AMENDED AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, December 12, 2011
7:00 PM

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

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

The regularly scheduled meeting for Monday, December 26, 2011 has been cancelled.

1. CONSENT ORDINANCE READINGS

a. **Bill No. 5351 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Extension Of License For Use Of Right-Of-Way By Edward D. Jones & Co., L.P. Final Reading**
Summary: The Ordinance and agreement on file for use of right of way expires on December 31, 2011. This will extend the agreement for a period of five years expiring on December 31, 2016.

b. **Bill No. 5352 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Extension Of License For Use Of Right-Of-Way By Savvis Communications Corporation. Final Reading**
Summary: The Ordinance and agreement on file for use of right of way expires on March 31, 2012. This will extend the agreement for a period of five years expiring on March 31, 2017.

c. **Bill No. 5353 - An Ordinance Amending Chapter 500, Article II And Article VI Of The Creve Coeur City Building Codes Regarding Fire Sprinklers In One And Two Family Dwellings Or Townhouses. Final Reading**
Summary: On August 28, 2011, a new Missouri state law went into effect that changes the expiration date regarding residential sprinkler installation options,

which are stated in City Ordinance No. 5110 from 12/31/2011 to 12/31/2019. The proposed ordinance extends the requirements of the 'mandatory fire sprinkler option' to the new expiration date.

2. CONSENT AGENDA

a. Council Minutes dated November 28, 2011.

b. Bill No. 5351 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Extension Of License For Use Of Right-Of-Way By Edward D. Jones & Co., L.P. Final Passage
Summary: The Ordinance and agreement on file for use of right of way expires on December 31, 2011. This will extend the agreement for a period of five years expiring on December 31, 2016.

c. Bill No. 5352 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Extension Of License For Use Of Right-Of-Way By Savvis Communications Corporation. Final Passage
Summary: The Ordinance and agreement on file for use of right of way expires on March 31, 2012. This will extend the agreement for a period of five years expiring on March 31, 2017.

d. Bill No. 5353 - An Ordinance Amending Chapter 500, Article II And Article VI Of The Creve Coeur City Building Codes Regarding Fire Sprinklers In One And Two Family Dwellings Or Townhouses. Final Passage
Summary: On August 28, 2011, a new Missouri state law went into effect that changes the expiration date regarding residential sprinkler installation options, which are stated in City Ordinance No. 5110 from 12/31/2011 to 12/31/2019. The proposed ordinance extends the requirements of the 'mandatory fire sprinkler option' to the new expiration date.

BILLS PAYABLE REPORT, FOR INFORMATION ONLY

For Information Only
Summary: A report of bills payable dated December 7, 2011 in the amount of $1,246,183.18 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

3. 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

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 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. Deferred at the November 28, 2011 meeting to allow Council to hear from the adjoining property owner.

4. **Bill No. 5350 - A Request To Reconsider And Repeal Ordinance #5228 And Enact A New Ordinance Amending Chapter 405, The Zoning Ordinance, Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, By Adding Motor Vehicle Dealers, New And Used, And Used Only, As A Conditional Use In "LI" Light Industrial Zoning District, And Establishing Conditions For Such Use. Final Reading and Passage**
   Summary: On November 14, 2011, the City Council voted to reconsider Ordinance #5228 that was approved at their prior meeting on October 24, 2011. The ordinance will allow Motor Vehicle Dealers, New And Used, And Used Only, as a Conditional Use in "LI" Light Industrial Zoning District.

5. **Bill No. 5354 - An Ordinance Waiving The Gross Receipts Tax On Ameren's Sale Of "Pure Power" And Any Similar Programs. Final Reading and Passage**
   Summary: Residents and businesses that purchase renewable energy credits through Ameren's PurePower program pay a surcharge imposed by Ameren to recover gross receipts utility taxes on such PurePower purchases. This ordinance would exempt the additional cost of PurePower purchases from the tax so that residents and businesses that purchase PurePower certificates would pay the same amount of tax surcharges that they otherwise would if they did not purchase PurePower certificates. Ameren has requested an amendment to post-pone the effective date of the ordinance to January 1, 2012.

6. **Resolution No. 969 - A Resolution Authorizing The City To Become An Environmental Protection Agency (EPA) Green Power Partner And To Initiate An EPA Green Power Community (GPC) Challenge In The City Of Creve Coeur.**
   Summary: The City is considering whether or not to pursue becoming an EPA Green Power Partner by purchasing wind power Renewable Energy Credits to

offset 10% of its electric use and to initiate an EPA Green Power Community Challenge to encourage businesses and residents to support renewable energy.

NEW BUSINESS

7. **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. First Reading**
   Summary: The Municipal Code currently prohibits chickens from being kept within city limits. The proposed ordinance will allow chicken hens to be kept by residents for non-commercial and non-breeding purposes under certain restrictions.

8. **Resolution No. 988 - A Resolution Approving the Fiscal Year 2012 Contribution to the Employee Pension Fund in the Amount of $1,389,538.**
   Summary: A resolution to approve the FY12 contribution to the Employee Pension Fund.

9. **Resolution No. 989 - A Resolution Authorizing Maximum Annual Payments To Retire Bonds Issued By The Olive/Graeser Transportation Development District In Order To Reduce Total City Payments On Such Bonds.**
   Summary: Under the Olive-Graeser TDD agreement, the city pledged to pay up to $55,000 per year for up to 40 years to help retire the bonds to be issued by the OGTDD for certain road improvements. The proposed resolution will clarify that the city will commit the maximum amount to retire the bonds, thereby allowing the city to reduce its total payments over the life of the OGTDD bonds.

APPOINTMENTS

10. **Appointment to Climate Action Task Force**
    Summary: Nominating Committee is recommending an appointment to fill a single vacancy on the Task Force.

11. **Appointment to Arts Commission**
    Summary: Nominating Committee is recommending filling the six vacant seats on the newly formed Arts Commission.

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BUSINESS FROM THE MAYOR and CITY COUNCIL

12. Stormwater Committee Report - Sunswept Gabion Basket Failure

Summary: Stormwater Council Liaison Dr. Bob Hoffman will report on this issue, which is in need of repair. The Council will be asked to support sending a letter to MSD requesting this project be made a priority.

BUSINESS FROM CITY ADMINISTRATOR

13. Commercial Trash Collection Times

Summary: Early morning noise from commercial trash collection has been a recurring problem. Commercial collection is currently allowed to begin at 6:00 AM, which is an hour earlier than in residential areas.

14. Creve Coeur Resident Newsletter Distribution

Summary: The City is preparing for its annual bidding process for printing and handling services of the Creve Coeur Newsletter. An updated mailing list reflects an increase in the print quantity. Staff will review the distributions options for the resident newsletter.

15. Prescription Drug Discount Program for Residents

Summary: The National League of Cities in partnership with CVS Caremark has made a prescription drug discount card program available to residents of participating cities to provide discounts on prescription drugs.

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 12/9/2011
Deborah Ryan, MRCC
City Clerk