

Table of Contents

Agenda	3
Dr. Ken Warren will present the results of the 2011 Citizen Survey	
2011 Citizen Survey Report.	6
Council Minutes dated January 9, 2012	
Minutes dated 1 9 12	51
For Information Only	
Report, Bills Payable, 1/18/12.	61
Bill No. 5348 - An Ordinance repealing Ordinance Numbers 1074, 1594, And 1694, and authorizing the issuance of a new conditional use permit for operation Of A Valvoline Instant Oil Change Service Station located at 11333 Olive Boulevard. Final Reading and Passage RECONSIDERATION	
Bill No. 5348	82
Memo regarding changes to draft Ordinance	86
Staff Report	87
Draft Ordinance	96
Ordinance Nos. 1074, 1594, and 1694	100
Excerpts of November 7, 2011 P&Z Meeting Minutes	112
P&Z Commission Chair Letter.	117
November 7, 2011 Public Hearing Transcripts	118
Bill No. 5356 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Amending Section 235.070 Of The Municipal Code Pertaining To Permitted Hours Of Refuse Collection. Final Reading and Passage	
Bill No 5356.	155
Memo dated 01 09 2012	156
Memo dated 12 12 2011	157
Survey of Collection Times in Other Cities	158
Council Meeting Excerpt	160
Resident Email	161
IESI email.	163
Bill No. 5357 - An Ordinance Amending The City Code Of Ordinances To Change The Name Of The Recycling, Environment And Beautification Committee And To Codify Its Mission. Final Reading and Passage	
Bill No 5357.	165
Memorandum to Mayor and City Council 12-20-11.	166
Horticulture, Environment and Beautification Committee Mission	168
Bill No. 5358 - An Ordinance Amending Section 210.410 Of The Code Of Ordinances Regarding Stealing Rented Personal Property. First Reading	
Bill No 5358.	169
CCPD Staff Memo	172
language from State Statute to amend Code Book	173

Bill No. 5359 - An Ordinance To Amend Chapter 405, The
Zoning Ordinance, Of The Code Of Ordinances Of The City Of
Creve Coeur, Missouri, And Other Code Sections Regarding
Disabled Parking. First Reading

Bill No. 5359	175
Staff Report	178
Public Hearing Transcript	181
Planning and Zoning Chair Letter	187
P & Z Chair letter	188

Resolution No. 991 - A Resolution Authorizing the City of Creve
Coeur to Purchase Five (5) Police Dodge Charger Package
Vehicles from Lou Fusz Chrysler/Dodge.

Resolution No 991	189
Missouri State Contract	190
2011 Bid	205
CCPD Staff Memo	206

Resolution No. 992 - A Resolution To Amend Resolution No.
907 Adopting The Citizen's Guide To Advisory Boards,
Committees And Commissions For The City Of Creve Coeur.

Resolution No. 992	208
Exhibit A	209



**AMENDED AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, January 23, 2012
7:30 PM**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATION – Dr. Ken Warren will present the results of the 2011 Citizen Survey

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

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

However, the regularly scheduled meeting for Monday, February 13, 2012 will begin at 7:30 p.m. due to an extended work session.

1. CONSENT AGENDA

- a. Council Minutes dated January 9, 2012**

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated January 18, 2012 in the amount of \$105,603.35 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

- 2. Bill No. 5348 - An Ordinance repealing Ordinance Numbers 1074, 1594, And 1694, and authorizing the issuance of a new conditional use permit for operation Of A Valvoline Instant Oil Change Service Station located at 11333 Olive Boulevard. Final Reading and Passage RECONSIDERATION**
Summary: Jason Coil, Area Manager for Valvoline Instant Oil Change, submitted a request to amend Ordinance #1694 to allow for hours of operation on Sunday from 9:00 a.m. to 5:00 p.m. P&Z Commission recommended Sunday hours of operation from 10:00 a.m. to 5:00 p.m., among other changes to the Conditional



CITY OF CREVE COEUR – AMENDED AGENDA
CITY COUNCIL MEETING
Monday, January 23, 2012
7:30 PM

Use Permit. The original conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station. Council voted down at the December 12, 2011 meeting and voted for reconsideration at the January 9, 2012 meeting.

3. Bill No. 5356 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Amending Section 235.070 Of The Municipal Code Pertaining To Permitted Hours Of Refuse Collection. Final Reading and Passage

Summary: The City currently allows trash collection to begin at 6:00 AM, Monday through Saturday, at office, commercial, and institutional properties, which has disturbed nearby neighbors in residential areas. The bill proposes to change the start time for commercial collection from 6:00 AM to 7:00 AM. The 7:00 AM start time is common practice for commercial collection in neighboring cities and is in line with the City's 7:00 AM start time for residential collection.

4. Bill No. 5357 - An Ordinance Amending The City Code Of Ordinances To Change The Name Of The Recycling, Environment And Beautification Committee And To Codify Its Mission. Final Reading and Passage

Summary: An Ordinance Amending the City Code Of Ordinances To Change The Name Of The Recycling, Environment and Beautification Committee To The Horticulture, Environment And Beautification Committee And To Codify Its Mission.

NEW BUSINESS

5. Bill No. 5358 - An Ordinance Amending Section 210.410 Of The Code Of Ordinances Regarding Stealing Rented Personal Property. First Reading

Summary: As a result of changes to state law (2011 HB 111); updating this ordinance would be in the best interest to the citizens of Creve Coeur, as well as making enforcement of this ordinance manageable for the Police department.

6. Bill No. 5359 - An Ordinance To Amend Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, And Other Code Sections Regarding Disabled Parking. First Reading

Summary: The Missouri Legislature recently enacted HB 555 which includes changes to requirements concerning disabled parking; and, such changes necessitate related changes to the Zoning Code and other parts of the City Code



CITY OF CREVE COEUR – AMENDED AGENDA
CITY COUNCIL MEETING
Monday, January 23, 2012
7:30 PM

of Ordinances concerning such parking. Planning and Zoning recommended approval on January 17, 2012.

7. Resolution No. 991 - A Resolution Authorizing the City of Creve Coeur to Purchase Five (5) Police Dodge Charger Package Vehicles from Lou Fusz Chrysler/Dodge.

Summary: The Police department is requesting the purchase of 5 Dodge Chargers under state contract #C11205500 from Lou Fusz Dodge/Chrysler. The purchase price for the Dodge Charger is \$22,343.00 per vehicle for a total of \$111,715.00. The vehicle quote is attached as well outlining our purchase and order for the 5 Dodge Chargers. Delivery for the five vehicles should be sometime in March of 2012.

8. Resolution No. 992 - A Resolution To Amend Resolution No. 907 Adopting The Citizen's Guide To Advisory Boards, Committees And Commissions For The City Of Creve Coeur.

Summary: Resolution No. 907 was approved April 2010 to formally adopt the Citizen's Guide to Advisory Boards, Committees and Commissions. Since that time there have been changes to the number of standing committees that the City has as well as the name and description of another committee. This resolution will update the document.

BUSINESS FROM THE MAYOR and CITY COUNCIL

BUSINESS FROM CITY ADMINISTRATOR

9. Executive Session

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 1/20/2012

Deborah Ryan, MRCC
City Clerk

2011 Creve Coeur Resident Survey:
A Summary Report

Submitted by
The Warren Poll

January 9, 2012

2011 CREVE COEUR RESIDENT POLL: A SUMMARY REPORT

Executive Summary

The Warren Poll interviewed at random 615 Creve Coeur adults (i.e., 18 years and older) by phone from September 29 - October 19, 2011. The error margin for 615 randomly interviewed respondents is 3.9% at 95% confidence. The sample was weighted for age.

As expected, *The Warren Poll* found that the demographics were virtually the same as the demographical findings for the 2005 and 2008 resident surveys. That is, Creve Coeur continues to have a very stable, affluent citizenry with a majority of residents (64.7%) reporting that they have lived in Creve Coeur over 10 years, with 39.5% saying over 20 years. Creve Coeur reported gross family incomes continue to increase at a healthy pace, despite the downturn in our nation's economy. Only 9.8% of residents reported a yearly gross family income of below \$50,000, while 63.2% of Creve Coeur citizens reported gross family incomes above \$100,000 with 31.2% reporting their family incomes above \$150,000, well above the national medium household income of \$50, 221 (2012 U.S. census). Residents were also found to be slightly older with proportionately more females than males. In *The Warren Poll's* 2008 survey of Creve Coeur residents, 64% of the respondents reported living in one to two member households, while in this 2011 study only 47.5% were found to live in one to two member households, representing a dramatic increase in the number of larger member household units, reflecting a national trend in the increased percentage of larger member households due to factors related mostly to a declining economy.

As reported in the 2005 and 2008 survey reports, one reason people decide to live in Creve Coeur for such a long time is because they believe that Creve Coeur is simply a very nice place to live; 98.3% rating Creve Coeur as a "good" to "excellent" place to live. Virtually the same high percentages were found in the 2005 and 2008 surveys. Residents continue to express high satisfaction with the overall quality of city services with 93.1% ranking the quality of city services as "good" to excellent". Additionally, 91.1% of Creve Coeur residents rated their treatment by city employees as "good" to "excellent", down slightly from the 93% rating city employees received in 2008.

In this survey, as well as in the 2008 survey, 10 specific city services were ranked. All services received quite positive ratings by residents with "police services" again topping the rankings with a 94.5% "good" to "excellent" rating, although most other city services ranked quite high with "good" to "excellent" ratings hovering around 90%. However, "building permits and inspections" still ranked the lowest with only a 13% "excellent" rating, although its "good" ranking was 51.4%.

Other questions regarding police make it clear why "police services" continue to receive rave reviews by residents. Survey findings disclose that residents feel quite safe to walk alone in their neighborhoods during the day or at night. If residents have had contact with the police, 91.2% rated the quality of their contact with police as "good" to "excellent". Also, if residents had contact with police dispatchers, the vast majority felt that police dispatchers were "courteous" to "very courteous". Residents were quite split over the use of red light cameras at Creve Coeur intersections with only a slight plurality (45%) not favoring their use, while 41.6% favored their use.

The city's newsletter continued to receive very positive reviews from the citizenry with 92.9% of the citizens rating the newsletter as "good" to "excellent". The vast majority of residents, 82.2% say they read the newsletter "every month", while only a small percentage, 6.1%, say they "never" read it. Most residents (78.5%) say they prefer to receive the city's newsletter by mail. Residents also believe that the city is doing a "good" to "excellent" job keeping them informed about "important issues" (84%) and "city finances" (71.1%), although significantly fewer feel they are being kept informed about "city finances".

Residents continue to be very pleased with their trash and recycling pick-up service. 94.4% said they were "satisfied" to "very satisfied" with their trash service, while 96.1% noted that they were "satisfied" to "very satisfied" with their recycling service. Most residents (59.3%) now place their trash at the curb, compared to 49.7% in 2008. While a bare majority of residents (50.7%) placed their trash in the rear in 2008, only 40.7% said they do in the 2011 poll. Although the vast majority of residents (73%) knew that the city provided free rear yard trash pick-up service, only a minority of residents, when asked, felt it was "important" (16.9%) to "very important" (19.7%) for this free rear yard pick-up service to be continued.

Most residents (80.8%) said they participate in the recycling program on a "weekly" basis. Residents recollected that their trash or recycling was mostly picked up on schedule with 63.3% saying their trash or recycling was "always picked up" and another 32.4% asserting that it was only missed "1-3 times".

Regarding community development issues, 75.7% of residents felt that "the city's enforcement of exterior property maintenance" was "about right". The majority of

residents (66.6%) were "supportive" to "very supportive" of Creve Coeur annexing the large areas of land in unincorporated St. Louis County at no cost to the city. And residents were in favor of requiring occupancy permits by almost a 2 - 1 margin, 50.1% to 28.1%.

The vast majority of the Creve Coeur citizenry (83.4%) claim they have visited Creve Coeur's parks in the past two years with 38.7% saying that they have visited the city's parks more than 10 times in the past two years. Despite the fact that the city's golf course is operating at a loss and the city has to subsidize the course at an average cost of about \$186,000 annually, the plurality of residents (40.7%) are for continuing the subsidy with only 30.8% opposing the subsidy, although many residents (28.5%) are "undecided". A majority of residents (57.6%) said that they would be "likely" to "very likely" to vote for a new one-half-cent sales tax to build a new indoor recreation center.

In sum, this 2011 resident survey disclosed that residents are quite happy with Creve Coeur as a community and with the services provided by the City of Creve Coeur. Residents are also quite supportive of ways to continue to maintain current services (e.g., keep subsidizing the golf course) or to even expand services (e.g., build a new indoor recreation center) or even the borders of Creve Coeur (residents favor annexation of the land north of Creve Coeur).

Methodology

The Warren Poll interviewed 615 Creve Coeur adults (i.e., 18 years or older) residents by phone from September 29 – October 19, 2011. The original deadline for completing the interviews was October 10th, but an additional period was given to increase the number of respondents to over 600. Given the 615 interviewed, the error

margin for this citizen survey is plus or minus 3.9% at 95% confidence. This means that, for example, if 55% of the respondents answered "yes" to a question, we could be 95% confident that no more than 58.9% answered "yes" or no less than "51.1%. This is a very respectable error margin range.

It should be noted that the computer printout reports 616 interviewed. This was caused by rounding when SPSS was programmed to weight for age to reflect the proportionate age categories for Creve Coeur, as reported in the 2010 U.S. Census. Also, any percentages in this report that do not add up perfectly to 100% or when combined with other percentages (e.g., combining "good" to "excellent" percentages) is due to rounding.

Demographical Characteristics Of Creve Coeur Residents

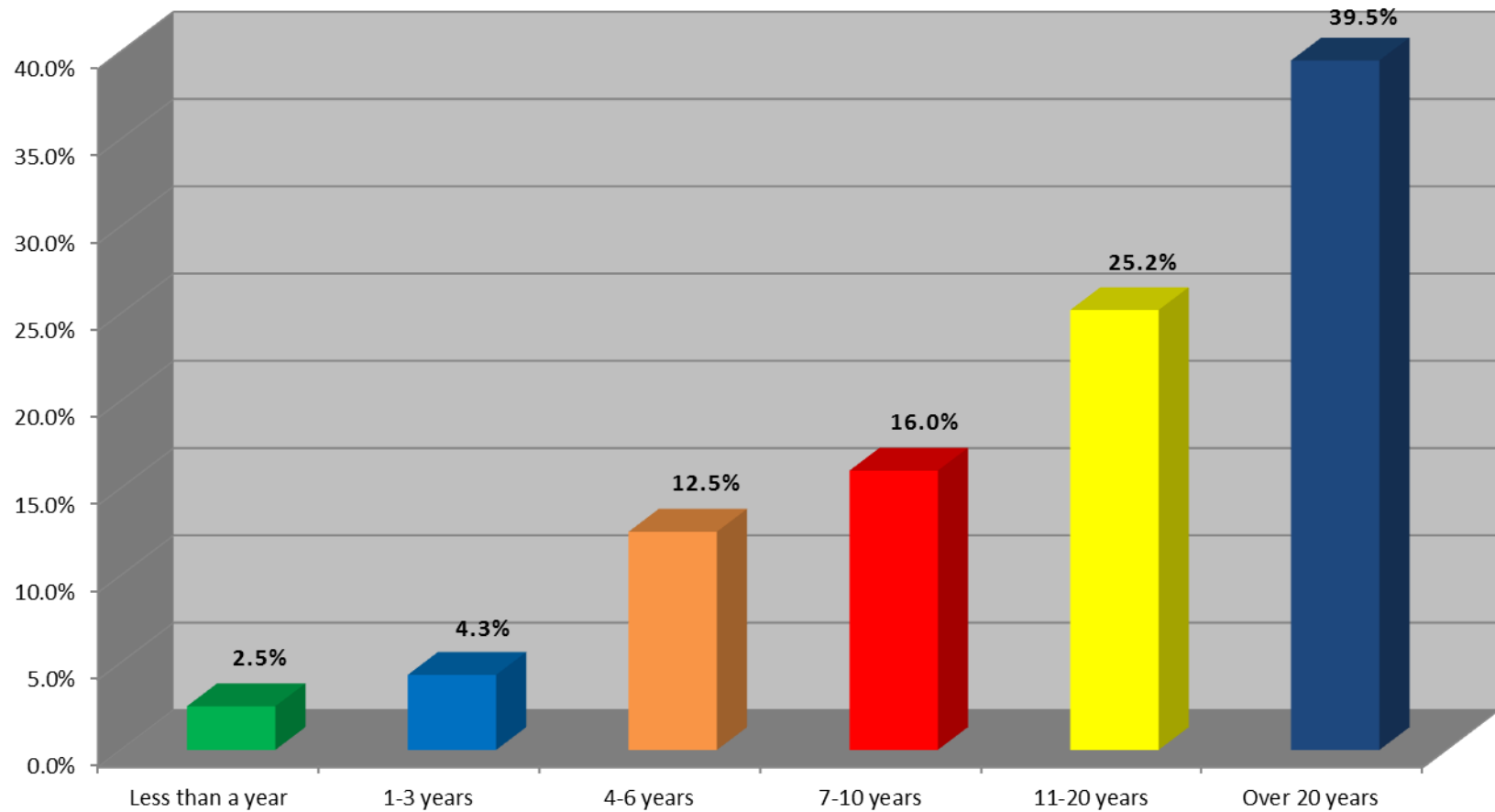
The Warren Poll, as expected, found Creve Coeur demographics to be virtually the same for residents as reported in the 2005 and 2008 citizen surveys. That is, Creve Coeur is a very stable, affluent community with the majority of residents reporting that they have lived in Creve Coeur more than ten years (64.7%) with 39.55% noting that they have lived in Creve Coeur more than twenty years (See Graph 1). This percentage is predictably up slightly from the 59.4% reporting living in Creve Coeur for over 10 years in 2008 and the 58.3% reporting such in 2005, indicating the aging population of the Creve Coeur citizenry.

Compared to 2010 U.S. census data averages, Creve Coeur residents were found in this 2011 poll to be slightly older, more female with close to half (47.5%) living in households with one to two people. This 47.5% figure represents a significant drop in the

number of Creve Coeur residents saying they have only one to two people living in their households. In 2005, 59.3% said they lived in households with only one to two people, while in 2008, 64.2% said they did. This increase in households with more than two people living in the household is consistent with the national trend of increasing household “family” size as worsening economic conditions (e.g., increases in cost of living; higher unemployment; greater mortgage defaults) force more children to move back home or not move out and for more elderly to live with their children. Economic forecasters predict that the average number of people living in households will continue to increase until the economic circumstances improve. City planners, economists warn, must plan for the reality that deteriorating economic conditions have caused an increase in multi-generational households (Haya El Nasser, “Increase in Household Size Could Slow Economic Recovery”, www.usatoday.com/news/nation/2010-05-06-household_N.htm).

Naturally, if a large percentage of residents say that they have lived in Creve Coeur for many years, we would expect to find a more elderly population. In fact, *The Warren Poll* data reveal that Creve Coeur indeed has a population with a disproportionately high percentage of older residents. In fact, *Warren Poll* interviewers had a difficult time interviewing enough younger residents to get a representative sample, reflecting age, so we had to weight the poll for age to reflect age categories properly. The problem is that many younger residents (those under 45, but especially in the under 30 age category) tend to rely exclusively on cell phones, so these younger residents were hard to reach by landline phones.

Graph 1: Years Lived in Creve Coeur



As noted in the 2005 and 2008 Creve Coeur Citizen Poll reports, newer municipalities such as St. Peters, Valley Park, or even Ballwin do not report such a high percentage of long-time residents, yet older communities such as Webster Groves, Kirkwood, and Des Peres do. For example, in recent surveys, *The Warren Poll* found that 58% of Des Peres residents and 68% of Kirkwood residents had lived in their communities for over ten years with 36% having lived in Des Peres and 52% having lived in Kirkwood for over twenty years. While in a poll conducted for Ballwin, fewer residents (32%) reported having lived in Ballwin for over twenty years.

Also, it should be noted that age percentages in this sample seem higher than what one would expect for the age categories, but remember that only adult residents were interviewed. The fact that those under eighteen years old constitute about 24% of the total population in the United States, according to the 2010 U.S. Census, means necessarily that the sampled population in citizen surveys represents an older population. This is particularly true for Creve Coeur since Creve Coeur housing is relatively expensive, making it difficult for younger adults to purchase homes or even rent in Creve Coeur. For the record, according to the 2010 U.S. Census, the medium age for Creve Coeur residents is 43.0, while the medium for St. Louis County is 40.7, for Missouri 36.1, and for the U.S., 35.3.

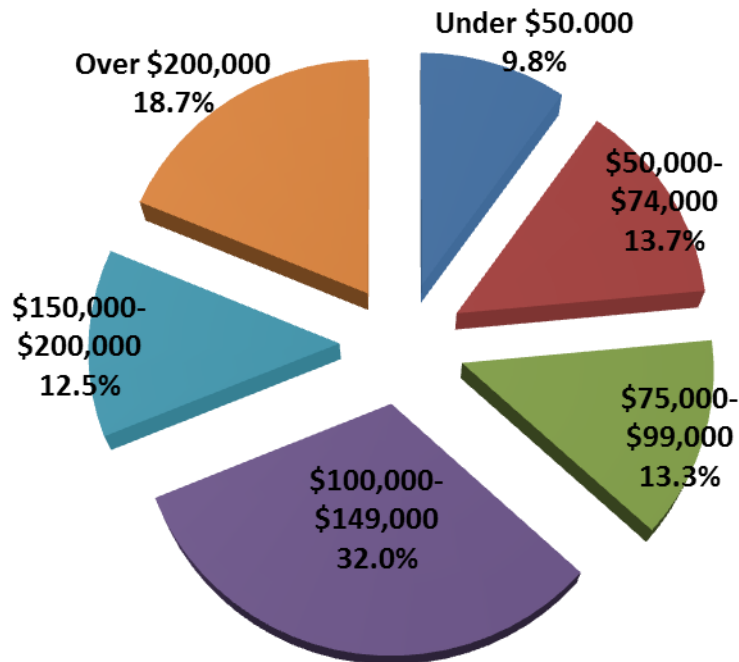
Survey findings disclose that Creve Coeur residents reported medium household incomes well above the reported medium household incomes for St. Louis County, the State of Missouri, and the United States. Close to two-thirds of the Creve Coeur residents (63.2%) reported household incomes of more than \$100,000 (up from 49.9% in the 2008 poll), while 31.1% said they have yearly household incomes topping \$150,000

(up from 26.6% in 2008) with 18.7% noting their household incomes exceed \$200,000 per year (up from 14.8% from 2008). Only 9.8% reported yearly household incomes below \$50,000 (down from 13.5% in the 2008 poll). (See Graph 2) According to 2010 U.S. Census data, medium household income in Creve Coeur is \$91,642, which is consistent with the household income data reported by Creve Coeur respondents in this survey. To benchmark, according to 2010 U.S. Census statistics, the medium household income for St. Louis County is \$56,939, \$45,149 for the State of Missouri, and \$50,221 for the United States.

Poll Finds Residents Very Positive On Creve Coeur

In the previous section it was noted that 39.5% of Creve Coeur residents told *Warren Poll* interviewers that they have lived in Creve Coeur for more than 20 years. The obvious reason for this remarkably high percentage is apparently due to the fact that Creve Coeur citizens overall perceive their community as a very desirable place to live. In this 2011 survey *The Warren Poll* asked citizens: “In general, how would you rate Creve Coeur as a place to live?” Close to all respondents (98.3%) rated Creve Coeur as a “good” (35.3%) to “excellent” (62.9%) place to live. (see Graph 3) This combined average is up slightly from the 2008 poll which recorded a 97.5% "good" to "excellent" percentage. Residents also gave rave reviews to the "quality of services provided by the City of Creve Coeur" with 93.3% rating the quality of the services as "good" (42.3%) to "excellent" (50.7%), down slightly from the 2008 combined percentage of 94.5%, although the "excellent" rating is slightly higher in the 2011 poll at 50.7% compared to 47.3% in 2008. Additionally, residents felt that city employees treat them quite well with

Graph 2: Yearly Gross Family Income



91.1% rating their treatment by city employees as "good" (55.8%) to "excellent" (35.3%), compared to the marginally better combined percentage (92.7%) given by respondents in the 2008 survey.

In sum, *Warren Poll* survey results since 2005 have shown consistently that citizens are very pleased with Creve Coeur as a community and with their city government. Certainly, this poll, as well as previous polls administered by *The Warren Poll*, have given residents ample opportunity to voice their grievances since the survey questions are neutral and the response sets are parallel in construction (i.e., perfectly balanced, e.g., from "excellent" to "poor"), yet throughout the questionnaires

implemented in 2005, 2008, and 2011 residents have consistently provided very positive feedback, although naturally their level of satisfaction has varied, depending upon the specific service being evaluated. Let's now turn to resident opinion on specific services provided by the city.

Resident Rankings Of The Quality Of 10 Specific City Services With 2011 Rankings Compared To 2008 Rankings

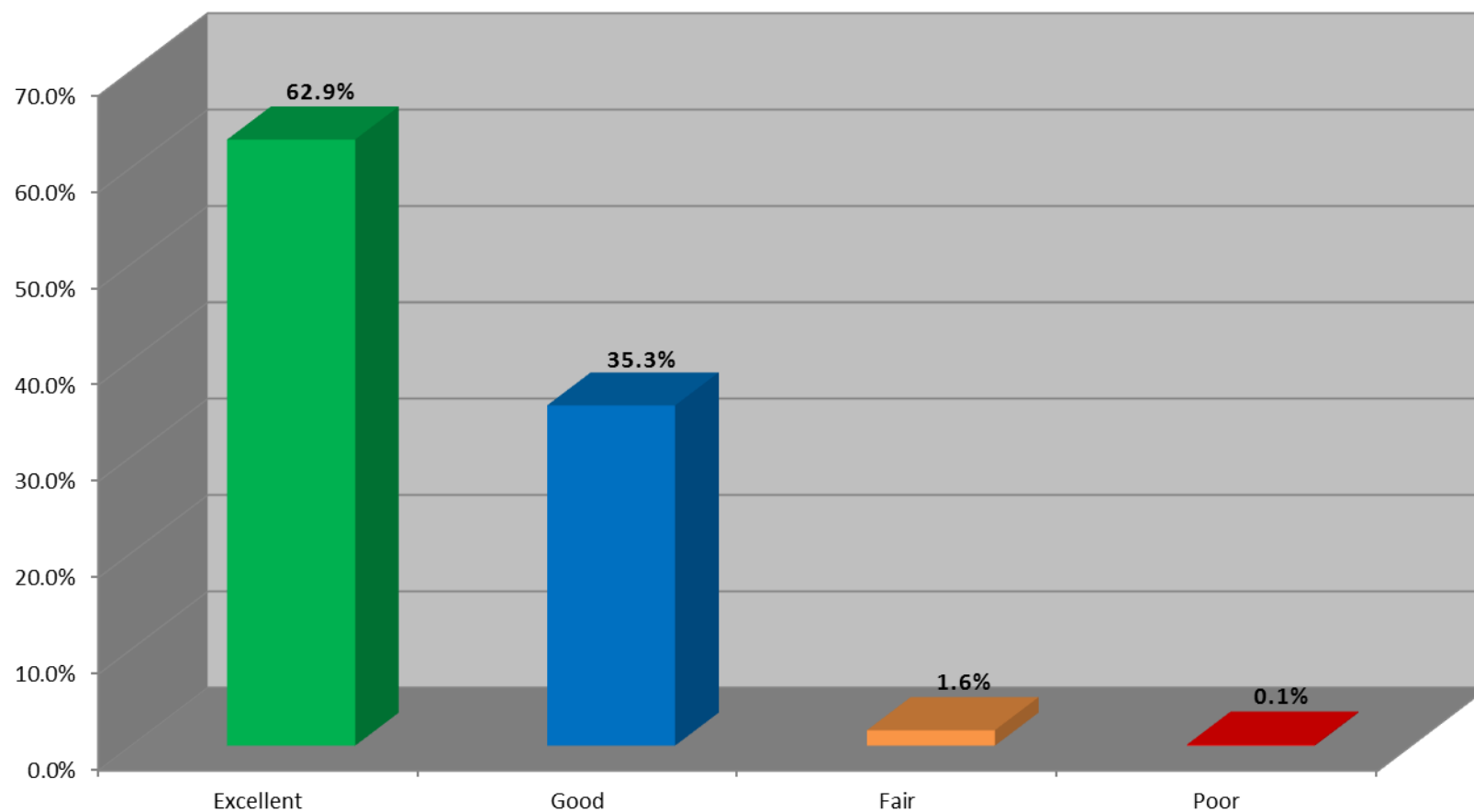
The Warren Poll asked residents to rank 10 specific city services both in the 2008 and 2011 citizen surveys. Parenthetically, asking the same questions in exactly the same manner from survey to survey allows for exact comparisons to be made, a real plus in survey research because exact comparisons allow clients to see where they are improving or faltering. This permits them to ask the key questions, why are we improving in, for example, these service areas, while slipping in these other areas? It should be noted that only one word was changed in the asking these 10 questions; "street maintenance" was asked in the 2008 survey, while it was changed to "street repairs" in this 2011 survey because the city wanted the question to be compared to national data where the term, "street repairs" was used.

Tables 1 and 2 show the results for both surveys. What is clear is that overall the rankings for "excellent" remained almost the same, only differing within the 3.9% error margin for all questions except for the only question that was changed. "Street repairs" drew a statistically significant more negative response than "street maintenance" with only 15.1% saying "excellent" for "street repairs", while previously in 2008 "street maintenance" received a 21.4% "excellent" rating. The different result here tends to

suggest why categories should be kept exactly the same. Pollsters know that words are very powerful and what may seem like innocent word changes can elicit very different responses from respondents. Since all other "excellent" responses to the other 9 questions remained within the statistical margin of 3.9% error for the two surveys, it appears that the word change in this one question seemed to alter the meaning of the question for Creve Coeur residents. When citizens were asked to rate the city services in this 2011 poll, evidently the word "repair" attracted a more negative response than the word "maintenance", used in the 2008 survey.

It is important to stress that all governmental services provided by the City of Creve Coeur were ranked quite well by city residents in both polls. It is also worthwhile to acknowledge that the rankings in both surveys were very consistent. That is, the top ranked services, the middle ranked services, and the bottom ranked services in both polls were ranked about the same. For example, we find that "police services" ranked #1 in the "excellent" category in both polls with "leaf vacuuming", the "city newsletter", "park maintenance", and "limb chipping" coming in 2nd to 5th place in both polls, while "snow removal", "street maintenance/repair", "municipal court", and "building permits and inspections", rounded out the bottom four rankings in both surveys. But to reiterate, the vast majority of respondents did not rank any city service negatively. In fact, especially if we combine the "good" to "excellent" ratings, we find that even the worst ranked services, "municipal court", "street repair/maintenance", and "building permits and inspections" received combined "good" to "excellent" ratings of 74.7%, 68.3%, and 60.7% respectively.

Graph 3: Creve Coeur as a Place to Live



Cross-tabulations revealed a statistically significant relationship between "street repairs" and "wards". For whatever reasons, residents in Ward 3 rated "street repairs" much more positively than those in the other three wards. While 80.1% of Ward 3 residents gave "street repairs" a "good" (56%) to "excellent" (24.1%), rating, those in wards 1,2, and 4 rated "street repairs" about the same, ranging from a "good" to "excellent" rating between 61.5% to 65.6% (see attached cross-tabs submitted with report; note: all cross-tabs discussed in this report have been submitted separately with this report). It should be emphasized that chi-square based measures of association testing for statistical significance measure basically the difference between *what is expected* and *what is observed*. When the observed count/percentage differs a lot from what would be expected by pure chance, based on mathematical probability, a statistically significant relationship is generated or noted. In this case, Wards 1, 2, and 4 observed counts were not much different than what would be expected, yet Ward 3 counts differed significantly from mere chance probabilities, since residents in Ward 3 were much more pleased with "street repairs" than those in the other wards. When this happens, the question must be posed: why did Ward 3 residents rate "street repairs" so much more positively than citizens in these other wards? Are street conditions so much better in Ward 3? Have quite visible street repairs been made recently in Ward 3, pleasing residents?

Cross-tabs also revealed that males were more likely to give "street repairs" a more positive rating than females, but only in the "excellent" rating category. While 20.9% of male residents gave "street repairs" an "excellent" rating, about half (11.3%) as many females did, although the combined "good" to "excellent" percentage given by both males and females was about the same. Nonetheless, the fact that about twice as many

males than females rated "street repairs" as "excellent", caused the SPSS program to produce a statistically significant finding.

Table 1: Rank Ordering of Ten City Services From 2008 Citizen Poll*

City Service	Excellent	Good	Fair	Poor
1. Police Services (1)	56.3	40.3	3.0	.4
2. City Newsletter (4)	46.2	47.4	5.7	.7
3. Limb Chipping (5)	43.6	48.9	6.0	1.5
4. Leaf Vacuuming (5)	42.7	49.8	6.2	1.3
5. Park Maintenance (2)	42.0	53.2	4.1	.8
6. Parks and Recreation (3)	39.7	54.7	5.2	.4
7. Snow Removal (7)	32.7	55.2	10.5	1.6
8. Street Maintenance (9)	22.5	60.4	13.9	3.2
9. Municipal Court (7)	18.1	69.8	7.8	4.3
10. Building Permits and Inspections (10)	13.0	51.4	22.9	12.7

***Ratings 1-10 reflect the “excellent” percentages for each service. Combined “excellent” and “good” ranking is shown in parentheses beside each city service.**

In the 2005 and 2008 citizen polls, “building permits and inspections” received the lowest “excellent” ratings, as it did this time. *The Warren Poll* suggested in the 2005 survey report that “city officials should ask themselves why ‘police services’ received about four times the ‘excellent’ rating than . . . ‘building permits and inspections’ . . .?”

Table 2: Rank Ordering of Ten City Services From 2011 Citizen Poll*

City Service	Excellent	Good	Fair	Poor
1. Police Services (4)	58.7	31.7	6.6	3.0
2. Leaf Vacuuming (5)	44.7	45.6	7.9	1.8
3. City Newsletter (3)	43.6	49.3	5.2	1.8
4. Park Maintenance (2)	42.9	51.2	4.7	1.1
5. Limb Chipping (7)	40.2	44.5	11.4	3.9
6. Parks and Recreation (1)	40.1	54.5	4.4	1.1
7. Snow Removal (6)	34.5	50.3	12.3	2.9
8. Municipal Court (8)	21.4	53.3	17.4	7.9
9. Street Repair (9)	15.1	53.2	23.7	8.0
10. Building Permits and Inspections (10)	12.0	48.7	26.3	12.9

***Ratings 1-10 reflect the “excellent” percentages for each service. Combined “excellent” and “good” ranking is shown in parentheses beside each city service.**

This same approximate ratio was also found in the 2008 poll, as well as in this 2011 resident survey.

In survey research approval and disapproval percentages are relative and only meaningful when compared or benchmarked with other ratings. Here we find that all city services provided by Creve Coeur receive majority approval by residents, yet “building permits and inspections” scored measurable worse than other rankings for city services. To reiterate what was said in the previous reports, *The Warren Poll* suggests that city officials should reflect on the reasons for why ratings for certain city services rank far below some other highly ranked services. In particular, city officials should reflect on why so many residents gave such a relatively low rating to “building permits and inspections”, acknowledging that about a third of the citizenry gave this service a “fair” to “poor” rating.

Resident Opinion Towards The City’s Trash And Recycling Services

In the 2008 resident survey *The Warren Poll* asked residents whether they placed their trash at the curb or at the rear. About one-half said “at the rear” (50.3%), while the other half said “at the curb” (49.7%). In the 2011 survey *The Warren Poll* found that the percentage of residents saying that they put their trash at the curb increased significantly, from 49.7% to 59.3%, while obviously, those noting that they place their trash at the rear dropped from 50.3% to 40.7%.

Despite where residents placed their trash, close to all of the residents (94.4%) indicated that they were either “satisfied” (36.4%) or “very satisfied” (58.0%) with their trash service. Only a small percentage, 5.6%, said that they were either “dissatisfied”

(3.9%) or “very dissatisfied” (1.7%). This finding is almost identical to the 2008 finding where 94.6% noted that they were “satisfied” to “very satisfied”, while only 5.4% told interviewers that they were “dissatisfied” to “very dissatisfied”. (See Table 3)

Nearly the entire citizenry also expressed high satisfaction with the city’s recycling program. That is, 96.1% said they were “satisfied” (34.1%) to “very satisfied” (62%) with the city’s current recycling program, while only a tiny percentage said they were “dissatisfied” (2.6%) to “very dissatisfied” (1.3%). This lofty level of expressed satisfaction for the city’s recycling program is very similar to what was found in the 2008 poll, only the satisfaction level was actually up a little from a 93.4% “satisfied” to “very satisfied” score in 2008 to a 96.1% satisfaction score in 2011, although those residents who said they were “very satisfied” jumped dramatically from 41.9% to 62% (see Tables 3 and 4). This 20.1% increase in the “very satisfied” percentage is noteworthy since this represents a significant increase in the intensity of their satisfaction.

Table 3: Citizen Satisfaction With Trash and Recycling Services, 2008 Survey

	Trash Service	Recycling
Very Satisfied	51.9%	41.9%
Satisfied	42.7%	51.5%
Dissatisfied	4.4%	4.4%
Very Dissatisfied	1.0%	2.3%

Table 4: Citizen Satisfaction With Trash and Recycling Services, 2011 Survey

	Trash Service	Recycling
Very Satisfied	58.0%	62.0%
Satisfied	36.4%	34.1%
Dissatisfied	3.9%	2.6%
Very Dissatisfied	1.7%	1.3%

Cross-tabs showed that satisfaction with trash pick-up varied by ward to a statistically significant extent. Overall, those living in Ward 1 were most content with their trash pick-up service with 66.2% giving their current trash pick-up service an "excellent" rating, compared to 55.9% for Ward 2, 58.3% for Ward 3, and 57.6% for Ward 4. Ward 1 residents gave an impressive 98.6% "good" to "excellent" score to their trash pick-up service, not too much higher than the 97.7% found in Ward 3, but notably higher than the 91.3% and 91.8% percentages found in Wards 2 and 4 respectively, although certainly the level of satisfaction, as noted, was high in all wards. Cross-tabs showed no significant difference by wards for citizen satisfaction with recycling. In fact, the expressed satisfaction rate was remarkably similar from ward to ward.

As one would expect, statistically significant relationships were found between the number of times residents noted that their trash or recycling was not picked up and their satisfaction with the trash and recycling service. A perfect pattern was found. That is, the more times the trash or recycling was not picked up, the greater the expressed dissatisfaction. For example, while 62.9% of the residents, who noted that their trash and recycling was "always picked up", said that they were "very satisfied" with their trash service, it dipped to 52.8% for those who claimed that their trash or recycling was not picked up 1-3 times and to only 27.3% for those saying their trash was not picked up 4-6 times (note: there were not enough respondents in the missed 7-9 times category to draw any statistical conclusions).

The Warren Poll also asked several other questions related to trash and recycling. The first question was: "Are you aware that rear yard trash pick-up is currently available to all family homes at no fee?" While the vast majority of residents (73%) said "yes", still

a large percentage (27%) said "no". Evidently, the city needs to advertise this rear yard trash pick-up service. It also might explain to some extent why so many residents are putting their trash at the curb, as was noted earlier. There was no significant relationship for this question found by ward.

It was previously noted that 9.6% more residents say they place their trash at the curb than they did in our 2008 citizen poll, increasing the gap to roughly a 40/60 ratio between rear versus curb pick-up service. It was also made clear that those residents who have rear yard trash service express greater satisfaction with their trash service than residents who place their trash at the curb, yet trash service pick-up overall is given very positive reviews by almost all citizens, so the difference in satisfaction levels are not that meaningful. So when residents were asked, "Knowing that rear yard trash service is more costly than curb side trash service and that the city may not be able to continue free rear trash service indefinitely, how important is it to you that free rear yard trash service is continued?", it was not surprising to see that the majority of residents (63.3%) said that it was either "unimportant" (30.5%) or "very unimportant" (32.8%) to them for the city to retain free rear yard trash service, while just over one third, 36.6%, felt it was "important" (19.7%) to "very important" (16.9%) to keep the service. However, as expected, cross-tabs disclosed that residents, who now use rear trash pick-up, are much more likely to say that it is either "very important" (35.7%) or "important" (27.4%) that this free rear yard service is continued. This compares to only 8.6% saying "very important" and 10.4% saying "important" for those who now place their trash at the curb. Thus, the city can expect to encounter complaints from those that now use rear yard trash pick-up if the city in the future decides to discontinue this service. But keep in mind that

only about 40% of residents presently use rear yard pick-up service and only about a third of them hold that the continuation of rear yard trash service is "very important" to them or only about 13% of the Creve Coeur citizenry.

Poll data reveal that resident preference for using rear yard or curb side trash service differs significantly by ward. An easy to remember perfect pattern emerges. That is, the higher the ward number, the more residents use curbside pick-up service. (see Table 5)

Table 5: Percent of Residents Saying They Use Rear Yard or Curbside Trash Pick-Up Service by Ward

Ward Number	Rear Yard	Curbside
One	55.3%	44.7%
Two	44.4%	55.6%
Three	38.1%	61.9%
Four	28.7%	71.3%

The significance of this finding for city planners is this. Since cross-tabs have disclosed that residents who now have rear yard pick-up service are the ones most adamant about the city continuing free rear yard trash service, the city can expect to encounter the most resistance to any future plans for doing away with free rear yard trash service from residents living in Wards 1 and 2 and the least resistance from those residents living in Wards 3 and 4, especially Ward 4, although the majority in every ward was not found to cherish holding on to the free rear yard trash pick-up service since the majority in each said continuing the free rear yard trash pick-up service was "unimportant" to "very unimportant".

Residents were asked to tell interviewers how often they participate in the curbside recycling program. The vast majority of residents, 80.8%, noted that they participate in curbside recycling "weekly", another 13.4% said "every other week", while 5.8% said "monthly". Clearly, the Creve Coeur citizenry make great use of the curbside recycling program, especially since they consider the program quite reliable. When residents were asked "how many times, if ever, their trash or recycling was not picked up in the past year", close to all of the residents (95.7%) claimed that their trash or recycling was "always picked up (63.3%) or was missed only "1-3 times" (32.4%) with only a tiny percentage recollecting that their trash or recycling pick-up was missed more than 3 times. Cross-tabs disclosed that 75% of the citizens in Ward 1 claimed that their trash or recycling was "always picked up", while the percentage was not as high for Ward 2 (61.4%), Ward 3 (60.6%), or Ward 4 (58.1%). The city should try to understand why a significantly greater percentage of respondents (14% - 17% more) from Ward 1 felt that their trash or recycling was "always picked up", compared to respondents in the other three wards.

Citizen Opinion Regarding City Communications

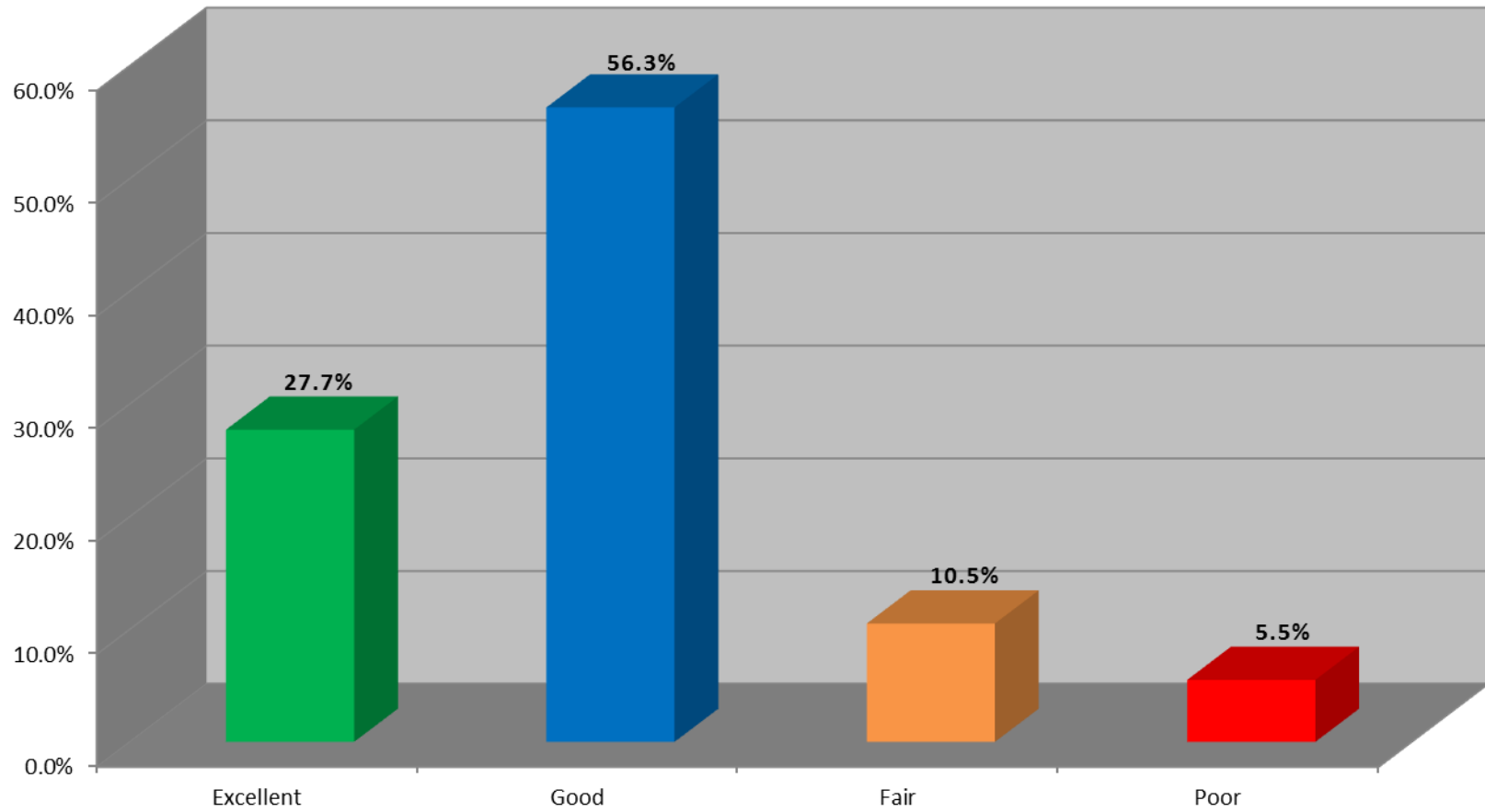
As with *Warren Poll* results from the 2005 and 2008 citizen surveys, the 2011 findings convey that residents believe that the city does a very laudable job in keeping them informed. In response to the question, "How would you rate the job the city is doing in keeping residents informed about important issues?", 84.0% gave the city a "good" (56.3%) to "excellent" (27.7%) rating with only a small percentage giving the city a "fair" (10.5%) to "poor" (5.5%) ranking. These percentages are almost identical to

the percentages found in 2008 where 84.9% gave the city a "good" (52.9%) to "excellent" (31.9%) ranking with 12.4% saying "fair" and 2.7% saying "poor". (See Graph 4)

However, a noticeably smaller percentage of residents felt that city did as well in keeping them "informed about the city's finances". Regarding the job the city is doing keeping residents informed about the city's finances, just 20.4% answered "excellent", 50.7% said "good", 21.9% replied "fair", while 7% said "poor". (See Graph 5)

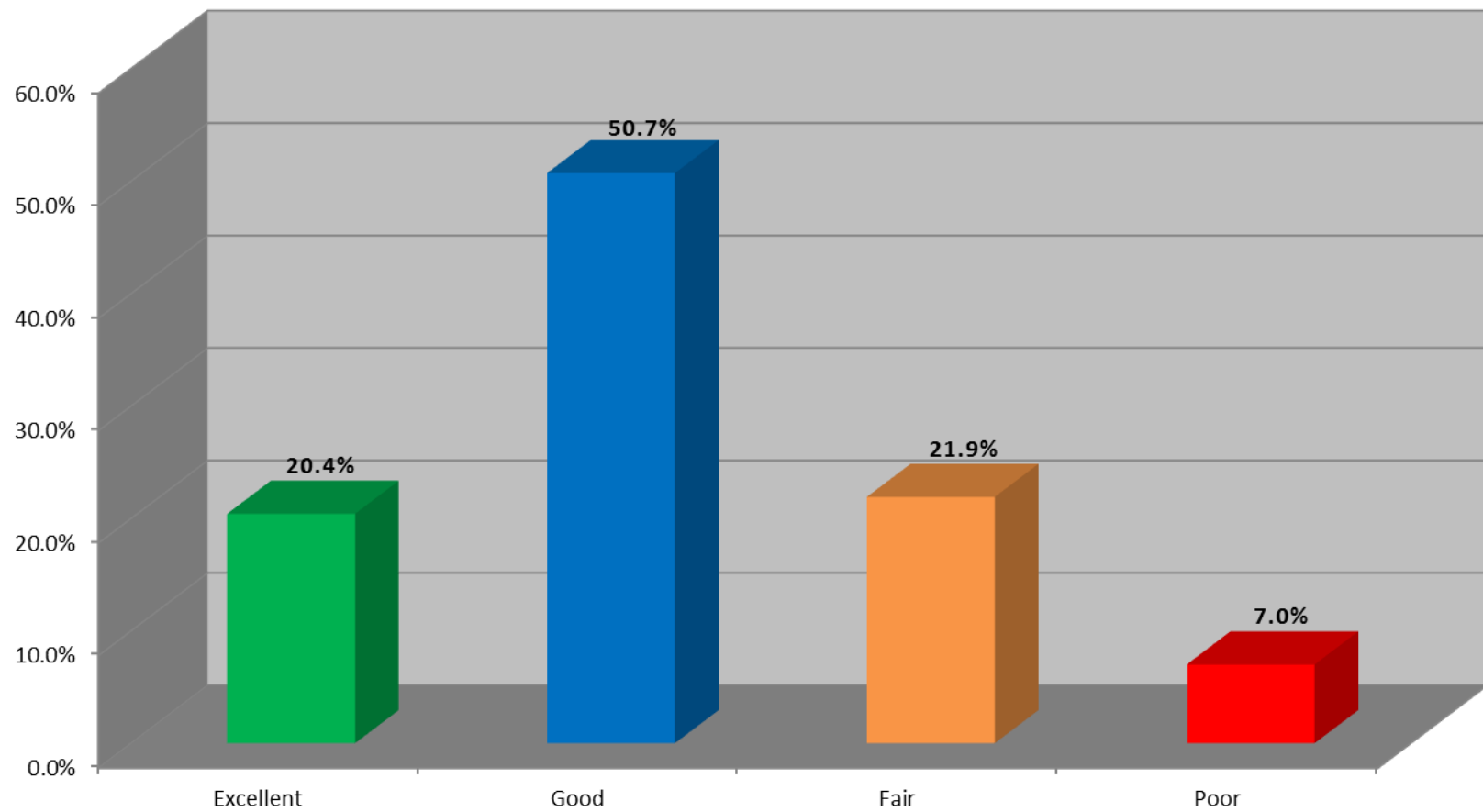
Regarding the findings pertaining to how well residents think the city is doing in keeping them informed, a predictable and somewhat amusing finding is disclosed when residents were asked about how often they read the city's newsletter. A very high percentage of residents, 82.2%, claimed that they read the city newsletter "every month", 11.8% said they read it "a few times a year", while 6.1% asserted that they "never" read it. However, cross-tabs make clear that the very residents who read the city's newspaper the least tend to be the very ones who say that the city is not doing as well in keeping residents informed "about important issues" and "the city's finances", compared to the residents who tend to read the newsletter the most. To elaborate, while 30.8% of those who read the city newsletter "every month" believe the city is doing an "excellent" job in keeping residents informed "about important issues", only 19.4% of those that read the newsletter "a few times a year" do, while just 2.8% of those who say "never" do. Further, while only 5.1% of residents reading the newsletter "every month" feel the city is doing a "poor" job keeping them informed "about important issues", over three times more citizens, 16.7%, who claim that they "never" read the newsletter say the city is doing a "poor" job keeping residents informed "about important issues".

Graph 4: Rate Job The City is Doing Keeping Residents Informed



Naturally, cross-tabs disclosed similar association between the extent to which citizens read the newsletter and their ratings of how well they believe the city is doing in keeping them informed about the "city's finances". 22.5% of the residents who said that they read the newsletter "every month" gave the city an "excellent" score on keeping residents informed about "city finances", but this "excellent" rating dropped to 15.7% for respondents who said they read the newsletter "only a few times a year", and dropping sharply to only 2.6% for the "never" respondents. And while only 5.2% of the citizenry that reported reading the newsletter "every month" gave the city a "poor" rating regarding how well they keep residents informed about the "city's finances", over four times that percentage, 23.7%, of those citizens who "never" read the newsletter gave the city a "poor" rating. Of course, as a college professor writing this report, I can relate to this ironic finding because students, who tend to complain the most about not being informed enough about the subject matter to perform well on exams, are normally the very ones who do not read the materials. Likewise, an equally unfair criticism is being waged by certain citizens against the city for not keeping them informed "about important issues" and the "city's finances", even though many of these residents are the ones who report that they "never" read the city's newsletter. In sum, *The Warren Poll* found in this study that there is a very strong statistically significant relationship between the extent to which residents read the newsletter and their perception of how well the city keeps them informed. The more frequently citizens read the city's newsletter, the more they believe the city is doing an "excellent" job in keeping them informed, the less frequently they read the newsletter, the more they think the city is doing a "poor" job in keeping them informed.

Graph 5: Rate City Keeping Residents Informed About City Finances



It is worth noting also that older residents and residents who have lived in Creve Coeur for a longer period of time were more likely to read the city's newsletter more often than newer residents. For example, while 43.8% of residents living in Creve Coeur for less than a year said that they "never" read the newsletter and 53.8% of those living in Creve Coeur between "1-3 years" "never" read the newsletter, only 4.5% of those living in Creve Coeur between 11-20 years said this and only 1.2% living in Creve Coeur over twenty years asserted that they "never" read the newsletter (the 1.2% is the exact same percentage found in the 2008 survey). Or, to put it another way, only 56.3% of new residents answered that they read the city's newsletter "every month" and 42.3% of those residents living in Creve Coeur between 1- years, while 91.3% reporting that have lived in Creve Coeur over twenty years said they read the newsletter "every month".

When given the choice, 78.5% of Creve Coeur's residents said that they preferred to receive the newsletter by mail and only 21.5% by e-mail. Somewhat surprisingly, all age groups reported a preference for receiving the newsletter by mail, although cross-tabs reveal that a considerably higher percentage of residents in the oldest age group, those "over 65", had a preference for receiving the city's newsletter by mail (91.8%), while the average for all four age groups was 78.6%.

In this survey the City of Creve Coeur was interested in finding out what social media outlets residents "use the most, if any, to communicate or gain information about current events." Actually, what was found was that the vast majority of residents use "none" (60.9%). This was true for even the youngest age groups. A small percentage, 14.2%, mostly found in the younger age groups, did say they use Facebook and an insignificant percentage, .7% said they use Twitter. A significant percentage mentioned

"other". The finding that few residents use Facebook or Twitter "to communicate or gain information about current events" should not come as a surprise since social media thus far has not evolved into a "current events" type media, although it may in future years.

Citizen Opinion Regarding Community Development

Three questions in this 2011 citizen survey pertained to community development issues. First, *The Warren Poll* asked about city ordinances pertaining to standards for the condition of residential properties. In this regard, citizens were asked, "How would you rate the city's enforcement of exterior property maintenance?" A hefty majority (75.7%) felt the enforcement was "about right", while 7.8% said "too strict" and 16.5% answered "not strict enough". This same question was asked in 2008 and citizens responded about the same with 80.3% answering "about right", 5.95 saying "too strict" and 13.9% saying "not strict enough".

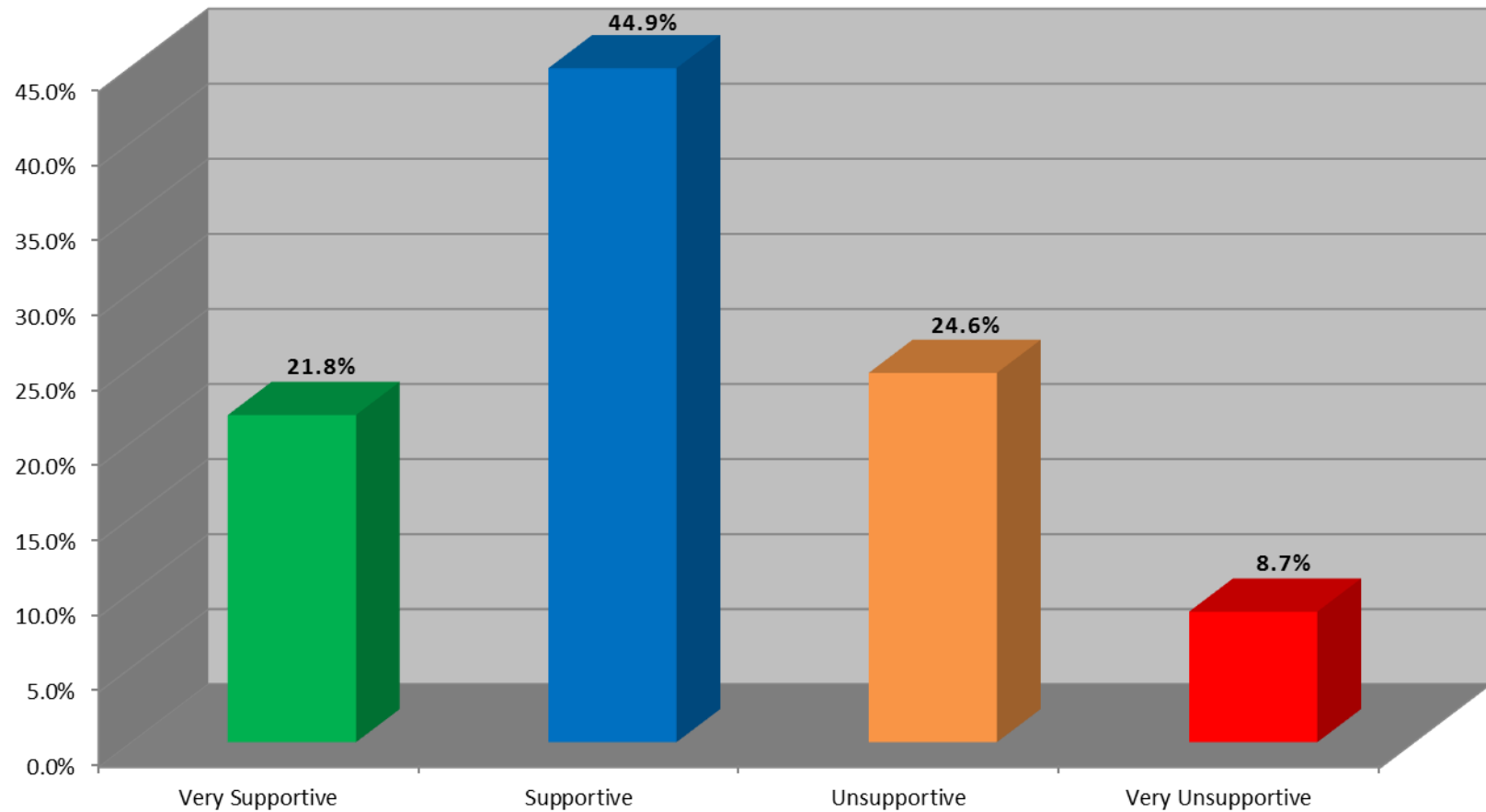
Second, residents were asked whether they would support the City of Creve Coeur if it decided to try to annex a large area of unincorporated St. Louis County just north of Creve Coeur consisting mainly of residential properties, if the annexation came at no cost to the city. Overall, residents indicated that they would be supportive with 21.8% saying they would be "very supportive" and another 44.8% saying they would be "supportive", meaning that two-thirds of the citizenry (66.6%) would be supportive. 24.6% noted that they would be "unsupportive" and only 8.7% said they would be "very unsupportive". (See Graph 6) Cross-tabs did not show any significant relationships. Third, residents were told that "many cities in the St. Louis Metropolitan area require occupancy permits for single family homes, at varying fees, to ensure code compliance

before the new occupants can move in". Being informed of this, residents were then asked: "Do you believe that the City of Creve Coeur should require such permits"? Poll results show that respondents prefer to require occupancy permits by almost a two to one margin, 50.1% saying "yes" and 28.1% saying "no" with 21.8% undecided. No revealing cross-tabs were found.

Citizen Opinion on Parks and Park Development

Creve Coeur residents not only gave laudable grades to the maintenance of city parks (94.1% rated "park maintenance" as "good" to "excellent"), as noted earlier in the report, but a very high percentage of residents, 83.5% of them, held that they have "visited a Creve Coeur city park in the last two years?" This is up from 72.3% in the 2008 survey. Cross-tabs showed that the frequency of times visiting parks relates significantly to age with older residents being much more likely to say that they have not visited city parks at all (e.g., 32.4% of residents "over 65" said that they had not visited a city park in the last two years as contrasted to an average of about 13% who said this in the other three age groups). In a 2011 Parks and Recreation citizen survey just completed for Kirkwood, *The Warren Poll* found that, although those "over 65" also reported using Kirkwood's parks less than their younger counterparts, the difference in frequency was not nearly as pronounced as it was found to be the case in Creve Coeur. Without knowing the reasons, *The Warren Poll* speculates that maybe Kirkwood Parks are better suited for senior residents than Creve Coeur parks, meaning that Kirkwood parks may consist of less active use features such as nature trails. I have included the cross-tabs from the Kirkwood survey for comparison.

Graph 6: Support Annexing Area North of Creve Coeur



The City of Creve Coeur owns a 9-hole golf course that citizens were told operates at a loss, and as a result, is subsidized by the city at an average cost of about \$186,000 per year or a little over 1% of the city's operating budget. Having told the residents this, they were asked: "Knowing this, do you believe the city should continue to subsidize the golf course in the future"? 40.7% of the respondents said "yes" and 30.8% said "no" with 28.5% saying that they were "undecided". A significant statistical relationship, although weak, was found for wards. That is, a noticeably higher percentage of residents in Ward 2 (53%) were in favor of subsidizing the golf course than residents in the other three wards, where support by Wards 1, 3, and 4 was 36.6%, 39.4%, and 35.8% respectively. Cross-tabs also generated some interesting statistically significant relationships for age and sex. For sundry reasons, those in the age group "30-44" were the least likely to favor subsidizing the golf course (28.1%), while those in the youngest and older age groups were found to be most in favor of subsidizing the golf course, 67.4% and 46.6% respectively with the "45-65" age group coming in at 40.4%. Males were found to render an opinion on the subsidy question much more than females. While only 18.9% of males said they were "undecided", almost twice this percentage, 34.5% of females were. This more decided response by males, however, did not translate into more support for the subsidy with 38.2% saying "no" to the subsidy compared to 25.9% for females. Almost an even percentage males and females said "yes" to the subsidy, 42.9% to 39.6% respectively.

Citizens were told that that the city has explored the idea of building an indoor recreation facility that could include various amenities such as a swimming pool, weight room, and aerobic room, indoor track and space for seniors and teens. They were also

told that Missouri communities are allowed to pass up to a one-half-cent sales tax for parks and recreation programs and facilities. Having been told this, residents were asked: "How likely would you be to vote in favor of a new one-half-cent sales tax to construct such a new indoor recreation center? Citizens were somewhat split in their support, although a weak majority, 57.6%, did say that they would be "likely" (20.8%) or "very likely" (36.8%) to vote for the project. However, a significant percentage, 42.5%, said they would be "unlikely" (22.4%) to "very unlikely" (20.1%) to vote for the sales tax to support the construction of a new recreation center. (See Graph 7)

Cross-tabs show that large families were considerably more supportive of the sales tax for the recreation center. While roughly only about 50% of families with one, two, or three members in their household would support the tax, the percent support started to increase dramatically after three member households. 57.9% of 4 member households, 73% of 5 member households, 83.4% of 6 member households, and 90% of households with 7 or more members said that they would support the tax, although larger family households were fewer in number than smaller household families. Residents under 45 were also more likely to vote for the tax for the construction of the recreation center than older residents by about twenty plus percent. Of course, these findings should be expected since larger family households would presumably have more children in the household who would take advantage of a new recreation center. And obviously, younger residents would more likely use the recreation center than older residents. This is always found to be the case in community studies. I just found this to be the case in Kirkwood where older residents reported using Kirkwood recreation center at a lower rate than younger residents. Such findings demonstrate why polls are commissioned for bond, etc.

campaigns because poll results tell clients not only the level of support for something such as a recreation center, but who is likely to support and not support it. This allows the community, with outside funding and volunteers, to target the households and other "demographics" that would most likely vote for what they want passed. Targeting can really not be done intelligently without poll data.

A somewhat surprising finding was that female residents were much more likely to support the tax to support the construction of the recreation center than males by a wide margin, 67.7% support from females and only 42.6% support from males. What was really surprising was the extent of the difference? Reflection and further probing would be necessary to find out why. Politically speaking, it is true that males are found to be more Republican and conservative than females and less likely to support tax increases. Of course, males also tend to pay more taxes than females.

Finally, residents were asked an open-ended question: "If you could propose only one thing to improve city parks, recreation facilities, equipment or services, what would it be"? The most prevalent response was coded as "things are fine as is" (45.9%); followed by "add more facilities/equipment" (10.9%), "expand biking, walking, jogging, etc. trails" (8.5%), "build the talked about recreation center" (8.2%), "maintain and beautify parks" (8%), "improve lighting and security in parks" (2.9%), "improve/add parks" (2.8%), "add programs" (1.6%), and "other" (12.2%). In the 2008 survey residents also prioritized in a similar open-ended question, "adding more facilities/equipment" and "adding more biking, walking, jogging, etc. trails" in city parks.

Resident Opinion On Police Services And Related Matters

Residents were initially asked a couple of questions pertaining to how safe they feel in their neighborhoods. First, citizens were asked: "How safe would you feel walking alone in your neighborhood during the day"? Close to all residents, 98.9%, said that they feel "very safe" (88.4%) to "reasonably safe" (10.5%), while an insignificant percentage answered that they feel "neither safe/nor unsafe", "somewhat unsafe" or "very unsafe". Next, residents were asked: "How safe would you feel walking alone in your neighborhood after dark"? The percentage of respondents saying that they would feel safe dropped sharply to 51.7% answering "very safe" and 29.6% saying "reasonably safe" for a combined safe score of 81.3%, down 17.6% from the percentage of citizens saying that they feel "very safe" to "reasonably safe" walking alone in their neighborhood during the day. Still, a very high percentage of residents do feel quite safe walking alone in their neighborhoods during the day or at night. These findings compare quite favorably to commonly reported results for communities across the nation.

If residents had contact with the Creve Coeur Police Department in the past 3 years, they were asked to rate the quality of their contact. 59.3% of the Creve Coeur citizenry did say that they had contact with the police department in the past 3 years. 23.3% said the nature of their contact could be categorized as "police assistance (motorist assist, response to an alarm, etc.), 19.8% said "crime prevention or safety promotion program", 10.6% answered "reported a crime (burglary, domestic violence, assault, etc.)", 8.9% said a "traffic stop", 2.3% said a "criminal arrest", while 35.1% mentioned "other". Overall, residents rated the quality of their contact with police officers as quite positively

with 71.4% saying "excellent", 19.8% answering "good", 5% saying "fair", while only 3.4% rated their contact as "poor". (See Graph 8)

As one would expect, cross-tabs revealed that the type of contact citizens had with police officers made a difference in how courteous the residents felt the police were. For example, while 85.3% of those “reporting a crime” and 82.4% of those requesting “police assistance” rated police as “very courteous”, only 18.5% of those involved in a “traffic stop” with police felt the police were “very courteous”. There were too few people involved in a “criminal arrest” with police to draw any conclusions, yet for sundry reasons all 7 rated the police as “very courteous”.

Another question was asked of residents who had contact with the police dispatcher in the past 12 months. Of those who had contact, 64% thought the police dispatcher was "very courteous", another 30.3% said "courteous". 2.5% said "discourteous", while 3.2% felt the dispatcher was "very discourteous". 56.5% of the respondents noted that they had no contact with the police dispatcher in the past 12 months.

Residents were also urged to “recommend just one thing the city’s police department could do to improve its service”. A thin majority answered that Creve Coeur’s police service is “OK or fine as is”. 17.6% recommended “visibility or police patrols be increased”, another 10.5% suggested that “police conduct/behavior” could be improved, 4.5% recommended the police department should do more to “slow down speeders/prevent stop sign runners”, while 3.7% noted that they do not like red light cameras. The remaining percentage recommended a host of “other” reasons.

In this survey residents were asked specifically about whether they “support the city’s use of red light cameras as signalized intersections in Creve Coeur. Residents were very split over their use with a slim plurality, 45%, not supporting their use, while 41.6% did support their use. 13.4 were undecided. (See Graph 9) Support for the use of red light cameras has declined since the 2008 resident survey where 57.8% of residents supported the use of red light cameras at Creve Coeur’s intersections. It is worth noting that cross-tabs revealed that the use of red light cameras is favored the least by those respondents who noted that their contact with Creve Coeur police in the past 12 months was due to a "traffic stop" (65.5% opposed their use) or a "crime prevention or safety promotion program" (66.7% opposed).

The use of red light cameras has become more controversial over the past three years. The controversy has centered mostly on questions of due process, safety, and revenues. The controversy may have contributed to the decline in support for red light cameras by Creve Coeur residents. Whatever caused the decreased support, the city should investigate the reasons why citizen support for the use of red light cameras at Creve Coeur intersections declined by 16.2% over the past three years.

Concluding Comments

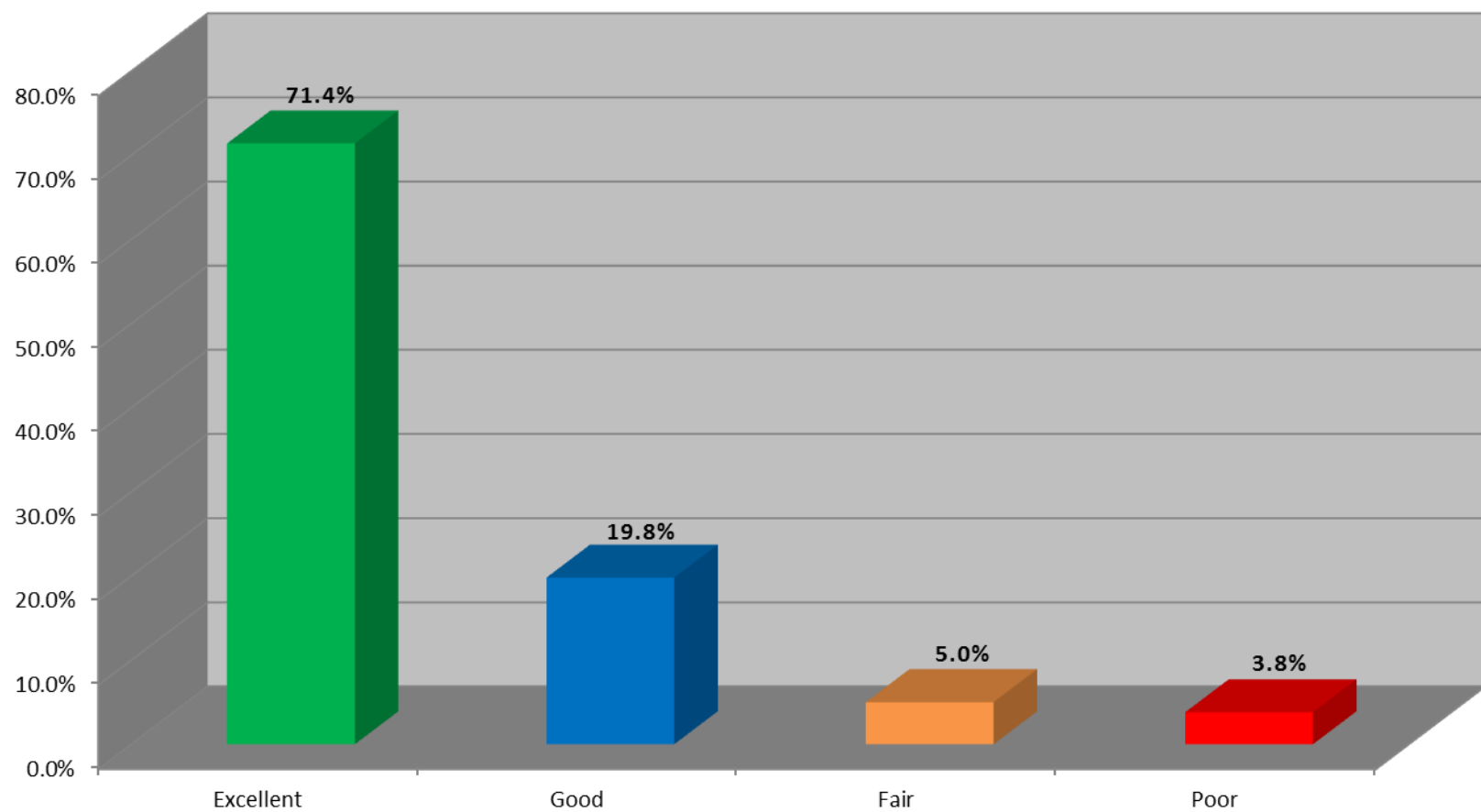
As stated in my concluding comments for my 2008 report, ratings by residents are so consistently high for Creve Coeur as a place to live and for city services that readers would be tempted to think that the citizen survey is flawed in some way; that is, that the ratings are too good to be true. But the reality is that these lofty ratings are true. The sample is quite representative of the city’s demographics and the four wards are

represented almost perfectly. The sample in this poll was even weighted for age to represent those residents "under 30" quite well. In addition, the 2011 survey results confirm the 2005 and 2008 citizen survey findings. That is, ratings of Creve Coeur as a place to live, the ratings of city services, and the like, are found to be almost the same in all three citizen surveys. Replicating results in the sciences tends to substantiate their reliability.

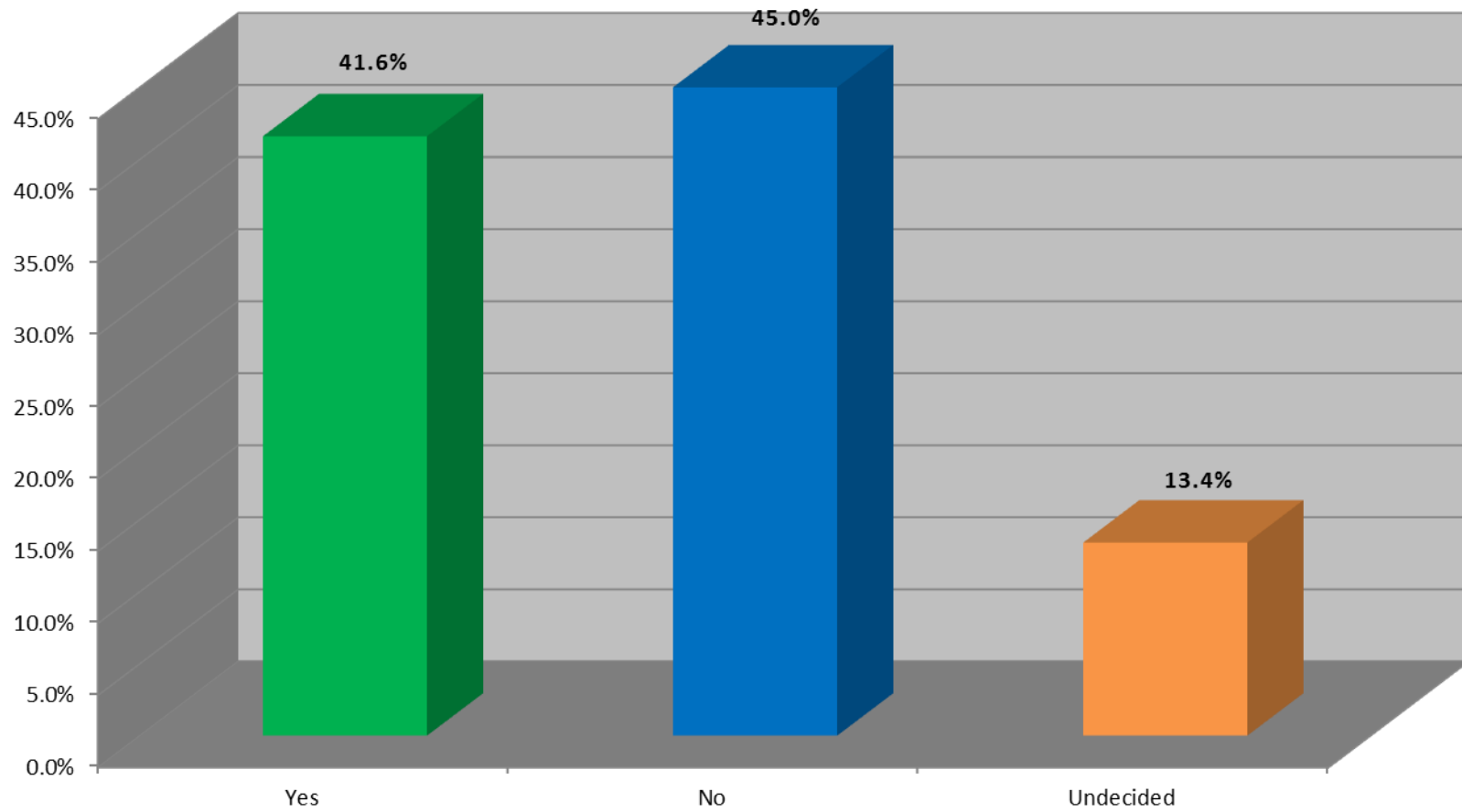
Of course, survey results disclosed that residents expressed different satisfaction levels depending upon the service that they were asked to rank. This indicates that residents are discriminating in their rankings. Therefore, city officials should ask themselves why citizens rank certain services much more positively than other services. Naturally, despite the laudable approval ratings of city services overall, there is always room for improvement.

The Warren Poll was asked to provide some benchmarks for findings. I have tried to do so where appropriate and legal. Yes, legal. It seems that some companies claim that their benchmarks constitute "intellectual property" that cannot be shared without their permission. However, many lawyers specializing in copyright law disagree. The prevailing opinion is that "facts" or "data" or "statistics" cannot be protected by copyright, but only the arrangement of the facts or data, but not the individual statistic that says, for example, 76% of residents nationally support something (*Feist v. Rural Telephone*, 499 U.S. 340; 1991). In *Feist*, therefore, the court allowed the company to extract data without violating copyright laws. However, because legal questions remain, I am just going to make a general comment and refer readers to the national benchmarks.

Graph 8: Rate Quality of Contact With Police Officer



Graph 9: Support City's Use Of Red Light Cameras



First, resident ratings of services provided by Creve Coeur are well above the national average benchmarks reported by various sources, some not claiming that their benchmarks constitute intellectual property. Second, national benchmarks have limited applicability because ratings differ immensely by region of country, by size of the city, by the affluence of their citizens, etc. For example, citizens in urban areas and citizens in the northeast are known for ranking city officials and the services that they provide "harder" than citizens in the midwest. Consequently, it is difficult and not very productive to compare citizen survey results with national benchmarks. It is best to compare results with similar communities in the immediate area (e.g., comparing Creve Coeur and Kirkwood results).

Here are the best ways to easily find benchmarks. First, Google such key terms as benchmarks and citizen surveys. Numerous sites will appear. The best sites are individual communities posting the results of their citizen surveys. This allows you to pick communities to look at that are closest to your community in demographics, region of country, size, etc. Some of the communities, for example, post national benchmarks such as, for example, Naperville, Illinois and Wichita, Kansas. *The National Citizen Survey* and the *ETC Institute* allow communities to post their national benchmarks in their survey reports. While ETC claims copyright protection, *The National Citizen Survey* does not.

Appendix

Respondent Tel # _____

Questionnaire I.D. # _____

Hello, I am (give your name) and I am conducting an opinion poll for **THE WARREN POLL**, a polling organization hired by the City of Creve Coeur to obtain citizen opinions on matters concerning Creve Coeur. Your phone number, not identified with your name, was selected randomly. Are you an adult resident (i.e., 18 years or older) living in Creve Coeur? _____ Yes _____ No

(Interviewer Note: If "no", ask to speak to an adult or call back when one will be at home. If this is not a Creve Coeur telephone number, go to another number.)

Let's start with a few general questions (Note: Numbers in responses are in percent)

1. How long have you lived in Creve Coeur?
2.5 Less than 1 year 12.5 4-6 years 25.0 11-20 years
4.3 1-3 years 16.0 7-10 years 39.5 Over 20 years
2. In general, how would you rate Creve Coeur as a place to live?
62.9 Excellent 35.3 Good 1.6 Fair .1 Poor
3. Overall, how would you evaluate the quality of services provided by the City of Creve Coeur?
50.7 Excellent 42.3 Good 6.7 Fair .3 Poor
4. In general, how would you rate your treatment by city employees?
35.3 Excellent 55.8 Good 7.6 Fair 1.3 Poor

Please rate the following city services as "Excellent", "Good", "Fair", or "Poor".

	Excellent	Good	Fair	Poor	N/A
5. Park Maintenance	42.9	51.2	4.7	1.1	
6. Street Repair	15.1	53.2	23.7	8.0	
7. Limb Chipping	40.2	44.5	11.4	3.9	
8. Leaf Vacuuming	44.7	45.6	7.9	1.8	
9. Snow Removal	34.5	50.3	12.3	2.9	
10. Police Services	58.7	31.7	6.6	3.0	
11. Parks and Recreation	40.1	54.5	4.4	1.1	
12. Building Permits And Inspections	12.0	48.7	26.3	12.9	
13. Municipal Court	21.4	53.3	17.4	7.9	
14. City Newsletter	43.6	49.3	5.2	1.8	

Turning to a few questions on trash collection and recycling

15. How satisfied are you with the city's current trash pick-up service?
58.0 Very Satisfied 36.4 Satisfied 3.9 Dissatisfied 1.7 Very Dissatisfied
16. How satisfied are you with the city's current recycling program?
62.0 Very Satisfied 34.1 Satisfied 2.6 Dissatisfied 1.3 Very Dissatisfied
17. Are you aware that rear yard trash pick-up is currently available to all single family homes at no fee?
73.0 Yes 27.0 No

18. Do you place your trash at the rear or at the curb? 40.7 Rear 59.3 Curb
19. Knowing that rear yard trash service is more costly than curb side trash service and that the city may not be able to continue free rear trash service indefinitely, how important is it to you that free rear yard trash service is continued?
19.7 Very Important 16.9 Important 30.5 Unimportant 32.8 Very Unimportant
20. How often do you participate in the curb side recycling program?
80.8 Weekly 13.4 Every Other Week 5.8 Monthly
21. To the best of your recollection, how many times, if ever, was your trash or recycling not picked up in the past year?
63.3 Always picked up 32.4 1-3 times 3.8 4-6 times .3 7-10 times .3 11 or more times

Turning to a few questions on communications

22. How would you rate the job the city is doing in keeping residents informed about important issues?
27.7 Excellent 56.3 Good 10.5 Fair 5.5 Poor
23. How would you rate the city in keeping the residents informed about the city's finances?
20.4 Excellent 50.7 Good 21.9 Fair 7.0 Poor
24. How often would you say you read the city's newsletter?
82.2 Every month 11.8 A few times a year 6.1 Never
25. Would you prefer to receive the city's newsletter by e-mail or by mail?
21.5 By e-mail 78.5 By mail
26. What social media outlet do you use the most, if any, to communicate or gain information about current events?
60.9 None 14.2 Facebook .7 Twitter 24.2 Other _____ (Please specify)

Now turning to a few questions regarding community development:

27. City ordinances contain standards for the condition of residential properties. How would you rate the city's enforcement of exterior property maintenance?
7.8 Too strict 75.7 About right 16.5 Not strict enough
28. Immediately north of Creve Coeur, a large area of unincorporated St. Louis County exists, consisting mainly of residential properties. How supportive would you be of Creve Coeur annexing this area if it came at no cost to the city?
21.8 Very supportive 44.8 Supportive 24.6 Unsupportive 8.7 Very Unsupportive
29. Many cities in the St. Louis metropolitan area require occupancy permits for single family homes, at varying fees, to ensure code compliance before the new occupants can move in. Do you believe that the City of Creve Coeur should require such permits?
50.1 Yes 28.1 No 21.8 Undecided

Turning to a few questions on parks

30. How many times have you visited one of the city's parks in the last two years?
16.6 None 26.8 1-4 times 17.9 5-9 times 38.7 10 times or more
31. The City of Creve Coeur owns a 9-hole golf course located at 11400 Olde Cabin Road. As a result of operating losses, the city subsidizes the golf course at an average cost of about \$186,000 annually or a little more than 1% of the city's operating budget. Knowing this, do you believe the city should continue to subsidize the golf course in the future?
40.7 Yes 30.8 No 28.5 Undecided
32. From time to time the city has explored the idea of building an indoor recreation facility that could include such amenities as a swimming pool, weight room, aerobic room, indoor track and space for seniors and teens. Missouri communities are allowed to pass up to a one-half-cent sales tax for parks and recreation programs and facilities. Knowing this, how likely would you be to vote in favor of a new one-half-cent sales tax to construct such a new indoor recreation center?
36.8 Very Likely 20.8 Likely 22.4 Unlikely 20.1 Very Unlikely
33. If you could propose only one thing to improve city parks, recreation facilities, equipment or services, what would it be?
Fine as is (45.9); add more facilities/equip. (10.9); expand trails (8.5); build rec. center (8.2); maintenance/beautification (8); improve lighting/security in parks (2.9); improve/add parks (2.8); add programs (1.6); other (12.2)

Turning to a few questions on your Police Department:

34. Rate how safe do you feel in your neighborhood during the day?
88.4 Very Safe 10.5 Reasonably Safe .2 Neither Safe/Nor Unsafe .9 Somewhat Unsafe
.1 Very Unsafe
35. Rate how safe do you feel in your neighborhood after dark?
51.7 Very Safe 29.6 Reasonably Safe 6.8 Neither Safe/Nor Unsafe 8.5 Somewhat Unsafe
3.4 Very Unsafe
36. Have you had any contact with the Creve Coeur Police Department in the last 3 years?
59.3 Yes 40.7 No

(Interviewer Note: Skip to Question #41 if respondent answered "No" to Question #37.)

37. What type of contact have you had with the Creve Coeur Police Department during the past 12 months?
10.6 Reported of a crime (burglary, domestic violence, assault, etc.)
8.9 Traffic stop
2.3 Criminal arrest
19.8 Crime prevention or safety promotion program
23.3 Police assistance (motorist assist, response to an alarm, etc.)
35.1 Other (please specify) _____
38. Please rate the quality of your contact with the police officer.
71.4 Excellent 19.8 Good 5.0 Fair 3.8 Poor
39. If you had contact with a police dispatcher in the past 12 months, was the dispatcher:

27.8 Very courteous 13.2 Courteous 1.0 Discourteous 1.4 Very Discourteous
56.5 Had no contact

40. If you could recommend just one thing the city's police department could do to improve its service, what would it be?
Fine as is (51.6); increase patrols/visibility (17.6); improve police conduct (10.5); slow speeders (4.5); offer more safety programs (4); stop using red light cameras (3.7); cut police budget (1.5), other (6.2)
41. Do you support the city's use of red light cameras at signalized intersections in Creve Coeur?
41.6 Yes 45.0 No 13.4 Undecided

So we can plot citizen opinion by various demographical categories, we need your help on the remaining few questions.

42. Could you please indicate the number of people in your household, including yourself?
11.7 One 35.8 Two 14.3 Three 20.4 Four 12.6 Five 3.0 Six 2.2 Seven or more
43. Could you please indicate your general age category?
7.1 Under 30 24.9 30-44 44.1 45-65 23.9 Over 65
44. Could you please give a general estimate of your yearly gross family income?
9.8 Under \$50,000 32.0 \$100,000-\$149,999
13.7 \$50,000-\$74,999 12.5 \$150,000-\$200,000
13.3 \$75,000-\$99,999 18.7 Over \$200,000
45. If you know for sure what city Ward you live in, please tell me: Ward #_____. If you do not know your Ward, please tell me your trash day since your trash day is determined by ward. Your trash day is _____. If you do not know your ward or your trash day and you live in a multi-family complex, could you please tell me the name of your multi-family complex?
Ward 1 (24.9); Ward 2 (22.9); Ward 3 (24.5); Ward 4 (27.7)
46. **(Interviewer Note: Don't ask, just indicate respondent's gender.)**
38.8 Male 61.2 Female

Thanks for your time and courtesy. The poll's results will be posted on the city's Website upon completion. If you would like to discuss any aspects of the survey, please contact the Office of the City Administrator (314-872-2511) or Dr. Warren, President of *The Warren Poll*. (314) 977-3036 (office): e-mail *The Warren Poll* at warrenkf@slu.edu.



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, January 09, 2012
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 Mayor Dielman at the Creve Coeur Government Center, 300 N New Ballas Road on Monday, January 9, 2012.

PLEDGE OF ALLEGIANCE

Boy Scout Ben Kinnison of Troop 809 led the Pledge of Allegiance.

INVOCATION

Mayor Dielman said the invocation.

ROLL CALL

The following members were in attendance:

Mr. Dielman	Mayor
Mr. Kreuter	Council Member Ward I
Mrs. Nealey	Council Member Ward II
Mr. Wang	Council Member Ward II
Mr. Hoffman	Council Member Ward III
Mrs. D'Alfonso	Council Member Ward III
Mrs. Rhoades	Council Member Ward IV
Mr. Saunders	Council Member Ward IV

* - Absent: Council Member Kistner, Ward I

PRESENTATION – MSD Presentation - Consent Decree

Jeff Theerman of MSD stated the City of Creve Coeur may have been recently asked by the St. Louis County Municipal League to pass a resolution urging the Metropolitan St. Louis Sewer District (MSD), the United States Environmental Protection Agency (EPA), and others to reopen a Clean Water Act Consent Decree agreement. While MSD understands the sentiment and motivation behind the resolution, such action has very tangible risks for the St. Louis community we serve. Mr. Theerman thanked Creve Coeur for allowing MSD staff to have this opportunity to speak with the Council. MSD has been in mediation with the State of Missouri, EPA, and the Missouri Coalition for the Environment over a lawsuit that was first filed in June 2007. This lawsuit concerns the state of MSD's wastewater system, specifically sewer overflows that exist throughout our service area. All parties have worked hard and showed great understanding to reach an agreement. At the same time, MSD is very aware that given current economic conditions, the time is not ideal to enter into an agreement that raises sewer rates for years to come. However, our situation is no different than dozens of other large metropolitan areas



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

across the United States that have entered into similar agreements – agreements which, in spite of current economic conditions, are still in effect. Currently, MSD has high bond ratings and allowing MSD to realize significant savings on interest costs for bonds that we issue to finance our multi-billion dollar, multi-decade capital program – savings that translate into smaller rate increases for our customers. Per the Consent Decree, this program will cost an additional \$4.7 billion over the next 23 years. In June 2012, we expect to take a proposition to area voters that would authorize MSD to issue another \$945 billion in bonds. This bond issuance, combined with additional rate increases, would finance close to \$1 billion in regulatory required capital improvements from July 1, 2012, through June 30, 2016. In addition to concerns about the resolution's negative impact on MSD's bond rating, reopening the Consent Decree as proposed by the Municipal League could delay relief for customers who suffer basement backups, and put off further reinvestment in a sewer system that is decades old and in need of rehabilitation or replacement. Mr. Theerman stated MSD plans to continue to work with the City and other municipalities to address immediate concerns and prioritize projects.

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

Jason Coil of Valvoline Instant Oil Change requested the Council reconsider the ordinance that was defeated at the Monday, December 12, 2011 Council meeting to allow Sunday hours at the Valvoline Instant Oil Change located on Olive Blvd. Mr. Coil stated the business has taken steps to reduce noise created by the business.

Council Member Rhoades moved, seconded by Council member D'Alfonso to suspend the rules, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades - Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Council Member Rhoades moved, seconded by Council Member Wang to reconsider Bill No. 5348 and defer to be placed on the next Council meeting agenda, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades - Aye



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Council Member Saunders submitted for the record an e-mail from Robert Kent dated Sunday, January 8, 2012 regarding the MSD presentation. (Exhibit A)

ACCEPTANCE OF AGENDA

Council Member D'Alfonso moved, seconded by Council Member Wang to move Item 5 - Bill No. 5357 to Item 2A and approve the agenda as amended, with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Wang - Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member D'Alfonso – Aye
Council Member Kreuter – Aye

The vote on the motion being 7 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

1. CONSENT AGENDA

Council Member Rhoades moved, seconded by Council Member Hoffman to approve the consent agenda as presented.

a. Council Meeting Minutes dated December 12, 2011

b. Special Meeting Minutes dated December 19, 2011

Mayor Dielmann called the question of the approval of the consent agenda as presented, with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Wang - Aye
Council Member Rhoades – Aye



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

Council Member Nealey – Aye
Council Member D'Alfonso – Aye
Council Member Kreuter – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated December 21, 2011 in the amount of \$313,913.92 has been provided for Council review. No vote is required.

For Information Only

Summary: A report of bills payable dated January 5, 2012 in the amount of \$291,130.70 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Bill No. 5355 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Amending Chapter 205 Of The Municipal Code Pertaining To Animals And Fowl To Allow Chicken Hens To Be Kept Within City Limits. Final Reading and Passage

City Clerk read Bill No. 5355 for the final time.

Council Member Rhoades moved, seconded by Council Member Wang to approve Bill No. 5355, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades - Aye
Council Member Nealey – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5355 becomes Ordinance No. 5238.

2A. Bill No. 5357 - An Ordinance Amending The City Code Of Ordinances To Change The Name Of The Recycling, Environment And Beautification Committee And To Codify Its Mission. First Reading



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

City Clerk read Bill No. 5357 for the first time.

Fran Cantor, Chair of the REB read and presented a statement for the record. (Exhibit B)

3. Resolution No. 990 - A Resolution Authorizing Purchase Of The Series A Notes Issued By The Olive/Graeser Transportation Development District In The Original Principal Amount Of \$1,250,000.00.

City Clerk read Resolution No. 990.

Council Member Wang moved, seconded by Council Member D'Alfonso to approve Resolution No. 990.

Dan Smith stated on Monday, December 19, 2011 the Council had a special meeting and at that time Council voted down the proposed bond sale and expressed a substantial interest in the purchase of the A Series notes. The analysis based on the projected sales tax that was included in the Stern Brothers proposal showed purchase was financially advantageous to the sale of the bonds. Right now there are only two options available as the development agreement is written. The first is to purchase the entire A Series notes and based on the projections it comes up positive \$35,462. The only other alternative that exists at this time is what is called the do nothing and that would mean if the bonds are not issued the City would be required to spend \$55,000 a year to purchase a portion of those A Series notes from the developer plus the accrued interest. Currently that interest is at six percent but 360 days after substantial completion which we will reach within 60 to 90 days they are scheduled to go up to eight percent. The do nothing at eight percent comes up with a negative at five percent present value of \$281,924. That is of course, projecting the do nothing would occur over the 38 years. To be honest that is probably unlikely to occur because at some point given the eight percent interest rate the TDD would probably be interested in trying for bond issuance. The best alternative now is the purchase of the A Series notes. Dan Smith stated obviously the Council wants to feel comfortable with the purchase and staff and the Finance Committee are recommending the purchase of the A Series notes. The last projection that was made with the purchase of the A Series notes was preferable to the bond issue that was proposed and was the only proposal that we received and it doesn't appear likely that we are going to get another bond issue proposal in the near future. It would be doubtful that a bond proposal would be more financially advantageous than the City purchasing the A Series notes and the TDD paying them off over the 38 year period of its existence. Dan Smith stated the agreement does say the City has to agree with the terms and conditions of any TDD Bond issuance. The Council does have that review process. Dan Smith stated the logistics are that the amount estimated is approximately \$1,301,000 if we closed on March 31, 2012. That is off set. There is about \$35,000 that would be received from the City in March that has accumulated in the debt service fund from the existing sales tax. The City would receive that money to net the \$1,301,000 investment so the approximate net cost is \$1,266,000. There are a number of amounts



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

included in that. Primarily it is the balance of the note which is now \$1,241,000 plus \$25,000 for the note issuance costs. Initially there was some dispute about the note issuance cost because of the fact that the City's interpretation of the developer agreement indicated that the cap was at \$1,250,000. After discussion with the developer the notes were issued indicating that the amount of the notes was \$1,250,000 plus issuance costs. If you speak with the bond counsel, Armstrong Teasdale there is some sort of ambiguity in the developer document that indicates or could be interpreted that the note issuance costs are allowed and the cap is \$1,250,000 for the City participation, plus the note issuance costs instead of the \$1,250,000. This would take that issue off the table and so that amount has been included in the net costs of \$1,266,000. The Finance Committee did meet and there were varying points of view on the committee. There were a couple members that supported the note purchase, there was a member who supported the do nothing at eight percent, another that thought the City should negotiate a discount of the note purchase itself and there were three members that indicated they didn't feel comfortable making a recommendation. It was not necessarily a negative recommendation; there was a variety of opinions on the committee.

Council Member Saunders asked if the interest on the A Series is simple interest and not compound.

Dan Smith stated correct.

Council Member Saunders asked if the Council were to approve this tonight and assume the A Series notes the nominal rate would be six percent and increase to eight percent on the same time schedule.

Dan Smith stated correct.

Council Member Saunders asked at which point in the process do we go to the TDD Board and discuss in terms of a lower interest rate.

Carl Lumley stated it would be a gratuitous act on the City's part and suggested the City do that on an annual basis to keep the options open. In fairness to the Board and budgeting purposes that the City would let them know at the start of a fiscal year of the City's intention. Carl Lumley stated he doesn't know why the City would tie their hands and make a commitment for a lengthy period of time without knowing what is coming.

Council member Rhoades moved, seconded by Council Member D'Alfonso to substitute the updated version of Resolution No. 990 as provided in the Council packet that adds "WHEREAS, the purchase price demanded by the holder of the Series A Notes currently totals \$1,301,346, but the TDD will be obligated to pay accumulated sales taxes to the City as purchaser on or about March 1, 2012 in the estimated sum of \$35,000", with the vote upon such motion being as follows, to-wit:



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Wang - Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member D'Alfonso – Aye
Council Member Kreuter – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Dan Smith stated David Caldwell has been very helpful, due to his expertise in financing, in reviewing our numbers and calculations. He also reviewed the do thing scenario at eight percent and agrees that it is much less advantageous to the City than the purchase of the notes.

David Caldwell resident of 257 Brooktrail Court asked what interest rate the MPV was calculated at.

Dan Smith stated eight percent.

David Caldwell stated the resolution as written is pretty open as to negotiation on terms of the interest rate and doesn't feel it would be appropriate. Mr. Caldwell stated the rates should be set at the date of purchase at six percent or eight percent but thinks six percent would be the best rate to set but there should not be any variability to that rate without some affirmative action in the future of a request. There shouldn't be any flexibility for the six percent rate to be changed without a full public discussion and that rate should remain and shouldn't be any negotiations at any point and time once the notes are purchased. Mr. Caldwell stated the reason he feels that would be appropriate because he would encourage the process to come up with a way to encourage local banks and other institutions and other investors to purchase some of the notes. This is entirely possible and particularly if you have an interest rate that is set as a tax exempt interest rate and should be available to the public to have an opportunity to invest in Creve Coeur and the banks and credit unions should be encouraged to invest. This would be to reduce the amount of the City's obligation and have the community more involved. Mr. Caldwell stated he is comfortable with the City buying all the notes and thinks there should be opportunities for other investors, particularly the banks to buy the notes and feels the interest rate should be set at a certain rate and not be changed.

Stan Edelstein read and submitted a statement for the record. (Exhibit C)

Council Member Rhoades asked Mr. Smith about Mr. Caldwell's suggestion to fix the interest rate.

Dan Smith stated it is preferable to the eight percent that the developer would charge but it is a little higher than the interest rate that the TDD could have gotten on the bond issuance of the



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

blended rate of 5.55 percent, which the City did not agree with. We have already showed that it is advantageous to the City at 5.55 percent and obviously it is going to be more financially advantageous at six percent. Mr. Smith stated the reason that rate was proposed was to give the TDD something equal to the blended rate they would have been paying if the bonds would have been approved.

Carl Lumley stated if the resolution is approved the City would be exercising their rights under the contract which would call for the eight percent to be paid in a few months. While certainly there is a sense of fairness and reasonability in reducing it to a lower rate for now, twenty years from now when market rates are at fourteen percent the City might be wondering why they artificially tied its hands. Carl Lumley stated it would be his suggestion that the City extend the gratuitous reduction on a periodic basis but not necessarily bind the City to it for such a lengthy period of time.

Dan Smith stated in theory we set the 5.55 percent rate but the calculations from our financial advisors say that in order to retire and pay back the full \$1,268,000 the true interest rate is more like 5.3 percent.

Mayor Dielmann called the question to approve the Substitute Resolution No. 990, with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Wang - Aye
Council Member Rhoades – Aye
Council Member Nealey – Aye
Council Member D'Alfonso – Aye
Council Member Kreuter – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

NEW BUSINESS

- 4. Bill No. 5356 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Amending Section 235.070 Of The Municipal Code Pertaining To Permitted Hours Of Refuse Collection. First Reading**

City Clerk read Bill No. 5356 for the first time.

- 5. Bill No. 5357 - An Ordinance Amending The City Code Of Ordinances To Change The Name Of The Recycling, Environment And Beautification Committee And To Codify Its Mission. First Reading**

Item previously discussed in meeting under Item 2A.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

BUSINESS FROM THE MAYOR and CITY COUNCIL

BUSINESS FROM CITY ADMINISTRATOR

6. City Promotional Video

Mark Perkins stated staff has researched and feels there are other options and local alternatives from the Today in America with Terry Bradshaw proposal. After some discussions with other area municipalities they were also approached by the producers of the show to highlight those cities as hidden gems and they have all rejected the proposal. Mark Perkins stated there are funds available in the EDC budget for this type of a project and has talked about it as a good idea for a promotional video to get out regionally and perhaps nationally. There are several options to choose from at a considerable reduced cost than what was proposed. Staff has reviewed some of the other area municipality's videos and there are some great videos that have been produced by local companies.

Council Member Saunders asked if there was any recognizable talent with the new local proposals.

Mark Perkins stated not as far as personalities but after discussions with the EDC they did like the fact that there was going to be a recognizable person such as Terry Bradshaw. However, we didn't have all of this additional information that we have now when those discussions were held. There are several different styles that will be taken into consideration when making a decision regarding this project.

7. Update on boundary adjustment between Creve Coeur and Chesterfield

Mark Perkins stated Mr. Langdon provided information for the Council in the packet regarding the request by the City of Chesterfield for a boundary adjustment both with Creve Coeur and Town and Country. With the new 141, Chesterfield believes it makes sense to revisit our boundaries and the proposed adjustments are very minor. Mark Perkins stated there will be no residents/residences involved and Creve Coeur will gain 25 – 30 additional acres and we will not be giving up any property. Staff will continue to go through the process with Chesterfield.

Council Member Wang moved, seconded by Council Member Kreuter to adjourn at 7:56 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Hoffman – Aye
Council Member Saunders – Aye
Council Member Nealey – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, January 09, 2012
7:00 PM

The vote on the motion being 7 ayes and 0 nays, motion carried.

Deborah Ryan
City Clerk

Harold Dielmann
Mayor



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

DATE: January 19, 2012

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 January 18, 2012 in the amount of \$105,603.35.



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

NO DEPT - NO DIV

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00080	0		1880-184-5	26-Dec-11	DIERBERGS	HOLIDAYS ON ICE FOOD	06-00-00-4528	13.43
00066	1		200925	03-Jan-12	FROESEL OIL	DIESEL FUEL	01-00-00-1653	6,142.20
01333	0		201100004	17-Oct-11	M & H CONCRETE	SHADYBROOK SEWER LATERAL REP	02-00-00-1901	1,747.95
00188	195		011112	11-Jan-12	REICHMAN, JOHN	SEWER LATERAL REIMBRSMNT	02-00-00-1901	1,840.00
00116	0		7958	22-Dec-11	SAM'S CLUB	HOLIDAYS ON ICE	06-00-00-4528	75.76
00116	0		5107-1	20-Dec-11	SAM'S CLUB	FINAL HOLIDAYS ON ICE FOOD	06-00-00-4528	62.02
00188	194		010412	04-Jan-12	SCHIERMAN, WD	SEWER LATERAL REIMBSMNT	02-00-00-1901	1,792.80
01601	0		010612	06-Jan-12	SPORTS MEDICINE AND TRAINING CENTER	OVERPMNT 2012 BUS LICENSE	01-00-00-4402	15.00
00065	727		010312	03-Jan-12	ST CLAIR CORPORATION	OVERPMNT 2012 BUS LICENSE	01-00-00-4402	32.00
00601	0		2887	26-Dec-11	ST JOHN'S MERCY MED CENTER TNG CENTER	INSTRUCTOR RENEWAL COURSE	01-00-00-2411	264.00
01342	0		34071	05-Dec-11	ST LOUIS COUNTY DEPARTMENT OF JUSTICE SERVICE	ST LOUIS COUNTY MUNI HOUSING	01-00-00-2410	60.00
Sum of Invoices								12,045.16



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00019	0		010412	04-Jan-12	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL SVCS THRU 12/31/11	01-11-12-6201	<u>10,547.00</u>
Sum of Invoices								10,547.00



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

1/18/2012

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01120	0		123111	31-Dec-11	ASI	FLEX SPENDING ADMIN-DEC 11	01-12-11-6203	349.70
01447	0		18309	05-Jan-12	DIVERSIFIED PRINTING INC	RESIDENT NEWSLETTER JAN 12	01-12-11-6203	1,369.90
00053	0		37301-59	05-Jan-12	MERCY CORPORATE HEALTH	PHYSICAL EXAMS	01-12-11-6271	<u>85.00</u>
Sum of Invoices								1,804.60



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00029	0		104492	13-Dec-11	BUSCOMM	LASERFISCHE YEARLY MAINT FEE	01-12-51-6213	5,370.12
01083	0		96098	31-Dec-11	CIVIC PLUS	WEB HOSTING SVC	01-12-51-6213	160.00
00278	1		F85170210101	22-Jan-12	GLOBAL GOV/ED SOLUTIONS, INC.	BATTERY FOR MOBILE DEVICE	01-12-51-6213	40.00
01169	0		11843590	06-Jan-12	STAPLES ADVANTAGE	IMAGING DRUM CHIEF'S OFC	01-12-51-6213	146.16
01205	2	P001345	2009923	21-Dec-11	ZOHO CORP.	SERVICE DESK PLUS MAINTENANCE	01-12-51-7332	<u>1,495.00</u>
							Sum of Invoices	7,211.28



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

Finance

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00021	0		120111	01-Dec-11	GOEWERT, LINDA	DEC 2011 MILEAGE	01-13-11-7307	14.10
00145	0	P001247	45945	31-Dec-11	HOCHSCHILD, BLOOM & COMPANY LLP	AUDIT SERVICES	01-13-11-6209	250.00
00145	0	P001247	45945	31-Dec-11	HOCHSCHILD, BLOOM & COMPANY LLP	AUDIT SERVICES - FINAL	01-13-11-6209	1,100.00
00140	6		31662	11-Jan-12	MISSOURI DEPARTMENT OF REVENUE	SALES TAX RPT DEC 2011	01-13-11-6202	35.00
00140	6		31842	13-Jan-12	MISSOURI DEPARTMENT OF REVENUE	ANNUAL TAX RPT-CY 2011	01-13-11-6202	35.00
01005	0	P001250	1020	07-Jan-12	PUBLIC FUND INVESTMENT STRATEGIES	INVESTMENT SVCS-3RD QTR	01-13-11-6202	2,500.00
00077	0		8957222	29-Dec-11	QUILL	FIRST AID SUPPLIES	01-13-11-7304	19.78
Sum of Invoices								3,953.88



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00045	1		591454955001	22-Dec-11	OFFICE DEPOT	FILE POCKETS FOR PD	01-13-15-7312	185.10
00077	0		8957222	29-Dec-11	QUILL	TONER FOR COURT	01-13-15-7312	366.96
00077	0		9192281	09-Jan-12	QUILL	TONER-PD RECORDS	01-13-15-7312	250.09
00077	0		9055529	04-Jan-12	QUILL	TONER-PD	01-13-15-7312	443.47
00116	0		8374	16-Dec-11	SAM'S CLUB	CAKES EMPLOYEE LUNCHEON	01-13-15-6272	71.96
01169	0		111689398	21-Dec-11	STAPLES ADVANTAGE	PAPER-8 1/2 x 14, 11x17	01-13-15-7312	70.00
01169	0		111734372	27-Dec-11	STAPLES ADVANTAGE	BINDING COVERS FOR PWORKS	01-13-15-7312	55.18
01169	0		111892184	10-Jan-12	STAPLES ADVANTAGE	TAPE	01-13-15-7312	7.21
01169	0		111892669	10-Jan-12	STAPLES ADVANTAGE	ENVELOPES, STICKY NOTES	01-13-15-7312	34.05
01169	0		111865528	06-Jan-12	STAPLES ADVANTAGE	LAMINATE POUCHES	01-13-15-7312	23.08
01169	0		111747406	28-Dec-11	STAPLES ADVANTAGE	PAPER, CALENDAR	01-13-15-7312	19.32
							Sum of Invoices	1,526.42



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

COMMUNITY SERVICES

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00336	0		04991NB	13-Jan-12	MISSOURI DEPARTMENT OF CONSERVATION	TREES FOR ARBOR DAY	01-14-11-7304	<u>69.00</u>
Sum of Invoices								69.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-4200059	03-Jan-12	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (010312)	06-14-31-7301	0.80
01550	0		453-4226181	10-Jan-12	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (011012)	06-14-31-7301	0.80
01550	0		452-4200059	03-Jan-12	ARAMARK UNIFORM SERVICES	UNIFORMS (010312)	06-14-31-7308	3.60
01550	0		453-4226181	10-Jan-12	ARAMARK UNIFORM SERVICES	UNIFORMS (011012)	06-14-31-7308	3.60
00132	0		1349450-0	10-Jan-12	BRADBURN'S	SKATE SCHOOL SUPPLIES	06-14-31-7304	25.38
00084	2		3888301329	10-Jan-12	COCA-COLA	SODA FOR B'DAY PARTIES	06-14-31-7304	50.40
00080	0		2476-146-5	07-Jan-12	DIERBERGS	BIRTHDAY CAKE	06-14-31-7304	21.99
00082	0		0511543	05-Jan-12	METROLIFT PROPANE	PROPANE FOR OLYMPIA	06-14-31-7307	407.38
00048	0		191790	27-Dec-11	PAVYER	OLYMPIA BLADE SHARPENING	06-14-31-6211	93.68
00116	0	P001365	4861	30-Dec-11	SAM'S CLUB	CLEANING SUPPLIES	06-14-31-7301	6.84
00711	1		310822701	14-Dec-11	TERMINIX	PEST CONTROL ICE ARENA	06-14-31-6212	33.00
Sum of Invoices								647.47



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00970	1		1388-394812	28-Dec-11	O'REILLY AUTO PARTS	PARTS WIRING HARNESS DUMP TRUC	06-14-32-6210	54.89
00970	1		1388-395568	04-Jan-12	O'REILLY AUTO PARTS	LIGHT BULB FOR ONE-TON TRUCK	06-14-32-6210	1.68
00970	1		1388-395567	04-Jan-12	O'REILLY AUTO PARTS	ELECTRICAL WIRE AND FITTINGS	06-14-32-6210	<u>2.98</u>
							Sum of Invoices	59.55



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00224	0		2608	01-Jan-12	METROPOLITAN AMATEUR GOLF ASSOCIATION	RENEWAL MEMBERSHIP	06-14-33-6262	150.00
00835	1		1012	19-Dec-11	MISSOURI GOLF ASSOCIATION	MEMBERSHIP DUES	06-14-33-6262	200.00
00711	1		310822701	14-Dec-11	TERMINIX	PEST CONTROL PRO SHOP	06-14-33-6212	<u>33.00</u>
Sum of Invoices								383.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-4200059	03-Jan-12	ARAMARK UNIFORM SERVICES	WIPING TOWELS (010312)	06-14-34-7301	2.50
01550	0		453-4226181	10-Jan-12	ARAMARK UNIFORM SERVICES	WIPING TOWELS (011012)	06-14-34-7301	2.50
00084	2	P001369	3888301329.	10-Jan-12	COCA-COLA	SODA FOR RESALE (8317)	06-14-34-8317	546.04
00084	2	P001369	3888301329.	10-Jan-12	COCA-COLA	MISC SUPPLIES (8321)	06-14-34-8321	56.65
00116	0	P001365	4861.	30-Dec-11	SAM'S CLUB	SNACKS FOR RESALE (8319)	06-14-34-8319	207.96
01121	0	P001360	30057	22-Dec-11	TJ'S PIZZA	PIZZA FOR RESALE (8315)	06-14-34-8315	<u>64.30</u>
Sum of Invoices								879.95



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-4200058	03-Jan-12	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/3/12)	01-16-11-7308	7.20
00102	0		719256	29-Dec-11	BEYERS LUMBER	PARTS PD GUN RANGE	01-16-11-6212	4.74
01448	0	P001349	674575	01-Jan-12	BUILDINGSTARS	CLEANING SERVICE-POLICE DEPT	01-16-11-6212	1,350.00
01448	0	P001349	674575	01-Jan-12	BUILDINGSTARS	CLEANING SERVICE-CITY HALL	01-16-11-6212	1,420.00
00117	0		6013315	04-Jan-12	HOME DEPOT	SHOWERHEAD FOR MAINT	01-16-11-6212	39.22
00039	0		754440	04-Jan-12	INDUSTRIAL SOAP	TRASH LINERS	01-16-11-6212	232.50
00116	0		7736	05-Jan-12	SAM'S CLUB	COFFEE, LOUNGE SUPPLIES	01-16-11-6212	712.40
00054	1		01843926	03-Jan-12	WALTER KNOLL FLORIST	PLANT MAINT FEB 12	01-16-11-6212	80.00
							Sum of Invoices	3,846.06



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	11		826147039X010812	31-Dec-11	AT&T	WIRELESS PHONES FOR ADMIN	01-21-11-6253	192.68
01068	1		080208	04-Jan-12	DNT	QTR MAINT FEES RECORDS COPIER	01-21-11-6213	178.41
00117	0		0072847	10-Jan-12	HOME DEPOT	POWER STRIP	01-21-11-7302	10.87
00385	1		1001000574	10-Jan-12	IACP	MODEL POLICY SUBSCRIPTION	01-21-11-6262	30.00
00125	0		253363	29-Dec-11	LEON UNIFORM	REFINISHED OFFICER'S BADGES	01-21-11-7308	180.00
00479	0		11101103	15-Dec-11	MISSOURI POLICE CHIEF ASSOCIATION	MEMBERSHIP FEES CHIEF EIDMAN	01-21-11-6262	200.00
00092	4	P001257	34299	04-Jan-12	ST LOUIS COUNTY TREASURER	MONTHLY C.A.R.E. SERVICES CONT	01-21-11-6202	<u>23.91</u>
Sum of Invoices								815.87



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	11		826147039X0108	31-Dec-11	AT&T	WIRELESS PHONES FOR INVEST	01-21-21-6253	186.84
01228	0		1432814-20111231	31-Dec-11	LEXISNEXIS	DECEMBER USER FEES	01-21-21-6202	180.25
00445	0		01052012	05-Jan-12	MAJOR CASE SQUAD OF GREATER ST. LOUIS	2012 ANNUAL MCS FEES	01-21-21-6262	250.00
00371	0		010612	06-Jan-12	MIDWEST FINANCE FRAUD INVESTIGATORS	2012 ANNUAL DUES	01-21-21-6262	25.00
01567	0		IN11777	06-Jan-12	PRIMARY MARKING SYSTEMS, INC.	SUPPLIES FOR E TWIST EQUIPMENT	01-21-21-9503	<u>198.60</u>
Sum of Invoices								840.69



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

1/18/2012

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00114	11		826147039X010812	31-Dec-11	AT&T	WIRELESS PHONES FOR PATROL	01-21-22-6253	302.64
01592	0	P001353	114098	06-Jan-12	CPR-PRO-COM, INC.	CPR VALVE W/ONE-WAY FILTER FOR	01-21-22-6271	179.00
01592	0	P001353	114098	06-Jan-12	CPR-PRO-COM, INC.	GUARD RESUSCITATION MASK W/ONE	01-21-22-6271	99.75
01592	0	P001353	114098	06-Jan-12	CPR-PRO-COM, INC.	ONE WAY FILTER VALVES FOR INFA	01-21-22-6271	139.00
01592	0	P001353	114098	06-Jan-12	CPR-PRO-COM, INC.	OVER PO AMOUNT	01-21-22-6271	43.50
01592	0	P001353	114098	06-Jan-12	CPR-PRO-COM, INC.	SHIPPING & HANDLING	01-21-22-6271	20.00
00096	0		125092	11-Jan-12	EVS	CAR 2419 REPLACE SIREN SWITCH	01-21-22-6210	89.78
00096	0		125092	11-Jan-12	EVS	VARIOUS COMP. & VIDEO CAM REP	01-21-22-6211	100.00
00094	1		145588	05-Jan-12	FIRESTONE	CAR 2409 - FIX TRANSMISSION	01-21-22-6210	639.96
00094	1		145800	11-Jan-12	FIRESTONE	CAR 2405 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		145632	06-Jan-12	FIRESTONE	CAR 2403 INSTALL ONE TIRE	01-21-22-6210	107.14
00094	1		145511	02-Jan-12	FIRESTONE	CAR 2406 BATTERY & 3000 ML SVS	01-21-22-6210	127.11
00094	1		145489	02-Jan-12	FIRESTONE	CAR 2403 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		145476	31-Dec-11	FIRESTONE	CAR 2403 INSTALL NEW TIRE	01-21-22-6210	106.99
00094	1		145574	04-Jan-12	FIRESTONE	CAR 2411 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		145815	11-Jan-12	FIRESTONE	CAR 2407 4 TIRES; 3000 MILE SV	01-21-22-6210	445.95
00094	1		145773	10-Jan-12	FIRESTONE	CAR 2417 3000 MILE SERVICE	01-21-22-6210	17.99
00094	1		145757	10-Jan-12	FIRESTONE	CAR 2408 3000 MILE SVS/BRAKES	01-21-22-6210	304.47
00117	0		0072847	10-Jan-12	HOME DEPOT	SCREWS FOR WALKIE CLIPS	01-21-22-6211	1.35
00327	0		6484	09-Dec-11	ILEETA	ANNUAL RENEWAL FEES-FUNKHOUSER	01-21-22-6262	45.00
00347	0		454981	22-Dec-11	KUSTOM SIGNALS, INC.	HD POWER CABLE FOR CAR 2417	01-21-22-6211	119.65
00125	0	P001343	256850-03	11-Jan-12	LEON UNIFORM	UNIFORM ITEMS FOR PO CHRISTINA	01-21-22-5107	92.95
00125	0	P001343	256850-02	03-Jan-12	LEON UNIFORM	UNIFORM ITEMS FOR PO CHRISTINA	01-21-22-5107	54.90
01590	0		5236171	29-Dec-11	WORLDPOINT ECC, INC.	ITEMS FOR CPR MANIKINS	01-21-22-6271	209.05
Sum of Invoices								3,300.15



**CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING**

1/18/2012

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-4200056	03-Jan-12	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (1/3/12)	01-31-41-6212	9.60
01550	0		452-4200056	03-Jan-12	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/3/12)	01-31-41-7308	37.88
00010	0		898956	03-Jan-12	BRANNEKY HARDWARE	ITEMS FOR SHOP STOCK	01-31-41-7302	89.69
00010	0		898921	29-Dec-11	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7302	10.06
00010	0		898870	30-Dec-11	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7302	25.47
00010	0		898869	30-Dec-11	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7302	104.67
00010	0		899142	06-Jan-12	BRANNEKY HARDWARE	SHOP SUPPLIES	01-31-41-7302	51.18
00013	1		1763-186394	05-Jan-12	CARQUEST	SHOP SUPPLIES	01-31-41-6210	79.00
00729	1		15398565	27-Dec-11	CERTIFIED POWER, INC.	SOLENOID 311 SPREADER	01-31-41-6211	26.00
01566	0		363106-CRC-1	29-Dec-11	CONTINENTAL RESEARCH CORP.	TIES FOR XMAS DECORATIONS	01-31-41-6212	53.82
01466	0		140033937	29-Dec-11	CROSS MIDWEST TIRE	TIRES TRUCK #105	01-31-41-6210	553.00
01466	0		140033923	28-Dec-11	CROSS MIDWEST TIRE	TIRE REPAIR SKIDSTER	01-31-41-6211	134.63
00049	4		194	29-Dec-11	EMPLOYEE SOLUTIONS GROUP	TEMP HELP STREETS	01-31-41-6207	972.00
00049	4		208	05-Jan-12	EMPLOYEE SOLUTIONS GROUP	TEMP HELP STREETS	01-31-41-6207	432.00
00023	1		233230	28-Dec-11	FRED WEBER, INC	ROCK FOR PARKING AREA	01-31-41-6212	439.12
00023	1		233456	22-Jan-11	FRED WEBER, INC	ROCK FOR PARKING AREA	01-31-41-6212	456.84
00349	1		568237-001	30-Dec-11	HTE TECHNOLOGIES	PARTS #310 SPREADER	01-31-41-6211	64.04
00789	0		365151	03-Jan-12	K&K SUPPLY	DRILL BITS FOR STOCK	01-31-41-7302	18.00
00156	0		50403	28-Dec-11	L&C TRUCK REPAIR	EXHAUST REPAIR TRUCK #304	01-31-41-6210	795.71
00103	0		448944	05-Jan-12	MIDWESTERN PEST CONTROL	PEST CONTROL SERVICES	01-31-41-7301	67.50
00100	0		25860	03-Jan-12	MISSOURI PETROLEUM	DURA FILL BLOCKS	01-31-41-7305	450.00
00310	0		5024350	08-Dec-11	REUTHER	SNOW PLOW PIN #316	01-31-41-6210	8.68
00310	0		5024307	22-Nov-11	REUTHER	VENT CAP-SNOW PLOW #205	01-31-41-6210	21.84
00310	0		6085677	17-Nov-11	REUTHER	PUMP MOTOR-#206	01-31-41-6210	544.70
00310	0		6086403	06-Jan-12	REUTHER	SNOW PLOW REPAIR #308	01-31-41-7310	479.99
00810	0	P001341	IV13703	22-Dec-11	WINTER EQUIPMENT COMPANY, INC.	SHIPPING	01-31-41-7310	120.00
00810	0	P001341	IV13703	22-Dec-11	WINTER EQUIPMENT COMPANY, INC.	CARBIDE PLOW BLADES, CURB GUAR	01-31-41-7310	452.45
00842	0	P001321	35622	27-Dec-11	WOODY'S MUNICIPAL SUPPLY COMPANY	3 FELS CONTROLLERS, PRE-WET SY	01-31-41-9503	2,309.00

Sum of Invoices 8,806.87



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-4200056	03-Jan-12	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (1/3/12)	01-31-43-7308	37.87
00103	0		448944	05-Jan-12	MIDWESTERN PEST CONTROL	PEST CONTROL SERVICES	01-31-43-7301	<u>67.50</u>
Sum of Invoices								105.37



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01344	0		123011	30-Dec-11	KELLY, WHITNEY	DEC 2011 MILEAGE	01-32-11-7307	17.76
00303	1		10308795	27-Dec-11	MISSOURI LAWYERS MEDIA	PUBLIC HRG NOTICE 1/19/12	01-32-11-6260	38.28
00303	1		10308807	27-Dec-11	MISSOURI LAWYERS MEDIA	P&Z PUBLIC HRG NOTICE 1/17	01-32-11-6260	35.96
00303	1		10308809	27-Dec-11	MISSOURI LAWYERS MEDIA	PUBLIC HRG NOTICE BOA 1/19/12	01-32-11-6260	<u>47.56</u>
							Sum of Invoices	139.56



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00009	0		010512	05-Jan-12	BOLLS, SCOTT	DEC 2011 MILEAGE	01-32-61-7307	598.84
00058	0		010512	05-Jan-12	BURKE, PATRICK	DEC 11 MILEAGE	01-32-61-7307	172.61
00316	0		011212	12-Jan-12	METROPOLITAN FIRE MARSHALS ASSOC.	ANNUAL DUES-D. WOODS	01-32-61-6262	25.00
00187	0		123011	30-Dec-11	MICHELS, DAVID	DEC 2011 MILEAGE	01-32-61-7307	48.84
00112	0		41054	30-Dec-11	MPS	APT REOCCUPANY PAPERWORK	01-32-61-7304	581.00
00112	0		41053	30-Dec-11	MPS	FIELD CORRECTION NOTICES	01-32-61-7304	88.00
00112	0		41075	06-Jan-12	MPS	SITE IMPR. PERMIT APPLICATIONS	01-32-61-7304	29.00
00044	1	265992316-121	09-Jan-12	09-Jan-12	NEXTEL	CELL PHONES 12/6/11 TO 1/5/12	01-32-61-6253	320.99
00032	0		010112	01-Jan-12	UNSER, STEVE	DEC 2011 MILEAGE	01-32-61-7307	69.93
00057	0		010312	03-Jan-12	WOODS, DENNIS	DEC 2011 MILEAGE	01-32-61-7307	241.43
Sum of Invoices								2,175.64



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

1/18/2012

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00606	0	P001296	41269	05-Jan-12	HORNER & SHIFRIN INC	STORM WATER MASTER PLAN 12/31/	02-61-71-9509-12521	4,062.72
00156	0	P001186	0049005	09-Nov-11	L & C TRUCK REPAIR, INC.	3 V465D ENGINES, REMOVAL &	02-61-71-9516	9,748.11
01554	0	P001339	S12-11-092	29-Dec-11	SUTTER PLUMBING COMPANY, INC.	DRAIN REPAIRS ALONG MOSLEY ROA	02-61-71-9510-12601	5,989.00
00788	0	P001220	27803	14-Dec-11	DON BROWN CHEVROLET	2012 SILVERADO TRUCK	02-61-71-9516	<u>26,646.00</u>
Sum of Invoices								46,445.83
GRAND TOTAL OF ALL INVOICES								105,603.35

**AN ORDINANCE REPEALING ORDINANCE NUMBERS 1074, 1594, AND 1694,
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
OPERATION OF A VALVOLINE INSTANT OIL CHANGE SERVICE STATION
LOCATED AT 11333 OLIVE BOULEVARD**

WHEREAS, under Section 405.360(C), Gasoline Service Stations 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, conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station; and

WHEREAS, a minor site development plan was approved on February 16, 2010 for façade and signage improvements by the Planning and Zoning Commission; and

WHEREAS, an application was submitted by Jason Coil, on behalf of Valvoline Instant Oil Change, to amend Ordinance #1694 to allow for hours of operation on Sunday from 9:00 a.m. to 5:00 p.m.; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 7, 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)(2); and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5 to 1 vote, recommended approval of the application, subject to the conditions contained herein, at its meeting on November 7, 2011; 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 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. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.

4. 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 there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. 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: Ordinance #1074, Ordinance #1594, and Ordinance #1694 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a automobile service station located at 11333 Olive Boulevard, in the "CB" Core Business zoning district, whose legal description is as follows:

Part of Lot 1 of the Subdivision in partition of the farm of S.S. Matson in U.S. Survey 1962, Township 45 North, Range 5 East, A diagram of which is attached to deed recorded in Book 448 Page 306 of the records of the City (former County) of St. Louis and described as:

Beginning at a point in the north line of Olive Street Road, 60 feet wide, at its intersection with west line of said Lot 1; thence along the west line of said lot 1, north 29 degrees 26 minutes west 171.83 feet to a point in the south line of lot "F" of Park West Plat No. 2, a plat of which is recorded in Plat Book 85 Page 46 of the St. Louis County records; thence along the south line of lots "F" and "E" north 89 degrees 45 minutes 40 seconds East 321.38 feet to a point; thence continuing along the south line of lot "E" and the south line of lot "D" of said subdivision, north 87 degrees 08 minutes and 40 seconds East 150.63 feet to a point in the west line of Park West Drive, 50 feet wide, a private street, shown on said plat of Park West, Plat No. 2; thence along the west line of said drive, south 2 degrees 31 minutes 20 seconds East 125 feet to a point of curve; thence southwestwardly along a curve to the right, having a radius of 25 feet, a distance of 39.27 feet to a point in the north line of Olive Street Road; thence along the north line of said road, South 87 degrees 08 minutes 40 seconds West 129.06 feet to a point and south 89 degrees 45 minutes 40 seconds West 241.00 feet to the point of beginning, excepting therefrom that part taken by the State of Missouri for road widening in cause No. 265592 of the St. Louis County records.

Section 3: 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 an automobile service station located at 11333 Olive Boulevard.
2. The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 10:00 a.m. to 5:00 p.m. Sunday.
3. Additional business hours are permitted with the Zoning Administrator's approval.

4. The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
5. Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
6. The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
7. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
8. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
9. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
10. No pennants, fringes, lights, pinwheels, or other similar devices for attracting attention may be displayed at any time in connection with the operation of the service station.
11. No additional curbcuts shall be granted in connection with the operation of said service station, other than those shown on the site plan.
12. Refuse, such as rags or other items incidental to the use of the service stations, shall be stored indoors or shall be enclosed in a sight-proof area or container, which container shall be screened from public view.
13. No auto, trailer, tool or equipment rental shall be permitted on the site.
14. Automobile servicing on the premises shall be limited to oil changes, transmission fluid changes, differential fluid changes and minor parts replacement, such as air filter, PCV valves, transmission filters, etc., and tire rotations.
15. Sales shall be limited to automobile fluids, minor automobile parts, small automotive accessories, individual prepackages snack food and soft drinks.
16. To mitigate noise levels, a six feet high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east. Further, service bay doors shall be closed while impact wrenches are being used on Sundays, the lower level door shall remain closed at all times, and employee outdoor breaks on the premises shall be taken individually on the west side of the building.
17. A copy of all herein attached conditions shall be furnished by the owner or petitioner to the operator(s) or manager(s), including successive operator(s), owner(s), or manager(s), who shall forward to the Zoning Administrator an acknowledgement that he or she has read and understood each of these conditions and agrees to comply therewith.
18. Any mechanical equipment installed for the site shall be properly screened with approved materials.
19. 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.
20. 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.
21. 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

BILL NO. 5348

ORDINANCE NO. _____

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 4: 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 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
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

MEMO TO CITY ADMINISTRATOR

Meeting Date: November 14, 2011

Subject: Valvoline Instant Oil Change Conditional Use Permit

Memo Prepared by: Whitney Kelly, AICP
City Planner

The Planning and Zoning Commission voted to recommended approval of a new conditional use permit for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard, with several revised and new conditions to the original draft Ordinance presented to the Commission to decrease noise levels based on discussions with the resident to the north. The conditions include:

- Sunday hours are 10:00 a.m. to 5:00 p.m., instead of the requested 9:00 a.m. to 5:00 p.m.
- A six feet high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east.
- Service bay doors shall be closed while impact wrenches are being used on Sundays.
- The lower level door shall remain closed at all times.
- Employee outdoor breaks on the premises shall be taken individually on the west side of the building.

It should be noted that staff has some concern regarding the enforceability of the location of employee breaks and the irregular closure of the bay doors. The Commission was aware of the difficulty to enforce such conditions, but wanted to work with both parties to come to an agreement for Sunday hours of operation.



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
#11-028 TO REPEAL ORDINANCE NUMBERS 1074, 1594, AND 1694 AND
REPLACE WITH A NEW CONDITIONAL USE PERMIT FOR VALVOLINE
INSTANT OIL CHANGE SERVICE STATION LOCATED
AT 11333 OLIVE BOULEVARD**

FOR THE MEETING OF: November 7, 2011

LOCATION: 11333 Olive Boulevard

REQUEST:

Jason Coil, Area Manager for Valvoline Instant Oil Change, has submitted a request to amend the conditional use permit to include Sunday hours of operation from 9 AM to 5 PM. The property is located at 11333 Olive Boulevard, on the northside of Olive Boulevard, east of Craig Road and west of Park West Drive, and is currently zoned "CB" Core Business District. Current hours of operation are limited to 8:00 AM to 7:00 PM, Monday through Friday, and 8:00 AM to 6:00 PM, Saturday.

ADDITIONAL INFORMATION:

Gasoline Service Stations, which include automobile service stations, are a Conditional Use in the "CB" Core Business District. Valvoline's original Conditional Use Permit was issued in 1984 (Ordinance # 1074), amended in 1993 (Ordinance # 1594), and in 1995 (Ordinance # 1694). Staff recommends repealing all of the previous ordinances and replacing with a new ordinance.

Key Issues:

- Does the request integrate with the existing permitted use?
- Does the request further the goals and/or implement the Comprehensive Plan?

Comp. Plan References

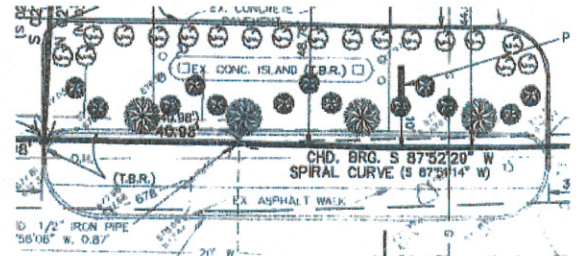
- Central Business District
- Design Guidelines: Landscaping

Zoning Code References

- Section 405.120 Definition of Terms
- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses

APPLICANTS: Jason Coil
Area Manager
Valvoline Instant Oil Change
3499 Blaser Parkway
Lexington, KY 40509

OWNER: Noles Peoperties
Dorsett 270, LLC
11361 Olive Blvd
Creve Coeur, MO 63141



REPORT PREPARED BY:

Whitney Kelly
Whitney Kelly, AICP, City Planner

11/4/2011

Date

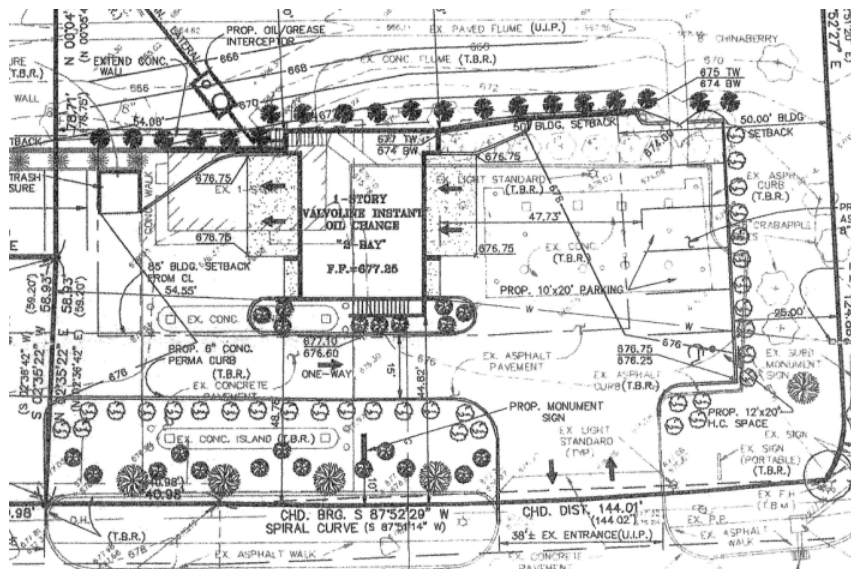
ATTACHMENTS: Draft Ordinance
Ordinance Nos. 1074, 1594, and 1694

Jason Coil, Area Manager for Valvoline Instant Oil Change, has submitted a request to amend the conditional use permit to include Sunday hours of operation from 9 AM to 5 PM. The property is located at 11333 Olive Boulevard, on the northside of Olive Boulevard, east of Craig Road and west of Park West Drive, and is currently zoned “CB” Core Business District. Current hours of operation are limited to 8:00 AM to 7:00 PM, Monday through Friday, and 8:00 AM to 6:00 PM, Saturday. No changes to the building or site are being proposed.

GASOLINE SERVICE STATION: A use primarily for supplying gasoline, oil, air and water, tires, accessories and services for motor vehicles at direct retail to the consumer including the incidental washing of motor vehicles and the making of minor repairs, but not including such major repairs as: spray painting, body, fender, clutch, transmission, differential, axle, spring and frame repairs; major overhauling of engines or radiators, requiring removal thereof or recapping or retreading of tires.

In 1984, the City Council approved a conditional use permit for a service station at 11333 Olive Boulevard that included the hours of operation of 6:00 AM to midnight, seven days per week (Ordinance #1074).

In 1993, the CUP was amended (Ordinance #1594) to allow for minor automobile servicing for oil changes, transmission fluid changes and minor parts replacement, and site development plan for the construction of the two-bay oil change facility as a Valvoline Instant Oil Change. The conditions of approval included a requirement that a final detailed landscape plan must be reviewed and approved by the Creve Coeur Planning and Zoning Commission. The hours of operation were limited to 8:00 AM to 6:00 PM, Monday through Saturday. The final Site Development Plan, including landscaping, received approval from the Planning and Zoning Commission on December 20, 1993. A detail of the site development plan landscaping is below:



In 1995, Valvoline amended the CUP (Ordinance # 1694) for additional operating hours limited to 8:00 AM to 7:00 PM Monday through Friday, and 8:00 AM to 6:00 PM Saturday. Sunday hours were requested, but not approved. Ordinance #1694 also required that a complete review of the detailed landscape plan shall be made and the landscaping shall be brought into conformance with the approved landscape plan. The approved plan was the same plan approved by Ordinance #1594.

In 2003, Valvoline Instant Oil Change, requested Sunday hours of operation from 10:00 AM to 5:00 PM, and again the site was deemed out of compliance with the approved site development plan regarding the landscaping. The request was denied at the Planning and Zoning Commission and the applicant withdrew prior to City Council review.

In February 2010, Valvoline received Planning and Zoning Commission approval for a minor Site Development for façade improvements and new signage to the building. This did not require a new ordinance and the landscape was not discussed

Given the number of ordinances that govern the site, and the potential confusion for the operator, the owner, and the City, Staff is recommending that the prior three ordinances be repealed and replaced with a new ordinance.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Residences	St. Louis Co. R-3 Residential	N/A
South	Office buildings	“CB Core Business	Olive Boulevard
East	Office buildings	“CB” Core Business	Park West Drive
West	Retail	“CB” Core Business	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Central Business District that encourages a mix of uses, including retail, residential, government, and park uses. The applicant is not proposing any changes to the use or development of the site and building, and as a retail service, the use is in keeping with the Comprehensive Plan.

Design Guidelines

The landscaping was recently removed and the site is no longer in compliance with the previous approved site development plan from 1993. Further, the previous plan no longer meets with the recommendations of the Design Guidelines. As shown above, the proposed landscaping in 1993 was very linear with straight rows of hedges. Chapter 4/Landscape Design states that The City of Creve Coeur strongly encourages high quality landscaping that accentuates the building and site, softens the effects of parking area and enhances the quality of life of the City. All landscape plans should exhibit a clear design concept. The building should be incorporated into the landscape design. Further, it is recommended that landscaped areas are to be maximized and balanced throughout the site. Tree and shrub plantings should be grouped together to create strong accent points with the site plan (page 16). Therefore Staff recommends that a condition of

approval include that the applicants submit a new landscape plan that meets or exceeds the recommendations of the Design Guidelines and the Comprehensive Plan.

ZONING REVIEW

Section 405.1070 Conditional Use Permits provides the Standards for approving Conditional Use Permits which are:

- E. Standards. The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:
 - 1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
 - 2. Will contribute to and promote the community welfare and convenience at the specific location.
 - 3. Will not cause substantial injury to the value of neighboring property.
 - 4. 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 there from.
 - 5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
 - 6. 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.

The applicant is not proposing any changes to the building or site, and is generally in conformance with requirements for a gasoline service station, except for the landscaping. Included in the condition for the hours of operation, Staff is recommending that the Zoning Administrator shall have authority to approve additional business hours without having to amend the Conditional Use Permit, similar to other businesses within the "CB" Core Business District.

Landscaping

As discussed earlier, Valvoline has removed the landscaping along Olive Boulevard as well as along the northside of the building, and thus, the site is out of compliance with the approved landscape plan from 1993, and with the goals and recommendations of the Comprehensive Plan. Due to the utility poles along Olive Boulevard, replacing the landscape to the prior approved plan would not be an option. Also, the 1993 Landscape Plan no longer represents the design aesthetic that the City would now expect.

Section 405.540(F) Design Standards for Landscape Plan states:

- 10. All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, all landscaped areas including interior parking lot islands and grass areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping. An underground irrigation system shall be installed, operated and maintained to meet the intent of this Section. Such

systems shall be required for all new developments and redevelopments projects. For sites proposing additions and/or expansions, an underground irrigation system shall be installed, operated and maintained to meet the intent of this Section, where physically practical and reasonable, as determined by the Planning and Zoning Commission.

Therefore, Staff recommends that a conditional of approval include that the applicant submit a new landscape plan be submitted for Staff approval with substantially the same number of plantings as the prior approved plan, however the type and design of the materials may be altered, in order to meet or exceed the goals and objectives of the Comprehensive Plan and Design Guidelines. Also included is the requirement that an underground irrigation system be installed and maintained to serve new landscaped areas identified on the final approved landscape plan.

Noise

Section 405.550 (2) Noise of Environmental Performance Standards requirements that sound levels and impulsive type noises shall comply with the St. Louis County noise standards as established and enforced by the St. Louis County Noise Abatement Office of the Department of Community Health and Medical Care. Therefore, the draft ordinance includes a condition for approval that the service bay doors remain closed while service is underway to protect the residents to the north in the same manner as the recent requirements for similar uses in the "LI" Light Industrial District.

FORM OF THE DRAFT ORDINANCE

The draft ordinance is generally in keeping with the original ordinances with the added condition that the applicant submits a revised Landscape Plan for Staff approval. This and other conditions discussed within the staff report which are included in the draft ordinance include:

- This Conditional Use Permit shall be for the operation of an automobile service station located at 11333 Olive Boulevard.
- The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 9:00 a.m. to 5:00 p.m. Sunday.
- Additional business hours are permitted with the Zoning Administrator's approval.
- The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
- Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
- The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
- An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.
- Service bay doors shall remain closed while service is underway.

ACTION

If the Planning and Zoning Commission finds the attached 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 Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions contained in the draft ordinance attached to the staff report dated November 4, 2011” (conditions may be added, eliminated, or modified by preceding motion).

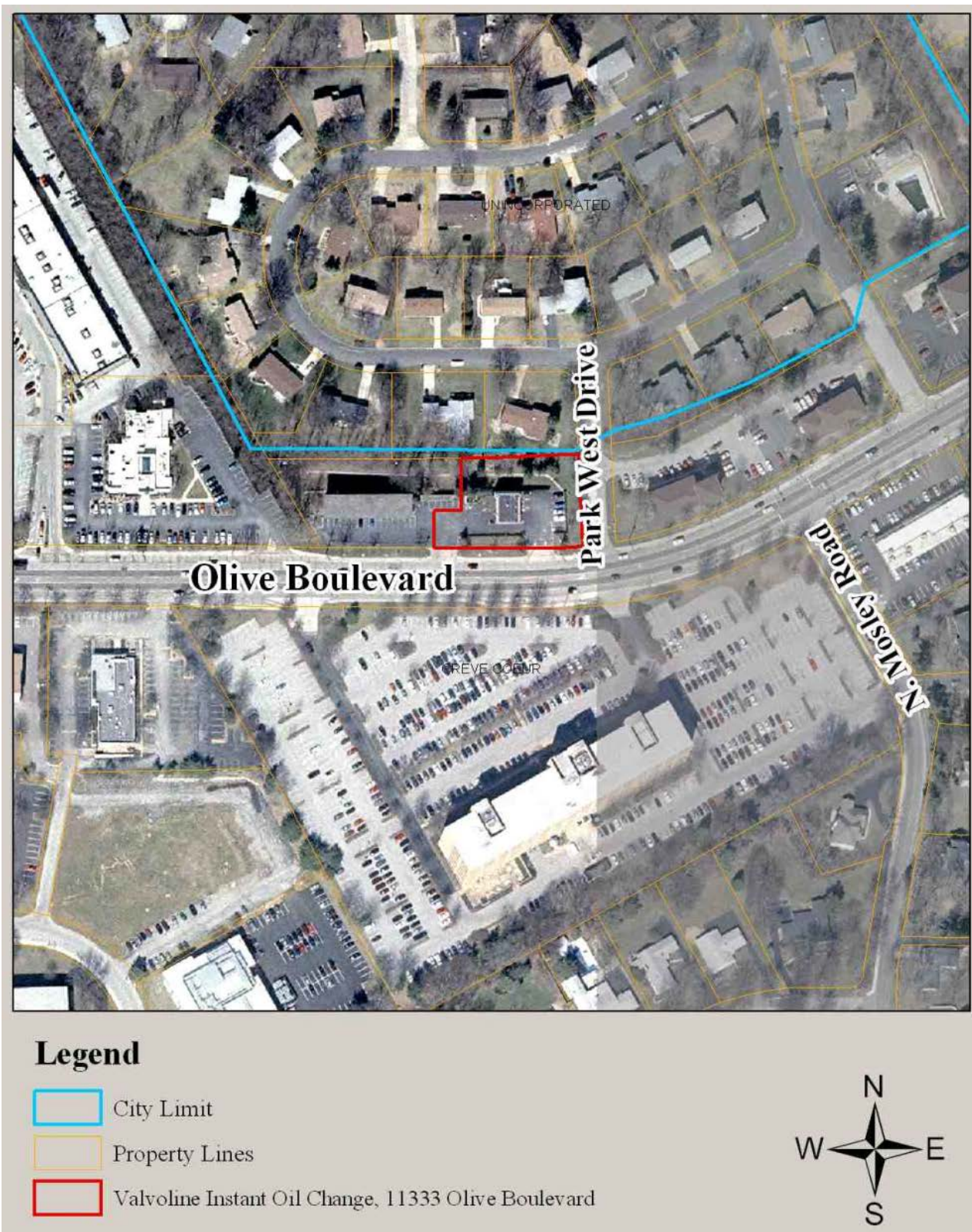
APPENDIX 1: COMPREHENSIVE PLAN

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

Photo Date: 10/28/2011 & 11/2/2011



Description: View of the property from the west entrance looking east. Notice the lack of landscaping.



Description: View of property looking west from the sidewalk.



Description: Another view of the middle island looking east from further out at the west entrance.



Description: View of the north side of the building from the northeast corner of the property. Notice the absence of the landscaping along the building and retaining wall required by the 1993 landscape plan.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING ORDINANCE NUMBERS 1074, 1594, AND 1694,
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
OPERATION OF A VALVOLINE INSTANT OIL CHANGE SERVICE STATION
LOCATED AT 11333 OLIVE BOULEVARD**

WHEREAS, under Section 405.360(C), Gasoline Service Stations 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, conditional use permit ordinance #1074, was approved by the City Council on September 10, 1984, and amended on July 26, 1993 (ordinance #1594) and on March 13, 1995 (ordinance #1694), to allow for an automobile service station; and

WHEREAS, an application was submitted by Jason Coil, on behalf of Valvoline Instant Oil Change, to amend Ordinance #1694 to allow for hours of operation on Sunday from 9:00 a.m. to 5:00 p.m.; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 7, 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)(2); and

WHEREAS, notice of 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 otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a _____ vote, recommended approval of the improvements, subject to the conditions contained herein, at its meeting on November 7, 2011; 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 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.

BILL NO. _____

ORDINANCE NO. _____

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

Section 1: Ordinance #1074, Ordinance #1594, and Ordinance #1694 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a automobile service station located at 11333 Olive Boulevard, in the "CB" Core Business zoning district, whose legal description is as follows:

Part of Lot 1 of the Subdivision in partition of the farm of S.S. Matson in U.S. Survey 1962, Township 45 North, Range 5 East, A diagram of which is attached to deed recorded in Book 448 Page 306 of the records of the City (former County) of St. Louis and described as:

Beginning at a point in the north line of Olive Street Road, 60 feet wide, at its intersection with west line of said Lot 1; thence along the west line of said lot 1, north 29 degrees 26 minutes west 171.83 feet to a point in the south line of lot "F" of Park West Plat No. 2, a plat of which is recorded in Plat Book 85 Page 46 of the St. Louis County records; thence along the south line of lots "F" and "E" north 89 degrees 45 minutes 40 seconds East 321.38 feet to a point; thence continuing along the south line of lot "E" and the south line of lot "D" of said subdivision, north 87 degrees 08 minutes and 40 seconds East 150.63 feet to a point in the west line of Park West Drive, 50 feet wide, a private street, shown on said plat of Park West, Plat No. 2; thence along the west line of said drive, south 2 degrees 31 minutes 20 seconds East 125 feet to a point of curve; thence southwestwardly along a curve to the right, having a radius of 25 feet, a distance of 39.27 feet to a point in the north line of Olive Street Road; thence along the north line of said road, South 87 degrees 08 minutes 40 seconds West 129.06 feet to a point and south 89 degrees 45 minutes 40 seconds West 241.00 feet to the point of beginning, excepting therefrom that part taken by the State of Missouri for road widening in cause No. 265592 of the St. Louis County records.

Section 3: 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 an automobile service station located at 11333 Olive Boulevard.
2. The hours of operation shall be: 8:00 a.m. to 7:00 p.m. Monday through Friday; 8:00 a.m. to 6:00 p.m. Saturday; and 9:00 a.m. to 5:00 p.m. Sunday.
3. Additional business hours are permitted with the Zoning Administrator's approval.
4. The applicant shall submit a landscape plan for approval by the Director of Community Development that shall consist of no less than the same number of plantings as the prior Site Development Plan dated December 20, 1993, approved by Ordinance #1594.
5. Approval of the Landscape Plan shall be based on the conformance with the goals and objectives of the Comprehensive Plan and Design Guidelines.
6. The site shall be maintained in accordance with the final approved Site Development Plan, and revised landscape plan required by this ordinance.
7. An underground irrigation system shall be installed and maintained to serve new landscaped areas identified on the landscape plan.

8. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
9. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
10. No pennants, fringes, lights, pinwheels, or other similar devices for attracting attention may be displayed at any time in connection with the operation of the service station.
11. No additional curbcuts shall be granted in connection with the operation of said service station, other than those shown on the site plan.
12. Refuse, such as rags or other items incidental to the use of the service stations, shall be stored indoors or shall be enclosed in a sight-proof area or container, which container shall be screened from public view.
13. No auto, trailer, tool or equipment rental shall be permitted on the site.
14. Automobile servicing on the premises shall be limited to oil changes, transmission fluid changes, differential fluid changes and minor parts replacement, such as air filter, PCV valves, transmission filters, etc.
15. Sales shall be limited to automobile fluids, minor automobile parts, small automotive accessories, individual prepackages snack food and soft drinks.
16. Service bay doors shall remain closed while service is underway.
17. A copy of all herein attached conditions shall be furnished by the owner or petitioner to the operator(s) or manager(s), including successive operator(s), owner(s), or manager(s), who shall forward to the Zoning Administrator an acknowledgement that he or she has read and understood each of these conditions and agrees to comply therewith.
18. Any mechanical equipment installed for the site shall be properly screened with approved materials.
19. 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.
20. 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.
21. 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 4: 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.

BILL NO. _____

ORDINANCE NO. _____

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2011.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2011.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MRCC
CITY CLERK

BILL NUMBER 1097

ORDINANCE NUMBER 1074

AN ORDINANCE REPEALING ORDINANCE NO. 760 AND GRANTING A NEW CONDITIONAL USE PERMIT TO A SERVICE STATION AT THE NORTHWEST CORNER OF PARK WEST DRIVE AND OLIVE BOULEVARD, 11345 OLIVE BOULEVARD, IN A "CB" CORE BUSINESS DISTRICT, SUBJECT TO CONDITIONS HEREIN.

WHEREAS, APPLICATION WAS MADE FOR A GENERAL CONDITIONAL USE PERMIT FOR A SERVICE STATION LOCATED AT PARK WEST DRIVE AND OLIVE BOULEVARD IN THE "CB" CORE BUSINESS DISTRICT, AND

WHEREAS, THE PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE BOARD OF ALDERMEN ON MONDAY, APRIL 9, 1984, AT 8:30 P.M. ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NO. 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED IN THE ST. LOUIS COUNTIAN ON THE 21 AND 28 DAY OF MARCH AND APRIL 4, 1984, AND

WHEREAS, ALL PARTIES DESIRING TO BE HEARD, EITHER FOR OR AGAINST SAID APPLICATION, WERE GIVEN AN OPPORTUNITY TO BE HEARD; AND

WHEREAS, THE BOARD OF ALDERMEN BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION WOULD BE IN HARMONY WITH THE PUBLIC HEALTH, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE:

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

SECTION 1: ORDINANCE NO. 760 IS HEREBY REPEALED.

SECTION 2: A NEW CONDITIONAL USE PERMIT IS HEREBY GRANTED FOR AN AUTOMOBILE SERVICE STATION ON THE NORTHWEST COERNER OF PARK WEST DIRVE AND OLIVE BOULEVARD IN A "CB" CORE BUSINESS DISTRICT SUBJECT TO THE HEREINAFTER STATED CONDITIONS ON THE FOLLOWING DESCRIBED PROPERTY:

PART OF LOT 1 OF THE SUBDIVISION IN PARTITION OF THE FARM OF S.S. MATSON IN U.S. SURVEY 1962, TOWNSHIP 45 NORTH, RANGE 5 EAST, A DIAGRAM OF WHICH IS ATTACHED TO DEED RECORDED IN BOOK 448 PAGE 306 OF THE RECORDS OF THE CITY (FORMER COUNTY) OF ST. LOUIS AND DESCRIBED AS:

BEGINNING AT A POINT IN THE NORTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE, AT ITS INTERSECTION WITH WEST LINE OF SAID LOT 1; THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 29 DEGREES 26 MINUTES WEST 171.83 FEET TO A POINT IN THE SOUTH LINE OF LOT "F" OF PARK WEST PLAT NO. 2, A PLAT OF WHICH IS RECORDED IN PLAT BOOK 86 PAGE 46 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE SOUTH LINE OF LOTS "F" AND "E" NORTH 89 DEGREES 45 MINUTES 40 SECONDS EAST 321.38 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTH LINE OF LOT "E" AND THE SOUTH LINE OF LOT "D" OF SAID SUBDIVISION, NORTH 87 DEGREES 08 MINUTES 40 SECONDS EAST 150.63 FEET TO A POINT IN THE WEST LINE OF PARK WEST DRIVE, 50 FEET WIDE, A PRIVATE STREET SHOWN ON SAID PLAT OF PARK WEST, PLAT NO. 2; THENCE ALONG THE WEST LINE OF SAID DRIVE, SOUTH 2 DEGREES 31 MINUTES 20 SECONDS EAST 125 FEET TO A POINT OF CURVE; THENCE SOUTHWESTWARDLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25 FEET, A DISTANCE OF 39.27 FEET TO A POINT IN THE NORTH LINE OF OLIVE STREET ROAD; THENCE ALONG THE NORTH LINE OF SAID ROAD, SOUTH 87 DEGREES 08 MINUTES 40 SECONDS WEST 129.06 FEET TO A POINT AND SOUTH 89 DEGREES 45 MINUTES 40 SECONDS WEST 241.00 FEET TO THE BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN BY THE STATE OF MISSOURI FOR ROAD WIDENING IN CAUSE NO. 265592 OF THE ST. LOUIS COUNTY RECORDS.

SECTION 3: THE CONDITIONAL USE PERMIT GRANTED SHALL BE SUBJECT TO ALL ORDINANCES, RULES AND REGULATIONS, AND THE FOLLOWING CONDITIONS:

1. A COMPLETE REVIEW OF THE SITE PLAN SHALL BE MADE TO ASSURE THAT PRESENT CONDITIONS ARE IN CONFORMANCE THEREWITH.
2. A COMPLETE REVIEW OF THE DETAILED LANDSCAPE PLAN SHALL BE MADE AND THE LANDSCAPING SHALL BE BROUGHT INTO CONFORMANCE THEREWITH.
3. THERE SHALL BE NO ADDITIONAL SIGNS, UNLESS PRESENTLY ALLOWED UNDER THE CITY'S SIGN ORDINANCE.
4. NO PENNANTS, FRINGE, LIGHTS, PINWHEELS, OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THE SERVICE STATION.

5. NO ADDITIONAL CURB CUTS SHALL BE GRANTED IN CONNECTION WITH THE OPERATION OF SAID SERVICE STATION, OTHER THAN THOSE SHOWN ON THE SITE PLAN.

6. REFUSE, SUCH AS RAGS, OR OTHER ITEMS INCIDENTAL TO THE USE OF THE SERVICE STATIONS SHALL BE STORED INDOORS OR SHALL BE ENCLOSED IN A SIGHT-PROOF AREA OR CONTAINER, WHICH CONTAINER SHALL BE SCREENED FROM PUBLIC VIEW.

7. NO AUTO, TRAILER, TOOL OR EQUIPMENT RENTAL SHALL BE PERMITTED ON THE SITE.

8. THERE SHALL BE NO AUTOMOBILE REPAIRS ON THE PREMISES.

9. SALES ARE TO BE LIMITED TO GASOLINE, OIL, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PRE-PACKAGED SNACK FOODS, SMALL PERSONAL CARE ITEMS, CIGARETTES AND TOBACCO PRODUCTS, SMALL CONVENIENCE ITEMS AND NON-ALCOHOLIC BEVERAGES, EXCLUDING MILK AND LARGE CONTAINERS OF JUICE. SALES OF ITEMS EXPRESSLY PROHIBITED ARE BEER, WINE, BREAD, EGGS, MILK, FRESH MEATS, CHEESES, BUTTER, PREPARED FOODS, ICE CREAM, TV DINNERS, FROZEN PIZZAS, CANNED GOODS, LAUNDRY DETERGENT, SPICES AND CEREALS.

10. HOURS OF OPERATION SHALL BE LIMITED TO 6:00 A.M. TO MIDNIGHT SEVEN DAYS PER WEEK.

11. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S), INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S), OR MANAGER(S), WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

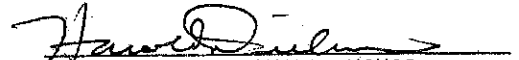
12. ANY TRANSFER OR OWNERSHIP OR LEASE OF THE PROPERTY SHALL INCLUDE IN THE TRANSFER OR LEASE AGREEMENT A PROVISION THAT THE PURCHASER LESSEE AGREES TO BE BOUND BY THE CONDITIONS HEREIN SET FORTH AND APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

13. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND TO THE OPERATOR OF SAID FACILITY.

14. 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 BOARD OF ALDERMEN, PROVIDED, HOWEVER, NO
PERMIT SHALL BE REVOKED WITHOUT REASONABLE NOTICE TO THE OWNER OF THE
INTENTION OF THE BOARD OF ALDERMEN TO REVOKE AND REASONABLE TIME
GRANTED TO THE OWNER TO CORRECT ANY SUCH BREACH OF CONDITION.

SECTION 4: THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE
EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE BOARD OF ALDER-
MEN AND THE SIGNING THEREOF BY THE MAYOR.

PASSED THIS 10TH DAY OF SEPTEMBER 1984.


HAROLD L. DIELMANN, MAYOR

APPROVED THIS 10TH DAY OF SEPTEMBER 1984.


HAROLD L. DIELMANN, MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

BILL NUMBER 1630

ORDINANCE NUMBER 1594

AN ORDINANCE AMENDING ORDINANCE NUMBER 1074 WHICH AUTHORIZED THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A SERVICE STATION LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND PARK WEST DRIVE, IN THE "CB" CORE BUSINESS DISTRICT BY DELETING CONDITIONS 8, 9, 10 AND 14 AND ENACTING IN LIEU THEREOF NEW CONDITIONS NUMBERED 8, 9, 10 AND 14 AND BY THE ADDITION OF NEW CONDITIONS NUMBERED 15 AND 16.

WHEREAS, APPLICATION WAS MADE FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT AUTHORIZED BY ORDINANCE 1074 FOR THE OPERATION OF A SERVICE STATION TO ALLOW THE PERFORMANCE OF MINOR AUTOMOBILE SERVICING ON SITE TO INCLUDE OIL CHANGES, TRANSMISSION FLUID CHANGES AND MINOR PARTS REPLACEMENT. ALSO, TO ALLOW THE DEMOLITION OF EXISTING FACILITIES ON SITE AND TO CONSTRUCT A NEW TWO BAY OIL CHANGE FACILITY. THE USE IS LOCATED ON THE NORTHWEST CORNER OF OLIVE BOULEVARD AND PARK WEST DRIVE, IN THE "CB" CORE BUSINESS DISTRICT, AND

WHEREAS, THE CREVE COEUR PLANNING AND ZONING COMMISSION RECOMMENDED APPROVAL OF SAID APPLICATION, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, JUNE 28, 1993 AT 6:30 P.M. OR IMMEDIATELY FOLLOWING THE CLOSE OF THE PREVIOUS PUBLIC HEARING, ON SAID APPLICATION FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON JUNE 9, 16, AND 23, 1993 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 AT SAID PUBLIC HEARING, AND

WHEREAS, THE CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE GRANTING OF THE APPLICATION 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 CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, THAT ORDINANCE NUMBER 1074, SECTION 2 OF THE CITY OF CREVE COEUR SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

SECTION 1: ORDINANCE NUMBER 1074, SECTION 2 CONDITIONS 8, 9, 10 AND 14 ARE HEREBY REPEALED AND ENACTING IN LIEU THEREOF NEW CONDITIONS 8, 9, 10 AND 14 AND THE ADDITION OF CONDITIONS 15 AND 16 ALL TO READ AS FOLLOWS:

8. AUTOMOBILE SERVICING ON THE PREMISES SHALL BE LIMITED TO OIL CHANGES, TRANSMISSION FLUID CHANGES, DIFFERENTIAL FLUID CHANGES AND MINOR PARTS REPLACEMENT, SUCH AS AIR FILTERS, PCV VALVES, TRANSMISSION FILTERS, ETC.
9. SALES SHALL BE LIMITED TO AUTOMOBILE FLUIDS, MINOR AUTOMOBILE PARTS, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PREPACKAGED SNACK FOODS AND SOFT DRINKS.
10. HOURS OF OPERATION SHALL BE LIMITED TO 8:00 A.M. TO 6:00 P.M. MONDAY THROUGH SATURDAY.
14. 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 CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS.
15. THE FINAL BUILDING PLANS FOR THE FACILITY MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION.
16. THE FINAL DETAILED LANDSCAPE PLAN MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION AND MUST INDICATE PROPOSED SCREENING AND BUFFERING OF THE ADJACENT RESIDENTIAL AREA.

SECTION 2. 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 1 OF THIS ORDINANCE.

SECTION 3. THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

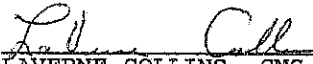
PASSED THIS 26th DAY OF July, 1993


SUE BAUM, MAYOR

APPROVED THIS 26th DAY OF July, 1993


SUE BAUM, MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

830/36

BILL NUMBER 1736

ORDINANCE NUMBER 1694

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 1074 AS AMENDED BY ORDINANCE NUMBER 1594 WHICH AUTHORIZED THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE OPERATION OF A SERVICE STATION LOCATED AT 11333 OLIVE BOULEVARD, IN THE "CB" CORE BUSINESS DISTRICT, BY DELETING SECTION 2 OF ORDINANCE NUMBER 1074 AS AMENDED IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 2 AS CONTAINED HEREIN.

WHEREAS, THE CITY OF CREVE COEUR RECOGNIZED THE NEED TO CONSIDER AN AMENDMENT TO THE CONDITIONAL USE PERMIT AUTHORIZED BY ORDINANCE NUMBER 1074 AND AMENDED BY ORDINANCE NUMBER 1594 TO ADDRESS THE ISSUE OF EXTENDED OPERATING HOURS, AS REQUESTED BY VALVOLINE INSTANT OIL CHANGE, MR. GEORGE STOCK, JR., REPRESENTATIVE, FOR THE FACILITY LOCATED AT 11333 OLIVE BOULEVARD, IN THE "CB" CORE BUSINESS DISTRICT, AND

WHEREAS, THE CREVE COEUR PLANNING AND ZONING COMMISSION HAS RECOMMENDED APPROVAL OF SUCH AMENDMENT, AND

WHEREAS, A PUBLIC HEARING WAS HELD BY THE CREVE COEUR CITY COUNCIL ON MONDAY, JANUARY 23, 1995 AT 7:30 P.M. ON SAID AMENDMENT FOR THE CONDITIONAL USE PERMIT AS PROVIDED BY ARTICLE VIII, SECTION 26-114 OF ORDINANCE NUMBER 1044 OF THE CITY OF CREVE COEUR, AND

WHEREAS, NOTICE OF PUBLICATION FOR SAID PUBLIC HEARING HAD BEEN PREVIOUSLY PUBLISHED ON JANUARY 3, 10 AND 17, 1995 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 AMENDMENTS, WERE GIVEN AN OPPORTUNITY TO BE HEARD, AND

WHEREAS, THE CREVE COEUR CITY COUNCIL BEING FULLY INFORMED FINDS THAT THE PROPOSED AMENDMENTS WOULD BE IN HARMONY WITH HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE OF THE CITIZENS OF THE CITY OF CREVE COEUR AND IN CONFORMANCE WITH GOOD ZONING PRACTICE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, THAT ORDINANCE NUMBER 1074 AS AMENDED BY ORDINANCE NUMBER 1594, SECTION 2 OF THE CITY OF CREVE COEUR SHALL BE AND IS HEREBY AMENDED AS FOLLOWS:

SECTION 1: ORDINANCE NUMBER 1074, SECTION 2, AS AMENDED BY ORDINANCE NUMBER 1594 IS HEREBY REPEALED IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 2 TO READ AS FOLLOWS:

1. A COMPLETE REVIEW OF THE SITE PLAN SHALL BE MADE TO ASSURE THAT PRESENT CONDITIONS ARE IN CONFORMANCE THEREWITH.
2. A COMPLETE REVIEW OF THE DETAILED LANDSCAPE PLAN SHALL BE MADE AND THE LANDSCAPING SHALL BE BROUGHT INTO CONFORMANCE THEREWITH.
3. THERE SHALL BE NO ADDITIONAL SIGNS, UNLESS PRESENTLY ALLOWED UNDER THE CITY'S SIGN ORDINANCE.
4. NO PENNANTS, FRINGES, LIGHTS, PINWHEELS, OR OTHER SIMILAR DEVICES FOR ATTRACTING ATTENTION MAY BE DISPLAYED AT ANY TIME IN CONNECTION WITH THE OPERATION OF THE SERVICE STATION.
5. NO ADDITIONAL CURB CUTS SHALL BE GRANTED IN CONNECTION WITH THE OPERATION OF SAID SERVICE STATION, OTHER THAN THOSE SHOWN ON THE SITE PLAN.
6. REFUSE, SUCH AS RAGS OR OTHER ITEMS INCIDENTAL TO THE USE OF THE SERVICE STATIONS, SHALL BE STORED INDOORS OR SHALL BE ENCLOSED IN A SIGHT-PROOF AREA OR CONTAINER, WHICH CONTAINER SHALL BE SCREENED FROM PUBLIC VIEW.
7. NO AUTO, TRAILER, TOOL OR EQUIPMENT RENTAL SHALL BE PERMITTED ON THE SITE.
8. AUTOMOBILE SERVICING ON THE PREMISES SHALL BE LIMITED TO OIL CHANGES, TRANSMISSION FLUID CHANGES, DIFFERENTIAL FLUID CHANGES AND MINOR PARTS REPLACEMENT, SUCH AS AIR FILTER, PCV VALVES, TRANSMISSION FILTERS, ETC.
9. SALES SHALL BE LIMITED TO AUTOMOBILE FLUIDS, MINOR AUTOMOBILE PARTS, SMALL AUTOMOTIVE ACCESSORIES, INDIVIDUAL PREPACKAGED SNACK FOODS AND SOFT DRINKS.
10. HOURS OF OPERATION SHALL BE LIMITED TO 8:00 A.M. TO 7:00 P.M. MONDAY THROUGH FRIDAY, AND 8:00 A.M. TO 6:00 P.M. SATURDAY.

11. A COPY OF ALL HEREIN ATTACHED CONDITIONS SHALL BE FURNISHED BY THE OWNER OR PETITIONER TO THE OPERATOR(S) OR MANAGER(S), INCLUDING SUCCESSIVE OPERATOR(S), OWNER(S), OR MANAGER(S), WHO SHALL FORWARD TO THE ZONING ENFORCEMENT OFFICER AN ACKNOWLEDGEMENT THAT HE OR SHE HAS READ AND UNDERSTOOD EACH OF THESE CONDITIONS AND AGREES TO COMPLY THEREWITH.

12. ANY TRANSFER OR 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 CONDITIONS HEREIN SET FORTH AND THE APPROVED DEVELOPMENT PLAN FOR THE PROPERTY.

13. ALL CONDITIONS CONTAINED WITHIN THIS PERMIT SHALL BE POSTED UPON THE PROPERTY IN SUCH A MANNER THAT IT IS VISIBLE TO THE PUBLIC AND TO THE OPERATOR OF SAID FACILITY.

14. FAILURE TO COMPLY WITH ANY ONE OR ALL OF THE CONDITIONS OF THIS PERMIT SHALL BE ADEQUATE CAUSE FOR THE REVOCATION AND/OR MODIFICATION OF SAID PERMIT BY THE CITY COUNCIL PROVIDED, HOWEVER, NO PERMIT SHALL BE REVOKED OR MODIFIED WITHOUT PRIOR NOTICE TO THE OWNER OF THE INTENTION OF THE CITY COUNCIL TO REVOKE OR MODIFY THIS PERMIT AND REASONABLE TIME GRANTED TO THE OWNER TO CORRECT OR REMEDY ANY SUCH BREACH OF CONDITION, EXCEPT FOR REPEATED BREACHES OR VIOLATIONS.

15. THE FINAL BUILDING PLANS FOR THE FACILITY MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION.

16. THE FINAL DETAILED LANDSCAPE PLAN MUST BE REVIEWED AND APPROVED BY THE CREVE COEUR PLANNING AND ZONING COMMISSION AND MUST INDICATE PROPOSED SCREENING AND BUFFERING OF THE ADJACENT RESIDENTIAL AREA.

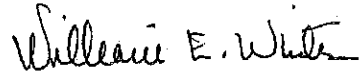
SECTION 2: THE CITY ADMINISTRATOR OF THE CITY OF CREVE COEUR IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE AN AMENDED CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE, SAID PERMIT TO EXPRESSLY PROVIDE FOR THE CONDITIONS AND STIPULATIONS HEREINABOVE SET OUT IN SECTION 1 OF THIS ORDINANCE.

SECTION 3: THIS ORDINANCE SHALL BECOME EFFECTIVE AT THE EXPIRATION OF FIFTEEN (15) DAYS AFTER ADOPTION BY THE CITY COUNCIL AND THE SIGNING THEREOF BY THE MAYOR.

ADOPTED BY CITY COUNCIL THIS 13 DAY OF March, 1995.


ROBERT PENNELL
PRESIDENT OF CITY COUNCIL

APPROVED THIS 13 DAY OF March, 1995.


WILLIAM E. WINTER
MAYOR

ATTEST:


LAVERNE COLLINS, CMC
CITY CLERK

112/202



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, NOVEMBER 7, 2011
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, November 7, 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*
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Jim Schnarr
 Mr. Ken Howard
 Ms. Cynthia Kramer

OTHERS PRESENT: *Mr. Carl Lumley, City Attorney*
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, City Planner
 Ms. Julie Lowery, Recording Secretary

2. NEW BUSINESS

- A. Application #11-028: Request to amend a conditional use permit to allow for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard. Staff recommends repealing Ordinances numbers 1074, 1594, and 1694 and replace with a new conditional permit.**

Applicant/Agent: Jason Coil
 Area Manager
 Valvoline Instant Oil Change
 3499 Blaser Parkway
 Lexington, KY 40509

Start of Public Hearing

Applicant's Presentation:

Ms. Kelly, City Planner, presented on behalf of Mr. Coil's request to amend the conditional use permit to include Sunday hours of operation from 9am to 5pm. Staff is asking Valvoline for new/additional landscaping for landscaping that has been removed, which can be approved at staff level if the commission agrees. Staff has also suggested the bay doors be closed to eliminate noise for the residential neighbors.

Mr. Jason Coil, Area Manager, Valvoline Instant Oil Change, 1510 Chambers Road, Dellwood, MO 63136 approached the podium to take questions from the Commission.

Comments or questions from Commission members:

Mr. Eberhardt would like to know why staff recommends closing of the bay doors when service is being provided, especially in the summer with the building not being air conditioned. Ms. Kelly replied that Valvoline also performs tire rotations with drills and guns and trying to stay compliant with other recent requests, like the Light Industrial District (“LI” District).

Mr. Schnarr stated that Valvoline, by the city’s definition, is a service station and he believes it to not be a service station. Ms. Kelly replied they do not just change oil and fluid out of vehicles, they do perform tire rotations and changes.

Mr. Faron asked if Mr. Coil had an idea for the new landscaping plans and Mr. Coil stated that he did not, but they would meet any terms the Commission and Council set for Valvoline. Mr. Faron asked if he was aware of what the 1993 plan looked like and Mr. Coil replied he had seen that plan. Mr. Coil reiterated that if the plan was to go back to the 1993 plan, they would, they are more than willing to meet the standard the Commission and Council set forth. Ms. Kelly stated the 1993 plan is not what they are requesting due to the utility line, but what staff is asking for is a similar number of plantings that can be dispersed throughout the area and would like it to match the neighbors. Mr. Coil would like to ask the plantings not interfere with the low laying sign, to make sure the sign is still visible from the road. Mr. Coil also mentioned that the building was un-air conditioned and having the bay doors closed could be a hazard to the employees in the summer.

Comments and questions from the audience:

Ms. Suzanne Harris, 143 Nassau Circle, spoke in opposition of this request. Ms. Harris lives directly behind the Valvoline. Ms. Harris does not think the noise from the tools and the noise of the employees/customers talking is not conducive to family life. Ms. Harris did not believe the bay doors being closed was an option though, because of the extreme temperatures this area can face during spring/summer/fall months. However there is a back door that remains open and noise comes from there as well. Ms. Harris stated she has always thought the City of Creve Coeur has been receptive to the neighbor’s plight of those neighbors who back up to the city, with the “good neighbor” policy. Ms. Harris also stated the noise travels straight down the hill with nothing there to block it. Ms. Harris also said she can understand working hours on Saturday as it is a “working” day, but that she did not feel like it was appropriate noise to be hearing on a Sunday.

Mr. Coil addressed Valvoline’s reasons for wanting to have Sunday hours. Mr. Coil said, the economy is tough and it is hard on business’s and hard on employment by increasing the Sunday hours more employees can work and the revenue will be increased per month, which is taxable to the city. Addressing the noise reduction, Mr. Coil said the door downstairs can be closed at all times, as a mandatory condition. Also, on the sides of the building there are two (2) 4 foot fences that go down, if needed or requested, Valvoline would increase the fences to 8 foot privacy fences. Chairman Madden stated he would be in favor of increasing the height of the fencing.

Mr. Eberhardt asked if city staff would consider a higher fencing and some plantings next to the fence to help absorb the sound. Mr. Coil stated that at the back of the property where the building ends, there is a 20-30 foot clearance of grass and a row of trees. Mr. Eberhardt said he does not think that trees are going to stop noise, maybe a hedge or some kind of buffer would be better. Mr. Coil understands what Mr. Eberhardt is saying, but that the Valvoline building sits much higher than the level of the residential neighbors.

Mr. Langdon shared a couple of observations on trying to mitigate sound, stating vegetation does a poor job of mitigating sound. While vegetation gives the impression of absorbing sound, it does not, and wood fences also have limited effect to absorb sounds. Mr. Langdon stated a solid barrier with a dead space in it to effectively attenuate noise. Mr. Langdon said while increasing the fence and planting might help a little, it is not going to help that much. Mr. Schnarr asked if cedar wouldn't absorb sound, and Mr. Langdon replied it would not. Mr. Eberhardt asked if the primary problem was the noise coming from the lower door or the bay doors. Ms. Harris said the bay doors were giving out more noise than the lower back door. Mr. Faron asked if a sound wall was an option and Mr. Coil said it would be something he would have to look into because it would be a large expense.

Mr. Madden then questioned the hours proposed, which are 9am-5pm, and suggested a later opening time of 10am-5pm, for the sake of the neighbors. Ms. Harris replied anything would make it better. Mr. Faron asked if the space could be conditioned, and Mr. Coil said he can set rules to dictate how much time can be spent on that end of the building and regulate when employees take breaks, so there are not more than one person on a break at a time. Ms. Harris stated that an 8 foot fence would help. Mr. Schnarr asked if a fence made of PVC would be better than wood and Mr. Coil responded that they would rather use vinyl than wood.

Chairman Madden stated the conditions discussed which would be to open at 10am, put in 8 foot vinyl fence, landscape work with staff and tell employees to take breaks over by dumpster.

Mr. Coil brought up his concern about being made to keep the bay doors closed because in the summertime the heat is too unbearable to do that. Ms. Harris and Chairman Madden both agreed that is not feasible.

Mr. Langdon pointed out to the commission that they have the ability to approve fences over 6 feet in height and wanted to make sure the commission was clear about the extent of the fence, because an 8 foot fence is a big fence and how far it should run in terms of length of the property. Chairman Madden clarified that the fence would run from the dumpster to the building and on the other end of the building to the end of the parking lot. Discussion on the height of the fence continued, finally settling on 6 feet for the height.

Chairman Madden, once again stated the conditions discussed, which would be to open at 10am, put up a 6 foot vinyl fence from the door all the way to the end of the property, employees will take their breaks by the dumpster corral, the landscaping plan to be worked with the City of Creve Coeur staff, keep the bottom downstairs back door closed, and no requirement on the bay doors staying closed.

Mr. David Caldwell, 257 Brooktrail Court, thinks it is a double standard to allow Valvoline to keep their bay doors open, when in the “LI” District the conditions were the bay doors had to remain closed. Ms. Kramer replied she recalls the issue with the bay doors in the “LI” District being different than the applicant’s request. Mr. Langdon spoke up as the City Council liaison, stating at the council meeting when the used car sales discussion took place that questions were raised asking specifically what level of service could be done. Mr. Langdon stated Mr. Caldwell is correct that in the Council’s mind where ultimately the ordinance will be accepted or declined, it was the kind of service should be screened with closed doors. Mr. Langdon also pointed out in the draft ordinance it states the bay doors remain closed to try and be consistent with previous requests, i.e. “LI” District, but if the Commission wants to back away from that condition, it is the commission’s right to do so.

Mr. Eberhardt suggested that the doors remain closed unless it reaches a certain temperature, and Mr. Coil responded he would rather alter his business and not do tire rotations/changes on Sunday than have to have an employee outside with a temperature gauge to see if the doors are required to be opened or closed.

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

(This ends the Public Hearing; see verbatim transcript for further information)

Mr. Howard pointed out that this applicant has had many landscaping violations, and he would like to table this application to have a clearer understanding, due to the substantial changes to the draft ordinance.

No further comments and questions from the audience or the Commission.

There being no further comments, the motion was made by Mr. Eberhardt to recommend approval of the Conditional Use Permit for Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions contained in the draft ordinance attached to the staff report dated November 4, 2011.

Chairman Madden made a motion to amend the motion with Sunday hours are 10:00 am to 5 pm, a six-foot high solid vinyl fence shall be installed along the rear edge of the paved areas, from the building to the dumpster corral on the west and from the building to the edge of the pavement on the east, service bay doors shall be closed while impact wrenches are being used on Sundays, the lower level door shall remain closed at all times, and employee outdoor breaks on the premises shall be taken individually on the west side of the building. Ms. Kramer seconded the motion with the resultant vote as follows:

Mr. Faron – aye
Mr. Schnarr – aye

Mr. Eberhardt – aye
Ms. Kramer – aye

Chair – aye
Mr. Howard – aye

Then the motion was made to approve the Conditional Use Permit for Valvoline Instant Oil Change submitted with Application #11-028, subject to the conditions as amended, with the resultant vote as follows:

Mr. Faron – aye
Mr. Schnarr – aye

Mr. Eberhardt – aye
Ms. Kramer – aye

Chair – aye
Mr. Howard – nay

3. **ADJOURNMENT**

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 8:15 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary



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

November 9, 2011

Mr. Jason Coil
Valvoline Instant Oil Change
1510 Chambers Road
Dellwood, MO 63136

Re: Conditional Use Permit #11-028 – Sunday hours of operation for Valvoline Instant Oil Change
11333 Olive Boulevard

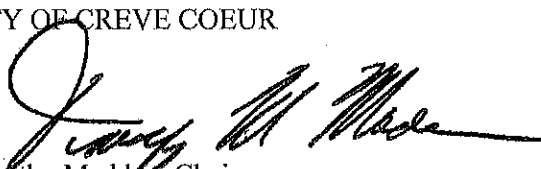
Mr. Coil:

The Planning and Zoning Commission, at its meeting of November 7, 2011, reviewed your request on behalf of Valvoline Instant Oil Change, for approval of the conditional use permit to allow for Sunday hours of operation for the Valvoline Instant Oil Change at 11333 Olive Boulevard.

By majority vote (5 ayes and 1 nay), the P&Z Commission recommends approval of your request subject to the conditions in the attached draft ordinance.

Sincerely,

CITY OF CREVE COEUR



Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official

PZ 110711.txt
1 PLANNING AND ZONING COMMISSION PUBLIC HEARING
2 CITY OF CREVE COEUR, MISSOURI
3 300 NORTH NEW BALLAS ROAD
4 MONDAY, NOVEMBER 7, 2011
5 7:00 P.M.
6
7 THOSE IN ATTENDANCE:
8 Mr. Tim Madden, Chair
Mr. Gary Eberhardt, Vice Chair
9 Mr. James Faron
Mr. Ken Howard
10 Mr. Jim Schnarr
Mr. Carl Lumley, City Attorney
11 Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
12 Ms. Julie Lowery, Recording Secretary

13
14
15
16
17
18
19
20
21
22

23 McLaughlin Court Reporting Services, Inc.
24 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR
4772 Gatesbury Drive
25 St. Louis, MO 63128
(314)487-2259

1 CHAIRMAN MADDEN: Like to call to order the 1
2 Planning Zoning Commission meeting for the City of Creve
3 Coeur, Missouri for Monday November 7th, 2011.
4 We'll start with roll call.
5 Dr. Barton won't be here tonight.
6 Mr. Eberhardt?

7 MR. EBERHARDT: Present.
8 CHAIRMAN MADDEN: Mr. Faron?
9 MR. FARON: Present.
10 CHAIRMAN MADDEN: Mr. Howard?
11 MR. HOWARD: Present.
12 CHAIRMAN MADDEN: Ms. Kramer?
13 MS. KRAMER: Present.
14 CHAIRMAN MADDEN: Mr. Schnarr?
15 MR. SCHNARR: Present.
16 CHAIRMAN MADDEN: Mr. Lumley, our City Attorney?
17 MR. LUMLEY: Present.
18 CHAIRMAN MADDEN: Mr. Langdon, our Director of
19 Community Development?
20 MR. LANGDON: Present.
21 CHAIRMAN MADDEN: Ms. Kelly, our City Planner?
22 MS. KELLY: Present.
23 CHAIRMAN MADDEN: Ms. Lowery, our Recording
24 Secretary?
25 MS. LOWERY: Present.

1 So we'll move to new business, which will be a²
2 Public Hearing, Application No. 11-028, request to amend a
3 conditional use permit to allow for Sunday hours of
4 operation for the Valvoline Instant Oil Change at 11333
5 Olive Boulevard.

6 And would you please state your -- sorry. Yeah,
7 if anybody else is going to talk on this, if they'd come
8 up and get sworn in now, it'd be great.

9 (Speakers were sworn by the court reporter.)

10 MS. KELLY: Good evening. Whitney Kelly, City
11 Planner for the City of Creve Coeur.

12 Jason Coil, Area Manager for Valvoline Instant
13 Oil Change, has submitted a request to amend their
14 conditional use permit to allow for Sunday business hours.

15 The site is generally in conformance with the
16 existing CUP, however, since there are a number of
17 amendments to those, we are recommending that we repeal
18 and replace it with a new CUP with the hours -- with the
19 changes indicated.

20 We are asking for additional landscaping. A new
21 landscape plan for the area for those landscaping that has
22 been removed, and that can be approved internally at staff
23 level, if you're in agreement with that.

24 And we've also suggested that we include that
25 the bay doors be closed to eliminate any noise for the

1 residents behind them. 3

2 Other than that, there are no other issues and
3 the Applicant is here for any questions.

4 CHAIRMAN MADDEN: Would you please state your
5 name and address.

6 MR. COIL: My name is Jason Coil. I'm the area
7 manager for Valvoline Instant Oil Change.

8 CHAIRMAN MADDEN: And your address, please.

9 MR. COIL: My office address is 1510 Chambers
10 Road, Dellwood, Missouri, 63136.

11 CHAIRMAN MADDEN: Thank you. Is there any
12 questions?

13 Mr. Eberhardt.

14 MR. EBERHARDT: Yeah, I have a question as to
15 why the staff report requires the bay doors to be closed
16 when service is being provided.

17 My question is this. I have my oil changed at
Page 3

18 Valvoline fairly frequently. And during the summer, I
19 don't think your place is air-conditioned on the inside,
20 is it?

21 MR. COIL: No, sir.

22 MR. EBERHARDT: And -- and I know it gets
23 extremely hot in there. And I guess I'm not quite clear
24 what kind of noise emanates from this kind of a business.

25 It's -- I hear the guys yelling at each other

1 about sending a filter down in the pit, but by itself, oil⁴
2 change and fluid changes aren't very noisy, so I was just
3 curious as to why that requirement popped up.

4 MS. KELLY: Well, they also do tire rotation and
5 the guns from the -- to remove the bolts can be very loud,
6 and it's just to be in compliance with the discussions
7 that we recently had -- had with the LI District when auto
8 servicing was being proposed along with the used auto
9 sales, in that when you're abutting a residential district
10 you should, to eliminate any noise beyond the property
11 line, to keep those service bay doors closed. And they
12 are -- have residents right behind there.

13 MR. SCHNARR: But the definition of Valvoline as
14 a service station, according to the City's definition of a
15 service station, it's not a service station.

16 You look at all the things that you say a
17 service station does, all he does is change oil and put in
18 a battery.

19 MS. KELLY: They also do tire rotation.

20 MR. SCHNARR: I'm sorry?

21 MS. KELLY: They also do tire rotation.

22 MR. SCHNARR: Do you do tires?

23 MR. COIL: Yes, sir, we do tire rotation and
24 fluid exchanges on your --
25 MR. SCHNARR: Okay.

5

1 MR. COIL: -- maintenance.
2 CHAIRMAN MADDEN: Any other questions up here?
3 MR. FARON: Your new landscape, do you have a
4 idea for what the new landscaping might be; any proposals
5 for that?
6 MR. COIL: Right now, no, we don't. When this
7 was brought to my attention -- I just took over this
8 location within the last five months. When I took the
9 location over, the landscaping, as it is -- the way it is
10 right now. When it was brought to my attention, I told
11 Ms. Kelly that we could come to whatever terms needed by
12 the Council to make it right.
13 MR. LANGDON: Sir -- sir, I'm sorry, before you
14 proceed any further, would you step to the microphone --
15 MR. COIL: I'm sorry.
16 MR. LANGDON: -- so we can record your comments.
17 MR. FARON: Have you seen the 1993 plan?
18 MR. COIL: Yes. Where it had the bushes and --
19 MR. FARON: Uh-huh.
20 MR. COIL: -- all along the front, yes.
21 And as I stated before, was that if -- if the
22 requirement was to go back to this specific illustration,
23 we will do so if needed.
24 CHAIRMAN MADDEN: Are you okay with that,
25 Whitney?

6

1 MS. KELLY: Well, we aren't asking for this
2 specific illustration simply because the utilities line

3 here won't allow the trees along -- these trees, but what
4 we are asking is just a similar number of plantings that
5 could be dispersed throughout this area.

6 We kind of want it to match the neighbors. They
7 have lovely grasses and a variety of hard scape and soft
8 scape, so we would just ask for a similar number of
9 plantings, and for it to be internally approved per your
10 direction.

11 MR. COIL: And then one more thing. The only
12 thing that we would ask is, obviously, to make it fit, but
13 because of the new building signage we have up, we have a
14 very low sign on the front corner, so if we put too much
15 landscaping on the front corner, you won't see the signage
16 at all, so we'd have to be careful in the placement of the
17 plants, but other than that --

18 MR. FARON: You talking about this sign to the
19 east there?

20 MR. COIL: Yes. Right here.

21 MR. FARON: So you wouldn't possibly move that;
22 you'd just leave that there? You have some --

23 MR. COIL: Well, right now there are no bushes
24 right there at all. According to the plan, there should
25 be, but they -- those were removed to put the new signage

7
1 in that was approved last year.

2 MR. FARON: And I saw some signage on the
3 building. I assume you wouldn't want any tall landscaping
4 there, you'd keep it --

5 MR. COIL: Correct.

6 MR. FARON: -- low, but pull it back --

7 MR. COIL: But actually those have been

8 replaced. The new ones. The old ones all died, so those
9 have been replaced as it is.

10 MS. KELLY: This in the island up next to the
11 building, those have been replaced.

12 What we're really focusing on is this area right
13 here. There's a tree in this corner and one in this
14 corner, and we could certainly work on the level, moving
15 it to either side.

16 MR. FARON: Yeah, looks like it's been taken
17 out.

18 MS. KELLY: Creating a nice landscape for that
19 area.

20 CHAIRMAN MADDEN: And you'll work with them,
21 right --

22 MS. KELLY: Right.

23 CHAIRMAN MADDEN: -- as long as we approve it?
24 Okay.

25 I think we're all okay with that.

8

1 Anything else?

2 Okay. Is there anybody in the audience?

3 Ms. Susan Harris.

4 Ms. Harris, would you please state your name and
5 address, please.

6 MS. HARRIS: Yeah, Susanne Harris, 143 Nassau
7 Circle, which is directly behind Valvoline.

8 CHAIRMAN MADDEN: Okay.

9 MS. HARRIS: And I am in opposition of the
10 Sunday hours, basically, due to the noise. And it's not
11 just from the operational noise, although that is
12 significant.

13 Anybody standing outside of the building, you
Page 7

14 can hear every conversation that goes on, be it customers
15 or workers on break or workers on lunch hour; every word
16 is audible from my backyard. And sometimes the
17 conversation is rather interesting, it includes Friday
18 night stories and proposed Saturday night stories, and the
19 language is sorted, and not all the time, but -- but it
20 is, it does happen. And it's not conducive to family
21 life.

22 I don't believe that the bay doors, if the
23 building is not air-conditioned, that they could
24 conceivably keep the bay doors closed.

25 And it's not only the bay doors. There's a back

9
1 door down at the under -- the lower level that is also
2 open that you can -- can hear them yelling from the lower
3 level to the upper level during their operational hours
4 so.

5 I do know that the City of Creve Coeur has
6 always had been receptive to our plight, those of us who
7 back up to -- to the city, and with their good neighbor
8 policy, and, hopefully, that you'll consider that again
9 this evening with these operational hours.

10 The -- the noise flows right down the hill. So,
11 and there's nothing there to block it so --

12 CHAIRMAN MADDEN: Okay.

13 MS. HARRIS: -- it's -- the noise is
14 significant. And Saturdays is, you know, acceptable, it's
15 kind of a workday, it's, you know, but Sunday is a family
16 day, and I don't want to listen to that. And I don't want
17 anybody else to have to listen to it, especially the
18 children.

19 CHAIRMAN MADDEN: Thank you very much.

20 MS. HARRIS: Thank you.

21 MR. COIL: Can I add something?

22 CHAIRMAN MADDEN: Yes.

23 MR. COIL: As far as the Sunday goes, I just
24 want to kind of, in line, what we're doing is we know the
25 economy is tough right now. And it's hard on businesses;

10
1 it's hard on employment.

2 By increasing the Sunday hours, not only will we
3 be increasing hours that we can perform as far as having
4 more employees work, we're going to increase the revenue
5 per month, which is also taxable to the City, so that's
6 going to help as far as the City goes.

7 As far as the needs to help reduce the sound,
8 the door that's downstairs can be something that's
9 mandatory to keep closed. It's not something that has to
10 be open, they were just doing it to get an extra breeze,
11 which we can accommodate that.

12 Also on the side of the building, on both sides,
13 there's two 4-foot fences that go down, if needed or
14 requested, if we have to increase it to 8-foot privacy
15 fences to help with the sound, we can do that also.

16 Thank you.

17 CHAIRMAN MADDEN: Well, I would be all for you
18 increasing it to 8 feet.

19 I think that would help your problem a whole lot
20 too.

21 MS. HARRIS: Yeah, I mean I'm five four, so, you
22 know, my voice is going to go over 4-foot fence.

23 CHAIRMAN MADDEN: Mr. Eberhardt.

24 MR. EBERHARDT: I wonder if the staff, City
Page 9

25 staff would consider not only maybe higher fencing back

11
1 there, as was recommended or was suggested by the
2 Applicant, but perhaps some sort of planting next to the
3 fence to help absorb the noise as well.

4 MR. COIL: Actually, right now at the back of
5 the property from where our building is, there's about a
6 20 to 30-foot clearance of grass now. Then there's a row
7 of trees as it is now. So there's already 20, 25-foot
8 trees that are between our property and where the
9 residential starts.

10 MR. EBERHARDT: I don't think the trees are
11 going to stop the noise. I'm wondering whether a hedge or
12 some kind of a buffered --

13 MR. COIL: Sure, I understand. The problem is
14 where our property sits, we sit much higher than the
15 level -- the lower level, so those 20, 30-foot trees, at
16 ground level, is more like 10-foot when you're at the
17 property level, if that makes sense. So those trees --
18 you would -- you would have to have a 40-foot fence to be
19 at ground level from where the business is.

20 MR. EBERHARDT: Thank you.

21 MR. FARON: Can I ask --

22 MR. COIL: Sure.

23 MR. FARON: -- your fence sits right up there on
24 the --

25 MR. COIL: I'm sorry?

12
1 MR. FARON: Your fence sits right up on the
2 drive --

3 MR. COIL: Correct.

4 MR. FARON: -- and then there's a considerable
5 dropoff. The doors that grade back to those trees, and
6 then her backyard is sitting back beyond that?
7 MR. COIL: Correct.
8 MR. FARON: Is there any planting up where the
9 fence is or there's no room, correct?
10 MR. COIL: There's just a little shrubbery right
11 out -- you'd have the parking lot, which is on either
12 side, and then there's some landscaping that goes right
13 across, and then there's the 4-foot fence, and there's
14 just little shrubbery right now.
15 MR. FARON: So that 4-foot, you're agreeable to
16 go even higher, yeah.
17 MR. COIL: If need be, we can take that
18 4-foot -- see, there's the 4-foot fence right now.
19 MS. KELLY: And then the dropoff here.
20 MR. COIL: And then these trees and the
21 residential is on this side.
22 MR. FARON: What about further down east or
23 west? I know the other side of the building is a little
24 different, but if you come further this way, would that --
25 MR. COIL: Those trees go from all the way past

13
1 our business this way and all the way up to the street
2 this way.

3 MR. FARON: But something maybe up on the -- up
4 on the drive closer to the parking, you know, a little bit
5 to the east of that fence, yes.

6 MR. COIL: Oh, you mean this path this way?

7 MR. FARON: Sure, something --

8 MR. COIL: If possible, yeah, we could add more
9 shrubbery or pines, if needed.

10 CHAIRMAN MADDEN: Anything else?

11 MR. LANGDON: Mr. Chair?

12 CHAIRMAN MADDEN: Yes, sir.

13 MR. LANGDON: Couple of observations on trying
14 to mitigate sound.

15 Vegetation actually does a very poor job of
16 mitigating sound. It gives the impression of it. People
17 talk about being quieter when they're behind a line of
18 trees, but if you actually measure the sound level, it's
19 almost exactly the same.

20 It's just the sense that somehow I'm protected
21 by them, so it's quieter, when, in fact, it's not.

22 Fences, wood fences, also have a limited ability
23 to block sound, essentially, because the material's so
24 thin, the fence acts as a resonator and it just propagates
25 the sound out the other side.

1 This is an issue we dealt with with the
2 Walgreens down at -- at Graeser and Olive.

3 You really need a solid or a -- a -- a barrier
4 with a dead space within it to really effectively
5 attenuate noise, so while some fencing increase, some
6 planting increase might help a little, it's not going to
7 help a lot.

8 I think the -- the -- in 2003, when this same
9 request was made, this same issue came up then, and really
10 that was what it came down to.

11 You can't really block it unless you're going to
12 require a masonry wall or a berm. Something that's solid
13 like that. A berm, obviously, can't be done. Masonry
14 wall, I think, would be disproportionate to the request.

14

15 So then it's just, well, you either allow it or
16 you don't.

17 You can take what steps you think are necessary.
18 If you think that a fence is at least a positive step and
19 that's one you're willing to make, then you can certainly,
20 you know, make that part of your -- your recommendation
21 tonight.

22 But I just want it to be clear that you know
23 what I know, which is that simple fences and planting
24 really don't help that much.

25 MR. SCHNARR: A senior privacy fence with

15
1 alternating pickets in the front and the back does not
2 really help that much with sound?

3 MR. LANGDON: Not in reality, no.

4 Again, it has that feeling of it's on the other
5 side, so it helps. You feel quieter, but, in fact, the
6 loud noise still transmits through that fairly easily.

7 Something soft, you know -- you know, the
8 intensity of human voice, it will do a better job, but if
9 you've got a radio or if you've got people yelling or you
10 got an impact wrench running, it's not going to do much.
11 It helps, but not a lot.

12 CHAIRMAN MADDEN: Mr Eberhardt.

13 MR. EBERHARDT: Is the primary problem the noise
14 coming from the lower door or from the big bay doors? I
15 don't understand.

16 MR. LANGDON: The resident can probably speak to
17 that better than we can.

18 MS. HARRIS: It's both. Probably the least is
19 probably the door underneath. I mean that's --

20 MR. EBERHARDT: The least or the more, I'm

21 sorry?

22 MR. LANGDON: The least.

23 MS. HARRIS: The least. It's like a regular
24 door, whereas, the bay doors are huge.

25 CHAIRMAN MADDEN: Isn't it one of your

16
1 conditions that they keep the bay door shut?

2 MR. LANGDON: Right, but then that raises -- if
3 it's not an air-conditioned building, I would agree it
4 would be, you know, intolerably hot inside if it's not
5 air-conditioned and have the doors closed.

6 So to have to close the doors and they have to
7 install air-conditioning and -- that adds substantial
8 expense.

9 CHAIRMAN MADDEN: Yeah. Okay.

10 MR. FARON: How feasible is a sound wall for
11 your business?

12 MR. COIL: It's something I have to look into.
13 That's going to be a pretty large expense. Like I said,
14 as far as the landscaping, obviously, that's something we
15 planned on having to do regardless.

16 But replacing a fence out would be irrelevant,
17 but adding a barrier, as he speaks, that's -- that's major
18 construction. So that you're talking about a whole other
19 meeting with you all now to get the new permits and get
20 that kind of work going.

21 And like I said, once again, I understand when
22 it was denied before because of the sound on Sundays, but
23 we're looking at the fact that just increasing the
24 business, helping the community.

25 And our policy is we have to have so many people

17
1 on staff, so right we're -- right off the bat, you're
2 increasing anywhere 24 to 30 hours of employment just one
3 day a week, which revenue wise we're looking at anywhere
4 between 3 to \$10,000 a month, based upon that business we
5 pick up on Sundays, just being able to keep up with our
6 competitor down the street.

7 Also the convenience factor of there's a lot of
8 individuals that just can't get to us during the week
9 cause they're single parents or they got two jobs, and
10 being open on Sundays gives those individuals an
11 opportunity to get their oil changed without putting it
12 off.

13 MR. SCHNARR: Also gives the residents of Creve
14 Coeur an additional opportunity to get their oil changed.

15 MR. COIL: Absolutely.

16 CHAIRMAN MADDEN: What -- what hours are you
17 going to be open on Sunday?

18 MR. COIL: Nine to five.

19 CHAIRMAN MADDEN: And what are your normal hours
20 during the week?

21 MR. COIL: It's eight to seven.

22 CHAIRMAN MADDEN: Would it -- would it kill you
23 to open at 10 a.m. on Sunday?

24 MR. COIL: No. And to be all honest, the reason
25 why we suggested nine to five is because our most busiest

18
1 store use nine to five hours. We have stores that go from
2 nine to five, as little as ten to two, but it's based upon
3 flow of traffic and business.

4 This particular location, we've been there on
5 Sundays and do like extra painting or training where we

6 use the inside of the store, and we've had anywhere
7 between two to ten cars pull up because they assume we're
8 open just because we seen cars on the lot, so we figure
9 between the hours of ten to five give us the most
10 flexibility.

11 CHAIRMAN MADDEN: Ms. Harris, would that help
12 you somewhat if we -- if he changed it to opening at
13 10 a.m., so they aren't there so early?

14 MS. HARRIS: Yeah, it'll be an hour less --

15 CHAIRMAN MADDEN: Okay.

16 MS. HARRIS: -- noise.

17 CHAIRMAN MADDEN: Okay.

18 MS. HARRIS: I mean it's still, if you want to
19 be outside and you're listening to it all the time, you
20 know --

21 CHAIRMAN MADDEN: Understand.

22 MS. HARRIS: -- you're going to do it, you're
23 going to do it, but I would at least, even Mr. Langdon,
24 you know, said the fence doesn't help, it can't hurt.

25 MR. LANGDON: Absolutely.

1 MS. HARRIS: So I mean anything is going to make¹⁹
2 it slightly better.

3 MR. COIL: Is it all right if I ask her a
4 question?

5 MS. HARRIS: I mean part of it is people
6 standing out on the driveway there.

7 MR. LANGDON: Ma'am. Ma'am. We really --

8 CHAIRMAN MADDEN: Why don't you come up.

9 MS. HARRIS: Sorry. Yeah, I'm, you know, it's
10 an hour less, so rather than, you know, nine to five, it's

11 ten to five, you know, so the noise is still going to be
12 there. The conversation is still going to be there.

13 Hopefully, the conversation won't be assorted as
14 I've heard in the past. But I mean it's -- it's true. I
15 mean the guys are standing up there, they're telling
16 stories and I get to listen to it and --

17 MR. FARON: Is your primary concern is the
18 conversation, it seems like, beyond anything else?

19 MS. HARRIS: Well, the impact from the tire
20 changes, you know, and -- it's -- it's all of it.

21 MR. FARON: If they were to condition the space,
22 and I guess you could speak with your staff. I mean I
23 have seen people standing out there --

24 MR. COIL: That's what I was just going to ask.

25 MR. FARON: -- and they -- they -- they talk

1 over where the cars are parked, where there's no fence,²⁰
2 and no anything there, I mean it's where that open area
3 is. That's why I asked about the landscaping cause they
4 seem to loiter over there. I live --

5 MS. HARRIS: Uh-huh.

6 MR. FARON: -- fairly close, and I see them
7 there at times, and I'm sure that sound travels a bit,
8 but --

9 MR. COIL: Can I -- am I allowed to ask?

10 CHAIRMAN MADDEN: Sure.

11 MR. COIL: So I can't dictate, obviously, I
12 can't be there every single Sunday to say you guys cannot
13 stand here.

14 But if it's a matter of the conversation of
15 sound, I mean I can go in and, you know, set certain rules
16 to where they're only -- now, granted, we can't not allow

17 them because labor laws, certain breaks, smoke breaks,
18 stuff like that, so we have to let them out at some point,
19 but I can dictate how much they can be out there.

20 At the same time, we have the other end of the
21 property where there's a dumpster area, so if it means
22 putting them on the back -- front side of the store, I can
23 do that also. So I have that opportunity to move them
24 around.

25 MS. HARRIS: Yeah, cause that's where you have

1 your car washes and, you know, those are limited, so, you²¹
2 know, that's not so bad cause you know those are going to
3 end.

4 But I mean once this happens, it's forever, and
5 I've been here each time they've come and asked for Sunday
6 hours, so I've been --

7 MR. SCHNARR: Would an 8-foot privacy fence
8 help?

9 MS. HARRIS: Well, I'm not an engineer. Um, it
10 can't hurt.

11 MR. SCHNARR: Right.

12 MS. HARRIS: But I also know that once Sunday
13 hours start, you're not going to, you know, if it's still
14 just as noisy, it's not going to be repealed, so.

15 MR. SCHNARR: Right.

16 MS. HARRIS: So, um, yeah, it can't hurt.
17 Maybe, you know, if there's some sort of, you know, a more
18 solid fence, the 8 feet would definitely help just the
19 conversational. Cause some of it is you can -- I think
20 it's voice, you know, that the person, they're standing
21 higher than the fences, so that comes down. But the high

22 impact wrenches and the yelling from, you know, bay one
23 clear; bay two clear, you know, if you've been there, you
24 know.

25 CHAIRMAN MADDEN: Yeah, got a reality check.

1 MR. SCHNARR: What about solid PVC? 22

2 MR. LANGDON: It probably would work better,
3 certainly --

4 MR. SCHNARR: That's as -- that's as cheap as a
5 cedar fence, I can tell you that.

6 MR. LANGDON: Sure. And it lasts longer.

7 MR. SCHNARR: And you never have to worry about
8 maintaining it.

9 MR. COIL: Well, we were -- if we did it, we
10 were going to put a vinyl -- wouldn't be wood. We would
11 want to put vinyl fence up.

12 MR. SCHNARR: Very good.

13 MR. COIL: An 8-foot vinyl because the wood --
14 just maintenance-free, just --

15 MR. SCHNARR: Yeah, I wouldn't -- maintenance
16 headache.

17 MR. COIL: And I think it would also -- she was
18 talking about the sound is, yes, the employees, and
19 they're 4 foot, but because of our laws, we have to be so
20 far away from the building to smoke, so where they would
21 be at where these conversations are probably being heard,
22 they're not even in front of this fence in the first
23 place, so that's where I can dictate --

24 MS. HARRIS: Yes, there is no fence.

25 MR. COIL: Exactly.

1 MR. FARON: That was my concern. 23

2 MR. COIL: I can dictate where they can and
3 can't go, you know, I can limit it to where one person at
4 a time go smokes a cigarette, therefore, unless they're
5 talking to themselves, so we can dictate that.

6 CHAIRMAN MADDEN: Okay. So it seems like to me,
7 we'll have you open at 10; you'll put in the 8-foot PVC
8 fence. Is that the right way to phrase that? The 8-foot
9 fence; you going to do the -- work the landscaping out
10 with staff, and you're going to tell the guys to stay out
11 front.

12 MR. COIL: Yes, I can dictate that, yes,
13 absolutely.

14 CHAIRMAN MADDEN: Okay.

15 MR. COIL: Now, then like I said, the
16 only concern that I would have is like where you guys
17 brought the address up is, when it gets to the summertime,
18 it's going to get hot with -- I mean it's already 100, 110
19 in that building now, so keeping those doors down to the
20 concern of the impact, we're only averaging about
21 5 percent, so if you're talking ten cars on a Sunday,
22 that's not even a entire rotation a day.

23 CHAIRMAN MADDEN: Yeah, that's what I figured.

24 MS. HARRIS: You can't keep the -- you can't
25 keep the doors closed.

1 CHAIRMAN MADDEN: No.

2 MS. HARRIS: I treat workers' comp injuries, you
3 can't afford that.

4 CHAIRMAN MADDEN: Okay. Thank you, Ms. Harris.
5 Paul.

6 MR. LANGDON: As I'm sure you know, the Planning

7 Commission can approve fences over 6 feet in height, but
8 it is a -- it's only the Planning Commission that can,
9 obviously, that's what you're talking about.

10 Since it is a special approval, if you could all
11 be very clear about the extent of that fence, cause an
12 8-foot fence is a big fence, so do you want it to run the
13 full width of the parking area, just where the fence runs
14 now, full width of the lot?

15 CHAIRMAN MADDEN: Okay.

16 MR. FARON: At times it'd be -- well, I've seen
17 people standing way beyond that fence, and that's probably
18 where a lot of that sound comes from when they --

19 MR. COIL: Sure.

20 MR. FARON: -- are over in those parking spaces.

21 MR. COIL: I believe the fence stops close to,
22 I'm guessing, before -- what's your average parking space,
23 8 feet? That fence, I'm almost sure, stops before the
24 parking lot even -- where you park starts.

25 MR. FARON: Right.

1 MR. COIL: So it, in theory, could be extended²⁵
2 another 8 feet past where you would park.

3 MR. FARON: Yeah, it sits on that concrete wall
4 there, right?

5 MR. COIL: Yeah, it's attached to the concrete
6 wall, and then there's drainage that go from the parking
7 lot down there, so we would have to -- it would be
8 interesting, but we can make it work.

9 MR. FARON: I had a question.

10 Ms. Wilson [sic], is your house to the east of
11 that? Would that fence be helpful on that end of the
12 property, or are you to the west of the -- the station?

13 I'm sorry, Ms. Harris.
14 CHAIRMAN MADDEN: Would you please come up.
15 MS. HARRIS: We're straight behind.
16 MR. FARON: Straight behind.
17 That's -- tend to see where people loiter and
18 that sound is coming from over in that --
19 MS. HARRIS: Well, we're on the corner of Park
20 West, which is the side street and --
21 MR. FARON: To the east, yeah.
22 MS. HARRIS: So yes to all of it.
23 MR. FARON: Yeah, to the end of the property.
24 MS. HARRIS: We're east; we're west; we're
25 behind; we are north.

26

1 MR. FARON: I see, yeah.
2 MS. HARRIS: Yeah, that's us.
3 MR. FARON: I think if you don't continue the
4 fence, the sound is just going to -- just -- you could put
5 a tall fence there, but if people walk beyond that to the
6 edge of the property over there, what's going to --
7 MR. LANGDON: You want it to continue --
8 MR. FARON: -- mitigate more.
9 MR. LANGDON: -- to the eastern extent of the
10 parking area?
11 CHAIRMAN MADDEN: Yeah, let's decide where we
12 want to put this.
13 MR. FARON: I mean I don't know how much
14 additional feet. That's probably a couple more parking
15 spaces, so we're talking about 40 feet more.
16 MR. COIL: Now, are we talking about putting the
17 fence on the property line where the trees are or where

18 the existing fence is to the building? Cause if we're
19 talking about the property line, we're talking about
20 increasing the fence the entire list -- the entire length
21 of the property, where right now there's a 4-foot fence to
22 the building, to the parking and from the building to the
23 dumpster.

24 MR. FARON: Right, in the photo there, I was
25 thinking that they would be continuing that -- or where

1 that 8-foot increase would be where the existing fence is²⁷
2 on the east side of the building.

3 MR. COIL: I was suggesting take down the --
4 it's more like three and a half feet, cause it's the
5 old-style picket --

6 MR. FARON: Uh-huh.

7 MR. COIL: -- graveyard-looking fence, if you
8 increase from the building to the dumpster to a 6 -- I
9 guess it's a 6-foot standard with -- okay. So you're
10 talking about 6-foot, and then from here to that parking,
11 where you could extend it from here where it stops to the
12 edge of the parking lot.

13 We couldn't go any further than that because
14 there's already landscaping there, and some point you're
15 going to impede from people driving up and being able to
16 see, you know, other traffic though.

17 MR. FARON: Yeah, I would think if you just
18 increase what you have there now, how do you mitigate
19 sound going around that and where people stand and --

20 MR. COIL: Well, I think that's where, if we
21 increase the fence length here, and then just dictate the
22 fact of who can and can't be out, I mean if it's a matter
23 of the sound, it's just -- I just have to dictate on how

24 many people out at one time. Send one person out at a
25 time. They have one person at the corner. You're talking

1 couple times a day. And at the same time, if it becomes a²⁸
2 issue, I have the contacts, I can get involved, you know,
3 to take care of it.

4 CHAIRMAN MADDEN: Okay. Getting back to Paul's
5 question, so we want --

6 MR. COIL: Oh, I'm sorry.

7 CHAIRMAN MADDEN: Can you leave that up there.

8 So we're going to run the fence from the
9 dumpster to the building, and then on the other end from
10 the building to the end of the parking lot, isn't that
11 what you suggested?

12 MR. COIL: If that's what you're asking, yes.

13 Right now it's going to stop right here where
14 the parking starts.

15 To go past it, I could -- here's where it starts
16 and here's where they park.

17 MS. KELLY: So they propose going -- taking this
18 fence up to 8 feet --

19 MR. HOWARD: Can you move that little bit?

20 MS. KELLY: Oh, sorry.

21 MR. SCHNARR: There we go.

22 MR. FARON: Yeah, I was to continue that past
23 that point, definitely.

24 MR. COIL: All the way down this way past where
25 they park.

1 MR. FARON: Sure, I mean if you just increase²⁹
2 that fence, I don't, you know, with people standing out

3 there, as I've seen before, that conversation that she's
4 concerned about is generally on the edge of that parking
5 and straight down that hill, maybe those trees are doing
6 little, but if you have that opportunity to continue that
7 fence to the end of the -- the parking there.

8 CHAIRMAN MADDEN: So -- Paul.

9 MR. LANGDON: Just so you know, that door,
10 that's a standard commercial door, that's seven and a half
11 feet high, so the fence will actually be 6 inches higher
12 than door, extend from about that point where I'm
13 pointing --

14 MR. SCHNARR: I thought you were going to stop
15 at 6 feet. What happened to that?

16 MR. LANGDON: Well, 6 feet or 8 feet. I mean
17 you can approve 8 feet, but it's up to you all.

18 MR. FARON: The standard, yeah, standard, he was
19 saying 8 at one time, yeah.

20 MR. LANGDON: Right. So whichever. But still
21 you're also talking about a fence that's going to -- if it
22 goes all the way to the eastern limits of the parking,
23 that's into the front yard setback area, which, again,
24 requires you all to make a specific finding that that's
25 what you want.

1 MR. COIL: Where if we just replaced the wooden³⁰
2 fence with the standard 6-foot fence, that's something
3 that can be done at any time.

4 MR. LANGDON: Frankly, replacing that wood fence
5 with another piece of fence won't accomplish anything.

6 You can see the line of sight straight into the
7 bay. I mean you either, in my mind, from my site planning
8 perspective, you either run a tall fence, whether it's 6

9 or 8 feet, from the edge of the building to the eastern
10 limits of the parking, or don't bother because a partial
11 fence simply won't do anything, and then you're just
12 wasting your money.

13 CHAIRMAN MADDEN: Isn't that what he just --
14 isn't that what we were talking about? He was going to
15 take it all the way to the end of the parking lot.

16 MR. LANGDON: Right, I just want to make sure
17 we're clear that --

18 CHAIRMAN MADDEN: That's what we're doing.

19 MR. LANGDON: That's what we're talking about.

20 CHAIRMAN MADDEN: We're going from the door,
21 essentially, to the end of the parking lot.

22 MR. LANGDON: Right.

23 CHAIRMAN MADDEN: And which is better 6 or 8, in
24 your mind?

25 MR. LANGDON: The --

1 MS. HARRIS: I would request 8 feet.

31

2 MR. LANGDON: I think the larger it is, the
3 better chance it has of accomplishing anything.

4 MS. HARRIS: Right, especially if we have, you
5 know, an expert saying that it's marginal anyway, I mean
6 we're hoping for the best here, so let's not make it
7 6 feet. We've lived 4 feet for I don't know how many
8 years and it hasn't worked so --

9 CHAIRMAN MADDEN: Okay.

10 MS. HARRIS: -- 6 feet could conceivably not do
11 anything either, so let's not mess it up.

12 MR. HOWARD: Mr. Coil, could you explain where
13 the employees congregate.

14 MR. COIL: Would be right down in this corner
15 right down here. Because of the smoking laws that we
16 have, they have to be at least so far from the building
17 so --

18 MR. HOWARD: And is that the only spot on the
19 property where they can congregate? In other words, if
20 there's not enough space on the other side, on the west
21 side of the building?

22 MR. COIL: That's what I'm saying, on the other
23 side of the building where Lenny's is, the other business
24 there --

25 MR. HOWARD: Uh-huh.

1 MR. COIL: -- we have another probably a 12-foot³²
2 run of fence, same fence, and then there's a cemented
3 dumpster corral where I could have them take their breaks
4 and stand on the side of the dumpster corral, so that
5 could eliminate anything over here, period.

6 CHAIRMAN MADDEN: So that's better for you,
7 right, Mrs. Harris? Okay.

8 MR. COIL: Then that would also eliminate having
9 to have a custom made fence at 8 feet, which --

10 MR. HOWARD: Right.

11 MR. COIL: -- I mean you would have to have that
12 custom made, you just can't get an 8-foot fence.

13 MR. HOWARD: Well, an 8-foot fence running all
14 the way down to the end of the parking lot would -- would
15 look massive.

16 MR. COIL: I -- it would.

17 MR. HOWARD: That would -- that would be very
18 unappealing, I would think.

19 MR. COIL: I mean think about it, I'm six four,
Page 27

20 so you're talking about a fence that's a foot and a half
21 taller than me, on top of the foot and a half concrete
22 wall that's already above the driveway.

23 MR. SCHNARR: Just limit your employees to five
24 eight.

25 MR. COIL: Yeah.

33

1 CHAIRMAN MADDEN: Okay.

2 MR. COIL: It would be the white monster, yeah.

3 CHAIRMAN MADDEN: Okay. Let me try to get
4 everything together here now.

5 So now we're looking at a 6-foot fence, vinyl
6 fence, from the door all the way to the end of the
7 property. You're going to do it on the other side from
8 the -- from the edge of your building to the dumpster,
9 right?

10 MR. COIL: It's a -- yes, it's a concrete
11 dumpster corral.

12 CHAIRMAN MADDEN: And you will have your people,
13 from now on when they take their breaks, they will be
14 going out by the dumpster, so they're not near as close to
15 a home as there was before.

16 MR. COIL: Yes.

17 CHAIRMAN MADDEN: You'll also do the
18 landscaping. Get together with the City and do that.

19 MR. COIL: Yes.

20 CHAIRMAN MADDEN: Okay. What else was it?

21 And we'll change the hours from nine to five to
22 ten to five.

23 MR. COIL: Ten to five, okay.

24 MR. LUMLEY: You want the back door closed?

25 MR. COIL: The bottom downstairs, the back door,

34

1 will stay shut.

2 CHAIRMAN MADDEN: Okay.

3 MR. LUMLEY: And you're going not require the
4 bays to be closed?

5 MS. KELLY: No.

6 CHAIRMAN MADDEN: No.

7 MS. KRAMER: Not going to require.

8 CHAIRMAN MADDEN: I don't want to be -- I mean
9 that -- people will be getting sick. That -- or worse so.
10 Does everybody agree with those?

11 MR. SCHNARR: Yep.

12 CHAIRMAN MADDEN: Okay.

13 Okay. Is there anybody --

14 MS. HARRIS: Supply earplugs.

15 CHAIRMAN MADDEN: You need to -- is there
16 anybody else who wants to speak on this?

17 Okay. Mr. Caldwell.

18 MR. CALDWELL: Well, I wasn't going to speak,
19 but you just have -- now you -- I said this would happen,
20 and so it's happened.

21 You have a double standard. You're all worried
22 about somebody getting sick in this building, but you put
23 the door closed requirement on the Light Industrial
24 District.

25 So this makes -- it's -- it's an unfair thing.

35

1 And I think if you're going to not have the doors closed
2 here, you need to go back and repeal that requirement on
3 the Light Industrial District.

4 I mean it's ridiculous to say you got to do it

5 in the Light Industrial District where there are no
6 houses, but you don't have to do it here where there is a
7 lady who's concerned about the noise.

8 CHAIRMAN MADDEN: Was that on the --

9 MR. SCHNARR: That's not even part of this, is
10 it?

11 CHAIRMAN MADDEN: Huh?

12 MR. SCHNARR: That's not even part of this.

13 CHAIRMAN MADDEN: Well, wasn't that -- wasn't
14 that air-conditioning?

15 MS. KRAMER: That requirement was different
16 than -- bay doors had more to do with --

17 MR. LUMLEY: We need to speak --

18 CHAIRMAN MADDEN: Yeah, speak in the --

19 MS. KRAMER: If I remember correctly, and I
20 appreciate what you're saying, so I do appreciate it.

21 My recollection was that that issue with the bay
22 door was different, and that it had to do with should
23 there be any work because that actually wasn't even for
24 auto repair.

25 MR. HOWARD: Internet sales. Is that the

36

1 internet sales, the cars --

2 MS. KRAMER: That was the cars, right.

3 MR. HOWARD: Car dealership that was --

4 MS. KRAMER: Right.

5 MR. HOWARD: -- internet only or --

6 MS. KRAMER: So -- so I just -- it seemed that
7 there was a very --

8 MR. HOWARD: By appointment.

9 MS. KRAMER: -- different discussion, but I,

10 again, appreciate what you're saying, and I think it's
11 important to be vigilant about double standards, so I
12 respectfully say that.

13 I would also like to make one other statement.

14 I just wanted to thank both Mrs. Harris and
15 Mr. Coil. I think that, you know, it is true in a
16 challenging economy, and I think that someone who, you
17 know, we find that more and more people do access things
18 over weekends, and so I really appreciate the spirit that
19 you both come in to try to work this out. And so I hope
20 that that continues past this meeting as well.

21 MR. CALDWELL: I don't see the difference that
22 you're talking about. They're working on cars, right?

23 And you're talking about, well, that they might
24 be using impact wrenches and working on these cars in the
25 Light Industrial District. Might be noise from the

1 employees yelling or -- it's the same darn thing.

37

2 MS. KRAMER: No, actually that particular
3 discussion was there was not to be bodywork done in that
4 area.

5 There was a difference.

6 MR. CALDWELL: But -- but bodywork is an
7 approved use in the Light Industrial District.

8 MS. KRAMER: Okay.

9 MR. CALDWELL: And you set up a rule that you
10 can't have the doors open in the Light Industrial
11 District.

12 MR. LANGDON: Mr. Chair?

13 CHAIRMAN MADDEN: Yeah. Mr. Langdon.

14 MR. LANGDON: As liaison to the Council, let me
15 share with you the discussion that took place at the first

16 meeting on the used car sales at the Council.

17 Questions were raised specifically about what
18 level of service might be done, the same as you all
19 discussed.

20 Specific examples were cited as to, well, what
21 noise would we be trying to screen by closing the doors,
22 and impact wrenches were specifically mentioned.

23 So Mr. Caldwell is correct that in the Councils'
24 mind were ultimately the ordinance will ultimately be
25 accepted or declined, it was the same kind of service

1 that -- that they agreed with you all, should be screened³⁸
2 with closed doors.

3 The extent, we don't know. Depends on each
4 business, and whether or not a building is air-conditioned
5 or not, we don't know.

6 The particular applicant that was before you in
7 that case does have an air-conditioned building, but
8 that's not to say that they all will.

9 MR. SCHNARR: But Item No. 16 in your draft
10 ordinance says "Service bay doors shall remain closed
11 while service is underway."

12 MR. LANGDON: Correct. As Ms. Whitney said --

13 MR. SCHNARR: So this is a moot point. I don't
14 understand what we're arguing about.

15 MR. LANGDON: Well, as Ms. Whitney said, we are
16 trying to be consistent with the discussion the last time,
17 which the draft ordinance is.

18 The Applicant has said, and even the homeowner
19 beside, has said they don't believe the doors can be left
20 closed.

21 If you all want to back away from that
22 requirement, you can make that change to the draft
23 ordinance, but as Mr. Caldwell has pointed out, that would
24 be inconsistent with the discussion on the used car sales.
25 CHAIRMAN MADDEN: Mr. Coil.

1 I've been to yours, and I've been to your 39
2 competitor, and when -- and maybe it's the time of the
3 year I go, cause I don't go there all the time, they close
4 the doors when I bring my car in, both the front and the
5 back. You don't do that at all or --

6 MR. COIL: If it's below 45 degrees we will,
7 just because we do have gas heaters, but if it's not cold
8 enough to turn the heat on, we keep the doors open.

9 CHAIRMAN MADDEN: So 45 degrees the magical
10 number? Okay. Thank you.

11 MR. COIL: Give or take, yeah.

12 CHAIRMAN MADDEN: Yeah.

13 MR. EBERHARDT: I have a question.

14 CHAIRMAN MADDEN: Mr. Eberhardt.

15 MR. EBERHARDT: At the risk of making this much
16 more difficult and maybe hard to enforce, it seems to me
17 that the doors being open in that facility have to do with
18 the heat, how hot it is outside, as opposed to anything
19 else.

20 And is it possible that we could say that the
21 doors could remain open except when there's a tire change
22 going on if the temperature is exceed -- on the exterior
23 temperature exceeds -- pick a number -- 80 degrees, 90
24 degrees, something, so that it's only permitted to be open
25 when it's so hot that it would be dangerous for the people

1 inside, and perhaps it had to be closed when the noise was
2 going on with regard to tire rotation?

3 MR. COIL: Sure. I think the challenge that I
4 have is you're going to have employees stopping what
5 they're doing and helping the customers; open telecast to
6 see what the temperature is outside.

7 If it comes down to the issue, I would rather
8 have to go to my president and say, I won't do tire
9 rotation on Sunday to open up Sunday. I would alter my
10 business, if I had to, to avoid all this because that's
11 going to be -- that's going to be a big impact on the
12 store to have to stop helping the customer.

13 Well, the other issue is someone comes in and
14 specifically asks for that, I can't do that today because
15 I got to shut my doors. Kind of goes away from why we're
16 there in the first place.

17 But I mean if that's the requirement to where
18 shutting the doors, keeping the doors open, sound, fencing
19 all because of an impact gun, like I said I'm the AM I
20 can, you know, Sundays, I shouldn't have to, but if that's
21 what's going to be required to avoid this.

22 CHAIRMAN MADDEN: And you said you probably
23 don't do many tire rotations.

24 MR. COIL: The highest volume store out of 286
25 stores averages 8 percent, and that's on 1,000 -- that's

1 1,000, 1200 cars a month, so you're talking in a week, 20,
2 22 rotations between Monday and Saturday, so at best on a
3 good Sunday you're going to do two.

4 CHAIRMAN MADDEN: That would be a good Sunday.

5 MR. COIL: That's a very good Sunday.

6 CHAIRMAN MADDEN: Okay. Ms. Harris.

7 MS. HARRIS: Well, I'd had also like to mention
8 that, you know, when you're out in the yard, you're not
9 generally out in the yard listening to all this if the
10 temperature -- during the winter months. It's during the
11 spring, summer and fall that you're out in the yard. And
12 that's, obviously, when they're going to have the doors
13 open, and so, yeah, if you want to limit and -- and, you
14 know, you've already taken my fence from 8 feet to 6 feet,
15 so I don't see a problem with limiting to the no tire
16 rotations or changes on Sunday.

17 That sounds like a pretty decent compromise.

18 CHAIRMAN MADDEN: Thank you.

19 MS. HARRIS: Thank you.

20 MR. COIL: I guess the last thing I would add to
21 that, is, and like I said if it requires the fact of not
22 doing tire rotation, if that's what we got to do, that's
23 what we got to do. But at the same time, we're doing tire
24 rotation at seven o'clock on a school night, Monday
25 through Friday, so it kind of goes both ways.

1 MR. CALDWELL: It's a public meeting, you're⁴²
2 supposed to speak into the microphone.

3 CHAIRMAN MADDEN: He was asking me what -- he
4 was asking me what -- about the doors, and I said I think
5 they're east and west, the doors that they're going to --
6 right, that go up and down that the cars come into.
7 That's what he was asking me, so --

8 MR. CALDWELL: Okay.

9 CHAIRMAN MADDEN: Well, does anybody have any
10 ideas here what we --

11 We better enter the --

12 MR. LUMLEY: I offer the following exhibits into
13 this public hearing record: Documentation in possession
14 of the City Clerk reflecting the notice that was provided
15 to the public regarding the hearing; of the staff's report
16 that's been presented this evening; the City's Code of
17 Ordinances and Charter; the City Comprehensive Plan and
18 public file regarding this application.

19 CHAIRMAN MADDEN: Okay. The meeting -- or the
20 public hearing is officially closed.

21 (The public hearing ended.)
22
23
24
25

43

1 STATE OF MISSOURI)
2) SS
3 COUNTY OF ST. LOUIS)
4

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

12
13
14 _____, RPR, MO-CCR, IL-CSR, KS-CCR
15 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
16

PZ 110711.txt

17

18

19

20

21

22

23

24

25

44

BILL NO. 5356

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI,
AMENDING SECTION 235.070 OF THE MUNICIPAL CODE PERTAINING TO PERMITTED HOURS
OF REFUSE COLLECTION.**

WHEREAS, the City currently allows refuse to be collected beginning at 6:00 A.M., Monday through Saturday in office, commercial, and institutional areas and beginning at 7:00 A.M. in residential areas; and

WHEREAS, much of the City's office, commercial, and institutional areas lie in close proximity to residential areas; and

WHEREAS, commercial refuse collection is typically louder and more disruptive than residential refuse collection, and

WHEREAS, the earlier commercial collection time has resulted in reoccurring complaints from residents; and

WHEREAS, it is common practice in neighboring municipalities to restrict commercial refuse collection to after 7:00 A.M.

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

SECTION 1. Section 235.070 (A) of the Municipal Code pertaining to the permitted hours of refuse collection is hereby amended to read as follows:

SECTION 235.070: PICKUP OF TRASH FROM OFFICE, COMMERCIAL, INSTITUTIONAL
BUILDINGS AND PROPERTY USES

A. No person shall pick up or collect refuse or trash within the City limits except between the hours of 7:00 A.M. to 9:00 P.M. on weekdays or Saturdays and 9:00 A.M. to 6:00 P.M. on Sundays with the following exceptions:

1. Any container in the "RO" Research Office Park District as designated on the official map of the City may be collected at any hour on any day; and
2. The Chief of Police or his/her duly authorized designee may issue a revocable permit varying such hours for pickup at a specific location where investigation reveals there is no significant disturbance to inhabitants of nearby property. Such permit may be revoked upon the determination of the Chief of Police that continuation of such permit would disturb the use of nearby property by its owners or inhabitants and such administrative determination shall be considered final.

SECTION 2. This Ordinance shall become effective pursuant to the provisions of Section 3.11(g) of the Charter.

Passed this _____ day of _____, 2012.

Tara Nealey, President
City Council

Approved this _____ day of _____, 2012.

Harold L. Dielmann, Mayor

Attest:

Deborah Ryan, City Clerk



INTEROFFICE MEMORANDUM

Date: January 9, 2012

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: Commercial Trash Collection Times

The attached bill proposes to change trash collection times for office, commercial, and institutional areas within the City from 6:00 AM, Monday through Saturday, to 7:00 AM, Monday through Saturday. Sunday commercial collection, which is currently allowed between 9:00 AM and 6:00 PM, would not change.

As described in the attached memo of December 12, 2011, the earlier time for commercial collection continues to be a disruption to nearby residents. Additionally, it is common practice among neighboring cities to restrict commercial refuse collection to 7:00 AM or later.

A letter was mailed December 22, 2011 to all of the known commercial trash haulers that operate in Creve Coeur to advise them of this issue and the time change under consideration. These haulers have been invited to provide comments to the City and to attend the City Council meetings in which the time change bill will be considered.

I would be happy to provide additional information if helpful.

Attachments:

- Staff memo (12/12/2011)
- Council Meeting Excerpt (12/14/2009)
- Resident Email (11/29/2011)
- Survey of Trash Collection Times (12/2009)



INTEROFFICE MEMORANDUM

Date: December 12, 2011

To: Mark Perkins, City Administrator
From: Jaysen Christensen, Assistant to the City Administrator
Subject: Commercial Trash Collection Times

Trash collection in Creve Coeur is currently prohibited before 7:00 AM in residential areas and before 6:00 AM in commercial areas. With dumpsters being picked up, shaken, and then dropped back to the concrete followed by the reverse beeping from trucks, commercial trash collection is significantly louder and more disruptive than residential collection. Due to the close proximity of residents to most of the commercial areas in the City, this noise has been a recurring problem, which is depicted in the attached email from a resident living near the Executive Parkway Office Park off of Mason Road. The City Council discussed this issue in general at its December 14, 2009 meeting (excerpt attached).

Staff also conducted a survey in December 2009 of the County and neighboring municipalities regarding their trash collection times (survey attached). Of the twelve neighboring municipalities and St. Louis County that were surveyed, only two, Fenton and Collinsville, indicated that they allow commercial collection to begin as early as 6:00 AM. Maplewood prohibits commercial collection before 7:00 AM if the area abuts a residential area but does not otherwise restrict commercial collection times. The County and the remaining 10 cities that responded to the survey indicated that they prohibit commercial collection before 7:00 AM.

If the City Council is interested in changing commercial collection to a later time, staff will advise the haulers and obtain their comments.

Attachments:

- 12/14/2009 Council Meeting Excerpt
- Resident Email dated 11/29/2011
- Survey of Trash Collection Times (12/2009)

Permitted Refuse Collection Start Times

City	Residential	Commercial	Comments
Ballwin	7:00 AM	7:00 AM	
Chesterfield	7:00 AM	7:00 AM	
Clayton	7:00 AM	7:00 AM	
Collinsville	6:00 AM	6:00 AM	
Creve Coeur	7:00 AM	6:00 AM	
Fenton	6:00 AM	6:00 AM	
Ferguson	7:00 AM	7:00 AM	
Frontenac	8:00 AM	7:00 AM	
Maplewood	7:00 AM	7:00 AM*	* Commercial is 7 AM if property abuts residential area; otherwise no time restrictions in commercial areas
Richmond Heights	7:00 AM	7:00 AM	
St. Anne	7:00 AM	7:00 AM	
St. Louis County	7:00 AM	7:00 AM	
Town & Country	7:00 AM	7:00 AM	
University City	7:00 AM	7:00 AM	

Delivery hour restrictions

City	Delivery hours
Maplewood	7:00am to 10:00pm in residential districts and those zoning districts that border residential districts. No restrictions in all other zoning districts.
Clayton	Not by code, but by individual Conditional Use Permit. In the Central Business District, it is before 7:00 a.m.; in residential areas, it is after 7:00 a.m. Our Planning Director indicates it is very difficult to enforce.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, December 14, 2009
7:00 PM

the Graeser TDD are Les Steinberg and Stacy Manolakas and the three advisory members are Mark Perkins, Dan Smith and Mel Klearman.

Council unanimously approved.

BUSINESS FROM THE MAYOR and CITY COUNCIL

5. Delmar Garden Review Process

Council Member Bryant deferred until a full Council is present.

6. Restricted Hours for Trash Collection and Business Deliveries

Mark Perkins stated staff has polled some other cities regarding trash hauling hours and did find that most cities allow services to begin at 7:00 a.m. for commercial areas and we allow service to begin at 6:00 a.m. We probably have a larger commercial area than most of these cities. The complaints that we have received over the years typically have been because haulers have begun before 6:00 a.m.

Council Member Bryant stated it is odd that St. Louis County is more restrictive than Creve Coeur and particularly as a community that has a lot of residential and commercial development that abut against each other. Council Member Bryant stated she is not bringing forth a proposal for change but rather that the Council should be aware of this issue when discussing expansion of commercial areas and integrating Commercial and residential areas.

Mark Perkins stated a complaint was received not long after Council Member Bryant's request regarding deliveries. The City has not received many complaints over the years regarding deliveries. Very few cities regulate hours of deliveries.

Mayor Dielmann stated deliveries don't normally make noise like trash trucks do.

Council Member Nealey asked how do the times compare to the time restrictions on the start time for construction activities in residential areas?

Mark Perkins stated construction activity is 7:00 a.m. on weekdays and on weekends it is 9:00 a.m.

Council Member Nealey asked if that applies to both commercial and residential construction.

Mark Perkins stated yes.

Council Member Bryant stated this is something that we should look at for future discussion and consideration by Council.

7. Leaf Pickup Notification

Council Member Kistner withdrew item.

Christensen, Jaysen

Subject: FW: Trash Pickup

From: diane wolf [mailto:dianewolf@sbcglobal.net]
Sent: Tuesday, November 29, 2011 5:50 PM
To: Perkins, Mark C.
Cc: laura.bryant@yahoo.com; Laura T Bryant
Subject: Trash Pickup

Hi Mark-

Below is a summary of my issues with the current dumpster trash pickup in the office park behind my home on Hezel Ln.

I live on a street of homes that backs to the Executive Parkway Office Park off Mason Road. There are many businesses and many trash dumpsters in the office park. I am the original owner of my home and have lived in the home for 20 years. The problem with the trash pickup began approximately 8 years ago.

Currently Creve Coeur allows trash pickup at 6 a.m. St. Louis County and the surrounding municipalities do not allow trash pickup until 7 a.m. so it appears the trash haulers are beginning their day at the office park directly behind my home.

Not only do I feel 6 a.m. is too early to allow trash pickup, the trash trucks regularly begin pickup at 5:30 or earlier. I have been awakened to the trash being collected at 4:30 a.m.

The sound from the office park carries very clearly in the early morning hours. The sound of the trash trucks (and there are multiple) is very disruptive. The trucks start and stop going from dumpster to dumpster and are very loud. Even the idling of the trucks vibrates my home. I would compare the vibration like having a fire engine going back and forth in front of one's home. The trucks are very loud and beep loudly when backing up. The repetitive banging sound of the emptying of the dumpsters is thunderous. Again, this is not one dumpster, but many. I am regularly awakened at 5:30 or earlier because of the trash trucks and continue to be awake as the "legal" trucks show up at 6 a.m.

I have called the police department regarding this issue. They have been responsive and have ticketed drivers. The illegal pickup stops for a bit, but resumes after a few weeks. In fact, the dumpsters were being emptied at 5:30 a.m. today and I called the police department.

I believe the trash pickup time in Creve Coeur should be changed to be in line with the county and surrounding municipalities. Because the Creve Coeur trash pickup time is earlier, the haulers begin their routes in Creve Coeur and many do not adhere to the legal pickup time. Our homes are in too close proximity to the office park to allow the dumpsters to be emptied at such an early hour. I do not feel it is unreasonable to request to not be disturbed by the trash trucks before 7 a.m. I currently have a room addition being added to my home. The workers arrive before 7 a.m. and sit in their vehicles in front of my home because they are not allowed to begin work before 7 a.m.

I have compared the nuisance to that of a barking dog. If there was a dog barking every day at 5:30, some action would be taken by the city. I would appreciate the same courtesy addressing the noise of the trash trucks and dumpsters.

I sincerely appreciate your time and efforts regarding this matter. I will do whatever you would like me to do to facilitate the changing of the trash pickup time. I have addressed this issue with many of my neighbors, and they are in agreement with my position.

Please feel free to contact me. I will be happy to help in any way I can.

Best Regards,

Diane Wolf

Christensen, Jaysen

From: Al Heinermann [aheinermann@iesi.com]
Sent: Monday, January 09, 2012 2:32 PM
To: Christensen, Jaysen
Subject: Commercial Refuse Collection Times

Dear Mr. Christensen;

Like every other solid waste company, safety is the Number One priority at IESI. Safety is paramount in all of our operational decisions, including which accounts we service, how we service them and, as importantly, *when* we service them. Routes are sequenced based upon arriving at certain customer locations at the safest possible times to provide services.

Why are starting times so important? Everybody knows that the earlier it is in the morning, the less traffic there is on the streets. Waste haulers start early because less traffic—both vehicular and pedestrians—means a much lower likelihood of accidents or injuries occurring.

Some commercial accounts are such that the trash truck must back out onto a main road following service. Backing at any time of the day or night is challenging. But backing out on Manchester Road, for example, is more dangerous at 7:00 AM than it is at 6:00 AM. More cars and/or more people greatly increase the chances of an unwanted incident.

As a result, we at IESI strongly urge you to not change the commercial collection start time, unless you wanted to make the starting time *earlier*. In addition, other reasons include:

- **Environmental impact.** A later start time and more traffic increases the amount of time it takes to service our customers. Longer route times increases the amount of diesel fuel required to service the accounts.
- **Efficiency.** In order to keep pricing as low as possible we must operate productively. Time is money and the longer it takes to complete a route, the more expensive it will ultimately become to the customer.
- **Incident Avoidance.** It's impossible to know how many accidents or injuries were avoided by starting earlier. But we do know that more bad things happen later than earlier in the day.
- **Safety.** For all the right reasons; the earlier the start time, the better.

Thank you for the opportunity to provide you with an industry opinion on this very important matter. Please let me know if you have any questions or need additional information.

Sincerely,

Al Heinermann

Municipal Market Manager

IESI Corporation

A Progressive Waste Solutions Company

196 Northwest Industrial Ct

Bridgeton MO 63044

(636) 321-2459-office

(314) 446-5699-fax

(314) 322-2648-cell

aheinermann@iesi.com

www.iesi.com

AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES TO CHANGE THE NAME OF THE RECYCLING, ENVIRONMENT AND BEAUTIFICATION COMMITTEE TO THE HORTICULTURE, ENVIRONMENT AND BEAUTIFICATION COMMITTEE AND TO CODIFY ITS MISSION.

WHEREAS, the Recycling, Environment and Beautification Committee has recognized the need for amending their name to now be known as the Horticulture, Environment and Beautification Committee, and

WHEREAS, the Horticulture, Environment and Beautification Committee has recognized the need to amend their mission and duties to accurately describe their duties,

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

SECTION 1: Section 125.010(A)(9) of the Code of Ordinances of the City of Creve Coeur is hereby amended to read as follows:

(9) Horticulture, Environment and Beautification Committee, up to eleven members.

SECTION 2: Section 125.010.F. is hereby added, to read as follows:

The mission of the Horticulture, Environment and Beautification Committee is to encourage the City and its residents to plant, beautify and maintain all public and private spaces in an environmentally sustainable manner, and to

- Advise City Council, Boards, Commissions and staff on issues related to horticulture and beautification such as green space design and plantings in public areas;
- Advise City Council on issues related to trash and recycling;
- Monitor and advise the City regarding its compliance with the Tree Preservation Ordinance;
- Encourage and support the City's compliance as a Tree City U.S.A. by serving as the City's "Tree Board".

SECTION 3: This Ordinance shall become effective pursuant to the provisions of section 3.11(g) of the City Charter.

Adopted this ____ day of ____, 2012.

Tara Nealey
President of the City Council

Approved this ____ day of ____, 2012

Harold L. Dielmann, Mayor

Attest:

Deborah Ryan
City Clerk



Memorandum

DATE: December 20, 2011
TO: Mayor and City Council
FROM: Fran Cantor, Chair
Recycling, Environment and Beautification Committee
RE: Recycling, Environment and Beautification Committee Name Change

Mr. Mayor and City Council Members,

The Recycling, Environment and Beautification Committee (REB) recommends the City formally change the name of the said Committee to the Horticulture, Environment and Beautification Committee.

The REB Committee recommends the name change and believes it is appropriate for the following reasons:

- The Committee believes the word “Horticulture” is essential to the name of the committee as it reflects the duties and responsibilities of creating and improving green space(s) in Creve Coeur through various programs listed below:
 - o Sponsoring and coordinating the Spring Seminar and Arbor Day Celebration and other education programs
 - o Advising City Council, Boards, Commission and staff on green space design and planting in public areas, issues directly related to horticulture
 - o Assisting the City in maintaining current horticulture information such as a lists of invasive noxious and nuisance plants, deer residents plants, native plants, street trees, etc.
 - o Monitoring and advising the City regarding its compliance with Tree Preservation Ordinance and serving as the City’s “Tree Board”
- The Committee believes the word “Recycling” is limiting and the word “Environment” is more inclusive to all improvements in the environment of Creve Coeur, including, but not limited to, trash and recycling activities.
 - o The Committee has and will continue to advise the City on issues related to trash and recycling. The City’s trash and recycling program is currently the most efficient program available, thus allowing the Committee to focus its efforts on other areas that impact the environment.
- The Committee believes the word “Beautification” still aptly describes activities of the Committee because of its role in encouraging beautiful and sustainable landscapes throughout Creve Coeur. Through the City’s biannual Beautification Awards, efforts to create beautiful landscapes by residents, businesses and nonprofit institutions are encouraged and recognized.

Should the City Council approve the Committee name change, an updated description has been provided for "A Citizens Guide to Advisory Boards, Committees, and Commission," for prospective new members. The updated description reflects the name change and more clearly defines the duties and responsibilities by using subcategories: 1) education; 2) cooperation; and 3) recognition. Under those categories, the revised duties and responsibilities restate those duties previously assigned in Ordinances and Resolutions pertaining to the REB.

Thank you for your time and thoughtful consideration.

Fran Cantor,
Chair, Recycling (Horticulture), Environment and Beautification

Attachment: Horticulture, Environment and Beautification Committee mission, duties and responsibilities.

Horticulture, Environment and Beautification Committee

"To plant a garden is to believe in tomorrow."

The Committee has up to eleven (11) members. A quorum shall mean a majority of the number of seats currently filled if the number is less than the 11 members authorized.

The mission of the Horticulture, Environment and Beautification Committee is to encourage the City and its residents to plant, beautify and maintain all public and private spaces in an environmentally sustainable manner.

The mission will be accomplished through education, cooperation and recognition:

Education:

- Sponsor and coordinate community education programs such as the Spring Seminar and Arbor Day Celebration
- Assist the City in maintaining current horticultural information such as lists of invasive, noxious and nuisance plants, deer resistant plants, native plants, street trees, and up-to-date web links to government and not-for-profit websites
- Ensure that the horticultural information is accessible to residents through the City's website, newsletter and Government Center

Cooperation:

- Advise City Council, Boards, Commissions and staff on issues related to horticulture and beautification such as green space design and plantings in public areas
- Advise City Council on issues related to trash and recycling
- Monitor and advise the City regarding its compliance with the Tree Preservation Ordinance (Ordinance 1899, November 10, 1997)
- Encourage and support the City's compliance as a Tree City U.S.A. by serving as the City's "Tree Board"

Recognition:

- Encourage beautiful and sustainable landscapes throughout Creve Coeur by sponsoring the City's Beautification Awards, which recognize exceptional landscaping efforts of residents, businesses and nonprofit institutions

The Public Information Officer and Management Analyst serves as Staff Liaison.

The Horticulture, Environment and Beautification Committee (HEB) is the successor to the Recycling and Environment Committee created by Resolution 396 in 1990. Committee duties were amended by Ordinance Number 1899 in 1997, which assigned certain responsibilities regarding the City's trees. Ordinance Number 3065 in 2005 added the responsibility of beautification and increased size to 11 members to become the Recycling, Environment and Beautification Committee. HEB is assigned the duties created by these ordinances except where modified by the City Council or by ordinance.

AN ORDINANCE AMENDING SECTION 210.410 OF THE CODE OF ORDINANCES REGARDING STEALING RENTED PERSONAL PROPERTY.

~~WHEREAS~~, as a result of changes to state law (2011 HB 111) the City Council has determined it to be in the best interest of the citizens of the City of Creve Coeur to update Section 210.410 Code of Ordinances of the City of Creve Coeur, regarding stealing rented personal property; and

~~WHEREAS~~, a copy of this ordinance has been made available for public inspection prior to its adoption by the City Council and this bill having been read by title in open meeting two times before final passage:

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

SECTION 1. Section 210.410 of the Code of Ordinances is hereby amended to read as follows:

SECTION 210.410: STEALING RENTED PERSONAL PROPERTY -- ENFORCEMENT PROCEDURE -- PENALTY ~~---~~ VENUE

A. A person commits the offense of stealing leased or rented property if, with the intent to deprive the owner thereof, such person:

(1) purposefully fails to return leased or rented personal property to the place and within the time specified in an agreement in writing providing for the leasing or renting of such personal property;

(2) conceals or aids or abets the concealment of the property from the owner;

(3) sells, encumbers, conveys, pawns, loans, abandons or gives away the leased or rented property or any part thereof without the written consent of the lessor, or without informing the person to whom the property is transferred to that the property is subject to a lease;

(4) returns the property to the lessor at the end of the lease term, plus any agreed upon extensions, but does not pay the lease charges agreed upon in the written instrument, with the intent to wrongfully deprive the lessor of the agreed upon charges.

B. The provisions of this Section shall apply to all forms of leasing and rental agreements including, but not limited to, contracts which provide the consumer options to buy the leased or rented personal property, lease-purchase agreements and rent-to-own contracts. For the purpose of determining if a violation of this Section has occurred, leasing contracts which provide options to buy the merchandise are owned by the owner of the property until such time as the owner endorses the sale and transfer of ownership of the leased property to the lessee.

C. Evidence that a lessee used a false, fictitious, or not current name, address or place of employment in obtaining the property or that a lessee fails or refuses to return the property or pay the lease charges to the lessor within seven days after written demand for the return has been sent by certified mail, return receipt requested, to the address the person set forth in the lease agreement, or in the absence of the address, to the person's last known place of residence, shall be evidence of intent to violate the provisions of the section, except that if a motor vehicle has not been returned within seventy-two (72) hours after the expiration of the lease or rental agreement, such failure to return the motor vehicle shall be prima facie evidence of the intent of the offense of stealing leased or rented property. Where the leased or rented property is a motor vehicle, if the motor vehicle has not been returned within seventy-two (72) hours after the expiration of the lease or rental agreement, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle, and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate State and local computer system listing stolen motor vehicles. Any Law Enforcement Officer which stops such a motor vehicle may seize the motor vehicle and notify the lessor that he/she may recover such motor vehicle after it is photographed and its vehicle identification number is recorded for evidentiary purposes. Where the leased or rented property is not a motor vehicle, if such property has not been returned within the seven day period prescribed in this subsection, the owner of the property shall report the failure to return the property to the local law enforcement agency, and such law enforcement agency may within five (5) days notify the person who leased or rented the property that such person is in violation of this Section, and that failure to immediately return the property may subject such person to arrest for the violation.

D. This Section shall not apply if such personal property is a vehicle and such return is made more difficult or expensive by a defect in such vehicle which renders such vehicle inoperable if the lessee shall notify the lessor of the location of such vehicle and such defect before the expiration of the lease or rental agreement or within ten (10) days after proper notice.

E. Any person who has leased or rented personal property of another who destroys such property so as to avoid returning it to the owner shall be guilty of property damage pursuant to [Section 210.300](#) in addition to being in violation of this Section.

F. Venue shall lie in the County where the personal property was originally rented or leased.

Note--Under certain circumstances this offense can be a felony under state law.

SECTION 2. This ordinance shall take effect in accordance with the provisions of section 3.11(g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2012.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2012.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, ~~MRC~~GMPCC
CITY CLERK



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: January 17, 2012

TO: Mark Perkins, City Administrator

FROM: Glenn Eidman, Chief of Police

SUBJECT: Updating Ordinance 210.410 to be in compliance with HB 111

As a result of changes to state law (2011 HB 111); updating this ordinance would be in the best interest to the citizens of Creve Coeur, as well as making enforcement of this ordinance manageable for the Police department. The changes in HB111 is directly related to Stealing Rented Personal Property; as well as applying to those who purposely fail to return leased or rental property. This ordinance will also apply to all forms of leasing and rental agreements. The changes outlined in the revision will bring this ordinance in compliance with HB 111.

578.150. 1. A person commits the crime of [failing to return] **stealing** leased or rented property if, with the intent to deprive the owner thereof, [he] **such person**:

(1) Purposefully fails to return leased or rented personal property to the place and within the time specified in an agreement in writing providing for the leasing or renting of such personal property[. In addition, any person who has leased or rented personal property of another who] ;

(2) Conceals **or aids or abets the concealment of** the property from the owner[, or who otherwise] ;

(3) Sells, **encumbers, conveys,** pawns, loans, abandons or gives away the leased or rented property [is guilty of the crime of failing to return leased or rented property] **or any part thereof, without the written consent of the lessor, or without informing the person to whom the property is transferred to that the property is subject to a lease;**

(4) Returns the property to the lessor at the end of the lease term, plus any agreed upon extensions, **but does not pay the lease charges agreed upon in the written instrument, with the intent to wrongfully deprive the lessor of the agreed upon charges.**

2. The provisions of this section shall apply to all forms of leasing and rental agreements, including, but not limited to, contracts which provide the consumer options to buy the leased or rented personal property, lease-purchase agreements and rent-to-own contracts. For the purpose of determining if a violation of this section has occurred, leasing contracts which provide options to buy the merchandise are owned by the owner of the property until such time as the owner endorses the sale and transfer of ownership of the leased property to the lessee.

[2. It shall be prima facie evidence of the crime of failing to return leased or rented property when a person who has leased or rented personal property of another willfully fails to return or make arrangements acceptable with the lessor to return the personal property to its owner at the owner's place of business within ten days after proper notice following the expiration of the lease or rental agreement] **3. Evidence that a lessee used a false, fictitious, or not current name, address, or place of employment in obtaining the property or that a lessee fails or refuses to return the property or pay the lease charges to the lessor within seven days after written demand for the return has been sent by certified mail, return receipt requested, to the address the person set forth in the lease agreement, or in the absence of the address, to the person's last known place of residence, shall be evidence of intent to violate the provisions of this section,** except that if [the] a motor vehicle has not been returned within seventy-two hours after the expiration of the lease or rental agreement, such failure to return the motor vehicle shall be prima facie evidence of the intent of the crime of [failing to return] **stealing** leased or rented property. Where the leased or rented property is a motor vehicle, if the motor vehicle has not been returned within seventy-two hours after the

expiration of the lease or rental agreement, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle, and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles. Any law enforcement officer which stops such a motor vehicle may seize the motor vehicle and notify the lessor that he may recover such motor vehicle after it is photographed and its vehicle identification number is recorded for evidentiary purposes. Where the leased or rented property is not a motor vehicle, if such property has not been returned within the [ten-day] **seven-day** period prescribed in this subsection, the owner of the property shall report the failure to return the property to the local law enforcement agency, and such law enforcement agency may within five days notify the person who leased or rented the property that such person is in violation of this section, and that failure to immediately return the property may subject such person to arrest for the violation.

[3.] 4. This section shall not apply if such personal property is a vehicle and such return is made more difficult or expensive by a defect in such vehicle which renders such vehicle inoperable, if the lessee shall notify the lessor of the location of such vehicle and such defect before the expiration of the lease or rental agreement, or within ten days after proper notice.

[4. Proper notice by the lessor shall consist of a written demand addressed and mailed by certified or registered mail to the lessee at the address given at the time of making the lease or rental agreement. The notice shall contain a statement that the failure to return the property may subject the lessee to criminal prosecution.]

5. Any person who has leased or rented personal property of another who destroys such property so as to avoid returning it to the owner shall be guilty of property damage pursuant to section 569.100 or 569.120, in addition to being in violation of this section.

6. Venue shall lie in the county where the personal property was originally rented or leased.

7. [Failure to return] **Stealing** leased or rented property is a class A misdemeanor unless the property involved has a value of [five hundred] **one thousand** dollars or more, in which case [failing to return] **stealing** leased or rented property is a class C felony.

AN ORDINANCE TO AMEND CHAPTER 405, THE ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI, AND OTHER CODE SECTIONS REGARDING DISABLED PARKING.

WHEREAS, the Missouri Legislature recently enacted HB 555 which includes changes to requirements concerning disabled parking; and,

WHEREAS, such changes necessitate related changes to the Zoning Code and other parts of the City Code of Ordinances concerning such parking; 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 January 17, 2012, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, Planning and Zoning Commission reviewed and by unanimous vote recommended approval of the amendments to the Zoning Code at its meeting on January 17, 2012; and

WHEREAS, 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 355.040: PHYSICALLY DISABLED PARKING is revised to read as follows:

A. It shall be unlawful for any person to park or stand any vehicle in any stall or space designated or reserved for physically disabled persons, as defined in Section 301.142, RSMo., as amended, whether upon public or private property open to public use, unless the vehicle bears the State of Missouri license plate or placard for the disabled as provided for in Sections 301.071 or 301.142, RSMo., as amended. The space shall be indicated by an upright sign whether on a pole or attached to a building upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this Subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine". Beginning August 28, 2011, all new signs designating accessible parking spaces shall not contain the words "Handicap Parking" or "Handicapped Parking".

B. Any vehicle operator who is not physically disabled shall not use ~~at the handicapped~~ parking space reserved for physically disabled persons unless there is a physically disabled person in the vehicle or while the vehicle is being used to transport a physically disabled person.

C. Any person convicted of violating this Section is guilty of an offense and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Every day upon which such violation occurs shall constitute a separate offense.

SECTION 2. SECTION 405.840: ACCESSIBLE PARKING REQUIREMENTS is revised to read as follows:

A. *General.* All applicants for site development plan approval for a new or changed development should be aware of the requirements of the federal Americans with Disabilities Act (ADA), as amended, and any rules or regulations established pursuant thereto of 1990 including provisions of the Act which were effective as of January 26, 1992.

B. *Accessible Parking Spaces.* Accessible parking spaces shall be a minimum of eight (8) feet in width and each space shall have access to a five (5) foot wide access aisle. In addition, at least one (1) of the accessible parking spaces must be capable of accommodating a wheelchair van which shall be provided a parking space of eight (8) feet wide plus an eight (8) foot wide discharge area. All accessible parking spaces shall be identified by light blue lines and an accessible symbol painted on the pavement and by an accessible parking space sign for each space. Notwithstanding the foregoing, effective August 28, 2011, for any re-striped or newly constructed parking lot, one in every four accessible spaces, and in no event less than one, shall be served by an access aisle a minimum of 96 inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal American Disabilities Act, as amended, and any rules or regulations established pursuant thereto.

C. Signs. Beginning August 28, 2011, all new signs designating accessible parking spaces shall not contain the words "Handicap Parking" or "Handicapped Parking".

D. Non-conformities. Nonconforming signs or spaces in use prior to August 28, 2011 shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of a nonconforming sign or space be extended by means other than those used to maintain any other sign or space on the same property.

SECTION 3. SECTION 500.140: AMENDMENTS TO CHAPTER 11 INTERNATIONAL BUILDING CODE is amended to read as follows:

Chapter 11--Accessibility. Chapter 11 of the International Building Code, 2003 Second Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 1106.5 Van spaces. ~~For every six or fraction of six accessible parking spaces, at least one shall be a van-accessible parking space. Where accessible parking is provided within or beneath a building, at least one van-accessible parking space shall also be provided within or beneath the building~~

BILL NO. 5359

ORDINANCE NO. _____

~~adjacent to the other interior accessible parking spaces.~~ Accessible spaces must comply with the requirements of Section 405.840 of the Zoning Code.

Section 1109.2 Toilet and Bathing Facilities. No changes made.

Exceptions:

1--3. No changes made.

4. Delete the reference to "International Plumbing Code" and substitute "St. Louis County Plumbing Code".

5--6. No changes made. (R.O. 2008 §6-29; Ord. No. 4076 §1, 5-14-07)

SECTION 4. Other references to "handicap", "handicapped" or "physically handicapped" parking in the Code of Ordinances, including but not limited to Sections 300.010, 340.090, 405.120, 405.370, 405.390, 405.450, 405.810, and 405.1080, shall be revised to refer to "physically disabled" parking.

SECTION 5. In order to improve compliance with the changes in parking requirements established herein, the City Administrator shall cause notice of these changes to be provided to the public by means of the City website, newsletters, and such other forms of communication as he may deem appropriate.

SECTION 6: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2012.

TARA NEALEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2012.

HAROLD DIELMANN
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
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 #11-031 TEXT AMENDMENT REVISING REQUIREMENTS FOR ACCESSIBLE PARKING

FOR THE MEETING OF: January 17, 2012

LOCATION: City-wide

REQUEST:

Revise sections of the Code of Ordinances to comply with new State requirements regarding signage for Accessible Parking, and the designation of "lift van accessible only" space

ADDITIONAL INFORMATION:

Missouri Legislature recently enacted HB 555 which includes changes to requirements concerning disabled parking. Therefore the City must revise the Code of Ordinances to comply with new regulations.

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

REPORT PREPARED BY:


Whitney Kelly, AICP
City Planner

1/13/2012
Date

ATTACHMENTS: Draft Ordinance

Key Issues:

- Compliance with Missouri HB 555
- Designation and Appropriate Signage for Accessible Parking Spaces

Comprehensive Plan References

- NA

Zoning Code References

- Section 355.040: Physically Disabled Parking
- Section 405.840: Accessible Parking Requirements
- Section 500.140: Amendments to Chapter 11 International Building Code

INTRODUCTION

The Missouri Legislature recently enacted HB 555, which includes changes to requirements concerning disabled parking. and, such changes necessitate related changes to the Zoning Code and other parts of the City Code of Ordinances concerning parking for the disabled.

DISCUSSION

Section 355.040 Physically Disabled Parking will be revised to stipulate that all new signs designating accessible parking spaces shall not contain the words “Handicap Parking” or “Handicapped Parking”.

Similarly, Section 405.840 Accessible Parking Requirements will be revised to include specific geometric requirements for lift-van parking spaces as follows:

A. *General.* All applicants for site development plan approval for a new or changed development should be aware of the requirements of the federal Americans with Disabilities Act (ADA), as amended, and any rules or regulations established pursuant thereto.

B. *Accessible Parking Spaces.* Accessible parking spaces shall be a minimum of eight (8) feet in width and each space shall have access to a five (5) foot wide access aisle. In addition, at least one (1) of the accessible parking spaces must be capable of accommodating a wheelchair van which shall be provided a parking space of eight (8) feet wide plus an eight (8) foot wide discharge area. All accessible parking spaces shall be identified by light blue lines and an accessible symbol painted on the pavement and by an accessible parking space sign for each space. Notwithstanding the foregoing, effective August 28, 2011, for any re-striped or newly constructed parking lot, one in every four accessible spaces, and in no event less than one, shall be served by an access aisle a minimum of 96 inches wide and shall be designated “lift van accessible only” with signs that meet the requirements of the federal American Disabilities Act, as amended, and any rules or regulations established pursuant thereto.

C. *Signs.* Beginning August 28, 2011, all new signs designating accessible parking spaces shall not contain the words “Handicap Parking” or “Handicapped Parking”.

D. *Non-conformities.* Nonconforming signs or spaces in use prior to August 28, 2011 shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of a nonconforming sign or space be extended by means other than those used to maintain any other sign or space on the same property.

Section 500.140 Amendments to Chapter 11 International Building Code will be revised to reference the section above as follows:

Section 1106.5 Van spaces. Accessible spaces must comply with the requirements of Section 405.840 of the Zoning Code.

MOTION

If the Commission members wish to proceed with an action on the proposed text amendment, the following is an example of an appropriate motion for this application:

“I move to recommend approval of a text amendment to amend Chapter 405, the Zoning Ordinance, and other code sections regarding disabled parking, as described in the staff report on application #11-031, for the meeting of January 17, 2012.”

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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

TUESDAY, JANUARY 17, 2012

7:00 P.M.

THOSE IN ATTENDANCE:

Mr. Tim Madden, Chair
Dr. Michael Barton
Mr. Gary Eberhardt, Vice Chair
Ms. Cynthia Kramer
Mr. Jim Schnarr
Mr. James Faron
Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Julie Lowery, 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

1 CHAIRMAN MADDEN: Good evening. I'd like to
2 call to order the Planning Zoning Commission meeting for
3 the City of Creve Coeur, Missouri for Tuesday, January
4 17th, 2012.

5 We'll start with roll call.

6 I don't see Dr. Barton.

7 Mr. Gary Eberhardt?

8 MR. EBERHARDT: Present.

9 CHAIRMAN MADDEN: I see Mr. James Faron.

10 Mr. Ken Howard? Okay.

11 Cynthia Kramer?

12 MS. KRAMER: Present.

13 CHAIRMAN MADDEN: Mr. Jim Schnarr?

14 MR. SCHNARR: Present.

15 CHAIRMAN MADDEN: Mr. Carl Lumley, our City
16 Attorney?

17 MR. LUMLEY: Present.

18 CHAIRMAN MADDEN: Mr. Paul Langdon, Director Of
19 Community Development?

20 MR. LANGDON: Present.

21 CHAIRMAN MADDEN: Whitney Kelly, our City
22 Planner?

23 MS. KELLY: Present.

24 CHAIRMAN MADDEN: And, Ms. Julie Lowery, our
25 Recording Secretary?

1 MS. LOWERY: Present.

2 CHAIRMAN MADDEN: We're going to have a public
3 hearing for Application No. 11-031 Text Amendment to
4 Chapter 405 of the Zoning Ordinance of the Code of
5 Ordinances of the City of Creve Coeur, Missouri regarding
6 disabled parking.

7 Mr. Caldwell, are you going to speak on this,
8 cause I'll have her swear you in at the same time?

9 MR. CALDWELL: I'll have to wait until I hear
10 what it says.

11 CHAIRMAN MADDEN: Okay.

12 (Whitney Kelly was sworn by the court reporter.)

13 MS. KELLY: Good evening. Whitney Kelly with
14 the City of Creve Coeur.

15 The text amendment before you is to make the
16 City's Code compliant with the recently enacted House Bill
17 555, which requires changes to how accessible parking
18 spaces are to be designated and appropriate wording for
19 such.

20 (Michael Barton is now present.)

21 MS. KELLY: In addition, the building codes will
22 be revised to reflect the zoning changes before you.

23 And if you have any other questions. That's
24 pretty much all I have.

25 MR. SCHNARR: What are these parking spots going

1 to be called now since they can't be called handicap
2 anymore?

3 MS. KELLY: Appropriate wording is "accessible
4 parking".

5 MR. SCHNARR: You mean all those spots in that
6 lot, these half dozen are accessible? That's ridiculous.

7 CHAIRMAN MADDEN: Okay. We know how Mr. Schnarr
8 feels.

9 Do you have a question? Mr. Eberhardt.

10 MR. EBERHARDT: You know, I don't think we have
11 much choice here, but it seems to me the new ordinance
12 says you can't use the word "disability" or "disabled",
13 but it doesn't say what you can use.

14 Now I realize that the ordinance says that you
15 can use an appropriate word such as acceptable, but
16 throughout we talked about disabled parking, and I presume
17 that disabled parking might be appropriate as well.

18 Do you have any opinion on that?

19 MS. KELLY: It just refers to that it should not
20 be handicapped or handicap parking. It did suggest
21 appropriate wording as accessible parking.

22 MR. EBERHARDT: Does the statute do that or did
23 we do that in our ordinance draft?

24 MS. KELLY: I'll let the --

25 MR. LUMLEY: This is all from the statute.

1 MR. EBERHARDT: All from the statute.

2 MR. LUMLEY: All the changes.

3 CHAIRMAN MADDEN: Any other questions or
4 comments?

5 Anybody from the audience wish to speak?

6 Okay. And that will end our public -- after you
7 add some things to the record.

8 MR. LUMLEY: Offer the following exhibits into
9 the record of public hearing: Documentation reflecting
10 the notice that was provided to the public that's in
11 possession of the City; staff report that was just
12 presented dated for the meeting of January 17 of 2012;
13 City's Code of Ordinances and Charter; the City's
14 Comprehensive Plan and the public file regarding the
15 application for change.

16 CHAIRMAN MADDEN: And that will end our public
17 hearing.

18 (The public hearing was closed)

19

20

21

22

23

24

25

1 STATE OF MISSOURI)
2 COUNTY OF ST. LOUIS) SS
3

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

11
12
13 _____, RPR, MO-CCR, IL-CSR, KS-CCR

14 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR
15
16
17
18
19
20
21
22
23
24
25



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

January 20, 2012

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

Re: Application #11-031 – Text Amendment to Chapter 405
Disabled Parking

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of January 17, 2012, reviewed the City's request to revise sections of the Code of Ordinances to comply with new State requirements regarding signage for Accessible Parking, the designation of "lift van only" spaces and other geometric requirements regarding parking for the disabled.

By unanimous vote, the P&Z Commission recommends approval of the text amendment to amend Chapter 405, the Zoning Ordinance, and other code sections regarding disabled parking, as described in the staff report on application #11-031.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official



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

January 20, 2012

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

Re: Application #11-031 – Text Amendment to Chapter 405
Disabled Parking

Honorable Mayor and City Council Members:

The Planning and Zoning Commission, at its meeting of January 17, 2012, reviewed the City's request to revise sections of the Code of Ordinances to comply with new State requirements regarding signage for Accessible Parking, the designation of "lift van only" spaces and other geometric requirements regarding parking for the disabled.

By unanimous vote, the P&Z Commission recommends approval of the text amendment to amend Chapter 405, the Zoning Ordinance, and other code sections regarding disabled parking, as described in the staff report on application #11-031.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official

RESOLUTION NO. 991

A RESOLUTION AUTHORIZING THE CITY OF CREVE COEUR TO PURCHASE FIVE (5) POLICE DODGE CHARGER PACKAGE VEHICLES FROM LOU FUSZ CHRYSLER/DODGE.

WHEREAS, in the interest of public safety, the police department requires reliable police vehicles to effectively patrol the City; and

WHEREAS, such police vehicles will be replaced when they are determined to have surpassed their life expectancy, or reached their maximum trade-in value as a reliable police unit; and

WHEREAS, the police department is requesting funding in the amount of \$111,715.00. This amount would be payable to Lou Fusz Chrysler/Dodge for the purchase of five (5) 2012 Dodge Charger Police Package vehicles at \$22,343.00 per unit for the police department. This is an approved budget item in the Police department Patrol budget.

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

Section 1: The City of Creve Coeur is hereby authorized to enter into an agreement with Lou Fusz Chrysler/Dodge to provide Five (5) 2012 model year Dodge Charger Police Package vehicle for the police department at a cost of \$111,715.00.

Section 2: Be it further resolved that this Resolution shall become effective upon adoption by the City Council.

Adopted this 23rd day of January, 2012

Harold L. Dielmann
Mayor

Attest:

Deborah Ryan
City Clerk



STATE OF MISSOURI
OFFICE OF ADMINISTRATION
DIVISION OF PURCHASING AND MATERIALS MANAGEMENT

NOTIFICATION OF STATEWIDE CONTRACT

October 28, 2011

CONTRACT TITLE: Patrol Vehicles: Current Model Year

CURRENT CONTRACT PERIOD: October 14, 2011 through End of Current Model Year

BUYER INFORMATION: Tammy Michel
(573) 751-3114
Tammy.michel@oa.mo.gov

RENEWAL INFORMATION	NO RENEWAL OPTION AVAILABLE
----------------------------	------------------------------------

ALL PURCHASES MADE UNDER THIS CONTRACT MUST BE FOR **PUBLIC USE ONLY**.
PURCHASES FOR PERSONAL USE BY PUBLIC EMPLOYEES OR OFFICIALS ARE PROHIBITED.

THE USE OF THIS CONTRACT IS **MANDATORY** FOR ALL STATE AGENCIES.

Local Purchase Authority shall not be used to purchase supplies/services included
in this contract unless specifically allowed by the contract terms.

The entire contract document may be viewed and printed from the Division of Purchasing & Materials Management's
Awarded Bid & Contract Document Search located on the Internet at <http://www.oa.mo.gov/purch>.

~ Instructions for use of the contract, specifications, requirements, and pricing are attached ~.

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/ WBE	COOP PROCURE -MENT
C112055001	4313370020 1	Don Brown Chevrolet, Inc. and Ally Contact: David Helterbrand 2244 South Kingshighway St. Louis, MO 63110 Phone: (314) 772-1400 Fax: (314) 772-1022	No	Yes
C112055002	4312893570 3	West Brothers Chevrolet Contact: John Schaefferkoetter 47 North Service Road PO Box 579 Sullivan, MO 63080 Phone: 573-205-3925 Fax: 573-437-5570 Email: johns@westbrothers.com	No	Yes

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/ WBE	COOP PROCURE -MENT
C112055003	4312062830 4	Lou Fusz-Chrysler, Jeep, Dodge Contact: Donna Garrison 3480 Hwy K O'Fallon, MO 63368 Phone: 636-448-0146 Fax: 636-442-8126	No	Yes
C112055004	4309186700 0	Joe Machens Ford Contact: Steve Veltrop, Jr. 1911 West Worley Columbia, MO 65203 Phone: (573) 445-4411 ext. 119 Fax: (573) 445-8164	No	Yes

STATEWIDE CONTRACT HISTORY

The following summarizes actions related to this Notification of Statewide Contract since its initial issuance. Any and all revisions have been incorporated into the attached document.

Contract Period	Issue Date	Summary of Changes
10/14/11- End of Current Model Year	10/28/11	Line item 017 was corrected to read \$3,745.00 in lieu of \$2,745.00. furthermore, the statement "Includes line item 016 credit" was added.
10/14/11- End of Current Model Year	10/14/11	Initial issuance of new statewide contract

PATROL CARS – CURRENT MODEL YEAR
(Statewide)

GENERAL INFORMATION

C112055001, C112055002, C112055003, and C112055004 are established for the purchase of current model year police package sedans. These are law enforcement vehicles and their purchase must be intended for law enforcement use. Specific information on warranty, ordering and delivery terms follows. Vehicle specifications and prices, including options, are included herein.

BRAND AND MODEL

C112055001:	Brand: Chevrolet	Model: Caprice 9C1 Police Package Sedan
	Brand: Chevrolet	Model: Impala 9C1 Police Package Four Door Sedan
C112055002	Brand: Chevrolet	Model: Tahoe
C112055003:	Brand: Dodge	Model: Charger Police
C112055004:	Brand: Ford	Model: Police Interceptor Sedan
	Brand: Ford	Model: Police Interceptor Utility

WARRANTY

The Standard Factory Warranty shall apply to all vehicles. A properly executed warranty must be delivered with the vehicle. The warranty shall not become effective until the unit is placed in service. If special forms must be filed with the contractor, the State of Missouri will comply with this request.

The warranty shall commence upon delivery and acceptance of the equipment/supplies by the State of Missouri.

ORDERING

The agency shall issue its own PGQ (Quick Price Agreement) order on an as needed basis. The contractor must not ship until they are in receipt of a hard copy PGQ order.

The commodity service code to use for line items 001, 007, 010, 015 and 023 in SAM II will be 07006. The commodity service code to use for line item 009 will be 07048.

DELIVERY

Must be made between the hours of 8:00 AM and 12:00 Noon or 1:00 PM and 4:00 PM, Monday through Friday, holidays excepted.

In the event the contractor fails to deliver the vehicle by the stated ARO time, the State of Missouri reserves the right to find the same or similar vehicle from another source, and to charge the contractor the difference for the substitution. The State of Missouri reserves the right to exercise this clause on a case-by-case basis, and to consider the degree of contractor responsibility in the delay.

PATROL CARS – CURRENT MODEL YEAR
(Statewide)

Contract Number: C112055001

Contractor: Don Brown Chevrolet Inc. & Ally

Line Item 001

Commodity Service Code: 07006

MAKE/MODEL: 2012 Chevrolet Caprice 9C1 Police Package Sedan PRICE: \$25,840.00

EQUIPMENT INCLUDED IN PRICE

- 6.0 liter V8 gasoline engine with heavy duty cooling system and auxiliary engine oil cooler
- Rear wheel drive
- Six (6) Speed heavy duty transmission for police operation. Floor mounted shift lever without console
- 2.92 to 1 Rear Axle Ratio, Limited Slip
- Heavy-duty power rack and pinion steering with auxiliary oil cooler
- Heavy-duty fade resistant four wheel anti-lock disc brakes with power booster
- Heavy-duty 4 wheel independent front and rear suspension equipped with heavy-duty front and rear stabilizer bars
- Tilt and telescoping steering wheel
- Five (5) Goodyear P235/50R 18 BSW tires "W" speed rated, (includes full size spare)
- Five (5) 18" x 8" heavy-duty steel wheels (includes full size spare)
- Full wheel covers
- 170 ampere alternator
- 700 c.c.a. heavy-duty battery
- 600 c.c.a. heavy-duty auxiliary battery located in trunk. Must include isolator to prevent main battery rundown
- Cruise control factory installed
- Factory installed air conditioning with integral heater and Defroster
- Electric rear window defroster
- Speedometer, Police type, 0-160 MPH, certified for accuracy
- AM/FM Radio
- AM and Police radio noise suppression package
- Power windows and door locks. Rear power windows operable from rear seat and driver's seat. Rear window lockout switch controllable from the driver's position
- Rear inside door locks and handles fully operable
- Single key system for ignition, door and deck lid with two (2) keyless entry key fobs. Each vehicle keyed differently
- Deck lid key lock cylinder. Driver side front door lock cylinder
- Outside Rearview mirrors power heated
- Heavy-duty front bucket seats reinforced for increase support and covered with heavy duty cloth fabric. No center console. Power adjusting driver seat with manual fore-aft movement
- Heavy-duty cloth fabric rear bench seat
- Driver and front passenger air bags, side curtain air bags for driver and passenger only, front seat back mounted thorax air bags
- Full color keyed carpeting
- Front and rear carpeted mats
- Front license bracket
- Left (driver side) factory spotlight provision with 6" halogen spotlight installed
- Factory installed overhead high intensity auxiliary dome lamp wired and switched independently from standard dome lamp
- Dome and courtesy lamps will not operate when doors are opened. Lamps controlled by IP switch only.
- Grill lamp and siren speaker wiring
- Horn/siren wiring circuit
- Standard production solid color exterior and standard interior trim

AVAILABLE OPTIONS

Line Item 002 – \$ 165.00

6.0 liter V8 gasoline engine, delete and replace with 3.6 liter V6 gasoline engine with locking (limited slip) differential.

* **Note:** \$ 0.00 if locking (limited slip) differential is not desired.

Line Item 003 – \$ 212.00 (credit)

Auxiliary equipment battery, delete.

Line Item 004 – \$63.00

Head curtain roof rail mounted airbags, combined front and rear passenger.

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

Line Item 005 – \$ <\$391> Delete

Detective street appearance package. Includes spotlight and spotlight provision delete (9C3 Option)

Line Item 006 – \$ 127.00

6 Keys with integrated remote entry (option AMF)

DELIVERY: 120 days after receipt of order - Subject to delays.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 030 - \$525.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 036 - \$0.96 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C112055001

Contractor: Don Brown Chevrolet Inc. & Ally

Line Item 007

Commodity Service Code: 07006

MAKE/MODEL: 2012 Chevrolet Impala 9C1 - 9C3 Police Package Four Door Sedan

PRICE: \$20,196.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|---|---|
| <ul style="list-style-type: none">-V-6, 3.6 Liter Gasoline Engine with Heavy-Duty Cooling system and auxiliary engine oil cooler-Front Wheel Drive-Six Speed Automatic Transmission, heavy duty for police Operation. Column Shifter and External Oil Cooler-Heavy Duty Power Rack And Pinion Steering With Oil Cooler-Tilt Steering Wheel-Heavy-Duty Fade Resistant Four Wheel Anti-Lock Disc Brakes with Power Booster-Four Wheel Heavy Duty Independent Suspension with heavy duty front and rear stabilizer bars.-Four (4) P235/55R17 BSW "W" speed rated tires-Four (4) 17" heavy duty steel wheels.-Manufacturers optional full wheel covers.-Compact Spare tire/wheel-170 Ampere Alternator-730 CCA Heavy Duty Battery-Police Type 0-140 mph Speedometer Certified For Accuracy-Cruise Control-Automatic Deck Lid Release-Driver and passenger front air bag, Side Curtain Air BagsDriver and passenger, Driver and front passenger seat mounted thorax air bags-AM/FM Stereo-AM and Police Radio Noise Suppression Package | <ul style="list-style-type: none">rear seat and driver's seat, rear window lockout switch controllable from driver's position-Rear inside door locks and handles fully operable-Single Key Locking System with two (2) keyless entry key fobs. Each vehicle keyed differently-Deck lid and driver door lock cylinders-Protective Body Side Moldings-Air Conditioning with integral heater and defroster-Electric Rear Window Defroster-Reinforced Heavy Duty Front Bucket Seats with heavy duty cloth fabric. No center console. Power adjusting driver and passenger seat-Heavy-Duty Cloth Fabric Rear Bench Seat-Full Carpeting, both Front and Rear-Front and Rear Floor mats-Front License Bracket-Spotlight Provision; Left Hand with 6" Unity Halogen Spotlight-Courtesy Lamp Disable, Lamps controlled by IP switch-Auxiliary Dome Lamp-Grill Lamp, Siren and Speaker Wiring-Power heated outside rear view mirrors-Standard Production Solid Color Exterior and Standard Interior Trim |
|---|---|
- Power Windows and Door Locks, rear window operable from

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

AVAILABLE OPTIONS

Line Item 008– \$ 242.00 - Delete

Detective Street Appearance Package. Includes spotlight and spotlight provision delete (9C3 Option)

DELIVERY: Approximately 80 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 031 - \$525.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 036 - \$0.96 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C112055002

Contractor: West Brothers Chevrolet

Line Item 009

Commodity Service Code: 07048

MAKE/MODEL: 2012 Chevrolet Tahoe 2-Wheel Drive Police Package PPV

PRICE: \$25,428.00

EQUIPMENT INCLUDED IN PRICE

- V-8 type, 5.3 liter gasoline engine with Heavy-duty cooling system and auxiliary engine oil cooler
- Rear wheel drive
- Six speed automatic transmission, heavy duty for police operation, column mounted gear shift lever and auxiliary oil cooler.
 - 3.08 to 1 Rear Axle Ratio
 - 6,700 lbs. G.V.W.R.
- Heavy duty power rack and pinion steering with auxiliary oil cooler.
- Tilt steering wheel
- Heavy duty fade resistant 4 wheel anti-lock disc brakes with power assist.
- Heavy-duty front and rear suspension equipped with heavy-duty front and rear stabilizer bars
- Five tires, P265/60R17 BSW, "V" speed rated (includes spare)
- Five 17" x 7.5" heavy-duty steel wheels (includes spare)
- Metal bolt-on chrome center caps.
- 160 ampere alternator
- Heavy duty 730 C.C.A battery
- Police Type Speedometer, 0-140 MPH, certified
- Driver and front passenger air bags, Driver and passenger side curtain air bags, Driver and front passenger seat mounted thorax air bags
- AM/FM stereo with CD
- AM and police radio noise suppression package
- Rear inside door locks and handles fully operable
- Driver front door and Lift gate lock cylinder
- Single Key Locking System
- Cruise Control
- Front and rear air conditioning with integral heater and defroster.
- Electric rear window defroster
- Heavy duty high back front bucket seats reinforced for increased support and covered with heavy duty cloth fabric. No center console. Power driver and front passenger seats
- Heavy duty vinyl bench rear seat.
- Full Color keyed carpeting.
- Front and Rear floor mats
- Protective Body Side Moldings
- Deep tinted glass, all windows except windshield and front door windows which shall be a light tinted glass.
- Outside heated and power adjustable mirrors
- Front License Bracket
- Spotlight Provision, Left Hand With 6" Unity Halogen spotlight
- High intensity Auxiliary Dome Lamp
- Horn and Siren Wiring Circuit
- Standard Production Solid Color Exterior and Standard Interior Trim
- Power windows with rear window lockout switch
- Power door locks

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

DELIVERY: Approximately 70 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 032- \$420.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 036 - \$1.10 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C112055003

Contractor: Lou Fusz-Chrysler, Jeep, Dodge, Ram

Line Item 010

Commodity Service Code: 07006

MAKE/MODEL: 2012 Dodge LDDE48 Charger Police Pursuit

PRICE: \$21,953.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|--|---|
| <ul style="list-style-type: none">-V-8 type, 5.7 liter gasoline engine with heavy duty cooling system and engine oil cooler-Rear wheel drive-3.06 to 1 Rear Axle Ratio-Five speed automatic with overdrive transmission, heavy duty for police operation, column shifter and external oil cooler-Heavy duty power rack and pinion steering with oil cooler-Tilt steering wheel-Heavy duty fade resistant four wheel disc anti-lock disc brakes with power booster-Heavy duty four wheel independent suspension-Four (4) Goodyear tires, P225/60R18 BSW, "W" speed rated-Four 18" x 7.5" steel wheels with manufacturers optional 18" full wheel covers-Space-saver type spare tire/wheel-220 ampere alternator-Heavy duty 800 c.c.a. minimum battery-Speed Control-Air conditioning system with integral heater and defroster-Electric rear window defroster-Power Deck Lid Release, ignition controlled-Police Type Certified 0-160 mph speedometer-AM/FM stereo radio-Radio Noise Suppression Package | <ul style="list-style-type: none">curtain air bags and driver and front passenger seat mounted thorax air bags-Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switchcontrollable from driver's position-Rear inside door locks and handles fully operable-Heavy duty front bucket seats reinforced for increased support with heavy duty cloth fabric. No center console.Power adjusting driver seat-Heavy duty cloth bench rear seat.-Full carpeting both front and rear-Carpeted floor mats-Front license bracket-Spotlight Provision, Left Hand With 6" Unity Halogen Spotlight-Factory dome/map lamp delete-Auxiliary Dome Lamp wired and switched independently-Power Heated Outside Rearview Mirrors-Single Key Locking System-Keyless Entry System-Standard Production Solid Color Exterior and Standard Interior Trim |
|--|---|

- Driver and front passenger air bags, driver and passenger side

AVAILABLE OPTIONS

Line Item 011 - \$818.00 (credit)

5.7 liter V8 engine delete and replace with 3.6 liter V6 engine (credit).

Line Item 012 - \$160.00

Compact spare tire/wheel, delete and replace with full size spare.

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

Line Item 013 - No Charge

Police equipment mounting bracket located between front seats.

Line Item 014 - \$495.00

Detective street appearance package. Includes spotlight and spotlight provision delete

DELIVERY: Approximately 70 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 033- \$863.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 036 - \$1.50 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C112055004

Contractor: Joe Machens Ford

Line Item 015

Commodity Service Code: 07006

MAKE/MODEL: 2013 Ford Police Interceptor Sedan

PRICE: \$25,796.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|---|--|
| <ul style="list-style-type: none">-V-6 type, 3.5 liter turbo-charged (EcoBoost) gasoline engine with heavy duty cooling system and engine oil cooler-148 m.p.h. top speed calibration-All wheel drive-Six speed automatic heavy duty police calibration, column shifter and external oil cooler-Heavy duty electric power assist steering-Tilt steering wheel-Heavy duty fade resistant four wheel disc anti-lock disc brakes with power booster-Independent front and rear suspension. Front and rear stabilizer bars-Five (5) tires, 245/55R18 BSW, "W" speed rated (includes spare)-Five (5) 18" x 8" heavy duty steel wheel (includes spare)-18" Full Wheel Covers-220 ampere heavy duty alternator-750 c.c.a. minimum battery-Police type speedometer certified for accuracy-Speed Control-Air conditioning system with integral heater and defroster-Electric rear window defroster-AM/FM stereo radio-Power adjustable brake and accelerator pedals-AM and police radio noise suppression package | <ul style="list-style-type: none">-Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switchcontrollable from driver's position-Rear inside door locks and handles fully operable-Automatic Deck Lid Release, ignition controlled-Deck lid and driver door key lock cylinder-Single Key Locking System-Heavy duty front bucket seats without console, designed for police usage and covered with heavy duty cloth fabric.6-way power adjusting driver seat-Heavy duty cloth bench rear seat.-Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags-Full carpeting both front and rear-Carpeted floor mats-Front license bracket-Spotlight Provision, Left Hand With 6" Unity Halogen Spotlight-Police Power Pigtail Harness-Pre-wiring for grill lamp, siren and speaker-Courtesy lamps disabled when any door is opened-Overhead high intensity auxiliary dome lamp wired and switched independently from dome lamp-Standard Production Solid Color Exterior and Standard Interior Trim |
|---|--|

**PATROL CARS – CURRENT MODEL YEAR
(Statewide)**

AVAILABLE OPTIONS

Line Item 016 - \$2,745.00 (credit)

Turbo-charged 3.5 liter V6 engine delete and replace with normally aspirated 3.5 liter V6 (TiVCT) gasoline engine

Line Item 017 - \$3,745.00 (credit) (Includes Line Item 016 credit)

All wheel drive delete and replace with standard front wheel drive. Requires normally aspirated 3.5 liter V6 engine

Line Item 018 - \$126.00

Four remappable switches on steering wheel

Line Item 019 - \$202.00

Manufacturer installed electronics tray

Line Item 020 - \$252.00 (Includes Line item 019)

Manufacturer installed trunk circulation fan (mounted on package tray)

Line Item 021 - \$214.00

Manufacturer installed remote keyless entry key fob

Line Item 022 - No Charge

Police Interceptor badge delete option

DELIVERY: Approximately 90 to 120 days after receipt of order.

The following line items will apply to co-operative procurement and state agency orders.

Line Items 034 - \$600.00 per vehicle

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

Line Item 036 - \$1.50 per mile

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

Contract Number: C112055004

Contractor: Joe Machens Ford

Line Item 023

Commodity Service Code: 07006

MAKE/MODEL: 2013 Ford Police Interceptor Utility AWD

PRICE: \$24,937.00

EQUIPMENT INCLUDED IN PRICE

- | | |
|---|--|
| -V-6 type, 3.7 liter normally aspirated gasoline engine
with heavy duty cooling system and engine oil cooler | stabilizer bars |
| -All wheel drive | -Five (5) tires, 245/55R18 BSW, "W" speed rated (includes spare) |
| -Six speed automatic heavy duty police calibration, column
Mounted gear selector and auxiliary oil cooler | -Five (5) 18" x 8" heavy duty steel wheel (includes spare) |
| -Heavy duty electric power assist steering | -18" Full Wheel Covers |
| -Tilt steering wheel | -220 ampere heavy duty alternator |
| -Heavy duty fade resistant four wheel disc anti-lock disc
brakes with power booster | -750 c.c.a. minimum battery |
| -Independent front and rear suspension. Front and rear | -Police type speedometer certified for accuracy |
| | -Speed Control |
| | -Air conditioning system with integral heater and defroster |

PATROL CARS – CURRENT MODEL YEAR

(Statewide)

- Electric rear window defroster
- AM/FM stereo radio
- Power adjustable brake and accelerator pedals
- AM and police radio noise suppression package
- Power windows and door locks, rear power window operable from rear seat and driver's seat, rear window lockout switch controllable from driver's position
- Rear inside door locks and handles fully operable
- Lift gate key lock cylinder and driver door key lock cylinder
- Single Key Locking System
- Privacy glass for second and third row
- Heavy duty front bucket seats without center console, designed for police usage and covered with heavy duty cloth fabric. 6-way power adjusting driver seat

- Heavy duty cloth bench rear seat.
- Driver and front passenger air bags, driver and passenger side curtain air bags and driver and front passenger seat mounted thorax air bags
- Full carpeting first and second row
- Carpeted floor mats
- Front license bracket
- Spotlight Provision, Left Hand With 6" Unity Halogen Spotlight
- Police Power Pigtail Harness
- Pre-wiring for grill lamp, siren and speaker
- Courtesy lamps disabled when any door is opened
- Overhead high intensity auxiliary dome lamp
- Standard Production Solid Color Exterior and Standard Interior Trim

AVAILABLE OPTIONS

Line Item 024 - \$1,001.00 (credit)

All wheel drive delete and replace with standard front wheel drive

Line Item 025 - \$127.00

Four remappable switches on steering wheel

Line Item 026 - \$213.00

Manufacturer installed remote keyless entry key fobs

Line Item 027 – No Charge

Police Interceptor badge delete option

Line Item 028 - \$500.00

Auxiliary air conditioning

Line Item 029 - \$41.00

Red/White dome lamp in cargo area

DELIVERY: Approximately 90 to 120 days after receipt of order.

The following line items will apply to cooperative procurement and state agency orders.

Line Item 035 - \$600.00 per vehicle

Other state agencies and cooperative procurements may purchase cars off of this contract. The total vehicle preparation cost for the vehicles processed through the contractor's dealership is a per vehicle price.

Line Item 036 - \$0.40 per mile

Total round trip per mile to deliver the cooperative procurement and other state agencies vehicles if requested.

**PATROL CARS- CURRENT MODEL YEAR
(STATEWIDE CONTRACT)**

State of Missouri
Office of Administration
Division of Purchasing and Materials Management
Contract Performance Report

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve products and services available to state agency users. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product Purchased (include Item No's., if available): _____

Rating Scale: 5 = Excellent, 4 = Good, 3 = Average, 2 = Poor, 1 = Fails to meet expectations

Product Rating	Rate 1-5, 5 best
Product meets your needs	
Product meets contract specifications	
Pricing	

Contractor Rating	Rate 1-5, 5 best
Timeliness of delivery	
Responsiveness to inquiries	
Employee courtesy	
Problem resolution	
Recall notices handled effectively	

Comments: _____

Prepared by: _____ **Title:** _____ **Agency:** _____

Date: _____ **Phone:** _____ **Email:** _____

Address: _____

Please detach or photocopy this form & return by FAX to 573/526-9816, or mail to:

Office of Administration
Division of Purchasing and Materials Management
301 West High Street, RM 630
PO Box 809
Jefferson City, Missouri 65102
You may also e-mail form to the buyer as an attachment at
tammy.michel@oa.mo.gov



State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819

Agency Tracking # (Optional)	
Date Received SFM Use Only	
Tracking Number SFM Use Only	

VEHICLE PREAPPROVAL FORM (Page 1)

Department/Division	Agency Contact Name
SAM II Order #	Agency Contact Fax

SECTION A		
Expansion/Replacement	☐ Expansion ☐ Replacement (Complete Section D for Expansion Requests)	Purchase Price \$
Purchase From:	☐ State Contract ☐ Surplus ☐ MSHP	Purchase Option (check all that apply) ☐ Purchase ☐ Lease-Purchase ☐ Credits (Section 37.452 RSMo)
Vehicle Requested ☐ New ☐ Used (Check One)		
VEHICLE DATA	VEHICLE TO BE REPLACED	REQUESTED VEHICLE
Year		
Make		
Model		
VIN		N/A
License Number		N/A
Inventory Number		N/A
Current Odometer		(leave blank for new vehicles)
Annual Miles Driven	Prior FY Actual	Estimated
Vehicle Category	Pick One	Pick One
Vehicle Subcategory	Pick One	Pick One
Check all that apply	☐ 4WD ☐ Police Equipped	☐ 4WD ☐ Police Equipped
Primary Assignment	☐ Individual ☐ Function ☐ Pool	☐ Individual ☐ Function ☐ Pool
Assignment Name		
Vehicle Purpose	☐ Employee Transportation ☐ Client Transportation ☐ Task Specific (describe below) ☐ Special Purpose (describe below)	☐ Employee Transportation ☐ Client Transportation ☐ Task Specific (describe below) ☐ Special Purpose (describe below)
Reason for Replacement	☐ Routine (Over 120,000 miles) ☐ Other (Complete Section E)	Actual Disposal Date/Miles (SFM use only)
Estimated Disposal Date		

SECTION B: SIGNATURES	
Agency Head or Designee Date: _____	State Fleet Manager Date: _____ ☐ Approved ☐ Denied



State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819

Agency Tracking # (Optional)	
Date Received SFM Use Only	
Tracking Number SFM Use Only	

VEHICLE PREAPPROVAL FORM (Page 2)

SECTION C: ADDITIONAL JUSTIFICATION FOR CERTAIN VEHICLE TYPES

This section must be completed if a SUV, four wheel drive vehicle, full size sedan or a police equipped vehicle is requested for individuals other than POST certified officers.

Special Requirements: Check all that apply and then describe in detail in the space provided below.

- ☐ Regularly driven off road or on unimproved roads
- ☐ Equipment/Tool Storage
- ☐ Passenger Occupancy
- ☐ Utility Features
- ☐ Other

Please describe the specific need here. Include justification describing why a lower cost; more fuel-efficient vehicle is not sufficient to meet agency needs.

SECTION D: ADDITIONAL JUSTIFICATION FOR EXPANSION VEHICLES

This section must be completed for expansion vehicle requests.

Reason for Expansion: Check all that apply and then describe in detail in the space provided below:

- ☐ New Statutory Requirements
- ☐ Fleet Increase Approved by General Assembly
- ☐ Program Changes
- ☐ Other

Describe the need to expand the fleet here.

SECTION E: REASON FOR REPLACEMENT

If "Other" was selected as the reason for replacement on page one please provide additional information below.

ADDITIONAL INFORMATION (optional)



**State of Missouri
Office of Administration
State Fleet Management Program
Post Office Box 809, Jefferson City, MO 65102
573/751-4534
FAX 573/751-7819**

VEHICLE PREAPPROVAL FORM

INSTRUCTIONS & INFORMATION

All new or used vehicle purchases must be approved in accordance with Executive Order 05-02 and the State Vehicle Policy (SP-4) which also requires vehicles under 10,000 GVWR (Gross Vehicle Weight Rating) to be pre-approved by the State Fleet Manager). The State Vehicle Policy may be viewed at <http://www.oa.mo.gov/gs/fm/index.htm>. This includes vehicles purchased directly from other state agencies or State Surplus Property. State Surplus Property requires a signed pre-approval form prior to selling a used vehicle to a state agency.

STEP-BY-STEP INSTRUCTIONS TO COMPLETE THE PREAPPROVAL FORM

Complete Section A with information on the vehicle to be purchased and the vehicle to be replaced (if applicable).
Complete Section C if the request is to request purchase an SUV, four wheel drive pickup, full size sedan or a police equipped vehicle to be operated by individuals other than POST certified law enforcement officers.
Complete Section D if you are requesting an expansion to the size of your fleet.
Obtain signature of agency head or designee in Section B.
Agencies are not required to submit page two of this form if Sections C-E are not required.
Submit the signed form to the State Fleet Management Program. Address and fax numbers are displayed at the top of this page.
Interagency Mail: Room 760, Harry S. Truman State Office Building
The signed preapproval form will be faxed back to the contact indicated on the top of page one.

SAM II FINANCIAL PURCHASE ORDER INFORMATION

Agencies must use one of the following commodity codes when processing a PGQ or PDQ document:

07006 – Automobiles & Station Wagons
07007 – Autos, Station Wagons, Vans, Trucks, Alternative Fuel
07048 – Trucks (One Ton and Less Capacity)
07092 – Vans

Agencies do not have to enter a SAM II purchase order prior to submission of the preapproval form. If the purchase order number is indicated on the preapproval form, it will be approved in SAM II after the State Fleet Manager approves the preapproval form. If the purchase order number is not provided, agencies must contact the State Fleet Manager with the SAM II purchase order number and the SFM Tracking Number from the top of the preapproval form and indicate that the purchase order is ready for approval.

VEHICLE CREDIT INFORMATION

If your agency would like to purchase a vehicle with vehicle credit funds, please submit the Vehicle Credit Request Form with the Vehicle Preapproval Form. Your request to purchase a vehicle with credit funds must be approved before a purchase order can be fully processed. All vehicle credit purchases must be made in accordance with the signed interagency spending delegation agreement and Vehicle Credit Procedures. Procedures and the request form can be found at: <http://www.oa.mo.gov/gs/fm/ssp.htm>.

QUESTIONS: Contact Cynthia Dixon, State Fleet Manager at 573/751-4534.



CREVE COEUR POLICE DEPARTMENT
300 N. New Ballas Rd.
Creve Coeur, MO 63141-7501
Business: 314-432-800
Fax: 314-432-5691

BID FORM

The Creve Coeur Police Department is currently soliciting written bids for the purchase of up to five (5) new model year 2012 Dodge Charger "Police Interceptor" vehicles. The Dodge Charger vehicles for which bids is submitted must be constructed for police service and equipped with all standard "police package" features in addition to the listed options.

Bidders shall complete this Bid Form and submit same in a sealed envelope marked "Vehicle Bid". The City reserves the right to reject any or all bids submitted or any portion thereof and to select the bid that, in the City's discretion, is believed to be most advantageous to the City. All bids to be received by December 9th, 2011 at 11:00 a.m. with bid opening December 9th, 2011 at 2:00 p.m. All bids will be considered binding for a period of ninety (90) days from the date of the official bid opening. Please quote net figures without federal and state taxes, from which the City is exempt.

Each unit shall be clean, lubricated and ready for immediate service and shall not have been used for any type of service, including demonstrations prior to receipt by this department. Vehicles not ready for patrol service will not be accepted.

The effective date of the manufacturer's standard service warranty or any optional warranty selected incident to the awarding of this bid shall commence when each individual vehicle is received by this department.

All deviations or exceptions to the specifications listed must be submitted in writing on dealership letterhead. Where a specific item is unavailable by the manufacturer, the bidder shall so indicate. Bidders are responsible for insuring that ordering and option codes are consistent with all equipment desired by the City.

Delivery of the five (5) new Dodge Chargers is expected on or about February 1, 2012.

If it is determined upon delivery of any of the vehicles, that a deficiency exists in any respect, the dealer and/or manufacturer will be responsible for correcting the deficiencies at no cost to the City.

If you have questions or need clarifications contract Judy Kobylarek at (314) 872-0946 extension 2509.

Address Bids to:

Chief Glenn Eidman/Vehicle Bid
Creve Coeur Police Department
300 N. New Ballas Rd.
Creve Coeur, MO 63141-7501
Fax: 314-432-5691

Return all pages of bid document.



CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: January 17th, 2012

TO: Mark Perkins, City Administrator, and Dan Smith, Director of Finance

FROM: Chief Glenn Eidman

SUBJECT: Vehicle Replacement

The police department has been on a schedule of replacing the current fleet of 14 marked vehicles every two years. The police department has been purchasing Ford Crown Victoria's for the last ten years. Ford has stopped making the Ford Crown Victoria's this year and we will be required to select a different "Police Package Vehicle". The Chevrolet Impala is also being discontinued next year and will be replaced with the Chevrolet Caprice, with a substantial increase in price. This year has required additional research to locate the police package that will fit our needs.

The reason for replacing the vehicles every two years rather than three has been two fold. The maintenance and repair costs are significantly higher after the second year, and the resale value drops significantly after 70,000 miles. Currently, we are spending about \$1000 in repairs for every 10,000 miles driven for the Ford Crown Victoria's until they reach the 70,000 mile range. Once the vehicles reach 70,000 mile range, the maintenance is often more costly, as well as substantially affecting our trade-in value because of higher mileage at the time of sale.

Several years ago, the Police department tried a **three** year replacement cycle, which proved to be expensive because of major repairs, down time on vehicles during the repairs, a significant reduction in resale returns, as well as a loss of administrative time conveying vehicles to various repair shops for repairs.

The Dodge Charger has been on the market for several years and has provided a sound police vehicle. Several changes have been made on the Dodge Charger to make it "user friendly", specifically the improvement of driver visibility in the rear has been improved, more safety features added (six driver airbags), improvement of the driver's seat to make it more comfortable, and the realignment of the windshield and rear view mirrors for improved visibility as well.

Additionally, the other two vehicles currently on the market are considerably more expensive and are new to the market this year. The decision to purchase a police vehicle involves a substantial investment in equipment, wiring harnesses, prisoner cages, and packages necessary for the in-car computer, video, and other items that are currently in the vehicles. In an effort to minimize our costs, the purchase of the same police package for several years should provide us with a reliable vehicle without making a lot of changes and purchases for the equipment for several years.

The following Police vehicles are available on a State Contract for purchase:

Chevrolet Caprice	\$25,840.00
Chevrolet Impala	\$20,196.00 (this model will be discontinued in 2012)
Dodge Charger	<u>\$21,953.00</u>
Ford Police Interceptor	\$25,796.00

It's the intention of the Police department to replace 5 of our current vehicles in the fleet that are currently two years old this fiscal year. This purchase was planned and approved by the City Council and City Administrator in the current 2011/2012 budget.

Replace Car	Vehicle Yr./ Make	Division	Current Mileage	Changeover To:
2403 Sell	2010 Crown Vic	Patrol	48,428	2012 Dodge Charger
2405 Sell	2010 Crown Vic	Patrol	68,268	2012 Dodge Charger
2408 Sell	2010 Crown Vic	Patrol	49,816	2012 Dodge Charger
2409 Sell	2010 Crown Vic	Patrol	51,738	2012 Dodge Charger
2417 Sell	2010 Crown Vic	Patrol	63,519	2012 Dodge Charger

The Police department has sought competitive pricing and sent out our request for purchase letters as well as taking the opportunity to purchase on the State Contract.

- In the Patrol Division account # 01-21-22-9502, the PD budgeted **\$115,000** for the purchase of 5 Dodge Chargers, at \$23,000 each.
- The sale of the old patrol cars should average between **\$6000- \$8000** a piece showing a return of **\$30,000 to \$40,000**. The purchase of 5 Dodge Chargers for a total price of \$22,343 each or \$111,715.00 total; saving approximately **\$3,285**.

The Police department is requesting the purchase of 5 Dodge Chargers under state contract #C11205500 from Lou Fusz Dodge/Chrysler. The purchase price for the Dodge Charger is \$22,343.00 per vehicle for a total of \$111,715.00. The vehicle quote is attached as well outlining our purchase and order for the 5 Dodge Chargers. Delivery for the five vehicles should be sometime in March of 2012.

Chief Glenn Eidman

RESOLUTION No. 992

A RESOLUTION TO AMEND RESOLUTION NO. 907 ADOPTING THE CITIZEN'S GUIDE TO ADVISORY BOARDS, COMMITTEES AND COMMISSIONS FOR THE CITY OF CREVE COEUR.

WHEREAS, the City of Creve Coeur recently added the Arts Commission and changed the name of the Recycling, Environmental and Beautification Committee; and

WHEREAS, the Citizen's Guide to Advisory Boards, Committees and Commissions accurately reflects the roles of elected and appointed officials and staff and should be amended to reflect the recent changes, and

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

SECTION 1: The City Council hereby amends the Citizen's Guide to Advisory Boards, Committees and Commission, which is attached hereto and incorporated as a part of this resolution as Exhibit A.

SECTION 2: This resolution shall take effect immediately upon its adoption.

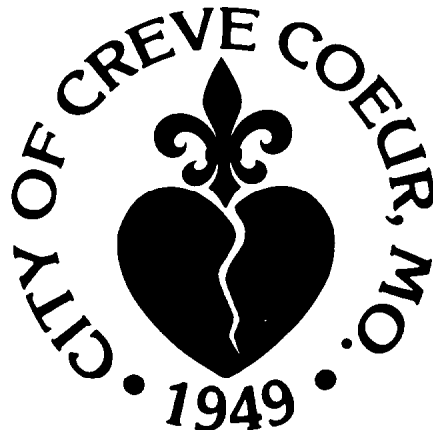
Adopted this 23rd day of January, 2012.

Harold Dielmann, Mayor

Attest:

Deborah Ryan, City Clerk

A Citizen's Guide To Advisory Boards, Committees, & Commissions



**City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141**

**Amended January 2012
Resolution No.**

The information outlined in this document is for descriptive purposes only and is not intended to supersede or substitute for any legal provisions in the City Charter or Code of the City of Creve Coeur. In all cases, the reader should note that provisions of the City Charter and legislative actions of the City Council shall prevail and be binding.

TABLE OF CONTENTS

PREFACE

APPOINTED CITIZEN BOARDS, COMMITTEES AND COMMISSIONS - AN OVERVIEW.	i
---	---

THE ROLE OF A BOARD, COMMITTEE OR COMMISSION MEMBER	1
---	---

SUPPORT OF BOARD, COMMITTEE OR COMMISSION ACTIVITIES	2
ROLE OF THE COUNCIL LIAISON	2
ROLE OF THE STAFF LIAISON	3
ROLE OF THE MAYOR	3
ROLE OF THE CITY ATTORNEY	3
ROLE OF THE CHAIRPERSON AND VICE CHAIR	3

FOR THE RECORD . . .	4
MISSOURI STATE SUNSHINE LAW	4
POSTING OF MEETING NOTICES AND AGENDAS	4
MINUTES	4
ATTENDANCE - DETERMINATION OF A QUORUM	5
PUBLIC ACCESSIBILITY AND ACCOMMODATION OF SPECIAL NEEDS	5

A MATTER OF ETHICS	6
CONFLICTS OF INTEREST	6
MISSOURI STATE ETHICS COMMISSION	6
ADVISORY OPINIONS	6

THE BOARDS, COMMITTEES AND COMMISSIONS - DUTIES AND RESPONSIBILITIES	7
ARTS COMMISSION	7-8
BUILDING CODE BOARD OF APPEALS	9
BOARD OF ADJUSTMENT	10
ECONOMIC DEVELOPMENT COMMISSION	11
EMPLOYEE PENSION FUND BOARD OF TRUSTEES	12 - 13
FINANCE COMMITTEE	14
HISTORIC PRESERVATION	15
Horticulture, Environment and Beautification Committee	16
PARKS AND RECREATION COMMITTEE	17
PERSONNEL APPEALS COMMITTEE	18
PLANNING AND ZONING COMMISSION	19
POLICE AND PUBLIC SAFETY COMMITTEE	20
STORMWATER COMMITTEE	21

APPOINTED CITIZEN BOARDS, COMMITTEES, COMMISSIONS - AN OVERVIEW

The City of Creve Coeur is served by a number of citizens as members of boards, committees, and commissions. Each board, committee or commission exists to provide the Mayor, City Council, and staff members with needed insight into areas of citizen interest or concern. Boards, committees, and commissions are intended to make recommendations to the elected officials. All legislative authority is vested in the City Council. The City Council is prohibited by law from delegating its legislative duties to a board, committee or commission.

Some of the advisory bodies receive a description of their duties and responsibilities from state law, others from the City Charter, the code of ordinances, specific ordinances and some are empowered by a council directive or resolution. In addition to the advisory boards listed below, the City Council may create task forces on specific topics or issues from time to time.

ADVISORY BODY	# OF MEMBERS
Arts Commission	7 members
Board of Adjustment	5 members and up to 3 alternates
Building Code Board of Appeals	5 members
Economic Development Commission	7 members
Employee Pension Fund Board of Trustees	7 members
Finance Committee	7 members
Historic Preservation Committee	up to 15 members
Horticulture, Environment and Beautification Committee	Up to 11 members
Parks and Recreation Committee	7 members
Personnel Appeals Committee	7 members 2 alternates
Planning and Zoning Commission	7 members
Police and Safety Committee	9 members
Storm Water Committee	7 members

THE ROLE OF A BOARD, COMMITTEE, OR COMMISSION MEMBER

A member of a City board, committee, or commission serves an important role in community life. The input of the members helps shape the policies under which the City operates.

Pursuant to the City Charter, all board, committee, and commission members are nominated for appointment by a three-person nominating committee. This committee is made up of the Mayor, Council President, and the chairperson of the respective board, committee, or commission. In the event the term of the chairperson has expired, the vice-chair, or if none, a designate elected by a majority vote of the committee, board, or commission serves on the nominating committee in the chairperson's place. The nominating committee recommends its selections to the City Council. The City Council votes to confirm all appointments.

By accepting a position on a Board, Committee or Commission, members agree to:

1. Review the meeting material as distributed by the Staff liaison so that they are prepared to participate in the meeting.
2. Attend as many meetings as possible and no less than 50 percent of all scheduled meetings each year.
3. Attend periodic ethics training as scheduled by the City.

Each board, committee or commission shall meet at least annually. Each board, committee or commission shall also elect a chair and a vice chair on an annual basis (except for Planning and Zoning Commission, whose chair is appointed by the Mayor with the consent of the City Council).

The limit of tenure on all committees, board and commissions (excluding the Board of Adjustment) is three (3) consecutive three (3) year terms for a total of nine (9) years to a single committee, board or commission. (Regardless of tenure, each commission, board or committee member shall serve until their successor is appointed.) Terms of all appointees expire on June 30 of the appropriate year (except the members of the Employee Pension Board of Trustees, whose terms expire September 1).

SUPPORT OF BOARD, COMMITTEE, OR COMMISSION ACTIVITIES

Role of the Council Liaison

A member of the City Council is appointed by the Mayor to each board, committee, and commission (other than Planning and Zoning and Board of Adjustment) as a non-voting council liaison. Council liaisons do not count toward a quorum. The role of the council liaison is to communicate the City Council's needs, policies, and interests to the members of the board, committee, or commission and to communicate back to the City Council the recommendations made and discussions held by the board, committee, or commission. This ensures thorough communication between the elected officials and the members of the boards, committees and commissions.

Council liaison assignments are made on an annual basis shortly after mayoral and council elections. The experience and interests of each member are considered in the assignment.

Role of the Staff Liaison

Each board, committee, and commission is typically assigned a staff liaison by the City Administrator. Staff liaisons are members of the administrative staff and have knowledge and expertise in the functional area in which the board, committee, or commission is involved. The staff liaison is a non-voting member of the board, committee, or commission and does not count toward a quorum.

The staff liaison serves as follows:

- (1) to provide factual information to help members make their decisions and formulate their advice to the Mayor and City Council.
- (2) to facilitate the meeting process by working with the chairperson to schedule meeting times, dates, and locations.
- (3) to coordinate with the chairperson on the various activities of the board, committee, or commission.
- (4) to provide continuity to the work of the board, committee, or commission by maintaining complete files of the work of the board, committee, or commission and to facilitate access to these records upon request by any member, City official, employee or the members of the public.
- (5) to annually review with the board, committee or commission Sunshine Law requirements pertaining to open meetings, minutes, agenda posting, etc and ensure proper procedure is followed.
- (6) to develop the agenda in collaboration with the chair, and ensure every agenda is posted in accordance with the Sunshine Law requirements and post the meeting schedule on the City's webpage calendar.

- (7) to advise the City Administrator of the activities of the board, committee, or commission ensure thorough communication between the administrative staff, the members of the boards, committees and commissions and the Mayor and City Council.
- (8) to schedule, in conjunction with the chairperson, no less than one (1) meeting per year.

Role of the Mayor

The Mayor serves as an ex-officio non-voting member of all boards, committees, and commissions [Municipal Code Sec. 125.010 (c)]. In order to effectively carry out the duties of the office, the Mayor may attend the meetings of any board, committee, or commission and participate in a discussion with the members.

Role of the City Attorney

The City Attorney is the legal counsel to the Mayor, City Council, City Administrator, employees and the boards, committees, and commissions of the City. The City Attorney reports to the City Administrator. Members of any board, committee, or commission who desire the advice of the City Attorney on a matter before the board, committee, or commission may coordinate such a request through the staff liaison.

Role of the Chairperson

Each board, committee, or commission has a chairperson to facilitate the work of the members. The chair is selected by the members on an annual basis (except the Planning and Zoning Commission, whose chair is selected by the Mayor with the consent of the City Council).

The role of the chairperson is as follows:

- (1) to call meetings.
- (2) to chair meetings.
- (3) to coordinate with the Mayor and City Council on the City's needs, policies, and interests and to communicate them to the members of the board, committee, or commission.
- (4) to coordinate with the staff liaison, and through this individual other members of the City staff, on matters requiring the attention of the staff.
- (5) to serve with the Mayor and Council President on the nominating committee to select new or reappoint existing members to serve on the board, committee, or commission when terms expire or vacancies occur (except when the chairperson's term that has expired, in such case, the vice-chair shall serve in the nomination committee).

FOR THE RECORD . . .

Missouri State Sunshine Law

All boards, committees, and commissions of the City of Creve Coeur are subject to the provisions of the Missouri Open Meetings and Records Law (known as the Sunshine Law).

Posting of Meeting Notices and Agendas

Notices of meetings are required to be posted at least 24 hours in advance of the meeting, *exclusive of weekends and holidays*. (In an emergency situation, subject to State Statutes, less than 24 hours notice is acceptable – subject to the approval of the City Clerk). The main bulletin board in the front lobby of the Creve Coeur Government Center is the official posting location. The City Clerk is responsible for the contents of this bulletin board and works with the staff liaisons to ensure posting requirements are met. The meeting calendar is also printed in the Newsletter and posted on the City's Web site.

In addition to the meeting notice, the Sunshine law and City policy requires that an agenda be developed and posted for the meeting containing the items of business to be discussed. The staff liaison works with the chairperson to develop this agenda. The agenda may be brief and simply contain a listing of the items to be discussed.

Minutes

Minutes of all board, committee, and commission meetings will be taken and at a minimum, will contain the following information:

- (1) the date, the time the meeting convened and the meeting place.
- (2) the calling to order by the chairperson.
- (3) the roll call, including a recording of the names of the members present and absent.
- (4) a listing of staff members present.
- (5) a brief summary of the discussion and any motions made and voted upon by the members.
- (6) the vote taken by a board, committee, or commission on a motion; if a roll call vote is taken, the ayes and nays shall be attributed to each member voting, or if not voting, the abstention.
- (7) next meeting dates, times and locations, if determined.
- (8) the time of adjournment.
- (9) the name of the individual taking the minutes.

Minutes should be approved by the board, committee, or commission at the next meeting.

The department with the operational responsibility for the board, committee, or commission's primary function typically maintains the board, committee or commission's file, including the minutes and other work papers, subject to supervision by the City Clerk.

Attendance - determination of a quorum

In order to conduct business, the board, committee, or commission must have a quorum. A quorum is a simple majority (half of the regular members plus one). The chairperson is considered a member in the determination of a quorum. A quorum is generally calculated out of the total number of seats on a Committee/Commission/Board or Task Force, not out of the number of seats currently filled. For example, if the Committee has 8 members and 2 vacancies, the quorum is counted out of 8 members, not 6. (However, for those bodies with flexible membership, described as "up to" a certain number, a quorum is determined based on the current number of appointed members). The Mayor, Council and Staff liaisons do not count toward a quorum. In the event a quorum is not obtained, the chairperson can hold discussion on the agenda items; however, no official business may be conducted without a quorum. Should late arrivals change the status, then actions may be considered.

Public accessibility and accommodation of special needs

The Missouri Sunshine Law requires that all meetings are to be held in a location that allows for public attendance. Individuals with special needs are encouraged by City policy to communicate their needs to the Office of the City Administrator in advance of any meeting so that the proper accommodations can be made, if any are required, for the individual to participate in the meeting.

In the event an individual with a special disability attends a meeting without advance notice of the need to provide an accommodation, the chairperson shall, absent an impending deadline for action, make reasonable effort to postpone and reschedule the item of business for which the individual is attending the meeting until arrangements can be made to satisfy the need(s) of the person.

A MATTER OF ETHICS

Conflicts of Interest

A code of ethics was adopted by Ordinance No. 1235, on July 27, 1987 (restated as Ordinance No. 3035 on January 24, 2005). The code sets forth the ethical standards of conduct expected by the elected and appointed officials and the employees of the City. Further, the City Charter contains a conflict of interest provision set forth in Section 14.1, Personal Financial Interest.

Each member of a board, committee, or commission of the City is required by ordinance to attend ethics training. The City of Creve Coeur will periodically schedule ethics training for their employees and all board, committee and commission members. Each appointed official is also required to read a copy of the City's code of ethics and to sign a statement indicating that he or she has received and read the material. These statements are maintained by the City clerk.

Missouri State Ethics Commission

In 1992, the Missouri State Legislature passed ethics legislation creating a Missouri State Ethics Commission. Creve Coeur elected officials, appointed officials, and employees are subject to the provisions of the state law. The state statutes have been incorporated into the City's Ethics Code by reference. Certain City officials are required to submit to the Missouri Ethics Commission, each year prior to May 1, a Statement of Personal Financial Interest covering the proceeding 12 months. Currently, this includes the Mayor, City Council, City Administrator, Finance Director, candidates for elected office, and Planning and Zoning Commission and Board of Adjustment Members.

Advisory Opinions

The City Attorney is authorized to issue advisory opinions to elected and appointed officials upon request in an attempt to ascertain whether the ethics code is applicable in a given situation.

THE BOARDS, COMMITTEES AND COMMISSIONS DUTIES AND RESPONSIBILITIES

ARTS COMMISSION

On August 24, 2009 the City of Creve Coeur established the Public Art Task Force (Resolution No. 881) to define public art in Creve Coeur, identify existing public art, seek the level of public interest, research funding opportunities to administer a Public Art Program, and develop a Public Art Master Plan for the City of Creve Coeur. In 2011 the Public Art Task Force completed its assignment and was dissolved by Ordinance No. 5216 and the same Ordinance created the Arts Commission and added Section 125.010 E of the City Code Book. The members of the Creve Coeur Arts Commission shall be residents of the City of Creve Coeur, except that one member may be a local business person who is not a resident. Members should include artists, urban designers, architects, landscape architects, developers, educators and individuals from the community who have experience in the field of art. The Arts Commission shall operate in the general public interest serving the community as a whole. It shall serve no special interests. The Arts Commission shall not endorse any commercial product or enterprise. The Arts Commission shall select a non-voting advisor who is a professional art consultant to be utilized by the Arts Commission on an as needed basis. The compensation of the advisor shall be as approved by the City Council. The Commission shall be specifically responsible for, but not limited to, the following:

1. Adopting a final master plan for the City regarding public art, which it shall review and revise as needed thereafter, and implement subject to the oversight of the City Council and City Administrator;
2. Promoting cultural arts within the City, making art a priority within the community;
3. Serving as curator of the City's public art collection;
4. Assisting the City Council and the Planning and Zoning Commission in using public art to enhance existing development within public parks and other public lands and in public structures;
5. Serving as a resource for artistic components of land use developments;
6. Providing advice on the process of developing fair, balanced and professional approaches to commissioning public art;
7. Recommending selection process guidelines to ensure equal access for artists of all backgrounds;
8. Developing announcements for placement in appropriate publications to inform artists of opportunities;
9. Choosing a Selection Panel for each project, comprised of 5-7 art and design professionals as well as a representative of the owner of the project. Two members of the Commission shall be members of each panel. The Commission shall oversee the work of each panel;
10. Assisting the City with contract negotiations, budgeting, payment schedules and insurance requirements regarding public art projects;
11. Recommending maintenance guidelines in accordance with professional conservators to maintain collected work;

12. Encouraging connections with other local, regional and national organizations working for the benefit of art and preservation of artistic values;
13. Pursuing gifts and grants for support of arts programs and activities and for the procurement of public art;
14. Working with any trust fund or charitable entity established to support public art in the City;
15. Providing an annual report at the conclusion of each fiscal year to the City Council documenting efforts to fulfill these duties.

The City Planner serves as the staff liaison.

The members of the Creve Coeur Arts Commission shall have three-year terms as provided in Section 125.020. The initial members shall be appointed as follows: two for one year, two for two years and three for three years.

Building Code Board of Appeals

The Building Code Board of Appeals is a five (5) member Board. Members of the Building Code Board of Appeals, to the extent possible, based on applications submitted to the City, should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical contractor or engineer, electrical contractor or engineer, civil engineer, plumbing contractor, fire protection contractor or engineer, or other disciplines associated with the building trades or design professions.

Any person shall have a right to appeal a decision of the Chief Building Official to the Building Code Board of Appeals. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the building official, or at stated periodic meetings. An appeal shall be based on a claim that the true intent of the applicable code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of the code do not apply, or an equivalent form of construction is to be used. The board shall only reverse or modify the decision of the code official by a majority vote of the quorum present and voting. Otherwise, the decision shall be deemed to be upheld. The board shall issue its decision by resolution.

The Chief Building Official serves as the staff liaison.

The Building Code Board of Appeals was established by Ordinance 1780 in 1996 and amended by Ordinance Nos. 4076 and 4082.

Board of Adjustment

The Board of Adjustment is a board with five (5) members who serve for a five-year term. Ordinarily three (3) alternates are also selected to serve in the absence of a member. A standing committee, the powers and duties of the board include:

- (1) to hear and decide all matters referred to it and upon which it is required to decide under the Zoning Code.
- (2) to interpret the provisions of the Zoning Code in such a way as to carry out its intent and purpose.
- (3) to hear appeals in a manner prescribed in Section 405.1110 of the Zoning Code, where it is alleged there is an error in any order, requirement, decision or determination made in the enforcement or interpretation of the Zoning Code.
- (4) to authorize Variances upon appeal, in accordance with the provisions of Section 405.970 the Zoning Code.
- (5) to permit the construction and/or use of a building or the use of premises for public utilities.
- (6) to permit a variance in the yard requirements of any district where there are severe practical difficulties or extreme hardship in the carrying out of these provisions due to an irregular shape or the size of the lot or the sites of preexisting buildings, topographical or other site conditions; provided, that such variance shall not have a serious adverse impact on any adjoining property or the general welfare or establish an unsatisfactory precedent for other locations and situations.
- (7) to permit the extension of a district where the boundary line of a district divides a lot held in a single ownership on the date of the adoption of the Zoning Code.

The Community Development Director serves as staff liaison.

Board of Adjustment established as a standing committee with Ordinance 225 in 1958 and Amended by Ord Nos. 279, 807, 1216, 1330, 1482, 1706 and 1780.

Economic Development Commission

The council determined that it was necessary for the City to develop a clear vision of the type of local economy it wants and a plan for getting there. The council recognized that the traditional strategy of attempting to recruit business is difficult to implement, and a more realistic and productive approach is to adopt a strategy that concentrates on nurturing existing local business.

The Economic Development Commission has seven (7) members who shall be residents, owners, managers or employees of Creve Coeur businesses, institutions, or not-for-profit organizations. The Creve Coeur – Olivette Chamber of Commerce will nominate one of the seven members as a voting member subject to review by the Nominating Committee and approval by the City Council.

The commission shall have the following duties and responsibilities as outlined in Resolution 434:

- (1) provide a forum for building local consensus on the economic issues facing the City and the means for addressing them.
- (2) promote Creve Coeur as a center for business activity in west County.
- (3) understand the needs and problem areas for employees, public institutions, and not-for-profit organizations and development of strategies to address them.
- (4) develop plans and programs that will identify future business/institutional plans to encourage retention and expansion in the City, including financing opportunities.
- (5) determine the feasibility of establishing an economic development staff position in City government.
- (6) work with federal, state and regional and local government organizations that can assist in this total effort.

The Public Information Officer & Management Analyst serves as the staff liaison.

The Economic Development Commission was originally created with a two year trial period by Resolution 434 in 1994. EDC became a standing commission with the approval of Ord No. 1798 in May 1996.

Employee Pension Fund Board of Trustees

The Employee Pension Fund is comprised of three (3) citizens, one (1) representative from the Finance Committee, one (1) Council member, and two (2) employee representatives whom each serve a three (3) year term for a maximum of three (3) terms. The City Administrator and Finance Director serve in Ex-officio capacity in place of a staff liaison.

The duties and responsibilities of the board are governed by the Pension Plan Document. The Board of Trustees serve as the Plan Fiduciaries and have the authority to control and manage the operation and administration of the Plan. The Board of Trustees have the power and the duty to take all actions and to make all decisions necessary or proper to carry out the Plan. The Board of Trustees, therefore, serve both as Plan Administrators and Trustees of the Fund.

Such powers and duties with respect to plan administration include the following:

- (1) to require any person to furnish such information as it may request for the purpose of the proper administration of the Plan as a condition of receiving any benefits under the Plan;
- (2) to make and enforce such rules and regulations and prescribe the use of such forms as it shall deem necessary for the efficient administration of the Plan;
- (3) to, in its discretion, interpret all Plan provisions and to determine all questions arising under the Plan, including the power to determine the amount of benefits payable under the Plan and to remedy any ambiguities, inconsistencies or omissions. The determinations and findings of the Board of Trustees shall be conclusive, final and binding on all parties;
- (4) to provide a full and fair review to any participants whose claim for benefits has been denied in whole or in part;
- (5) to designate other persons to carry out any duty or exercise any power which would otherwise be a fiduciary responsibility of the Board of Directors under the terms of the Plan;
- (6) to direct payments to or on behalf of participant in accordance with the terms of the Plan;
- (7) subject to the provisions of any group annuity contract, to determine the manner in which the funds of the Plan shall be disbursed pursuant to the Plan;
- (8) to make an annual report of the activities of the Plan to the City Council.

Such powers and duties with respect to fiduciary responsibilities include the following:

- (1) to accept all contributions to the fund and safely keep all fund assets;
- (2) to take control and manage the Trust Fund and to invest and reinvest the assets of the fund as stipulated in the Plan document;

- (3) to employ counsel, accountants and other agents as it shall deem advisable;
- (4) to designate a bank or trust company as a depository of funds or property of the trust.

Any changes or alternations to the Plan document itself require an action of the City Council. The authority and power of the Board of Trustees is prescribed by the plan document.

The Finance Director serves as the staff liaison as well as an ex-officio member for the Plan.

The Employee Pension Fund Board of Trustees was established in 1982 by Resolution No. 263 and amended by Resolution Nos. 297, 326 and 369, and then adopted by Ordinance No. 1311 and amended with Ord Nos. 1369, 1474, 2131, 2147, 2157, 2295, 3067, 4008, 4038, 4072, 5067, 5072, 5111 and 5112.

Finance Committee

The Finance Committee, a standing committee with seven (7) members, was established by the City Charter and its duties and responsibilities are outlined in that document. One of its duties, as set forth in Section 9.5 of the City Charter, is to review the annual budget and to make recommendations to the City Council on the budget prior to its adoption. In addition, a second duty, set forth in Section 9.6 of the City Charter, is to review the Capital program. Since 1997, and the adoption of the Capital Improvement Sales Tax by the voters and the corresponding five-year Capital Improvement Plan by the Council, the Committee reviews the plan annually. After review, the Committee makes a recommendation on the plan to the City Council prior to its adoption.

In addition to these two charter responsibilities, the City Administrator and Finance Director refer the quarterly financial reports to the committee for their information and discussion. The committee also reviews the annual independent audit of the City's finances with the City Administrator and the Finance Director.

One member of the committee also serves on the City Employee Pension Board of Trustees.

The Finance Director serves as the staff liaison.

The Finance Committee was established with Ord No 264 in 1960 and amended with Ord Nos. 807 and 1129. Duties/responsibilities of the Committee are outlined in the City Charter (9.5 and 9.6)

Historic Preservation Committee

The Historic Preservation Committee may have up to 15 members. The City Council recognized that the celebration and preservation of the history and heritage of our community is a vital function of local government; and recent events in the Creve Coeur area had focused the attention of our community on the importance of preserving our rich heritage. The City of Creve Coeur has taken a strong position in insisting that commitments by the private sector to preserve and honor historical landmarks within the City be fully observed.

The Creve Coeur Historical Society, an independent, not-for-profit organization whose dedicated members have been in the forefront of historic preservation efforts in our area for years, deserves the support of the City of Creve Coeur. A formal mechanism, the Historic Preservation Committee, was established to continue to explore additional historic preservation activities and opportunities in Creve Coeur to preserve and honor the legacy of past generations.

The goals of this Committee are as follows:

- (1) to encourage and aid in the preservation and renovation of historic buildings and artifacts in the Creve Coeur community to assure that the history of our community will not be forgotten.
- (2) to aid and support the efforts of other historic preservation groups which have same specialized interest in historic preservation in the City.
- (3) to make specific recommendations to the City Council to accomplish the above goals.

Historic Preservation Committee established with Resolution No 412 in 1992 and was made a standing committee with the approval of Ord No 1651 in 1994.

Horticulture, Environment and Beautification Committee

The Horticulture, Environment and Beautification Committee may have up to eleven (11) numbers. The mission of the Committee is to encourage the City and residents to plant, beautify and maintain all public and private spaces in an environmentally sustainable manner.

The goals of the Committee are:

- Advise City Council, Boards, Commissions and staff on issues related to horticulture and beautification such as green space design and plantings in public areas;
- Advise City Council on issues related to trash and recycling;
- Monitor and advise the City regarding its compliance with the Tree Preservation Ordinance;
- Encourage and support the City's compliance as a Tree City U.S.A. by serving as the City's "Tree Board".

In addition to its efforts with regard to waste reduction, the Committee is also actively involved in environmental issues. The City Council adopted a tree preservation ordinance (Ordinance 1899, November 10, 1997). The Committee has responsibility for promoting and requiring the planting, care and the protection of the City's trees. Also, the Committee co-sponsors Arbor Day annually in April. A survey project has been undertaken which will measure the environmental health of the community including: a natural resources inventory, citizen demographics, City or community services, consumption and disposal of energy/natural resources/ hazardous waste and infrastructures. The survey will become the benchmark and will be updated every five (5) years in an effort to track the City's environmental health.

The Public Information Officer & Management Analyst serves as staff liaison.

The Recycling and Environment Committee was created by Resolution 396 in 1990 and amended by Ord Nos. 1899 and 3065. The name of the Committee was changed in January 2012 with Ordinance No. _____.

Parks and Recreation Committee

The Parks and Recreation Committee provides a mechanism for direct citizen input into the planning and operation of the City's leisure time activities in the City's parks and at the Ice Arena and Golf Course. The committee makes recommendations to the City Council regarding park and recreation programs and golf course and ice arena improvements and long range plans for future recreation programming. The committee conducts an annual tour of the City parks and facilities for planning and evaluation purposes. The committee meets quarterly and as requested by the City Council.

The Recreation Director serves as staff liaison.

The Parks and Recreation Committee was established with Ordinance No. 807 in 1977.

Personnel Appeals Committee

The Personnel Appeals Committee has five (5) members and two (2) alternates. To the extent possible, based on applications submitted to the City, members of the committee shall have the understanding and experience in the areas of employment law and employee relations. Further, members of the Committee are specifically restricted from being a member of a local, state or national committee of a political party or an elected officer of a partisan club or organization. Further, the members, during their term of office on the Committee shall not hold, or be a candidate for, any political office.

The powers and duties of the Committee are established in Section 130.020 of the Municipal Code as follows:

- (1) Hear disciplinary appeals set forth on this article and the personnel procedures manual (Section 13).
- (2) Perform other advisory activities as may be requested by the Mayor and City Council.

The Municipal Code requires that the Committee meet at least annually, and at the call of the chairman or four (4) members of the City Council.

The Committee serves in an advisory capacity to the Mayor and City Council and also to the City Administrator on issues of personnel management.

The Assistant to the City Administrator serves as the staff liaison.

The Personnel Appeals Committee was established by Ord No. 807 in 1977 and amended by Ord Nos. 1117, 1773 and 5045.

Planning and Zoning Commission

The Planning and Zoning Commission contains 7 members. The commission makes recommendations to the City Council regarding the following:

- (1) to prepare and submit to the City Council for its approval, a master plan for the physical development of the City or portions thereof, and recommended modifications of the same from time to time as deemed in the City's best interest.
- (2) to prepare and submit to the City Council for its approval, a zoning ordinance and zoning map with such regulations as to the location, height, width, bulk and appearance of buildings and other structures, the use of land and buildings, and the layout, improvement and landscaping of the site of any proposed development or redevelopment of property within the City of Creve Coeur, as it shall determine to be necessary or desirable for the promotion of the health, safety and general welfare of the inhabitants of the City.
- (3) to consider all requests for rezoning, zoning text amendments, site development plan approval, and conditional use permit in the manner prescribed by the zoning code.
- (4) to petition the City Council on its own initiative to amend, supplement, change or repeal the zoning code or any part thereof, or to amend the zoning ordinance or zoning map as the commission determines to be in the City's best interest.
- (5) to submit an annual written report to the City Council containing the commission's recommendations concerning the zoning code, a summary of its activities during the past year, and its recommendations on specific community goals and objectives for the future and programs for achieving these.
- (6) to recommend to the City Council the preparation of such municipal, state or national legislation as may, in the interest of the City, be necessary in carrying out the recommendations or suggestions of the commission.
- (7) to prepare and submit to the City Council such other reports relating to its investigations, transactions and recommendations as it deems proper or as required by the Mayor or the City Council.
- (8) to promogulate site development standards, architectural standards, and guidelines for new construction, reconstruction, or alternation for the purpose of assuring the mutual compatibility or buildings and their surroundings and the appearance, function and permanence of the location, form, shape, massing, and exterior materials of building and site improvements.

A quorum to conduct business consists of four of the seven members of the commission. The votes of the majority of those attending shall be required to transact business, however, four affirmative votes shall be required for approval of a request for (1) rezoning, (2) zoning text amendments, (3) final site development plan approval, and (4) conditional use permits.

The Zoning Administrator (Director of Community Development) serves as both staff liaison and council liaison.

The P & Z Commission was established when the zoning code was adopted by Ordinance 25 in 1951 and amended with 264, 807, 1485, 1915 and 1975.

Police And Safety Committee

The Police and Safety Committee shall meet six (6) times per year, or as otherwise deemed necessary by the committee, and shall serve as an advisory body to the City Council and City staff for police and public safety policy issues, including:

- Reviewing and commenting on draft ordinances as requested by the City Council or staff from time to time, or as initiated by the Committee.
- Advising on business and residential crime prevention and education matters.
- Advising on traffic regulations, concerns and policies.
- Reviewing and monitoring the City's Traffic Calming/Traffic Mitigation Plan and responding to traffic calming requests made pursuant to the plan.
- Advising on issues related to the protection and promotion of community health.

The Chief of Police serves at the staff liaison.

The Police and Safety Committee was created with Ord No. 5103 in 2009.

Stormwater Committee

The Stormwater Committee has seven (7) members.

The Stormwater Committee reviews each problem location which is referred to them by a property owner or by the City staff and makes a determination, based on the staff's recommendation and data provided to it, as to an appropriate design solution to the problem. A rating is assigned to the project to indicate the severity of the situation. The design solution, with estimated cost, is then recommended to the City Council for approval. Once approved, funds must be appropriated through the budget process to complete the project. Bids are sought by the staff and recommended to the City Council for approval. Stormwater projects are funded by City revenue sources (including capital improvement and general funds) and Metropolitan Sewer District (MSD). Based on committee policy, privately owned residential ponds that are detention or retention facilities are eligible for City cost-sharing to fund dam safety and storage improvements and certain authorized maintenance. Funding is based on a cost-sharing formula that takes into account the characteristics of the pond and the size of the watershed.

The Director of Public Works serves as staff liaison.

The Stormwater Committee was created with Ord No 807 in 1977.