	Sharing %
Chesterfield	46,802	-5,986,597	-52.4%
Maryland Heights	27,352	-3,363,413	-51.5%
Kirkwood	763	-1,489,550	-94.4%
Fenton	538	-1,469,712	-95.9%
Green Park	2,666	-721,553	-70.0%
Des Peres	505	-541,349	-90.2%
Vinita Park	1,924	-360,150	-61.8%
Champ	12	-88,165	-98.4%
Bellerive	254	-77,014	-72.3%

HB 618 – Pool Beneficiaries

	#	Population	Generates	Receives	Benefit	% Benefit
Unincorporated		321,440	29,608,642	39,916,635	10,307,993	34.8%
> 10,000	9	217.990	14,636,372	25,287,256	10,650,884	72.8%
5,000<10,000	5	29.932	1,267,835	3,472,993	2,205,158	173.9%
2,500<5,000	11	39,577	3,238,418	4,591,477	1,353,059	41.8%
1,000< 2,500	20	31,152	2,340,352	3,614,849	1,274,497	54.5%
Under 1000	20	9,093	472,566	1,097,462	624,896	132.23%
						51.2%

1993 Optional Sales Tax 0.25%

- Could be adopted at 1/4 or 1/8 Percent
- Available to Any City – both POS and POOL
- Taxes from the 0.25% tax for annexed areas remained in Pool for the first 5 years after Annexation
- Quarter Cent Adopted by 24POS Cities
- Quarter Cent Adopted by only 10 Pool Cities

Adoption of Quarter Cent

	#	Generated	Shared	Retained
Adopted				
POS	25	11,253,601	-1,588,737	9,664,864
POOL	11	1,274,733		1,292,099
Not Adopted				
POS	10	5,195,008	-768,901	4,456,107
POOL	54	7,618,732		6,499,476

HB 618 – Net Sharing 1.25%

	Population	Sharing 1.0%	Sharing %
Twin Oaks	362	-44.5%	-23.7%
Fenton	3,822	-38.3%	-19.2%
Des Peres	8,087	-29.9%	-8.3%
Frontenac	3,483	-29.4%	-8.2%
Brentwood	7,693	-28.8%	-7.1%
Ellisville	7,720	-25.0%	-5.8%
Edmundson	840	-26.7%	-5.1%
Richmond Heights	9,602	-26.5%	-4.8%
Manchester	6,156	-25.2%	-3.8%
Sunset Hills	4,910	-25.7%	-3.5%
Bridgeton	15,539	-23.9%	-2.4%
Creve Coeur	7,720	--22.1%	-0.6%

HB 534

- Allows any City to Select to be POS
  - Chesterfield, Maryland Heights, Vinita Park, Green Park, Bellerive would likely leave Pool
  - Would Blended Cities have option on Annex Areas
- Population split roughly equal by group
- Eliminates All Sharing by POS Cities
  - Current Pool POS of $116 to be reduced to $81

IMPACT OF HB534

	Pre Census 2010	HB534 Changes	Post HB 534	
Point of Sale	290,047	79,659	369,706	36.4%
Pool Cities	404,813	(79,659)	325,154	32.0%
Unincorporated	321,440		321,440	31.6%
	1,016,300	$19,764,160		

Impact of HB 534 on POS

	Current Revenue	HB 534	Change
Chesterfield	5,430,410	11,417,007	5,986,597
Maryland Heights	3,173,637	6,537,050	3,363,413
Fenton	2,530,560	5,693,782	3,163,222
Des Peres	2,862,340	4,569,957	1,734,617
Kirkwood	2,925,868	5,368,324	1,733,861
Bridgeton	4,086,371	3,541,562	1,281,953
Richmond Heights	2,523,288	3,841,472	1,018,274
Creve Coeur	3,481,087	4,456,794	975,707
Ellisville	2,291,485	3,030,210	738,725
Point of Sale	70,100,819	94,237,103	24,136,284

Impact of HB 524 on POOL

	Current Revenue	HB 534	Change
St Louis County	39,916,635	25,894,890	-14,021,745
University City	4,367,812	2,865,051	-1,502,761
Wildwood	3,824,098	2,876,877	-947,221
Webster Groves	2,695,364	1,862,595	-832,769
Jennings	1,794,859	1,191,672	-603,187
Bell Neighbors	1,286,534	879,660	-406,784
Florissant	6,327,781	5,955,265	-372,516
St John	797,238	527,877	-269,361
Black Jack	788,072	561,249	-226,823
POOL	70,762,855	46,857,725	-22,175,130

HB 534 in Reverse = All POOL

	Population	Current	All Pool	Difference
Point of Sale	342,747	60,975,332	47,573,284	-13,402,048
Pool	337,093	40,013,707	46,788,508	6,774,801
County	319,690	39,916,635	44,372,972	4,456,337

Where Now?

- Assuming all parties are looking for a compromise, what are the issues?
  - Should all entities have option for POS Status
  - What should the sharing formula be
    - Current Formula With Cap and Floor
    - Set Percentage Like CIF Sharing
    - Should there be a minimum size to receive sharing
    - Should there be a minimum size to be Point of Sale
  - Should adoption of 0.25% tax be mandatory to share in Proceeds?
  - Eliminate County Annexation Factor and Sharing in Optional Tax
  - Can we grow the pool revenues? How?