



**AMENDED AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, August 08, 2011
7:30 PM**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

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

FUTURE PUBLIC HEARINGS

Public Hearing - Thursday, September 8, 2011 (tentative) - 7:00 p.m. - Establish 2011 Real Estate Tax Rate

1. CONSENT ORDINANCE READINGS

- a. Bill No. 5321 - An Ordinance Establishing Ward Boundaries Of The City Of Creve Coeur By Ratifying Existing Ward Boundaries As Established By Ordinance Number 2149. Final Reading**

Summary: The City Charter requires that ward boundaries be established following every 10-year census conducted by the U.S. Government.

- b. Bill No. 5322 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Maintenance Agreement With The Missouri Highways And Transportation Commission For The Installation, Maintenance, And Ownership Of The APS Pedestrian Signals To Be Installed At The Olive Boulevard (State 340) And West Oak Intersection. Final Reading**

Summary: Under the proposed agreement, the City will supply the audio pedestrian signal equipment and MoDOT crews will install and maintain the equipment at the Olive/West Oak intersection.



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2. CONSENT AGENDA

a. Council Minutes dated July 11, 2011

b. Acceptance of Donation from St. John's for Flicks on the Fairway

Summary: Gold Sponsorship (\$1000) to offset cost of movie rental and projection equipment for free community event, Flicks on the Fairway, on Saturday, September 24, 2011.

c. Bill No. 5321 - An Ordinance Establishing Ward Boundaries Of The City Of Creve Coeur By Ratifying Existing Ward Boundaries As Established By Ordinance Number 2149. Final Passage

Summary: The City Charter requires that ward boundaries be established following every 10-year census conducted by the U.S. Government.

d. Bill No. 5322 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Maintenance Agreement With The Missouri Highways And Transportation Commission For The Installation, Maintenance, And Ownership Of The APS Pedestrian Signals To Be Installed At The Olive Boulevard (State 340) And West Oak Intersection. Final Passage

Summary: Under the proposed agreement, the City will supply the audio pedestrian signal equipment and MoDOT crews will install and maintain the equipment at the Olive/West Oak intersection.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated August 8, 2011 in the amount of \$416,820.56 has been provided for Council Review. No vote is required.

UNFINISHED BUSINESS

3. Bill No. 5319 - An Ordinance Repealing Ordinance Number 4085 And Authorizing The Issuance Of A New Conditional Use Permit For Granite City Food And Brewery Restaurant Located At 11411 Olive Boulevard. Final Reading and Passage

Summary: An application was submitted by Mr. Nick Fox of Fox Consulting, Inc., on behalf of Granite City Food and Brewery, to amend Ordinance #4085 to allow the expansion of the bar and installation of an outdoor patio at the existing restaurant at 11411 Olive Boulevard. Under Section 405.360(C), all eating and drinking places in the "CB", Commercial zoning district require the issuance of a



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conditional use permit as provided in Section 405.1070, Conditional Use Permits. Planning and Zoning Commission recommended approval at its July 5, 2011 meeting.

4. Bill No. 5323 - An Ordinance Amending Sections 215.080 To 215.120 Of The Creve Coeur Municipal Code Regarding Restrictions On Smoking In Public Places And Places Of Employment. Final Reading and Passage

Summary: The proposed ordinance will permit smoking shelters under certain conditions. Smoking shelters are not currently allowed under Ordinance No. 5158 prohibiting smoking in public places. Council deferred the motion made at the July 11, 2011 meeting to amend Bill No. 5323 to add language before the final reading to exclude locations where food or beverage is served.

NEW BUSINESS

5. Bill No. 5324 - An Ordinance Creating The Creve Coeur Arts Commission, Prescribing The Number And Qualifications Of Its Members And Defining Their Duties. First Reading

Summary: 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. The Members of the Public Art Task Force presented their findings and a draft Public Art Master Plan during a work session before the City Council on June 27, 2011. The draft Public Art Master Plan recommends that the City of Creve Coeur establish an Arts Commission to adopt the final Public Arts Master Plan, update it as may be needed from time to time, and implement the policies and manage the goals and objectives of the Public Art Master Plan.

6. Bill No. 5325 - An Ordinance Amending The City's Property Maintenance Code To Provide For Notification To The City By Ameren Missouri Company When There Is A Successor Of Existing Utility Service. First Reading

Summary: This type of notification will assist the building division with ensuring that apartment dwelling units are inspected and issued certificates of occupancy prior to being re-occupied as required by Section 113.1 of the Property Maintenance Code.

7. Bill No. 5326 - An Ordinance Amending The Official Zoning Map Of The City Of Creve Coeur To Rezone Five Acres Of Land From "AR", Attached Single-Family Residential District To "GC", General Commercial, And 4.28 Acres Of Land From "AR" Attached Single-Family Residential District To "D" Single-



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Family Residential District, Together With A Site Concept Plan For The Property Addressed As 13150 Olive Boulevard. First Reading

Summary: An application was made by George Stock, of Stock and Associates Consulting Engineers, Inc., on behalf of Orson Properties LLC, to subdivide and rezone 5 acres of the property at 13150 Olive Boulevard from “AR” Attached Single-Family Residential to “GC” General Commercial and rezone the remaining 4.28 acres from “AR” Attached Single-Family Residential to “D” Single-Family Residential. In accordance with Section 405.1080 of the Zoning Ordinance, the applicant has submitted a site concept plan for the subject property, addressed as 13150 Olive Boulevard, to the Division of Planning.

8. Bill No. 5327 - An Ordinance Adjusting The Municipal Boundary At The Property Known And Numbered As 13150 Olive Boulevard. First Reading

Summary: Orson Properties, LLC is the owner of property known and numbered as 13150 Olive Boulevard, which is at least largely within the City of Creve Coeur and located at the boundary between Creve Coeur and the City of Chesterfield. Orson Properties, LLC has submitted a rezoning application regarding the property and in connection therewith has requested that the municipal boundary be adjusted as may be necessary so that the entire property lies within the City of Creve Coeur. Please refer to the staff reports for the rezoning of 13150 Olive Boulevard for further information.

9. Bill No. 5328 - An Ordinance Authorizing The City Administrator To Execute An Agreement With The Missouri Highway And Transportation Commission Regarding Installation Of Automated Traffic Signal Enforcement Equipment. First Reading

Summary: The City has determined it would improve public safety and welfare and otherwise serve the public interest for the City to enter into an agreement with the Missouri Highway and Transportation Commission regarding the installation of automated traffic signal enforcement equipment.

10. Bill No. 5329 - An Ordinance Amending Chapter 210 Article X Of The Code Of Ordinances Of The City Of Creve Coeur, Regarding Sexual Offenses. First Reading

Summary: Updating Chapter 210 regarding Sexual Offenses to be consistent with the state statute as well as addressing court opinions prohibiting retroactive imposition of additional penalties for such conduct.



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- 11. Bill No. 5330 - An Ordinance Amending Chapter 210 Article VI Of The Code Of Ordinances Of The City Of Creve Coeur, Regarding Weapons And Firearms Offenses. First Reading**
Summary: Updating Chapter 210; changes in order to be compliant with House Bill 294 regarding weapons and firearms offenses.
- 12. Bill No. 5331 - An Ordinance Amending Chapter 340 Of The Code Of Ordinances Of The City Of Creve Coeur, Regarding Traffic Regulations. First Reading**
Summary: Updating the traffic code in reference to the traffic regulations. This ordinance would bring us in compliance with changes in the state statute.
- 13. Bill No. 5332 - An Ordinance Adopting The New Electrical, Plumbing And Mechanical Codes Of St. Louis County As The Electrical, Plumbing And Mechanical Codes Of The City Of Creve Coeur. First Reading**
Summary: The city contracts with St. Louis County Department of Public Works to issue electrical, plumbing and mechanical permits and make those subsequent inspections when this type of work is done within the City of Creve Coeur. In order for them to continue to fulfill their contractual obligations to the city, the city needs to adopt the same electrical, plumbing and mechanical codes as St. Louis County.
- 14. Bill No. 5333 - An Ordinance Authorizing The Installation Of One Fire Hydrant For The Ladue Court Subdivision Development Located North And West Of The Intersection Of Lindbergh Boulevard And Ladue Road. First Reading**
Summary: Cross Homes is beginning construction of new houses in the Ladue Court subdivision and requires the installation of a new fire hydrant to be installed per the franchise contract with Missouri American Water Company, Ordinance No.165.
- 15. Resolution No. 974 - A Resolution Authorizing The City Administrator Of The City Of Creve Coeur To Enter Into A Retainer Agreement With Curtis, Heinz, Garrett & O'Keefe, P.C., Korein Tillery, LLC, John F. Mulligan, Jr. And Howard Paperner As Special Counsel In Connection With Claims Against Union Electric Company D/B/A Ameren Ue And/Or Ameren Missouri.**
Summary: The proposed resolution will authorize a retainer agreement whereby the City of Creve Coeur will participate in litigation regarding claims involving Union Electric Company d/b/a AmerenUE and/or Ameren Missouri, for compliance with business license, utility, and occupational tax ordinances, franchise



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agreements, street lighting agreements, utility tariffs, and similar ordinances, agreements and tariffs.

16. Resolution No. 975 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri, Authorizing The Execution Of A Contract Increase Of \$151,834.15 With Ford Asphalt Company, Inc. For The 2011 Asphalt Pavement Resurfacing Project.

Summary: City staff proposes to restructure the proposed asphalt program to expand the scope of the asphalt resurfacing to be completed in 2011. The increased scope of work for the 2011 Asphalt Pavement Resurfacing Project is proposed so to capitalize on low prices bid for this work.

17. Resolution No. 976 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri, Authorizing The Execution Of A Contract Increase Of \$97,936.25 With M&H Concrete Contractors, Inc. For The 2011 Concrete Pavement Replacement Project.

Summary: City staff proposes to increase the scope of work for the 2011 Concrete Pavement Replacement Project to accommodate the proposal for additional asphalt work and to complete needed curbing and sidewalk replacement throughout Creve Coeur.

18. Resolution No. 977 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri, Authorizing The Execution Of A Contract With Rosch Company, LLC, For The Replacement Of Retaining Walls At Conway Park For The Sum Of \$44,699.51.

Summary: The replacement of four retaining walls at Conway Park was advertised for competitive bids. These bids have been reviewed, and City staff recommends award of the contract for these services to Rosch Company, LLC. 90% of the cost of this project will be reimbursed through the Municipal Parks Grant awarded to the City for improvements to Conway Park.

BUSINESS FROM THE MAYOR and CITY COUNCIL

19. Interview Process For Citizens Interested In Positions On Certain Boards And Commissions

Summary: This Resolution was requested by Ward III Council Members to establish a policy to interview those citizens interested in serving on the P & Z Commission, Board of Adjustment, Finance Committee and Employee Pension Board of Trustees.



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BUSINESS FROM CITY ADMINISTRATOR

20. Fourth Quarter FY 2011 Financial Analyses

Summary: Fourth Quarter FY 2011 Financial Analyses

21. First Council Meeting in September

Summary: The first Council meeting in September conflicts with the annual Missouri Municipal League Conference. Therefore, it is proposed that the first meeting in September be held on Thursday, September 8.

22. Transportation Development District Updates

Summary: Staff will provide updates on the Graeser and Olive TDDs.

23. Chicken and Pig Restrictions

Summary: The City has received requests from residents to permit chickens and pot-bellied pigs within City limits.

24. 2011 Citizen Survey

Summary: Staff is beginning to prepare for the triennial citizen survey, to be conducted this fall.

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 8/8/2011 10:00 A.M.

Deborah Ryan, MRCC
City Clerk