AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, August 12, 2013
7:30 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
However, the regular session for Monday, August 26, 2013 will begin at 7:30 p.m. due to an extended work session with the Parks and Recreation Committee.

1. **CONSENT ORDINANCE READINGS**
   a. **Bill No. 5440 - An Ordinance To Amend Chapter 135 Of The Municipal Code Of The City Of Creve Coeur, Missouri To Enact A New Section Relating To Court Costs. Final Reading**
      Summary: This ordinance ensures that the Creve Coeur Municipal Court is collecting all costs which are required by law.

2. **CONSENT AGENDA**
   a. **Council minutes dated July 22, 2013**

   b. **Bill No. 5440 - An Ordinance To Amend Chapter 135 Of The Municipal Code Of The City Of Creve Coeur, Missouri To Enact A New Section Relating To Court Costs. Final Passage**
      Summary: This ordinance ensures that the Creve Coeur Municipal Court is collecting all costs which are required by law.

   c. **Resolution No. 1070 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Purchase Of A New 20 Cubic Yard Extreme Vac Leaf Vacuum From Key Equipment Co. For $36,725.00.**

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Summary: The approval of this purchase will allow staff to purchase a new Xtreme Leaf Vacuum to replace a 1999 Giant Vac Leaf Vacuum

d. **Resolution No. 1071 - A Resolution Authorizing the City of Creve Coeur to Purchase a 2013 Nissan NV 3500 HD SV Van from West County Nissan.**
Summary: Currently, the police department utilizes a 1995 Ford Econoline Breath Testing Van as a DWI enforcement and checkpoint tool. Recently, the Missouri Department of Transportation Highway Safety Division agreed to replace the aging DWI Van as part of a grant. The new BATVAN will include all after factory equipment and markings with an expected price of approximately $50,000.

BILLS PAYABLE REPORT

For Information Only
Summary: A report of bills payable dated August 8, 2013 in the amount of $310,764.67 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

3. **Bill No. 5432 - An Ordinance Amending Chapter 405.D.2.A Of The Zoning Code Of The City Of Creve Coeur, Missouri To Increase The Maximum Density And Increase The Maximum Floor Area Ratio That May Be Requested For Any Planned Residential Development Proposal. Final Reading and Passage**
Summary: An application by Joe Nicpon, on behalf of Terra West Apartments, Inc., has been submitted to increase the maximum density, from 20 to 40 units per acre, and increase the maximum floor area ratio (FAR), from 0.4 to 0.6, that may be requested for any planned residential development (PRD) proposal within a Planned Zoning district. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the Planned Zoning regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code, and recommended approval on July 15, 2013.

4. **Bill No. 5433 - An Ordinance Amending Chapter 405.D Commercial Design Development Procedure (CDD) Of The Zoning Code Of The City Of Creve Coeur, Missouri To Allow The City Council To Approve Modifications To Maximum And Minimum Setbacks Within A CDD And To Document Such Approvals On The Site Concept Plan. Final Reading and Passage**

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Summary: An application by Garrick R. Hamilton, on behalf of The Koman Group, L.L.C., has been submitted to allow the City Council to approve modifications to maximum and minimum setbacks within a CDD and to document such approvals on the site concept plan. The Planning and Zoning Commission reviewed and voted 2-3 against the setback modification and voted 5 - 0 recommending approval of the subject amendment regarding documentation on site concept plans at its meeting on Monday July 15, 2013.

5. **Bill No. 5434 - An Ordinance To Amend Ordinance No. 3017 By Eliminating The Prior Use Restrictions For The Property Known As Shoppes At Questover, Addressed As 12528-12536 Olive Boulevard. Final Reading and Passage**
   Summary: An application was made by Daniel Burke, of Armstrong Teasdale, LLP, on behalf of Altus-Questover, property owner, to modify the zoning ordinance of 12528-12536 Olive Boulevard to be consistent with that of other "GC" General Commercial Districts. Ordinance No. 3017 approved the rezoning and site development plan of the property in 2004, and included a condition requiring a deed restriction against certain uses for the property beyond those permitted in other "GC" General Commercial zoning districts. The property owner believes the imposed restrictions interfere with appropriate uses of the shopping center. Planning and Zoning recommended approval at its meeting on July 15, 2013.

6. **Bill No. 5435 - An Ordinance Amending Chapter 405.820, Article VII Off-Street Parking And Loading Regulations Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri To Revise The Minimum Parking Requirement Of Hair, Nails And Skin Care Services. Final Reading and Passage**
   Summary: An application has been submitted by Daniel Burke, of Armstrong Teasdale, LLP, on behalf of Altus-Questover, property owner of the Shoppes at Questover, for a text amendment to revise Section 405.820(H)(2)(b) of the Required Off-Street Parking of the City Code of Ordinances regarding hair, nails, and skin care services to four (4) spaces per 1,000 sq. ft. of floor area to be consistent with the parking requirements for retail and office uses. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the off-street parking regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the

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Comprehensive Plan and the purposes of the Zoning Code. Planning and Zoning recommended approval at its meeting of July 15, 2013.

7. **Bill No. 5436 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 2,668 Square-Foot Restaurant Located At 12536 Olive Boulevard Within The Shoppes At Questover Shopping Center. Final Reading and Passage**
   Summary: An application was submitted by Michael Serra, of the Crevco Pizza LLC dba Jet's Pizza, for a conditional use permit for a 2,668 square-foot restaurant, with takeout and delivery service, at 12536 Olive Boulevard, Suite D, located within the Shoppes at Questover Shopping Center. Under Section 405.210 Table A, all restaurants in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits.

8. **Bill No. 5437 - An Ordinance Authorizing The Installation Of One (1) Fire Hydrant For Mosley Manor Court Located 220 Feet East Of The Intersection Of Mosley Road And Mosley Manor Court In The City Of Creve Coeur, Missouri. Final Reading and Passage**
   Summary: Request of the Creve Coeur Fire District and Missouri American Water to allow for the installation of a fire hydrant on Mosley Manor Court.

9. **Bill No. 5438 - An Ordinance Amending Title VI, Chapter 635, Section 635.060 Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, To Reduce The Business License And Occupation Tax Rate For Electric Service To Residential Properties. Final Reading and Passage**
   Summary: Council Member Rhoades is proposing legislation for a reduction in utility tax rates.
10. **Bill No. 5439 - An Ordinance Amending The 2006 Defined Contribution Plan For Employees Of The City Of Creve Coeur Hired On Or After June 1, 2006 By Increasing City Contributions Effective August 16, 2013. Final Reading and Passage**
    Summary: An ordinance increasing the City's contributions to the Defined Contribution Plan effective August 16, 2013.

11. **Bill No. 5441 - An Ordinance Amending Title I, Chapter 130, Section 130.080 Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri, Pertaining To Political Activities Of City Employees. Final Reading and Passage**

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Summary: This ordinance will bring Creve Coeur Code of Ordinances in compliance with enacted legislation relative to political activity of first responders pursuant to 2013 Missouri House Bill 307, Section 67.145 RSMo.

NEW BUSINESS

12. **Bill No. 5442 - An Ordinance Amending Chapter 405.370 "CB" Core Business District, Of The Zoning Ordinance Of The Code Of Ordinance Of The City Of Creve, Missouri To Modify The Height And Buffer Regulations As They Pertain To Adjacent Residential Development. First Reading**
Summary: An application by David Braswell, of Covington Realty Partners, Inc. has been submitted for a text amendment limiting the special height and buffer requirements in the "CB" District to properties adjacent to single-family residential development instead of single-family residential districts. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the "CB" Core Business District regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code. The Planning and Zoning Commission recommended approval of staff's alternative amendment on August 5, 2013.

13. **Bill No. 5443 - An Ordinance Amending Section 405.210 Table A Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. First Reading**
Summary: An application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for an amendment to the Zoning Code Table A, Permitted and Conditional Uses. The Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the allowed permitted and conditional uses of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code. Planning and Zoning Commission recommended approval on August 5, 2013.

14. **Bill No. 5444 - An Ordinance Of The City Council Of The City Of Creve Coeur, Missouri, Reestablishing And Making Public Previously Established Methods Of Disclosing Potential Conflicts Of Interest And Substantial Interests Pursuant To Section 105.485 Of The Revised Statutes Of Missouri. First Reading**
Summary: The City has previously established methods of disclosing potential conflicts of interest and substantial interest pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Section 130.090 of

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the Code of Ordinances. The Statutes require the City to reestablish such matters by September 15, 2013.

15. **Bill No. 5445 - An Ordinance Authorizing The Installation Of Two (2) Fire Hydrants Near The New Plaza Motors Jaguar/Land Rover Dealership Located In The City Of Creve Coeur, Missouri. First Reading**
Summary: Request of the Creve Coeur Fire District and Missouri American Water to allow for the installation of two fire hydrants for the new Jaguar/Land Rover Dealership located on Olive Blvd.

16. **Resolution No. 1072 - A Resolution Approving A Building Exterior Renovation Plan For The Creve Coeur Shopping Center Located At 11921 Olive Boulevard.**
Summary: An application was submitted by Thomas L. Milford, of Drury Development Corporation, on behalf of 11921 Olive LLC, for approval of a minor site development plan for building façade changes to update the existing shopping center. Section 405.370 (G)(1) of the Municipal Code states that any development and/or redevelopment plans for properties within the area bounded by the City limit on the north, Olive Boulevard on the south, Craig Road on the east, and I-270 on the west, requires Planning and Zoning Commission and City Council review and approval. Planning and Zoning Commission recommended approval on August 5, 2013.

17. **Resolution No. 1073 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri, Authorizing The Execution Of A Contract With Intuition & Logic For Engineering Services Related To The Design And Permitting For The Dam, Detention Pond, And Channel Rehabilitation Project As Part Of The Stormwater Capital Improvements Program For The 2014 Fiscal Year For The Amount Of $84,573.00.**
Summary: City staff recommends that the City retain the engineering design services of Intuition & Logic to provide design options and construction documents for the repair of a breach that has formed in the dam at the south end of the detention area at the Creve Coeur Golf Course that addresses storm water needs for this part of the city.

BUSINESS FROM THE MAYOR and CITY COUNCIL

18. **Farmer's Market**

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Summary: Council Members Saunders, Lawrence and Hoffman have expressed an interest in initiating a farmer's market in Creve Coeur. This idea also was raised at the "For the Love of Creve Coeur" workshop in June.

BUSINESS FROM CITY ADMINISTRATOR

19. **Food Trucks**

    Summary: At request of City Council, staff has reviewed our current regulations regarding mobile food vendors (food trucks) and has also conducted an informal community survey. Staff will summarize the survey and seek Council input and direction on a proposed trial program.

20. **Fourth Quarter FY 2013 Financial Analyses**

    Summary: The 4th quarter 2013 results for the two major operating funds - the General Fund and the Municipal Enterprise Fund.

21. **Executive Session**

    Summary: Requested for attorney-client communications, real estate and litigation.

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 8/8/13 3:30 p.m.
Deborah Ryan, MRCC
City Clerk

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