



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
AUGUST 28, 2023
7:00 PM**

ZOOM MEETING INFORMATION

1. **Members of the public may access live audio and/or video at the following link:**

<https://us02web.zoom.us/j/87440519494>

Meeting ID: 874 4051 9494

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC An opportunity for members of the public to address the City Council regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

ACCEPTANCE OF THE 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 next regular meeting of the City Council and future Public Hearing for the setting of the 2023 Property Tax Rate will take place on Thursday, September 14, 2023 at 7:00 PM.

CONSENT AGENDA

2. **Approval of August 14, 2023 City Council Regular Meeting Minutes**

BILLS PAYABLE REPORT

For Information Only: Invoices Paid Listing from 8/10/23-8/23/23

UNFINISHED BUSINESS



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- 3. Bill No. 6078 -An Ordinance Amending Section 160.010 of the Code of Ordinances regarding Closed Records. Final Reading and Passage.**
Summary: The ordinance updates the City open records code provisions based on changes in state law.
- 4. Bill No. 6079 - An Ordinance Amending the Personnel Policy and Procedures Manual of the City of Creve Coeur and Amending Related Ordinances. Final Reading and Passage.**
Summary: The proposed ordinance provides amendments to the Personnel Manual related to recent changes to the city's retirement benefits, including moving current legacy pension plan employees to the Missouri Local Government Employees Retirement System (LAGERS).

NEW BUSINESS

- 5. Bill No. 6080- An Ordinance Amending Section 405.470.A. Conditional Uses and Table A: Permitted and Conditional Uses of the Zoning Code of the City of Creve Coeur, Missouri to Allow NAICS 541711, NAICS 541712 and NAICS 541720 as Conditional Uses in the “GC”-General Commercial District on Properties That Abut the “LI” -Light Industrial Zoning District and to Amend Table A to Include NAICS 541720 as a Permitted Use in the LI Zoning District. First Reading.**
Summary: Tim Elli, of 39 North Holdings, LLC, has submitted a zoning ordinance text amendment application to amend Section 405.470.A., Conditional Uses, to include (NAICS 541711) Research and Development in Biotechnology, (NAICS 541712) Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology), and (NAICS 541720) Research and Development in the Social Sciences and Humanities, as Conditional Uses in the “GC” General Commercial Zoning District. Section 405.470 would be amended to limit these uses to properties that are zoned “GC” General Commercial and abut the “LI” Light Industrial district. The applicant plans to attract agricultural technology and research-oriented tenants to their building at 1220 N. Lindbergh that would fall under the above NAICS codes and seek Conditional Use Permits for those uses in the future. Staff recommends correcting the table of uses regarding the omission of NAICS 541720 as a permitted use in the LI district as well. The Planning and Zoning Commission recommended approval for the item with the correction.



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6. Bill No. 6081- An Ordinance to Correct a Zoning Map Error Affecting the Priory School Campus. First Reading.

Summary: Staff discovered an error on the Official Zoning Map of the City for the Priory School Campus. The current effective zoning map, adopted in 2019 by Ordinance 5658, incorrectly shows the easternmost portion of the Priory School Campus located in the A-Single Family Residential District when it should be located within the HE-Higher Education District. This ordinance will correct this error by placing the entire Priory School Camus within the HE-Higher Education District.

7. Bill No. 6082- An Ordinance Amending Certain Provisions of the Municipal Code Regarding Offenses to Incorporate Changes in State Law. First Reading.

Summary: Changes in State Legislation necessitate certain amendments to the Offense Code provisions of the Municipal Code

8. Bill No. 6083- An Ordinance Revising Chapter 520 of the Code of Ordinances of the City of Creve Coeur, Missouri, Regarding the Lateral Sewer Repair Fund. First Reading.

Summary: As a result of the Lateral Sewer Repair Fund Balance increasing each year, staff is recommending increasing the reimbursement percentage from 50% to either 70% or 75% effective October 1, 2023.

9. Bill No. 6084- An Ordinance Amending the Adopted 2023 General Fund Budget of the City of Creve Coeur by Transferring \$27,910 from the Public Works Park Maintenance Division to the Maintenance of Municipal Property Division and Authorizing an Additional \$32,000 Appropriation to the Enterprise Fund. First Reading.

Summary: An Ordinance amending the adopted 2023 General Fund Budget of the City of Creve Coeur by transferring \$27,910 from the Public Works Park Maintenance Division to the Maintenance of Municipal Property Division for unbudgeted expenditures and authorizing an additional \$32,000 appropriation to the Enterprise Fund as a result of an increase in watering the greens at the golf course due to a dry season.

10. Resolution No. 1674- A Resolution of the City Council of the City of Creve Coeur, Missouri, Confirming and Making Public Previously Established Methods of Disclosing Potential Conflicts of Interest and Substantial



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Interests Pursuant to Section 105.485 of the Revised Statutes of Missouri.

Summary: Per statute, this Resolution must be filed with the Missouri Ethics Commission biennially.

11. Resolution No. 1675- A Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Purchase of a 2023 John Deere 5060E Tractor with Cab for an Amount of \$33,270.66 Pursuant to a Cooperative Purchase Agreement.

Summary: Public Works is recommending the purchase of a 2023 John Deere 5060E tractor with an enclosed cab, replacing a 1994 tractor. The tractor is used for a variety of purposes including mowing and clearing of trails and along certain rights of way. The new tractor will also be used to operate the new salt conveyor which was recently approved by City Council.

BUSINESS FROM MAYOR AND CITY COUNCIL

12. Council Liaison Reports

BUSINESS FROM CITY ADMINISTRATOR

13. 4th Quarter Financial Report as of June 30, 2023

Summary: FY 2023 4th Quarter Financial Report Ending June 30, 2023, including the Investment Report.

ADJOURNMENT

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 by: _____

Date/Time posted: _____



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If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.



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CALL TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Robert Hoffman at the City Council Chamber, 300 North New Ballas Rd, City of Creve Coeur Government Center, Creve Coeur, MO 63141 on Monday, August 14, 2023 at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Hoffman led the Pledge of Allegiance.

ROLL CALL

Mayor Robert Hoffman
Council Member, Ward 2 Tim Carney
Council Member, Ward 2 Nicole Greer
Council Member, Ward 3 Sari Neudorf
Council Member, Ward 3 David Hoffman
Council Member, Ward 4 Joseph Martinich
Council Member, Ward 4 Dan Tierney

Council Member Manlin and Council Member Silverman, Ward 1, were absent.

Staff Present: City Administrator Mark Perkins, City Attorney Carl Lumley, Director of Community Development Jason Jaggi, Director of Finance Lori Obermoeller, Director of Public Works Jim Heines, Assistant City Administrator Sharon Stott, Chief of Police Jeffrey Hartman, Public Information Officer and Management Analyst Melissa Bradford, and City Clerk Kellie Henke.

COMMENTS FROM THE GENERAL PUBLIC

No one requested to speak.

ACCEPTANCE OF THE AGENDA

RESULT: APPROVED (UNANIMOUS)

MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 3 Hoffman

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

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



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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*

CONSENT AGENDA

RESULT: APPROVED (UNANIMOUS) MOVER: Council Member Ward 2 Greer SECONDER: Council Member Ward 2 Carney AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

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

- 1. Approval of July 24, 2023 City Council Regular Meeting Minutes.**
- 2. Documents for Destruction**

BILLS PAYABLE REPORT

For Information Only: Invoices Paid Listing 7/20/23-8/9/23

UNFINISHED BUSINESS

- 3. Bill No. 6075- An Ordinance Authorizing a New Conditional Use Permit for an 18,606 square foot Child Daycare Facility, located at 689 Craig Road, Zoned PO- Planned Office District. Final Reading and Passage.**

City Clerk read Bill No. 6075 for the final time.

Lynn Goessling, of Armstrong Teasdale, thanked the Council for its consideration and stated she was available to answer any questions. Applicant Mark Goodwin, was also available, via Zoom, to answer any questions.



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RESULT: APPROVED (UNANIMOUS)

MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 2 Carney

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 6075 becomes Ordinance No. 5848.

- 4. Bill No. 6076- An Ordinance Authorizing an Amendment to Ordinance Number 5581 and Authorizing Revised Signage for the Kia Dealership at 1025 North Lindbergh Boulevard within the Lou Fusz Automotive Network. Final Reading and Passage.**

City Clerk read Bill No. 6075 for the final time.

Director of Community Development Jason Jaggi corrected his statement made at the July 24, 2023 City Council meeting and clarified the existing pole sign would remain at its current location and not be removed.

Joe Phillips, of Piro Signs, stated he was available to answer any questions.

RESULT: APPROVED (UNANIMOUS)

MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 2 Carney

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 6076 becomes Ordinance No. 5849.

- 5. Bill No. 6077- An Ordinance Adjusting the Municipal Boundary of the City of Creve Coeur for Properties located on part of Lot 6 of Oak Lake Estates Subdivision and part of Oak Lake Estates Subdivision Park Area Common Ground. Final Reading and Passage.**

City Clerk read Bill No. 6077 for the final time.



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RESULT: APPROVED (UNANIMOUS)

MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 2 Carney

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

The vote on the motion being 6 ayes and 0 nays, motion carried. Bill No. 6075 becomes Ordinance No. 5850.

NEW BUSINESS

6. Bill No. 6078 -An Ordinance Amending Section 160.010 of the Code of Ordinances regarding Closed Records. First Reading.

City Clerk read Bill No. 6078 for the first time.

7. Bill No. 6079 - An Ordinance Amending the Personnel Policy and Procedures Manual of the City of Creve Coeur and Amending Related Ordinances. First Reading.

City Clerk read Bill No. 6079 for the first time.

Assistant City Administrator Sharon Stott stated the revisions to the manual are primarily due to the pending transfer of all active full-time employees currently on the Creve Coeur Defined Benefit Plan (Legacy Plan) into the LAGERS retirement plan and provided an overview of the proposed revisions. Ms. Stott stated the changes would become effective September 1, 2023 if approved.

8. Resolution No. 1673- A Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Three-Year Contract with One Vision LLC to Supply and Plant Trees for the New Ballas Road Median Tree Planting Project for an Amount of \$28,560.00 and Establishing Pricing for Tree Plantings in City Parks and under the Street Tree Shared Costs Program.

City Clerk read Resolution No. 1673.



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Director of Public Works Jim Heines provided an overview of the recommended contract with One Vision LLC for the New Ballas Median Tree Planting Project and Park and Street Tree Planting Programs. Mr. Heines stated planting would take place in the fall.

Mayor Hoffman asked what caliper trees would be offered. To which, Mr. Heines stated two sizes of trees were bid, 1" - 1.5" caliper and 2.5" - 3" caliper, and tree height will vary based upon the species of tree; each tree includes a one-year warranty.

RESULT: APPROVED (UNANIMOUS) MOVER: Council Member Ward 2 Greer SECONDER: Council Member Ward 3 Hoffman AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney
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The vote on the motion being 6 ayes and 0 nays, motion carried.

APPOINTMENTS

9. Economic Development Committee and Energy & Environment Committee

To approve the appointments as recommended by the Nominating Committee.

Economic Development Committee

- Ramaa Vissa- appoint for 3 yr. (exp 6/30/2026)

Energy and Environment Committee

- Paige E. Recker- appoint for 3 yr. (exp 6/30/2026)

RESULT: APPROVED (UNANIMOUS) MOVER: Council Member Ward 2 Greer SECONDER: Council Member Ward 2 Carney AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney



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

BUSINESS FROM MAYOR AND CITY COUNCIL

10. Council Liaison Reports

No Council Liaison Reports.

BUSINESS FROM CITY ADMINISTRATOR

11. Sewer Lateral Fund Policy

City Administrator Mark Perkins provided a brief history of the Sewer Lateral Fund and stated staff recommended increasing the rate of reimbursement.

Council Member Greer asked what steps would be taken to avoid depletion of the fund in the future. Mr. Perkins stated the City would monitor the fund and if needed, return to the City Council for adjustment of the reimbursement rate or seek voter approval for an increase in the sewer lateral fee. Mr. Perkins stated state statute allows municipalities to seek voter approval for up to a \$50 annual sewer lateral fee and clarified that adjusting the reimbursement rate, as long as the rate stays within the voter-approved limit, does not require further voter approval.

Council Member Carney asked, due to the increases in taxes, which homeowners are facing due to reassessments, would it help residents to lower the sewer lateral fee. Mr. Perkins stated decreasing the fee is an option and stated it may be more favorable to the homeowner to increase the reimbursement percentage as repairs may come at a significant cost.

Council Member Martinich recommended increasing the reimbursement percentage to 60% or 65% to slow down the depletion rate.

Council Member Tierney recommended increasing the reimbursement percentage to 70% or 75% rather than decreasing the sewer lateral fee.

Mr. Perkins stated an Ordinance would be drafted and brought to the Council for consideration.



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12. Solar Street Light Program Update

Director of Public Works Jim Heines provided an update on the proposed 50/50 cost shared solar street light pilot program (See Exhibit A) and revisions to the existing street lighting program and stated both the Police and Safety Committee and Energy and Environment Committee were in favor of the revisions proposed to the existing street lighting program. Mr. Heines stated both committees support the development of a 50/50 Cost Shared Solar Street Lighting Program and discussed the recommendations made by the Energy and Environment Committee.

Mr. Heines stated if the Council is interested in continuing the development of a Solar Street Light Program, the City could install several lights of different temperatures in the parks to help determine which light would be the standard light fixture to be used throughout the city. Mr. Heines stated the estimated installation costs could be greater than \$5,000 and recommended the City allocating \$20,000 to fund the program.

Council Member Martinich agreed with the comments Mr. Heines had regarding committee recommendations and stated the Solar Street Light Program would have a significant impact on public safety.

Council Member Tierney clarified that all residents close to the proposed solar streetlight would need to support and approve the streetlight installation. A residence would be considered close if it is within 150 feet of the proposed light location, and the residence is on the same street as the proposed light, or on a cross street, if the light is proposed to be on a corner lot.

Donna Spence, resident of 48 Country Fair Lane and Vice-Chair of the Energy and Environment Committee, would like the Energy and Environment Committee to continue its involvement with the pilot program and shared her concerns regarding excessive artificial street lighting and its potential negative impact on human health, wildlife, and public safety.

13. MSD Rate Proposal

City Administrator Mark Perkins provided an overview of the proposed wastewater rates for FY25-FY28 by the Metropolitan St. Louis Sewer District (MSD) and stated the April 2024 election ballot would seek voter approval to authorize MSD to issue bonds that



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allows the issuance of debt to be spread out over many years. If unsuccessful, regulatorily-required wastewater system improvements would be made on a pay-as-you-go basis, which would result in significant rate increases.

Mr. Perkins provided an overview of the proposed stormwater service rates for FY25-FY28 by MSD that would also be included on the April 2024 election ballot. Mr. Perkins stated the proposed rates include a property tax of 7 1/2 cents per \$100 assessed value for residential properties and an impervious area charge for non-residential properties that would be used for stormwater improvements throughout the region.

Mr. Perkins stated funds generated from the stormwater tax would be used for stormwater improvements throughout the region, with 30% set aside for distribution to municipalities. Funding would be divided between each municipality based on population and Creve Coeur would receive approximately \$150,000 - \$200,000 per year. Mr. Perkins stated if the ballot measures are successful, the Deer Creek OMCI District could be deactivated, unless the City requested to maintain the district funding source.

Council Member Martinich stated voter education is essential.

ADJOURNMENT

Mr. Perkins reminded the Council of the upcoming tour of the former Bayer West Campus with the developer of the proposed Olia Village on August 15, 2023.

Mr. Perkins requested to go into Executive Session to discuss attorney client communication, litigation, and real estate.

RESULT: APPROVED (UNANIMOUS)

MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 2 Carney

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

The vote on the motion being 6 ayes and 0 nays, motion carried. The meeting adjourned to go into Executive Session at 7:57 p.m.

The regular City Council Meeting reconvened at 8:25 p.m. for adjournment.



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MOVER: Council Member Ward 2 Greer

SECONDER: Council Member Ward 3 Hoffman

AYES: Hoffman, Martinich, Tierney, Greer, Neudorf, Carney

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

The meeting adjourned at 8:26 p.m.

Submitted by:

Kellie Henke
City Clerk

Dr. Robert Hoffman
Mayor



Residential Solar Street Light 50/50 Cost Share Pilot Program

Purpose: The City of Creve Coeur has established a pilot solar street light program effective July 1, 2023 through June 30, 2025, to provide a cost-effective and eco-friendly opportunity to increase the level of lighting in Creve Coeur neighborhoods and thereby promote public safety.

- Subdivision Trustees or interested residents may submit an application form provided by the City to participate in the 50/50 Solar Street Light Cost Share Program.
- Applicant shall submit an aerial photo identifying the proposed location of the solar street light. Proposed location must be in the public rights-of-way and no less than 300 feet from an existing street light.
- Applicant shall submit signatures of residents along the street within 150 feet of the proposed location approving said light. Applicant must also notify subdivision trustees of the proposed location.
- Applicant will be required to submit payment to the city for 50% of the cost to purchase and install the light upon approval of the application by the City.
- City staff will be responsible for coordination of the procurement, installation and maintenance of the lights.
- Applications for this initial pilot program will be limited to two lights per neighborhood.



MEMORANDUM

DATE: August 24, 2023

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Invoices Paid Listing

For your information and transmittal to the City Council, attached is a list of paid invoices from August 10, 2023 through August 23, 2023 in the amount of \$558,595.64.



Creve Coeur, MO

Council Report of invoices Paid Listing

By Fund

Payment Dates 8/10/2023 - 8/23/2023

Vendor Name	Payable Number	Payment Date	Description (Item)	Account Number	Payment Number	Amount
Fund: 01 - GENERAL FUND						
K BOYER & ASSOCIATES AMERICAN	23BL REFUND	08/17/2023	OVERPAYMENT BL WAS PRO...	01-4402	66416	23.00
GATEWAY CLINICAL TRIALS LLC	23BL REFUND	08/17/2023	BUSINESS LICENSE REFUND	01-4402	66414	120.00
GATEWAY CLINICAL TRIALS LLC	23BL REFUND	08/17/2023	BUSINESS LICENSE REFUND	01-4426	66414	65.00
MISSOURI DEPARTMENT OF REVENUE	CVC JUL23	08/17/2023	CRIME VICTIMS COMPENSAT...	01-2413	66422	30.00
MISSOURI DEPARTMENT OF REVENUE	CVC JUL23	08/17/2023	MISC POLICE FUND REVENUE...	01-4604	66422	-1.48
WASHINGTON NATIONAL INS CO	P2348179	08/17/2023	WG00006955, 02413 (MM/Y...	01-2215	233	437.70
MISSOURI DEPARTMENT OF REVENUE	POST JUL23	08/17/2023	POST COMMISSION FUND 07...	01-2412	66423	4.00
PAYROLL-MS CONTRIBUTIONS	INV0001835	08/18/2023	ICMA ROTH IRA %	01-2319	DFT0007453	105.49
FAMILY SUPPORT DIVISION- CHILD SUPPORT OFFICE	INV0001836	08/18/2023	CHILD SUPPORT	01-2113	DFT0007454	184.62
EDB-COMMERCE BANK	INV0001837	08/18/2023	EDB EMPLOYEE DEFINED BE...	01-2320	DFT0007455	3,009.19
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ER PENSION 10%	01-2312	DFT0007456	801.80
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ER PENSION 3%	01-2312	DFT0007456	2,016.32
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA ROTH 457 %	01-2318	DFT0007456	2,546.14
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA ROTH 457 \$	01-2318	DFT0007456	1,888.08
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA ROTH IRA \$	01-2319	DFT0007456	494.62
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA 457 \$	01-2322	DFT0007456	627.47
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA 457 %	01-2322	DFT0007456	1,717.46
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA 457 \$	01-2322	DFT0007456	7,977.35
PAYROLL-MS CONTRIBUTIONS	INV0001838	08/18/2023	ICMA LOAN PAYMENT	01-2324	DFT0007456	565.31
MOST-MISSOURI'S 529 SAVINGS PLAN	INV0001839	08/18/2023	MOST 529 COLLEGE SAVINGS...	01-2323	DFT0007457	890.00
VOYA	INV0001840	08/18/2023	VOYA 457 %	01-2321	DFT0007458	1,995.37
DEPARTMENT OF TREASURY	INV0001841	08/18/2023	SOCIAL SECURITY	01-2102	DFT0007459	37,081.46
DEPARTMENT OF TREASURY	INV0001841	08/18/2023	MEDICARE	01-2103	DFT0007459	8,672.24
DEPARTMENT OF TREASURY	INV0001841	08/18/2023	FEDERAL WITHHOLDING	01-2104	DFT0007459	28,294.77
PAYROLL MISSOURI WITHHOLDING TAXES	INV0001842	08/18/2023	STATE WITHHOLDING	01-2105	DFT0007460	10,984.00
DEPARTMENT OF TREASURY	INV0001843	08/18/2023	SOCIAL SECURITY	01-2102	DFT0007461	2,064.70
DEPARTMENT OF TREASURY	INV0001843	08/18/2023	MEDICARE	01-2103	DFT0007461	482.82
DEPARTMENT OF TREASURY	INV0001843	08/18/2023	FEDERAL WITHHOLDING	01-2104	DFT0007461	626.31

Council Report of invoices Paid Listing

Payment Dates: 8/10/2023 - 8/23/2023

Vendor Name	Payable Number	Payment Date	Description (Item)	Account Number	Payment Number	Amount
PAYROLL MISSOURI WITHHOLDING TAXES	INV0001844	08/18/2023	STATE WITHHOLDING	01-2105	DFT0007462	282.00
T MOBILE USA	972253619-80723 EQUIPME...	08/23/2023	PD PHONES AND TABLETS E...	01-2410	66458	429.99
						114,415.73
						114,415.73
Department: 12 - ADMINISTRATION						
Division: 11 - ADMINISTRATIVE						
39 NORTH AGTECH INNOVATION DISTRICT	1008	08/17/2023	QTRLY FEE FOR ECONOMIC D...	01-12-11-6203	66401	12,500.00
MERCY CORPORATE HEALTH	681964	08/17/2023	PRE-EMPLOYMENT SCREENI...	01-12-11-6271	66420	110.50
MERCY CORPORATE HEALTH	682786	08/17/2023	RANDOM DOT DRUG/ALCO...	01-12-11-6271	66420	62.05
MERCY CORPORATE HEALTH	682802	08/17/2023	RANDOM DOT DRUG/ALCO...	01-12-11-6271	66420	62.05
MERCY CORPORATE HEALTH	682892	08/17/2023	RANDOM DOT DRUG/ALCO...	01-12-11-6271	66420	91.80
MERCY CORPORATE HEALTH	683460	08/17/2023	PRE-EMPLOYMENT SCREENI...	01-12-11-6271	66420	55.25
PAYLOCITY CORPORATION	INV1533328	08/23/2023	COBRA ADMINISTRATION	01-12-11-6203	66451	29.95
Division 11 - ADMINISTRATIVE Total:						12,911.60
Division: 14 - MUNICIPAL COURT						
RICOH USA, INC	107479967	08/23/2023	COURT COPIER LEASE 7/18/2...	01-12-14-6213	66453	275.81
Division 14 - MUNICIPAL COURT Total:						275.81
Department 12 - ADMINISTRATION Total:						13,187.41
Department: 13 - FINANCE						
Division: 11 - ADMINISTRATIVE						
PAYROLL MISSOURI WITHHOLDING TAXES	INV0001842	08/18/2023	STATE WITHHOLDING	01-13-11-6202	DFT0007460	0.50
Division 11 - ADMINISTRATIVE Total:						0.50
Division: 15 - INTERDEPARTMENTAL						
CHARTER COMMUNICATIONS	0215116080123	08/17/2023	996 E RUE DE LA BANQUE PW..	01-13-15-6255	66410	324.44
CHARTER COMMUNICATIONS	0215132080123	08/17/2023	ANALOG LINES & CONNECT ...	01-13-15-6253	66404	518.86
CHARTER COMMUNICATIONS	0353198080123	08/17/2023	350 N NEW BALLAS PD RRI-FI...	01-13-15-6253	66405	1,486.95
CHARTER COMMUNICATIONS	0403845080123	08/17/2023	300 N NEW BALLAS CITY HALL..	01-13-15-6253	66408	213.80
KONICA MINOLTA BUSINESS SOLUTIONS	288485204	08/17/2023	ADMIN COPIER MAINTENAN...	01-13-15-6213	66417	67.10
ODP BUSINESS SOLUTIONS LLC	325650740001	08/17/2023	TONER	01-13-15-7312	66424	114.99
ODP BUSINESS SOLUTIONS LLC	325866529001	08/17/2023	TONER	01-13-15-7312	66424	124.01
ODP BUSINESS SOLUTIONS LLC	325877597001	08/17/2023	TONER AND HIGHLIGHTERS	01-13-15-7312	66424	125.98
ODP BUSINESS SOLUTIONS LLC	326374474001	08/17/2023	TONER AND PENS	01-13-15-7312	66424	91.69
WUSSLER BUSINESS FORMS INC	5195	08/17/2023	LETTERHEAD	01-13-15-7312	235	368.00

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Vendor Name	Payable Number	Payment Date	Description (Item)	Account Number	Payment Number	Amount
WUSSLER BUSINESS FORMS INC	5196	08/17/2023	BUSINESS CARDS	01-13-15-7312	235	118.01
Division 15 - INTERDEPARTMENTAL Total:						3,553.83
Division: 51 - MIS OPERATIONS						
CHARTER COMMUNICATIONS	0403845080123	08/17/2023	300 N NEW BALLAS CITY HALL...	01-13-51-6213	66408	97.98
DELL MARKETING LP	10692452908	08/23/2023	3 laptops LATITUDE 5540	01-13-51-7331	237	5,707.92
DELL MARKETING LP	10692452916	08/23/2023	6 desktops OPTIPLEX SMALL ...	01-13-51-7331	237	11,314.14
DELL MARKETING LP	10692945022	08/23/2023	(3) DELL WD22TB4 LAPTOP ...	01-13-51-7331	237	755.52
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES MIS EQUIPME...	01-13-51-6213	66457	229.99
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES MIS EQUIPME...	01-13-51-6253	66457	229.99
CDW LLC	LD89456	08/23/2023	(4) VA2447 24IN MONITORS ...	01-13-51-7331	66435	785.76
Division 51 - MIS OPERATIONS Total:						19,121.30
Department 13 - FINANCE Total:						22,675.63
Department: 14 - COMMUNITY SERVICES						
Division: 11 - ADMINISTRATIVE						
MYRLYNN HENLEY	118B	08/17/2023	TAI CHI INSTRUCTION 7/18/2...	01-14-11-6202	229	540.00
Division 11 - ADMINISTRATIVE Total:						540.00
Department 14 - COMMUNITY SERVICES Total:						540.00
Department: 16 - MUNICIPAL FACILITIES MAINTENANCE						
Division: 11 - ADMINISTRATIVE						
AMERENUE	55031-62002-08/01/23	08/11/2023	300N NEW BALLAS JUN-JUL ...	01-16-11-6250	DFT0007486	7,117.78
MISSOURI AMERICAN WATER CO	1017-210013915103-07-31-...	08/23/2023	300 N NEW BALLAS RD DOM ...	01-16-11-6254	66445	993.16
HOME DEPOT CREDIT SERVICES	1286000	08/23/2023	RED STEP STONE FOR GARD...	01-16-11-6212	66439	19.12
HOME DEPOT CREDIT SERVICES	1521703	08/23/2023	FLOOR FINISH	01-16-11-6212	66439	126.34
HOME DEPOT CREDIT SERVICES	2285903	08/23/2023	STEP STONES FOR GARDEN A...	01-16-11-6212	66439	109.40
HOME DEPOT CREDIT SERVICES	2291092	08/23/2023	KD WHITEWOOD STUD	01-16-11-6212	66439	13.51
HOME DEPOT CREDIT SERVICES	2620658	08/23/2023	FLOOR FINISH	01-16-11-6212	66439	96.28
HOME DEPOT CREDIT SERVICES	2622823	08/23/2023	MOP REFILL MOP HANDLE ...	01-16-11-6212	66439	28.74
HOME DEPOT CREDIT SERVICES	2622823	08/23/2023	MOP REFILL MOP HANDLE ...	01-16-11-7301	66439	16.97
HOME DEPOT CREDIT SERVICES	3614934	08/23/2023	MOP REFILL AND HANDLE	01-16-11-6212	66439	32.63
HOME DEPOT CREDIT SERVICES	8623118	08/23/2023	TAPING KNIFE SET MARGIN T...	01-16-11-6210	66439	161.88
HOME DEPOT CREDIT SERVICES	8623118	08/23/2023	TAPING KNIFE SET MARGIN T...	01-16-11-7301	66439	45.31

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T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES BLDG MAINT E...	01-16-11-6253	66457	229.99
WALTER KNOLL FLORIST	INV11281	08/23/2023	PLANT MAINTENANCE SEPT ...	01-16-11-6212	66459	80.00
Division 11 - ADMINISTRATIVE Total:						9,071.11
Department 16 - MUNICIPAL FACILITIES MAINTENANCE Total:						9,071.11
Department: 21 - POLICE						
Division: 11 - ADMINISTRATIVE						
CREVE COEUR	072223	08/17/2023	DEFRAYING COST OF THE SH...	01-21-11-7314	66411	700.00
NEIGHBORHOOD WATCH						
VERIZON WIRELESS SERVICES LLC	9941268171	08/17/2023	TABLETS AND AIRCARDS 7/5...	01-21-11-6253	66432	320.08
T MOBILE USA	972253619-80723 EQUIPME...	08/23/2023	PD PHONES AND TABLETS PD...	01-21-11-6253	66458	2,189.97
Division 11 - ADMINISTRATIVE Total:						3,210.05
Division: 21 - INVESTIGATION						
LEXISNEXIS	1432814-20230731	08/17/2023	07-31-23 - 1 SEARCH 2 USERS	01-21-21-6202	66419	222.24
Division 21 - INVESTIGATION Total:						222.24
Division: 22 - PATROL						
T MOBILE USA	972253619-80723 EQUIPME...	08/23/2023	PD PHONES AND TABLETS PD...	01-21-22-6253	66458	3,079.94
Division 22 - PATROL Total:						3,079.94
Department 21 - POLICE Total:						6,512.23
Department: 31 - PUBLIC WORKS						
Division: 11 - ADMINISTRATIVE						
GEORGE L. CRAWFORD & ASSOCIATES INC	220130005	08/17/2023	On-call traffic signal mainten...	01-31-11-6211	66415	18,392.87
US BANK EQUIPMENT FINANCE	507223782	08/17/2023	COPIER LEASE & MAINTENA...	01-31-11-6213	66431	254.02
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES PW ADMIN EQ...	01-31-11-6253	66457	459.98
Division 11 - ADMINISTRATIVE Total:						19,106.87
Division: 41 - STREET MAINTENANCE						
AMERENUE	55031-62002-08/01/23	08/11/2023	300N NEW BALLAS JUN-JUL ...	01-31-41-6250	DFT0007486	1,378.67
AMERENUE	55031-62002-08/01/23	08/11/2023	300N NEW BALLAS JUN-JUL ...	01-31-41-6251	DFT0007486	10,476.47
CHARTER COMMUNICATIONS	04209220080123	08/17/2023	996 W RUE DE LA BANQUE ...	01-31-41-6253	66407	107.10
RICHARD SCHOENBERG	2023 LEASE AGREEMENT	08/17/2023	2023 LEAF & LIMB STORAGE ...	01-31-41-6212	66426	8,000.00
EAST PENN MANUFACTURING CO	230729859	08/17/2023	313 BATTERY	01-31-41-6210	66413	269.04
CHUCKS ACQUISITION CO LLC	23-2359	08/17/2023	PW GARAGE - MIKE FOGG &...	01-31-41-7308	219	288.70
DH PACE COMPANCY INC	SVC/264-771315	08/17/2023	REMOVE GATE RESET GATE ...	01-31-41-6212	221	3,979.79
HOME DEPOT CREDIT SERVICES	0614182	08/23/2023	TOW STRAPS RACHET STRAPS	01-31-41-7302	66439	9.97
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	6 BEACON HILL LN IRRIG 06/...	01-31-41-6254	66448	78.69
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	740 N NEW BALLAS RD IRR1S...	01-31-41-6254	66448	96.45

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MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	533 N NEW BALLAS RD IRRIG...	01-31-41-6254	66448	111.54
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	160 N NEW BALLAS RD IRRIG...	01-31-41-6254	66448	160.98
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	451 N NEW BALLAS RD IRR3...	01-31-41-6254	66448	40.29
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	1030 N LINDBERGH BLVD 06...	01-31-41-6254	66448	20.18
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	198 N NEW BALLAS RD IRRIG...	01-31-41-6254	66448	213.80
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	12536 OLIVE BLVD IRRIG 06/...	01-31-41-6254	66446	1,231.07
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	201 N NEW BALLAS RD IRRIG...	01-31-41-6254	66446	221.33
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	11702 OLIVE BLVD IRRIG 06/...	01-31-41-6254	66446	150.83
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	12301 CONWAY RD IRRIG 06...	01-31-41-6254	66446	131.65
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	145 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66446	128.30
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	996 E RUE DE LA BANQU 06/...	01-31-41-6254	66446	113.96
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	309 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66446	20.18
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	1000 BARNES WEST DR FRF...	01-31-41-6254	66446	9,474.10
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	12136 OLIVE BLVD IRRIG 06/...	01-31-41-6254	66446	10,168.06
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	12015 OLIVE BLVD IRRIG 06/...	01-31-41-6254	66446	5,446.91
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	241 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66446	223.85
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	333 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66443	14.99
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	631 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66443	733.43
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	599 S NEW BALLAS RD IRRIG ...	01-31-41-6254	66443	580.04
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	298 N NEW BALLAS RD 06/23...	01-31-41-6254	66443	399.86
OREILLY AUTOMOTIVE STORES INC	1388-451333	08/23/2023	CHIPPER SWITCH	01-31-41-6211	241	11.99
ENERGY PETROLEUM CO	284728	08/23/2023	REGULAR FUEL AT PW GARA...	01-31-41-7307	66438	6,598.17
RUSH TRUCK CENTER	3033761206	08/23/2023	315 OIL PAN	01-31-41-6210	66454	855.00
NEUMAYER EQUIPMENT COMPANY INC	5563670-IN	08/23/2023	PSTIF INSPECTIONS - TESTING	01-31-41-6212	66450	811.12

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HOME DEPOT CREDIT SERVICES	9373446	08/23/2023	BAR AND CHAIN OIL	01-31-41-6211	66439	42.84
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES STREETS EQUI...	01-31-41-6253	66457	689.97
					Division 41 - STREET MAINTENANCE Total:	63,279.32
Division: 43 - PARKS MAINTENANCE						
AMERENUE	55031-62002-08/01/23	08/11/2023	300N NEW BALLAS JUN-JUL ...	01-31-43-6250	DFT0007486	1,418.78
CHARTER COMMUNICATIONS	04209220080123	08/17/2023	996 W RUE DE LA BANQUE ...	01-31-43-6253	66407	35.70
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	133236370-001	08/17/2023	CEMENT, PRIMER, HERBICIDE	01-31-43-6212	66427	184.86
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	133236370-001	08/17/2023	CEMENT, PRIMER, HERBICIDE	01-31-43-7303	66427	68.76
EAST PENN MANUFACTURING CO	230729859	08/17/2023	313 BATTERY	01-31-43-6210	66413	89.68
CHUCKS ACQUISITION CO LLC	23-2359	08/17/2023	PW GARAGE - MIKE FOGG &...	01-31-43-7308	219	96.24
KURT SCHAMEL	234323	08/17/2023	BACKFLOW TESTING AT MILL...	01-31-43-6212	66418	1,940.00
MISSOURI AMERICAN WATER CO	1017-210013559299-07-31-...	08/23/2023	12301 CONWAY RD 06/27/23...	01-31-43-6254	66449	339.51
MISSOURI AMERICAN WATER CO	1017-210041135520-08-01-...	08/23/2023	902 MASON RD 06/21/23-07...	01-31-43-6224	66448	25.89
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	601 COEUR DE VILLE DR 06/2...	01-31-43-6254	66446	299.28
MISSOURI AMERICAN WATER CO	1017-210041137908-08-09-...	08/23/2023	12100 CONWAY RD PARK 06...	01-31-43-6254	66446	56.97
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	203 TOWNSEND ST 06/27/23...	01-31-43-6254	66443	11.09
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	10620 COUNTRY VIEW DR 06...	01-31-43-6254	66443	55.38
MISSOURI AMERICAN WATER CO	1017-210041240477-08-09-...	08/23/2023	11370 ST PAUL ST PARK 06/2...	01-31-43-6254	66443	61.99
HOME DEPOT CREDIT SERVICES	1023375	08/23/2023	FENCE POST MIX	01-31-43-6212	66439	65.84
ENERGY PETROLEUM CO	284728	08/23/2023	REGULAR FUEL AT PW GARA...	01-31-43-7307	66438	2,094.04
HOME DEPOT CREDIT SERVICES	3024976	08/23/2023	CEDARWOOD FENCE WASH...	01-31-43-6212	66439	254.92
RUSH TRUCK CENTER	3033761206	08/23/2023	315 OIL PAN	01-31-43-6210	66454	285.00
HOME DEPOT CREDIT SERVICES	5022595	08/23/2023	IRRIGATION SUPPLIES	01-31-43-6212	66439	17.05
HOME DEPOT CREDIT SERVICES	5022595	08/23/2023	IRRIGATION SUPPLIES	01-31-43-7302	66439	19.98
HOME DEPOT CREDIT SERVICES	8510093	08/23/2023	FLIGHTLIGHT LED WIRE STR...	01-31-43-7302	66439	180.57
HOME DEPOT CREDIT SERVICES	9373446	08/23/2023	BAR AND CHAIN OIL	01-31-43-6211	66439	14.28
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES PARKS EQUIP...	01-31-43-6253	66457	229.99
ST LOUIS COMPOSTING, INC.	INV96007	08/23/2023	LAKE SCHOOL TREE HAUL OFF	01-31-43-7303	66456	117.30

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ST LOUIS COMPOSTING, INC.	INV96257	08/23/2023	LAKE SCHOOL TREE HAUL OFF	01-31-43-7303	66456	117.30
Division 43 - PARKS MAINTENANCE Total:						8,080.40
Department 31 - PUBLIC WORKS Total:						90,466.59
Department: 32 - COMMUNIITY DEVELOPMENT						
Division: 11 - ADMINISTRATIVE						
BRIDGE TOWER MEDIA	745629791	08/17/2023	PUBLIC NOTICE - 7 SHERWYN...	01-32-11-6260	66403	58.31
BRIDGE TOWER MEDIA	745630537	08/17/2023	PUBLIC NOTICE - 1220 N LIN...	01-32-11-6260	66403	86.87
HORNER AND SHIFRIN INC	69643	08/23/2023	GIS ON CALL SERVCIES - GE...	01-32-11-6203	238	701.50
BRIDGE TOWER MEDIA	745632773	08/23/2023	PUBLIC NOTICE - 721 EMERS...	01-32-11-6260	66433	63.07
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES PLNING EQUI...	01-32-11-6253	66457	229.99
Division 11 - ADMINISTRATIVE Total:						1,139.74
Division: 61 - BUILDING DEPARTMENT						
VERIZON WIRELESS SERVICES LLC	9941268171	08/17/2023	TABLETS AND AIRCARDS 7/5...	01-32-61-6253	66432	240.06
PERALES AE LAWN CARE LLC	380926	08/23/2023	HIGH WEEDS/GRASS 200 S ...	01-32-61-6215	242	616.25
PERALES AE LAWN CARE LLC	380927	08/23/2023	HIGH WEEDS/GRASS 204 S ...	01-32-61-6215	242	616.25
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES BUILDING EQU...	01-32-61-6253	66457	919.96
Division 61 - BUILDING DEPARTMENT Total:						2,392.52
Department 32 - COMMUNIITY DEVELOPMENT Total:						3,532.26
Fund 01 - GENERAL FUND Total:						260,400.96
Fund: 02 - CAPITAL IMPROVEMENT FUND						
Department: 61 - CIP						
Division: 71 - CIP						
THE DAVENPORT GROUP USA LTD	23C08-MOCC	08/17/2023	LAMA BUILDING PERMITTING..	02-61-71-9516	231	36,967.17
SPENCER CONTRACTING COMPANY	4	08/17/2023	23 STREET RECONSTRUCTION..	02-61-71-9510	66428	45,470.32
HORNER AND SHIFRIN INC	69607	08/17/2023	N NEW BALLAS PHASE 1 PAY...	02-61-71-9510	227	1,866.25
HORNER AND SHIFRIN INC	69609	08/17/2023	OLD OLIVE SIDEWALK DESIGN	02-61-71-9510	226	4,238.95
KOLB GRADING LLC	233301	08/23/2023	2023 ASPHALT PROJECT PAY ...	02-61-71-9510	239	11,043.75
Division 71 - CIP Total:						99,586.44
Department 61 - CIP Total:						99,586.44
Fund 02 - CAPITAL IMPROVEMENT FUND Total:						99,586.44
Fund: 05 - PARKS & STORMWATER FUND						
Department: 61 - CIP						
Division: 71 - CIP						
ST LOUIS COUNTY TREASURER	152867	08/17/2023	HIBLER WOODS CONCRETE T...	05-61-71-9509	66429	33.00
SPENCER CONTRACTING COMPANY	23049-001	08/17/2023	HIBLER WOODS TRENCH DRA...	05-61-71-9509	66428	26,800.00
INTUITION AND LOGIC ENGINEERING INC	230704	08/17/2023	NEW BALLAS CULVERT DESI...	05-61-71-9509	228	702.50

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INTUITION AND LOGIC ENGINEERING INC	230711	08/17/2023	WATERSHED MANAGEMENT...	05-61-71-9509	228	31,593.62
FASTSIGNS OF BRIDGETON	270-79056	08/17/2023	SIGNS FOR CLOSING RESTRO...	05-61-71-9506	223	60.00
THOUVENOT, WADE & MOERCHEN, INC.	80458	08/17/2023	MILLENNIUM PARK PHASE 1 ...	05-61-71-9506	232	197.75
DAMON DAVIS	DAVIS #1 8.14.23	08/17/2023	1ST OF 2 PAYMENTS FOR ART..	05-61-71-9506	220	1,250.00
Division 71 - CIP Total:						60,636.87
Department 61 - CIP Total:						60,636.87
Fund 05 - PARKS & STORMWATER FUND Total:						60,636.87

Fund: 06 - MUNICIPAL ENTERPRISE FUND

CALLAWAY GOLF SALES COMPANY	936549512	08/23/2023	GOLF APPAREL/RESALE	06-1628	66434	538.56
CALLAWAY GOLF SALES COMPANY	936557202	08/23/2023	GOLF APPAREL/RESALE	06-1628	66434	538.56
CALLAWAY GOLF SALES COMPANY	936559247	08/23/2023	BALLS/RESALE	06-1625	66434	643.68
						1,720.80
						1,720.80

Department: 14 - COMMUNITY SERVICES

Division: 31 - ICE ARENA

SPIRE	4981701000-08/04/23	08/14/2023	11400 OLDE CABIN RD 6/19/...	06-14-31-6252	DFT0007489	1,424.23
CHARTER COMMUNICATIONS	0136635080123	08/17/2023	DRC TV & INTERNET 8/1/23-...	06-14-31-6255	66409	168.11
GERALD LEE RICHARDSON	567599	08/17/2023	OLY EMERGENCY REPAIR	06-14-31-6211	225	1,959.00
ARAMARK UNIFORM SERVICES	6170176873	08/17/2023	DRC MOPS	06-14-31-7301	218	32.01
ADVERTISING PREMIUM SALES INC	6291-1	08/17/2023	STAFF LOGO SHIRTS	06-14-31-7308	217	486.00
NEVCO SPORTS LLC	PR-5033	08/17/2023	SCOREBOARD CONTROLLER	06-14-31-9503	230	1,720.00
MISSOURI AMERICAN WATER CO	1017-210013831700-08-16-...	08/23/2023	DIELMANN CENTER WATER B...	06-14-31-6254	66447	1,749.54
MISSOURI AMERICAN WATER CO	1017-210013831861 AUG 2 -...	08/23/2023	DRC FIRE SERVICES AUG 2 - S...	06-14-31-6254	66444	75.68
MURPHY COMPANY	237949	08/23/2023	ICE MONTHLY WALKTHROU...	06-14-31-6211	240	504.00
MURPHY COMPANY	237951	08/23/2023	DRC PREVENTATIVE MAINTEN...	06-14-31-6211	240	3,933.90
MURPHY COMPANY	246193	08/23/2023	ICE MONTHLY WALKTHROU...	06-14-31-6211	240	504.00
DEKA SERVICE	30734194	08/23/2023	DRC MUNTER EMERGENCY R...	06-14-31-6268	66437	291.75
ARAMARK UNIFORM SERVICES	6170179447	08/23/2023	DRC MOPS	06-14-31-7301	236	32.00
RHINE PARACO GAS OF ST LOUIS	741360	08/23/2023	OLY PROPANE	06-14-31-7307	66452	170.19
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES ICE RINK EQUI...	06-14-31-6253	66457	229.99
Division 31 - ICE ARENA Total:						13,280.40

Council Report of invoices Paid Listing

Payment Dates: 8/10/2023 - 8/23/2023

Vendor Name	Payable Number	Payment Date	Description (Item)	Account Number	Payment Number	Amount
Division: 32 - GOLF MAINTENANCE						
ERB TURF EQUIPMENT INC	01-98178	08/17/2023	IGNITION PARTS 2500EG	06-14-32-6211	222	228.15
ERB TURF EQUIPMENT INC	01-98647	08/17/2023	SPARK PLUGS 2500E	06-14-32-6211	222	39.12
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	133163257-001	08/17/2023	SPRAY DYE	06-14-32-7303	66427	198.80
ADVANCED TURF SOLUTIONS INC	SO1113648	08/17/2023	SPEEDZONE HERBICIDE	06-14-32-7303	216	624.40
MISSOURI AMERICAN WATER CO	1017-210013831700-08-16-...	08/23/2023	DIELMANN CENTER WATER B...	06-14-32-6254	66447	8,874.08
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	133544455-001	08/23/2023	GREENS FUNGICIDE AND FERT	06-14-32-7303	66455	866.50
HOME DEPOT CREDIT SERVICES	3111921	08/23/2023	GARDEN TOOLS MIX OIL DISH..	06-14-32-6210	66439	89.55
HOME DEPOT CREDIT SERVICES	3111921	08/23/2023	GARDEN TOOLS MIX OIL DISH..	06-14-32-7301	66439	59.96
HOME DEPOT CREDIT SERVICES	3111921	08/23/2023	GARDEN TOOLS MIX OIL DISH..	06-14-32-7301	66439	9.28
T MOBILE USA	971998911-80723 EQUIPME...	08/23/2023	CITY PHONES GOLF MAINT E...	06-14-32-6253	66457	229.99
Division 32 - GOLF MAINTENANCE Total:						11,219.83
Division: 33 - PRO-SHOP						
CHARTER COMMUNICATIONS	0136635080123	08/17/2023	DRC TV & INTERNET 8/1/23-...	06-14-33-6255	66409	72.05
ADVERTISING PREMIUM SALES INC	6291-1	08/17/2023	STAFF LOGO SHIRTS	06-14-33-7308	217	300.00
CALLAWAY GOLF SALES COMPANY	936549512	08/23/2023	GOLF APPAREL/RESALE	06-14-33-8325	66434	13.45
CALLAWAY GOLF SALES COMPANY	936557202	08/23/2023	GOLF APPAREL/RESALE	06-14-33-8325	66434	12.85
CALLAWAY GOLF SALES COMPANY	936559247	08/23/2023	BALLS/RESALE	06-14-33-8324	66434	45.48
Division 33 - PRO-SHOP Total:						443.83
Division: 34 - FOOD SERVICES						
PEPSICO BEVERAGE SALES LLC	00530309	08/17/2023	PEPSI RESALE	06-14-34-8317	66425	624.74
PEPSICO BEVERAGE SALES LLC	19924756	08/17/2023	PEPSI RESA;E	06-14-34-8317	66425	331.25
D AND D DISTRIBUTORS LLP	466733	08/17/2023	BEER FOR RESALE	06-14-34-8316	66412	506.50
D AND D DISTRIBUTORS LLP	468729	08/17/2023	BEER FOR RESALE	06-14-34-8316	66412	387.30
D AND D DISTRIBUTORS LLP	468730	08/17/2023	BEER FOR RESALE	06-14-34-8316	66412	100.00
ARAMARK UNIFORM SERVICES	6170176873	08/17/2023	DRC SODA TOWELS	06-14-34-7301	218	14.00
RL MUELLER NATIONAL DIST INC	113721	08/23/2023	FOOD FOR RESALE	06-14-34-8315	243	55.30
RL MUELLER NATIONAL DIST INC	113721	08/23/2023	SNACKS FOR RESALE	06-14-34-8319	243	265.80
D AND D DISTRIBUTORS LLP	474031	08/23/2023	BEER FOR RESALE	06-14-34-8316	66436	347.10

Council Report of invoices Paid Listing

Payment Dates: 8/10/2023 - 8/23/2023

Vendor Name	Payable Number	Payment Date	Description (Item)	Account Number	Payment Number	Amount
ARAMARK UNIFORM SERVICES	6170179447	08/23/2023	DRC SODA TOWELS	06-14-34-7301	236	14.01
Division 34 - FOOD SERVICES Total:						2,646.00
Department 14 - COMMUNITY SERVICES Total:						27,590.06
Fund 06 - MUNICIPAL ENTERPRISE FUND Total:						29,310.86
Fund: 11 - SEWER LATERAL FUND						
Department: 61 - CIP						
Division: 93 - SEWER LATERAL						
STEVEN GOLDSMITH	SLR 08/10/23	08/17/2023	SANITARY SEWER LATERAL R...	11-61-93-9315	66430	1,790.00
MARTY MCCONNELL	SLR 06/26/23	08/23/2023	SANITARY SEWER LATERAL R...	11-61-93-9315	66442	1,677.50
LEE KLINE	SLR 07/25/23	08/23/2023	SANITARY SEWER LATERAL R...	11-61-93-9315	66441	2,610.00
Division 93 - SEWER LATERAL Total:						6,077.50
Department 61 - CIP Total:						6,077.50
Fund 11 - SEWER LATERAL FUND Total:						6,077.50
Fund: 19 - PUBLIC SAFETY FUND						
Department: 21 - POLICE						
Division: 23 - COUNTY PUBLIC SAFETY-PROP P						
CHARTER COMMUNICATIONS	0371802080123	08/17/2023	PD PHONE 08/01/23-08/31/...	19-21-23-6253	66406	279.93
CHARTER COMMUNICATIONS	0371802080123	08/17/2023	PD TV INTERNET 08/01/23-0...	19-21-23-6255	66406	264.33
MISSOURI AMERICAN WATER CO	220023905711-JULY23	08/17/2023	350 N NEW BALLAS 06/20-07...	19-21-23-6254	66421	2,061.73
FOREMOST FITNESS GROUP LLC	2486	08/17/2023	PD PM SERVICE - SINGLE TRE...	19-21-23-6211	224	225.00
AUTHORIZED ELEVATOR	31203	08/17/2023	QTRLY PD ELEVATOR MAINT ...	19-21-23-6211	66402	300.00
WIEGMANN ASSOCIATES	79275	08/17/2023	350 N NEW BALLAS JUNE-AU...	19-21-23-6211	234	1,150.00
AMERENUE	0427008070-07/28/23	08/18/2023	350 N NEW BALLAS POLICE 6...	19-21-23-6250	DFT0007487	6,934.44
Division 23 - COUNTY PUBLIC SAFETY-PROP P Total:						11,215.43
Department 21 - POLICE Total:						11,215.43
Fund 19 - PUBLIC SAFETY FUND Total:						11,215.43
Fund: 99 - POOLED CASH						
ARVEST BANK	1797-08/14/23	08/16/2023	EPAYMENT 8/16/23	99-2809	DFT0007501	79,871.75
ARVEST BANK	1797-08/21/23	08/23/2023	EPAYMENT 8/23/23	99-2809	DFT0007502	11,495.83
						91,367.58
						91,367.58
Fund 99 - POOLED CASH Total:						91,367.58
Grand Total:						558,595.64

Report Summary**Fund Summary**

Fund	Payment Amount
01 - GENERAL FUND	260,400.96
02 - CAPITAL IMPROVEMENT FUND	99,586.44
05 - PARKS & STORMWATER FUND	60,636.87
06 - MUNICIPAL ENTERPRISE FUND	29,310.86
11 - SEWER LATERAL FUND	6,077.50
19 - PUBLIC SAFETY FUND	11,215.43
99 - POOLED CASH	91,367.58
Grand Total:	558,595.64

Account Summary

Account Number	Account Name	Payment Amount
01-12-11-6203	PROFESSIONAL SERVICES	12,529.95
01-12-11-6271	MEDICAL SUPPLIES	381.65
01-12-14-6213	OFFICE EQUIPMENT MA...	275.81
01-13-11-6202	TECHNICAL AND PERSO...	0.50
01-13-15-6213	OFFICE EQUIPMENT MA...	67.10
01-13-15-6253	TELEPHONE	2,219.61
01-13-15-6255	CABLE TV AND INTERNET	324.44
01-13-15-7312	OFFICE SUPPLIES	942.68
01-13-51-6213	OFFICE EQUIPMENT MA...	327.97
01-13-51-6253	TELEPHONE	229.99
01-13-51-7331	COMPUTER HARDWARE	18,563.34
01-14-11-6202	TECHNICAL AND PERSO...	540.00
01-16-11-6210	VEHICLE MAINTENANCE	161.88
01-16-11-6212	BUILDING AND GROUND...	506.02
01-16-11-6250	ELECTRICITY	7,117.78
01-16-11-6253	TELEPHONE	229.99
01-16-11-6254	WATER AND SEWER	993.16
01-16-11-7301	CHEMICALS & CLEANING	62.28
01-2102	FICA WITHHOLDING	39,146.16
01-2103	MEDICARE WITHHOLDI...	9,155.06
01-2104	FEDERAL TAX WITHHOLD..	28,921.08
01-2105	MISSOURI TAX WITHHO...	11,266.00
01-21-11-6253	TELEPHONE	2,510.05
01-21-11-7314	CRIME PREVENTION SUP...	700.00
01-2113	PAYROLL CHILD SUPPORT	184.62
01-21-21-6202	TECHNICAL AND PERSO...	222.24
01-21-22-6253	TELEPHONE	3,079.94
01-2215	INTENSIVE CARE/CANCER	437.70
01-2312	401 - ICMA	2,818.12

Account Summary

Account Number	Account Name	Payment Amount
01-2318	ICMA ROTH 457	4,434.22
01-2319	ICMA ROTH IRA	600.11
01-2320	EMPLOYEE DEFINED BE...	3,009.19
01-2321	457 - VOYA	1,995.37
01-2322	457 - ICMA	10,322.28
01-2323	MOST PROGRAM	890.00
01-2324	ICMA LOAN REPAYMENT	565.31
01-2410	INMATE SECURITY ACC...	429.99
01-2412	PEACE OFFICER AND ST...	4.00
01-2413	CVC - CRIME VICTIMS C...	30.00
01-31-11-6211	EQUIPMENT MAINTENA...	18,392.87
01-31-11-6213	OFFICE EQUIPMENT MA...	254.02
01-31-11-6253	TELEPHONE	459.98
01-31-41-6210	VEHICLE MAINTENANCE	1,124.04
01-31-41-6211	EQUIPMENT MAINTENA...	54.83
01-31-41-6212	BUILDING AND GROUND...	12,790.91
01-31-41-6250	ELECTRICITY	1,378.67
01-31-41-6251	STREET LIGHTING	10,476.47
01-31-41-6253	TELEPHONE	797.07
01-31-41-6254	WATER AND SEWER	29,760.49
01-31-41-7302	SMALL TOOLS	9.97
01-31-41-7307	GASOLINE, PROPANE & ...	6,598.17
01-31-41-7308	WEARING APPAREL AND...	288.70
01-31-43-6210	VEHICLE MAINTENANCE	374.68
01-31-43-6211	EQUIPMENT MAINTENA...	14.28
01-31-43-6212	BUILDING AND GROUND...	2,462.67
01-31-43-6224	TAPPMAYER HOUSE MA...	25.89
01-31-43-6250	ELECTRICITY	1,418.78
01-31-43-6253	TELEPHONE	265.69
01-31-43-6254	WATER AND SEWER	824.22
01-31-43-7302	SMALL TOOLS	200.55
01-31-43-7303	HORTICULTURAL SUPPLI...	303.36
01-31-43-7307	GASOLINE, PROPANE & ...	2,094.04
01-31-43-7308	WEARING APPAREL AND...	96.24
01-32-11-6203	PROFESSIONAL SERVICES	701.50
01-32-11-6253	TELEPHONE	229.99
01-32-11-6260	ADVERTISING	208.25
01-32-61-6215	WEED CUTTING AND TR...	1,232.50
01-32-61-6253	TELEPHONE	1,160.02
01-4402	OCCUPATIONAL LICENSE	143.00
01-4426	OCCUPANCY PERMITS	65.00
01-4604	POLICE MISC REVENUE	-1.48

Account Summary

Account Number	Account Name	Payment Amount
02-61-71-9510	STREETS	62,619.27
02-61-71-9516	CAPITAL EQUIPMENT	36,967.17
05-61-71-9506	PARK DEVELOPMENT P...	1,507.75
05-61-71-9509	STORMWATER PROJECTS	59,129.12
06-14-31-6211	EQUIPMENT MAINTENA...	6,900.90
06-14-31-6252	NATURAL GAS	1,424.23
06-14-31-6253	TELEPHONE	229.99
06-14-31-6254	WATER AND SEWER	1,825.22
06-14-31-6255	CABLE TV AND INTERNET	168.11
06-14-31-6268	ICE REPAIRS	291.75
06-14-31-7301	CHEMICALS & CLEANING	64.01
06-14-31-7307	GASOLINE, PROPANE & ...	170.19
06-14-31-7308	WEARING APPAREL AND...	486.00
06-14-31-9503	EQUIPMENT	1,720.00
06-14-32-6210	VEHICLE MAINTENANCE	89.55
06-14-32-6211	EQUIPMENT MAINTENA...	267.27
06-14-32-6253	TELEPHONE	229.99
06-14-32-6254	WATER AND SEWER	8,874.08
06-14-32-7301	CHEMICALS & CLEANING	69.24
06-14-32-7303	HORTICULTURAL SUPPLI...	1,689.70
06-14-33-6255	CABLE TV AND INTERNET	72.05
06-14-33-7308	WEARING APPAREL AND...	300.00
06-14-33-8324	MERCHANDISE-GOLF BA...	45.48
06-14-33-8325	MERCHANDISE-APPAREL	26.30
06-14-34-7301	CHEMICALS & CLEANING	28.01
06-14-34-8315	SANDWICHES AND HOT ...	55.30
06-14-34-8316	BEER	1,340.90
06-14-34-8317	COFFEE,TEA & SOFT DRI...	955.99
06-14-34-8319	SNACKS	265.80
06-1625	GOLF BALLS	643.68
06-1628	GOLF - APPAREL	1,077.12
11-61-93-9315	SEWER LATERAL REIMB...	6,077.50
19-21-23-6211	EQUIPMENT MAINTENA...	1,675.00
19-21-23-6250	ELECTRICITY	6,934.44
19-21-23-6253	TELEPHONE	279.93
19-21-23-6254	WATER AND SEWER	2,061.73
19-21-23-6255	CABLE TV AND INTERNET	264.33
99-2809	EPAYABLES LIABILITY	91,367.58
Grand Total:		558,595.64

Project Account Summary

Project Account Key	Payment Amount
None	434,909.51
204E	197.75
21701E	1,866.25
400E	31,593.62
403E	702.50
406E	26,833.00
60022E	15,282.70
601E	45,470.32
ISFE	429.99
PRRE	60.00
VPARKE	1,250.00
Grand Total:	558,595.64

CITY OF CREVE COEUR EPAY

Statement Closing Date: 08/14/23

Cardholder Account Activity

CITY OF CREVE COEUR EPAY XXXX XXXX XXXX 2282			Credit Limit \$250,000	Credits \$0.00	Purchases \$79,871.75	Cash Advances \$0.00	Total Activity \$79,871.75
Trans Date	Post Date	Reference Number	Description	Amount			
08/08	08/09	24412953220700973275218	REJIS COMMISSION 314-535-1950 MO	\$403.25			
08/07	08/09	24388943220939159114038	GENERAL CODE LLC 585-3281810 NY	\$1,195.00			
08/09	08/10	24755423221272212816580	MISSOURI ONE CALL SYSTEM 573-6351818 MO	\$8.10			
08/09	08/10	24035993221900017632554	MPR SUPPLY COMPANY GATEWA 800-3697257 MO	\$32.34			
08/09	08/10	2413829322240000856138	BRANNEY TRUE VALUE HDWE BRIDGETON MO	\$40.47			
08/09	08/10	24435653221726113314888	VERMEER CHESTERFIELD WILDWOOD MO	\$66.99			
08/09	08/10	24445003221300577848751	WWP*BLUE CHIP PEST 636-343-7900 MO	\$102.00			
08/09	08/10	24789303221238102218132	LEON UNIFORM COMPANY INC 314-8284302 MO	\$549.94			
08/09	08/10	24435653222081600222668	CREST INDUSTRIES INC 636-349-4800 MO	\$608.19			
08/09	08/10	24943003222200892100076	BATTERIES PLUS #600 HARTLAND WI	\$725.00			
08/09	08/10	24453883222004218457310	HANDY AUTOMOTIVE 314-2914666 MO	\$836.82			
08/09	08/10	24941663221083753428610	REPUBLIC SERVICES TRASH 866-576-5548 AZ	\$1,800.69			
08/09	08/10	24941663221083726255157	REPUBLIC SERVICES TRASH 866-576-5548 AZ	\$71,825.06			
08/10	08/11	2432300322206749300041	WEBER FIRE AND SAFETY EQ 314-351-5005 MO	\$736.50			
08/11	08/14	2413829322440000863223	BRANNEY TRUE VALUE HDWE BRIDGETON MO	\$37.41			
08/10	08/14	24690293223030031073368	PAT KELLY EQUIPMENT COMPA HAZELWOOD MO	\$220.69			
08/11	08/14	24057813224000015822594	REINHOLD ELECTRIC INC 314-6311158 MO	\$683.30			

Account Number: XXXX XXXX XXXX 1797

Page 3 of 4

CITY OF CREVE COEUR EPAY

Statement Closing Date: 08/21/23

Cardholder Account Activity

CITY OF CREVE COEUR EPAY XXXX XXXX XXXX 2282			Credit Limit \$250,000	Credits \$0.00	Purchases \$11,495.83	Cash Advances \$0.00	Total Activity \$11,495.83
Trans Date	Post Date	Reference Number	Description	Amount			
08/15	08/16	24412953227700941585352	CEE-KAY SUPPLY 314-644-3500 MO	\$80.40			
08/15	08/17	24121573228000227150030	ALL STAR PRO GOLF 000-0000000 MO	\$264.90			
08/16	08/17	24906413228180652120995	PST*ARCHIVESOCIAL 888-5586032 NC	\$4,188.00			
08/17	08/18	24445003229300584065441	WWP*BLUE CHIP PEST 636-343-7900 MO	\$56.00			
08/17	08/18	24323043229188400045165	HARTKE NURSERY 314-9976679 MO	\$65.60			
08/17	08/18	24412953229207360300048	ADGRAPHIX LLC 314-691-5999 MO	\$80.00			
08/17	08/18	24692163229108809452571	IN *MISSISSIPPI VALLEY GO 314-3224572 MO	\$225.00			
08/17	08/18	24789303229278702067051	LEON UNIFORM COMPANY INC 314-8284302 MO	\$1,325.00			
08/17	08/18	24692163229108749184920	WPY*UMZUZU 855-999-3729 KS	\$1,600.20			
08/17	08/18	24275393229900016372503	SITEONE-LLC-688 314-6776990 MO	\$1,964.00			
08/18	08/21	24412953230700974070855	CEE-KAY SUPPLY 314-644-3500 MO	\$82.92			
08/18	08/21	24412953230700978286259	REJIS COMMISSION 314-535-1950 MO	\$134.00			
08/18	08/21	24412953230612208163002	ANIMAL CARE SERVICE 636-931-4440 MO	\$200.00			
08/18	08/21	24435653230762516572599	GALLS 859-266-7227 KY	\$274.06			
08/18	08/21	24453883231004259499311	HANDY AUTOMOTIVE 314-2914666 MO	\$433.75			
08/18	08/21	24692163230109193045044	TAYLOR MADE *GOLF 877-860-8624 CA	\$522.00			

Arvest Epayables

8/14/23 79,871.75

8/21/23 11,495.83

\$ 91,367.58

AN ORDINANCE AMENDING SECTION 160.010 OF THE CODE OF ORDINANCES REGARDING CLOSED RECORDS.

WHEREAS, SB 28 and 186 of the 2023 Legislative Session revised a provision of the Missouri Open Records Law (the Sunshine Law); and

WHEREAS, a corresponding change to the City Code of Ordinances is appropriate;

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

Section 1. Section 160.010, subsection 18 of the Code of Ordinances is hereby amended to read as follows:

(a) Security measures, global positioning system (GPS) data, investigative information, or investigative or surveillance techniques of any public agency responsible for law enforcement or public safety that, if disclosed, has the potential to endanger the health or safety of an individual or the public.

(b) Any information or data provided to a tip line for the purpose of safety or security at an educational institution that, if disclosed, has the potential to endanger the health or safety of an individual or the public.

(c) Any information contained in any suspicious activity report provided to law enforcement that, if disclosed, has the potential to endanger the health or safety of an individual or the public.

(d) Operational guidelines, policies and specific response plans developed, adopted, or maintained by the City for use in responding to or preventing any critical incident ~~which is or appears to be terrorist in nature and~~ which has the potential to endanger individual or public safety or health. The City states that the disclosure of such information would impair the City's ability to protect the security or safety of persons or real property, and the public interest in non-disclosure outweighs the public interest in disclosure of such records. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open

Section 2. This Ordinance shall become effective in accordance with Section 3.11(g) of the City Charter.

BILL NO. 6078

ORDINANCE NO. _____

ADOPTED THIS _____ DAY OF _____, 2023.

Nicole Greer, President of City Council

APPROVED THIS _____ DAY OF _____, 2023.

Dr. Robert Hoffman, Mayor

ATTEST:

Kellie Henke, City Clerk

AN ORDINANCE AMENDING THE PERSONNEL POLICY AND PROCEDURES MANUAL OF THE CITY OF CREVE COEUR AND AMENDING RELATED ORDINANCES.

WHEREAS, the City has in effect a Personnel Policy and Procedures Manual, and

WHEREAS, the City Council has approved changes to the City's employee retirement benefits, which changes require updates to that Manual,

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

SECTION 1: The Personnel Procedures Manual dated July 1, 2023 is hereby amended effective as of September 1, 2023 by incorporating the changes set forth in Exhibit A hereto and Section 130.010.A of the Code of Ordinances shall be amended to read as follows:

A. The Personnel Procedures Manual, as previously adopted and amended, is hereby further amended and restated by adopting the new version dated September 1, 2023 contained in Exhibit A to Ordinance No. _____, which is on file in the City offices and incorporated herein by this reference.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11(g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2023.

NICOLE GREER
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



To: Mayor, City Council
CC: Mark Perkins, City Administrator; Carl Lumley, City Attorney
From: Sharon Stott, Assistant City Administrator
Date: August 8, 2023
Re: Personnel Policy and Procedures Manual Update - Effective on September 1, 2023

The City Administrator's Office and the City Attorney have developed updates to the City Personnel Policy and Procedures Manual (the manual) for review and approval by the City Council. The last update to the Personnel Policy and Procedures Manual was July 1, 2023.

This update to the manual is primarily due to the transfer of all active full-time employees currently in the Creve Coeur Defined Benefit Plan (Legacy Plan) into the LAGERS retirement plan with an effective date of September 1, 2023. Below summarizes the proposed revisions:

- Title Page/Table of Contents
 - Revision date, new ordinance and repagination applies
- Section 1 – Legislative History of Revisions
 - Denotes sections changed
- Section 2 – Definitions
 - Added definition of LAGERS
- Section 5.7 – Longevity Pay
 - Deleted reference to closed defined benefit pension and added LAGERS
- Section 9.2 – Resignation
 - Deleted "if a participant in that plan"
- Section 11.14.4 – Family and Medical Leave (FMLA)
 - Changed retirement plans to LAGERS
- Section 15.1 – General Description
 - Added LAGERS defined benefit
- Section 15.3 – Insurance Coverage Upon Retirement
 - Clarified rights to continue coverage under COBRA under several subsections
 - Deleted references to 2006 Defined Contribution Plan and City's Defined Benefit Plan
 - Clarified policy and added retirees must work a minimum of five (5) consecutive years of regular full-time service with the City prior to retirement in order to be eligible to continued health, dental and/or vision insurances upon retirement

Attachment: Marked-up version of City of Creve Coeur Personnel Policy and Procedures Manual dated 7/1/2023



CITY OF CREVE COEUR, MISSOURI

PERSONNEL POLICY AND PROCEDURES MANUAL

~~July~~ September 1, 2023

Ordinance #58~~41~~

Mark C. Perkins
City Administrator

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INTRODUCTION

The City of Creve Coeur was incorporated on December 21, 1949. In 1976, the citizens of Creve Coeur adopted a Home Rule Charter for their City. The Charter sets forth the basic organization of the City, provides the legal municipal powers of the City and stipulates that employment be based on merit and regulated by personnel rules. The Charter calls for a Mayor and eight members of a City Council elected by the residents to govern the City. The Council approves the budget and adopts ordinances and resolutions establishing City laws and policies including personnel procedures. The Charter provides for a City Administrator appointed by the Mayor and City Council to administer the affairs of the City. The City Administrator is responsible to the Mayor and Council for enforcing City laws, implementing City policies, appointing and directing employees, and directing the day-to-day operations of the local government.

SECTION 1 PURPOSE

In accordance with Section 8.2 of the City Charter, it is the purpose of these rules to establish normal policies and procedures which will serve as guides to administrative actions concerning various personnel activities and transactions. These rules are intended to indicate the customary and the most reasonable methods whereby the aims of the personnel program can be carried out.

The City's goal is to provide all employees: fair management; competitive salaries and benefits; opportunities for personal growth and development; and a safe and pleasant work place.

This manual also outlines employee benefits provided by the City and provides general information regarding, among other items, the equitable/non-discriminatory standards for selection, classification and compensation; leaves of absence; and the fair and equitable settlement of disputes. The City is not granting to any employee any contractual commitment, expressed or implied, by the issuance of this manual. Employment with the City is "at will" unless otherwise provided by written contract; however, employees may not be discharged for unlawful reasons. This manual should provide most of the information about employment with the City. Specific questions should be addressed to the employee's Supervisor.

In addition to this policy manual, the City and its employees are subject to all applicable state and federal laws, as well as the City's Charter, ordinances, regulations and policies.

LEGISLATIVE HISTORY OF REVISIONS:

Ordinance 1475	Section 5	Pay Plan	8/26/1991
	Section 10	Holidays	
	Section 11	Military Leave Policy	
Ordinance 1502	Section 11	Occupational Leave Policy	3/23/1992
Ordinance 1599	Section 11	Leave Policy	7/26/1993
Ordinance 1600	Section 6	Nepotism Policy	8/9/1993
Ordinance 1622	Section 13	Personnel Disciplinary Appeals Policy	2/14/1994
Ordinance 1765	Section 17	Substance Abuse Policy	12/11/1996
	Section 18	Alcohol and Controlled Substance Abuse and Testing	
Ordinance 1861	N/A	Policy for Drivers of Commercial Motor Vehicles	5/12/1997
		Introduction	
	Section 4	Classification Plan	
	Section 5	Pay Plan	
	Section 8	Hours of Work and Attendance	
	Section 11	Leave Policy	
	Section 12	Counseling and Discipline	
	Section 15	Fringe Benefits	
Ordinance 2117	Section 15	Fringe Benefits	4/9/2001

Ordinance 2136	Section 5	Pay Plan	6/25/2001
	Section 7	Appointments and Vacancies	
	Section 11	Leave System	
Ordinance 2295	Section 5	Pay Plan	7/12/2004
Ordinance 3039	Section 15	Fringe Benefits	2/14/2005
Ordinance 4004	Section 11	Military Leave Policy	2/27/2006
	Section 15	Fringe Benefits	
Ordinance 4041	Section 11	Leave System	10/23/2006
Ordinance 5045		Comprehensive Update	6/9/2008
Ordinance 5091	Section 4	Classification Plan	6/22/2009
	Section 5	Pay Plan	
	Section 6	Qualifications	
	Section 11	Leave System	
	Section 14	Employee Grievance Procedures	
Ordinance 5116	Section 8	Premium Pay	11/23/2009
	Section 11	Military Leave	
	Section 16	Harassment Policy	
Ordinance 5193	Section 8.5	Overtime	5/23/2011
	Section 8.9	Overtime Exemptions	
	Section 10	Holiday and Holiday Pay	
	Section 11.10	Military Leave	
	Section 15.10	Medical Benefit Reimbursement	
Ordinance 5252	Section 5.8	Calculation of Pay Rates	6/11/2012
	Section 6.2	Equal Opportunity	
	Section 6.3	Nepotism	
	Section 11.10	Military Leave	
	Section 16.5	Harassment	
Ordinance 5384		Comprehensive Update	8/11/2014
Ordinance 5443	Section 2	Definitions	10/26/2015
	Section 3.3	Personnel Appeals Board	
	Section 8.9	Positions Exempt from Overtime	
	Section 11.4	Sick Leave and Medical Leave	
	Section 11.7	Family Leave	
	Section 11.10	Military Leave	
	Section 11.14.2	Unpaid Leave Exceeding 16 Calendar Days	
	Section 13	Personnel Disciplinary Appeals	
	Section 15.3	Health Insurance Coverage Upon Retirement	
	Section 15.10	Medical Benefit Reimbursement	
	Section 17.8	Rehabilitation	
	Section 18.5	Alcohol & Controlled Substances Prohibition	
	Section 18.6	Controlled Substance and Alcohol Testing Provisions	
	Section 18.7	Employee Assessment	
Ordinance 5475	Section 3.9	Interpretation	5/23/2016

Ordinance 5545	Section 8.5	Overtime	9/25/2017
	Section 8.9	Positions Exempt from Overtime	
	Section 16.5	Policy Against Harassment	
	Section 16.9	Payroll Deductions	
	Section 2	Definitions	
	Section 3.7	Management Rights	
	Section 4.4	Reclassification	
	Section 4.5	Maintenance of the Plan	
	Section 5.7	Longevity Pay	
	Section 6.2	Equal Opportunity	
	Section 6.5	Personal Conduct	
	Section 7.6	Re-Employment of a Former City Employee	
	Section 8.5.2	Compensatory Time	
	Section 8.9	Positions Exempt from Overtime	
	Section 9.2	Resignation	
	Section 11.3.3	Eligibility for Vacation	
	Section 11.4.2	Sick Leave Administration	
	Section 11.4.5	Sick Leave and Medical Leave – Notice	
	Section 11.4.5	Proof of Illness – Sick Leave	
	Section 11.7.3	Family Leave – Notice	
	Section 11.10.3.i	Extended Active Duty Leave	
	Section 11.10.6.a	Reinstatement	
	Section 11.14.2	Unpaid Leave Exceeding Seven (7) Consecutive Calendar Days	
	Section 12.4	Grounds for Disciplinary Action	
	Section 14.3	Exclusions	
	Section 14.4.c	Procedure to Resolve Complaints	
	Section 15.3	Health Insurance Coverage Upon Retirement	
	Section 16.4	Ethical Conduct	
	Section 17.5	Pre-Employment Screening	
Ordinance 5567	Section 11.3.4	Pay In Lieu of Vacation	2/12/2018
Ordinance 5594	Section 2	Definitions	6/25/2018
Ordinance 5644	Section 5.4.3	Transfers	7/1/2019
	Section 5.9	Calculation of Pay Rates	
	Section 8.5.2	Compensatory Time	
	Section 8.7	Punctuality and Attendance	
	Section 9.2	Resignation	
	Section 9.6	Repayment of Educational Benefits	
	Section 9.8	Order of Layoff and Recall	
	Section 10.3	Holiday on a Scheduled Workday	
	Section 10.5	Holiday Bonus Pay and Overtime	
	Section 10.6	Personal Holiday	
	Section 11	Leave System	
	Section 15	Fringe Benefits	
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	Section 18.6.a.1	Pre-Employment Testing	
	Section 8.9	Positions Exempt from Overtime	
	Section 11.2.3.e	Vacation Administration	

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	Section 11.6.2	Non Job-Related Injury	
	Section 11.6.4	Duration of Restricted Work	
	Section 11.10.4	Notice of Leave Request and Orders	
	Section 17	Policy Against Substance Abuse	
	Section 18	Alcohol & Controlled Substance Use, Abuse & Testing Policy for Drivers of Commercial Motor Vehicles	
Ordinance 5659	Section 11.1	Leave System Policy and Definitions	9/23/2019
	Section 11.4	Sick Leave and Medical Leave	
	Section 11.5	Occupational Injury or Illness Leave	
	Section 11.6	Restricted Work	
	Section 11.7	Family and Medical Leave	
	Section 15.9	Use of Automobiles	
Ordinance 5682	Section 10.5	Holiday Bonus Pay and Overtime	2/10/2020
	Section 10.6	Personal Holiday	
	Section 11.1	Policy	
	Section 11.1.2	Definitions	
	Section 11.3.4	Pay In Lieu	
	Section 11.4.3	Charging Sick Leave	
	Section 11.14.1	Paid Leave	
	Section 15.6	Tuition Reimbursement Program	
Ordinance 5705	Section 2	Definitions	7/1/2020
	Section 5.8.1	Frequency of Reviews	
	Section 5.9	Calculation of Pay Rates	
	Section 7.11	Probationary Period	
	Section 8.5.1	Overtime Compensation	
	Section 11.1.2	Definitions	
	Section 11.3.2	Vacation Administration	
	Section 11.3.4	Pay In Lieu of Vacation	
	Section 11.4.2	Sick Leave Administration	
	Section 11.5.4	Options Upon Expiration of Occupational Injury Leave	
	Section 15.3	Health Insurance Upon Retirement	
	Section 15.6	Tuition Reimbursement	
	Section 15.12	Spousal Health Insurance Surcharge	
	Section 16.10	Report Change of Address	
Ordinance 5752	Section 3.5	Eligibility for Use of Leave, Holidays and Other Benefits	9/13/2021
	Section 8.3	Attendance	
	Section 8.9	Positions Exempt from Overtime	
	Section 11.10	Military Leave	

	Section 11.15	Unpaid Leave for Victims of Domestic or Sexual Violence	
	Section 12.3	Investigation and Report	
	Section 12.4	Grounds for Disciplinary Action	
	Section 13	Personnel Disciplinary Reconsideration and Appeals	
	Section 14.1	Policy	
	Section 16.8	Personnel Records	
Ordinance 5786	Section 2	Definitions	7/1/2022
	Section 3.4	Applicability	
	Section 4.4	Reclassification	
	Section 5.4.2	Demotions	
	Section 5.5	Merit Increases	
	Section 5.6	Frequency of Merit Increases	
	Section 5.6.1	Probationary Completion Bonus	
	Section 7.11	Probationary Period	
	Section 7.12	Termination During Probation	
	Section 8.5	Overtime	
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	Section 11.3.3	Eligibility for Vacation	
	Section 11.4.2.a.ii	Sick Leave Administration	
	Section 11.4.5	Proof of Illness – Sick Leave	
	Section 11.8	Bereavement Leave	
	Section 16.3	Outside Employment	
Ordinance 5795	Section 8.5	Overtime	8/22/2022
Ordinance 5813	Section 5.10	Direct Deposit	11/14/2022
	Section 7.11	Probationary Period	
	Section 11.3	Vacation	
	Section 11.4	Sick Leave	
	Section 11.6.4	Duration of Restricted Work	
	Section 11.14	Benefits While on Leave	
Ordinance 5824	Section 11.4.1.b	Sick Leave Policy	01/23/2023
	Section 11.4.5	Proof of Illness – Sick Leave	
	Section 15.3.c	One-Time Re-Enrollment Option	
	Section 17	Policy Against Substance Abuse	
	Section 18	Alcohol & Controlled Substance Use, Abuse & Testing Policy for Drivers of Commercial Motor Vehicles	
Ordinance 5841	Section 8.9	Positions Exempt from Overtime	07/01/2023
	Section 10.6	Personal Leave	
	Section 11.3	Vacation	
	Section 11.4	Sick Leave	

Section 11.7.3	Notice of Intent to Utilize FMLA Required
Section 11.8	Bereavement Leave
Section 11.14.2	Unpaid Leave Exceeding Fourteen (14) Consecutive Days
Section 15.3	Insurance Coverage Upon Retirement
Section 15.6	Tuition Reimbursement Program
<u>Section 2</u>	<u>Definitions</u>
<u>Section 5.7</u>	<u>Longevity Pay</u>
<u>Section 9.2</u>	<u>Resignation</u>
<u>Section 11.14.4</u>	<u>Family and Medical Leave Act</u>
<u>Section 15.1</u>	<u>General Description</u>
<u>Section 15.3</u>	<u>Insurance Upon Retirement</u>

Ordinance 58??

09/01/2023

SECTION 2 DEFINITIONS

“Acting” means serving temporarily in a position with all the authority, responsibility and duties of that position.

“Appointment” means the employment of an individual by the City Administrator.

“City” means the municipal corporation of Creve Coeur, Missouri.

“Commissioned Employee” means (see sworn employee defined below).

“Compensation” means either monetary payment or compensatory time in lieu thereof.

“Department Head” means the employee appointed to administer a Department of the City, including Administration, Community Development, Finance, Police, Public Works, Recreation, and the City Clerk's Office.

“Employee” means all full-time and part-time paid personnel who are appointed by the Mayor and City Council or the City Administrator, except members of Boards, Commissions and Committees, and elected officials.

“Full-Time Employee” means person duly employed by the City in a position for which employment with the City is at least thirty-five (35) hours per seven-day work period, provided; however, as of January 1, 2014 for purposes of determining eligibility for health insurance benefits a person duly employed by the City who averages thirty (30) hours per seven (7)-day work period from June 1 to May 31 as determined in compliance with applicable law as a twelve (12) month standard measurement period (or in the case of a new hire, is expected to), shall be considered full-time. For police department commissioned employees, hours per seven-day work period shall be calculated based on a twenty-eight (28)-day cycle.

“LAGERS” means Missouri Local Government Employees Retirement System.

“Management” means the Mayor and City Council, the City Administrator, and Department Heads. Ranked employees above the rank of Sergeant are also considered management employees.

“Nepotism” means the practice of hiring relatives, as prohibited by law and herein.

“Part-Time Employee” means a person employed by the City who works an average of less than thirty-five (35) hours per seven (7)-day work period (except for purposes of determining eligibility for health insurance benefits, see definition of Full-Time Employee). For police department commissioned employees, hours per seven (7)-day work period shall be calculated based on a twenty-eight (28)-day cycle.

“Personnel Officer” means the Assistant City Administrator.

“Regular Employee” means a person who has a position with the City which, by its nature, is continued from year to year, throughout the year, whether on a full-time or part-time basis and who is paid on a semi-monthly basis.

“Seasonal Employee” means a person who has a position with the City, whether on a full-time or part-time basis which, by its nature, is temporary and is affected by a particular need or the availability of work at a defined time and is not meant to be continued uninterrupted from year to year. The duration is determined by the Department Head. Also, a temporary employee.

“Supervisor” means an employee appointed by the Department Head, or another level of management within the department, to oversee the operations of subordinate personnel for a work unit within the department (i.e., shift, crew, division).

“Sworn Employee” means personnel of the Police Department who have taken the prescribed oath of office and have been granted full police powers.

SECTION 3 ADMINISTRATION OF RULES

3.1 RESPONSIBILITY FOR ADMINISTRATION

The responsibility to establish rules and procedures with regard to city employment lies with the City Council of the City of Creve Coeur.

Administration of these rules and regulations shall be the responsibility of the City Administrator. The Personnel Officer shall have the day-to-day responsibilities of administering the rules and regulations as set forth herein. The City Administrator shall interpret the rules and from time to time recommend to the City Council appropriate amendments in order to maintain a fair and equitable system of personnel rules and regulations.

3.2 DEPARTMENTAL RULES AND PROCEDURES

Department Heads may formulate written work rules necessary for the safe, efficient and effective administration of their department. These rules shall not supersede the provisions of this Manual nor shall they conflict with the provisions of these rules. A copy of all departmental rules shall be placed on file with the City Administrator.

3.3 PERSONNEL APPEALS BOARD

There is a Personnel Appeals Board established in Sections 130.020, 130.030, and 130.040 of the City Code of Ordinances. It is comprised of City residents, all of whom support the application of merit principles of public employment.

The duties of the Personnel Appeals Board are to:

- a. Hear employee appeals on disciplinary actions as set forth in the Code and City of Creve Coeur Personnel Policy and Procedures Manual.
- b. Perform such other advisory activities as may be requested by the Mayor and City Council.

3.4 APPLICABILITY

The rules and regulations set forth in this Manual shall be applicable to all employees of the City, except as otherwise provided in the City Charter or otherwise determined by the City Council for the appointed positions of the City Administrator and City Clerk.

3.5 ELIGIBILITY FOR USE OF LEAVE, HOLIDAYS, AND OTHER BENEFITS

Only full-time, regular employees shall be eligible for use of leave, holidays and other city employee fringe benefits. Employees having seasonal, part-time, temporary full-time or temporary part-time work with the City are not eligible for fringe benefits, leave, and holidays.

3.6 APPOINTING AUTHORITY

Appointing authority is the City Administrator who shall appoint all employees of the City, except as otherwise provided by the City Charter, and the City Administrator shall have the authority to dismiss, reduce in pay, discipline, or suspend without pay, any employee appointed by him and under his supervisory direction as provided by the City Charter.

3.7 MANAGEMENT RIGHTS

The Management of the City shall subject to applicable law:

- a. Determine the nature, scope and definition of the city organization including: classification, pay plan, selection, number, retention, promotion, reorganization, transfer, deployment, assignment, layoff, recall and scheduling of employees.
- b. Determine the methods, means, tools and equipment, and personnel by which operations are to be conducted, including the right to contract and subcontract existing and future work
- c. Direct employees.
- d. Discipline, suspend, demote and/or terminate employees.
- e. Require as a part of normal employee development that an employee fulfill the responsibility of the position and attain or maintain minimal skills of his classification.
- f. Take the necessary measures to attain and maintain optimum productivity in operations.
- g. Determine the necessity for and assignment of overtime.
- h. Determine the scope, priority, and amount of budget allocations.
- i. Determine eligibility for employee participation in bargaining unit activities.

3.8 ADMINISTRATIVE RULES AND PROCEDURES

The City Administrator or designees shall promulgate and establish administrative rules and procedures based on the general policies outlined herein covering such areas as:

- a. Hours of work/work schedules;
- b. Pay plan and pay periods;
- c. Performance appraisal systems;
- d. Personnel records and reports;
- e. Temporary work assignments and transfers;

- f. Use of city vehicles and mileage reimbursement;
- g. Outside employment;
- h. Seniority and impact of seniority;
- i. Safety procedures;
- j. Job related injury procedures;
- k. Other related internal administrative personnel matters.

3.9 INTERPRETATION

Where required by the context hereof, singular words and pronouns shall be construed as plural, plural words and pronouns shall be construed as singular, and personal pronouns shall be construed as referring to all persons without regard to gender.

SECTION 4 CLASSIFICATION PLAN

4.1 CLASSIFICATION OF POSITIONS

The overall objective of the classification plan and the corresponding compensation plan is to provide fair and competitive compensation for positions in the city service which are sufficiently alike in duties and responsibilities to be called by the same job title, to be accorded the same pay range and to require substantially the same qualifications on the part of the incumbents.

No city employee shall be classified nor paid at a pay rate which is not established and recognized in the City's classification and pay plans.

4.2 JOB EVALUATION

The Personnel Officer, with the assistance of the Department Heads and approval of the City Administrator, shall maintain a current Classification Plan including a job evaluation for each classified position which shall include a job title, job purpose, essential knowledge and skills, any special requirements, suggested training and experience and related information.

The job evaluations are descriptive and not restrictive and are intended to indicate generally the requirements for the established position. Job evaluations are utilized to measure and rank a job's relative worth for compensation purposes. The job evaluation is also utilized to develop the job description and performance criteria designed to measure an employee's annual performance.

4.3 DEVELOPMENT OF NEW CLASSIFICATIONS OR POSITIONS

When, in the opinion of the City Administrator, Department Head or the Personnel Officer, there arises a need to establish a new position, the Department Head shall complete a job questionnaire and provide a recommended job evaluation to the Personnel Officer. The City Administrator shall review and approve all requests for new positions and refer the request to the City Council for final approval. Once the position has been approved and properly classified, a job description including the essential job functions and corresponding performance criteria for the position shall be developed by the Department Head and the Personnel Officer.

4.4 RECLASSIFICATION

A job reclassification occurs when a job is moved to a different pay grade because the essential job functions have significantly changed or because the market for a job has significantly changed such that the current pay grade is no longer appropriate. In order to ensure jobs are evaluated correctly, a periodic review by the Department Head and the Personnel Officer shall be made. Annually, certain positions will be reviewed as selected by the Personnel Officer or suggested by the Department Head. If

upon reevaluation of a position, it is determined that the position is still within the same pay range, no pay reclassification is required. If the job is reclassified to a new pay grade, the employee's pay will be adjusted to at least the minimum of the new pay grade. If the position is reclassified to a lower pay grade, the employee's pay shall be reduced to the maximum of the new grade, except if such reduction would exceed ten percent (10%) of the current pay in which case such reduction shall be limited to ten percent (10%) of current pay. Appropriate changes will be made to reflect the new essential job functions and performance criteria.

An employee may request a review of his job evaluation annually during the time period established for such reviews. Specific requests must be addressed to the Department Head. The employee will submit information to his Supervisor regarding why he believes the current job evaluation is not accurate. The information shall be reviewed by the Supervisor, who will initiate a job questionnaire being completed by the employee. The Supervisor will add his own comments to the questionnaire. The Department Head shall review the job questionnaire and add comments necessary and forward this document to the Personnel Office. Any changes in the job description or performance criteria are required to be reviewed by the Personnel Officer. All changes in job evaluation which result in a change in the classification of the position require the approval of the City Administrator and the approval of the City Council. Once the position has been approved and properly classified, a job description including the essential job functions and corresponding performance criteria for the position shall be developed by the Department Head and the Personnel Officer.

SECTION 5 PAY PLAN

5.1 ESTABLISHMENT OF THE PLAN

Compensation established for a pay range is based on such factors as knowledge, experience, training, decision-making authority and responsibility, problem-solving, supervisory responsibility, environmental working conditions and external market factors. The actual placement of an employee within the job grade is based on individual productivity and merit. The pay policy is designed to stimulate excellence in both individual and organizational performance.

The City Administrator is responsible for presenting to the City Council for approval a uniform and equitable pay plan which consists of pay ranges of minimum, midpoint and maximum rates of pay for each job classification and provides reasonable progression in the pay range based on employee job performance. The pay plan shall reflect an equitable relationship among the job classifications and shall be made after review of prevailing rates for comparable work in other public and private business, the current cost of living, responsibilities of the position, and the budgetary policies of the City Council.

5.2 ADMINISTRATION OF THE PAY PLAN

Administration of pay rates within pay ranges and on the basis of merit is the responsibility of the Personnel Officer with approval of the City Administrator. All positions in the city service requiring similar qualifications and having similar duties and responsibilities shall be similarly compensated, insofar as possible, as established by the current classification plan.

The pay ranges will be competitive with the external market. Periodic review of the pay plan shall be made. Adjustments may be made to correct significant discrepancies between the City's level of pay and market pay levels for certain jobs. Actual adjustment amounts will be based on the City's capability to pay the adjustments as determined by the City Council and approved in the annual city budget. Individual job performance shall also be a determining factor.

If a particular job is increasingly difficult to retain and recruit because of compensation requirements, the Department Head may recommend to the City Administrator the job be placed in a range above the current range midpoint.

5.3 NEW EMPLOYEE PLACEMENT

Generally, a new employee shall be hired at the minimum rate in the appropriate classification unless his qualifications are such that it is to the City's advantage to offer a higher starting pay within the range. Hiring at an advanced rate shall be based upon years of experience or the skill qualifications of the individual and shall require the approval of the City Administrator. Appropriate documentation by the

Department Head that such action is to the benefit of the City shall be provided with the recommendation.

5.4 PROMOTIONS, DEMOTIONS AND TRANSFERS

1. Promotions

When an employee is promoted to a position in a higher pay range the employee's pay shall be increased to at least the minimum rate for the higher pay range to ensure a starting pay commensurate with that given to new hires with equivalent training and experience for that position.

2. Demotions

A demotion occurs when an employee is moved to a job evaluated at a lower pay grade due to poor performance, necessity of organizational change, or developmental assignment. The pay of an employee being demoted due to poor performance, inability to perform the essential functions of the current position (and if applicable, no reasonable accommodations can be made without undue burden), or employee choice will be reduced by ten percent (10%) unless such reduced pay would still exceed the new pay range maximum in which case the current pay shall be reduced to such pay range maximum. The City will adjust the pay of an employee who is demoted solely due to organizational change as provided in Section 4.4.

3. Transfers

When an employee moves from one position to another in the same pay grade, either voluntarily or involuntarily, or voluntarily seeks a position at a lower pay classification than his current position, it is considered a transfer. An employee who accepts an assignment in a different pay grade shall receive an increase or decrease to pay in order that actual pay is established within the new range. When an employee transfers between positions in the same pay grade, no adjustments to pay shall be made.

5.5 MERIT INCREASES

Advancement to a higher rate of pay within an established range shall be called a merit increase. All merit increases shall be based upon the performance of the individual in the position measured against established job performance criteria. Such criteria may include level of knowledge, skills, ability, work traits, compliance with established city or departmental rules and regulations or any other criteria which are indicative of performance.

Merit increases may be granted only upon approval by the City Administrator and after documentation by the appropriate Department Head, including, but not limited to, the most recently completed performance evaluation for the individual. Annually, guidelines shall be established by the City Council and approved in the annual budget regarding pay adjustments as they relate to performance ratings.

5.6 FREQUENCY OF MERIT INCREASE

An employee, not on a step pay plan, shall be eligible for a merit increase at the successful completion of the probationary period for the position. After the employee has been removed from probationary status, merit increases will normally be available at the beginning of the fiscal year and made effective each July 1. However, the City Administrator may authorize an earlier merit increase in the event of documented superior individual performance. Said merit increase shall be based on the same criteria as set forth in subsection 5.5. The initial July 1 merit increase shall be prorated according to the number of full calendar days the employee has worked since the employee's probation-completion merit increase date, if any.

1. Probationary Completion Bonus

A commissioned officer on a step pay plan shall be eligible for a one-time, lump-sum Probationary Completion Bonus at the successful completion of the probationary period for the position. The Probationary Completion Bonus is prorated according to the number of calendar days from the employee's probation completion date to July 1, when the officer is eligible to advance to the next step in the pay plan with a successful prorated performance evaluation.

5.7 LONGEVITY PAY

A full-time employee hired before August 1, 2004 shall receive an additional eight dollars per month of compensation for each completed year of service computed from the employee's latest date of employment. Notwithstanding any other provision of this Manual, no employee last hired on or after August 1, 2004 shall be entitled to this additional compensation. Current eligibility for longevity pay shall be based on the last date of hire and not total time of service with the City. There is a parallel longevity provision in ~~the City's closed defined benefit pension plan~~ LAGERS.

5.8 PERFORMANCE MANAGEMENT

1. Frequency of Reviews

Performance reviews for a City employee, utilizing the performance management job description and performance criteria, shall be conducted during the employee's probationary period no less frequent than at the one (1) year anniversary of employment. Thereafter, performance reviews shall be conducted at least once annually near the end of each fiscal year. An evaluation may, however, be conducted more frequently at the

discretion of the Department Head or at the request of the Personnel Officer, including during the initial probationary period. Normally, no merit increase shall be granted unless a performance evaluation has taken place within sixty days prior to the effective date of the increase.

2. *Annual Performance Cycle*

Annually, at the beginning of the employee's performance cycle, or in the event of significant change in the City's or department's goals, the immediate supervisor shall conduct a performance planning session with the employee to discuss the essential job functions, the individual employee's, the City's and the department's performance goals and the employee's job performance criteria.

Any changes in the existing job performance criteria shall be recorded on the job description form and approved by the Department Head and the Personnel Officer before taking effect.

3. *Performance Reviews and Coaching*

The employee's immediate supervisor will regularly monitor the employee's performance and on a periodic basis conduct a performance review meeting with the employee utilizing the performance management coaching forms to document individual performance.

4. *Completion of the Performance Cycle*

The supervisor shall provide non-probationary employees with copies of the self-appraisal form by April 20 of each year. The employee shall complete the self-appraisal form and provide it to his immediate supervisor by May 1. The supervisor shall complete the performance appraisal form in the most objective manner possible based on the performance data collected throughout the year, information contained on the self-appraisal form and the established performance criteria for the position. The immediate supervisor shall assign a total performance score which shall be reviewed and approved by the Department Head and submitted to the Office of the City Administrator by June 15. The supervisor shall meet with the employee and discuss the evaluation and future areas of development. The employee shall be given an opportunity to provide written comments and sign the form. The Department Head shall review and approve the form. A copy shall be provided to the employee and the original forwarded to the Personnel Officer with a completed personal action form.

5.9 CALCULATION OF PAY RATES

For full-time employees, when it is necessary to calculate an effective hourly rate for purposes of administration of benefits (i.e., overtime), unless expressly provided otherwise in this manual (i.e.,

Section 11.3.4 pay-in-lieu of vacation), the City generally determines an employee's hourly rate by dividing the annual salary by 2,080 hours, the number of full-time hours worked per year.

5.10 DIRECT DEPOSIT

All employees are required to participate in the City's Payroll Direct Deposit program as a condition of employment. Employees are allowed to select the financial institution(s) that will receive the direct deposits. The City Administrator may temporarily or permanently waive required participation for an employee, for good cause as determined in his discretion.

Employees must complete the City's Direct Deposit authorization form. This form authorizes deposits as well as adjustments (withdrawals) to correct for any overpayment or error. Direct deposits will be subject to all applicable banking and clearinghouse rules and laws.

An employee that does not wish to direct deposit to a checking or savings account may select the option of depositing to a payroll card account at the financial institution(s) selected by the City for such purpose. Such employee must complete the applicable additional forms and comply with the financial institution's fees and terms.

SECTION 6 QUALIFICATIONS FOR EMPLOYMENT

6.1 MERIT PHILOSOPHY

All appointments and promotions of City officers and employees except as otherwise provided by City Charter shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence. All such action shall be taken wholly without favoritism or unlawful discrimination.

6.2 EQUAL OPPORTUNITY

In compliance with applicable law, no person employed by the City or seeking employment from the City shall be appointed, promoted, demoted, removed or in any way favored or discriminated against because of age, race, color, marital or familial status, national origin, ancestry, political affiliation, religion, sex, gender, gender identity, sexual orientation, genetic information, disability, or any other characteristic protected by law except where specific age, sex or physical requirements constitutes a bona fide occupational qualification. The City is committed to equal treatment of qualified individuals and meeting the requirements of applicable law including the ADA. The City encourages employees to discuss potentially necessary accommodation of a disability with the Personnel Officer, whether to facilitate continued work or return to work.

In compliance with applicable law, no person employed by the City or seeking employment from the City will be appointed, promoted, demoted, removed or in any way favored or discriminated against based on HIV infection or acquired immune deficiency syndrome (AIDS) status unless the individual poses a direct threat to the health or safety of others or is unable to perform required job duties.

No person seeking employment or promotion shall, either directly or indirectly, give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with an employment test, appointment, proposed appointment, promotion or proposed promotion, except for bona fide test preparation service fees.

Pursuant to 41.1005 RSMo, no member of the United States Coast Guard Auxiliary shall be discharged from employment because of being a member of the United States Coast Guard Auxiliary or holding any office, position, or appointment under the United States Coast Guard Auxiliary, nor otherwise discriminated against or dissuaded from joining or continuing such person's service in the United States Coast Guard Auxiliary by threat or injury to such person in respect to such person's employment, or of any other rights or benefits to which the employee would otherwise be entitled.

Likewise, the City shall not discriminate against veterans or members of the US Armed Forces or National Guard.

6.3 NEPOTISM

The following definitions apply to this policy:

“Affinity” means related by marriage or having a relationship by marriage.

“Consanguinity (eous)” means of the same blood or descended from the same ancestor.

“Nepotism” means the practice of hiring of relatives. This practice is prohibited in Article 7 of the Missouri Constitution as follows:

"Section 6. Any public officer or employee in this state who by virtue of his office or employment, names or appoints to public office or employment any relative within the fourth degree [within the first, second, third and fourth degrees] by consanguinity or affinity, shall thereby forfeit his office or employment."

In addition, it shall be the City's policy that no relative within the first and second degrees, by consanguinity or affinity, to any elected official of the City of Creve Coeur shall be employed in any capacity by the City.

No relative within the first and second degrees, by consanguinity or affinity, to any full-time City employee may be employed full-time in the same department. Under no circumstance shall any employee of the City be involved in the supervision, hiring, termination, discipline, promotion, or performance evaluation of another employee of the City who is a relative within the fourth degree by consanguinity or affinity.

Degrees of kindred shall be determined by consulting the English Background of Degrees of Kindred according to Civil Law. If further clarification is required, the City Attorney shall render a decision.

Degrees of kindred to the employee by blood or marriage:	
1st degree of relatives	Spouse, children & parents
2nd degree of relatives	Grandparents, grandchildren, brothers & sisters
3rd degree of relatives	Great grandparents, great grandchildren, uncles, aunts, nephews & nieces
4th degree of relatives	Great, great grandparents, great, great grandchildren, great uncles, great aunts, first cousins, grandnephews & nieces

6.4 RESIDENCY REQUIREMENTS

There shall be no residency requirement for any full-time city employee at the time of his employment or during the term of his employment unless otherwise provided by the City Charter or Ordinance. Residents who are qualified will be given preferential consideration for part-time and seasonal positions.

The City and its employees will comply with all applicable laws regarding eligibility of non-citizens for employment and/or receipt of public benefits from the City.

6.5 PERSONAL CONDUCT

Whether during working hours or outside of working hours, conduct can reflect upon suitability and qualification for employment. Professional and courteous behavior is required at all times during working hours. (See also Section 16.6). Any illegal conduct or other conduct at any time that demonstrates an inability to fulfill assigned duties or an inability to work with other employees can result in discipline and/or termination. Employees retain all constitutional and legal rights, which include the right to discuss the terms and conditions of employment and complain about illegal activity. Employees are not authorized to use their position or City logos, insignia, uniforms, or similar items to convey the impression they are acting for the City, except in connection with performance of assigned duties.

SECTION 7 APPOINTMENTS AND VACANCIES

7.1 FILLING OF POSITIONS

Department Heads shall notify the Personnel Officer as far in advance as possible of any requirements for authorized personnel, setting forth such information as requested to facilitate the filling of the position.

The Personnel Officer shall administer application and testing procedures, as approved by the City Administrator. He shall certify qualified applicants to Department Heads for interview and recommendation. The Chief of Police may determine the appropriate application and testing procedures for commissioned personnel, subject to the approval of the City Administrator.

Department Heads shall recommend to the City Administrator the appointment of the certified applicant acceptable for employment.

The City Administrator shall review and either accept or reject the recommendation. Once an employment recommendation is approved by the City Administrator, an offer or conditional offer of employment may be made.

7.2 EMERGENCY APPOINTMENTS

When a vacancy occurs in a position which is necessary to carry out City business without interruption, and no suitable list of candidates exists for selections, the Department Head may appoint an employee in an acting capacity with the approval of the City Administrator. In the event of a Department Head vacancy, the City Administrator may appoint an acting Department Head to fill the position. The duration of the appointment shall not exceed three months or until an appointment can be made through established procedures, whichever is shorter, unless the City Council approves continued acting status.

7.3 PUBLICITY

The Personnel Officer shall determine the nature and extent of publicity required to obtain a reasonable number of qualified applicants for each vacancy. All positions shall be announced to the public through standard announcement form, and/or by posting on city bulletin boards or by mass media advertising, at least seven (7) calendar days in advance of the last date for filing applications. Vacancies which can be filled through promotion shall be announced, to eligible current city employees on city bulletin boards or by memorandum, for at least seven calendar days prior to the application closing date. Job announcements with "open" application submission dates must remain open at least seven calendar days, and may be closed by the Personnel Officer when sufficient applicant response has been achieved.

7.4 APPLICANT SCREENING PROCESS

The screening process for an applicant shall include an oral interview, evaluation of experience, education and training, all legally mandated inquiries, and a reference check. The process may also include, but not be limited to, one or any combination of the following as determined by the Personnel Officer in consultation with the Department Head and City Administrator:

- Written examinations
- Performance evaluations
- Medical examinations
- Substance abuse screening
- Psychological evaluations/intelligence tests
- Background investigations
- Physical agility-dexterity tests

Reasonable measures shall be taken by the Personnel Officer to confirm the reliability and validity of the various screening processes. Some screening measures shall be utilized after a conditional offer of employment has been made.

7.5 INTER-DEPARTMENT TRANSFERS

A current city employee who meets the minimum qualifications for a classification in which a vacancy exists in another department may request an inter-department transfer.

An inter-department transfer is defined as a lateral reassignment of an employee to another department. Any such transfer has to be approved by the receiving Department Head.

An employee working in his first probationary period is not eligible to request an inter-department transfer.

The Personnel Officer shall keep a list of city employees who have requested a transfer to another department and shall communicate the names of those interested in and qualified for a vacancy at the request of a Department Head to fill an applicable vacancy.

7.6 REEMPLOYMENT OF A FORMER CITY EMPLOYEE

A former employee shall be required to compete for a position with any other qualified applicants. Retroactive reinstatement of an employee's vacation or sick leave shall be given in the event a former employee is rehired within one year of his separation.

Retirement benefits from past service may be reinstated in accordance with the provisions of the applicable retirement plan.

7.7 LAID OFF/DEMOTED EMPLOYEES

A full-time city employee laid-off or reduced to a lower classification due to a reduction in force, reassignment of priorities, duties, or projects, who was in good standing at the time the action was taken and remains in good standing, shall rank ahead of other individuals competing for the same position.

7.8 PART TIME/TEMPORARY/SEASONAL APPOINTMENTS

If a position is to be filled for a limited time only, appointments may be made from the list of eligible applicants interested in full-time work. A temporary or seasonal appointment shall not affect an applicant's eligibility for full-time positions.

Part-time, seasonal and temporary positions shall be filled in the manner described in Section 7.4 above. A former employee may be rehired to fill temporary positions without re-screening, subject to meeting legally mandated eligibility requirements.

All part-time, temporary and/or seasonal employee appointments must be approved by the Personnel Officer under the direction of the City Administrator and in accordance with budgetary authorization and limitations.

7.9 PROMOTIONS

All vacancies shall, whenever possible, be filled by promotion of a qualified employee within the city service. The Personnel Officer shall review the qualifications of employees who are receiving salaries lower than that of the class in which the vacancy exists to determine which employees will be eligible for consideration. A probationary employee is not eligible for promotion. A notice of the position shall be posted and distributed to the Departments.

Promotions may be rescinded by the City Administrator at any time during the probationary period, in which case the employee shall revert to the previously held position. Such rescission shall not be subject to the grievance process.

7.10 GENERAL EXAMINATION PROVISIONS

The Personnel Officer may disqualify an applicant and remove the name from further consideration if:

1. The applicant is found to be lacking in any of the preliminary requirements established for the position.
2. The applicant is disabled or inhibited to an extent which would render the individual unfit for performance of the duties as established for the position (subject to reasonable accommodations as required by applicable law).

3. The applicant has been found to have conflicting interests which may impair or compromise total effectiveness in a given classification including, but not limited to: criminal background; narcotic or alcoholic addictions; and/or personal business interests.
4. The applicant has made a false statement of material fact on the application in violation of the certificate made by the applicant on the application form.
5. The applicant has used or attempted to use political pressure or bribery to secure an advantage in the screening or appointment procedure.
6. The applicant has previously been discharged or has a documented, unsatisfactory service record with the City.
7. The applicant has presented an application and has failed to sign the application form.
8. The applicant requests such an action.
9. An ample number of better qualified candidates are available for the position.

An individual's application and examination records shall not be open to public inspection; however, the individual's record shall be available for inspection by that applicant. An applicant's records shall be maintained in accordance with the State of Missouri and federal record retention regulations.

The examination records of all persons who are appointed to positions shall be kept in the employee's personnel file and shall be retained throughout his employment and subsequent to their separation in accordance with the requirements of the State of Missouri and federal record retention regulations.

A new employee is required to pass a physical examination and be certified by the City's physician as physically qualified to perform the duties of the position he seeks before his appointment may be finalized.

The City Administrator may, when it is deemed in the best interest of the City, utilize an applicant's examination results established and administered by other agencies through cooperative or reciprocal arrangements for expediting recruitment and screening of applicants.

7.11 PROBATIONARY PERIOD

The probationary period shall be regarded as an integral part of the screening process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new, transferred or promoted employee to the position, and for replacing any employee whose performance does not meet the required work standards.

Every person transferred, promoted, appointed or reappointed to a full-time position with the City shall successfully complete a probationary or qualifying period of one year.

The probationary or qualifying period shall begin immediately upon appointment to a full-time position. The probationary period shall not be deemed to be successfully completed until a performance evaluation and personnel action form stating the employee is released from probation has been

submitted by the Department Head and approved by the Office of the City Administrator. Such notice shall not be unreasonably withheld and within ten (10) days following the one year anniversary date of the employee such notice shall be submitted or the Department Head shall submit a proposed extension of the probationary period.

The probationary period may be extended, if deemed necessary and supporting documentation is provided by the Department Head, after review and approval by the City Administrator.

Time spent in an acting capacity prior to receiving a permanent appointment to the same classification and department shall be considered as time spent as a probationary employee in that position.

An employee after serving the first thirty (30) days of employment is eligible to utilize accrued sick and vacation benefits upon the Department Head's approval. (Sections 11.3(3) and 11.4(2)) Persons terminated during the probationary period shall not be paid for unused vacation leave.

An employee who is promoted or transferred shall serve a probationary period of one year in the new position. Any sick leave and vacation leave benefits the employee had at the time of the promotion or transfer shall be retained.

7.12 TERMINATION DURING PROBATION

At any time during the initial probationary period the Department Head, with the approval of the City Administrator, may terminate an employee, with or without cause and with or without notice.

An employee promoted into a position who does not successfully complete a probationary period may be demoted to his previous or similar classification, provided such position is vacant and authorized. If such a position is not available, the employee may be placed on priority reemployment or transfer lists for a position for which the employee is qualified, at the written request of the employee.

An employee terminated or demoted during their initial probationary period cannot appeal such action, except for a "Law Enforcement Officer" as defined in Section 590.502 RSMo.

SECTION 8 HOURS OF WORK AND ATTENDANCE

8.1 HOURS OF WORK

The hours during which offices will be kept open for business shall be determined by the City Administrator. The number of hours per week or per month for full-time employment for each classification shall be considered an integral part of the pay plan, which shall specify the full-time work schedule for regular office, field, police, and recreation employees. Working hours are to be devoted to fulfillment of assigned duties and not to personal matters other than on a very incidental basis.

8.2 SCHEDULING HOURS OF WORK

All Departments shall observe and keep office and working hours necessary for the efficient transaction of services. The Department Head with the approval of the City Administrator shall determine appropriate hours of work. Full-time employees will generally be scheduled to work forty (40) hours in a seven (7) day pay period. Police personnel will be scheduled to work according to the established Police Department scheduling policy.

8.3 ATTENDANCE

Employees shall be on time and in attendance at their work in accordance with these rules and departmental time-keeping practices. All department heads, or designees, shall keep attendance records of employees which shall be reported to the Finance Department through the employee attendance tracking system. Employees must identify any perceived error in attendance records within seven (7) days of receipt of pay for the period.

8.4 ABSENCE WITHOUT LEAVE

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave under the provisions of these rules shall be deemed to be an absence without leave. Any such absence shall be subject to disciplinary action, including forfeiture of pay in non-exempt positions.

8.5 OVERTIME

1. Overtime Compensation

It is the policy of the City to minimize the necessity for overtime work. When overtime work is necessary and consistent with protection of the lives and property of the citizens of Creve Coeur, and efficient operations, such overtime shall be authorized in advance by the Department Head but shall be kept at a minimum.

Overtime compensation generally applies when a non-exempt employee works in excess of their normal daily work schedule, notwithstanding exceptions noted in this section, and as approved by the Department Head as a benefit to City operations.

The rate of overtime compensation for employees shall be as follows:

OVERTIME RATES:

	<u>1-1/2 Times Normal Pay</u>	<u>Straight Time</u>	<u>Exempt</u>
EMPLOYEE	Street Maintenance	Golf Course ¹	See Section 8.9
GROUPS:	Park Maintenance		
	Inspections		
	Maintenance of Municipal Property		
	Office Clerical ²		
	Commissioned Police Officers ³		
	Ice Arena		
	Golf Course**		

¹*Golf Course employees qualify for the FLSA recreational exemption when during the preceding calendar year, average receipts at the golf course for any six months of the year are not more than 33 1/3 percent of its average receipts for the other six months of the year (29 U.S.C. § 213(a)(3)(A)-(B). Such qualifying golf course employees shall receive premium pay equal to 1-1/2 times their normal rate of pay for time worked beyond forty-four (44) hours in a week (Sunday thru Saturday), and shall receive straight time for time worked up to forty-four (44) hours in a week (Monday through Sunday).*

²*Office clerical are compensated for evening meetings and Saturday meeting work as per section 8.6 of this policy.*

³*Commissioned police officers hours per work week shall be calculated based on one hundred seventy one (171) hours in a twenty eight (28)-day cycle. Traffic Enforcement Overtime shall authorize commissioned police officers to receive an overtime rate of two times (2x) normal pay, not to exceed \$100 per hour; conversion of such overtime to compensatory time is prohibited.*

2. Compensatory Time

An employee may elect to earn compensatory time at the rate of 1-1/2 his normal hourly rate for any overtime hours worked. The use of compensatory time is subject to the approval of the Department Head. Commissioned employees shall accrue no more than eighty (80) hours of compensatory time. All other City employees shall accrue no more than forty (40) hours of compensatory time. Temporary exceptions may be approved by the City Administrator or his designee.

Exempt employees shall not be eligible for compensatory overtime. In the event that a non-exempt employee is promoted or reclassified to an exempt position, said employee shall be paid for the remaining balance of his compensatory time at his non-exempt hourly rate prior to promotion or reclassification.

8.6 BOARDS AND COMMISSION MEETINGS

A member of the city secretarial staff who serves as a clerk of the Municipal Court, or a secretary to one of the various boards and commissions, which meet in the evening and/or on Saturday mornings, shall receive compensation in accordance with the approved pay plan. For weekday meetings which start on or after 6:00 pm and Saturday meetings, if the meeting lasts under two hours, the secretary shall receive a minimum of two hours of pay.

8.7 PUNCTUALITY AND REGULAR ATTENDANCE

Punctuality and regular attendance are essential if the city service is to accomplish its objective of providing efficient services to the public. If an employee is unable to arrive at work on time, he is either to notify his Supervisor or make arrangements for someone else to contact the Supervisor as soon as possible in accordance with established departmental rules and regulations. This will allow the Supervisor time to rearrange the work schedule with minimum possible inconvenience. Punctuality and attendance play an important role in an employee's probation, merit and promotional reviews.

In instances where tardiness is unavoidable or weather conditions preclude timely arrival at work, it is the Supervisor's responsibility to arrange for the employee to make up lost time at the regular pay rate. In other instances, of tardiness, vacation time will be docked by a corresponding amount of time, in fifteen (15)-minute increments, unless the time is made up in the same week at the regular pay rate.

8.8 PREMIUM PAY

1. Supervisory Premium Pay

Regular full-time commissioned non-supervisory personnel requested by the Department Head to serve in a temporary supervisory capacity shall receive a premium per work shift at the rate established in the City's annual budget. Serving in a supervisory capacity shall mean that the employee is placed in effective charge of non-supervisory personnel and required to perform all normal supervisory functions for that work group during the assigned work shift.

Regular full-time non-commissioned non-supervisory personnel requested to serve in an acting supervisory capacity shall be upgraded to the entry level of the supervisor grade or shall receive a minimum ten percent (10%) increase in salary during the period in which the employee is serving as acting supervisor. When service in such an acting capacity extends

beyond a pay period, it shall be considered a change to base pay. Otherwise, such premium pay is a bonus that is taxable in accordance with Internal Revenue Service regulations.

2. *Field Training Officer Premium Pay*

Police officers shall receive a premium per work shift as bonus pay at a rate established in the City's annual budget for each day assigned as a field training officer. Such assignments and pay shall be subject to the approval of the Chief of Police. Such premium pay is a bonus that is taxable in accordance with Internal Revenue Service regulations.

8.9 POSITIONS EXEMPT FROM OVERTIME

The City Administrator shall maintain a current listing of positions, including Department Head, administrative, technical and professional positions, which are required to work extra hours as a normal part of fulfillment of his employment responsibilities to the City. Such extra hours shall be considered in establishing annual pay grades for exempt positions in accordance with applicable law.

The following positions are considered to be exempt from the overtime requirements of applicable law:

Assistant City Administrator
Assistant Director of Public Works/City Engineer
Assistant Recreation Director
Assistant to the City Administrator
Chief Building Official
City Administrator
City Attorney*
City Clerk
City Engineer
City Planner
Civil Engineer
Court Administrator
Director of Community Development
Director of Finance
Director of Public Works
Director of Recreation
Finance Manager/Accountant
Golf Course Manager
Golf Maintenance Superintendent
Human Resources Generalist
Information Systems Coordinator
Information Systems Manager
Municipal Judge*
Operations Superintendent
Police Captain
Police Chief

Police Lieutenant
Police Sergeant-Administrative
Public Information Officer & Management Analyst
Prosecuting Attorney*
Recreation Supervisor
Senior Accounting Associate
**Independent contractors*

Certain circumstances may warrant the payment of overtime to individuals who are otherwise exempt from overtime pay. The Department Head may review the situation which created the need for the overtime work and if he feels the situation warrants additional compensation may recommend to the City Administrator approval of overtime pay to an exempt employee.

SECTION 9 SEPARATION FROM EMPLOYMENT

9.1 TERMINATION DATE

The official termination date of employment with the City shall be the date of the employee's last day in attendance at work except as provided for in Section 9.2. All eligible accrued leave shall be paid through the date of termination. Payment shall be made on the next pay date following the date of termination; however, the Director of Finance may make payment sooner in extenuating circumstances as authorized by the City Administrator.

9.2 RESIGNATION

An employee resigning from the service of the City is expected to give written notice to his Supervisor at least ten (10) scheduled working days prior to the effective date of his resignation in order to leave in good standing unless other arrangements are approved by the City Administrator. Failure to comply with this rule shall be entered on the permanent personnel record of the employee.

The Department Head with City Administrator approval may elect to require or mutually agree with the employee that he use vacation time for some or all of his remaining scheduled working days prior to his effective date of resignation. In such cases, the effective date of resignation shall be the last date for which the employee receives vacation pay.

An employee retiring from service to the City is expected to give written notice to his supervisor, ~~and to the Director of Finance, and to the LAGERS board~~ ~~if a participant in that plan~~, at least thirty (30) calendar days (and not more than ninety (90) days) prior to the effective date of his retirement in order to provide adequate time to calculate and process the retirement benefit. (70.645RSMo)

9.3 DISABILITY

An employee may be transferred, demoted or separated for disability when the employee cannot perform the essential job functions of the position because of physical or mental impairment, taking into account reasonable accommodations that do not create an undue hardship for the City. The City may require an employee to be examined by the City's physician for the purpose of determining an employee's ability to perform the essential job functions of his position. The City is committed to equal treatment of qualified individuals and meeting the requirements of applicable law including the ADA. The City encourages employees to discuss potentially necessary accommodation of a disability with the Personnel officer, whether to facilitate continued work or return to work.

An employee unable to perform the essential job functions of his position due to a disability, taking into account reasonable accommodations that do not create an undue hardship for the City, may be transferred or demoted to a position for which he is able to perform the essential job functions and shall

be compensated in accordance with the rate for that position. If such a position is not available, the employee may be placed on a priority reemployment list for a position for which the employee is qualified.

An employee who does not return to work and cannot perform the essential job functions of his position within one year of the occurrence of the disabling event, shall be separated from employment.

9.4 TERMINATION

An employee terminated by the City shall be removed from the position as promptly as possible and officially notified that such action is being taken, on or before the effective date of such action. A statement of the reasons for the termination shall be presented to the employee at the time of the discharge either in person or by certified mail to the last known address of record of the employee.

If an employee wishes to appeal the termination, he may do so as provided in these rules.

9.5 RETURN OF CITY PROPERTY

An employee leaving the city service for any reason and who has city-owned equipment or property in his possession shall return such equipment or property to his Department Head prior to receiving his last paycheck. Failure to return said property shall result in an amount being withheld from the employee's paycheck equal to the value of the property.

9.6 REPAYMENT OF EDUCATIONAL BENEFITS

An employee separating from the service shall repay in full all funds advanced under the educational program for college credit coursework during the previous two (2) years preceding separation. A written agreement shall be executed by the employee prior to any payment being made for educational benefits.

9.7 LAYOFF/REDUCTION OF WORK

A Department Head may, with the City Administrator's approval, lay off an employee when it is deemed necessary by reason of shortage of work, funding, abolition of the position or change of duties or organizational structure or other reasons which are outside of the employee's control and which do not reflect discredit on the employee's performance. The duties performed by an employee laid off may be reassigned to other employees currently working who hold positions in appropriate classification. No regular employee shall be laid off while another person is employed on a probationary or temporary basis in the same classification and not laid off.

9.8 ORDER OF LAYOFF AND RECALL

Layoff and recall of an employee shall be made in inverse order of current performance ratings of employees in the classification involved. In the event current performance ratings are not available or the ratings of employees shall be equal, the order of layoff and recall shall be based on tenure.

Employees laid off shall be placed on a priority recall list for a maximum of one hundred eighty (180) calendar days. Employees separated because of layoff shall be given at least fourteen (14) days prior notice of such layoff.

9.9 DEATH OF AN EMPLOYEE

In the event of the death of an employee, all compensation due in accordance with the policies of the City shall be paid to the legal representative of the employee's estate or any other properly designated individual.

SECTION 10 HOLIDAYS

10.1 SCHEDULE FOR CLASSIFIED SERVICE - OTHER THAN CERTAIN POLICE EMPLOYEES

The following holidays shall be considered a part of a full-time employee's normal work week (except certain police employees who are eligible for holiday bonus pay as set forth in Sections 10.4 and 10.5 of this policy), and such employees shall be excused without loss of pay on the following designated holidays:

New Year's Day	- January 1
Martin Luther King National Holiday*	- 3rd Monday in January
President's Day	- 3rd Monday in February
Memorial Day	- Last Monday in May
Independence Day	- July 4
Labor Day	- 1st Monday in September
Veterans Day*	- November 11
Thanksgiving Day	- 4th Thursday in November
Day after Thanksgiving Day	- Friday after 4th Thursday in November
From Noon Christmas Eve	- December 24
Christmas Day	- December 25

**May be substituted for day before Christmas when Christmas falls on Tuesday or for day after Christmas when Christmas falls on Thursday.*

10.2 PROCEDURE FOR OBSERVANCE OF A WEEKEND HOLIDAY

When any of the above holidays falls on a Sunday, the following Monday shall be observed as the holiday; or, when the holiday falls on a Saturday the previous Friday shall be observed as the holiday.

10.3 HOLIDAY ON A SCHEDULED WORK DAY

No employee (except for certain police employees as set forth in Sections 10.4 and 10.5 of this policy) shall be required to work on a holiday except when it is necessary to maintain essential services. Non-exempt employees other than police employees as specified in Sections 10.4 and 10.5 who must work on approved holidays shall be compensated with compensatory time or overtime pay.

10.4 SCHEDULE OF HOLIDAYS FOR COMMISSIONED POLICE OFFICERS

The following holidays shall be considered a part of the normal work week for certain commissioned police officers who are eligible for holiday bonus pay under section 10.5:

New Year's Day	- January 1
Martin Luther King National Holiday	- 3rd Monday in January
President's Day	- 3rd Monday in February
Easter Sunday	
Memorial Day	- Last Monday in May
Independence Day	- July 4
Labor Day	- 1st Monday in September
Veterans Day	- November 11
Thanksgiving Day	- 4th Thursday in November
From Noon Christmas Eve	- December 24
Christmas Day	- December 25

10.5 HOLIDAY BONUS PAY AND OVERTIME

A holiday bonus will be paid for each holiday as part of the pay for the period in which the holiday occurs; such bonus pay shall be equivalent to normal pay. Only commissioned police personnel are eligible for holiday bonus pay. Police Commanders including the positions of Police Chief, Captain, and Lieutenant are not eligible for holiday bonus pay and are excused without loss of pay on designated City holidays subject to the foregoing provisions of this Section 10.

To qualify for the holiday bonus pay for a given holiday, an employee must be employed on such holiday and, if scheduled, must work the holiday unless the absence was approved by the Chief of Police in advance of the holiday. Employees absent from scheduled work on a holiday due to unscheduled leave or unexcused absence will not receive bonus pay for that holiday.

The Chief of Police is responsible for determining necessary manpower staffing on all shifts, including holidays. The Chief may permit personnel the use of accumulated compensatory time, a vacation day, or a personal day on a holiday; such an absence will be considered an excused absence for the purpose of determining eligibility for holiday pay.

If a holiday falls on a police officer's previously scheduled day off and circumstances necessitate a schedule change within sixty (60) days of the holiday resulting in the police officer working on that holiday due to the need to maintain necessary manpower levels, he shall be compensated with overtime pay at the rate of one and one-half (1-1/2) times the normal pay for the overtime hours worked.

10.6 PERSONAL LEAVE

A new full-time employee will be awarded sixteen (16) hours of personal leave completing the initial 30 calendar days of full-time service. A full-time employee who has successfully completed his probationary period is eligible to accrue for that first year and each year thereafter sixteen (16) hours off with pay as a personal leave. The time is to be taken at the election of the employee, subject to the approval of his Department Head. The employee is eligible to receive sixteen (16) hours of personal leave each calendar

year after his first anniversary, including the calendar year in which the employee's first anniversary occurs. Up to forty (40) hours of unused personal leave may be carried over from one calendar year to the next. Personal leave at no time shall be considered a benefit convertible to compensation during employment or at time of separation of employment.

SECTION 11 LEAVE SYSTEM

11.1 POLICY AND DEFINITIONS

1. *Policy*

Leave requests shall be subject to approval by the Department Head, and when applicable the City Administrator, in conformance with the rules established in this policy for each type of leave. Each employee must submit requests for leave in the City's time keeping system, or when applicable in writing. Department Head shall review appropriate records of all leaves requested and granted for the department's employees. The Department Head, shall approve the necessary information in the City's time keeping system.

Notwithstanding the foregoing, FMLA leave will be handled in accordance with section 11.7 Family and Medical Leave. In compliance with the federal Family and Medical Leave Act, the City will grant, under certain circumstances, up to twelve (12) weeks of unpaid leave in a calendar year.

Additionally, the City will grant leave related to service in the armed forces and injuries sustained in such service, pursuant to the requirements of Public Law 110-181 enacted by the United States Congress in 2008, and related regulations, as set forth below regarding Military Caregiver Leave and Qualifying Exigency Leave.

2. *Definitions*

Some of the following words and phrases are also defined in other pertinent places in this policy, but the definitions are repeated here for convenience. Any inconsistency between these definitions and the ones set forth elsewhere in the policy is unintended and shall be resolved in favor of the definitions set forth elsewhere. Further, any inconsistency between these definitions and legal requirements is unintended and shall be resolved in favor of applicable law.

"Child, Son or Daughter" means natural, adopted, step, and foster children, a legal ward or the child of an employee "in loco parentis" (standing in place of a parent), who is under the age of eighteen (18) years, or who is eighteen (18) years or older to the extent the person is incapable of caring for themselves due to mental or physical disability.

"Family Leave" means unpaid leave related to an event which increases the size of the employee's family by birth, adoption or the acceptance of a child for foster care.

"FMLA" means the Family and Medical Leave Act or leave permitted under the Family and Medical Leave Act.

“Jury Leave” means leave with pay granted when an employee is required to be absent from work for jury duty or as a subpoenaed trial witness.

“Leave of Absence” means leave without pay for reasons other than those covered by the Family and Medical Leave policy which are considered in the best interest of the City.

“Medical Leave” means unpaid leave related to a serious illness of the employee or the employee's spouse, child or parent.

“Occupational Injury or Illness Leave Pay” means the 90 calendar day period in which the City supplements the difference in pay between state workers’ compensation division pay and the employee’s regular pay granted in the event of a bona fide occupational injury or illness incurred in the performance of an employee's city job, which necessitates absence from assigned duties.

“Parent” means a natural parent of the employee or an individual who stood in as a parent for the employee when the employee was a child.

“Sick Leave” means paid leave granted to the full-time employee for protection against endangering the employee’s health and that of fellow workers.

“Spouse” means only the legally recognized marital partner of the employee.

“Unscheduled Leave” means the employee did not obtain the required verbal or written approval from the supervisor or Department Head by close of business on the employee's regular scheduled workday prior to the absence.

“Vacation” means paid leave granted to an employee to provide a period of recreation and change from day-to-day routine in order that they may be better able to meet the obligations of their work.

11.2 ELIGIBILITY FOR LEAVE

Eligibility requirements pertaining to the various types of leave are set forth in the pertinent sections of this policy. Any inconsistency between the stated eligibility requirements and applicable law is unintended and shall be resolved in favor of such law.

11.3 VACATION

1. Policy

Vacation is paid leave granted to an employee to provide a period of recreation and change from day to day routine in order that they may be better able to meet the obligations of their work.

2. Vacation Administration

- a. A full time employee shall be eligible for Vacation as prescribed in section 3 below.
- b. Any accrued Vacation benefit in excess of the permitted total carry over limit as prescribed below which is neither used nor reimbursed under the "Pay in Lieu" provision prior to 11:59 PM on December 31, shall be forfeited and shall not be carried forward to the subsequent year, except that upon employee request made on or before the immediately preceding November 30, the City Administrator may waive this restriction in writing when unusual employee circumstances exist and it is in the best interest of city operations.

YEARS OF SERVICE	PERMITTED TOTAL CARRY OVER
0 to 2 yrs. (80.08 hours annual accrual)	120.08 hours
3 to 4 yrs. (100.10 hours annual accrual)	140.10 hours
5 to 9 yrs. (120.12 hours annual accrual)	160.12 hours
10 to 14 yrs. (160.16 hours annual accrual)	200.16 hours
15 to 19 yrs. (180.18 hours annual accrual)	220.18 hours
20 yrs. or more (200.20 hours annual accrual)	240.20 hours

Years of service shall mean total years of continuous full-time employment with the City as of December 31 of the year from which vacation leave will be carried from.

- c. If an employee is laid off, resigns, retires or is dismissed and the employee is eligible for Vacation which has not been taken, the employee will be entitled to a payment in lieu of the Vacation, except that new employees terminated before successfully completing their first probationary period shall not be paid for unused Vacation. If an employee dies and was eligible for Vacation which had not been taken, payment in lieu of Vacation shall be made to the legal representatives of the employee's estate or any other properly designated individual. To determine payment in lieu of vacation under this paragraph, the City generally determines the hourly rate by dividing the employee's annual salary by 2,080 hours, the number of full-time hours worked per year.
- d. An employee shall be granted a day off with pay for an authorized holiday occurring during the employee's Vacation.
- e. An employee that uses two (2) or fewer days of accrued Sick Leave in a calendar year shall be granted an additional eight (8) hours of Vacation in the following year. A day of

sick leave shall be determined by the regularly scheduled hours of work per day of employee.

3. *Eligibility for Vacation*

An employee is eligible to utilize accrued Vacation after the first thirty (30) calendar days of full-time service with the City with the Department Head's approval.

Vacation accrues and is based upon years of continuous, full-time employment with the city. The rates of vacation accrual are:

- a. Any employee who has completed less than three (3) years of employment will accrue 3.08 hours per full pay period worked.
- b. Any employee who has completed three (3) years of employment but less than five (5) years of employment will accrue 3.85 hours per full pay period worked.
- c. Any employee who has completed five (5) years of employment but less than ten (10) years of employment will accrue 4.62 hours per full pay period worked.
- d. Any employee who has completed ten (10) years of employment but less than fifteen (15) years of employment will accrue 6.16 hours per full pay period worked.
- e. Any employee who has completed fifteen (15) years of employment but less than twenty (20) years of employment will accrue 6.93 hours per full pay period worked.
- d. Any employee who has completed twenty (20) or more years of employment will accrue 7.70 hours per full pay period worked.

Paid leave including Holidays, Vacation, Sick Leave, Occupational Injury or Illness Leave, Bereavement Leave, and certain types of Military Leave as set forth in Section 11.10 of this policy shall not be deemed to be an interruption to a full pay period of full-time service. Each full-time employee exceeding fourteen (14) consecutive calendar days of unpaid leave will cease to accrue Vacation for the duration of unpaid leave.

If determined to be in the best interest of the City in order to recruit for a department head position or other position as deemed appropriate by the City Administrator, the City may negotiate a higher rate of vacation accrual than that prescribed in the above schedule in an amount not to exceed 160.16 hours per year or 6.16 hours per pay period work. In such event there will not be an increase until the amount prescribed in the above schedule exceeds the initial negotiated amount.

4. *Pay in Lieu of Vacation*

Pay in lieu of vacation is bonus pay permitted for a city fiscal year maximum of eighty (80) hours, or such different maximum as may be established in annual budget appropriations. In no event shall an employee be allowed to qualify for an amount of pay-in-lieu such that it would reduce his/her total vacation balance to fewer than eighty (80) hours on the date on which payment of pay-in-lieu of vacation is made. Full-time employees who have not successfully completed their first probationary period are not eligible to apply for pay in lieu of vacation.

Requests for pay in lieu of vacation are subject to written approval by the City Administrator pursuant to the following guidelines:

- a. Any employee who fails to submit a request to his Supervisor by May 15 of the current fiscal year or other deadline as established by the City Administrator, may receive pay in lieu of vacation during the current city fiscal year only in the event sufficient funds for such purpose are budgeted and available.
- b. Normal payment of pay in lieu of vacation shall be made as soon as practical, but no later than the last pay period of the current fiscal year in which the request is timely made.
- c. Pay in lieu of vacation may be made at times other than the normal time, upon written approval of the City Administrator.
- d. Each hour of pay-in-lieu-of-vacation shall be equal to pay at the employee's hourly rate and shall be calculated by dividing base annual salary by 2,080 hours, the number of full-time hours worked per year.

5. *Scheduling Vacation*

Requests to schedule vacation shall be subject to approval by the Department Head, to assure adequate staffing. An employee who has commenced a scheduled vacation may not substitute sick leave or other forms of leave for any part of such scheduled vacation, except as otherwise approved by the Department Head in their discretion in extreme circumstances such as an injury or illness resulting in hospitalization.

11.4 SICK LEAVE

1. *Policy*

Sick Leave is paid leave granted to the full-time employee for protection against endangering the employee's health and that of fellow workers, and in certain other limited circumstances set forth below. It is meant to be a protection in case of need only.

Sick leave shall be granted to eligible employees under the following circumstances:

- a. When the employee is injured or is too ill to perform their duties.
- b. Medical or dental examinations or treatments for the employee. Each employee is expected to schedule routine medical and dental appointments on their own time to the extent possible; otherwise, Sick Leave time may be used with the advance permission of the Department Head or appointed designee(s).
- c. Pregnancy, childbirth and recuperation shall be treated as any other medical condition in compliance with the Pregnancy Discrimination Act.
- d. To provide care due to illness or injury to a member of the employee's household or immediate family, or for bonding within six months following the birth or adoption of a child, up to a maximum combined total of one hundred twenty (120) hours in a calendar year. "Immediate family" for the purposes of Sick Leave shall include the employee's spouse, child, or parent.
- e. *Other Parental Leave* - Pursuant to Section 105.271 RSMo, a foster or adoptive parent employed by the City may use accrued sick leave or any leave granted without pay to biological parents to take time off for purposes of arranging for the foster or adopted child's placement or caring for the child after placement, and a stepparent as defined in 453.015 RSMo may use accrued sick leave or any leave granted without pay to biological parents to take time off to care for their stepchild.

2. Sick Leave Administration

a. Eligibility

- i. An employee is eligible to utilize accrued Sick Leave after the first thirty (30) days of full-time service with the City with the Department Head's approval, unless otherwise provided for by federal or state law.
- ii. Each new full-time employee shall accrue five and six tenths (5.6) hours of Sick Leave for each full pay period of full-time service rendered to the City during the initial twelve (12) months of full-time service; and thereafter, will accrue three and seven tenths (3.7) hours of Sick Leave for each full pay period of full-time service rendered to the City. Paid leave including Holidays, Vacation, Sick Leave, Occupational Injury or Illness Leave, Bereavement Leave, and certain types of Military Leave as set forth in Section 11.10 of this policy shall not be deemed to be an interruption to a full pay period of full-time service. Each full-time employee exceeding fourteen (14) consecutive calendar days of unpaid leave will cease to accrue Sick Leave for the duration of unpaid leave.

However, in no event shall any employee accrue more than one-thousand and fifty-six (1,056) hours of Sick Leave, and at no time shall Sick Leave be considered a benefit convertible to compensation during employment or at the time of separation from employment.

3. *Charging of Sick Leave*

Saturdays, Sundays and paid holidays occurring during an approved Sick Leave shall not be considered as days of Sick Leave, unless the employee was scheduled to work on the specific day. Employees using Sick Leave shall be considered to be working for purposes of determining Vacation eligibility.

4. *Notice Required*

Thirty days advance notice by the employee of the intent to utilize Sick Leave is required if the need for leave is foreseeable, including the extent known of the leave when known. If the event is to begin in less than thirty days from the date of notice, the employee must provide as much notice as practicable. The employee must also provide as prompt notice as possible of changes in dates of leave or anticipated duration. When utilizing Sick Leave only (and not also FMLA), the employee is responsible for providing notice to their Supervisor before work or within the first hour of the employee's normal workday on each day of absence, to the extent practicable. Failure to provide timely notice may be cause for denial of Sick Leave Pay for the period of time and result in discipline including termination.

5. *Proof of Illness – Sick Leave*

If an employee utilizes Sick Leave only (and not also FMLA) for more than three (3) consecutive days, they shall promptly provide proof of illness for the employee or his/her immediate family member as defined in the policy to their Department head or designated assignee. Additionally, a Department Head may request such proof for any days of non-FMLA sick leave. Failure to provide such proof of illness shall result in forfeiture of Sick Leave Pay and may result in discipline including termination.

6. *Sick Leave Absence Reporting Required*

Sick Leave absence shall be entered into the timekeeping software system on the first day of leave by the Department Head or appointee. An attempt will be made by the Department Head to ascertain when the employee may be expected to return to work.

7. *False Claims*

Claiming Sick Leave or benefits under any conditions other than those permitted by these regulations shall be cause for disciplinary action. Falsification of any written evidence

pertaining to Sick Leave by any employee shall constitute grounds for dismissal and such employee shall be subject to all actions and remedies at law for recovery of all monies paid to such employee by reason of said false written evidence or affidavits.

8. *Leave Without Justification*

If it is determined that the illness or disability for which Sick Leave, FMLA, or Occupational Injury or Illness Leave is taken by an employee is feigned, such employee shall be subject to disciplinary action.

9. *Donation to Sick Leave Bank*

Any full-time employee who has completed one year of service and is no longer in probationary status, who is unable to do their job assignment because of illness or injury, and who anticipates that he will exhaust all accrued paid leave rights, may request a voluntary donation of unused Vacation or Compensatory Overtime Leave from other employees. Donated time shall not be applied until after the employee has exhausted all accrued paid leave. An employee may receive such donated leave for a maximum of seven hundred twenty (720) hours following their last day of paid time off.

Any full-time employee is eligible to voluntarily donate a portion of their accrued Vacation or Compensatory Overtime Leave to an employee requesting such donation. Donations shall only be made in four (4) hour increments. All donations shall be credited to the Sick Leave accrual bank of the recipient employee on an hour-for-hour basis.

The city shall provide the forms and maintain the necessary records to implement this donation program. The city shall not be responsible for the solicitation of such donations.

10. *Status of Benefits While on Sick Leave*

See section 11.14 for an explanation of benefit status regarding Sick Leave.

11.5 OCCUPATIONAL INJURY OR ILLNESS LEAVE

1. *Policy*

In the case of a bona fide occupational injury or illness incurred in the performance of an employee's city job, which necessitates absence from assigned duties, the policy of the City is that the state workers' compensation program shall be the primary source of income maintenance subject to occupational injury pay provisions outlined in this section.

2. *Compensation*

The employee who is injured on the job or has a job-related illness shall be placed on Occupational Injury or Illness Leave and receive occupational injury leave pay by the City in accordance with the provisions of this section. A full-time employee injured on the job shall receive occupational injury pay pursuant to this section 11.5 which is the full-time employee's regular compensation less any amount paid to the employee by the state workers' compensation program from the date of the injury.

Employees must report earnings received from the Missouri Workers Compensation Division to the Finance Director who shall ensure all appropriate adjustments are made to the employee's compensation due from the City. In no case shall an employee receive a combination of workers compensation payments and occupational injury pay which exceeds the employee's regular compensation. In the event this occurs, the employee must repay to the City any excess occupational injury pay received from the City.

3. *Duration of Leave*

The maximum duration of Occupational Injury and Illness leave pay from the City shall be 90 calendar days per injury. During this 90 calendar day period utilization of paid Sick Leave and Vacation will not be required. However, concurrent use of available Medical Leave is required during Occupational Injury and Illness Leave.

Occupational injury pay shall be discontinued upon the earliest occurrence of any of the following events:

- a. the date such employee shall be determined to be permanently disabled pursuant to the State Workers' Compensation Law;
- b. the date such employee is determined and certified to be able to return to work by the City's appointed physician, provided, however, if the employee is only allowed to return to restricted duty work and then needs to return to Occupational Injury and Illness Leave due to unavailability of such work or expiration of the time allowed for such work under this manual, they may use any balance remaining of the 90 calendar day Occupational Injury and Illness Leave period;
- c. the elapse of 90 calendar days of utilized Occupational Injury and Illness Leave pay;
- d. the employee submits a fraudulent report;
- e. the employee fails to seek or take prescribed medication/treatments as directed by the attending physician;
- f. the employee fails to submit to examination by the City's appointed physician at the time and place prescribed by the City; or
- g. the employee refuses to sign a release of information authorizing the City to receive pertinent medical information from private care providers or hospitals.

4. *Options Upon Expiration of Occupational Injury Leave*

- a. Utilization of Sick Leave, Medical Leave and Vacation benefits: after the expiration of the Occupational Injury and Illness Leave pay, the employee should consult the provisions of the Sick Leave, Medical Leave and Vacation, Personal Leave and Compensatory Leave sections of this policy. Any available paid leave must be used. In no case shall an employee receive a combination of City-paid leave and state workers' compensation earnings which exceeds the employee's regular compensation. In the event this occurs, the employee must repay to the City any excess pay received from the City.
- b. Leave of absence: once other benefits are exhausted, until the employee is determined to be able to return to work or is determined to be permanently disabled by the state workers' compensation division the employee will be placed on leave of absence unless and until other circumstances cause the City to layoff or terminate the employee.
- c. Pay: once paid leave benefits are exhausted, the employee shall only receive state-mandated workers compensation earnings.

5. *Authorization to Return to Work*

Prior to returning to work after Occupational Injury or Illness Leave, the employee must receive a release from the City's appointed physician authorizing the employee to return to duty. The release must state physical limitations, if any, the employee may have and the expected duration of such limitations. A full release must be provided to the City in order to release the employee to unrestricted duty (see section 11.6 for return to work with restrictions).

11.6 RESTRICTED WORK

1. *Job-Related Injury or Illness*

Employees sustaining job-related injury, illness or medical condition should apply to return to work as soon as possible when medically permissible. The employee should notify their supervisor as soon as possible of an ability to return to work subject to restrictions, with available information about such restrictions. Approval of restricted work status requires a written request from the employee, a written statement from the employee's physician outlining the restrictions and that the employee can reasonably be expected to return to unrestricted work, a written recommendation from employee's direct supervisor outlining the proposed scope of work, the approval of an employee's Department Head, and the approval of the City Administrator. Work assignments are subject to the work restrictions determined by the City's physician. Employees returning to work with restrictions will be placed on limited-duty status subject to subsection 4. Limited duty work assignments may be within an employee's current job classification, or in a different classification.

2. *Non-Job-Related Injury or Illness*

Employees seeking to return to work after non-job-related injury, illness or medical condition may be allowed to return to work on restricted work status, subject to subsection 4. The employee shall notify their supervisor of their ability to return to work subject to restrictions, with available information about such restrictions. Approval of restricted work status requires a written request from the employee, a written statement from the employee's physician outlining work restrictions and that the employee can reasonably be expected to return to unrestricted work, a written recommendation from employee's direct supervisor outlining the proposed scope of work, the approval of an employee's Department Head, and the approval of the City Administrator. Restricted work assignments may be within an employee's current job classification, or in a different classification.

3. *Physical Activities*

Employees on a restricted work schedule may not engage in physical recreational activities, secondary employment, or other activities outside of work if such activities conflict with any restriction placed upon the employee by the physician.

4. *Duration of Restricted Work*

Restricted duty assignments are temporary and shall be limited to two hundred seventy (270) calendar days per injury, illness or medical condition and shall conclude as soon as medically permissible. Restricted duty assignments will be assigned based upon availability of work and the employee's skills, knowledge and ability. Such assignments are meant to cover a period of recovery. If an employee needs a more permanent arrangement due to long-term disability, they should advise their supervisor that reasonable accommodations should be considered in accordance with the ADA for either their prior job or another open position for which they seek assignment (see section 9.3).

11.7 FAMILY AND MEDICAL LEAVE

1. *Policy*

Family and Medical Leave (FMLA) is a federally-mandated benefit which grants eligible employees up to twelve (12) weeks of unpaid leave during a calendar year for:

- a. serious illness of the employee, their spouse, child or parent.
- b. the birth of a son or daughter of the employee;
- c. the placement of a son or daughter with the employee for adoption or foster care;
- d. incapacity due to pregnancy, prenatal medical, or childbirth.

2. *Eligibility*

FMLA is available to employees who have been employed by the City for a minimum of twelve (12) calendar months during the seven (7) years prior to the leave and who have worked a minimum of 1,250 hours during the twelve months immediately preceding the leave.

The available time allowed under FMLA is 12 weeks in a calendar year. The twelve (12) weeks of leave will be determined as a total number of hours using the employee's regular work week, which will be determined as an average over a 28-day period for police department commissioned employees.

In the case where both spouses are city employees, they are jointly entitled to a total of twelve (12) weeks of Family Leave. Each are also individually entitled to twelve (12) weeks of Medical Leave for their own medical conditions, less any Family Leave taken by them individually.

3. Notice of Intent to Utilize FMLA Required

- a. A thirty (30)-day written notice by the employee to the Department Head and the Office of the City Administrator of the intent to utilize FMLA is required if the need for leave is foreseeable. If the event is to begin in less than thirty (30) days from the date of notice, the employee must provide as much written notice as practicable to the Department Head and the Office of the City Administrator. The employee must also provide as prompt notice as possible of changes in dates of leave or anticipated duration.
- b. Approval of FMLA is determined once a completed Certification of Health Form (WH-380-E or F) has been received and reviewed by the Office of the City Administrator, in accordance with applicable law.

4. FMLA To Run Concurrent with Applicable Paid Leave

An employee shall be required to utilize available paid Sick Leave concurrently with FMLA, if the event qualifies for paid Sick Leave under Section 11.4. When available paid Sick Leave is exhausted, the employee must then use available Vacation Leave concurrent with FMLA. When available Vacation Leave is exhausted, the employee must use any available Personal Days and/or Compensatory Overtime Leave, in that order.

5. Medical Certificate Required

The City requires a certification of the medical condition of the employee, spouse, child or parent from the health care provider when FMLA applies. The employee must obtain the required form to be completed by the health care provider from the City Administrator's Office, in compliance with applicable law.

Prior to returning to work after a period of leave related to their own medical condition, such employee shall obtain a physician's release that indicates whether or not the employee is under any physical restriction, and the nature and anticipated duration of any such restriction.

6. *Second and Third Opinion of Condition*

If the City is not satisfied with the certification provided under subsection 6 above, a second opinion from a health care provider of the City's choice may be required regarding the employee, spouse, parent or child (as applicable) at the expense of the City. If the second opinion conflicts with the first one, the City may require a third opinion to be obtained from a provider jointly approved by the employee and the City at the expense of the City. The third opinion shall be binding on both the employee and the City.

7. *Status of Benefits While on FMLA*

See section 11.14 for an explanation of benefit status regarding FMLA.

8. *Return to Work*

Upon returning to work on or before the expiration of FMLA, the employee will be reinstated to his/her original job or to an equivalent position and at the same rate of pay, without loss of service credit.

9. *Maternity*

An employee shall be allowed reasonable unpaid break time to express breast milk for her nursing child after the child's birth each time such employee has need to do so, in a place other than a bathroom that is shielded from view and free from intrusion.

10. *Other Parental Leave*

Pursuant to Section 105.271 RSMo, a foster or adoptive parent employed by the City may use accrued sick leave or any leave granted without pay to biological parents to take time off for purposes of arranging for the foster or adopted child's placement or caring for the child after placement, and a stepparent as defined in 453.015 RSMo may use accrued sick leave or any leave granted without pay to biological parents to take time off to care for their stepchild.

11.8 BEREAVEMENT LEAVE

In the event of the death of an immediate family member, upon request a full-time employee shall be eligible for up to three (3) eight (8)-hour workdays of paid leave to plan and/or attend the funeral or

similar function for that family member. The purpose of this leave is for bereavement, and pre-planning of and attendance at memorial and burial functions. Immediate family, for the purpose of this section, is defined as any person who was the spouse, child, grandchild, sibling, parent, father-in-law, mother-in-law, sibling-in-law, grandparent, or grandparent-in-law of the employee, or the functional equivalent thereof, or any person whose place of residence was in the employee's home. Bereavement Leave and their sick leave are separate and distinct. An employee's use of bereavement leave will not reduce his sick leave balance.

11.9 JURY LEAVE

An employee will be granted leave with pay when required to be absent from work for jury duty or as a subpoenaed trial witness. Compensation for such leave shall be limited to the difference between pay received for jury or witness duty and the employee's regular pay. For purposes of gaining credit for Vacation and Sick Leave, jury duty and time spent under witness subpoena shall be considered time worked. The employee must provide documentation of the absence from the appropriate source.

11.10 MILITARY LEAVE

1. Temporary Annual Training Periods

Military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or any other right or benefits to which the employee would be entitled if the employee had not been activated, will be authorized for an employee who is a member or who may become a member of the National Guard, Air National Guard of Missouri, or any reserve component of the Armed Forces of the United States or other uniformed service as defined by federal law, for a period not to exceed one hundred twenty (120) hours in each federal fiscal year (October 1 September 30), when the employee is ordered to training with such component. Military leave shall begin with the employee's next regularly scheduled shift after the employee is called to training. An employee shall receive pay for any work shifts the employee would have been scheduled to work up to one hundred twenty (120) hours (RSMo 105.270; 38 USC 4301 et seq).

2. Emergency Active Duty

Military leave, without loss of time, pay, regular leave, impairment of efficiency rating, or any other right or benefits to which the employee would be entitled if the employee had not been activated, will be authorized for an employee who is a member or who may become a member of the National Guard, or Air National Guard of Missouri, or any reserve component of the Armed Forces of the United States or other uniformed service as defined by federal law, not to exceed one hundred twenty (120) hours in each federal fiscal year (October 1 September 30), when the employee is called to active duty in emergencies declared by the President for short periods of time and for all periods of military service during which the employee is engaged in the performance of duty or training in the service of the state of Missouri at the call of the governor and as ordered by the adjutant general without regard to length of time (RSMo 105.270). Military leave shall begin with the employee's next regularly scheduled shift after the employee is called to such emergency duty. An employee shall receive pay for any work shifts the employee would have been scheduled to work up to one hundred twenty (120) hours (RSMo 105.270, 38 USC 4301 et seq).

3. *Extended Active Duty Leave*

- a. Any employee who is or may become a member of the National Guard or Air National Guard of Missouri, or any reserve component of the Armed Forces of the United States or other uniformed service as defined by federal law and who is engaged in the performance of duty in the service of the United States under competent orders for an extended and indefinite period of time, shall be entitled to leave of absence from the employee's respective duties until such military service is completed without loss of position, seniority, accumulated leave, impairment of performance appraisal, pay status, work schedule including shift, working days and days off assigned at the time leave commences, and any other right or benefit to which the employee is entitled, and no retirement benefit shall be diminished or eliminated because of such service. (RSMo 41.942).
- b. Military leave without loss of pay will be authorized for an employee who is a member or who may become a member of the National Guard, or Air National Guard of Missouri, or any reserve component of the Armed Forces of the United States or other uniformed service as defined by federal law, not to exceed one hundred twenty (120) hours in each federal fiscal year (October 1 September 30), when the employee is called to active duty for an extended and indefinite period of time.
- c. A fulltime employee that has successfully completed the first probationary period and that is involuntarily called to active duty for other than training may qualify for military differential pay. Full-time employees qualifying for differential pay shall be compensated in an amount that represents the difference between the employee's gross regular semi-monthly pay with the city and the employee's total military pay plus allowances, not including per diem and other expenses related to travel, if such military pay and allowances is less than the employee's regular semi-monthly city pay. Such activated employees, including employees who would otherwise qualify for differential pay but do not qualify as a result of the employee's total military pay being greater than the employee's gross City pay, shall continue to receive all benefits to which the employee would be entitled had the employee not been activated not including life insurance that excludes coverage for military service or any other insurance with a military exclusion and subject to the lawful specific provisions of any insurance policy or pension or retirement plan. For police department commissioned employees, such semi-monthly pay shall be determined using a twenty-eight (28)-day month.
- d. An activated employee shall be entitled to receive military differential pay and benefits as described in subsection 3 subparagraph c of this policy for a period not to exceed one (1) cumulative year of extended active duty status per one (1) year of active employment with the city. Further, an employee must complete at least a one (1) cumulative year of active employment with the city in between each one (1) year period

of extended active duty status in which said payments and benefits are received. Said period of active employment with the city shall be calculated as the time between reinstatement to active employment status as provided in section 11.9(6) and the return to extended active duty status. If said period of active employment is less than one (1) year on an employee's return to extended active duty status, the employee will be eligible for said payments and benefits for a period equal to the number of full months worked as an active employee since reinstatement from the last period of extended active duty status.

- e. The following authorized military operations are covered by this policy:

Operation Iraqi Freedom
Operation Enduring Freedom
Operation Joint Forge
Operation Noble Eagle
Operations Desert Falcon and Desert Focus
Operation Intrinsic Action
Operation Joint Guardian
Camp X-Ray

The City Administrator may approve additional operations that are similar to these and that Congress has authorized.

- f. An employee who is a member of a reserve component shall be entitled to an authorized leave of absence to perform funeral honors duty under 38 USC 4316(e).
- g. Military leave shall begin with the employee's next regularly scheduled shift after the employee is called to active duty. An employee who qualifies for military differential pay as described in subsection three (3), subparagraph c shall be entitled to said pay and benefits from the date that his active military status becomes effective or following one hundred twenty (120) hours of regular city pay for military leave as described in subsections one (1), two (2), and three (3) b of this policy. An employee may not qualify to receive military differential pay as described in subsection three (3) subparagraph c until up to one hundred twenty (120) hours of regular city pay for military leave as described in subsections one (1), two (2), and three (3) b of this policy is exhausted. Military leave shall only be charged for hours that the employee would otherwise have been required to work had it not been for such military leave. The minimum charge shall be one hour and additional charges shall be in multiples of the minimum charge. (RSMo 105.270.4).
- h. City health insurance plans are subject to 38 USC 4317. While an employee is on paid military leave, including differential pay as provided above, or if the employee would otherwise qualify for differential pay but does not qualify because his military pay

exceeds his City pay, the City shall continue to pay health insurance premiums in the manner that it was making such payments for the employee prior to commencement of the leave.

- i. City and State retirement plans are subject to 38 USC 4318.

3.5 Limit on Total Paid Military Leave

Total paid military leave for temporary annual training periods, emergency active duty periods, and extended active duty periods as described in subsections one (1), two (2), and three (3) b of this policy shall not exceed a combined one hundred twenty (120) hours in a federal fiscal year (October 1 – September 30).

4. Notice of Leave Request and Orders

The employee or an appropriate military officer shall provide as much advance notice of a leave request as practicable under the circumstances and to the extent possible shall provide the approximate beginning and ending dates of the period of such military service. A copy of orders should be provided as soon as practicable, if not already submitted with a request for annual, emergency, or extended active duty military leave. To substantiate any payment of salary is made covering the period of leave, as soon as practicable the employee shall file with the City Administrator an official order from the appropriate military authority as evidence of such duty, which order shall contain the certification of the employee's commanding officer of performance of duty in accordance with the terms of such order (RSMo 105.270.2).

5. Other Leave During Military Leave

An employee on military leave may elect to utilize vacation or similar leave during temporary training periods or emergency active duty periods in excess of one hundred twenty (120) hours and extended active duty in excess of one (1) year. The employee may not be required to utilize vacation or similar leave for military service (38 USC Sec. 4316(d)).

6. Reinstatement

- a. An employee who serves active duty in any branch of the Armed Forces for the United States or other uniformed service as defined by federal law for a period not to exceed five (5) years (unless such period is extended by law), not including service periods for temporary annual training and temporary emergency active duty, or who is a member of state military force or national guard ordered or called to active duty by the governor of that state, or a member of any reserve component of the U.S. armed forces, having given advance notice of such service or being excused by law from providing such

notice, may request reinstatement to the employee's former position, or a comparable position with similar status, compensation and benefit entitlement, provided the employee has received an honorable discharge and is qualified to return to full-time duties. The time limits for returning to work are as follows (38 USC Sec. 4312(e), 40.490RSMo):

- Less than thirty-one (31) days service (or absence for purpose of an examination to determine fitness to perform service in the uniformed services regardless of duration): The employee must report for work by the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight hour rest period. If this is impossible or unreasonable, then as soon as possible.
- Thirty-one (31) to one hundred eighty (180) days service: The employee must apply for reemployment no later than fourteen (14) days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
- One hundred eighty -one (181) days of service or more: The employee must apply for reemployment no later than ninety (90) days after completion of military service.
- Service-connected injury or illness: Reporting or application deadlines are extended for up to two (2) years (or longer if required by law) for persons who are hospitalized or convalescing due to injury or illness incurred in or aggravated during the performance of service in the uniformed services.

The application for reinstatement shall be addressed to the City Administrator and shall include all documentation required by law. Reinstatement shall be evaluated in accordance with applicable law. A person who fails to report or apply for employment or reemployment within the appropriate period of time specified by law shall not automatically forfeit such person's entitlement to rights and benefits, but shall be subject to the conduct rules, established policy, and general practices of the City pertaining to explanations and discipline with respect to absence from scheduled work. (38 USC 4312(e)(3)).

- b. Any employee appointed to a vacancy created by the granting of military leave shall be designated as "military replacement" and the length of such appointment shall be limited to the length of military leave granted the incumbent.

7. *Military Caregiver Leave*

Military Caregiver Leave is unpaid leave available to employees who have been employed by the City for a minimum of twelve (12) calendar months during the seven years prior to the leave (or such other period as may be required by applicable law) and who have worked a

minimum of one thousand two hundred fifty (1,250) hours during the twelve (12) months immediately preceding the leave and who are immediate family members or next of kin (i.e., closest blood relative) of a covered service member with a serious illness or injury incurred in the line of duty on active duty (including aggravation of preexisting injury or illness). A covered service member is an active member of the National Guard or Air National Guard of Missouri, or any reserve component of the Armed Forces of the United State or other uniformed service as defined by federal law, or a member who is on the temporary disability retired list, or a military member discharged or released under conditions other than dishonorable at any time during the five (5)-year period before commencement of leave who needs care due to undergoing medical treatment, recuperation, or therapy for such a serious injury or illness. Eligible employees are allowed up to twenty-six (26) workweeks of unpaid leave in a single twelve (12)-month period from the first day of such leave to care for the covered service member and their injury or illness. Military caregiver leave is an extension of Family Medical Leave. Combined Family Medical Leave and Military Caregiver Leave shall not exceed 26 workweeks per applicable twelve (12)-month period for a single employee. The twenty-six (26) weeks of leave will be determined as a total number of hours using the employee's regular work week, which will be determined as an average over a twenty-eight (28)-day period for police department commissioned employees. Appropriate certification is required.

8. *Qualifying Exigency Leave*

Employees may receive up to twelve (12) weeks of unpaid Qualifying Exigency Leave for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active military duty, or has been notified of an impending call or order to active duty, in support of a contingency operation as a military member in the National Guard or Air National Guard of Missouri, or any reserve component of the Armed Forces of the United State or other uniformed service as defined by federal law.

Qualifying Exigency Leave is unpaid leave available to employees who have been employed by the City for a minimum of twelve (12) calendar months during the seven years prior to the leave and who have worked a minimum of one thousand two hundred fifty (1250) hours during the twelve (12) months immediately preceding the leave. The twelve (12) weeks of leave will be determined as a total number of hours using the employee's regular work week, which will be determined as an average over a twenty eight (28)-day period for police department commissioned employees. Qualifying Exigency Leave is subject to the procedural requirements of Family and Medical Leave and all such leave shall not exceed twelve (12) workweeks per calendar year for a single employee. Qualifying Exigencies include:

- Issues arising from a covered military member's short-notice deployment (i.e., less than seven (7) days of notice) for a period of seven (7) days from the date of notification;
- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American or call to active duty status of a covered military member;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Certain parental care for military member's parent who is incapable of self-care when care necessitated by the member's covered active duty, such as arranging for alternative care, providing immediate care, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility;
- Making or updating financial and legal arrangements to address a covered military member's absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, due to the duty or call to active duty status of the covered military member;
- Taking up to one hundred twenty (120) hours of leave to spend time with a covered military member on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the covered military member's active duty status and to address issues arising from the death of a covered military member while on active duty status; other activities arising out of the covered military member's active duty status or call to active duty as may be agreed by the City and the employee.

9. *United States Coast Guard Auxiliary Leave*

Pursuant to 41.1005 RSMo, any employee who is or may become a member of the United States Coast Guard Auxiliary shall be granted a leave of absence from their respective duties, without loss of time, regular leave, or of any other rights or benefits to which the employee would otherwise be entitled, for periods during which the employee is engaged in

the performance of United States Coast Guard or United States Coast Guard Auxiliary duties, including travel related to such duties, when authorized by the Director of Auxiliary (DIRAUX) or other appropriate United States Coast Guard authority. Leave for such service shall be for no more than fifteen working days in any calendar year, or without regard to the length of time when responding to a state or nationally declared emergency in the state of Missouri or upon any navigable waterway within or adjacent to the state of Missouri. The City shall not be obligated to pay a salary to the employee during this leave of absence. The City shall have the right to request that the employee be exempted from responding to a specific mission.

Notice – both the City and the employee must comply with legal requirements concerning notice of leave and related rights and responsibilities.

11.11 VOTING TIME

An employee eligible and registered to vote in any election held within this state or the State of Illinois or any primary election held in preparation for such election, on the day of such election, shall upon making a request prior to the day of the election, be entitled to leave from duty (if on duty) which would allow three hours of voting time between the time of opening and the time of closing of the polls.

This section shall not apply to a voter on the day of election if there are three (3) successive hours while the polls are open in which the employee is not on duty. Only the authorized Supervisor may specify the three hours between the time of opening and closing of the polls during which an employee may be granted voting leave.

Generally, unless the employee provides proof of actually voting, said leave shall not exceed one hour of paid on duty time for each election day for non-exempt employees. Exceptions may be arranged with the approval of the Department Head. The employee may be required to show a current eligible voter registration card to his Supervisor prior to release for voting purposes; and no employee shall be granted time off with pay for voting who is not eligible to participate in a given election.

11.12 LEAVE OF ABSENCE

An employee may be granted leave of absence without pay for a period not to exceed sixty (60) days in any one calendar year for reasons considered in the best interest of the City. The granting of a leave of absence under this section is to be used for circumstances that are not covered by the Family and Medical Leave policy (See Sections 11.4 and 11.7). A leave of more than sixty (60) days may be granted only under exceptional circumstances. Leave of absence requires advance approval of the City Administrator.

11.13 PROCEDURE FOR REQUESTING LEAVE OF ABSENCE

An employee requesting leave of absence for any reason must fill out a request form thirty (30) days in advance of the date, when practical. In order to receive consideration, the requested leave shall be approved by the employee's Department Head and shall require the approval of the City Administrator.

11.14 BENEFITS WHILE ON LEAVE

1. *Paid Leave*

An employee on paid leave shall continue to receive all employee benefits including Sick Leave, Vacation, and paid holidays. Benefits, including retirement plan contributions, health, dental, life or any other insurance, shall be continued during paid leave, however, exceptions may apply for holiday bonus pay (see Section 10.5).

An employee on paid leave, for periods exceeding thirty (30) days, shall receive no salary adjustments or pay raises while on such leave.

2. *Unpaid Leave Exceeding Fourteen (14) Consecutive Calendar Days*

Unless otherwise provided for in this policy, an employee on unpaid leave exceeding fourteen (14) consecutive calendar days shall not accrue Sick Leave, Vacation, Personal Leave, or paid for holidays. Employer contributions under City retirement plans will cease during unpaid leave, unless otherwise provided in the plan documents.

Unless otherwise provided for in this policy, an employee exceeding fourteen (14) consecutive calendar days of unpaid leave shall be required to pay the entire cost of continuing employee benefits, including, but not limited to, health, dental, life and other insurances and fringe benefits throughout the remaining duration of the unpaid leave. Employee payments for such insurances and benefits are due on the same day as equivalent paycheck deductions for other employees. An employee on unpaid leave has a thirty (30)-day grace period in which to make premium payments. If payment(s) are not received by the City Finance Department within the grace period, group health, dental, life and other insurances and fringe benefits may be cancelled, provided the City will notify the employee in writing at least fifteen (15) days before the date that coverage(s) will lapse. Any amounts that have not been paid for coverage prior to such lapse shall remain due and owing from the employee.

3. *Occupational Injury/Illness Leave*

- a. An employee who has suffered an occupational injury/illness shall continue to receive the employee benefits provided by the City to its employees while on paid leave. Should the employee exhaust paid leave or become placed on an unpaid leave of absence, the employee shall be responsible for the health, dental and life insurance premiums. The extension of the health and dental coverages is governed by the federal law, COBRA.

- b. An employee receiving occupational injury pay may not receive Sick Leave pay or Vacation Leave Pay or receive Pay in Lieu of Vacation while also receiving occupational injury pay.
- c. An employee on Occupational Injury or Illness Leave, for periods exceeding thirty (30) days, or on a leave of absence, shall receive no salary adjustments or pay raises while on such leave.

4. Family and Medical Leave (FMLA)

During FMLA, the employee shall remain eligible for employee group benefits. The employee is responsible for the payment of the employee's normal share of the City's group medical insurance coverages during such approved leave. The employee is responsible for the payment of any voluntary individual insurance premiums in order for these coverages to be continued during the leave. Benefits under the City LAGERS retirement plans are described in the plan documents and related statutes. The rules under subsections 1 and 2 of this section 11.14 apply.

11.15 UNPAID LEAVE FOR VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE

1. As used in this section 11.15, the following terms mean:

- (1) **"Abuse"**, the same meaning as in section 210.110 RSMo;
- (2) **"Domestic violence"**, the same meaning as in section 455.010 RSMo;
- (3) **"Employee benefit plan" or "plan"**, an employee welfare benefit plan or an employee pension benefit plan or a plan that is both an employee welfare benefit plan and an employee pension benefit plan;
- (4) **"Employment benefits"**, all benefits provided or made available to employees, including life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan";
- (5) **"Family or household member"**, for employees with a family or household member who is a victim of domestic or sexual violence, a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household;

(6) **“Parent”**, the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter who is a victim of domestic or sexual violence;

(7) **“Qualified individual”**, an applicant or employee who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires;

(8) **“Reasonable safety accommodation”**, an adjustment to a job structure, workplace facility, or work requirement, including a transfer, reassignment, modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure, or assistance in documenting domestic violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic violence. Any exigent circumstances or danger facing the employee or his or her family or household member shall be considered in determining whether the accommodation is reasonable;

(9) **“Reduced work schedule”**, a work schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee;

(10) **“Sexual violence”**, a sexual assault, as defined in section 455.010 RSMo, and trafficking for the purposes of sexual exploitation as described in section 566.209 RSMo;

(11) **“Son or daughter”**, a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under eighteen years of age, or is eighteen years of age or older and incapable of self-care because of a mental or physical disability and is a victim of domestic or sexual violence;

(12) **“Undue hardship”**, significant difficulty or expense, when considered in light of the nature and cost of the reasonable safety accommodation;

(13) **“Victim of domestic or sexual violence”**, an individual who has been subjected to domestic violence, sexual violence, or abuse;

- (14) **“Victim services organization”**, a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence or to advocates for such victims, including a rape crisis center, a child advocacy center, an organization carrying out a domestic violence program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process;
2. An employee who is a victim of domestic or sexual violence or who has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence may take unpaid leave from work pursuant to this section 11.15 to address such violence by:
- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- (2) Obtaining services from a victim services organization for the employee or the employee's family or household member;
- (3) Obtaining psychological or other counseling for the employee or the employee's family or household member;
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or to ensure economic security; or
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.
3. Subject to 11.15.6, an employee shall be entitled to a total of two workweeks of unpaid leave under 11.15.2 during any twelve-month period. For purposes of this subsection “workweek” shall mean an individual employee's standard workweek. The total number of workweeks to which an employee is entitled shall not decrease during the relevant twelve-month period. An employee shall not be entitled to take unpaid leave that exceeds the amount of unpaid leave time allowed under the federal Family and Medical Leave Act of

1993 (29 U.S.C. 2601 et seq.). If leave under this section 11.15 also qualifies for FMLA leave, both forms of leave shall be used concurrently.

4. Leave described in 11.15.2-11.15.3 may be taken intermittently or on a reduced work schedule.
5. The employee shall provide at least forty-eight hours' advance notice of the employee's intention to take leave under 11.15.2 to the Office of the City Administrator, unless providing such notice is not practicable. When an unscheduled absence occurs, the City will not take any action against the employee if the employee, upon request of the City Administrator and within a reasonable period after the absence, provides certification under 11.15.6.
6. The City Administrator may require the employee to provide certification that the employee or the employee's family or household member is a victim of domestic or sexual violence and that the leave is for one of the purposes enumerated in 11.15.2. The employee shall provide such certification to the office of the City Administrator within a reasonable period after the City requests certification.
7. An employee may satisfy the certification requirement of 11.15.6 by providing a sworn statement of the employee and the following:
 - (1) Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic violence or sexual violence and the effects of such violence;
 - (2) A police or court record; or
 - (3) Other corroborating evidence.
8. All information provided to the City pursuant to 11.15.7 including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this section 11.15, shall be retained in the strictest confidence by the City, except to the extent that disclosure is

requested or consented to in writing by the employee or otherwise required by applicable federal or state law.

- 9.** Any employee who takes leave under this section 11.15 shall be entitled, on return from such leave, to be restored to the position of employment held by the employee when the leave commenced or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
- 10.** The taking of leave under this section 11.15 shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. Nothing in this section 11.15 shall be construed to entitle any restored employee to the accrual of any seniority or employment benefits during any period of leave or any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave. Nothing in this section 11.15 shall be construed to prohibit the City from requiring an employee on leave under this section 11.5 to report periodically to the office of the City Administrator on the status and intention of the employee to return to work.
- 11.** Upon the request of the City Administrator, an employee requesting a reasonable safety accommodation pursuant to this section 11.15, shall provide a written statement signed by the employee or an individual acting on the employee's behalf, certifying that the reasonable safety accommodation is for a purpose authorized under this section 11.15.
- 12.** During any period that an employee takes leave under this section 11.15, the City shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.
- 13.** The City may recover from the employee the premium that the City paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this section 11.15 if the employee fails to return from leave after the period of leave to which the employee is entitled has expired for a reason other than the continuation, recurrence, or onset of domestic violence, sexual

violence, abuse, a sexual assault, or human trafficking that entitled the employee to leave under this section 11.15, or other circumstances beyond the control of the employee.

14. The City may require an employee who claims that the employee is unable to return to work because of a reason described in 11.15.13 to provide, within a reasonable period after making the claim, certification to the employer that the employee is unable to return to work because of that reason by providing the employer with:

- (1) A sworn statement of the employee;
- (2) Documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic or sexual violence and the effects of such violence;
- (3) A police or court record; or
- (4) Other corroborating evidence.

15. All information provided to the City pursuant to 11.15.14 including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee is not returning to work because of a reason described in 11.15.13 shall be retained in the strictest confidence by the City, except to the extent that disclosure is requested or consented to in writing by the employee, or otherwise required by applicable federal or state law.

16. The City shall make reasonable safety accommodations, in a timely manner, to the known limitations resulting from circumstances relating to being a victim of domestic or sexual violence or a family or household member being a victim of domestic or sexual violence of an otherwise qualified individual:

- (1) Who is:
 - (a) An employee of the employer;
- and
- (2) Who is:

(a) A victim of domestic or sexual violence; or

(b) With a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the individual in this subdivision as it relates to the domestic violence, sexual violence, or abuse;

17. 11.15.16 shall not apply if the accommodation would impose an undue hardship on the operation of the City.

18. Nothing in this section 11.15 shall be construed to supersede any provision of any federal, state, or local law, collective bargaining agreement, or employment benefits program or plan that provides:

(1) Greater leave benefits for victims of domestic or sexual violence than the rights established hereunder; or

(2) Leave benefits for a larger group of victims of domestic or sexual violence, as defined in such law, agreement, program, or plan, than the victims of domestic or sexual violence covered under this section 11.15.

State law reference: Sections 285.625 et seq RSMO

SECTION 12 COUNSELING AND DISCIPLINE

12.1 COMMUNICATION OF RULES

Every effort will be made by all Supervisors to counsel employees on the purpose and intent of various rules and regulations in order to encourage genuine cooperation and corrective action.

12.2 PROGRESSIVE COUNSELING AND DISCIPLINARY STEPS

The following steps shall be followed with regard to disciplinary actions:

- a. Minor violations of city rules and regulations, and departmental rules and regulations established by the Department Head as provided for herein, shall be explained to the employee by his Supervisor in a counseling session, indicating the corrective steps to be taken to prevent recurring violations.
- b. Step "a" may be repeated by the Supervisor for a second violation, representing a warning that any further reoccurrence of the rule infraction will result in more severe discipline, up to and including termination. At the time this oral reprimand is given, it will be clearly explained to the employee that a written record of the oral reprimand shall be kept by the Supervisor.
- c. A written reprimand shall be issued by a Supervisor upon the occurrence of a violation of these or departmental personnel rules and regulations warranting such action. The report by the Supervisor shall indicate, but shall not be limited to: the date, time of the infraction of the rule involved, prior record of similar violations and efforts made by the Supervisor to correct the problem indicated. Written reprimands shall become part of the employee's departmental personnel file after the employee is notified and the infraction is reviewed with, and signed by, the employee or a witness upon the employee's refusal to sign.
- d. A suspension is a temporary separation from the city service for disciplinary purposes. An employee may be suspended by his Department Head without pay for a length of time determined appropriate, but not to exceed thirty working days. The Department Head shall provide a written copy of the notice of suspension to the affected employee at the time of the suspension. The City Administrator shall be furnished with a written statement setting forth the cause of such suspension. Suspensions may be effectuated immediately but they may be scheduled and administered at the convenience of the City.
- e. A demotion is a reduction in rank or classification. An employee may be demoted by his department head for disciplinary purposes. Such demotion shall cause the employee's salary to be reduced in accordance with section 5.4 (2). A demotion may only be effected when

there is a lower classification available and a position authorized in the same department for which the employee is qualified.

- f. A Department Head may terminate an employee in his department. The Department Head must give the employee a written notice of termination at the time of dismissal including the reasons therefore and his right of appeal and must furnish a copy of the notice to the City Administrator. A terminated employee will be given the opportunity to respond to the notice of termination.

The first offense of any rule violations may necessitate the by-pass of one or more steps outlined in the disciplinary procedure described above. Any written reprimand issued to an employee under Step "c", without the implementation of the two preceding steps, will require documentation to support the seriousness of the offense and the propriety of the action taken by the Supervisor. All such written reprimands will require the approval of the Department Head prior to issuance to the employee by the Supervisor.

12.3 INVESTIGATION AND REPORT

Reported violations of a city or departmental rule or regulation will be investigated by the Department Head. The investigation will be made with the purpose of ascertaining the facts of the alleged offense. Leave with pay may be required by the Department Head for investigatory periods, but such paid leave shall not exceed five days without City Administrator approval. The Department Head shall keep the City Administrator informed of all such investigations and decisions. The City Administrator may require additional disciplinary action. Investigations of matters concerning sworn employees shall be conducted pursuant to the Police Department SOP and Section 502.590 RSMo.

12.4 GROUNDS FOR DISCIPLINARY ACTION

Any action which is a direct hindrance to the effective performance of the municipal government shall be grounds for disciplinary action against any employee of the City. Whenever and wherever people work together, people must conform to standards of reasonable conduct to maintain an orderly, efficient atmosphere. Accordingly, a city employee may be disciplined up to and including dismissal in order to protect the rights of others and to encourage correct conduct and cooperation. The foregoing does not restrict employees from exercising their legal rights and employees shall not be disciplined, demoted, dismissed, transferred, or placed on status resulting in economic loss as a result of the assertion of their constitutional rights in any judicial proceeding, unless the employee admits to wrongdoing.

SECTION 13 PERSONNEL DISCIPLINARY RECONSIDERATION AND APPEALS

13.1 RECONSIDERATION OF DISCIPLINARY ACTION BY THE CITY ADMINISTRATOR

- a. Any sworn employee and any full time regular (i.e., not temporary or seasonal) employee may ask the City Administrator for a reconsideration of any disciplinary action taken by a Department Head involving demotion, dismissal, transfer, placement on a status, or other action involving economic loss:

The employee's request shall be in writing and presented within seven (7) calendar days of the disciplinary action. The request shall fully set out the employee's basis for seeking reconsideration and all facts pertinent to the matter including any previous written communication on the issue.

- b. After receipt of the request and after notice to the Department Head and affected employee, the City Administrator shall meet with the employee and the employee may present witnesses or documents to support their position; technical rules of evidence shall not apply. The Department Head shall also be given the opportunity to present witnesses and documents at the meeting supporting the disciplinary action taken. The employee may be represented by a representative of his choosing at the meeting. The City Attorney may represent the Department at the meeting. The City Administrator shall determine the parameters of the meeting, in their discretion.
- c. The City Administrator shall render a written decision to the employee, within seven (7) calendar days of the conclusion of the meeting.

13.2 SUBMISSION OF EMPLOYEE APPEAL TO THE PERSONNEL APPEALS BOARD

a. Form of Request for An Appeal

If the employee is dissatisfied with the City Administrator's decision made pursuant to Section 13.1 or a Department Head or other employee is dissatisfied with the City Administrator's direct disciplinary action against them (unless otherwise provided by law, i.e., Section 106.273 RSMo subject to constitutional limitations such as Mo Const Art 6, Sec 22) the employee may submit a request in writing for an appeal to the Personnel Appeals Board ("the Board"). Such request must be addressed to the "Personnel Appeals Board Chairperson" and delivered to the City Clerk at the Creve Coeur Government Center not later than seven (7) calendar days after the City Administrator issues and the employee

receives a written decision pursuant to Section 13.1 or notice of direct disciplinary action from the City Administrator.

b. Receipt of Request for An Appeal from Employee ("Appellant")

Upon receipt of a written request for an appeal, the City Clerk shall forward a copy of the request to the Chairperson of the Personnel Appeals Board. After receipt from the City Clerk, the Chairperson of the Board shall send an acknowledgment of the receipt of the request to the Appellant, and to the Appellant's attorney of record, if any. A copy of such acknowledgment shall be forwarded by the Chairperson to the City Administrator and, if applicable, the Department Head.

The Chairperson shall, at the same time as the acknowledgment is sent to the Appellant as required above, forward a copy of the request for appeal to the members of the Personnel Appeals Board and advise them of the receipt of the request and the need to establish dates for a procedural meeting and for a hearing on the appeal.

c. Assignment of Legal Counsel

The Chairperson may at any time request the City Council to hire legal counsel for the Board. The purpose of legal counsel is to assist the Board with the conduct of hearings and the drafting of decisions, including any findings of fact and conclusions of law, to the extent required by Chapter 536 RSMo.

13.3 PROCEDURAL REVIEW MEETING

- a. The Chairperson may call a Procedural Review Meeting of the Board. The purpose of the Procedural Review Meeting is to review Board procedures for the conduct of the hearing and the preparation of the decision. The Board may consult with legal counsel, if appointed. A Procedural Meeting is an open meeting under the Open Meetings and Records Policy of the City of Creve Coeur in accordance with the laws of the State of Missouri.
- b. During a Procedural Review Meeting, reference should not be made by any Board member or other party to the underlying facts of a specific appeal before the Board. Further, no discussion should be held by any members of the Board concerning the particular facts of the case relating to an appeal. No access to personnel files shall be granted to the members of the Board during a procedural review meeting. All evidence is to be presented later at the hearing.

13.4 HEARING

On an employee disciplinary appeal properly filed with the Board, the Personnel Appeals Board shall conduct a reconsideration and rehearing in accordance with the provisions of Section 590.502 RSMo,

when applicable, and Chapter 536 RSMo and the City of Creve Coeur Personnel Policy and Procedures Manual, and shall render a written decision, including a findings of fact and conclusions of law to the extent required by law.

a. Notification of Hearing Date

The Chairperson of the Board shall notify the Appellant, or the Appellant's attorney of record, in writing, by certified mail, of the date, time and place of the hearing. The City Administrator and Department Head shall also receive notice of the hearing. In accordance with Chapter 536 RSMo, a minimum of a ten (10)-day notice shall be given prior to the hearing. The hearing notice shall comply in all respects with the requirements of Chapter 536 RSMo. Notice of the hearing shall also be posted on the main bulletin board at the Creve Coeur Government Center.

The employee shall have had the opportunity to access and review documents in the City's possession that are a basis for the disciplinary action, at least seven (7) days in advance of the hearing.

b. Board Hearing Procedure

1. Consistent with Section 590.502 when applicable and Chapter 536 RSMo, the hearing shall be conducted in the manner most conducive to determination of the truth and the Board shall not be bound by technical rules of evidence. However, fundamental rules of evidence are to be followed -- hearsay testimony or similar evidence, such as unsigned or unverified documents, do not qualify as competent and substantial evidence. The Board's decision is to be supported by substantial evidence on the whole record. Decisions made by the Board shall not be invalidated by any informality in the proceedings. The Chairperson shall preside over the hearing, subject to direction by a majority of those members that are present. However, with approval of the Board, the Chairperson may assign legal counsel to preside over the hearing as a hearing officer subject to direction by a majority of those members that are present.
2. Hearings before the Personnel Appeals Board shall be closed meetings under the Open Meetings and Records Policy of the City of Creve Coeur as provided for by the laws of the State of Missouri. Notice of the hearing must be posted in conformance with the above stated policy. The Board shall take a vote closing the meeting for the hearing at the start. The transcript shall reflect this action and serve as the minutes.
3. The Board shall determine the relevancy, weight and credibility of testimony and evidence. The Board shall base its findings on the preponderance of evidence.

4. Each party shall be permitted to make an opening statement and closing argument. The City shall first present its witnesses and evidence (exhibits) in support of the charges and the appellant will then present his witnesses and evidence (exhibits) in defense. The City may respond with further evidence and the appellant may likewise reply. The Board may ask questions relevant to the matter while each witness testifies.
5. Each party will be allowed to call and examine and cross-examine witnesses. A witness waiting to testify is to remain outside of the hearing room until called by the Board to testify.
6. Both the City and the appellant may be represented by legal counsel or other representative of their choice.
7. The Board may request witnesses and/or production of other records or material evidence not previously introduced.
8. A court stenographer shall be present to transcribe a complete record of the hearing and to give an oath to witnesses giving testimony. Such record shall be provided to the employee or their attorney on written request. The entire record of the hearing shall remain confidential and shall not be subject to disclosure under chapter 610 RSMo, except by lawful subpoena, court order or other legally sufficient authorization.
9. The Board reserves the right to recess the hearing and reconvene at a later time and/or date. If this is done, the Board shall announce, during the hearing, that the hearing is recessed to a specific time and date. An additional posting of the reconvened hearing shall be made.
10. The Board shall meet in closed session (without any other person present other than legal counsel to the Board) to deliberate and to come to a decision concerning the matter. A majority of the Board members attending the entire hearing and/or reviewing the transcript and evidence must agree on the decision in the matter.
11. Decisions of the Board shall be in writing and shall be issued within forty-five (45) days after conclusion of the hearing. The decision shall include findings of fact and conclusions of law to the extent required by law and shall include a concise statement upon each issue in the case. The decision shall set forth the charges, if any, the Board finds to be sustained and the reasons therefore. A copy of the written decision and findings and conclusions shall be forward to the Appellant or the Appellant's attorney of record and to the City Administrator, with notice of right to appeal if any. The decision of the Personnel Appeals Board shall be final and binding on the City.

c. Procedures to be followed in accordance with Chapter 536 RSMo

1. All witnesses giving oral testimony shall be sworn.
2. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not the subject of the direct examination, to impeach or discredit any witness regardless of which party first called him to testify, and to rebut the evidence against him.
3. A party who does not testify in his own behalf may be called and examined as if under cross-examination, unless otherwise prohibited by law (i.e., Section 590.502 RSMo).
4. The Board shall cause hearings before it to be suitably recorded and preserved by a certified court stenographer attending the hearing. The attendance will be paid for by the City. The transcript will be transcribed on request of the City, the Appellant, or the Board. The City will pay transcription costs. Minutes of the hearing will be kept for the Board's file.
5. Records and documents of the City may be offered in evidence by reference.
6. The Board shall take notice of all matters of which the courts take judicial notice (of undisputed facts of common knowledge which are universally accepted to be true) and, if these matters are relied upon in the Board's decision, the Board is to notify the appellant and allow the opportunity to contest such matters.
7. Evidence to which an objection is sustained by the Chairperson shall, at the request of the party seeking to introduce the same, or at the instance of the Board, nevertheless be heard and preserved in the record together with the cross-examination and the rebuttal.
8. Any evidence received without objection which has probative value (i.e., proving or tending to prove the point) shall be considered by the Board along with the other evidence in the case.
9. Copies of writings, documents and records shall be admissible without proof that the original thereof cannot be produced, if it shall appear by testimony or otherwise that the copy offered is a true copy of the original. If an objection to the evidence is sustained by the Chairperson, the party shall be given an opportunity by the Board to present the original evidence.
10. Any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of an act, transaction, occurrence or event, shall be admissible as evidence of the act, transaction, occurrence or event, if it shall appear that it was

made in the regular course of business, and that it was the regular course of business to make such memorandum or record at the time of such act, transaction, occurrence or event or within a reasonable time thereafter.

11. Statistical examinations, audits, studies, surveys, interviews with many people, including long complicated accounts, or a large number of figures, etc., may be admitted upon the testimony of a witness present at the hearing who testifies to the accuracy of the information.
12. Any party desiring to introduce an affidavit in evidence at a hearing may serve notice on all other parties including copies of the affidavit. An objection may be filed by the other party. If notice was received less than eight days prior to the hearing, the objection may be filed at the hearing.

13.5 BOARD ACTIONS DURING PENDING INVESTIGATIONS

Pursuant to Section 590.502 RSMo, the Board shall consider petitions for extension of time to complete an investigation regarding a sworn employee, or the tolling of such an investigation pending a criminal investigation regarding the same alleged conduct. Notice and hearing shall be provided in accordance with Section 590.502. The Board shall also consider requests for protective order pursuant to Section 590.502.

SECTION 14 EMPLOYEE GRIEVANCE PROCEDURE

14.1 POLICY

It shall be the policy of the City to ensure fair and just treatment of employee concerns; to foster good communications between personnel to ensure employee problems are recognized and reviewed in a timely manner; and to provide a procedure to handle concerns expressed by the employee. Employees shall receive the opportunity to discuss a complaint in order to find a mutually satisfactory solution as rapidly as possible. Any employee may utilize the grievance procedure. An employee utilizing the procedure in the presentation of grievances at any supervisory level is assured of freedom from undue restraint, unreasonable interference, or unlawful discrimination or reprisal. Employees shall not be afforded nor have legal counsel present at any level of the grievance procedure; however, a co-worker may be present as a witness.

14.2 DEFINITION

A “***grievance***” is a complaint by an employee concerning the interpretation or the application of city personnel policies, departmental rules and regulations, his working conditions, and his relationship with co-workers(s) or Supervisor(s).

14.3 EXCLUSIONS

An employee may not submit a grievance challenging the City's right to direct employees, or determine the methods, means and resources to conduct city operations. An employee seeking to appeal a disciplinary action shall follow the procedure outlined in Section 13 of this manual.

14.4 PROCEDURE TO RESOLVE COMPLAINTS

- a. An employee who has a grievance shall present the grievance in writing by submitting form CA-2009-1 in a timely manner to the employee's immediate Supervisor. The immediate Supervisor shall attempt to resolve the matter promptly and fairly. Nothing in this policy shall prevent an employee from first attempting to resolve a complaint by informally meeting with his or her immediate supervisor without presenting written grievance (form CA-2009-1).
- b. If the immediate supervisor or a supervisor in the employee's chain of command receives a written grievance and is unable or fails to settle the issue, the supervisor shall forward form CA-2009-1 within seven (7) calendar days to the next supervisory level, which may be the Department Head. The employee may, in rare circumstances when the situation warrants, by-pass the immediate Supervisor and present his concern directly to the Department Head. By-passing the immediate Supervisor is not encouraged as the policy of the City. If the

employee is not satisfied with the decision at this level, he may appeal to the Department Head within seven (7) calendar days of the decision.

- c. The Department Head shall review the written report and shall confer with the employee and the Supervisor(s) involved before rendering a decision. Such decision shall be in writing and shall be delivered to the employee within fourteen (14) calendar days, exclusive of scheduled leaves or illness, of the date on which the written appeal was received by the Department Head. The Department Head shall audio record the conference. The Department Head's audio recording shall be the official recording of the conference.
- d. If appeal to the Department Head fails to settle the grievance, the employee may, within seven (7) calendar days of receipt of the Department Head's decision on the appeal, submit an appeal in writing to the City Administrator. Upon receipt of such appeal, the City Administrator shall review all facts pertinent and within fourteen (14) calendar days schedule and conduct a conference on matters pertinent to the grievance. The decision of the City Administrator shall be in writing and shall be delivered to the employee within seven (7) calendar days after the conference. The decision of the City Administrator shall be final with regard to grievance appeals.
- e. All grievances (form CA-2009-1) shall be forwarded through the chain of command to the Office of the City Administrator where a grievance file shall be maintained and reviewed annually.

SECTION 15 FRINGE BENEFITS

15.1 GENERAL DESCRIPTION

The following benefits are currently made available to regular, full-time employees of the City. The City reserves the right to alter, adjust or modify the benefits offered to its employees including the levels and availability of coverage based on budgetary considerations and costs of the benefit to the City:

- a. group medical and dental insurance;
- b. life insurance, accidental death and dismemberment insurance and disability insurance;
- c. LAGERS defined benefit retirement plans and deferred compensation plans;
- d. participation in employee development or training programs including tuition reimbursement;
- e. paid holidays;
- f. annual vacation;
- g. sick leave;
- h. other benefits as approved by the City Council.

15.2 RETIREMENT PLANS AND DEFERRED COMPENSATION

The City sponsors several different retirement and deferred compensation plans. Additional information is available from the Office of the City Administrator.

15.3 INSURANCE COVERAGE UPON RETIREMENT

Whenever an employee meets the retirement conditions under the applicable City retirement plan(s)¹, the employee may elect to retire and receive applicable benefits.

¹ Under the 2006 Defined Contribution Plan: Normal Retirement Age was age fifty-five (55); effective August 1, 2017, that plan was replaced by LAGERS statutory plan, Normal Retirement Age is with minimum service retirement age sixty (60) years, except fifty-five (55) years for police officers. Under the LAGERS plan, E-early Retirement Age means retirement after five years of credited service and within five (5) years of minimum service retirement age, see 700.670 RSMo.

Under the City's Defined Benefit Plan (for employees hired before June 2006): Early Retirement Age means the date on which the Participant first attains age fifty (50) and has completed at least twenty (20) years of Credited Service. Early Retirement Date means the date the Participant elects to receive his Retirement Benefits under the Plan where such date is the first day of

In addition, the City makes available insurance to a retired employee and qualified dependent(s), subject to the terms of the applicable coverage and subject to timely payment of applicable premiums to City or directly to provider through COBRA as follows:

a. For the Regular, Full-Time Employee Who Works Until Normal Retirement Age under LAGERS or Unreduced Early Retirement Date (as defined in the City's Defined Benefit Plan for employees hired before June 2006), or who works until the minimum service retirement age under LAGERS (based on the plan in which the employee is a participant):

1. Employee Hired Before July 1, 2001:²

The City will pay the same percentage of the employee and dependent³ health insurance premium as it is paying for an active employee until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage, which is a qualifying event under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). At the time the retired employee becomes ineligible for group coverage, the retired employee and employee's dependents, who had City group coverage on the day before the qualifying event, shall be eligible to continue City group coverage under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

~~any month coinciding with or following the Participant's attainment of his Early Retirement Age but is prior to the Participant's attainment of his Normal Retirement Age.~~

~~**Normal Retirement Age** means (a) for a Participant who is a uniformed police officer, the date the Participant attains age fifty-five (55), and (b) for any other Participant, the date the Participant attains age sixty-five (65). **Normal Retirement Date** means the first day of the month coinciding with or next following the date the Participant attains his Normal Retirement Age. A Participant shall be one hundred percent (100%) vested in his Accrued Benefit upon the attainment of Normal Retirement Age.~~

~~**Unreduced Early Retirement Age** means the date that the sum of the Participant's age and years of Credited Service equals eighty-five (85). In determining the sum of a Participant's age and Credited Service, completed years and completed months of both age and Credited Service shall be used. **Unreduced Early Retirement Date** means the date the Participant elects to receive his Retirement Benefits under the Plan where such date is the first day of any month coinciding with or following the Participant's attainment of his Unreduced Early Retirement Age but is prior to the Participant's attainment of his Normal Retirement Age.~~

²For purposes of this section 15.3, date of hire refers to most recent date of hire for those who have had a separation of service.

³A spousal health insurance surcharge may apply (reference section 15.12).

2. *Employee Hired On or After July 1, 2001:*

The retired employee may ~~continue purchase~~ individual or family health coverage through the City's group policy, provided: (1) the City's health insurance carrier makes such coverage available; ~~and~~ (2) the retired employee completed a minimum of five (5) consecutive years of regular full-time service with the City prior to retirement; and (3) retired employee timely pays the total actual monthly cost of the coverage to the City.

The coverage may continue until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage.

Alternatively, the retired employee may continue individual or family health insurance under the provisions of ~~the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).~~

Regardless of the option chosen, when the retiree becomes eligible for Medicare, coverage for the retiree and then-covered dependents will end and this is a qualifying event for the retiree's dependents as defined under ~~the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).~~ At the time the retired employee becomes ineligible for group coverage, the retiree and dependents, who had City group coverage on the day before the qualifying event, shall be eligible to continue City group coverage under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

b. For a Regular, Full-Time Employee, Who Shall Work Until Early Retirement Age (as defined ~~under in the City's Defined Benefit Plan for employees hired before June 2006, or the LAGERS plan (based on the plan in which the employee is a participant):~~

1. *Employee Hired before July 1, 2001:*

~~Such termination of work is a qualifying event under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). The early retired employee and/or eligible dependents, who had City group coverage on the day before the qualifying event, may continue as group participants under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.~~

~~The~~Alternatively, an early-retired employee, who had City group coverage on the day before early retirement, may purchase-continue individual or family health insurance through the City's group policy, provided: (1) the City's health insurance carrier makes such coverage available; and (2) the early-retired employee timely pays the total actual monthly cost of the coverage to the City, until the early-retired employee has reached normal or minimum retirement age (see above) or becomes ineligible for this insurance due to eligibility for Medicare coverage.

Once the early-retired employee reaches such normal retirement date, the City will pay the premium for individual or family insurance for the early-retired employee at the same percentage for an active employee until the early-retired employee becomes ineligible for group coverage due to eligibility for Medicare coverage.

Alternatively, the early-retired employee may continue individual or family health insurance under the provisions of COBRA.

Regardless of the option chosen, when the retiree becomes eligible for Medicare, coverage for the retiree and then-covered dependents will end and this is a qualifying event for the retired employee and dependents and they shall be eligible to continue City group coverage under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

Such termination of work is a qualifying event under the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). The early-retired employee and/or eligible dependents, who had City group coverage on the day before the qualifying event, may continue as group participants under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

2. *Employee Hired On or After July 1, 2001:*

~~Such termination of work is a qualifying event under the federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA). The early-retired employee and dependents, who had City group coverage on the day before early retirement, the qualifying event, may continue as group participants under the provisions of COBRA. An early-retired employee may purchase h individual or family health insurance through the City's group policy provided: (1) the City's health insurance carrier makes such coverage available; and (2) the early-retired employee has completed a minimum of five (5) consecutive years of regular full-time service with the City prior to early retirement; and (3) the early-retired employee timely pays the total actual monthly cost of the coverage to the City.~~

Alternatively, the early retired employee may continue individual or family health insurance under the provisions of COBRA.

Regardless of the option chosen, when the retiree becomes eligible for Medicare, coverage for the retiree and covered dependents will end and this is a qualifying event for the retiree and dependents as defined under COBRA and they shall be eligible to continue City group coverage under the provisions of COBRA. Once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

~~The coverage may continue until the retired employee becomes ineligible for this insurance, due to eligibility for Medicare coverage.~~

c. Dental and Vision

Effective July 1, 2023, retirees who worked to early or full normal retirement as defined by ~~the applicable retirement plan~~ LAGERS may continue as group participants through the City's group policies provided: (1) the City's dental and vision insurance carriers make such coverage available; (2) the retired employee has -completed a minimum of five (5) consecutive years of regular full-time service with the City prior to retirement; and (3) the retired employee timely pays the total actual monthly cost of dental and/or vision ~~and dependents may enroll in the City's group dental and/or vision coverage at their expense, which enrollment must occur within 30 days of their retirement date.~~ A retired employee who drops his/her individual (~~and/or~~ family) group dental and/or vision insurance at any time after retirement is not eligible to re-enroll and the decision is irrevocable.

d. One-Time Health Insurance Re-Enrollment Option

At the time a retired employee subject to Sections A or B above becomes ineligible for group coverage, his/her dependents who had City group coverage on the day before the qualifying event shall be eligible to continue City group coverage under the provisions of COBRA. A retired employee who drops his/her individual insurance through group coverage with the City while otherwise eligible shall also drop all family insurance, but may re-enroll for such individual ~~coverage (and family coverage)~~ provided the following conditions are met: (1) the retired employee dropped individual or family insurance through group coverage with the City because of enrollment for other group coverage, (2) the retired employee ceases to be covered under the other group coverage, and (3) the retired employee re-enrolls for individual or family insurance group coverage with the City during the normal open enrollment period for group health insurance held annually in June and before becoming eligible for Medicare. This opportunity to re-enroll is limited to one time per lifetime. Upon successful re-enrollment, the retired employee will be subject to the provisions of Sections (a) and (b) above, as applicable. A retired employee who continues individual coverage may make changes in family coverage in the same manner as employees.

Alternately if a retiree elects COBRA coverage, once the maximum period of coverage provided under COBRA expires, participation in the City's group health insurance will end and they may not re-enroll at a later date.

e. Medicare

When a retired employee subject to Sections (a) or (b) above becomes eligible for Medicare coverage, group coverage will terminate. The retired employee's and dependents who had coverage on the day before such termination shall be eligible to continue group insurance coverage with the City's insurer at the total dependent's expense under the provisions of COBRA. ~~Once Thereafter, once eligible dependents cease~~ continuous participation in the City's group insurance plan will end and; they may not re-enroll at a later date.

15.4 PROFESSIONAL DUES

Employees may, with the approval of the City Administrator, have professional municipal organization dues paid by the City provided that the membership benefits the City by assisting the employee with his assigned duties and responsibilities. Membership payments shall be subject to the availability of funds as provided in the annual budget.

15.5 TRAINING AND CONFERENCE ATTENDANCE

Training and Conference attendance expenses incurred for an employee's professional development and to assist in the development of his skills, knowledge, abilities and to assist him in staying abreast of his field and to perform more effectively the duties of his position in the city service, which shall be deemed beneficial to the City of Creve Coeur, shall be paid by the City, subject to the approval of the Department Head and the City Administrator and the limits of authorized appropriations.

15.6 TUITION REIMBURSEMENT PROGRAM

In order to be eligible for this program, an employee must have completed his first probationary period and be a full-time employee of the City.

- a. Reimbursement for tuition during any one calendar year shall not exceed \$3,600.
- b. The course must be job-related and in the field of employment, including:
 1. Any course required in order to complete a baccalaureate degree will be approved.
 2. Approval for courses outside the normal field of employment but which are related to job positions in other areas of the city government will be considered based upon the employee's career development and job opportunities in other departments.
 3. In limited instances, courses beyond the baccalaureate degree level may be approved by the City Administrator.
- c. All courses must be approved, in advance of enrollment, by the Department Head, the Director of Finance and the City Administrator and subject to authorized and available appropriations.

- d. If letter grades are used by the educational institution, then a grade of "C" or better for baccalaureate level courses or a grade of "B" or better for graduate level courses must be attained in order to qualify for reimbursement by the City. If a pass/fail or satisfactory/unsatisfactory grading system is used by the educational institution, only grades of "pass" or "satisfactory" will qualify for reimbursement. Proper documentation must be presented by the employee to the Department Head and the Director of Finance prior to any reimbursement being authorized.
- e. In conjunction with tuition reimbursement for a course or courses, the City will also reimburse up to \$400 annually for the cost of required course textbooks upon submission by the employee of the proper receipts for such books and proof the textbooks were required for the class.
- f. In order to receive reimbursement, the employee must execute an agreement which requires two years of service to the City by the employee or repayment of educational benefits received within the past two years will be required. (See Section 9.6)

15.7 UNIFORMS AND CLOTHING MAINTENANCE

Employees required to wear uniforms will be provided with such clothing allocations as deemed appropriate by the Department Head. In such case, the employee shall be required to wear the uniform clothing and to return the full allocation of garments upon separation from city service. The City shall replace uniform clothing damaged through natural wear on the job, but not due to negligence by the employee. The employee shall wear uniform clothing only in route to and from work and while on duty.

The City Council may establish clothing allowances where deemed appropriate in lieu of providing uniforms. Such clothing allowances are bonuses that are taxable in accordance with Internal Revenue Service regulations. In such instances, the employee shall be fully responsible for all maintenance and replacement of uniform or clothing.

15.8 SOCIAL SECURITY

All city employees shall participate in the Federal Old Age, Survivors, Disability, and Health Insurance program. Employees' contributions are deducted each pay day and are matched by the City pursuant to Federal law.

15.9 USE OF AUTOMOBILES

Employees required to use their personal automobiles in the course of performing their duties for the City shall be paid an automobile allowance as established by city policy.

Any employee operating a motor vehicle while on duty shall comply with all applicable laws regarding such operation, including but not limited to licensing and insurance requirements. Employees shall refrain from using substances that impair their ability to operate a motor vehicle with the highest

degree of care and refrain from any activity that distracts them from operating a motor vehicle with the highest degree of care, including texting and other use of hand-held communications devices.

15.10 MEDICAL BENEFIT REIMBURSEMENT

In order to incentivize employees to consider obtaining health insurance coverage outside of the City's plan when available and thereby reducing costs for the City, the City shall reimburse a full-time employee who qualifies to enroll in the City's health insurance plan for a portion of the cost they incur for such other coverage if the employee does not enroll in coverage with the City, or is eligible for spousal, child(ren), or family coverage, but elects to enroll in individual coverage only. This reimbursement shall not be available to employees whose spouse or dependent is also a full-time employee of the City, unless both employees do not enroll themselves and their dependents in coverage under the City's health insurance plan.

The annual reimbursement amount shall not exceed six hundred dollars (\$600) per year per eligible employee. Employees are required to complete and submit the Medical Benefit Reimbursement Application (MBRA) to the Office of the City Administrator no later than November 15 of each year to be eligible for reimbursement.

For the purposes of this section, qualifying dependents shall be defined as dependents of the employee that are eligible for coverage in the City's insurance plan as defined in the insurance plan document.

Reimbursements shall be paid in an annual lump sum to all eligible employees on the first payroll date of December each year. Payment shall be based on the number of months that the employee was eligible for the reimbursement over the preceding twelve (12)-month period ending on November 30 of the current year (December 1 through November 30). An employee not meeting the eligibility requirements stated above for the entire twelve (12)-month period shall be eligible for a prorated reimbursement amount based on the number of full months that the employee was eligible during the twelve (12)-month period.

15.11 CITY SELF-INSURED PORTION OF HEALTH INSURANCE DEDUCTIBLE

As of July 1, 2013 the City self-insures up to one thousand one hundred dollars (\$1,100) of the one thousand five hundred dollars (\$1,500) individual deductible and up to two thousand two hundred dollars (\$2,200) of the three thousand dollars (\$3,000) family/dependent deductible in connection with employee enrollment in the City's health insurance plan. The employee is responsible for paying the first four hundred dollars (\$400) of the individual deductible and the first eight hundred dollars (\$800) of the family/dependent plan deductible. Claims shall be submitted in accordance with procedures established by the City Administrator's office. Employees hired before July 1, 2001 who have retired and are receiving the benefit of City payment of a percentage of premium of the City health insurance plan are also eligible to participate in the City' self-insurance of the deductible on the same terms and conditions

as an active employee. The City Council may amend these provisions by resolution at any time in its discretion, and such changes may be incorporated into this policy manual.

15.12 SPOUSAL HEALTH INSURANCE SURCHARGE

On and after January 1, 2021, in an effort to keep costs down for all employees, the City of Creve Coeur requires all employees, or retirees hired before July 1, 2001, who cover their spouses under the City-employee cost-sharing health insurance benefit to be assessed a monthly surcharge if the spouse is eligible for a major medical/prescription insurance plan through their employer which meets minimum value standards on all employee health insurance benefits. This provision does not apply to employee spouses who are covered under Medicare and also under the age of 65, Tricare, or COBRA.

The monthly spousal health insurance surcharge shall be set forth and approved by City Council as part of the annual fiscal budget process.

The spousal health insurance surcharge applies and continues until a completed application to waive spousal health insurance surcharge is submitted and approved by the Office of the City Administrator. If approved for the spousal health insurance surcharge waiver, should a spouse's eligibility status change and the employee or eligible retiree is no longer eligible for the surcharge waiver, the Office of the Administrator must be notified promptly, but no more than 30 days from the qualifying event.

Those individuals eligible for a spousal health insurance surcharge waiver, must renew no less than annually during health insurance open enrollment period, or spousal surcharge fees will apply.

Requests to waive spousal health insurance surcharge shall be on form prescribed by the City, which shall include certification by the eligible employee or retiree that all information is accurate, and that false statements or failure to promptly notify the Office of the City Administrator of any change in eligibility may be subject to disciplinary action up to and including termination of employment, incurring outstanding surcharge fees due to the City, and loss of group City cost-sharing health benefits.

Spousal health insurance surcharge waivers approved prior to January 1, 2021, shall be effective as of that date. Subsequently approved waivers shall be effective on the first day of the next month following receipt of the waiver request. Notice of loss of waiver eligibility status shall be effective the first day of the next month following the date of loss of eligibility.

SECTION 16 EMPLOYEE RELATIONS

16.1 EMPLOYEE SUGGESTIONS

The City Administrator, all Department Heads, and supervisory personnel shall consider all employee suggestions concerning the improvement of city services. Employees are encouraged to bring suggestions to the City Administrator through Department Heads for discussion and consideration. The City Administrator, with the approval of the City Council, may offer recognition for employee suggestions.

16.2 EMPLOYEE APPEARANCE

All employees are required to attire themselves in a fashion that will reflect a positive image. Uniforms shall be required as and when specified. Business attire for non-uniformed employees shall conform to standards of good taste.

16.3 OUTSIDE EMPLOYMENT

For all regular, full-time employees, their job with the City shall be their primary employment. No employee of the City shall use his position to gain another position outside of the city service and no employee shall, in any way, allow such additional employment to interfere with or influence his obligations and duties to the City. No employee shall accept any other employment which results in a conflict of interest, or apparent conflict of interest or the appearance of impropriety, or which adversely affects or impacts upon the functions, activities, or reputation of the City. When working with any other public or private organization, no employee shall wear uniforms or clothing purchased by the City or identified with city employment unless prior approval is granted by his Department Head and authorized by the City Administrator.

A full-time employee seeking to hold outside employment of more than forty (40) hours in one year or eight (8) hours during a given week, is required to submit a written request to his Department Head and City Administrator for approval prior to accepting such a position. This request shall include the name of the company or public agency by whom the individual will be employed, a brief description of the job and duties to be performed, plus all pertinent information regarding insurance, pension plans, other fringe benefits, hours worked per day, and per week, and other work scheduling information.

16.4 ETHICAL CONDUCT

To serve the best interests of the employees, taxpayers, and the city government, it is the policy of the City to restrict certain types of political activity without infringing upon the employees' rights to exercise their suffrage as citizens. The purpose is to safeguard the employee from political pressure to support financially or otherwise any political party, or person, and to safeguard the interest of the public whom all employees serve without regard to their political opinions or affiliations.

Restrictions on employee political activity, and other standards of ethical conduct, are set forth in the City's Code of Ordinances (130.050 and following sections). Employees should be respectful of each other's viewpoints and avoid extended political debates during working hours.

Responsibilities of employees for detecting and reporting fraud or suspected fraud, corruption, or dishonest activities are set forth in the City's Anti-Fraud and Corruption Policy.

Each new employee is required to read these policies and to sign a certification stating he has done so. The certification is made a part of the employee's personnel file.

16.5 POLICY AGAINST HARASSMENT

The City is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considering harassing, coercive, or disruptive, including but not limited to sexual harassment or any hostile, aggressive or violent conduct. Harassment of a City employee will not be tolerated, and necessary action will be taken to prevent harassment and to address appropriately any reported instances of harassment, sexual or otherwise. Further, any retaliation against an individual who has filed a complaint about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint will not be tolerated.

1. Definitions

"Harassment" means unwelcome conduct that is based on race, color, sex or gender, gender identity, sexual orientation, religion, national origin, ancestry, disability, age, family or marital status, and/or any other characteristic protected by law as well as sexual harassment or any hostile, aggressive or violent conduct. Harassment becomes unlawful where enduring the offensive conduct becomes a condition of continued employment; or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

2. Employee Responsibilities

- a. No employee shall either explicitly or implicitly ridicule, mock, belittle or otherwise harass any person.

- b. Employees encountering harassment are encouraged to tell the person that their actions are unwelcome and offensive. Timely documentation of the incident is recommended.
- c. Any employee who has been harassed should report the incident(s) to the employee's Department Head or City Administrator as soon as possible to prevent further harassment and to expedite an appropriate investigation. If an employee is harassed by the City Administrator, the employee should report the incident to the Mayor. If an employee is harassed by the Mayor or a member of the City Council, the employee should report the incident to the City Administrator.

3. *Supervisor's Responsibilities*

- a. Each supervisor shall assume responsibility for preventing acts of harassment by:
 - 1. Monitoring the work unit for signs of harassment and taking appropriate steps to intervene and resolve the problem;
 - 2. Limiting the work contact between employees where there has been a complaint of harassment, pending investigation.
- b. Supervisors shall assist any person within the Department that comes to them with a complaint of harassment.
- c. Supervisory personnel at all levels shall not be permitted to date subordinates.

4. *Investigation*

- a. The City Administrator or his/her designee shall be responsible for investigating any complaint alleging workplace harassment that is brought to the City's attention. Employees refusing to cooperate in an investigation shall be subject to disciplinary action.
- b. Any investigation will be conducted by the City in such a way as to maintain confidentiality to the extent practical under the circumstances.

However, employees shall not be precluded from discussing an investigation with each other unless expressly instructed to refrain from such discussions for such period of time as determined necessary by the city to protect witnesses, avert destruction of evidence, avert fraudulent testimony, or prevent cover-up.

If a complaint of workplace harassment is sustained, then the employee committing the harassment will be subject to disciplinary action based on the nature and severity of the

harassment. The disciplinary action may include oral reprimand, written reprimand, suspension, demotion, or dismissal.

Upon completion of the investigation, the person filing the complaint, the person alleged to have committed the conduct, and the supervisor(s) of the involved employees will be advised of the results of that investigation.

Retaliation against either the person(s) who filed the complaint or any person involved in the investigation shall be grounds for additional disciplinary action. An employee determined to have intentionally made a false allegation of harassment against another employee may be subject to disciplinary action, which is not retaliation under such circumstances.

A file of harassment complaints shall be maintained in the City Administrator's office in a secure location.

This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency.

16.6 COMMUNITY RELATIONS

Employees should afford every citizen courtesy and consideration. It is particularly important that a full, courteous explanation be given a citizen when it is necessary to refuse a request or when the action requested is outside the jurisdiction of the City. In dealing with citizens' complaints or questions beyond the authority of the employee having direct contact with the citizen, the employee is encouraged to direct the individual to his Supervisor for explanation or assistance.

16.7 EMPLOYEE SAFETY

Employees are expected to follow safety procedures established for their respective departments and to take an active part in protecting themselves, their fellow employees, other people, city equipment and property and private property from injury or destruction at all times.

Employees are encouraged to detect and report to their Supervisors any hazardous conditions or unsafe practices in the work place and to make suggestions for their correction. All employees share the responsibility of protecting themselves, their co-workers and the public from bodily injury and property damage. Accident prevention is a policy of the City of Creve Coeur. Safety procedures shall have the primary goal of eliminating specific hazards to reduce the potential of accidents.

Department Heads and Supervisors shall be responsible for reviewing working conditions and establishing safety rules which provide some means of protection to people and property.

Emphasis shall be placed upon conditions of facilities, equipment, and machines as well as implementation of an overall safety awareness program including:

- a. good housekeeping in the work area.
- b. use of prescribed protective equipment as a condition of employment.
- c. compliance with departmental work rules.
- d. condition of tools including: mechanical, electrical, hand, and power tools.
- e. proper use of a vehicle seat belt while on city business.
- f. proper maintenance of electrical equipment.
- g. proper guarding of open pits, ditches, tanks, etc., and powered equipment and machines
- h. proper storage and handling of flammable/combustible liquids.
- i. training in the use of portable fire equipment and first aid procedures.
- j. reduction of sources of excessive noise and dust through proper ventilation and personal protective equipment
- k. proper training in the elements of a task to identify and plan for any potentially hazardous conditions.

An employee shall report all work related accidents and injuries to his Supervisor as soon as possible after such incident. Failure to make timely reports could have serious consequences with relation to workers' compensation benefits should the injury later prove to be serious, and to claims made against the City by an individual suffering injury in the incident.

16.8 PERSONNEL RECORDS

Personnel Records of all employees shall be maintained in the Office of the City Administrator by the Personnel Officer and shall be available for an individual employee to review his personnel file upon request during normal office hours. The personnel files of Police Department employees may be maintained by the Chief of Police. A full disclosure of Police Personnel records shall be forwarded to the City Administrator's office upon request. Employees shall have the opportunity to provide written response to any adverse materials placed in their personnel file, and such written response shall be permanently attached to the adverse materials. (See 590.502.5 RSMo).

16.9 PAYROLL DEDUCTIONS

The only deductions made from an employee's payroll check are those authorized by law and those which the employee has authorized the City to make as a part of a benefit program. Any payroll deduction must be initially approved by the Personnel Officer before submission to the Finance Office.

16.10 REPORT CHANGE OF ADDRESS

An employee must report any change in address or phone number to his Department Head the next work day after such occurs. Each employee should report all changes in address or phone number to the Personnel Officer through the employee self-service portal in the City's software system in a timely manner but in no case shall the notice be withheld longer than one week.

SECTION 17 POLICY AGAINST SUBSTANCE ABUSE

17.1 POLICY STATEMENT

The employees of the City of Creve Coeur are considered to be a valued resource and the services they provide to the community are essential to the maintenance of a high quality of life for our citizens. The City is committed to providing to its employees a safe and healthy work environment; and, to providing to its residents an organization which upholds the standards of integrity, professionalism, accountability and pride. These objectives would be compromised if substance abuse, which creates negative impacts on the work force and reduces the employee's ability to perform the requirements of his position as expected by the City, exists among employees. Improper use, abuse and/or dependency on alcohol and/or drugs can seriously affect the health of employees, jeopardize their own safety and the safety of others in the work place and the public with whom they have contact, cause damage to public and private property, erode the public trust, increase the cost of the provision of governmental services, and impair the individual's and co-worker's ability to satisfactorily perform their job duties. The City of Creve Coeur hereby adopts a policy to address this sensitive and potentially dangerous issue of substance abuse.

The policy provides a means for the City to protect itself, and others, from the negligent or irresponsible actions of an employee who is under the influence of alcohol/drugs while working as an employee of the City. The policy requires an employee to submit to alcohol/drug testing when there is reasonable basis to suspect that they are under the influence of alcohol/drugs at the workplace, and in other specified circumstances.

Additionally, as a frequent recipient of federal grants, the City is subject to the Drug-Free Workplace Act (41 USC 8101 et seq). Pursuant thereto, the City expressly states that manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. This policy describes the actions the City will take in the event of any violation of this prohibition. It is a condition of each employee's employment that they must abide by the terms of this statement and must notify the Personnel Officer in writing if they are convicted of a violation of a criminal drug statute occurring in the workplace within five calendar days after the conviction.

Any employee who has unapproved possession of alcohol at the workplace will be subject to discipline. Any employee who appears to have consumed or to be under the influence of alcohol shall be removed from the workplace and be required to undergo testing by a police officer and, as directed by the police officer, a blood alcohol measuring device or other medically acceptable means and depending on the outcome may be subject to discipline.

Any employee who appears to be in possession of any drug or narcotic at the workplace will be required to produce evidence that they possess the drug or narcotic lawfully, and failing same will be subject to discipline. Any employee who appears to have consumed any unlawfully possessed drug or

narcotic, or to be under the influence of any drug or narcotic will be removed from the workplace, will be tested by a police officer, and will be required to report to a designated medical facility to undergo examination as directed by the police officer, and depending on the outcome may be subject to discipline. Any employee who appears to be in possession of a controlled substance at the workplace or to have consumed or be under the influence of a controlled substance will be removed from the workplace, will be tested by a police officer, and will be required to report to a designated medical facility to undergo examination as directed by the police officer, and depending on the outcome may be subject to discipline. Any employee who is suspected of being in possession of or under the influence of marijuana shall be subject to the same discipline as for any other controlled substance including the test result standards and related discipline as referenced in Section 18.

Violation of this policy shall be deemed misconduct and may also result in suspension or termination of employment, subject to applicable law.

The refusal to submit to any required testing is a disciplinary offense and may result in disciplinary action, up to and including termination.

The policy provides employees having an abuse problem the opportunity to overcome the problem through rehabilitation and treatment.

Note: See Section 18 regarding drivers of commercial motor vehicles.

17.2 LEGAL DRUGS (excluding alcohol)

The use of any legally obtained drug or substance, to the point where such use affects the employee's job performance at the workplace (i.e., causes them to be "under the influence") is prohibited. No employee during work hours shall be under the influence of any drug or substance which impairs the employee's ability to perform their job, including the use of prescribed or otherwise authorized drugs. In the event physician-approved use of drugs, including over-the-counter drugs or medical marijuana (away from the workplace), could influence job performance, it is in the best interest of the employee, co-workers and the City that sick leave be utilized, or leave without pay, if sick leave is not available. In the event treatment relates to disability, reasonable accommodations may be requested as discussed elsewhere in this manual, to the extent allowed by law. An employee who is lawfully using marijuana away from the workplace shall mitigate odors on and about their person to the extent practicable and shall not be under the influence of marijuana while at work.

17.3 ILLEGAL DRUGS

Definition of illegal drugs, for the purpose of this policy, includes:

1. drugs that are not legally obtainable; or,

2. drugs that are legally obtainable but have been obtained illegally.

The illegal sale, possession, purchase, transfer, or use of drugs by employees is prohibited.

No employee shall arrive on the City's premises in possession of or under the influence of any illegal drug.

Any employee engaging in the illegal sale, purchase, transfer, possession or use of drugs is subject to disciplinary action, up to and including in termination.

17.4 ALCOHOL

1. General

Employees shall not possess or consume an alcoholic beverage, have the odor of an alcoholic beverage on or about their person, or be under the influence of an alcoholic beverage during work hours to include lunch or break periods unless authorized or approved by the City Administrator or his designee. No alcoholic beverage shall be served or consumed on city premises or in vehicles owned by the city without permission of the City Administrator or his designee. The odor of an alcoholic beverage on or about any employee or other visible effects is sufficient cause to order an employee be tested for the presence of alcohol and/or to order the employee to leave the work place. Any employee engaging in the misuse of alcoholic beverages is subject to disciplinary action.

2. Employees - BAC

No employee during working hours shall report for work or be on duty when he/she has a blood alcohol level of .02% or greater.

3. Commissioned Police Officers

Commissioned police officers shall not report for work, be on duty, or act in the capacity of police officer (to include off-duty details) when he/she has a blood alcohol level of .02% or greater.

17.5 PRE-EMPLOYMENT SCREENING

In an effort to minimize the potential adverse effects of substance abuse, all individuals to whom a bona fide regular full-time, part-time, or seasonal conditional job offer has been made will be tested and the results reported prior to the acceptance of the applicant by the City (see section 17.7 Testing Procedures). Any individual receiving a positive drug test result will be disqualified from employment consideration after a confirmation test has confirmed the positive results. The applicant will not be

reconsidered for a position with the City until they produce a negative test obtained from a city-approved laboratory, at the applicant's cost. For a candidate who has lawfully consumed marijuana, a test shall be considered positive or negative in accordance with the standards referenced in Section 18.

Former employees of the City may not be required to be tested if the time between their last date of previous employment with the City and the date of rehire is less than one year, at the discretion of the City Administrator's Office.

17.6 POST-HIRING TESTING

Any employee who exhibits behaviors which are associated with potential drug and/or alcohol use or abuse or whose behavior creates a reasonable suspicion (including the odor of an alcoholic beverage on or about the person) to cause the Supervisor, based on personal observation or credible reports from others, to believe the employee may be under the influence of drugs, controlled substances and/or have consumed alcohol shall be escorted by the Supervisor for testing as outlined in Section 17.7.

The Supervisor shall as soon as practical, report the incident to the Department Head. A written report outlining the material facts of the incident shall be prepared by the Supervisor and approved by the Department Head in a form acceptable to the Office of the City Administrator.

Under no circumstances shall the employee be allowed to return to work prior to receipt of the required drug/alcohol test results and a review of the incident by the Office of the City Administrator. Until such a time as the employee is released to return to his job duties by the Office of the City Administrator, the employee shall be placed on, and shall remain on, leave with pay. The results of the test shall be held in strict confidence and shall only be released on a "need to know" basis as determined by the Office of the City Administrator. All test results and subsequent medical records, if any, shall be maintained in a separate administrative file and shall be stored in a secure location.

If the results of the test are negative, and if applicable the odor of alcohol is no longer noticeable, the employee shall be authorized to return to normal duties. The personnel file shall not reflect any information with regard to the incident.

Failure by the employee to comply with the request of the Supervisor to relinquish his/her duties and undergo testing when requested and failure by the employee to follow the procedures established herein with regard to such testing shall subject the employee to immediate termination.

All actions which affect the employment status of the employee shall be communicated to the employee in writing. Such notice shall be provided to the employee either in person, or by certified mail, promptly after the receipt of the results from the laboratory.

17.7 TESTING PROCEDURES

When a Supervisor suspects an employee may be under the influence of alcohol, drugs, and/or a controlled substance, the following substance testing procedures shall be followed:

1. The employee shall be removed from the work place immediately and tested by a police officer.
- 2a. If the police officer has reason to believe the employee has consumed or is under the influence of alcohol, testing may be conducted by a certified operator of a blood alcohol

measuring device certified by the State of Missouri Department of Health. The employee shall not operate a motor vehicle or leave the escort of a Supervisor or police officer.

- 2b. If a Supervisor has reason to believe the employee is under the influence of a drug or controlled substance, or has illegally consumed or used a drug or controlled substance the employee shall be tested by a police officer and if so directed by the police officer escorted by a Supervisor or police officer to a medical facility or tested in a manner approved by the City of Creve Coeur. The employee shall not operate a motor vehicle or leave the escort of a Supervisor or police officer.
3. When a drug/controlled substance test (other than for alcohol) is required, the specimen collection shall be conducted by the medical staff in such a manner as to minimize the effects on the employee and with the employee's privacy as the primary concern, in accordance with applicable law including Section 288.045 RSMo.
4. An adequate sample will be collected at this time to ensure a second, confirmatory test may be performed, if required.
5. Proper chain of custody procedures shall be followed by the laboratory or medical facility to safeguard the integrity of the sample.
6. The results of such tests shall be provided to the Office of the City Administrator within 24 hours of obtaining test results. The Personnel Officer is authorized to receive the written test results and shall distribute such information on a "need to know basis" only. The test results are considered a closed file and shall be maintained in such a manner so as to protect the confidentiality of the employee involved.

For provisions regarding test procedures and results, see Section 18.6c.

17.8 REHABILITATION

In the event of a positive test result, or a voluntary admission of an abuse problem, the employee may be required to obtain professional assistance from a source approved by the City. Participation in a professional assistance program will be at the employee's expense but may be covered by the group health insurance plan subject to the provisions of said plan.

If the employee is required to participate in a professional assistance program the successful completion of such a program is a prerequisite for a return to work authorization and/or continued employment.

Upon successful completion of an assistance program, the City retains the right to request that the employee undergo periodic medical examination and testing for a period of at least one year, at the employee's expense. Failure to successfully complete an assistance program; to submit to post-program

testing as required; and, to avoid further incident once a rehabilitation effort has been made may result in termination of employment with the City of Creve Coeur.

a. Rehabilitation Contract

If the City decides to retain an employee, it will require the employee to sign a rehabilitation contract. The rehabilitation contract shall include the following terms and conditions to be adhered to by the employee who is granted rehabilitation assistance:

1. the employee shall agree to undertake and successfully complete the rehabilitation assistance plan established for the employee by the substance abuse professional (SAP) or by a rehabilitation professional accepted by the City, at the employee's expense; and
2. the employee shall agree to refrain from any violation of the City's alcohol and substance abuse policies and to use controlled substances and alcohol consistent with the plan of rehabilitation, the City's policies and the law; and
3. the employee shall provide a release of all medical records for use and review by the City relating to the rehabilitation assistance plan for the assistance undertaken and compliance; and
4. the employee shall agree to unannounced random testing for periods of time determined by the City subsequent to the employee's return to work consistent with the City's alcohol and substance abuse policies; and
5. the employee shall agree to submit to return-to-work testing demonstrating that the employee is compliant with controlled substance and/or alcohol test standards, at the employee's expense; and
6. the employee shall agree that any future violations of the substance abuse policy shall be considered as a resignation of the employee from City service without recourse.

17.9 VOLUNTARY DISCLOSURE

Any employee who voluntarily admits to having a substance abuse problem and seeks the assistance of the City to deal with the problem shall be expected to successfully complete an authorized rehabilitation program in order to maintain continued employment. (See Section 17.8 Rehabilitation.)

17.10 EDUCATION AND TRAINING

In order to effectively carry out the policy and procedures outlined herein, Supervisors will be trained to make the appropriate observations of the symptoms associated with drug and alcohol use and abuse. Substance abuse education is a form of prevention and early intervention. Employee health and emotional well-being are essential to the ability of the individual to perform their job duties. Education and training efforts will be designed to assist the Supervisor with fulfilling their responsibilities under this policy.

17.11 CONFIDENTIALITY OF RECORDS

All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the City, the testing laboratory, the Medical Review Officer and the Substance Abuse Professional. Within the City, the records shall be maintained separately from other personnel and administrative records and shall be kept in a secured location.

Materials from these records shall not be released to others without the written consent of the affected employee, except under provisions provided for by law, as needed with regard to the rehabilitation contract, in litigation or quasi-judicial and administrative proceedings.

Applicants may request the results of pre-employment tests within sixty (60) days of learning the disposition of the employment application.

Employee alcohol and drug testing results and records are maintained as required by law.

SECTION 18 ALCOHOL & CONTROLLED SUBSTANCE USE, ABUSE & TESTING POLICY FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES

18.1 PURPOSE

The purpose of federal statute 49 USC 31306 (the Act) and this policy is to establish a program designed to help prevent accidents and injuries resulting from the misuse of alcohol or drugs or use of controlled substances by drivers of commercial motor vehicles; to assure covered employee fitness for duty; and, to protect City employees and the public from the risks posed by the use of alcohol, drugs and controlled substances. It is also the purpose of this policy to comply with all applicable federal regulations governing work place alcohol, drug and controlled substance abuse programs which are mandated under the above noted Act. The Act mandates urine testing and breathalyzer alcohol tests for safety sensitive positions and prevents performance of safety sensitive functions when there is a positive test result. Federal law has also established standards for the: collection and testing of urine and breath specimens, the reporting of certain drug related offenses, protective measures, the preservation of confidentiality, and for certain reporting requirements.

18.2 APPLICABILITY

This Section 18 policy applies to all employees who perform safety sensitive functions defined in the Act and its implementing regulations including persons who are required to possess a commercial driver's license (CDL) license for the operation of a commercial vehicle as defined and regulated under state law. All city employees are governed by the policy outlined in Section 17 of this manual, which in some instances refers to parts of this Section 18.

18.3 DEFINITIONS

“Alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

“Alcohol Concentration” means the concentration of alcohol in a person’s breath expressed as in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

“Alcohol Use” means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

“Commercial Motor Vehicle” means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property and defined as a commercial motor vehicle by state law (302.700 RSMo) and the Act:

- a. has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds, or
- b. has a gross vehicle weight rating of 26,001 or more pounds; or
- c. is designed to transport 16 or more passengers, including the driver; or
- d. is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

“Confirmation Test” means a second test conducted after an initial alcohol or drug test to determine the presence of alcohol or drug metabolites in an employee’s system. Confirmation tests for alcohol will be conducted using an approved evidential breath testing device and for drugs by testing urine by means of gas chromatography and mass spectrometry (GC/MS).

“Controlled Substance” means the drugs and other substances, by whatever official name, common or usual name, chemical name or brand name designated for testing in 49 CFR Part 40 including: opiates, amphetamines, cocaine, marijuana and phencyclidine.

“Screening Test” (initial test) means the initial drug or alcohol test to determine whether an employee has controlled substances or prohibited concentration of alcohol in his/her system. Screening tests for alcohol are by breath test and, for controlled substances, a urine test by immunoassay, enzyme process or other method approved by 49 CFR 40.

“Commercial Driver’s License” (CDL) means a license issued pursuant to state law which authorizes an individual to operate a commercial motor vehicle.

“Medical Review Officer” (MRO) means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history and any other relevant biomedical information.

“Substance Abuse Professional” (SAP) means a licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances -related disorders.

“Safety Sensitive Functions Relating to the Operation of Commercial Motor Vehicles” means all time that a commercial motor vehicle driver is performing, ready to perform, or immediately available to perform the following tasks:

- 1. waiting to be dispatched, unless the driver has been relieved from duty;
- 2. inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- 3. driving time;

4. remaining in or upon any commercial motor vehicle, while not driving, except time spent resting in a sleeper berth;
5. loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded or unloaded.
6. performing the driver requirements relating to accidents.
7. repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

18.4 POLICY ADMINISTRATOR

The City Administrator, or his/her designee, shall be the controlled substance, drug and alcohol policy administrator for the City. Any inquiries concerning this policy, its application, administration or its interpretation shall be made to the policy administrator or his/her designee.

The policy administrator shall maintain a current list of the City positions that are governed by this policy. This list shall be available for inspection by any individual who is applying for a position with the City, any current City employee, or the public. Current city employees shall be notified if they are subject to this policy.

The policy administrator shall develop any forms necessary to carry out the provisions of this policy, unless the forms are provided under the federal regulations. (Part 40 CFR) The forms shall be provided to appropriate persons who are responsible for the implementation and management of this policy.

18.5 ALCOHOL & CONTROLLED SUBSTANCES PROHIBITIONS

The following are prohibited acts by an employee covered by this policy:

a. Performance of Safety Sensitive Functions.

An employee is prohibited from performing any safety sensitive functions and from engaging in any work-related functions: 1) while consuming alcohol; 2) while having an alcohol concentration of 0.02 or greater; 3) within four (4) hours after consuming alcohol; and/or 4) after refusing to submit to an alcohol test. An employee is prohibited from consuming alcohol within eight (8) hours after an accident for which the employee is subject to post-accident testing as specified in this policy.

b. Unauthorized Use and/or Possession of a Controlled Substance.

An employee is prohibited from the unauthorized use and/or possession of a controlled substance at any time, whether on or off duty. In the event an employee is authorized to use a controlled substance by medical prescription, it is the employee's duty to inform any prescribing doctor that they perform safety sensitive functions while at work and to obtain

from that doctor a release to perform such work while taking or using the substance. The employee is prohibited from using the prescribed or authorized substances other than in the amount and manner prescribed or authorized and is prohibited from performing work when under the influence of any substance that impairs their ability to work safely.

c. Notification of Side Effects of Prescribed Controlled Substance.

Any employee who is consuming a prescribed or authorized controlled substance or other drug of any kind whose side effects may inhibit or impair the employee's performance shall notify the supervisor of such consumption upon reporting to work and prior to engaging in any work-related activity.

d. Unauthorized Possession of Alcohol on Duty.

An employee is prohibited from the unauthorized possession of alcohol while on duty.

e. Requirements for Employee to Notify of Violation/Conviction.

Any employee whose job performance requires the possession of a valid CDL must notify the policy administrator of any conviction for a violation of any state or local law relating to motor vehicle traffic control (other than parking violations) within thirty (30) days of the conviction. In addition, such an employee who loses the CDL for a violation of or as a consequence of the law or any administrative action shall notify the policy administrator immediately of the loss of the CDL.

f. Consequences of Testing Positive.

An employee testing positive on an alcohol and/or controlled substance test as provided herein will be removed from duty immediately. The City is not required to return employees to duty that have tested positive or otherwise violated this policy, to a safety sensitive position or to retain them as employees. A positive test will be deemed misconduct and may result in suspension or termination of employment subject to applicable law. Moreover, in accordance with federal law, an employee cannot be returned to safety sensitive duties until he or she has been evaluated by a substance abuse professional, has complied with recommended rehabilitation, and has received a negative result on the return to duty test, at the employee's expense.

An employee who violates any of these provisions or tests positive for drugs or alcohol may be subject to disciplinary action up to and including termination subject to applicable law.

18.6 CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROVISIONS

a. Testing

Employees subject to this policy shall be subject to controlled substances and alcohol testing including the following types of tests: pre-employment, random, reasonable suspicion, post-accident, return-to-work, and follow-up testing.

1. Pre-Employment Testing

Pre-employment urine drug testing and alcohol testing, if mandated by federal regulations, shall be required of all applicants for positions covered by this policy as a condition of the application procedure. Receipt of satisfactory test results is required prior to commencement of employment and/or engaging in safety sensitive functions for the first time. The failure of a controlled substance or alcohol test disqualifies an applicant from appointment to City employment for a period of at least one hundred twenty (120) days. A negative controlled substance and alcohol test shall be required prior to further consideration for any employment. An applicant who tests positive will not qualify for rehabilitation services through the City.

2. Reasonable Suspicion Testing

Reasonable suspicion urine and/or breath alcohol testing shall be made on the basis of documented objective facts and circumstances which are consistent with the effects of substance use. The determination that reasonable suspicion exists must be based on specific contemporaneous, articulable observations concerning the appearance, behavior, speech and body odors of the employee. The observations for controlled substances may include indications of the chronic and withdrawal effects of controlled substances. Reasonable suspicion observations and reports can only be made by supervisory or management personnel and police officers who are trained to detect the signs and symptoms of controlled substance and alcohol use and who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of the controlled substance or alcohol. The observing supervisor or manager is required to involve a police officer, who shall complete the appropriate required documentation within twenty-four (24) hours of the observed behavior or before the results of a controlled substance test are released, whichever is sooner.

Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case no later than before eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled

substance testing. The City will document the reasons for not promptly conducting the required tests.

3. Post-Accident Testing

Federal Highway Administration regulations require alcohol and controlled substance testing following an accident for any employee who was performing safety sensitive functions if the accident involved a fatality or for any employee who receives a citation for a moving traffic violation. The City also may require testing for all employees whose performance may have contributed to the accident, as well as the employee(s) who was (were) involved in the accident when injury to a person requires transport to a medical treatment facility, or disabling damage to one or more vehicles requires towing from the accident site to occur.

Post-accident testing shall be required and completed whenever possible within two (2) hours of the accident occurrence, but in any case, no later than eight (8) hours after the accident or until the employee undergoes a post-accident alcohol test, whichever occurs first. The City will document the reasons for not promptly conducting the required tests.

Any employee who leaves the scene of an accident without appropriate authorization prior to submission to controlled substance and alcohol testing shall be considered to have refused the tests and the employee's employment may be terminated for such action. This does not require delay of medical attention or other assistance necessary in responding to the accident.

4. Random Testing

Random testing shall be conducted on employees performing safety sensitive functions. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically based selection method. Random testing shall occur no less frequently than required by federal law and shall result in the employee test rate required by federal regulation.

5. Return to Duty Testing

Return to duty urine drug and/or breath alcohol testing shall be required for an employee who has previously tested positive for either category of substance or who admitted alcohol or substance abuse and received treatment for such abuse, at the employee's expense. To return to work, the employee must test negative and be evaluated and released to return to work by a SAP.

6. Follow-Up Testing

Follow-up testing of any employee allowed to return to work will be required. The employee will be required to submit to frequent unannounced random urine drug and/or breath alcohol testing for at least six (6) times in the following twelve (12) months after return to work, at the employee's expense. Follow up testing may be continued for a period of up to sixty (60) months from the employee's return to work date, at the employee's expense.

7. *Confirmatory Testing*

Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be conducted on a split sample that was provided at the same time as the original sample, and the test analysis may be conducted at a different qualified laboratory than where the original test was conducted. All costs for employee requested testing shall be paid by the employee unless the second test invalidates the original test. An employee's request for a retest must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of the notice to the employee of the initial test result. Requests made after the seventy-two (72) hour limit will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

b. *Failure to Test*

Any employee who:

- fails to report immediately to the test site and/or
- fails to submit to the required testing, including all required testing procedures and/or
- fails to provide an adequate sample of urine for controlled substance testing or breath for alcohol testing without medical justification and/or
- provides an altered sample of urine

is considered to have refused to test and shall be subject to disciplinary action up to and including termination. An employee who states at the time of the test that he/she is physically unable to provide an adequate urine or breath sample shall be evaluated by a licensed physician selected by the City.

c. *Testing Procedures and Results*

1. *Alcohol*

Alcohol tests are conducted on evidential breath testing devices that measure the concentration of alcohol in breath and shall be conducted under the supervision of a police officer. An initial screening test will be conducted. Any result that is less than 0.02

alcohol concentration is considered negative. If the alcohol concentration is 0.02 or greater, a second confirmatory test must be conducted. Any employee who tests with an alcohol concentration of 0.02 or greater shall be removed from safety sensitive duties for at least twenty-four (24) hours.

If the alcohol concentration is .04 or greater, the test is considered positive. Any employee who is found to have engaged in prohibited alcohol conduct under this policy shall be immediately removed from work-related activity and the employee shall not be permitted to resume work, if at all, until the employee is: (1) evaluated by a SAP, and (2) complies with the rehabilitation contract if such is required, and (3) has tested negative in the return to duty test. All costs associated with evaluation by a SAP, a rehabilitation contract and applicable testing shall be paid by the employee.

2. Controlled Substances

Controlled substance testing is conducted for the following controlled substances: (1) Marijuana (THC metabolite), (2) Cocaine, (3) Amphetamines, (4) Opiates (including heroin), and (5) Phencyclidine (PCP).

Individuals tested under this policy must provide a urine specimen that will be tested at a laboratory selected by the City. Adequate chain of custody methods will be followed to assure that the security, integrity and identification of each specimen is protected. The actual testing for controlled substances is a two-stage process. An initial screening test is conducted. If the screening test is positive for one or more of the controlled substances, a confirmatory test is conducted for each identified controlled substance. The confirmatory test is a gas chromatography/mass spectrometry (GS/MS) analysis.

Any employee who tests positive on the confirmatory test shall be interviewed by the City's Medical Review Officer (MRO). The MRO will attempt to determine if there is a satisfactory explanation for the test result before making a final determination as to whether the results are positive or negative. The employee will be notified of the results, whether positive or negative. As discussed above, an employee may request a confirmation test of a positive result.

18.7 EMPLOYEE ASSESSMENT

An employee who participates in testing and tests positive shall be removed from safety sensitive functions for a minimum of twenty-four hours and until evaluated by an SAP as outlined below. (Part 382.505 and 382.605 CFR) An employee who tests positive for either the presence of controlled substances or alcohol above the minimum thresholds set forth in the federal regulations shall be evaluated by a SAP. The SAP shall evaluate each employee who tests positive to determine what assistance, if any, the employee needs in resolving problems associated with the controlled substance or

alcohol abuse. All costs associated with evaluation by a SAP and employee assistance in resolving problems associated with the controlled substance or alcohol abuse shall be paid by the employee.

Assessment by a SAP does not protect an employee from disciplinary action or guarantee continued employment or reinstatement by the City. An employee violating this policy or other applicable drug and alcohol rules may be subject to disciplinary action up to and including termination and, further, an employee who is engaging in an illegal activity shall be subject to prosecution under applicable criminal law.

18.8 REHABILITATION

Section 17.6 of this manual contains the City's policy on rehabilitation and Section 17.8 contains provisions relating to the voluntary admission of an alcohol or controlled substance abuse problem.

18.9 EDUCATION AND TRAINING

The City shall provide all employees with a copy of this policy and shall display and distribute materials related to the effects of the use and/or abuse of alcohol and controlled substances. The City shall also provide information to employees regarding available treatment and rehabilitation.

All supervisors and managers who are responsible for the administration and enforcement of this policy shall receive at a minimum sixty (60) minutes of training for each topic (alcohol and substance abuse) on the physical and behavioral effects on personal health, safety and on the work environment and performance indicators on the effects of alcohol and controlled substance use and abuse, the side effects of abuse, and the consequences of prohibited work-related activity involving alcohol and controlled substance consumption. The training shall include an overview of this policy and its implementation and application to employees. Training shall also include a component related to objective observation for reasonable suspicion testing, documentation and record keeping.

18.10 CONFIDENTIALITY OF RECORDS

All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the City, the testing laboratory, the MRO and the SAP. Within the City, the records shall be maintained separately from other personnel and administrative records and shall be kept in a secured location.

Materials from these records shall not be released to others without the written consent of the affected employee, except under provisions provided for by law, as needed with regard to the rehabilitation contract, in litigation or quasi-judicial and administrative proceedings related to positive test results and/or matters initiated by the employee.

Applicants may request the results of pre-employment tests within sixty (60) days of learning the disposition of the employment application.

Employee alcohol and drug testing results and records are maintained as required by law.

18.11 REFERENCE

The following reference materials may be consulted for guidance in administering this policy:

1. 49 USC 31306
2. 49 CFR 40 (Testing Procedures)
3. 49 CFR 382 (Testing of CDL drivers)

SECTION 19 REPEAL AND AMENDMENT

The City Council may from time to time repeal or amend the Personnel Policies of the City as deemed necessary.

Standard policies and procedures concerning the relationship between the City and its employees will be produced in writing and will be made available to all concerned. When the need for new or revised rules and regulations is indicated, it will be referred to the City Administrator to consider the establishment of such policy. The City Administrator shall recommend changes to the City Council for review and approval.

AN ORDINANCE AMENDING SECTION 405.470.A. CONDITIONAL USES AND TABLE A: PERMITTED AND CONDITIONAL USES OF THE ZONING CODE OF THE CITY OF CREVE COEUR, MISSOURI TO ALLOW NAICS 541711, NAICS 541712 AND NAICS 541720 AS CONDITIONAL USES IN THE “GC”-GENERAL COMMERCIAL DISTRICT ON PROPERTIES THAT ABUT THE “LI” -LIGHT INDUSTRIAL ZONING DISTRICT AND TO AMEND TABLE A TO INCLUDE NAICS 541720 AS A PERMITTED USE IN THE LI ZONING DISTRICT

WHEREAS, an application by Tim Eli, of 39 North Holdings, LLC, has submitted for a text amendment to the zoning code to amend Section 405.470.A., Conditional Uses, to include (NAICS 541711) Research and Development in Biotechnology, (NAICS 541712) Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology), and (NAICS 541720) Research and Development in the Social Sciences and Humanities, as Conditional Uses in the “GC” General Commercial Zoning District and to amend Section 405.470, to limit these uses to properties that are zoned “GC” General Commercial and abut the “LI” Light Industrial district.; and

WHEREAS, such uses are not currently allowed within the GC General Commercial District; and

WHEREAS, NAICS 541720 is a use that is consistent with the “LI” zoning district and appears to have been inadvertently omitted as a Permitted Use; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, August 21, 2023, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 6-0 vote, recommended approval of the text amendments and the correction of the omission, subject to the conditions contained herein, at its meeting on August 21, 2023; 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 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: The following individual line items in Section 405.210 Table A Permitted and Conditional Uses shall be amended as follows, while all other parts of Table A shall remain unchanged:

Chapter 405, Table A, Permitted and Conditional Uses

P=Permitted Use; C=Conditional Use Permit Required

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541711	Research and Development in Biotechnology								P	P			<u>C</u>		P
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P			<u>C</u>		P
541720	Research and Development in the Social Sciences and Humanities								P	P			<u>C</u>	P	<u>P</u>

Section 2: Section 405.470.A. shall be amended as follows, while all other parts of Section 405.470 shall remain unchanged:

35. Research and Development in Biotechnology (NAICS 541711) conditional use in the GC District.

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

36. Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) (NAICS 541712) conditional use in the GC District.

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

37. Research and Development in the Social Sciences and Humanities (NAICS 541720) conditional use in the GC District.

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

BILL NO. 6080

ORDINANCE NO. _____

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

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

ADOPTED THIS ____ DAY OF _____, 2023.

NICOLE GREER
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



**APPLICATION TO PLANNING AND ZONING COMMISSION
#23-026: Text Amendment to the Zoning Ordinance to Amend
Section 405.470.A., Conditional Uses, and Table A, to include NAICS
541711, NAICS 541712 and NAICS 541720 as Conditional Uses in the
“GC” General Commercial Zoning District only on properties that
abut the “LI” Light Industrial Zoning District**

FOR THE MEETING OF: Monday, August 21, 2023, 6:00 P.M.

LOCATION: “GC” General Commercial District properties abutting the “LI”
Light Industrial zoning district

REQUEST: Tim Elli, of 39 North Holdings, LLC, has submitted a zoning
ordinance text amendment application to amend Section 405.470.A., Conditional
Uses, to include (NAICS 541711) Research and Development in Biotechnology,
(NAICS 541712) Research and Development in the Physical, Engineering, and
Life Sciences (except Biotechnology), and (NAICS 541720) Research and
Development in the Social Sciences and Humanities, as Conditional Uses in the
“GC” General Commercial Zoning District. Section 405.470 would be amended
to limit these uses to properties that are zoned “GC” General Commercial and
abut the “LI” Light Industrial district. The applicant plans to attract agricultural
technology and research-oriented tenants to their building at 1220 N. Lindbergh
that would fall under the above NAICS codes and seek Conditional Use Permits
for those uses in the future.

ADDITIONAL INFORMATION: Text Amendments to the Zoning Ordinance
require a public hearing and review by the Planning and Zoning Commission
with final approval by the City Council.

APPLICANT’S Tim Eli

REPRESENTATIVE: 39 North Holdings, LLC
150 N. Meramec Ave #500
St. Louis, MO, 63105

REPORT PREPARED BY: Bethany L. Moore, City Planner

DATE: August 15, 2023

ATTACHMENTS: Draft Ordinance

Key Issues:

- Are the changes consistent with the purposes of the Zoning Code?
- Are the changes consistent with the objectives and strategies of the Comprehensive Plan?

Zoning Code References

- Section 405.360 “GC” General Commercial District
- Section 405.380 “LI” Light Industrial District
- Section 405.470 Conditional Uses

BACKGROUND AND REQUEST

Research and Development in Biotechnology (NAICS 541711), Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) (NAICS 541712), and Research and Development in the Social Sciences and Humanities (NAICS 541720) are uses that are permitted in the “RO” Research Office zoning district. NAICS 541711 and NAICS 541712 are both permitted uses in the “LI” Light Industrial district. All three uses would help to grow the 39 North AgTech District and are, therefore, proposed to be added as amendments to Table A and Section 495.470.A as Conditional uses in the “GC” General Commercial zoning district only on properties that abut the “LI” zoning district. Allowing these three uses as Conditional and allowing them only on properties adjacent to “LI” would help to limit such uses to just the 39 North District and give the Planning and Zoning Commission and City Council review over their operations.

The applicant is looking to renovate a property at 1220 N. Lindbergh within the “GC” zoning district adjacent to “LI” and would be seeking to attract tenants that would fall into these NAICS use codes. The applicant explained that they have seen a need in the market for these types of uses and staff believes it would help to bolster the overall 39 North area to allow these uses as a transitional land use to “LI” along North Lindbergh in the “GC” zoning district.

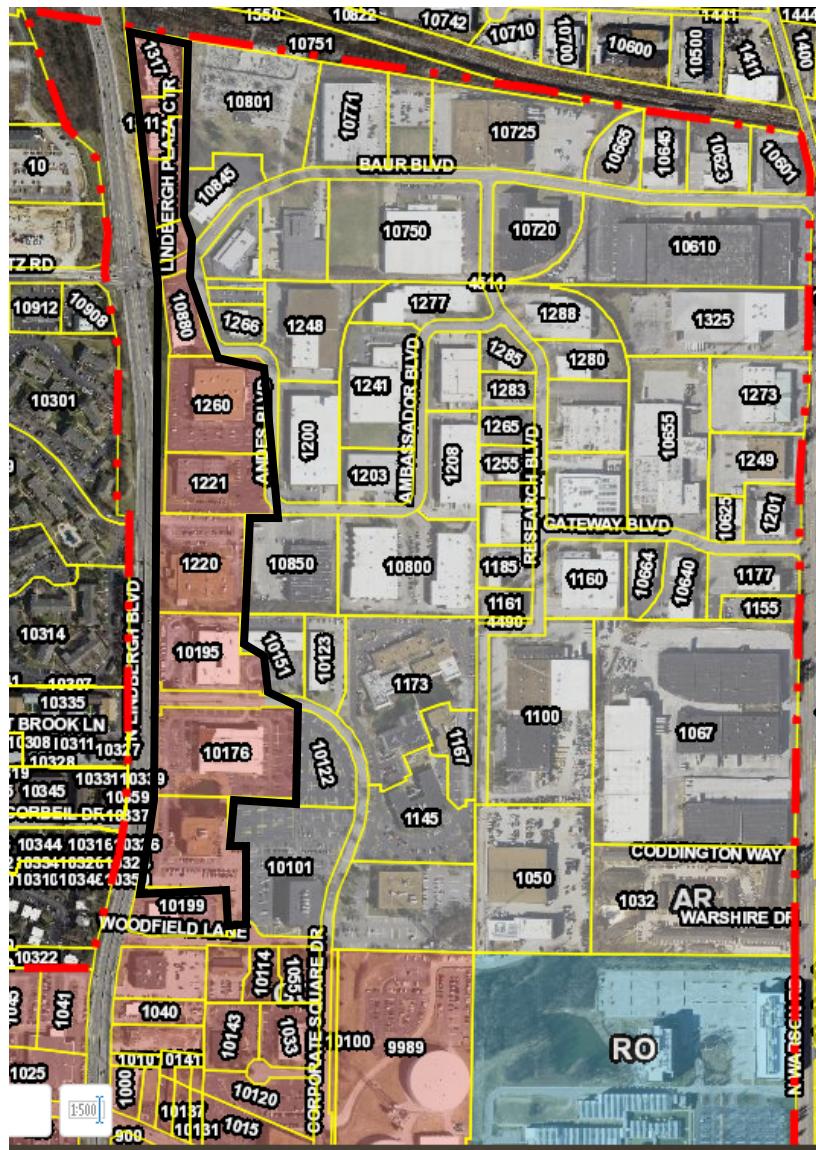


Figure 1: Zoning Map showing the 39 North district and the “GC” and “LI” zoning districts, properties effected in black.

The Mixed-Use Innovation Campus District is envisioned as a sustainable hub for cutting-edge research, job opportunities, and community amenities that encourages innovation, collaboration, and entrepreneurship in a vibrant, mixed-use environment. The current proposal is not incongruous with the Comprehensive Plan recommendations within the Mixed-Use and Mixed-Use Innovation Campus District Place Type which includes the broader 39 North AgTech District.



- | | |
|---|--|
|  | I - Countryside Estate (CR) |
|  | II - Estate Neighborhood 2 (ER-2) |
|  | III - Estate Neighborhood 1 (ER-1) |
|  | IV - Suburban Neighborhood 2 (SR-2) |
|  | V - Suburban Multi-Family Neighborhood 1 (SR-1) |
|  | VI - Civic (CV) |
|  | VII - Campus (CP) |
|  | VIII - Neighborhood Commercial District (NC) |
|  | IX - Mixed-Use District (MU) |
|  | IX.A - Central Business District (CBD) |
|  | X - Community Center District (CC) |
|  | XI - Mixed-Use Innovation Campus District (MUIC) |

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39 NORTH MASTER PLAN

The 39 North Master Plan for the 39 North plant science and technology innovation district in the northeast corner of Creve Coeur was adopted as an addendum to the Creve Coeur 2030 Comprehensive Plan. This plan serves as a guide to collaboratively supporting and encouraging growth in the 39 North district. The development goals of the plan include strengthening connection within the district and to its surroundings in the City of Creve Coeur and other neighboring communities, expanding the core resources that attract and support top researchers and companies and expanding the innovation ecosystem. The zoning amendment proposed, to add these three Agri-tech uses as Conditional uses in the “GC” zoning district only on properties that abut the “LI” zoning district, would support the goals of the 39 North Master Plan through the continued growth of district by allowing more areas for these types of uses to expand in a contained location directly next to a zoning district where they are already permitted and is the core of the 39 North district.

ZONING REVIEW

The three proposed uses are allowed as permitted uses in the “PO” and “RO” zoning districts while NAICS 541711 and 541712 are allowed as permitted uses in the “LI” zoning district and NAICS 541720 is allowed as a permitted use in the “CB” zoning district. Amending Section 405.470.A and Table A to include these uses as Conditional in the “GC” zoning district only on properties adjacent to the “LI” zoning district allows the Planning and Zoning Commission and City Council to review the operational characteristics of these uses which are more intensive than what is normally allowed in the GC District. For example, these “R&D” uses could include laboratories and testing facilities which could include hazardous materials. Further, through conversations with the real estate community, these research facilities might also have accessory structures such as greenhouses. The intent of the “LI” zoning district is to accommodate those light industrial uses that would be disruptive in other zoning districts. The purpose of the “GC” zoning district is for convenience retail shopping and services and offices which are freestanding or part of small scale planned commercial developments and which are compatible in scale and intensity of use with adjacent residential uses. The addition of these three uses in “GC” properties adjacent to the “LI” zoning district will open up new areas for the 39 North District to expand in a transitional area around “LI” and, through the conditional use process, the City can review individual proposals to minimize disruption to adjacent properties located within the “GC” zoning district.

If approved, Section 405.470.A. would be revised to include the following:

35. Research and Development in Biotechnology (NAICS 541711) conditional use in the GC District.

- a.** Shall be located only on properties that abut the "LI" Light Industrial Zoning District.
- b.** All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

36. Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) (NAICS 541712) conditional use in the GC District.

- a.** Shall be located only on properties that abut the "LI" Light Industrial Zoning District.
- b.** All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

37. Research and Development in the Social Sciences and Humanities (NAICS 541720) conditional use in the GC District.

- a.** Shall be located only on properties that abut the "LI" Light Industrial Zoning District.
- b.** All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

If approved, Table A (permitted and conditional uses) would be revised as follows:

		ZONING DISTRICTS													
Use Code	2012 NAICS Title	A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541711	Research and Development in Biotechnology								P	P			<u>C</u>		P
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P			<u>C</u>		P
541720	Research and Development in the Social Sciences and Humanities								P	P			<u>C</u>	P	

CONCLUSION AND ACTION

The proposed uses, NAICS 541711, NAICS 541712 and NAICS 541720, would foster the continued growth of the 39 North District and, through the conditional use process, would allow the Planning and Zoning Commission and City Council to identify and mitigate any negative impacts to the surrounding uses in the “GC” zoning district. Conditional uses are subject to a public hearing and Planning and Zoning Commission review and City Council approval through a Conditional Use Permit.

MOTION

If the Planning and Zoning Commission believes the proposed change to Section 405.470.A to include the proposed uses as conditional in the “GC”-General Commercial District is appropriate, the following would be a suitable motion for this application:

“I move to recommend approval of the text amendment to Amend Section 405.470.A., Conditional Uses, and Table A, to include NAICS 541711, NAICS 541712 and NAICS 541720 as Conditional Uses in the “GC” General Commercial Zoning District only on properties that abut the “LI” Light Industrial Zoning District as described in the attached draft ordinance as part of Application 23-026 at the meeting of August 21, 2023.”

APPENDIX 1: COMPREHENSIVE PLAN

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

APPENDIX 2: ZONING CODE

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



city

of

CREVE COEUR

File # _____

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

TEXT AMENDMENT APPLICATION**PLEASE COMPLETE FRONT AND BACK PAGES**

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
Tim Elli	
<i>Name</i>	<i>Name</i>
39 North Holdings, LLC	
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
<i>Address</i>	<i>Address</i>
<i>Address</i>	<i>Address</i>
Telephone # 314-809-4022	Telephone #
Fax #	Fax #
Email: telli@gershmancommercial.com	Email:

Applicant's Status (Indicate one):☐
☒
☐

City Official (Mayor, City Councilor, Planning Commissioner, Zoning Administrator)

Private Party (Financial, contractual, or proprietary interest)

Other Governmental Interest (Jurisdiction: _____)

The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 6:30 P.M. on Monday, _____, 20__.

Applicant's Signature

7/3/23

Date

Applicant's Representative's Signature

Date

Description of Request (attach additional sheets as needed): There is interest in 1220 N Lindbergh Blvd from Agri Tech Companies. However, current zoning does not allow for conditional use of the building by Agri Tech Companies. We would like to complete a text amendment to conditionally allow NAICS 54 uses. Please see the attached and amended Table A.

Affected Section(s) of the Zoning or Subdivision Code: "Section 405.1070 Conditional Use Permits" to be amended to allow for use codes 541711, 541712, and 541720 when adjacent to light commercial zoning.

Proposed Ordinance Language (attach additional sheets as needed): _____

Office Use Only

____ **Proposed Ordinance Language**

Received By: _____

____ **Fees Paid**

____ **Written Justification**

Date: _____

ZONING ORDINANCE

405 Attachment 1

City of Creve Coeur

TABLE A

PERMITTED AND CONDITIONAL USES

[Ord. No. 5300, 4-22-2013; Ord. No. 5325 §1, 8-26-2013; Ord. No. 5431 §§17 — 18, 7-27-2015; Ord. No. 5631, 3-25-2019; Ord. No. 5637, 4-22-2019; Ord. No. 5648, 8-26-2019; Ord. No. 5708, 8-10-2020; Ord. No. 5717, 9-29-2020; Ord. No. 5822, 1-23-2023; Ord. No. 5828, 2-13-2023; Ord. No. 5833, 4-10-2023]

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
CC111419	Comprehensive or Medical Marijuana Cultivation Facility and Microbusiness Marijuana Wholesale Facility, inside a building or greenhouse as defined under Section 405.120 with no drive-up facilities									C					C
221121	Electric Bulk Power Transmission and Control														C
221122	Electric Power Distribution	C	C	C	C	C	C	C	C	C	C	C	C	C	C
221310	Water Supply and Irrigation Systems												C		C
221320	Sewage Treatment Facilities														C
236115	New Single-Family Housing Construction (except For-Sale Builders)														C
236116	New Multi-Family Housing Construction (except For-Sale Builders)														C
236117	New Housing For-Sale Builders														C
236118	Residential Remodelers														C
236210	Industrial Building Construction														C
236220	Commercial and Institutional Building Construction														C
237110	Water and Sewer Line and Related Structures Construction														C
237120	Oil and Gas Pipeline and Related Structures Construction														C
237130	Power and Communication Line and Related Structures Construction														C
237210	Land Subdivision														C

CREVE COEUR CITY CODE

P = Permitted Use; C = Conditional Use Permit Required																
Use Code	2012 NAICS Title	Zoning Districts														
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI	
237310	Highway, Street, and Bridge Construction (Management Office Only)													P	P	
238150	Glass and Glazing Contractors														C	
238210	Electrical Contractors and Other Wiring Installation Contractors														C	
238220	Plumbing, Heating, and Air-Conditioning Contractors														C	
238310	Drywall and Insulation Contractors														C	
238320	Painting and Wall Covering Contractors														C	
238330	Flooring Contractors														C	
238340	Tile and Terrazzo Contractors														C	
238350	Finish Carpentry Contractors														C	
238390	Other Building Finishing Contractors														C	
238990	All Other Specialty Trade Contractors														C	
311351	Chocolate and Confectionery Manufacturing from Cacao Beans														P	
311352	Confectionary Manufacturing from Purchased Chocolate										P	P	P	P	P	
311340	Non-Chocolate Confectionary Manufacturing										P	P	P		P	
311811	Retail Bakeries										P	P	P	P	P	
311812	Commercial Bakeries														P	
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing														P	
311821	Cookie and Cracker Manufacturing														P	
311824	Dry Pasta, Dough, and Flour Mixes Manufacturing from Purchased Flour														C	
311830	Tortilla Manufacturing														C	
311911	Roasted Nuts and Peanut Butter Manufacturing														P	
311919	Other Snack Food Manufacturing														P	
311920	Coffee and Tea Manufacturing														P	
311942	Spice and Extract Manufacturing														C	
312111	Soft Drink Manufacturing														P	
312112	Bottled Water Manufacturing														P	
312113	Ice Manufacturing														C	
312120	Breweries														C	
312130	Wineries														C	
312140	Distilleries														C	

ZONING ORDINANCE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
313220	Narrow Fabric Mills and Schiffii Machine Embroidery														P
313310	Textile and Fabric Finishing Mills														P
313320	Fabric Coating Mills														P
314120	Curtain and Linen Mills														P
314910	Textile Bag and Canvas Mills														P
314999	All Other Miscellaneous Textile Product Mills														C
315210	Cut and Sew Apparel Contractors														P
315220	Men's and Boys' Cut and Sew Apparel Manufacturing														P
315240	Women's, Girls', and Infants' Cut and Sew Apparel Manufacturing														P
315280	Other Cut and Sew Apparel Manufacturing														P
315990	Apparel Accessories and Other Apparel Manufacturing														P
316210	Footwear Manufacturing														P
316992	Woman's Handbag and Purse Manufacturing														P
316998	All Other Leather Good and Allied Product Manufacturing														P
321211	Hardwood Veneer and Plywood Manufacturing														C
321212	Softwood Veneer and Plywood Manufacturing														C
321213	Engineered Wood Member (except Truss) Manufacturing														C
321214	Truss Manufacturing														C
321219	Reconstituted Wood Product Manufacturing														C
321911	Wood Window and Door Manufacturing														C
321912	Cut Stock, Re-sawing Lumber, and Planning														C
321918	Other Millwork (including Flooring)														C
321920	Wood Container and Pallet Manufacturing														C
321991	Manufactured Home (Mobile Home) Manufacturing														C
321992	Prefabricated Wood Building Manufacturing														C
321999	All Other Miscellaneous Wood Product Manufacturing														C
322211	Corrugated and Solid Fiber Box Manufacturing														C
322212	Folding Paperboard Box Manufacturing														P
322219	Other Paperboard Container Manufacturing														P

CREVE COEUR CITY CODE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
322220	Paper Bag and Coated and Treated Paper Manufacturing														C
322230	Stationery Product Manufacturing														C
322291	Sanitary Paper Product Manufacturing														C
322299	All Other Converted Paper Product Manufacturing														C
323111	Commercial Printing (except Screen and Books)														P
323113	Commercial Screen Printing														P
323117	Books Printing														P
323120	Support Activities for Printing														P
325220	Artificial and Synthetic Fibers and Filaments									C					C
325411	Medicinal and Botanical Manufacturing									C					C
325412	Pharmaceutical Preparation Manufacturing									C					C
325413	In-Vitro Diagnostic Substance Manufacturing									C					C
325414	Biological Product (except Diagnostic) Manufacturing									C					C
CC325415	Comprehensive or Medical Marijuana-Infused Product Manufacturing Facility, entirely within an enclosed building as defined under Section 405.120 with no drive-up facilities									C					C
325991	Custom Compounding of Purchased Resins														P
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing														P
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing														P
326111	Plastics Bag and Pouch Manufacturing														C
326112	Plastics Packaging Film and Sheet (including Laminated) Manufacturing														C
326113	Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing														P
326121	Unlaminated Plastics Profile Shape Manufacturing														P
326122	Plastics Pipe and Pipe Fitting Manufacturing														P
326130	Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing														P
326140	Polystyrene Foam Product Manufacturing														P
326150	Urethane and Other Foam Product (except Polystyrene) Manufacturing														P
326160	Plastics Bottle Manufacturing														P

ZONING ORDINANCE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
326191	Plastics Plumbing Fixture Manufacturing														P
326199	All Other Plastics Product Manufacturing														P
326212	Tire Retreading														C
326291	Rubber Product Manufacturing for Mechanical Use														P
326299	All Other Rubber Product Manufacturing														P
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing														P
327211	Flat Glass Manufacturing														P
327212	Other Pressed and Blown Glass and Glassware Manufacturing														P
327213	Glass Container Manufacturing														P
327215	Glass Product Manufacturing Made of Purchased Glass														P
332114	Custom Roll Forming														P
332117	Powder Metallurgy Part Manufacturing														P
332215	Metal Kitchen Cookware, Utensil, Cutlery, and Flatware (except Precious) Manufacturing														P
332216	Saw Blade and Handtool Manufacturing														P
332311	Prefabricated Metal Building and Component Manufacturing														P
332312	Fabricated Structural Metal Manufacturing														P
332313	Plate Work Manufacturing														P
332321	Metal Window and Door Manufacturing														P
332322	Sheet Metal Work Manufacturing														P
332323	Ornamental and Architectural Metal Work Manufacturing														P
332410	Power Boiler and Heat Exchanger Manufacturing														P
332420	Metal Tank (Heavy Gauge) Manufacturing														P
332431	Metal Can Manufacturing														P
332439	Other Metal Container Manufacturing														P
332510	Hardware Manufacturing														P
332613	Spring Manufacturing														P
332618	Other Fabricated Wire Product Manufacturing														P
332710	Machine Shops														P
332721	Precision Turned Product Manufacturing														P
332722	Bolt, Nut, Screw, Rivet, and Washer Manufacturing														P

CREVE COEUR CITY CODE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers														P
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring														P
332911	Industrial Valve Manufacturing														P
332912	Fluid Power Valve and Hose Fitting Manufacturing														C
332913	Plumbing Fixture Fitting and Trim Manufacturing														P
332919	Other Metal Valve and Pipe Fitting Manufacturing														P
332991	Ball and Roller Bearing Manufacturing														P
332992	Small Arms Ammunition Manufacturing														C
332993	Ammunition (except Small Arms) Manufacturing														C
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing														C
332996	Fabricated Pipe and Pipe Fitting Manufacturing														P
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing														C
333111	Farm Machinery and Equipment Manufacturing														C
333112	Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing														C
333120	Construction Machinery Manufacturing														P
333131	Mining Machinery and Equipment Manufacturing														P
333132	Oil and Gas Field Machinery and Equipment Manufacturing														P
333241	Food Product Machinery Manufacturing														P
333242	Semi-Conductor Machinery Manufacturing														P
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing														P
333244	Printing Machinery and Equipment Manufacturing														P
333249	Other Industrial Machinery Manufacturing														P
333314	Optical Instrument and Lens Manufacturing														P
333316	Photographic and Photocopying Equipment Manufacturing														P
333318	Other Commercial and Service Industry Machinery Manufacturing														P
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing														P

ZONING ORDINANCE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing														P
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing														P
333511	Industrial Mold Manufacturing														C
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing														P
333515	Cutting Tool and Machine Tool Accessory Manufacturing														P
333517	Machine Tool Manufacturing														P
333519	Rolling Mill and Other Metalworking Machinery Manufacturing														P
333611	Turbine and Turbine Generator Set Units Manufacturing														P
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing														P
333613	Mechanical Power Transmission Equipment Manufacturing														P
333618	Other Engine Equipment Manufacturing														P
333911	Pump and Pumping Equipment Manufacturing														P
333912	Air and Gas Compressor Manufacturing														P
333913	Measuring and Dispensing Pump Manufacturing														P
333921	Elevator and Moving Stairway Manufacturing														P
333922	Conveyor and Conveying Equipment Manufacturing														P
333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing														P
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing														P
333991	Power-Driven Handtool Manufacturing														C
333992	Welding and Soldering Equipment Manufacturing														P
333993	Packaging Machinery Manufacturing														P
333994	Industrial Process Furnace and Oven Manufacturing														P
333995	Fluid Power Cylinder and Actuator Manufacturing														P
333996	Fluid Power Pump and Motor Manufacturing														P
333997	Scale and Balance Manufacturing														P

CREVE COEUR CITY CODE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
333999	All Other Miscellaneous General Purpose Machinery Manufacturing														C
334111	Electronic Computer Manufacturing														P
334112	Computer Storage Device Manufacturing														P
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing														P
334210	Telephone Apparatus Manufacturing														P
334220	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing														P
334290	Other Communications Equipment Manufacturing														P
334310	Audio and Video Equipment Manufacturing														P
334412	Bare Printed Circuit Board Manufacturing														P
334413	Semi-Conductor and Related Device Manufacturing														P
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing														P
334417	Electronic Connector Manufacturing														P
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing														P
334419	Other Electronic Component Manufacturing														P
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing							C							P
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing														P
334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use														P
334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables														P
334514	Totalizing Fluid Meter and Counting Device Manufacturing														P
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals														P
334516	Analytical Laboratory Instrument Manufacturing							C							P
334517	Irradiation Apparatus Manufacturing														P

ZONING ORDINANCE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
334519	Other Measuring and Controlling Device Manufacturing														P
334613	Blank Magnetic and Optical Recoding Media Manufacturing														P
334614	Software and Other Pre-Recorded Compact Disc, Tape, and Record Reproducing											P	P	P	P
335110	Electric Lamp Bulb and Part Manufacturing														P
335121	Residential Electric Lighting Fixture Manufacturing														P
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing														P
335129	Other Lighting Equipment Manufacturing														P
335210	Small Electrical Appliance Manufacturing														P
335221	Household Cooking Appliance Manufacturing														P
335222	Household Refrigerator and Home Freezer Manufacturing														P
335224	Household Laundry Equipment Manufacturing														P
335228	Other Major Household Appliance Manufacturing														P
335311	Power, Distribution, and Specialty Transformer Manufacturing														P
335312	Motor and Generator Manufacturing														P
335313	Switchgear and Switchboard Apparatus Manufacturing														P
335314	Relay and Industrial Control Manufacturing														P
335911	Storage Battery Manufacturing														P
335912	Primary Battery Manufacturing														P
335932	Non-Current-Carrying Wiring Device Manufacturing														P
335991	Carbon and Graphite Product Manufacturing														P
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing														P
336111	Automobile Manufacturing														C
336112	Light Truck and Utility Vehicle Manufacturing														C
336120	Heavy Duty Truck Manufacturing														C
336211	Motor Vehicle Body Manufacturing														C
336212	Truck Trailer Manufacturing														C
336213	Motor Home Manufacturing														C
336214	Travel Trailer and Camper Manufacturing														C

CREVE COEUR CITY CODE

P = Permitted Use; C = Conditional Use Permit Required															
Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing														C
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing														P
336330	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing														C
336340	Motor Vehicle Brake System Manufacturing														C
336350	Motor Vehicle Transmission and Power Train Parts Manufacturing														C
336360	Motor Vehicle Seating and Interior Trim Manufacturing														P
336390	Other Motor Vehicle Parts Manufacturing														C
336411	Aircraft Manufacturing														C
336412	Aircraft Engine and Engine Parts Manufacturing														C
336413	Other Aircraft Parts and Auxillary Equipment Manufacturing														P
336414	Guided Missile and Space Vehicle Manufacturing														C
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing														C
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing														C
336510	Railroad Rolling Stock Manufacturing														C
336611	Ship Building and Repairing														C
336612	Boat Building														C
336991	Motorcycle, Bicycle, and Parts Manufacturing														C
336992	Military Armored Vehicle, Tank and Tank Component Manufacturing														C
336999	All Other Transportation Equipment Manufacturing														C
337110	Wood Kitchen Cabinet and Countertop Manufacturing														C
337121	Upholstered Household Furniture Manufacturing														C
337122	Non-Upholstered Wood Household Furniture Manufacturing														C
337124	Metal Household Furniture Manufacturing														C
337125	Household Furniture (except Wood and Metal) Manufacturing														C
337127	Institutional Furniture Manufacturing														C

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
337211	Wood Office Furniture Manufacturing														C
337212	Custom Architectural Woodwork and Millwork Manufacturing														C
337214	Office Furniture (except Wood) Manufacturing														C
337215	Showcase, Partition, Shelving, and Locker Manufacturing														C
337910	Mattress Manufacturing														C
337920	Blind and Shade Manufacturing														P
339112	Surgical and Medical Instrument Manufacturing														P
339113	Surgical Appliance and Supplies Manufacturing							C				C	C		P
339114	Dental Equipment and Supplies Manufacturing							C							P
339115	Ophthalmic Goods Manufacturing							C							P
339116	Dental Laboratories							P					C	C	P
339910	Jewelry and Silverware Manufacturing														P
339920	Sporting and Athletic Goods Manufacturing														P
339930	Doll, Toy, and Game Manufacturing														P
339940	Office Supplies (except Paper) Manufacturing														P
339950	Sign Manufacturing										C	C	C	C	C
339991	Gasket, Packing, and Sealing Device Manufacturing														P
339992	Musical Instrument Manufacturing														P
339993	Fastener, Button, Needle, and Pin Manufacturing														P
339994	Broom, Brush, and Mop Manufacturing														P
339995	Burial Casket Manufacturing														P
339999	All Other Miscellaneous Manufacturing														C
423110	Automobile and Other Motor Vehicle Merchant Wholesalers														C
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers														P
423130	Tire and Tube Merchant Wholesalers														C
423140	Motor Vehicle Parts (Used) Merchant Wholesalers														C
423210	Furniture Merchant Wholesalers														P
423220	Home Furnishing Merchant Wholesalers														P
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers														P
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers														P

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers														P
423390	Other Construction Material Merchant Wholesalers														P
423410	Photographic Equipment and Supplies Merchant Wholesalers														P
423420	Office Equipment Merchant Wholesalers														P
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers														P
423440	Other Commercial Equipment Merchant Wholesalers														P
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers														P
423460	Ophthalmic Goods Merchant Wholesalers														P
423490	Other Professional Equipment and Supplies Merchant Wholesalers														P
423510	Metal Service Centers and Other Metal Merchant Wholesalers														P
423520	Coal and Other Mineral and Ore Merchant Wholesalers														P
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers														P
423620	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers														P
423690	Other Electronic Parts and Equipment Merchant Wholesalers														P
423710	Hardware Merchant Wholesalers														P
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers														P
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers														P
423740	Refrigeration Equipment and Supplies Merchant Wholesalers														P
423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers														P
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers														P

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
423830	Industrial Machinery and Equipment Merchant Wholesalers														P
423840	Industrial Supplies Merchant Wholesalers														P
423850	Service Establishment Equipment and Supplies Merchant Wholesalers														P
423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers														P
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers														P
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers														P
423930	Recyclable Material Merchant Wholesalers														P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers														P
423990	Other Miscellaneous Durable Goods Merchant Wholesalers														P
424110	Printing and Writing Paper Merchant Wholesalers														P
424120	Stationary and Office Supplies Merchant Wholesalers														P
424130	Industrial and Personal Service Paper Merchant Wholesalers														P
424210	Drugs and Druggists' Sundries Merchant Wholesalers												C		P
424310	Place Goods, Notions, and Other Dry Goods Merchant Wholesalers														P
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers														P
424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers														P
424340	Footwear Merchant Wholesalers														P
424410	General Line Grocery Merchant Wholesalers														P
424420	Packaged Frozen Food Merchant Wholesalers														P
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers														P
424440	Poultry and Poultry Product Merchant Wholesalers														P
424450	Confectionery Merchant Wholesalers														P
424460	Fish and Seafood Merchant Wholesalers														P
424470	Meat and Meat Product Merchant Wholesalers														P

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
424480	Fresh Fruit and Vegetable Merchant Wholesalers														P
424490	Other Grocery and Related Products Merchant Wholesalers														P
424510	Grain and Field Bean Merchant Wholesalers														P
424520	Livestock Merchant Wholesalers														P
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers														P
424690	Other Chemical and Allied Products Merchant Wholesalers														C
424810	Beer and Ale Merchant Wholesalers														P
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers														P
424910	Farm Supplies Merchant Wholesalers														P
424920	Book, Periodical, and Newspaper Merchant Wholesalers														P
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers														P
424940	Tobacco and Tobacco Product Merchant Wholesalers														P
424950	Paint, Varnish, and Supplies Merchant Wholesalers														P
424990	Other Miscellaneous Non-Durable Goods Merchant Wholesalers														P
425110	Business to Business Electronic Markets								P		P	P	P	P	P
425120	Wholesale Trade Agents and Brokers								P				P	P	P
441110	New Car Dealers												C	C	C
441120	Used Car Dealers														C
441210	Recreational Vehicle Dealers														C
441222	Boat Dealers											C	C	C	C
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers														C
441310	Automotive Parts and Accessories Stores										C	C	C	C	C
441320	Tire Dealers												C		C
CC442100	All Drive-in and Drive-Through Services (excluding Food Services)							C				C	C	C	C
442110	Furniture Stores										P	P	P	P	C
442210	Floor Covering Stores										P	P	P	P	C
442291	Window Treatment Stores										P	P	P	P	P

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442299	All Other Home Furnishings Stores										C	C	P	P	P
443141	Household Appliance Stores										C	C	P	P	P
443142	Electronics Stores										P	P	P	P	P
444110	Home Centers											C	C	C	P
444120	Paint and Wallpaper Stores										C	P	P	P	P
444130	Hardware Stores										P	P	P	P	P
444190	Other Building Material Dealers											C	C	C	P
444210	Outdoor Power Equipment Stores										C	C	C	P	P
444220	Nursery, Garden Center, and Farm Supply Stores										C			C	P
445110	Supermarkets and Other Grocery (except Convenience) Stores										C	P	P	P	P
445120	Convenience Stores								C		C	C	C	C	C
445210	Meat Markets										P	P	P	P	P
445220	Fish and Seafood Markets														P
445230	Fruit and Vegetable Markets										P	P	P	P	P
445291	Baked Goods Stores										P	P	P	P	P
445292	Confectionery and Nut Stores										P	P	P	P	P
445299	All Other Specialty Food Stores										P	P	P	P	P
445310	Beer, Wine, and Liquor Stores										P	P	P	P	P
446110	Pharmacies and Drug Stores							P	P		P	P	P	P	P
446120	Cosmetics, Beauty Supplies, and Perfume Stores										P	P	P	P	P
446130	Optical Goods Stores										P	P	P	P	P
446191	Food (Health) Supplement Stores							P			P	P	P	P	P
446199	All Other Health and Personal Care Stores										P	P	P	P	P
447110	Gasoline Stations with Convenience Stores										C	C	C	C	C
447190	Other Gasoline Stations											C	C	C	C
448110	Men's Clothing Stores										P	P	P	P	C
448120	Women's Clothing Stores										P	P	P	P	C
448130	Children's and Infants' Clothing Stores										P	P	P	P	C
448140	Family Clothing Stores										P	P	P	P	C
448150	Clothing Accessories Stores										P	P	P	P	C
448190	Other Clothing Stores										P	P	P	P	P
448210	Shoe Stores										P	P	P	P	P
448310	Jewelry Stores										P	P	P	P	C
448320	Luggage and Leather Goods Stores										P	P	P	P	C

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
451110	Sporting Goods Stores (except those exclusively engaged in the sale of firearms and ammunition)										C	C	P	P	P
451120	Hobby, Toy, and Game Stores										P	P	P	P	P
451130	Sewing, Needlework, and Piece Goods Stores										P	P	P	P	P
451140	Musical Instrument and Supplies Stores										P	P	P	P	P
451211	Book Stores										P	P	P	P	P
451212	News Dealers and Newsstands								P		P	P	P	P	P
452111	Department Stores (except Discount Department Stores)										C	C	C	C	P
452112	Discount Department Stores										C	C	C	C	P
452910	Warehouse Clubs and Supercenters											C	C	C	P
452990	All Other General Merchandise Stores								C		C	C	C	C	P
453110	Florists							P			P	P	P	P	P
453210	Office Supplies and Stationery Stores							P	P		P	P	P	P	P
453220	Gift, Novelty, and Souvenir Stores							P			P	P	P	P	P
453310	Used Merchandise Stores (No building materials, outside sales, exchange or drop-off of used goods)										P	P	P	P	P
453910	Pet and Pet Supplies Stores										P	P	P	P	P
453920	Art Dealers										P	P	P	P	P
453930	Manufactured (Mobile) Home Dealers														C
453991	Tobacco Stores										P	P	P	P	P
453998	All Other Miscellaneous Store Retailers (except auction houses, pool and hot tub sales/supplies and cemetery memorial dealers)										P	P	P	P	P
CC453999	Comprehensive or Medical Marijuana Dispensary Facility as defined under Section 405.120, including Microbusiness Marijuana Dispensary Facility (provided any drive-through or drive-up portion of any such dispensary shall be a conditional use in the designated districts)							P		P	P	P	P	P	P
454111	Electronic Shopping										P	P	P	P	P
454112	Electronic Auctions													P	P
454113	Mail-Order Houses														P
454210	Vending Machine Operators														P
454310	Fuel Dealers														C
454390	Other Direct Selling Establishments										P	P	P		

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
481112	Scheduled Freight Air Transportation														P
481219	Other Non-Scheduled Air Transportation											P		P	
484110	General Freight Trucking, Local														C
484121	General Freight Trucking, Long-Distance, Truckload														C
484122	General Freight Trucking, Long-Distance, Less Than Truckload														C
484210	Used Household and Office Goods Moving														C
484220	Specialized Freight (except Used Goods) Trucking, Local														C
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance														C
485111	Mixed Mode Transit Systems														C
485112	Commuter Rail Systems														C
485113	Bus and Other Motor Vehicle Transit Systems														C
486119	Other Urban Transit Systems														P
485210	Interurban and Rural Bus Transportation												C	C	C
485310	Taxi Service														C
485320	Limousine Service														P
485410	School and Employee Bus Transportation														C
485510	Charter Bus Industry											C			C
485991	Special Needs Transportation											C			C
485999	All Other Transit and Ground Passenger Transportation											C			C
486110	Pipeline Transportation of Crude Oil														C
486210	Pipeline Transportation of Natural Gas														C
486910	Pipeline Transportation of Refined Petroleum Products														C
486990	All Other Pipeline Transportation														C
488190	Other Support Activities for Air Transportation														P
488410	Motor Vehicle Towing														C
488490	Other Support Activities for Road Transportation														C
488510	Freight Transportation Arrangement														P
488991	Packing and Crating														P
488999	All Other Support Activities for Transportation														P
491110	Postal Service								P			P	P	P	P

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
492110	Couriers and Express Delivery Services														P
492210	Local Messengers and Local Delivery														P
493110	General Warehousing and Storage														C
493120	Refrigerated Warehousing and Storage														C
511110	Newspaper Publishers								P		P	P		P	P
511120	Periodical Publishers								P	P	P	P		P	P
511130	Book Publishers								P		P	P		P	P
511140	Directory and Mailing List Publishers								P		P	P		P	P
511191	Greeting Card Publishers								P		P	P		P	P
511199	All Other Publishers								P		P	P		P	P
511210	Software Publishers								P	P	P	P	P	P	P
512110	Motion Picture and Video Production											C	C	C	P
512120	Motion Picture and Video Distribution											P	P	P	P
512131	Motion Picture Theaters (except Drive-Ins)											C	C	C	
512191	Teleproduction and Other Postproduction Services												P	P	
512199	Other Motion Picture and Video Industries												P	P	
512210	Record Production								P	P			P	P	P
512220	Integrated Record Production/Distribution														P
512230	Music Publishers								P	P			P	P	P
512240	Sound Recording Studios								C			C	C	C	P
512290	Other Sound Recording Industries								C			C	C	C	P
515111	Radio Networks								C			C	C	C	C
515112	Radio Stations								C			C	C	C	C
515120	Television Broadcasting								C			C	C	C	C
515210	Cable and Other Subscription Programming								C			C	C	C	C
517110	Wired Telecommunications Carriers								C	C		C		C	C
517210	Wireless Telecommunications Carriers Incl. Freestanding Antenna Facilities (except Satellite)	C	C	C	C	C	C	C	C	C	C	C	C	C	C
517410	Satellite Telecommunication								C	C			C		C
517911	Telecommunications Resellers								C			P		P	P
517919	All Other Telecommunications								C				C		C
517929	Roof-Mounted Communication Equipment	C					C	C	C	C	C	C	C	C	C
518210	Data Processing, Hosting, and Related Services								P	P		P		P	P

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI	
519110	News Syndicates								P			P	P	P		
519120	Libraries and Archives						P		P	P	P	P	P	P	P	
519130	Internet Publishing and Broadcasting and Web Search Portals								P	P	P	P	P	P	P	
519190	All Other Information Services								P	P		P		P	P	
521110	Monetary Authorities-Central Bank								P			P		P	P	
522110	Commercial Banking						C		C		C	C	C	C	C	
522120	Savings Institutions						C		C		C	C	C	C	C	
522130	Credit Unions						C		C		C	C	C	C	C	
522190	Other Depository Credit Intermediation								C			C		C	C	
522210	Credit Card Issuing								P		P	P	P	P		
522220	Sales Financing								P		P	P	P	P	P	
522291	Consumer Lending								P		P	P	P	P	P	
522292	Real Estate Credit								P		P	P	P	P	P	
522293	International Trade Financing								P		P	P	P	P	P	
522294	Secondary Market Financing								P		P	P	P	P	P	
522298	All Other Non-Depository Credit Intermediation (Incl. Pawnshops)															
522310	Mortgage and Non-Mortgage Loan Brokers								P			P		P		
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities								P			P	P	P		
523110	Investment Banking and Securities Dealing								P			P	P	P		
523120	Securities Brokerage								P		P	P	P	P		
523130	Commodity Contracts Dealing								P		P		P	P		
523140	Commodity Contracts Brokerage								P		P		P	P		
523210	Securities and Commodity Exchanges								P		P	P	P	P		
523910	Miscellaneous Intermediation								P			P		P		
523920	Portfolio Management								P		P	P	P	P		
523930	Investment Advice								P		P	P	P	P		
523991	Trust, Fiduciary, and Custody Activities								P			P	P	P		
523999	Miscellaneous Financial Investment Activities								P			P	P	P		
524113	Direct Life Insurance Carriers								P			P	P	P		
524114	Direct Health and Medical Insurance Carriers								P			P	P	P		
524126	Direct Property and Casualty Insurance Carriers								P			P	P	P		

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524127	Direct Title Insurance Carriers								P			P	P	P	
524128	Other Direct Insurance (except Life, Health, and Medical) Carriers								P			P	P	P	
524130	Reinsurance Carriers								P			P	P	P	
524210	Insurance Agencies and Brokerages								P		P	P	P	P	
524291	Claims Adjusting								C		C	C	C	C	C
524292	Third Party Administration of Insurance and Pension Funds								P			P	P	P	
524298	All Other Insurance Related Activities								P			P	P	P	
525110	Pension Funds								P			P	P	P	
525120	Health and Welfare Funds								P			P	P	P	
525190	Other Insurance Funds								P			P	P	P	
525910	Open-End Investment Funds								P			P	P	P	
525920	Trusts, Estates, and Agency Accounts								P			P	P	P	
525990	Other Financial Vehicles								P			P	P	P	
531110	Lessors of Residential Buildings and Dwellings								P			P	P	P	
531120	Lessors of Non-Residential Buildings (except Miniwarehouses)								P		P	P	P	P	
531190	Lessors of Other Real Estate Property								P			P	P	P	
531210	Offices of Real Estate Agents and Brokers								P		P	P	P	P	
531311	Residential Property Managers								P			P	P	P	
531312	Non-Residential Property Managers								P			P	P	P	
531320	Offices of Real Estate Appraisers								P			P	P	P	
531390	Other Activities Related to Real Estate								P			P	P	P	
532111	Passenger Car Rental											C	C	C	
532112	Passenger Car Leasing											C	C	C	
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing												C	C	C
532210	Consumer Electronics and Appliances Rental										C	C	C	C	C
532220	Formal Wear and Costume Rental										P	P	P	P	C
532230	Video Tape and Disc Rental										P	P	P	P	C
532291	Home Health Equipment Rental										P	P	P	P	C
532292	Recreational Goods Rental										P	P	P	P	P
532299	All Other Consumer Goods Rental										C	C	C		C
532310	General Rental Centers										C	C	C	C	C

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing														P
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing														C
532420	Office Machinery and Equipment Rental and Leasing										P		P	P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing														P
533110	Lessors of Non-Financial Intangible Assets (except Copyrighted Works)								P			P		P	
541110	Offices of Lawyers								P			P	P	P	P
541120	Offices of Notaries								P			P	P	P	P
541191	Title Abstract and Settlement Offices								P		P	P	P	P	P
541199	All Other Legal Services								P			P		P	P
541211	Offices of Certified Public Accountants								P			P	P	P	P
541213	Tax Preparation Services								P			P	P	P	P
541214	Payroll Services								P			P	P	P	P
541219	Other Accounting Services								P			P	P	P	P
541310	Architectural Services								P			P	P	P	P
541320	Landscape Architectural Services											P	P	P	P
541330	Engineering Services								P			P	P	P	P
541340	Drafting Services								P			P	P	P	P
541350	Building Inspection Services								P			P	P	P	P
541360	Geophysical Surveying and Mapping Services								P			P	P	P	P
541370	Surveying and Mapping (except Geophysical) Services								P			P	P	P	P
541380	Testing Laboratories								P	P		P	P	P	P
CC541381	Marijuana Testing Facility, as defined under Section 405.120									P					P
541410	Interior Design Services								P				P	P	P
541420	Industrial Design Services								P			P	P	P	P
541430	Graphic Design Services								P			P	P	P	P
541490	Other Specialized Design Services								P			P	P	P	P
541511	Custom Computer Programming Services								P			P	P	P	P
541512	Computer Systems Design Services								P			P	P	P	P
541513	Computer Facilities Management Services								P	P		P	P	P	P
541519	Other Computer Related Services								P			P	P	P	P

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
541611	Administrative Management and General Management Consulting Services								P			P		P	P
541612	Human Resources Consulting Services								P			P		P	P
541613	Marketing Consulting Services							P	P			P	P	P	P
541614	Process, Physical Distribution, and Logistics Consulting Services								P			P	P	P	P
541618	Other Management Consulting Services								P			P	P	P	P
541620	Environmental Consulting Services								P	P		P	P	P	P
541690	Other Scientific and Technical Consulting Services								P	P		P	P	P	P
541711	Research and Development in Biotechnology								P	P			C		P
541712	Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)								P	P			C		P
541720	Research and Development in the Social Sciences and Humanities								P	P			C	P	
541810	Advertising Agencies								P			P	P	P	P
541820	Public Relations Agencies								P			P	P	P	P
541830	Media Buying Agencies								P			P	P	P	P
541840	Media Representatives								P			P	P	P	P
541850	Outdoor Advertising								P			P	P	P	P
541860	Direct Mail Advertising								P				P	P	P
541870	Advertising Material Distribution Services								P			P	P	P	P
541890	Other Services Related to Advertising								P			P	P	P	P
541910	Marketing Research and Public Opinion Polling								P			P	P	P	P
541921	Photography Studios, Portrait										P	P	P	P	P
541922	Commercial Photography											P	P	P	P
541930	Translation and Interpretation Services								P			P		P	P
541940	Veterinary Services										P	P	P	P	P
541990	All Other Professional, Scientific, and Technical Services								P			P	P	P	P
551111	Offices of Bank Holding Companies								P		P	P	P	P	P
551112	Offices of Other Holding Companies								P		P	P	P	P	P
551114	Corporate, Subsidiary, and Regional Managing Offices								P	P		P	P	P	P
CC561100	Business Enterprise Center (as defined in Chapter 405.120, Definition of Terms)													P	

ZONING ORDINANCE

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
561110	Office Administrative Services								P			P	P	P	P
561210	Facilities Support Services														P
561311	Employment Placement Agencies								P			C	C	C	P
561312	Executive Search Services								P			P	P	P	P
561320	Temporary Help Services								P			P	P	P	P
561330	Professional Employer Organizations								P			P	P	P	C
561410	Document Preparation Services								P	P		P	P	P	P
561421	Telephone Answering Service								C			C		C	P
561422	Telemarketing Bureaus and Other Contact Centers								C			C		C	C
561431	Private Mail Centers										P	P	P	P	C
561439	Other Business Service Centers (including Copy Shops)								P		P	P	P	P	P
561440	Collection Agencies								P			P	P	P	P
561450	Credit Bureaus								P			P	P	P	P
561491	Repossession Services														C
561492	Court Reporting and Stenotype Services								P			P	P	P	P
561499	All Other Business Support Services								P		P	P	P	P	P
561510	Travel Agencies								P		P	P	P	P	P
561520	Tour Operators								P			P		P	P
561591	Convention and Visitors Bureaus								P			P		P	P
561599	All Other Travel Arrangement and Reservation Services								P			P	P	P	P
561611	Investigation Services										P	P	P	P	P
561612	Security Guards and Patrol Services														C
561613	Armored Car Services														C
561621	Security Systems Services (except Locksmiths)								C			C	C	C	P
561622	Locksmiths										P	P	P	P	P
561710	Exterminating and Pest Control Services														P
561730	Landscaping Services														C
561740	Carpet and Upholstery Cleaning Services														P
561790	Other Services to Buildings and Dwellings														P
561910	Packaging and Labeling Services										C	C	C		P
561920	Convention and Trade Show Organizers								P			P		P	P
561990	All Other Support Services								C			C	C	C	P
562998	All Other Miscellaneous Waste Management Services														C
611110	Elementary and Secondary Schools	C	C	C	C	C	P								

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
611210	Junior Colleges						P		C		C	C	C	C	C
611310	Colleges, Universities, and Professional Schools						P	P	C	C	C	C	C	C	C
611410	Business and Secretarial Schools								C			C	C	C	C
611420	Computer Training								C			C	C	C	C
611430	Professional and Management Development								C			C	C	C	C
611511	Cosmetology and Barber Schools											C	C	C	C
611513	Apprenticeship Training								P			P	P	P	P
611519	Other Technical and Trade Schools								C					C	C
611610	Fine Arts Schools											C	C	C	P
611620	Sports and Recreation Instruction											C	C	C	P
611630	Language Schools								P					P	P
611691	Exam Preparation and Tutoring								P		P	P	P	P	P
611692	Automobile Driving Schools											C	C	C	C
611699	All Other Miscellaneous Schools and Instruction								P			P	P	P	P
611710	Educational Support Services								P			P	P	P	P
621111	Offices of Physicians (except Mental Health Specialists)							P	P		P	P	P	P	P
621112	Offices of Physicians, Mental Health Specialists							P	P		P	P	P	P	P
621210	Offices of Dentists							P	P		P	P	P	P	P
621310	Offices of Chiropractors							P	P		P	P	P	P	P
621320	Offices of Optometrists							P	P		P	P	P	P	P
621330	Offices of Mental Health Practitioners (except Physicians)							P	P		P	P	P	P	P
621340	Offices of Physical, Occupational and Speech Therapists, and Audiologists							P	P		P	P	P	P	P
621391	Offices of Podiatrists							P	P		P	P	P	P	P
621399	Offices of All Other Miscellaneous Health Practitioners							P	P		P	P	P	P	P
621410	Family Planning Centers							P	C			C	C	C	C
621420	Outpatient Mental Health and Substance Abuse Centers							P					C		
621491	HMO Medical Centers							P	P			P	P	P	P
621492	Kidney Dialysis Centers							P	P			P	P	P	P
621493	Freestanding Ambulatory Surgical and Emergency Centers							P	P			P	P	P	P
621498	All Other Outpatient Care Centers							P					C		P

ZONING ORDINANCE

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
621511	Medical Laboratories							P	P				C	P	P
621512	Diagnostic Imaging Centers							P					C	P	P
621610	Home Health Care Services							P				P	P	P	P
621910	Ambulance Services												C		P
621991	Blood and Organ Banks							P							P
621999	All Other Miscellaneous Ambulatory Health Care Services							P					C	C	
622110	General Medical and Surgical Hospitals							P							
622210	Psychiatric and Substance Abuse Hospitals							P							P
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals							P							
623110	Nursing Care Facilities (Skilled Nursing Facilities)						C	C				C	C	C	
623210	Residential Intellectual and Developmental Disability Facilities (Subject to 405.450.B)	P	P	P	P	P	C	C				P			
623220	Residential Mental Health and Substance Abuse Facilities							P				C			
623311	Continuing Care Retirement Communities						C	C				C	C	C	
623312	Assisted Living Facilities for the Elderly						C	C				C	C	C	
623990	Other Residential Care Facilities (Subject to 405.450.B), excluding boot/disciplinary camps and halfway group homes	P	P	P	P	P	C	C				C	C	C	
624110	Child and Youth Services							P					P	P	P
624120	Services for the Elderly and Persons with Disabilities						C	P	C			P	P	P	
624190	Other Individual and Family Services							P	P			P	P	P	P
624210	Community Food Services											C	C		P
624221	Temporary Shelters							C				C	C		C
624229	Other Community Housing Services											C	C		P
624230	Emergency and Other Relief Services											C	C		C
624310	Vocational Rehabilitation Services												P		C
624410	Child Day Care Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C
711110	Theater Companies and Dinner Theaters								C	C	C	C	C	C	C
711120	Dance Companies											C	C	C	C
711130	Musical Groups and Artists											C	C	C	C
711190	Other Performing Arts Companies											C	C	C	C
711211	Sports Teams and Clubs											C	C	C	C
711212	Racetracks														C

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
711219	Other Spectator Sports											C	C	C	C
711310	Promoters of Performing Arts, Sports, and Similar Events with Facilities							C				C	C	C	C
711320	Promoters of Performing Arts, Sports, and Similar Events without Facilities							P				P	P	P	
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures							P				P	P	P	P
711510	Independent Artists, Writers, and Performers							C				C	C	C	
712110	Museums											C	C	C	
712120	Historical Sites	C	C	C	C	C	C	C	C	C	C	C	C	C	
712130	Zoos and Botanical Gardens											C	C	C	
712190	Nature Parks and Other Similar Institutions	C	C	C	C	C						C	C	C	
713110	Amusement and Theme Parks											C	C	C	
713120	Amusement Arcades										C	C	C	C	
713290	Other Gambling Industries											C	C	C	C
713910	Golf Courses and Country Clubs	C	C	C	C	C									
713940	Fitness and Recreational Sports Centers	C	C	C	C	C			C	C		P	P	P	P
713950	Bowling Centers											C	C	C	
713990	All Other Amusement and Recreation Industries (except gun and shooting clubs)	C	C	C	C	C						C	C	C	P
721110	Hotels (except Casino Hotels) and Motels						C		C			C	C	C	
CC721130	Sexually-Oriented Businesses (subject to Article VIII-A of Chapter 405)														P
721310	Rooming and Boarding Houses						C	C							
722310	Food Service Contractors											C	C	C	C
722320	Caterers											C	C	C	C
722330	Mobile Food Services										C	C	C	C	C
722410	Drinking Places (Alcoholic Beverages)										C	C	C	C	C
722511	Full-Service Restaurants								C		C	C	C	C	C
722513	Limited-Service Restaurants								C		C	C	C	C	C
722514	Cafeterias, Grill Buffets, and Buffets						C		C		C	C	C	C	C
722515	Snack and Non-Alcoholic Beverage Bars								C	C	C	C	C	C	C
811111	General Automotive Repair												C		C
811112	Automotive Exhaust System Repair												C		C
811113	Automotive Transmission Repair												C		C

ZONING ORDINANCE

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		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
811118	Other Automotive Mechanical and Electrical Repair and Maintenance												C		C
811121	Automotive Body, Paint, and Interior Repair and Maintenance														C
811122	Automotive Glass Replacement Shops												C		C
811191	Automotive Oil Change and Lubrication Shops												C	C	C
811192	Car Washes												C		C
811198	All Other Automotive Repair and Maintenance												C		C
811211	Consumer Electronics Repair and Maintenance										C	C	C		C
811212	Computer and Office Machine Repair and Maintenance								P		P	P	P	P	P
811213	Communication Equipment Repair and Maintenance														P
811219	Other Electronic and Precision Equipment Repair and Maintenance												P		P
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance														P
811411	Home and Garden Equipment Repair and Maintenance														P
811412	Appliance Repair and Maintenance												P		P
811420	Re-upholstery and Furniture Repair												C		P
811430	Footwear and Leather Goods Repair											P	P	P	P
811490	Other Personal and Household Goods Repair and Maintenance														C
812111	Barber Shops										P	P	P	P	P
812112	Beauty Salons										P	P	P	P	C
812113	Nail Salons										P	P	P	P	C
812191	Diet and Weight Reducing Centers										C	C	P	P	C
812199	Other Personal Care Services (except escort services, massage parlors, steam baths, tattoo parlors, permanent makeup salons and Turkish baths)										P	P	P	P	P
812210	Funeral Homes and Funeral Services	C					C				C	C	C	C	
812220	Cemeteries not associated with a place of worship and all Crematories	C					C					C			

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
812320	Dry Cleaning and Laundry Services (except Coin-Operated) provided that facility (1) Meets all fire code regulations, and (2) Has a valid permit from the St. Louis County Air Pollution Control Program										P	P	P	P	
812331	Linen Supply														P
812332	Industrial Launderers										P				
812910	Pet Care (except Veterinary) including only Pet Spas (as defined in Section 405, 120) Services										P	P	P	P	
812921	Photofinishing Laboratories (except One-Hour)														P
812922	One-Hour Photofinishing										P	P	P	P	
812930	Parking Lots and Garages												C	C	P
812990	All Other Personal Services										C	C	C	C	C
813110	Religious Organizations, Incl. Retreat Houses	C	C	C	C	C	C	C	C	C	C	C	C	C	C
813211	Grantmaking Foundations								P		P	P	P	P	P
813212	Voluntary Health Organizations								P			P		P	P
813219	Other Grantmaking and Giving Services								P			P		P	P
813311	Human Rights Organizations								P			P		P	P
813312	Environment, Conservation and Wildlife Organizations	C	C	C	C	C			P			P		P	P
813319	Other Social Advocacy Organizations	C	C	C	C	C			P			P	P	P	P
813410	Civic and Social Organizations	C	C	C	C	C			P			P		P	C
813910	Business Associations	C	C	C	C	C			P			P		P	P
813920	Professional Organizations								P			P	P	P	C
813930	Labor Unions and Similar Labor Organizations								P			P	P	P	C
813940	Political Organizations								P			P	P	P	P
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)	C	C	C	C	C			P			P	P	P	P
814110	Private Households, Single-Family Residential	P	P	P	P		P								
CC814111	Attached Single-Family Residential (townhouses or duplexes)					P									
CC814120	Low-Density Multifamily Residential (up to 6 single family units per acre)					C									
CC814130	Medium-Density Multifamily Residential (up to 20 single family units per acre)													P	
CC814140	High-Density Multifamily Residential (more than 20 single family units per acre)													C	

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Use Code	2012 NAICS Title	Zoning Districts													
		A	B	C	D	AR	HE	PH	PO	RO	MX	PC	GC	CB	LI
921110	Executive Offices								P	P		P	P	P	C
921120	Legislative Bodies								P	P		P	P	P	
921130	Public Finance Activities								P			P	P	P	P
921140	Executive and Legislative Offices, Combined								P	P		P	P	P	P
921190	Other General Government Support								P	P		P	P	P	P
922110	Courts								P				P	P	P
922120	Police Protection						P	P	P	P		P	P	P	P
922130	Legal Counsel and Prosecution								P	P		P	P	P	
922160	Fire Protection						P		P	P		P	P	P	
922190	Other Justice, Public Order, and Safety Activities							C	C	C		C	C	C	P
923110	Administration of Education Programs							P	P			P	P	P	P
923120	Administration of Public Health Programs							P	P			P	P	P	
923130	Administration of Human Resources Programs (except Education, Public Health, and Veterans' Affairs Programs)							P	P			P	P	P	
923140	Administration of Veterans' Affairs							P	P			P	P	P	
924110	Administration of Air and Water Resource and Solid Waste Management Programs								P			P	P	P	
924120	Administration of Conservation Programs								P			P	P	P	
925110	Administration of Housing Programs								P			P	P	P	
925120	Administration of Urban Planning and Community and Rural Development								P			P	P	P	
926110	Administration of General Economic Programs								P			P	P	P	
926120	Regulation and Administration of Transportation Programs								P			P	P	P	
926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities								P			P	P	P	
926140	Regulation of Agricultural Marketing and Commodities								P			P	P	P	P
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors								P			P	P	P	P
927110	Space Research and Technology								P			P	P	P	P
928110	National Security								P			P	P	P	P
928120	International Affairs								P			P	P	P	P

Section 405.470 Conditional Uses.

[R.O. 2008 §26-52; Ord. No. 1903 §1, 11-24-1997; Ord. No. 1909 §2, 12-8-1997; Ord. No. 1957 §2, 10-12-1998; Ord. No. 1958 §§2 — 3, 10-12-1998; Ord. No. 2051 §§1 — 2, 2-28-2000; Ord. No. 2102 §1, 1-22-2001; Ord. No. 2202 §1, 12-9-2002; Ord. No. 2247 §1, 11-24-2003; Ord. No. 2289 §1, 6-28-2004; Ord. No. 4043 §1, 11-13-2006; Ord. No. 5007 §1, 10-22-2007; Ord. No. 5228 §2, 10-24-2011; Ord. No. 5236 §§1, 3, 12-12-2011; Ord. No. 5295 §1, 2-11-2013; Ord. No. 5300 §19, 4-22-2013]

A. Conditional uses allowed in zoning districts are as follows:

1. *Electric power distribution — (NAICS 221122) (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).* Shall provide a minimum six (6) foot high screen of evergreen plant material or wall between any structure exceeding three (3) feet in height, with the exception of utility poles and any adjacent residential or institutional use or any right-of-way or street.
2. *Retreat houses — (NAICS 813110) operated by non-profit or religious, fraternal or community service organizations including overnight accommodations for guests or members (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).*
 - a. Shall be located on sites of at least three (3) acres.
 - b. Overnight accommodations shall be limited to guests or members.
 - c. The maximum capacity of such overnight guest facilities shall not exceed a ratio of four (4) overnight guests per acre of site occupied by the retreat house.
3. *Accessory retail sales — (NAICS 45299 all other general merchandise stores and NAICS 445120 convenience stores) (conditional use in the "PO" districts).*
 - a. The floor area of retail uses shall not exceed twenty percent (20%) of the gross leasable floor area of any building.
 - b. The combined floor area of all retail uses shall not exceed ten percent (10%) of the gross leasable floor area of a given planned development within the district.
 - c. No signage relating to the retail use shall be allowed except within a building and such signage shall not be visible off the premises.
4. *Roof-mounted communication equipment (CC-517929) (conditional use in the "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts).*

[Ord. No. 5381 §3, 7-14-2014]

 - a. Roof-mounted communication equipment shall not exceed fifteen (15) feet in height as measured from the roof of the building and shall meet the

sky-exposure plane requirement in the applicable zoning district if applicable.

b. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.

c. In addition to the requirements of Section **405.1080**, the site plan for the roof-mounted communication equipment shall include the following information:

(1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and

(2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.

d. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.

e. Roof-mounted communication equipment shall not be located within one hundred fifty (150) feet of any residential structure.

f. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.

g. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

h. Changes to existing facilities and/or structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[1] [Ord. No. 5620, 12-10-2018]

[1]

Note: Review of an application shall be completed within applicable time limitations including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090, et seq., and 67.5110, et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

5. Roof-mounted communication equipment (CC-517929) (conditional use in the "A" District). [Ord. No. 5381 §3, 7-14-2014]

- a.** Roof-mounted communication equipment may be located in a residential parcel if the property is over twenty (20) acres and is primarily used as a public or private school or place of worship.
- b.** The location of the roof-mounted communication equipment shall be no less than three hundred (300) feet from any residential structure measured from the location of the proposed communication equipment.
- c.** Any equipment building, cabinet or similar elements serving the antenna must be located within the structure on which it is mounted or below grade level so as to minimize the visibility from the outside of said structure.
- d.** No antenna shall project above the existing height of the structure upon which it is mounted.
- e.** The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
- f.** In addition to the requirements of Section **405.1080**, the site plan for the roof-mounted communication equipment shall include the following information:
 - (1)** Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
 - (2)** Location of any adjoining or surrounding residential districts or structures used for residential purposes.
- g.** Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
- h.** Signs and lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.

i. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the communication equipment owner's expense. The owner shall provide the City with a copy of its notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

j. Changes to existing facilities and/or structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[2][Ord. No. 5620, 12-10-2018]

[2]

Note: Review of an application shall be completed within applicable time limitations including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090, et seq., and 67.5110, et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

6. Communication towers — (NAICS 517210) (conditional use in the "A," "B," "C," "D," "AR," "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts).

[Ord. No. 5381 §3, 7-14-2014]

a. A communication tower shall not exceed one hundred (100) feet in height except in the "LI" Light Industrial District.

b. A communication tower shall not be located on parcels of less than five (5) acres in size within the "A," "B," "C," "D," and "AR" District.

c. The communication tower shall be set back from the property line a minimum of one (1) foot for every foot of structure height or the distance required by the applicable zoning district, whichever is greater. No communication tower shall be located within two hundred (200) feet of any residential structure.

- d. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment and otherwise reduce the visibility of it.
- e. All accessory uses and any guy wire anchors or other supporting apparatus shall be subject to height and setback requirements generally applicable to principal uses in the zoning district in which they are located. All guy wire anchor locations, equipment shelter structures or buildings, fencing and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the communication tower.
- f. In addition to the requirements of Section **405.1080**, the site plan for the communication tower shall include the following information:
- (1) Exact location of the tower and guy wire anchors or other supporting apparatus;
 - (2) Proposed type, number and location of antennas or other transmission equipment to be located on the tower; and
 - (3) Location of any adjoining residential districts or structures used for residential purposes.
 - (4) Location and number of evergreen plantings or other methods of screening provided for ground-based equipment.
- g. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any communication tower, unless required by the FAA or other Federal or State authority.
- h. A communication tower shall not be located closer than fifty (50) feet from any street right-of-way.
- i. The provisions of Section **405.620** and Section **405.690** shall not apply to communication towers.
- j. Any communication tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the tower and accessory structures. In case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operations. Removal of existing equipment shall not be a condition of approval of any subsequent application.
- k. Changes to existing wireless facilities and/or support structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or

that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[3] [Ord. No. 5620, 12-10-2018]

[3]

Note: Review of an application shall be completed within applicable time limitations including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090, et seq., and 67.5110, et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

7. Electromedical and electrotherapeutic apparatus manufacturing — (NAICS 334510), surgical appliance and supplies manufacturing — (NAICS 339113), dental equipment and supplies manufacturing — (NAICS 339114), and ophthalmic goods manufacturing — (NAICS 339115) (conditional use in the "PH" district).

- a.** Shall clearly be accessory to the medical specialty use.
- b.** Shall be located in the same building as the medical specialty use.
- c.** Shall occupy less than fifty percent (50%) of the floor area of the building devoted to the medical specialty, not to exceed ten thousand (10,000) square feet.

8. All drive-through and drive-in sales of goods or services, including, but not limited to, pharmacies, banking facilities, and marijuana dispensary facilities (not including restaurants) (CC442100) (conditional use in the "PH," "MX," "PC," "GC," "CB" and "L1" Districts). [Ord. No. 5400 §1, 11-10-2014; Ord. No. 5717, 9-29-2020; Ord. No. 5828, 2-13-2023]

- a.** Shall provide space for at least three (3) cars per drive-up window or station.
- b.** Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.

c. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.

d. When provided in the "PH" District, drive-through services shall be limited to uses complementary to the medical uses existing on the campus.

9. Water supply and irrigation systems — NAICS 221310 (conditional use in the "GC" and "LI" district). [Ord. No. 5648, 8-26-2019]

a. Shall be located on lots of at least three (3) acres in the "LI" Light Industrial District.

b. Shall be located on lots of at least eight (8) acres in the "GC" General Commercial District.

c. Elevated structures shall be set back from property lines a minimum of one (1) foot for every foot in height of the structure.

10. Sewage treatment facilities — NAICS 221320 (conditional use in the "LI" district).

a. Shall be located on lots of at least three (3) acres.

b. Shall be allowed only as an accessory use to an industrial use.

c. Shall be limited to the treatment of industrial waste prior to transmittal to the sanitary sewer system.

d. Shall receive all necessary permits from the Metropolitan St. Louis Sewer District, St. Louis County, the State of Missouri and the Federal Government prior to initiating operation.

11. New car dealers — NAICS 441110 (conditional use in the "GC" and "CB" districts).

a. *Site size.* Shall be located on lots of not less than one (1) acre.

b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").

c. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.

d. *Motor vehicle dealers (new or new and used) (all uses NAICS 441110).* A motor vehicle dealer, whose new vehicle franchise has been terminated, may continue all other services performed by the dealer for a period of three (3) years from the later of the date of such termination or January 24, 2011, provided the dealer gives the City written notice of such termination within thirty (30) days of the effective date thereof and states

in such notice an intent to seek a replacement franchise to sell new vehicles. Upon good cause shown, the City Council may extend the time period accordingly.

12. New car dealers, used car dealers, motorcycle dealers, and boat dealers — NAICS 441110, 441120, 441221 and 441222 (conditional use in the "LI" District).

a. Indoor operations only. All business operations (including, but not limited to, vehicle service, cleaning and storage) will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. This shall not be interpreted to require service bay doors to be closed except as may be required by an approved conditional use permit.

b. Site size. Shall be located on lots of not less than one (1) acre.

c. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right-of-way.

13. Gasoline service stations — NAICS 447110 and 447190 (conditional use in the "PC", "GC" and "CB" districts). The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section **405.1070**, so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.

a. Site size. Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.

b. Setbacks. All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.

c. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.

- d. *Parking and access.*** In addition to providing parking in accordance with Section **405.820(F)**, there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.
- e. *Fencing.*** The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
- f. *Retail sales.*** Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.
- g. *Trash disposal and storage.*** All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
- h. *Major repairs prohibited.*** Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.
- i. *Trailer and equipment rental prohibited.*** Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.
- j. *Gasoline deliveries.*** No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
- k. *Pump island location.*** Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.
- l. *Landscaping and buffering.*** A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
- m. *Curb cuts and corner radius.*** On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.

n. *Sight lines.* Landscaping provided along the street frontage in accordance with paragraph (13)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).

14. Food services and drinking places — (NAICS 722). Shall be located on sites of not less than two (2) acres with the following exceptions and conditions: [Ord. No. 5400 §2, 11-10-2014; Ord. No. 5626, 2-11-2019; Ord. No. 5806 & 5807, 10-10-2022]

a. The acreage requirement does not apply to restaurants without drive-through services within the "GC" District.

b. The acreage requirement does not apply to restaurants without drive-through services in the "CB," "PO," "PC" and "LI" Districts that are located within a multi-tenant retail or office building.

c. For the purposes of this Section, the term "abut" or "abutting" means having a shared property line and not separated by a street.

d. Drive-through services on sites located on one (1) or more lots totaling less than ten (10) acres in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that abut single-family residential uses or multi-family uses in any zoning district other than the "CB" District are subject to the following:

(1) Drive-through facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).

(2) The drive-through order facility and service window shall only be on or adjacent to a wall not facing the primary street frontage. If adjacent to single-family residential uses or multi-family uses in any zoning district other than the "CB" District, the facility and service window shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns. If adjacent to a non-primary street, the drive-thru order facility and service window shall provide

visual screening in the form of dense landscaping as deemed appropriate by the City Council.

(3) The drive-thru restaurant shall have no minimum size requirement; however, indoor seats for customers shall be provided. Unenclosed outdoor seating areas shall not require additional off-street parking.

(4) The drive-thru order facility and service window shall be no less than two hundred (200) feet from any property line of any single-family residential use and shall be no less than fifty (50) feet from any property line of any multi-family uses in any zoning district other than the "CB" District.

(5) The designated stacking lane shall be no less than one hundred ninety (190) feet long [approximately ten (10) cars] excluding the space adjoining the service window, which shall be no less than nine (9) feet wide by nineteen (19) feet long.

(6) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(7) The designated stacking lane shall not cross between the building and primary street frontage.

(8) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City Council, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site and that traffic impacts are otherwise properly mitigated.

(9) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(10) An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding eighty (80) dB as measured at the source or exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.

e. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that do not abut single-family residential uses or multi-family uses in any zoning district other than the "CB" District and drive-thru

services on sites located on one (1) or more lots totaling ten (10) acres or more in the "MX," "GC," "CB," "PO," "PC" and "LI" Districts that abut single-family residential uses or multi-family uses in any zoning district other than the "CB" District are subject to the following:

(1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows and two (2) order facilities in a coordinated development located on one (1) or more lots totaling three (3) or more acres, with shared access and two (2) or more buildings (including the proposed drive-thru), one (1) of which shall have no less than ten thousand (10,000) square feet of gross floor area. All buildings shall be designed with similar use of materials and design elements such that the buildings are aesthetically complementary to each other.

(2) For drive-thru restaurants on sites located on one (1) or more lots totaling ten (10) acres or more, the drive-thru order facility and service window shall be no less than two hundred (200) feet from any property line of any single-family residential use and no less than fifty (50) feet from any property line of any multi-family uses in any zoning district other than the "CB" District.

(3) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing the primary street frontage. If adjacent to a non-primary street, the drive-thru order facility and service window shall provide visual screening in the form of dense landscaping as deemed appropriate by the City Council.

(4) The drive-thru restaurant shall have pedestrian-oriented site features. Such features, include, but are not limited to, the following: landscaped planting areas adjacent to the building, outdoor seating areas, and pedestrian connections within the site. Unenclosed outdoor seating areas shall not require additional off-street parking.

(5) If the drive-thru restaurant is freestanding, it shall have no less than two thousand (2,000) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.

(6) Any service areas, including, but not limited to, trash receptacles, compactors, outdoor cooking or refrigeration equipment must be fully screened.

(7) The designated stacking lane shall be no less than one hundred ninety (190) feet long [(approximately ten (10) cars)], excluding the

space adjoining a service window, which shall be no less than nine (9) feet wide by nineteen (19) feet long.

(8) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(9) If the designated stacking lane crosses between the building and primary street frontage, it shall be screened in the form of dense landscaping as deemed appropriate by the City Council.

(10) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City Council, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site and that traffic impacts are otherwise properly mitigated.

(11) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(12) An acoustical study shall be submitted demonstrating that the order facility and service windows will not increase ambient sound levels at the property lines above the average Monday to Friday midday level.

f. "Drive-thru" or "Drive Through" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window.

15. Hotels and motels — NAICS 721110 (conditional use in the "PC", "GC", "CB" and "LI" district).

a. Shall be located on lots of not less than three (3) acres.

16. Hotels and motels, and rooming and boarding houses — NAICS 721110 and 721310 (conditional use in the "HE" district).

a. Shall be located on lots of not less than twenty (20) acres.

b. Shall be accessory to a permitted principal use.

17. Cemeteries and crematories — NAICS 812220 (conditional use in the "A", "HE", and "PC" districts).

a. Shall be located on sites of at least forty (40) acres.

b. The use of the site shall be limited to cremation and final interment of bodies or ashes in the ground, in columbariums, in mausoleums or similar facilities and the customary accessory uses to support a cemetery.

18. Funeral homes and funeral services — NAICS 812210 (conditional use in the "A", "HE", "MX", "PC", and "GC" districts).

a. Shall be located on lots of not less than one (1) acre.

19. Passenger car rental and leasing — NAICS 53211 (conditional use in the "GC", "CB", and "LI" districts).

a. Reserved.

b. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").

20. Tire dealers, general automotive repair, automotive transmission repair, other automotive mechanical and electrical repair and maintenance, oil change, automotive glass replacement shops, and all other automotive repair and maintenance — NAICS 441320, 811111, 811113, 811118, 811122, 811191 and 811198 (conditional uses in the "GC", "CB" and "LI" districts).

a. Site size. Shall be located on lots of at least one (1) acre.

b. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").

c. Fencing. The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").

d. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.

e. Body repairs prohibited. No body and fender work, top and upholstery work shall be permitted on the premises.

f. Landscaping and buffering. A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.

21. Motion picture theaters (except drive-ins) — NAICS 512131 (conditional use in the "PC", "GC" and "CB" districts).

a. Shall be located on lots of not less than three (3) acres.

22. Various membership organizations — NAICS 713910, 713940, 713990, 813312, 813319, 813410, 813910, and 813990) (except bars and restaurants owned and operated for members or organizations only; conditional use in the "A", "B", "C", "D" and "AR" districts).

- a. Shall be located on sites of at least three (3) acres.
- b. Parking areas shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.

23. Nursing care facilities, residential intellectual disability , mental health and substance abuse facilities, and community care facilities for the elderly — NAICS 623110, 623210, 623311 and 623990 (except boot camps and halfway group homes) (conditional use in the "HE", "PH", "PC", "GC" and "CB" districts).

[Ord. No. 5431 §2, 7-27-2015]

- a. Shall be located on sites of at least three (3) acres.
- b. The density of development (for apartment-type units) within a personal care facility shall not exceed twenty (20) dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
- c. Personal care facilities shall be primarily residential in character; however, convalescent and nursing homes, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
- d. No building shall be located within fifty (50) feet of any property line.

24. Outpatient mental health and substance abuse center — NAICS 62142 (conditional use in the "GC" district).

- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
- b. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
- c. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.

25. Elementary and secondary schools — NAICS 611110 (conditional use in the "A," "B," "C," "D," and "AR" districts) except public schools that are political subdivisions shall instead be reviewed under Section 400.030, Public Facilities and in consideration of these standards: [Ord. No. 5728, 1-25-2021]

- a. Shall be located on lots of not less than three (3) acres; and
- b. Athletic fields shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
- c. Lights for major outdoor recreation and entertainment facilities shall require approval of a site development plan in accordance with Section 405.1080.

- d. Maximum site coverage shall be allowed up to fifty percent (50%) within the residential districts.

26. Adult day care centers (NAICS 624120) (conditional uses in the "HE" and "PO" districts).

- a. Shall be located on lots of not less than three (3) acres.
- b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
- c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.

27. Child day care services — NAICS 624410 (conditional use in the "A", "B", "C", "D", "AR", "HE", "PO" and "RO" districts).

- a. Shall be located on lots of not less than three (3) acres.
- b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
- c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.

28. Residential mental health and substance abuse facilities — NAICS 623220 (conditional use in the "PC" district).

- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
- b. Not more than twenty (20) persons shall reside in the building at one time.
- c. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
- d. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.

29. Religious organizations — NAICS 813110 (conditional use in the "A," "B," "C," "D" and "AR" districts). [Ord. No. 5458 §1, 3-14-2016]

- a. Shall be located on lots of not less than three (3) acres.
- b. *Maximum site coverage.* Fifty percent (50%).

30. Multi-family dwellings (conditional use in the "AR" district).

- a. Shall be located on sites of at least five (5) acres.
- b. The minimum dwelling unit size shall not be less than nine hundred (900) square feet per unit.
- c. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.

d. Private usable open space. Private usable open space shall be provided in accordance with the standards for all multi-family residential building or development described in Section **405.710**.

e. Visual environment enhancement. In the site development plan for any building or structure or any tract or tracts in the "AR" District, there shall be set aside a sum of money equal to not less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special or extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such site development plan an itemized cost estimate of such items including the manner in which the sum of money is to be used for this visual environment enhancement.

31. Multi-family dwellings (conditional use in the "CB" district). [Ord. No. 5470 §1, 5-9-2016]

a. Shall be located on sites of at least three (3) acres.

b. The average dwelling unit size shall not be less than eight hundred sixty (860) square feet per unit, and no unit shall be less than six hundred fifty (650) square feet.

c. At a minimum, seventy percent (70%) of the required vehicular parking shall be provided within a parking garage or structure that is aesthetically integrated into and incorporates architectural features of the principal structure.

32. Building or structure exceeding a floor area ratio of one (1.0), but not exceeding one and one-fourth (1.25) (conditional use in the "CB" district).

a. All projects seeking a floor area ratio (FAR) exceeding one (1.0) shall be limited to a FAR of eight-tenths (0.8) for the office use portion of the building. The intent is to encourage projects that provide mixed-use developments and reduce peak hour vehicular congestion. All projects should incorporate uses that include, but not be limited to, restaurants, personal service providers and incidental retail and service establishments, that are oriented to both on- and off-site users.

33. Comprehensive or medical marijuana cultivation facility (NAICS CC111419) and comprehensive or medical marijuana-infused products manufacturing facility, and microbusiness marijuana wholesale facility (NAICS CC325415) as defined in Section 405.120, which abide by all applicable laws and regulations, are conditional uses in the zoning districts as shown in Table A, Permitted and Conditional Uses, subject to the following specific standards: [Ord. No. 5637, 4-22-2019; Ord. No. 5828, 2-13-2023]

a. No marijuana-related use or facility shall emit an odor or in any way cause a public nuisance per Section **405.550** or Chapter **215**, as applicable. The applicant shall demonstrate that the appropriate systems will be provided to prevent any odor of marijuana or fumes from leaving the facility.

b. Marijuana cultivation and processing activities shall occur only within an enclosed building.

34. Drugs and Druggists' Sundries Merchant Wholesalers (NAICS 424210) conditional use in the GC District. [Ord. No. 5708, 8-10-2020]

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. Such uses are limited to a maximum of fifty percent (50%) of the floor area of the building in which they are located.

c. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

35. Research and Development in Biotechnology (NAICS 541711) conditional use in the GC District. [Ord. No. 5708, 8-10-2020]

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

36. Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology) (NAICS 541712) conditional use in the GC District. [Ord. No. 5708, 8-10-2020]

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

37. Research and Development in the Social Sciences and Humanities (NAICS 541720) conditional use in the GC District. [Ord. No. 5708, 8-10-2020]

a. Shall be located only on properties that abut the "LI" Light Industrial Zoning District.

b. All operations must be conducted within an enclosed building with no outdoor storage of materials or equipment.

BILL NO. 6081

ORDINANCE NO. _____

**AN ORDINANCE CORRECTING AN ERROR TO THE OFFICIAL ZONING DISTRICT MAP
OF THE CITY OF CREVE COEUR**

WHEREAS, the City's existing zoning map was adopted by the City Council in 2019 with Ordinance 5658; and

WHEREAS, the prior zoning map was professionally updated in 2002 having been previously adopted by the City Council in 1996 with Ordinance 1771, and

WHEREAS, the easternmost portion of the Priory campus, attached as Exhibit A, is incorrectly shown on the effective zoning map as being in the "A" Single Family Residential District instead of the "HE" Higher Education District to match the remaining property of the Priory School campus; and

WHEREAS, the City Council being fully informed finds that correcting the effective zoning map is necessary and is 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 is in the public interest; and

WHEREAS, all parties desiring to be heard on the matter, 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,

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

SECTION 1: The City of Creve Coeur Official Zoning Map, which became effective on September 9, 2019 by Ordinance 5658, is hereby corrected to show the Priory School Campus to be entirely located within the "HE" Higher Education District.

SECTION 2: The adoption of this Ordinance is to correct an error in the classification of the Priory School Campus, located at 500 South Mason Road. All other aspects of the effective Zoning Map of the City of Creve Coeur remain in effect as adopted by the City Council with Ordinance 5658.

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

ADOPTED THIS ____ DAY OF _____, 2023.

NICOLE GREER, PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2023.

DR. ROBERT HOFFMAN, MAYOR

ATTEST:

KELLIE HENKE, CITY CLERK



MEMO TO CITY COUNCIL

Meeting Date: August 26, 2023

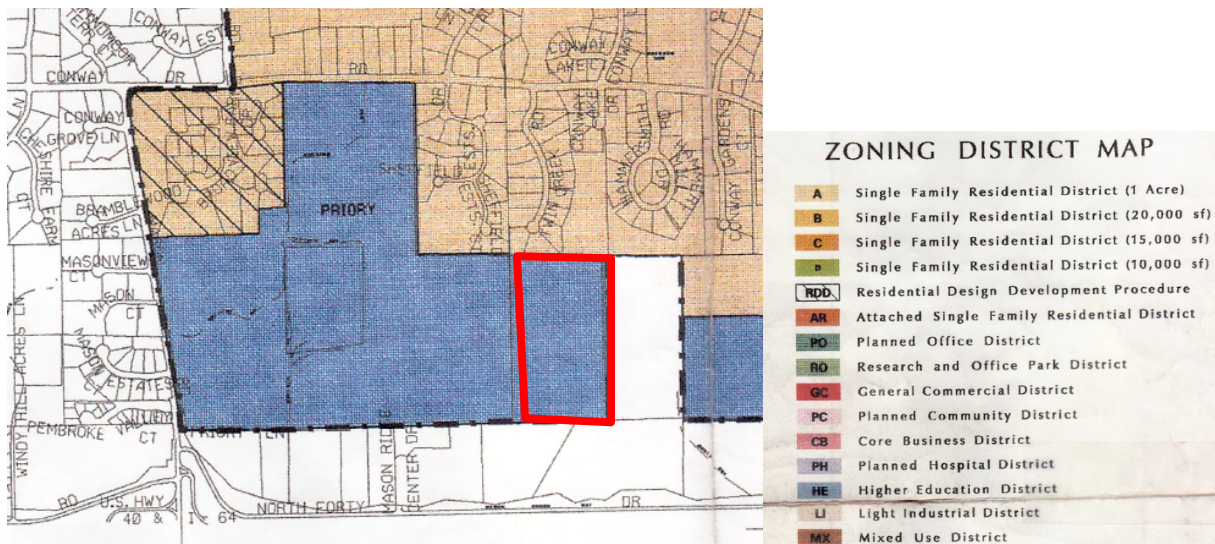
Subject: Zoning Map Correction—Priory School Campus

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

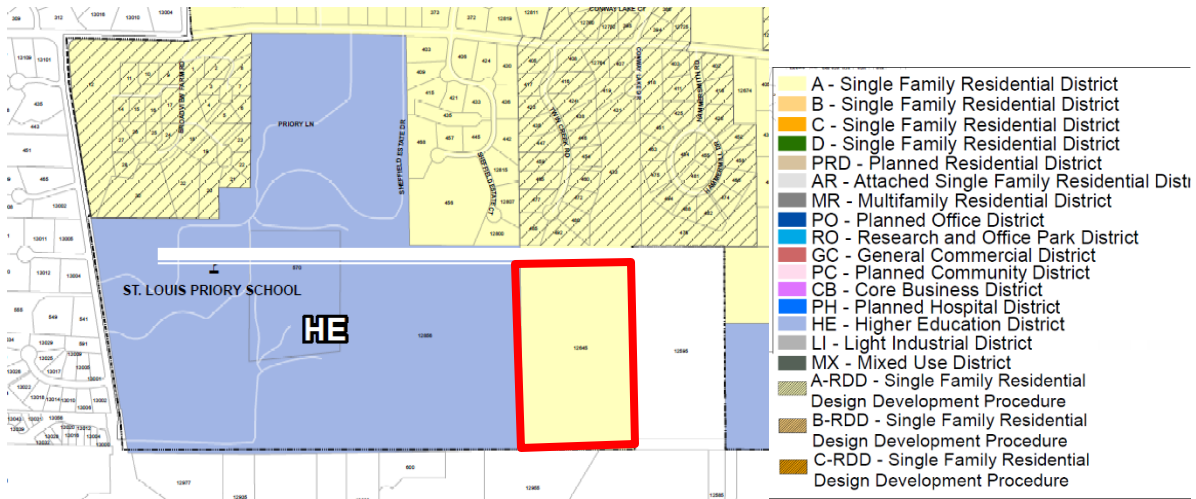
Attachment: Draft Ordinance

In the course of reviewing a Planning and Zoning application for Priory School, staff noticed an error in the Zoning Map when it was updated and adopted by Ordinance No. 5658 in 2019. The current zoning map shows easternmost portion of the Priory campus is shown as being in the A-Single Family Residential District, which is incorrect. The attached correcting ordinance addresses this error which will change this portion of the campus to HE-Higher Education District. The images below show the 2002 Zoning Map with the correct zoning designation and the 2019 update, which is in error.

The Planning and Zoning Commission was advised of this map error on August 21, 2023 in association with the review of the school's request to replace scoreboards. Upon adoption of the submitted ordinance, the Zoning Map will be corrected to show the entire Priory School campus located within the HE-Higher Education District.



2002 Zoning Map showing all of Priory campus in the HE-Higher Education District



Effective Zoning Map incorrectly showing the easternmost portion of the Priory campus in the A-Single Family District

**AN ORDINANCE ADOPTING A REVISED ZONING DISTRICT MAP FOR THE CITY OF
CREVE COEUR PURSUANT TO THE REQUIREMENTS OF SECTION 405.190 OF THE
ZONING ORDINANCE OF THE CITY OF CREVE COEUR**

WHEREAS, The City's existing zoning map has not been professionally updated since 2002 and the zoning map has not been officially adopted since 1996 with Ordinance 1771; and

WHEREAS, In order to provide an accurate version of the zoning map to the public, Staff engaged a consultant to prepare an updated and re-formatted zoning map, pursuant to Section 405.190; and

WHEREAS, The revised map has been reviewed by Staff and is believed to be an accurate depiction of the existing zoning district boundaries which are reflective of all zoning updates throughout the past several years since the map was last updated, and does not involve any rezoning of properties from their current designation; and

WHEREAS, Section 405.190 of the zoning ordinance of the City of Creve Coeur requires the adoption of an official comprehensive zoning district map of the city, properly attested and kept on file in the office of the City Clerk; and

WHEREAS, the Planning and Zoning Commission reviewed and, by 5-0 vote, recommended approval of the revised Zoning Map at its meeting on August 19, 2019; and

WHEREAS, the City Council being fully informed finds that approving the revised zoning map 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 is in the public interest; and

WHEREAS, all parties desiring to be heard on the matter, 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,

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

SECTION 1: The City of Creve Coeur Zoning Map, prepared by Horner & Shifrin dated August 15, 2019, is hereby adopted as the official zoning map for the City. The first sentence of Section 405.190.A is hereby amended to read: "The boundaries of the various zoning districts are shown upon the Zoning District Map dated August 15, 2019, unless otherwise provided by ordinance."

SECTION 2: The adoption of this zoning map is not intended to rezone any property, but rather to reflect all zoning changes since the adoption of the prior map. Procedures to approve a zoning change were not followed. In the event any previously approved and effective zoning amendment ordinance is not accurately reflected on the map, such ordinance shall remain controlling. .

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

ADOPTED THIS 9th DAY OF September, 2019.

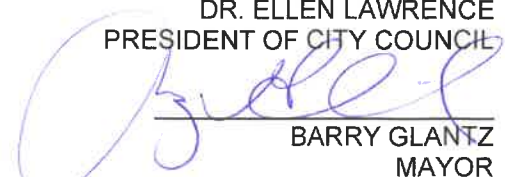
APPROVED THIS 9th DAY OF September, 2019.

ATTEST:


DEBORAH RYAN
CITY CLERK



DR. ELLEN LAWRENCE
PRESIDENT OF CITY COUNCIL


BARRY GLANTZ
MAYOR

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE MUNICIPAL CODE REGARDING OFFENSES TO INCORPORATE CHANGES IN STATE LAW.

WHEREAS, changes in state law (SB 775, 751 & 640 and HB 2168 (2022), and SB 186 (2023)) require amendments to certain provisions of the Municipal Code regarding offenses,

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

SECTION 1. Section 210.250.C of the Municipal Code is hereby amended to read as follows:

Subparagraphs (1), (5), (7) and (8) of Subsection **(A)** of this Section do not apply when the actor is transporting such weapons in a non-functioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible.

Subparagraph (1) of Subsection **(A)** of this Section does not apply to any person nineteen (19) years of age or older or eighteen (18) years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his/her dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this State. Subparagraph (8) of Subsection **(A)** of this Section does not apply if the firearm is otherwise lawfully possessed by a person while traversing on school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event. Subparagraph (8) of subsection (A) of this Section shall not apply to a person who is a school officer commissioned by the district school board under section 162.215 RSMo or who is a school protection officer as described under section 160.665 RSMo.

SECTION 2. A new Section 210.575 of the Municipal Code is here by adopted, to read as follows:

Section 210.575. Unlawful Distribution, Delivery of Sale of a Drug Masking Product.

1. For purposes of this section, the following terms mean:

(1) "Drug masking product", synthetic urine, human urine, a substance designated to be added to human urine, or a substance designated to be added to or used on human hair or oral fluid for the purpose of defrauding an alcohol or a drug screening test;

(2) "Synthetic urine", a substance that is designated to simulate the composition, chemical properties, physical appearance, or physical properties of human urine.

2. A person commits the offense of unlawful distribution, delivery, or sale of a drug masking product if the person distributes, delivers, or sells a drug masking product without lawful authorization.

SECTION 3. A new Section 210.095 of the Municipal Code is hereby adopted, to read as follows:

Section 210.095 Tampering with a Judicial Officer

1. A person commits the offense of tampering with a judicial officer if, with the purpose to harass, intimidate or influence a judicial officer in the performance of such officer's official duties, such person:

(1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;

(2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;

(3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;

(4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, including stalking pursuant to Code Section 210.035;

(5) Disseminates through any means, including by posting on the internet, the judicial officer's or the judicial officer's family's personal information.

For purposes of this section, "personal information" includes a home address, home or mobile telephone number, personal email address, Social Security number, federal tax identification number, checking or savings account number, marital status, and identity of a child under eighteen years of age.

2. A judicial officer for purposes of this section shall be a judge or commissioner of a state or federal court, arbitrator, special master, juvenile officer, deputy juvenile officer, municipal prosecutor, state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, juvenile court commissioner, state probation or parole officer, or referee.

3. A judicial officer's family for purposes of this section shall be: (1) Such officer's spouse; and (2) Such officer or such officer's spouse's ancestor or descendant by blood or adoption; and (3) Such officer's stepchild, while the marriage creating that relationship exists.

SECTION 4. Section 621.050.A.6 is hereby amended to read as follows:

Any metal that can be identified as belonging to a public or private cemetery, a political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, or utility regulated under Chapters 386, 392 or 393, RSMo., including twisted pair copper telecommunications wiring of one pair or more existing in 19, 22, 24, or 26 gauge burnt wire, bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, utility regulated under Chapters 386, 392 or 393, RSMo., or manufacturer of the metal or item described in this Section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, water utility, municipal utility, electrical cooperative, utility regulated under Chapter 386, 392 or 393 RSMo., or manufacturer to sell the metal.

SECTION 5. The definition of “Sexual Contact” in Section 210.430 of the Municipal Code is hereby amended to read as follows:

SEXUAL CONTACT

Any touching of another person with the genitals or any touching of the genitals or anus of another person or the breast of a female person, or such touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another person, for the purpose of arousing or gratifying sexual desire of any person or for the purpose of terrorizing the victim.

SECTION 6. The definition of “Sexual Contact” in Section 210.470 of the Municipal Code is hereby amended to read as follows:

SEXUAL CONTACT

Any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another person, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SECTION 7. The definition of “Sexual Conduct” in Section 210.490 of the Municipal Code is hereby amended to read as follows:

SEXUAL CONDUCT

Sexual intercourse, deviate sexual intercourse, or sexual contact.

SEXUAL CONDUCT

~~Actual or simulated, normal or perverted acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification; or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.~~

SECTION 8. Definitions of "Sexual Contact" and "Deviate Sexual Intercourse" are hereby added to Section 210.490 of the Municipal Code to read as follows:

SEXUAL CONTACT

Any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another person, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

Deviate Sexual Intercourse

any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

SECTION 9. Section 385.090 of the Municipal Code is hereby amended to read as follows:

It shall be unlawful for any person to operate in this City a motor vehicle or trailer required to be registered as provided by law unless a certificate of ownership has been obtained or applied for as provided in Section 301.190, RSMo. and such registration is not suspended.

SECTION 10. This Ordinance shall become effective pursuant to the provisions of Section 3.11(g) of the Charter and as provided herein.

ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2023.

NICOLE GREER
PRESIDENT OF THE CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2023.

DR. ROBERT HOFFMAN

BILL NO. 6082

ORDINANCE NO. _____

MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK

**AN ORDINANCE REVISING CHAPTER 520 OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR,
MISSOURI, REGARDING THE LATERAL SEWER REPAIR FUND**

WHEREAS, Chapter 520 of the City Code of Ordinances governs the Lateral Sewer Repair Fund; and

WHEREAS, the Lateral Sewer Repair Fund supports an important program which promotes the public health and welfare by facilitating prompt repairs to private sanitary sewer facilities; and

WHEREAS, a significant increase in the lateral sewer repair program fund balance warrants an increase in the reimbursement percentage; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Creve Coeur, Missouri, as follows:

SECTION 1:

Section 520.010 of Chapter 520 of the City Code of Ordinances is revised to read as follows:

D. Fund. The funds collected for repairs of defective lateral sewer service lines shall be deposited in a special account, to be known as the "Sewer Lateral Repair Program Fund," which shall be established and administered by the Finance Department to be used solely for the purpose of paying for costs reasonably associated with and necessary to administer and carry out such repairs. For claims received on or before September 30, 2023, the fund shall reimburse the property owner for fifty percent (50%) of approved and documented repair and video inspection costs, up to a maximum amount of seven thousand five hundred dollars (\$7,500.00). For claims received on or after October 1, 2023; the fund shall reimburse the property owner for seventy-five percent (75%) of approved and documented repair and video inspection costs, up to a maximum amount of seven thousand five hundred dollars (\$7,500.00). All interest generated on such deposited funds shall accrue to the special account established for the repair of lateral sewer service lines.

SECTION 2: This Ordinance shall take effect in accordance with Section 3.11(g) of the Charter.

ADOPTED THIS _____ DAY OF _____, 2023.

NICOLE GREER
PRESIDENT OF THE CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2023.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



MEMORANDUM

DATE: July 28, 2023

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Sewer Lateral Fund

The Sewer Lateral Fund was established in 1999 with voter approval of \$28 per single family home for sewer lateral insurance. Under the program, residents can file for reimbursement of 50% of their expenses for sewer lateral replacement, up to a maximum reimbursement of \$7,500.

However, the reimbursement percentage and fee have not always been at this percentage or amount. In FY 2012, the fee was decreased from \$28 to \$18 due to a significant increase in fund balance. Then in FY 2016, the fee reverted back to \$28 due to a large increase in reimbursement requests. Then effective January 1, 2017, the reimbursement percentage was lowered from 80% to 50% due to the significant increase in the number of reimbursements.

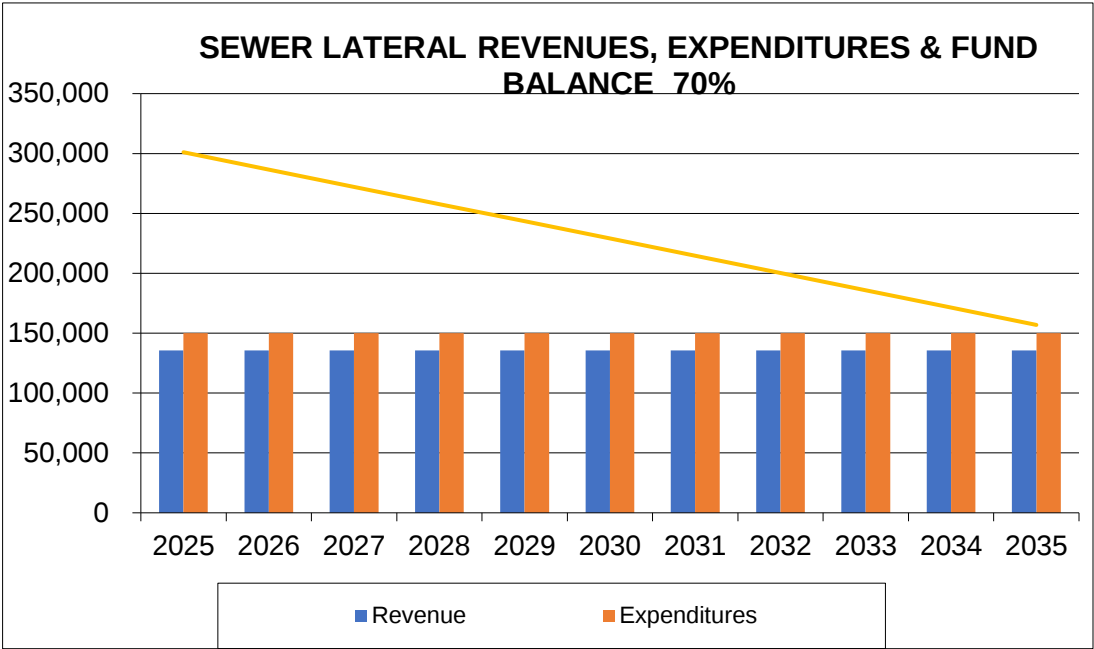
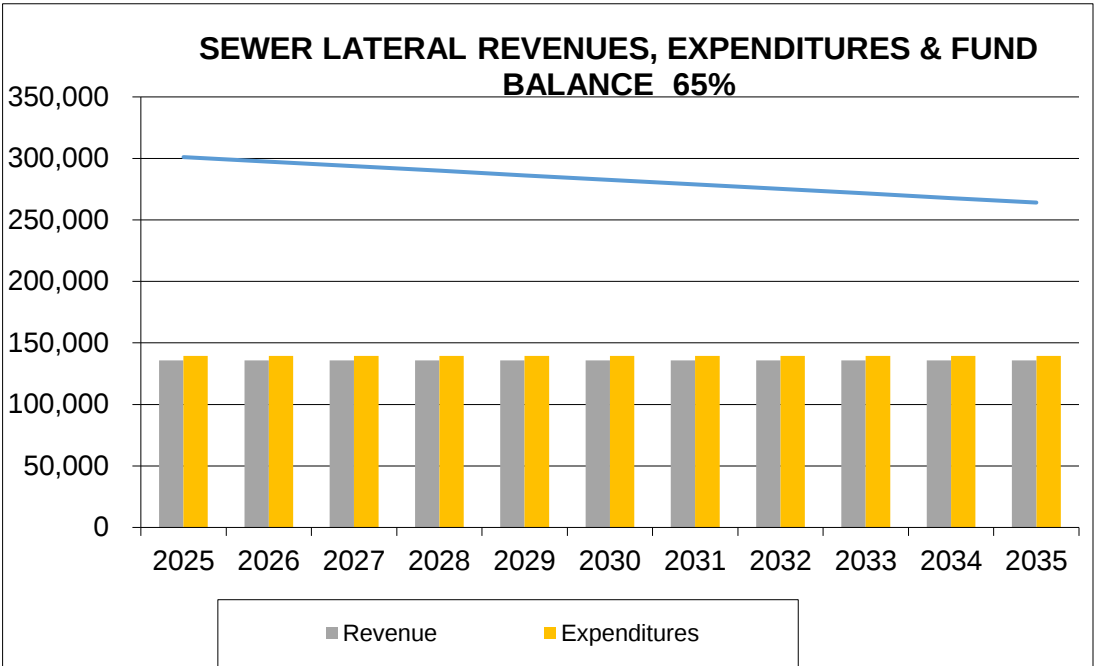
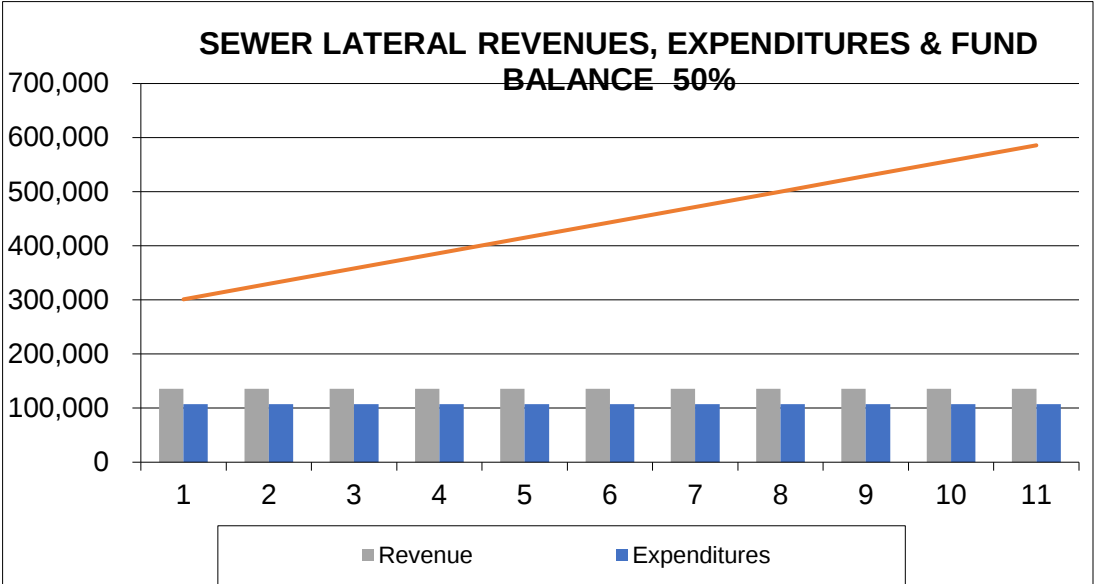
During the FY 2024 budget process, it was noted that the fund balance had once again reached a level where we should consider either reducing the fee or increasing the percentage, so that the fund balance does not continue to grow.

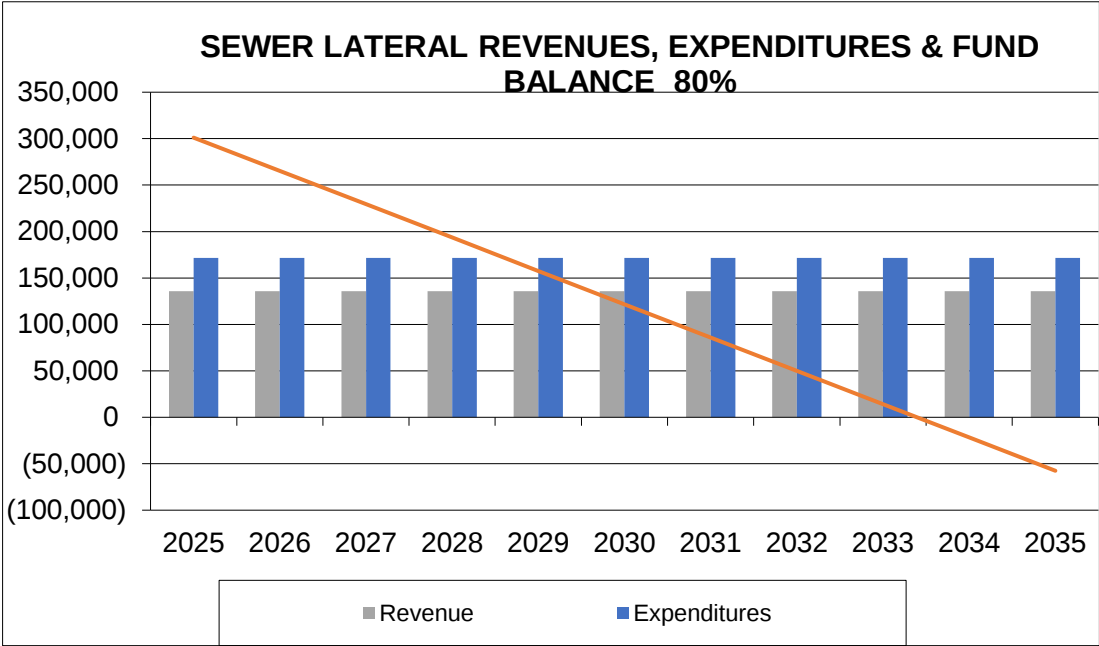
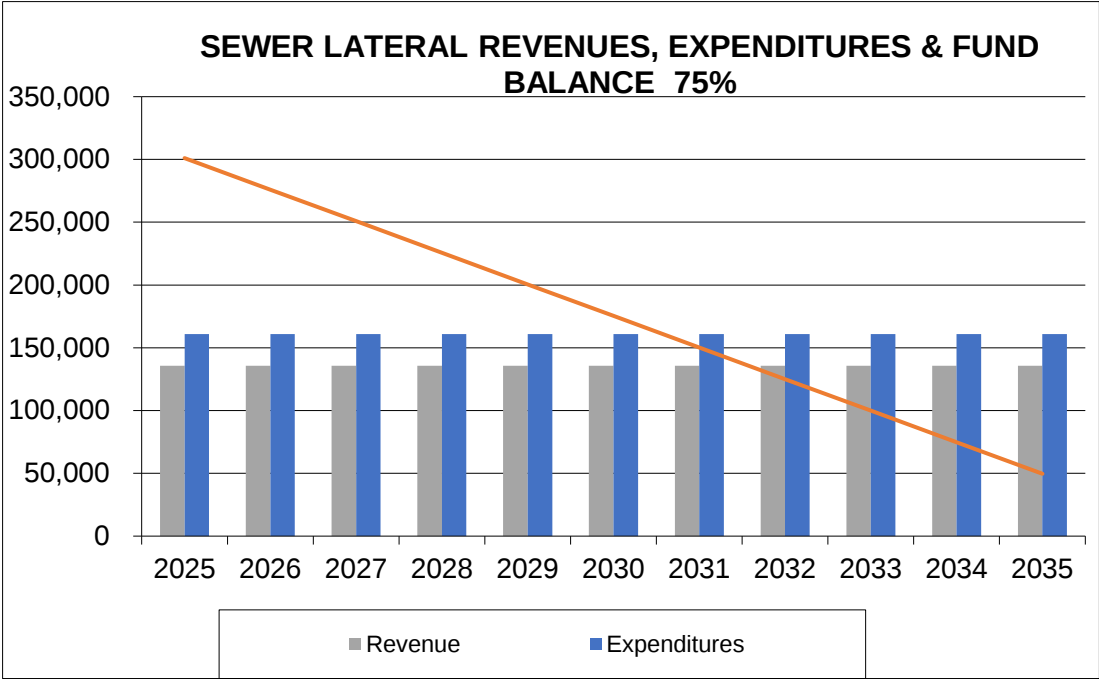
The number of reimbursement requests have leveled off since the huge increase between FY 2012 and FY 2016. Revenues have exceeded expenditures every year since FY 2017.

While decreasing the fee from \$28 is an option, it is not one that staff would recommend. The attached 2 pages include five (5) charts, each with a different reimbursement percentage and how it affects the sewer lateral fund balance over the next 10 years.

Increasing the percentage from 50% to 65% decreases the fund balance less than \$4K per year over the next 10 years. 70% reimbursement reduces the fund balance a little over \$14K each year, which means the fund balance could be depleted in a little over 20 years (assuming revenues and expenditures remain constant). 75% reimbursement depletes the fund balance in about 12 years. And 80% depletes the fund balance in about 8 years.

Staff's recommendation would be to increase the reimbursement percentage to either 70% or 75%. Any change in the reimbursement percentage requires a change to the policy, which means an Ordinance will need to be drafted. I would be pleased to respond to any questions.





**AN ORDINANCE AMENDING THE ADOPTED 2023 GENERAL FUND BUDGET OF THE CITY OF CREVE COEUR BY TRANSFERRING
\$27,910 FROM THE PUBLIC WORKS PARK MAINTENANCE DIVISION TO THE MAINTENANCE OF MUNICIPAL
PROPERTY DIVISION AND AUTHORIZING AN ADDITIONAL \$32,000 APPROPRIATION TO THE ENTERPRISE FUND**

WHEREAS, REVENUES WERE ESTIMATED AND APPROPRIATIONS WERE AUTHORIZED IN THE ANNUAL CITY BUDGET
ADOPTED ON JUNE 13, 2022 BY ORDINANCE NO. 5783, AND

WHEREAS, IT IS IN THE INTEREST OF THE CITY OF CREVE COEUR TO AUTHORIZE A \$27,910 TRANSFER FROM THE PUBLIC WORKS PARK
MAINTENANCE DIVISION TO THE MAINTENANCE OF MUNICIPAL PROPERTY DIVISION TO PAY FOR UNANTICIPATED EXPENDITURES;

WHEREAS, IT IS IN THE INTEREST OF THE CITY OF CREVE COEUR TO AUTHORIZE AN ADDITIONAL APPROPRIATION OF \$32,000 TO
THE ENTERPRISE FUND AS A RESULT OF AN INCREASE IN WATERING THE GREENS AT THE GOLF COURSE DUE TO A DRY SEASON;

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

SECTION 1. THAT THE ANNUAL OPERATING BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR 2023 AS
ADOPTED, IS HEREBY AMENDED BY AUTHORIZING THE TRANSFER OF \$27,910 FROM PARK MAINTENANCE DIVISION TO MAINTENANCE
OF MUNICIPAL PROPERTY DIVISION

GENERAL FUND

BUILDING AND GROUNDS MAINTENANCE (01-16-11-6212)	27,910
TEMP PROFESSIONAL SERVICES (01-31-43-6207)	(16,000)
WATER AND SEWER (01-32-43-6254)	<u>(11,910)</u>
TOTAL GENERAL FUND	\$ -

SECTION 2. THAT THE ANNUAL OPERATING BUDGET FOR THE ENTERPRISE FUND FOR THE FISCAL YEAR 2023 AS ADOPTED, IS
HEREBY AMENDED BY AUTHORIZING AN ADDITIONAL \$32,000 FOR WATERING THE GREENS AT THE GOLF COURSE

ENTERPRISE FUND

WATER AND SEWER (06-14-32-6254)	<u>32,000</u>
TOTAL ENTERPRISE FUND	\$ 32,000

SECTION 3. THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO PROVISIONS OF SECTION 3.11(G) OF THE CHARTER.

ADOPTED THIS _____ DAY OF _____ 2023.

NICOLE GREER
PRESIDENT OF THE CITY COUNCIL

ADOPTED THIS _____ DAY OF _____ 2023.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



MEMORANDUM

DATE: August 23, 2023

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Budget Amendment #1 – FY 2023

Attached is an ordinance to amend FY 2023 General Fund Budget to authorize a \$27,910 transfer of appropriations from the Public Works Park Maintenance Division to the Maintenance of Municipal Property Division to cover the following unbudgeted items:

- the costs for painting the interior of the Government Center (\$13,250);
- the purchase of new plants in front of the Government Center (\$8,455); and
- an increase in Government Center Cleaning (\$6,205).

This amendment has no effect on the overall budget since it is just moving funds from one division to another.

The ordinance also amends FY 2023 Enterprise Fund Budget to allocate additional expenditure appropriations of \$32,000 due to an increase in watering the greens at the golf course. This budget amendment increases the expenditures for the budget by \$32,000, which reduces the Enterprise Fund balance. However, because revenues have come in more than budget, the Enterprise Fund will still end the Fiscal Year with a Surplus.

I'd be happy to answer any questions.

RESOLUTION NO. 1674

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, CONFIRMING 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.

WHEREAS, 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 in Section 130.090 of the City Code of Ordinances; and

WHEREAS, Section 105.485.4 requires the City to adopt a resolution concerning such matters by September 15, 2023;

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

SECTION 1: The City hereby confirms and makes public the provisions of Section 130.090 of the City Code of Ordinances, a copy of which is attached hereto and incorporated herein as Exhibit A.

SECTION 2: The City Clerk shall send a certified copy of this Resolution to the Missouri Ethics Commission within 10 days of its adoption.

SECTION 3: This Resolution shall take effect upon approval by the City Council as provided in the City Charter.

ADOPTED THIS 28TH DAY OF AUGUST, 2023.

DR. ROBERT HOFFMAN
MAYOR

KELLIE HENKE
CITY CLERK

Section 130.090. Personal Financial Disclosure Reports. [R.O. 2008 §2-170.1; Ord. No. 1603 §§1 — 3, 8-23-1993; Ord. No. 1664 §§1 — 3, 9-12-1994; Ord. No. 1734 §§1 — 3, 8-28-1995; Ord. No. 2145 §1, 8-27-2001; Ord. No. 2230 §§1 — 3, 8-11-2003; Ord. No. 3040 §1, 2-14-2005; Ord. No. 5200 §1, 6-27-2011; Ord. No. 5253 §2, 6-11-2012; Ord. No. 5326 §1, 8-26-2013; Ord. No. 5432 §1, 8-10-2015; Ord. No. 5538 §1, 8-28-2017; Ord. No. 5646, 8-12-2019; Res. No. 1549, 8-23-2021¹]

- A. Generally. The Mayor and each member of the City Council, the Planning and Zoning Commission and the Board of Adjustment, the City Administrator, the Finance Director and any candidate for elected office of the City shall disclose the following information if any such transactions were engaged in during the previous calendar year:
1. For such person and all persons within the first degree of consanguinity or affinity of such person (including spouse, parents and dependent children), the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and
 2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
- B. City Administrator And Finance Director; Additional Requirements. The City Administrator and the Finance Director also shall disclose for the previous calendar year the following information for them, their spouses and dependent children:
1. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;
 2. The name and address of each sole proprietorship that such person owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which such person was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;
 3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.
- C. Exception. Notwithstanding the foregoing, said person, if they do not know and their spouse will not divulge any information required to be reported by this Section concerning the financial interest of their spouse, shall state on their financial interest statement that they have disclosed that information known to them and that their spouse has refused or failed to provide other information upon their

1. Editor's Note: Res. No. 1549 confirmed and made public this Section 130.090 regarding disclosure of conflicts of interest pursuant to statute.

Section 130.090

Section 130.090

bona fide request, and such statement shall be deemed to satisfy the requirements of this Section for such financial interest of their spouse; and provided, further, if the spouse of any person required to file a financial interest statement is required by Section 105.483, RSMo., or this Code Section to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed.

- D. **Filing Of Reports.** The reports, in the form as prescribed by the Missouri State Ethics Commission, shall be filed with the City Clerk and with the Missouri State Ethics Commission. The reports shall be available for public inspection and copying during normal business hours. Pursuant to Subsection (4) of Section 105.485, RSMo., these reports are to be filed in lieu of reports otherwise required by the Statute.
- E. **When Filed.** The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year: **[Ord. No. 5759, 11-8-2021]**
1. Each person appointed to office or employed shall file the statement within thirty (30) days of such appointment or employment.
 2. Each candidate for elective office shall file a financial interest statement no later than the 14th day after the last day for filing for the election at which he/she seeks nomination or election, and the statement shall be for the twelve (12) months prior to the closing date, except that in the event an individual does not become a candidate until later than the 14th day after the last day for filing for the election, the statement shall be filed within fourteen (14) days of becoming a candidate.
 3. Every other person required to file a financial interest statement shall file the statement annually not later than May 1, and the statement shall cover the calendar year ending the immediately preceding December 31; provided that person may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
 4. The deadline for filing any statement shall be 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a Saturday or Sunday or on an official State holiday, the deadline for filing is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement required within a specified time shall be deemed to be timely filed if it is postmarked no later than 12:00 Midnight of the day previous to the last day designated for filing the statement.
 5. Penalties for failing to file a financial interest statement shall be as provided in Section 105.492, RSMo.

RESOLUTION NO. 1675

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE PURCHASE OF A 2023 JOHN DEERE 5060E TRACTOR WITH CAB FOR AN AMOUNT OF \$33,270.66 PURSUANT TO A COOPERATIVE PURCHASE AGREEMENT.

WHEREAS, Section 70.220 RSMo authorizes the governing bodies of cities to contract and cooperate with each other for planning, development, construction, acquisition or operation of any public improvement or facility, or for goods and services; and

WHEREAS, cooperative purchasing agreements between and among public agencies have been shown to improve competition, quality, and services, to provide lower prices for materials, goods and services, and to avoid duplication of efforts; and

WHEREAS, the City recognizes that a new John Deere 5060E Tractor with cab will improve safety and reliability for our maintenance operations; and

WHEREAS, the city has previously approved Sourcewell as a Cooperative Purchase Pricing resource; and

WHEREAS, the City Council has determined that it will be beneficial to purchase the aforesaid tractor pursuant to that cooperative purchasing agreement to be positioned to take advantage of such opportunities, and that this agreement is in the best interests of the City;

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

Section 1:

The proposal attached hereto as **Exhibit A** is hereby approved pursuant to the Sourcewell cooperative purchasing agreement. The City Administrator is authorized to execute the proposal and the City Clerk is authorized to attest thereto. The agreement as executed shall be in the form attached hereto as **Exhibit A** subject to final changes consistent with the provisions and intent of this Resolution, and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Section 2: This Resolution shall take effect upon approval.

RESOLUTION NO. 1675

ADOPTED THIS 28 DAY OF AUGUST, 2023.

ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK

Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

Vendor: Deere & Company

- ☐ 2000 John Deere Run
Cary, NC 27513
- ☐ Signature on all LOIs and POs with a signature line
- ☐ Contract name or number; or JD Quote ID
- ☐ Sold to street address
- ☐ Ship to street address (no PO box)
- ☐ Bill to contact name and phone number
- ☐ Bill to address
- ☐ Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate)
- ☐ Membership number if required by the contract

For any questions, please contact:**Paul Engbert**

Sydenstricker Nobbe Partners
3575 Veterans Memorial Pkwy
St Charles, MO 63303

Tel: 636-493-0288

Fax: 636-493-1340

Email: pengbert@snpartners.com

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively "Deere") and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Sydenstricker Nobbe Partners
3575 Veterans Memorial Pkwy
St Charles, MO 63303
636-493-0288
sales@snpartners.com

Quote Summary

Prepared For:

CITY OF CREVE COEUR
300 N NEW BALLAS RD
SAINT LOUIS, MO 63141
Business: 314-432-6000

Delivering Dealer:

Sydenstricker Nobbe Partners
Paul Engbert
3575 Veterans Memorial Pkwy
St Charles, MO 63303
Phone: 636-493-0288
pengbert@snpartners.com

Quote ID: 29374291
Created On: 07 August 2023
Last Modified On: 07 August 2023
Expiration Date: 06 September 2023

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 5060E Cab Utility Tractor	\$ 40,431.00	\$ 34,770.66 X	1 =	\$ 34,770.66
10 Year SNP Limited Warranty	Included, Value of \$ 0.00	\$ 0.00 X	1 =	\$ 0.00

Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70)

Price Effective Date: August 6, 2023

JOHN DEERE hydraulics transfer and install	\$ 3,000.00	\$ 3,000.00 X	1 =	\$ 3,000.00
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Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70)

Price Effective Date:

Equipment Total **\$ 37,770.66**

Trade In Summary	Qty	Each	Extended
JOHN DEERE 5200 tractor	1	\$ 4,500.00	\$ 4,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 4,500.00
Trade In Total			\$ 4,500.00

* Includes Fees and Non-contract items

Quote Summary

Equipment Total \$ 37,770.66

Salesperson : X _____

Accepted By : X _____



JOHN DEERE



**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

Sydenstricker Nobbe Partners
3575 Veterans Memorial Pkwy
St Charles, MO 63303
636-493-0288
sales@snpartners.com

Trade In	\$ (4,500.00)
SubTotal	\$ 33,270.66
Est. Service	\$ 0.00
Agreement Tax	
Total	\$ 33,270.66
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 33,270.66

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 29374291

Customer Name: CITY OF CREVE COEUR

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Sydenstricker Nobbe Partners
3575 Veterans Memorial Pkwy
St Charles, MO 63303
636-493-0288
sales@snpartners.com

JOHN DEERE 5060E Cab Utility Tractor

Hours:
Suggested List *
Stock Number:
\$ 40,431.00
Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG 70)

Selling Price *
\$ 34,770.66
Price Effective Date: August 6, 2023

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
06C1LV	5060E Cab Utility Tractor	1	\$ 38,034.00	14.00	\$ 5,324.76	\$ 32,709.24	\$ 32,709.24
Standard Options - Per Unit							
183A	JDLink™ Capable	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0202	United States	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	English Operator's Manual	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0500	Less Package	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
1363	SyncShuttle™ 9F/3R TSS Transmission with 540 PTO	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
1799	Less Loader Prep Package	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2050	Standard Cab	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3310	Single Mechanical Stackable Rear SCV	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3430	Triple Stackable Mid SCVs with Mechanical Joystick Control	1	\$ 2,373.00	14.00	\$ 332.22	\$ 2,040.78	\$ 2,040.78
5101	14.9-28 In. 6PR R1 Bias	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
6020	Two-Wheel Drive (2WD)	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
6113	11L-15 In. 10PR F3 (Truck Type) Bias	1	\$ 24.00	14.00	\$ 3.36	\$ 20.64	\$ 20.64
Standard Options Total			\$ 2,397.00		\$ 335.58	\$ 2,061.42	\$ 2,061.42
Value Added Services							
	10 Year SNP Limited Warranty	1	\$ 0.00			\$ 0.00	\$ 0.00
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00
Total Selling Price			\$ 40,431.00		\$ 5,660.34	\$ 34,770.66	\$ 34,770.66



JOHN DEERE

Selling Equipment



Quote Id: 29374291

Customer Name: CITY OF CREVE COEUR

ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:

Sydenstricker Nobbe Partners
3575 Veterans Memorial Pkwy
St Charles, MO 63303
636-493-0288
sales@snpartners.com

JOHN DEERE hydraulics transfer and install

Equipment Notes:

Hours: 0

Stock Number:

Contract: Sourcewell Ag Tractors 110719-JDC (PG 1P CG
70)

Price Effective Date:

Suggested List *

\$ 3,000.00

Selling Price *

\$ 3,000.00

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
	hyd tr ansfer	1	\$ 3,000.00	0.00	\$ 0.00	\$ 3,000.00	\$ 3,000.00
Total Selling Price			\$ 3,000.00		\$ 0.00	\$ 3,000.00	\$ 3,000.00

Trade-in

**Quote Id:** 29374291**Customer Name:** CITY OF CREVE COEUR**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

JOHN DEERE 5200 tractor**Machine Details**

Description	Net Trade Value
JOHN DEERE 5200 tractor	\$ 4,500.00
Your Trade In Description	
Total	\$ 4,500.00



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: August 21, 2023

TO: Mark Perkins, City Administrator

FROM: Jim Heines, Director of Public works

SUBJECT: Purchase of a 2023 John Deere 5060E Tractor w/cab.

Public Works staff has received a proposal from Sydenstricker Nobbe Partners for the purchase of a 2023 John Deere 5060E Tractor. The pricing was based upon Sourcewell Cooperative Purchase Agreement (Sourcewell AG Tractors 110719-JDC PG 1P CG 70). Sourcewell is a cooperative purchase pricing resource previously approved by Council.

Current Operations

Creve Coeur Maintenance staff currently uses an open air 1994 John Deere 5200 tractor for flail mowing brush along trails in parks and some areas of the ROW which require immediate attention. We also plan to use it as the 3-point hydraulic power plant to operate the new salt conveyor approved in May 2023. Our maintenance staff has had to borrow a larger tractor from the Golf Course for tasks such as brush hogging the detention basin at Millennium Park and other native planting areas at Conway Park, Malcolm Terrace Park and Lake School Park.

Benefits of this purchase include:

- A closed cab will protect workers from flying debris from the mowers as well as the outside weather.
- Air conditioning, heating and air filtration allows for year-round use which will expand the number of available days of safe operation.
- An automatic transmission should eliminate wear on the clutch and also provide added safety of operations.
- A John Deere 5060E will be large enough to attach the conveyor, a brush hog, flail mower, as well as a number of other agricultural implements.
- Parts are more readily available for a newer tractor.
- Sydenstricker Nobbe Partners, the delivering dealer has offered \$4,500.00 as a trade-in for the 1994 JD-5200

Funding

Funding sources were identified in the FY 2024 Parks/Stormwater Capital Fund in the amount of \$30,000 in account # 05-61-71-9516. In addition, \$2,500.00 was budgeted in the FY 24 Operating Budget to install hydraulic quick disconnects on the 1994 for the Flail Mower in the event a new tractor was not approved.

The total cost of a 2023 John Deere 5060E Tractor is \$33,270.66 including the trade in. Total funding identified for this purchase is \$32,500.00 leaving a \$770.66 shortfall. We feel that there will be savings with other areas of the budget which will cover the unfunded amount.

Recommendation

Public Works staff recommends the purchase of a John Deere 5060E tractor from Deere & Company with offices at 2000 John Deere Run, Cary NC 27513 for an amount of \$33,270.66. This price includes a \$4,500.00 trade in for the city's 1994 John Deere 5200.



MEMORANDUM

DATE: August 23, 2023

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Fourth Quarter FY 2023 Financial Analysis

Attached is the financial report for the General Fund, the Municipal Enterprise Fund, the Capital Fund, the Park & Stormwater Fund, the Sewer Lateral Fund and the Public Safety Fund for the 4th quarter of FY 2023. Some of the fluctuations in both revenues and expenditures worth discussion are as follows:

1. General Fund

a. Revenues

Overall, revenues for FY 2023 are \$638,496 less than revenues for the same time period in FY 2022. Below are some of the revenue sources that are worth mentioning:

- Sales Tax is up \$326,764 from FY 2022.
- Utility Taxes are up \$505,209 from FY 2022 with all utilities being higher including phone.
- Intergovernmental is up \$146,210 with \$115,713 of this increase being from the gasoline tax. Legislators approved a 2.5 cent per gallon increase each year beginning October 2021 and going until July 1, 2025 (over 5 years).
- Licenses & Permits are down \$510,652 from last year due to 2 really big building permits received in FY 2022.
- Interest Revenue is up \$112,885 as a result of interest rates rising.
- Other Revenues are up \$660,504 due to a one-time class action settlement (\$687,686) from Charter, but down \$1,896,930 due to ARPA funds in 2022.

b. Expenditures

Expenditures for the General Fund are \$1,273,066 more than the same time period in FY 2022. Below are some items worth mentioning:

Personnel Increases due to a 4% merit increase to all employees (except police officers and sergeants), market equity adjustments for all personnel, as well as moving the police officers and sergeants to a Step Program, which created an average increase of 8%. Plus, the City gave a 2% COLA to all FT employees in January 2023 and the City is much closer to being fully staffed, compared to a year ago when the city had a large number of vacant positions.

Revenues are down from the previous year mainly due to ARPA Funds received in FY 2022.

Expenditures are up due to an increase in personnel costs, but all are within budgeted expectations.

We budgeted a surplus of \$1,596,749, and we are closing the year with just over a \$3.2M surplus.

2. Municipal Enterprise Fund

a. Revenues

Overall, Revenues for the Enterprise Fund are \$162,734 more than what was received for the fourth quarter of FY 2022. Both Ice and Golf revenues are up with Golf being up \$114,410 or over 23.6% more than last year, due to both an increase in play as well as higher rates implemented in January 2023.

b. Expenditures

Expenditures are \$116,388 more than last year with the increase being due to the following: an increase in personnel costs, reallocating property insurance with the correct department (increased in Enterprise Fund and decreased in General Fund by about \$7,000), exterior painting of Ice (\$10K), Portable PA System (\$3,400), an increase in watering (\$32K), an emergency repair to the Zamboni (\$3,300), an increase in food services (\$7K), and an overall increase in prices for goods and services.

We budgeted an increase in revenues and expenditures and anticipate ending the Enterprise Fund for FY 2023 with a deficit of \$51,362. We are closing the year at a surplus of \$213,862.

3. Capital Fund

a. Revenues

At this time, revenues for the Capital Fund are up \$831,873 from last year due to an increase in sales tax (\$96K), as well as an increase of \$660K from ARPA Funds to cover the following: \$99K for Ice Arena Compressor Repairs; \$142K for Ice Arena Switchover; and \$419K for Street Reconstruction.

b. Expenditures

Expenditures are \$711,390 more than last year at this time due to the completion of the Mosley Road project. The City decided to re-bid the concrete program in the winter, however, the contractor wasn't able to start until FY2024 so none of those expenditures will be in FY 2023.

A deficit was budgeted for FY 2023 due to the timing of several projects; however, the Capital Fund ended the year with a \$1.8M surplus.

4. Parks & Stormwater Fund

a. Revenues

Revenues for the parks and stormwater fund is \$178,533 less than last year, mainly due to a \$480,500 grant that we received last year. The one-half cent sales tax is up \$120,938 this year over last year.

b. Expenditures

Expenditures are less than projected, but \$312,389 more than last year at this time. The renovation of Millennium Park was budgeted in the current fiscal year, but construction will begin after Labor Day in the 2024 fiscal year. Several stormwater projects have been done in FY 2023.

Overall, the Park & Stormwater Fund was budgeted with a deficit of \$579,208, but we are currently at a surplus of \$1,150,131.

5. Sewer Lateral Fund

c. Revenues

Sewer Lateral Revenue is up \$6,431.

d. Expenditures

Expenditures are \$1,691 more than last year.

Overall, the Sewer Lateral Fund was budgeted with a surplus of \$19,544. Revenues and expenditures are slightly more than last year, but expenditures are \$8K less than what was budgeted for the year. We are at a surplus of \$35,111, which is up slightly from where we were last year at this time.

6. Public Safety Sales Tax Fund

e. Revenues

The Public Safety Sales Tax revenues are \$133,252 more than last year at this time. Sales tax revenue is up \$78,474 or 7.2% with Interest revenue being up \$54,777.

f. Expenditures

Expenditures are \$12,619 more than last year.

All of the operational expenditures for the new police building are in this fund and 20% of the public safety sales tax will go towards pension costs for police. In addition, \$430,816 was transferred to the General Fund to cover the ongoing costs of moving the police officers to 12-hour shifts in FY 2019, police market equity adjustment for FY 2022, police market equity/step program/probationary completion bonus in FY 2023. We have budgeted a \$62,265 deficit for FY 2023 and are currently at a surplus of \$286,618.

It should be noted that the figures for this report are preliminary for FY 2023. Additional revenues and expenditures will be recorded to the funds as additional revenues come in and additional bills are paid. Even with those additional unrecorded revenues and expenditures, I do not anticipate substantial changes in the operating results.

Also attached is the Investment report. The 1st and 2nd page is all Pooled Fund money, which includes the General Fund, Capital Fund, Parks & Stormwater, Sewer Lateral and Public Safety Sales Tax Fund. The 3rd page is for Escrow only funds. You will also notice that with each section, it is sorted by Maturity Date with the earliest maturity being listed 1st. The last part of the 3rd page lists who we purchased the investments from, and as you can see, most of them are purchased through Multi-Bank Securities (MBS) with the investment being held at Pershing; all of the others are purchased and held at the financial institution listed.

I would be pleased to respond to any questions.



City of Creve Coeur
Statement of Revenues and Expenditures
As of June 30, 2023
FY 2023

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr YTD	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
<u>General Fund Revenues:</u>								
Property Taxes	738,083	738,083	767,439	29,356	104.0%	751,204	16,235	100.8%
Sales Tax	5,280,151	5,280,151	5,697,965	417,814	107.9%	5,371,201	326,764	120.5%
Utility Taxes	5,720,302	5,720,302	6,128,460	408,158	107.1%	5,623,251	505,209	103.4%
Intergovernmental	1,835,592	1,835,592	1,996,890	161,298	108.8%	1,850,680	146,210	103.7%
Licenses and Permits	1,198,694	1,198,694	1,368,850	170,156	114.2%	1,879,502	(510,652)	162.2%
Charges for Municipal Services	44,500	44,500	63,928	19,428	143.7%	53,981	9,948	190.7%
Municipal Court	553,271	553,271	442,764	(110,507)	80.0%	451,432	(8,668)	83.8%
Interest Revenue	330,000	330,000	408,693	78,693	123.8%	295,808	112,885	89.6%
Other Revenues	2,173,174	2,173,174	1,129,699	(1,043,476)	52.0%	2,366,124	(1,236,426)	828.3%
Total Revenues	17,873,767	17,873,767	18,004,687	130,920	100.7%	18,643,183	(638,496)	126.2%
<u>General Fund Expenditures:</u>								
Legislative Services	228,201	228,201	222,528	5,673	97.5%	185,293	(37,235)	79.5%
Legal Services	203,201	203,201	168,498	34,703	82.9%	165,893	(2,605)	91.0%
Administrative Services	619,685	619,685	585,931	33,754	94.6%	614,799	28,867	97.6%
Municipal Court	267,024	267,024	246,423	20,601	92.3%	237,029	(9,394)	100.2%
Finance Department	513,958	513,958	506,543	7,415	98.6%	434,206	(72,337)	93.8%
InterDepartmental	1,106,888	1,110,975	1,016,630	94,344	91.5%	1,336,622	319,992	93.3%
Information Systems	283,869	283,869	263,571	20,298	92.8%	251,537	(12,034)	96.7%
Community Services	147,219	162,219	143,175	19,044	88.3%	138,610	(4,565)	87.8%
Maint. of Municipal Prop.	278,706	278,706	298,009	-19,303	106.9%	237,021	(60,988)	77.0%
Police Department	7,535,255	7,752,646	7,205,988	546,659	92.9%	6,259,217	(946,771)	89.6%
Public Works - Admin.	571,639	571,639	484,444	87,195	84.7%	450,113	(34,331)	80.9%
Street Maintenance	1,641,168	1,641,168	1,624,107	17,061	99.0%	1,311,632	(312,475)	88.2%
Health and Environment	836,569	836,569	841,497	-4,928	100.6%	803,384	(38,113)	100.2%
Park Maintenance	577,159	586,559	519,779	66,780	88.6%	443,078	(76,702)	92.6%
Community Dev.-Administration	344,442	344,442	321,961	22,481	93.5%	306,350	(15,612)	86.1%
Community Dev.-Building Div.	999,171	999,171	876,303	122,868	88%	877,366	1,062	92.3%
Total Expenditures	16,154,155	16,400,032	15,325,389	1,074,643	93.4%	14,052,149	-1,273,240	90.6%
Total Oper. Surplus (Deficit)	1,719,612	1,473,735	2,679,298	1,205,563		4,591,034	(1,911,736)	
Transfr In From Other Funds	923,014	923,014	923,014	0		589,995	333,019	
Transfers To Other Funds	800,000	800,000	400,000	400,000		1,149,533	749,533	
	123,014	123,014	523,014	400,000		-559,538	-416,514	
Operating Revenues Over (under) Expenditures	1,842,626	1,596,749	3,202,312	1,605,563		4,031,496	(2,328,250)	



City of Creve Coeur
Statement of Revenues and Expenditures
As of June 30, 2023
FY 2023

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr Actual	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
<u>Municipal Enterprise Fund Revenues:</u>								
Golf Course	446,319	446,319	599,641	153,322	134.4%	485,230	114,410	109.8%
Food Service	50,450	50,450	72,854	22,404	144.4%	64,341	8,513	130.0%
Ice Arena	728,961	728,961	793,420	64,459	108.8%	753,609	39,811	128.6%
Total Revenue	1,225,730	1,225,730	1,465,914	240,184	119.6%	1,303,180	162,734	121.0%
<u>Municipal Enterprise Fund Expenditures:</u>								
Golf Course	616,363	616,363	618,619	(2,257)	100.4%	582,972	(35,647)	99.8%
Food Service	46,292	46,292	57,740	(11,448)	124.7%	49,116	(8,624)	135.7%
Ice Arena	604,587	614,437	627,055	(12,618)	102.1%	554,938	(72,117)	98.4%
Total Expenditures	1,267,242	1,277,092	1,303,414	-26,322	102.1%	1,187,026	(116,388)	101.6%
Total Oper. Surplus (Deficit)	(41,512)	(51,362)	162,500	213,862		116,155	46,346	
Operating Revenues Over (Under) Expenditures	(41,512)	(51,362)	162,500	213,862		116,155	46,346	



City of Creve Coeur
Statement of Revenues and Expenditures
As of June 30, 2023
FY 2023

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr YTD	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
<u>Capital Improvement Fund Revenues:</u>								
Intergovernmental	2,206,608	2,206,608	2,291,905	85,297	103.9%	2,195,653	96,252	114.8%
Interest Revenue	2,150	2,150	63,112	60,962	2935.5%	6,166	56,946	154.2%
Other Revenues	1,458,346	1,458,346	1,399,995	(58,351)	96.0%	721,320	678,675	85.0%
Total Revenues	3,667,104	3,667,104	3,755,012	87,908	102.4%	2,923,140	831,873	105.7%
<u>Capital Improvement Fund Expenditures:</u>								
Personnel	141,831	141,831	138,621	3,210	97.7%	93,634	(44,987)	100.6%
Operating Expenditures	0	0	169	(169)	0.0%	0	(169)	0.0%
Building & Improvements	420,000	482,522	38,317	444,205	7.9%	99,705	61,389	29.8%
Park Development Projects	300,500	330,833	299,693	31,140	90.6%	123,483	(176,209)	68.6%
Street Overlay/Repair	3,656,600	3,811,171	2,635,461	1,175,710	69.2%	2,171,189	(464,272)	56.1%
Capital Equipment	463,000	839,255	355,125	484,130	42.3%	267,982	(87,142)	37.1%
Total Expenditures	4,981,931	5,605,612	3,467,385	2,138,227	61.9%	2,755,995	(711,390)	62.5%
Total Oper. Surplus (Deficit)	(1,314,827)	(1,938,508)	287,627	2,226,135		167,145	120,483	
Transfer in from Gen. Fund	800,000	800,000	400,000	(400,000)		400,000	0	
Operating Revenues Over (Under) Expenditures	(514,827)	(1,138,508)	687,627	1,826,135		567,145	120,483	



City of Creve Coeur
Statement of Revenues and Expenditures
As of June 30, 2023
FY 2023

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr YTD	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
<u>Park & Stormwater Fund Revenues:</u>								
Intergovernmental	2,485,601	2,485,601	2,685,791	200,190	108.1%	2,564,852	120,938	135.0%
Interest Revenue	100	100	93,435	93,335	93435.2%	4,466	88,969	4465.7%
Other Revenues	140,000	140,000	92,059	(47,941)	65.8%	480,500	(388,441)	80.7%
Total Revenues	2,625,701	2,625,701	2,871,285	245,584	0.0%	3,049,818	(178,533)	0.0%
<u>Park & Stormwater Fund Expenditures:</u>								
Personnel	120,896	120,896	121,455	(559)	100.5%	42,002	(79,454)	40.2%
Operating Expenditures	0	0	169	(169)	0.0%	0	(169)	0.0%
Park Development Projects	1,830,000	1,947,275	511,962	1,435,313	26.3%	846,524	334,562	46.8%
Storm water Projects	515,000	614,540	595,369	19,171	96.9%	28,040	(567,329)	14.0%
Capital Equipment	30,000	30,000	0	30,000	0.0%	0	0	0.0%
Total Expenditures	2,495,896	2,712,711	1,228,955	1,483,755	0.0%	916,566	(312,389)	0.0%
Total Oper. Surplus (Deficit)	129,805	(87,010)	1,642,329	1,729,339		2,133,252	(490,922)	
Transfr In From Other Funds	0	0	0	0		749,533	-749,533	
Transfer out to General Fund	492,198	492,198	492,198	0		380,000	112,198	
	(492,198)	(492,198)	(492,198)	0		369,533	(861,731)	
Operating Revenues Over (Under) Expenditures	(362,393)	(579,208)	1,150,131	1,729,339		2,502,785	(1,352,653)	



City of Creve Coeur
Statement of Revenues and Expenditures
As of June 30, 2023
FY 2023

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr YTD	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
Sewer Lateral Fund								
Intergovernmental	135,500	135,500	135,551	51	100.0%	136,188	(638)	103.2%
Interest Revenue	200	200	7,716	7,516	3857.9%	647	7,069	323.7%
Total Revenues	135,700	135,700	143,267	7,567	105.6%	136,836	6,431	103.5%

Sewer Lateral Fund Expenditures:

Personnel Expenditures	15,656	15,656	16,614	(958)	106.1%	14,289	(2,324)	96.0%
Technical & Personal Services	500	500	0	500	0.0%	0	0	0.0%
Sewer Lateral Reimbursements	100,000	100,000	91,543	8,457	91.5%	92,176	634	92.2%
Total Expenditures	116,156	116,156	108,156	8,000	93.1%	106,465	(1,691)	92.3%
Total Oper. Surplus (Deficit)	19,544	19,544	35,111	15,567		30,370	4,740	
Operating Revenues Over (Under) Expenditures	19,544	19,544	35,111	15,567		30,370	4,740	



Public Safety Sales Tax Fund

	2023 Annual Budget	2023 Adjusted Budget	2023 4th Qtr YTD	Variance YTD to Adjusted Fav/(Unfav)	YTD As % of Adjusted Budget	2022 4th Qtr YTD	Variance 2022 to 2023 YTD Fav/(Unfav)	2022 YTD As % of 2022 Budget
Intergovernmental	1,066,144	1,066,144	1,170,174	104,030	109.8%	1,091,699	78,475	121.4%
Interest Revenue	2,000	2,000	60,202	58,202	3010.1%	5,425	54,777	271.2%
Other Revenues	0	0	0	0	0.0%	0	0	0.0%
Total Revenues	1,068,144	1,068,144	1,230,376	162,232	115.2%	1,097,124	133,252	121.7%

Public Safety Sales Tax Fund

Personnel Expenditures	211,118	211,118	211,118	0	100.0%	176,335	(34,783)	100.0%
Operating Expenditures	415,075	415,075	322,984	92,091	77.8%	365,655	42,671	95.2%
Capital Expenditures	73,400	73,400	41,105	32,295	56.0%	20,598	(20,507)	41.6%
Total Expenditures	699,593	699,593	575,207	124,386	82.2%	562,588	(12,619)	93.5%
Total Oper. Surplus (Deficit)	368,551	368,551	655,169	286,618		534,536	120,633	
Transfer out to General Fund	430,816	430,816	430,816	0		209,995	(220,821)	
Operating Revenues Over (Under) Expenditures	(62,265)	(62,265)	224,353	286,618		324,541	(100,188)	

Investments - June 30, 2023

POOLED FUNDS (GENERAL FUND, CAPITAL, P&S, SEWER LATERAL, PUBLIC SAFETY)

Investment	CUSIP Tracking #	Instrument	Holder	Quantity	Premium / Discount	Principal	Market Value	YTM	Purchase Date	Maturity Date	Call Date	Years	FTN Int Earned
FFCB	3133EMFB3	CD	MBS	395,000.00		395,000.00		0.290%	11/5/2020	11/2/2023		2.11	
FHLM	3134GXF41	CD	MBS	400,000.00		400,000.00		3.650%	7/29/2022	7/26/2024		1.11	
FHLB	3130AM4A7	CD	MBS	500,000.00		500,000.00		0.500%	4/29/2021	7/29/2024		3.3	
FHLB	3134GXRF3	CD	MBS	500,000.00		500,000.00		2.625%	4/29/2022	7/29/2024		2.3	
FHLB	3130ANRB8	CD	MBS	500,000.00		500,000.00		0.550%	9/17/2021	12/17/2024		3.3	
FHLB	3130AQHS5	CD	MBS	250,000.00		250,000.00		1.250%	1/28/2022	1/28/2025		3.0	
FHLB	3130AQWD1	CD	MBS	1,000,000.00		1,000,000.00		1.650%	2/28/2022	2/28/2025		3.0	
FHLB	3130ARPL9	CD	MBS	500,000.00		500,000.00		3.125%	4/29/2022	4/29/2025		3.0	
FFCB	3133EM3E0	CD	MBS	450,000.00		450,000.00		0.610%	9/9/2021	5/23/2025		3.8	
FHLM	3134GX3A0	CD	MBS	250,000.00		250,000.00		4.750%	9/30/2022	9/30/2025		3.0	
FHLB	3130ANJV3	CD	MBS	350,000.00		350,000.00		0.750%	9/9/2021	12/26/2025		4.3	
FHLB	3130ALZM9	CD	MBS	500,000.00		500,000.00		1.030%	4/29/2021	4/29/2026		5.0	
FFCB	3133ENWF3	CD	MBS	500,000.00		500,000.00		3.550%	5/11/2022	5/11/2026		4.0	
FHLB	3130AMU75	CD	MBS	1,000,000.00		1,000,000.00		0.900%	6/30/2021	6/26/2026		4.11	
FHLB	3130ANE30	CD	MBS	500,000.00		500,000.00		0.500%	7/29/2021	7/29/2026		5.0	
FHLB	3130ANRT9	CD	MBS	500,000.00		500,000.00		0.550%	9/14/2021	8/25/2026		4.11	
FFCB	3133EM3Y6	CD	MBS	500,000.00		500,000.00		0.930%	9/2/2021	9/1/2026		4.11	
FHLB	3130AQJM6	CD	MBS	245,000.00		245,000.00		1.700%	1/28/2022	1/28/2027		5.0	
FHLB	3130ARAH4	CD	MBS	500,000.00		500,000.00		2.350%	3/29/2022	3/29/2027		5.0	
FFCB	3133ENYA2	CD	MBS	500,000.00		500,000.00		3.450%	6/6/2022	6/1/2027		4.11	
FHLB	3130ASCV9	CD	MBS	500,000.00		500,000.00		2.850%	7/29/2022	6/29/2027		4.11	
FHLM	3134GXC85	CD	MBS	500,000.00		500,000.00		3.500%	7/21/2022	7/21/2027		5.0	
Subtotal				10,840,000.00	-	10,840,000.00							
Simmesport State Bank	1053708A1			244,145.85		250,000.02		0.800%	6/4/2020	6/8/2023		3.0	37.46
Encore Bank	29260MBX2	CD	MBS	245,000.00		245,000.00		3.500%	7/10/2020	7/10/2023		3.0	
Bankwell Bk	00654BCL3	CD	MBS	245,000.00		245,000.00		0.400%	7/28/2020	7/28/2023		3.0	
Central Bank Oklahoma	1053751A7	CD	FHN	250,000.00		249,888.47		0.350%	8/18/2020	8/17/2023		2.11	71.17
Bank of Hapoalim	06251A2C3	CD	MBS	245,000.00		245,000.00		0.300%	8/21/2020	8/21/2023		3.0	
Capital One Natl	14042RNU1	CD	MBS	245,000.00		245,000.00		1.850%	9/13/2019	9/5/2023		3.11	
Morgan Stanley	6169OUKJ8	CD	MBS	245,000.00	-	245,000.00		1.850%	9/13/2019	9/5/2023		3.11	
Neighbors FCU	64017AAW4	CD	MBS	245,000.00		245,000.00		0.400%	9/29/2021	9/29/2023		2.0	
Webbank Salt Lake	947547NK7	CD	MBS	245,000.00		245,000.00		0.350%	10/29/2021	10/30/2023		2.0	
Allegiance Bank	1053787A5	CD	FHN	250,000.00		249,782.48		0.250%	11/5/2020	11/6/2023		3.0	50.99
Northpointe Bk	666613HR8	CD	MBS	245,000.00		245,000.00		0.250%	11/13/2020	11/13/2023		3.0	
Zions Bancorp	98970LEY5	CD	MBS	243,000.00		243,000.00		5.200%	5/24/2023	11/24/2023		0.6	
Western Alliance Bk	95763PNA5	CD	MBS	243,000.00		243,000.00		5.250%	5/26/2023	11/27/2023		0.6	
Texas Exchange Bank	88241TJW1	CD	MBS	120,000.00		120,000.00		0.300%	1/19/2021	1/8/2024		2.11	
Morgan Stanley	61768U2E6	CD	MBS	235,000.00		230,000.00		0.300%	7/30/2020	1/27/2024		3.5	
Synovus BK	87164DSF8	CD	MBS	245,000.00		245,000.00		0.300%	3/11/2021	3/11/2024		3.0	
BMW Bk North Ameri	05580AZD9	CD	MBS	245,000.00		245,000.00		0.450%	3/26/2021	3/26/2024		3.0	
Leader Bank Natl	52168UHR6	CD	MBS	245,000.00		245,000.00		0.350%	4/19/2021	4/16/2024		2.11	
Celtic Bk	15118RUV7	CD	MBS	245,000.00	-	245,000.00		1.400%	4/17/2020	4/17/2024		4.0	
Department of Comm Fed	24951TAU9	CD	MBS	245,000.00		245,000.00		3.500%	6/29/2022	7/1/2024		2.0	
Ukrainian Selfreliance	90372MAA0	CD	MBS	245,000.00		245,000.00		3.100%	7/15/2022	7/15/2024		2.0	
Austim Telco Fed	052392BM8	CD	MBS	245,000.00		245,000.00		3.400%	8/12/2022	8/12/2024		2.0	
Pentagon Fed Cr Un	70962LAJ1	CD	MBS	245,000.00		245,000.00		0.500%	9/1/2021	9/3/2024		3.0	
Pacific Premier Bk	69478QGQ7	CD	MBS	245,000.00		245,000.00		3.450%	9/9/2022	9/9/2024		2.0	
Kemba Finl Cr Un	48836LAK8	CD	MBS	245,000.00		245,000.00		3.650%	9/21/2022	9/23/2024		2.0	
Bank Ozk	06417NYJ6	CD	MBS	245,000.00		245,000.00		0.350%	4/8/2021	10/8/2024		3.6	
Industrial & Coml Bk	45581ECT6	CD	MBS	245,000.00		245,000.00		0.600%	10/18/2021	10/18/2024		3.0	
USAlliance FCU	90352RBY0	CD	MBS	245,000.00		245,000.00		0.700%	10/29/2021	10/24/2024		2.11	
TCM Bank	872308FG1	CD	MBS	245,000.00		245,000.00		0.700%	11/15/2021	11/15/2024		3.0	
Lea Conty St Bk	523744AW0	CD	MBS	245,000.00		245,000.00		0.750%	12/10/2021	12/10/2024		3.0	
USF Fed Cr Un	90353EAW3	CD	MBS	245,000.00		245,000.00		0.850%	12/21/2021	12/20/2024		2.11	
1st National Bk	32117BEN4	CD	MBS	245,000.00		245,000.00		0.950%	12/30/2021	12/30/2024		3.0	
Beal Bank	07371AVZ3	CD	MBS	245,000.00		245,000.00		1.150%	2/2/2022	1/29/2025		2.11	
Beal Bank	07371CZK8	CD	MBS	245,000.00		245,000.00		1.500%	2/2/2022	1/29/2025		2.11	
Burke & Herbert Bk	121331AN2	CD	MBS	245,000.00		245,000.00		3.450%	8/5/2022	2/2/2025		2.5	
Lafayette Fed Cr Un	50625LAT0	CD	MBS	245,000.00		245,000.00		0.350%	2/12/2021	2/12/2025		4.0	
Amerant Bank	02357QAR8	CD	MBS	245,000.00		245,000.00		1.650%	2/28/2022	2/28/2025		3.0	

Investment	CUSIP Tracking #	Instrument	Holder	Quantity	Premium / Discount	Principal	Market Value	YTM	Purchase Date	Maturity Date	Call Date	Years	FTN Int Earned
American Express Natl Bk	02589ABM3	CD	MBS	245,000.00		245,000.00		1.800%	3/7/2022	3/3/2025		2.11	
Safra Natl Bk	78658RHM6	CD	MBS	245,000.00		245,000.00		2.000%	3/23/2022	3/24/2025		3.0	
Technology Cr Un	87868YAN3	CD	MBS	245,000.00		245,000.00		5.000%	4/26/2023	4/28/2025		2.0	
Pinnacle Bk	72345SLM1	CD	MBS	200,000.00		200,000.00		4.800%	5/13/2023	5/8/2025		1.11	
LCA Bank	066519QT9	CD	MBS	245,000.00		245,000.00		0.700%	11/29/2021	5/29/2025		3.6	
Discover Bk	254673F68	CD	MBS	245,000.00		245,000.00		3.100%	6/1/2022	6/2/2025		3.0	
Ally Bk	02007GRY1	CD	MBS	245,000.00		245,000.00		3.050%	6/2/2022	6/2/2025		3.0	
Axiom Bk	05464LBS9	CD	MBS	245,000.00		245,000.00		0.750%	12/14/2021	6/13/2025		3.5	
Sallie Mae	795451BQ5	CD	MBS	245,000.00		245,000.00		3.400%	7/6/2022	7/7/2025		3.0	
Trustone Finl CU	89841MAE7	CD	MBS	245,000.00		245,000.00		3.250%	7/19/2022	7/21/2025		3.0	
Credit UN of TX	22551KAB8	CD	MBS	245,000.00		245,000.00		3.300%	7/22/2022	7/22/2025		3.0	
Luana Svgs Bank	549104WP8	CD	MBS	245,000.00		245,000.00		0.350%	2/19/2021	8/19/2025		4.6	
Ufirst Fed Cr Un	902684AA7	CD	MBS	245,000.00		245,000.00		4.700%	2/22/2023	8/22/2025		2.6	
Mountain Amer Fed CU	62384RAL0	CD	MBS	245,000.00		245,000.00		3.500%	8/31/2022	8/29/2025		2.11	
Connex Cr Un	208212AY6	CD	MBS	245,000.00		245,000.00		3.500%	8/31/2022	8/29/2025		2.11	
Skyone Fed Cr Un	83088XAD0	CD	MBS	245,000.00		245,000.00		3.600%	8/30/2022	9/1/2025		3.0	
Great Southn Bk	39120VTB0	CD	MBS	245,000.00		245,000.00		4.500%	10/20/2022	10/20/2025		3.0	
Sharonview Fed CU	819866BR4	CD	MBS	245,000.00		245,000.00		5.000%	10/31/2022	10/31/2025		3.0	
Barclays Bk	06740KNT0	CD	MBS	245,000.00		245,000.00		1.000%	12/15/2021	12/15/2025		4.0	
Connexus Cr Un	20825WAQ3	CD	MBS	245,000.00		245,000.00		1.050%	12/23/2021	12/23/2025		4.0	
Alliant Cr Un	01882MAD4	CD	MBS	245,000.00		245,000.00		5.100%	12/30/2022	12/30/2025		3.0	
JPMorgan Chase Bk	48128UXU8	CD	MBS	245,000.00	-	245,000.00		0.500%	1/22/2021	1/22/2026		5.0	
Coastlife Cr Un	19058LAB0	CD	MBS	245,000.00		245,000.00		4.650%	2/13/2023	2/13/2026		3.0	
Raiz FCU	75102EAF5	CD	MBS	245,000.00		245,000.00		4.650%	2/17/2023	2/17/2026		3.0	
BMO Harris BK	05600XBY5	CD	MBS	245,000.00		245,000.00		0.550%	2/18/2021	2/18/2026		5.0	
State Bank India Chicago	856283S49	CD	MBS	245,000.00	-	245,000.00		0.650%	2/25/2021	2/25/2026		5.0	
Live Oak Bkg Co	538036NY6	CD	MBS	245,000.00	-	245,000.00		0.750%	3/16/2021	3/16/2026		5.0	
Alaska USA Fed CR UN	011852AH3	CD	MBS	245,000.00		245,000.00		5.000%	3/22/2023	3/23/2026		3.0	
City of Boston Cr Un	178581AD6	CD	MBS	245,000.00		245,000.00		0.450%	3/30/2021	3/30/2026		5.0	
Bankunited Natl	066519QT9	CD	MBS	245,000.00	-	245,000.00		0.950%	3/31/2021	3/31/2026		5.0	
First Fed Bk	32022WCH7	CD	MBS	243,000.00		243,000.00		5.500%	3/31/2023	3/31/2026		3.0	
Pacific Western Bank	69506YXZ7	CD	MBS	243,000.00		243,000.00		5.550%	4/5/2023	4/6/2026		3.0	
Eaglemark Svgs Bank	27004PBD4	CD	MBS	245,000.00		245,000.00		0.700%	4/7/2021	4/7/2026		5.0	
Cross Riv Bank	227563CF8	CD	MBS	245,000.00		245,000.00		5.100%	4/14/2023	4/14/2026		3.0	
Peoples Sec Bank & Trust	712303BH8	CD	MBS	244,000.00		244,000.00		4.900%	4/21/2023	4/21/2026		3.0	
Clearpath Fed Cr Un	18507MAB7	CD	MBS	248,000.00		248,000.00		5.100%	4/26/2023	4/27/2026		3.0	
Sunwest Bk	86804DCW6	CD	MBS	245,000.00		245,000.00		0.700%	4/30/2021	4/30/2026		5.0	
Denver Savgs Bk	249398BY3	CD	MBS	245,000.00		245,000.00		0.700%	5/5/2021	5/5/2026		5.0	
Greenstate Cr UN	39573LBL1	CD	MBS	245,000.00		245,000.00		0.900%	6/16/2021	6/16/2026		5.0	
Medallion Bank	58404DKV2	CD	MBS	245,000.00		245,000.00		0.800%	6/30/2021	6/30/2026		5.0	
Toyota Finl Svgs Bk	89235MLC3	CD	MBS	245,000.00		245,000.00		0.950%	7/12/2021	7/15/2026		5.0	
Bank Newport	06647JAV6	CD	MBS	245,000.00		245,000.00		3.500%	8/3/2022	8/3/2026		4.0	
DR Bank CTF	23344RAE7	CD	MBS	245,000.00		245,000.00		3.600%	9/9/2022	9/9/2026		4.0	
Texas Exchange Bank	88241TLX6	CD	MBS	129,000.00		129,000.00		1.050%	10/8/2021	10/8/2026		5.0	
Synchrony Bank	87164YE34	CD	MBS	245,000.00		245,000.00		1.000%	10/22/2021	10/22/2026		5.0	
Institution For Svgs	45780PAZ8	CD	MBS	245,000.00		245,000.00		1.000%	10/28/2021	10/28/2026		5.0	
Merrick Bk South	59013KNY8	CD	MBS	245,000.00		245,000.00		0.900%	10/29/2021	10/29/2026		5.0	
Jonesboro St Bk	48040PKT1	CD	MBS	245,000.00		245,000.00		0.750%	11/5/2021	11/5/2026		5.0	
Capital One Bk	14042TDW4	CD	MBS	245,000.00		245,000.00		1.100%	11/17/2021	11/17/2026		5.0	
Israel Disc Bk	465076SR9	CD	MBS	245,000.00		245,000.00		0.500%	11/5/2021	11/5/2026		5.0	
Community Bk	203485AC1	CD	MBS	245,000.00		245,000.00		1.150%	12/22/2021	12/22/2026		5.0	
Rogue Cr Un	77535MA;7	CD	MBS	245,000.00		245,000.00		5.050%	1/20/2023	1/20/2027		4.0	
Workders Fed Cr Un	98138MBE9	CD	MBS	245,000.00		245,000.00		4.850%	1/27/2023	1/27/2027		4.0	
Metro Cr Un	59161YAP1	CD	MBS	245,000.00		245,000.00		1.700%	2/18/2022	2/18/2027		5.0	
BOFK Natl Assn	05572YGM8	CD	MBS	245,000.00		245,000.00		4.950%	4/26/2023	4/26/2027		4.0	
Farmers & Merchants Bank	307811GL7	CD	MBS	245,000.00		245,000.00		4.850%	4/2/2023	4/28/2027		4.0	
CIBC Bk	12547CBF4	CD	MBS	244,000.00		244,000.00		4.450%	5/16/2023	5/14/2027		3.11	
Univest Natl Bk	91527PBZ9	CD	MBS	245,000.00		245,000.00		4.500%	5/16/2023	5/17/2027		4.0	
First Technology	33715LDZ0	CD	MBS	245,000.00		245,000.00		3.600%	7/15/2022	7/15/2027		5.0	
West Town Bk & Tr	956310BN5	CD	MBS	245,000.00		245,000.00		5.250%	6/16/2023	6/16/2027		4.0	
Pittsburgh City Hall	72500MAA3	CD	MBS	245,000.00		245,000.00		3.600%	8/16/2022	8/16/2027		5.0	
Bank Five Nine	062119BX9	CD	MBS	245,000.00		245,000.00		4.300%	5/19/2023	11/19/2027		4.6	
CIBM Bk	12545JBB0	CD	MBS	245,000.00		245,000.00		5.000%	5/17/2023	5/17/2028		5.0	
Riverbank	76857RCL6	CD	MBS	245,000.00		245,000.00		5.100%	5/23/2023	5/23/2028		5.0	
Dort Finl Cr Un	25844MAW8	CD	MBS	245,000.00		245,000.00		4.350%	5/24/2023	5/24/2028		5.0	

Investment	CUSIP Tracking #	Instrument	Holder	Quantity	Premium / Discount	Principal	Market Value	YTM	Purchase Date	Maturity Date	Call Date	Years	FTN Int Earned
		Subtotal		24,452,000.00	-	24,446,670.95							

ESCROW FUND

Investment	CUSIP Tracking #	Instrument	Holder	Quantity	Premium / Discount	Principal	Market Value	YTM	Purchase Date	Maturity Date	Call Date	Years	
Independence Bank	45340KFL8			-		245,000.00		0.400%	6/8/2020	6/16/2023		3.0	
Vystar Cr Un	92891CCL4	CD	MBS	245,000.00		245,000.00		4.200%	9/22/2022	4/1/2024		1.6	
Direct Fed Cr Un	25460FDS2	CD	MBS	245,000.00		245,000.00		4.600%	10/28/2022	6/28/2024		1.8	
Numerica Cr Un	67054NBA0	CD	MBS	245,000.00		245,000.00		4.200%	11/4/2022	11/4/2024		2.0	
Jefferson Finl	474067CE3	CD	MBS	245,000.00		245,000.00		5.40%	6/28/2023	6/30/2025		2.0	
Total Escrow Fund				980,000.00	-	980,000.00							

TOTAL INVESTMENTS FOR ALL FUNDS 36,266,670.95

Total Investments by Holder			FHN	499,670.95
			MBS	35,767,000.00
			MOSIP	-
			TOTAL INVESTMENTS	36,266,670.95