



**REGULAR MEETING  
AGENDA  
CITY OF CREVE COEUR  
CITY COUNCIL  
300 NORTH NEW BALLAS RD  
JULY 27, 2015  
7:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL**

**COMMENTS FROM THE GENERAL PUBLIC**

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

**ACCEPTANCE OF 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*

**1. CONSENT AGENDA**

**a. Council Minutes Dated July 13, 2015**

**BILLS PAYABLE REPORT**

***For Information Only***

**Summary:** A report of bills payable dated July 21, 2015 in the amount of \$235,915.82 has been provided for Council review. No vote is required.

**UNFINISHED BUSINESS**

- 2. Bill No. 5552 - an Ordinance of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Transportation Alternatives Funds Program Agreement with the Missouri Highways and Transportation Commission to Enable the City to Use Federal Grant Funding to Construct the Emerson Sidewalk Improvement Project. Final Reading and Passage**  
**Summary:** The City has been awarded a federal Transportation Alternatives Program grant to construct a sidewalk along Emerson Road. City staff recommends that the City Council authorize the execution of the Program Agreement with the Missouri Highways and Transportation Commission that is necessary to secure the grant.



**AGENDA  
CITY OF CREVE COEUR  
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300 NORTH NEW BALLAS RD  
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7:00 PM**

- 3. Bill No. 5553 - an Ordinance Making Technical Corrections and Clarifications to Section 355.110 Parking of Trailers, Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance, of the Code of Ordinances of the City of Creve Coeur. Final Reading and Passage**

**Summary:** The Director of Community Development, on behalf of the City of Creve Coeur, Planning Division has requested several amendments that include a variety of technical corrections and clarifications to Section 355.110, Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance. The amendments address changes to the State statutes, correct outdated terminology, delete blind references, and add greater precision to vague language. P and Z has recommended approval.

**NEW BUSINESS**

- 4. Bill No. 5554 - an Ordinance of the City Council of the City of Creve Coeur, Missouri, Reestablishing and Making Public Previously Established Methods of Disclosing Potential Conflicts of Interest and Substantial Interests Pursuant to Section 105.485 of the Revised Statutes of Missouri. First Reading**

**Summary:** Reestablishing and making public previously established methods of disclosing potential conflicts of interest and substantial interests pursuant to Section 105.485 of the revised statutes of Missouri.

- 5. Bill No. 5555 - an Ordinance Amending Chapter 135 of the Code of Ordinances of the City of Creve Coeur Regarding the Municipal Court. First Reading**

**Summary:** Recent state legislation requires several changes to clarify the city's code of ordinances pertaining to municipal court. In large part, court practices already meet the legislation.

- 6. Bill No. 5556 - an Ordinance Revising Various Inspection Requirements of the Code of Ordinances of the City of Creve Coeur. First Reading**

**Summary:** The US Supreme Court last month ruled that cities cannot mandate that hotel operators provide police with access to guest lists on demand. The proposed ordinance addresses various similar provisions in the Code.

**BUSINESS FROM MAYOR AND CITY COUNCIL**

- 7. Council Liaison Reports**

**BUSINESS FROM CITY ADMINISTRATOR**

- 8. "Window Tree" Bus Shelter Update**



**AGENDA  
CITY OF CREVE COEUR  
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300 NORTH NEW BALLAS RD  
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7:00 PM**

**Summary:** City staff has reviewed the location proposed for the Window Tree artistic bus shelter with Metro, and the layout of the site will allow for the shelter to be closer to the bus stop than was discussed at the City Council meeting on July 13. Staff will review the revised concept layout with the City Council.

**Pursuant to Section 610.022 RSMo., the City Council could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.**

Posted: \_\_\_\_\_ posted 07/24/2015  
Deborah Ryan, MPCC  
City Clerk



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

**Debbie Ryan**  
*City Clerk*  
(314) 872-2517  
[www.creve-coeur.org/](http://www.creve-coeur.org/)

Meeting: 07/27/15 07:00 PM

DOC ID: 1440

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**COUNCIL MINUTES (ID # 1440)**

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**Council Minutes Dated July 13, 2015**





**MINUTES  
CITY OF CREVE COEUR  
CITY COUNCIL  
300 NORTH NEW BALLAS RD  
JULY 13, 2015  
7:30 PM**

**CALL TO ORDER**

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the Creve Coeur Government Center, 300 N. New Ballas Road on Monday, July 13, 2015 at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Glantz led the Pledge of Allegiance.

**INVOCATION**

Mayor Glantz gave an invocation.

**ROLL CALL**

|               |                         |
|---------------|-------------------------|
| Mayor Glantz  |                         |
| Mr. Kreuter   | Council Member Ward I   |
| Mr. Wang      | Council Member Ward II  |
| Mrs. Lawrence | Council Member Ward II  |
| Mr. Hoffman   | Council Member Ward III |
| Mr. Kent      | Council Member Ward IV  |
| Mr. Saunders  | Council Member Ward IV  |

ABSENT: Council Members Kramer and D'Alfonso

**COMMENTS FROM THE GENERAL PUBLIC**

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

George Cibulka resident of 808 Fern View stated he is concerned with the recent appointment of the candidate chosen for the Prosecuting Attorney position.

Sandy Diamond representing the Citizenship Education Clearing House sponsored by UMSL presented a plaque to Creve Coeur thanking the city for its long standing and continued support for the Young Voters program.

Mel Klearman resident of 739 Bergerac Drive read and presented a statement for the record. (Exhibit A)

**ACCEPTANCE OF THE AGENDA**

Council Member Saunders moved, seconded by Council Member Wang to accept the agenda as presented, with the vote upon such motion as follows, to-wit:

Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member Kreuter – Aye  
Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye



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

## **ANNOUNCEMENTS**

***The City Council meets the 2nd and 4th Monday of each month  
6:00 p.m. - 7:00 p.m. - Work Session  
7:00 p.m. - Regular Meeting of the City Council***

### **1. CONSENT AGENDA**

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

#### **a. Council Minutes Dated June 22, 2015**

Mayor Glantz called the question to approve the consent agenda as presented, with the vote upon such motion as follows, to-wit:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Saunders – Aye

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

## **BILLS PAYABLE REPORT**

### **For Information Only**

**Summary:** A report of bills payable dated July 7, 2015 in the amount of \$731,678.26 has been provided for Council review. No vote is required.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

- 2. Bill No. 5552 - an Ordinance of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Transportation Alternatives Funds Program Agreement with the Missouri Highways and Transportation Commission to Enable the City to Use Federal Grant Funding to Construct the Emerson Sidewalk Improvement Project. First Reading**

City Clerk read Bill No. 5552 for the first time.



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Matt Wohlberg offered a revised schedule for the project to the City Council for review at the meeting. Staff explained that the City had requested a project deadline of August 2016 rather than the April 2016 that was in the initial agreement. MoDOT had agreed to the revised schedule between the issuance of the City Council meeting packet and the City Council meeting.

Mark Perkins stated there is an amendment to Bill No. 5552 with Addendum Exhibit B.

Council Member Saunders moved, seconded by Council Member Kent to substitute Exhibit B, Project Schedule with the new version presented tonight, with the vote upon such motion being as follows:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Saunders – Aye

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

**3. Bill No. 5553 - an Ordinance Making Technical Corrections and Clarifications to Section 355.110 Parking of Trailers, Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance, of the Code of Ordinances of the City of Creve Coeur. First Reading**

City Clerk read Bill No. 5553 for the first time.

Whitney Kelly stated this legislation addresses issues with current state statutes and brings city code into alignment with state law and makes various technical corrections.

Council Member Kent asked if property owners will still be notified if an adjacent property has an application that is going through a process.

Whitney Kelly stated yes, mailing and notifications posted on the property will continue.

Council Member Kent moved, seconded by Council Member Wang to amend Bill No. 5553 by adding Shipping Containers in Section 19, 355.110 (a), with the vote upon such motion being as follows:

Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Saunders – Aye  
Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye

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

Attachment: 07 13 15 minutes (1440 : Council Minutes Dated July 13, 2015)



**MINUTES  
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**4. Resolution No. 1174 - a Resolution Approving a New Three-Story Office Building with a Site Coverage of 69.4 Percent on Lot 12 of CityPlace Development, Located at 844 N. New Ballas Court.**

City Clerk read Resolution No. 1174.

Council Member Saunders moved, seconded by Council Member Wang to approve Resolution No. 1174.

John King, attorney on behalf of the property owner was available to answer questions.

Council Member Hoffman asked if a traffic study for the area and proposed development had been completed.

Whitney Kelly stated a study has not been completed, however, it meets the minimum parking requirements per the city code.

Council Member Kent stated the adjacent condo property owners sent letters with their concerns and requests and asked if those items have been addressed.

John King stated all concerns have been satisfied.

Mayor Glantz called the question for the approval of Resolution No. 1174, with the vote upon such motion being as follows:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence - Aye  
Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye

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

**5. 450 N. Lindbergh Assisted Living Facility CUP Extension Request**

Council Member Saunders moved, seconded by Council Member Lawrence to approve the request for an extension dated July 9, 2015 and will expire March 10, 2016.

Dan Theis, developer of the Grove of Creve Coeur was available to answer any questions.

Janine Childers and Dr. Mable both residents of adjacent subdivision stated there is still strong opposition of this development from the resident and surrounding neighborhoods there are growing concerns regarding traffic, safety and density.

Mayor Glantz called the question to approve the request for an extension for 450 N. Lindbergh, with vote upon such motion being as follows:

Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Saunders – Aye



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Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye

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

## **APPOINTMENTS**

### **6. Planning and Zoning Commission Member Appointment**

Mayor Glantz stated the Nominating Committee met on July 7, 2015 to interview candidates and had held an open meeting for discussion immediately after and is recommending the appointment of Muriel Hall to fill the vacancy.

Council Member Hoffman moved, seconded by Council Member Lawrence to approve the appointment of Muriel Hall to the Planning and Zoning Commission, with the vote upon such motion being as follows:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye

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

### **7. Council Liaison Appointments to Boards and Committees**

Mayor Glantz stated per Section 125.010 (b) of the Code of Ordinances the following are the recommended Council liaison appointments for the 2015/2016 year:

- **Arts Commission** – Scott Saunders
- **EDC** – Cynthia Kramer
- **Employee Pension Board** – Ellen Lawrence
- **E & E** – Robert Kent
- **Finance** – Charlotte D'Alfonso
- **HEB** – AJ Wang
- **Parks & Rec** – Ellen Lawrence
- **Police & Safety** – Bob Hoffman
- **Storm Water** – David Kreuter

Council Member Hoffman moved, seconded by Council Member Saunders to approve the Council liaison appointments as recommended, with vote upon such motion being as follows:

Council Member Wang – Aye  
Council Member Kent – Aye  
Council Member Saunders – Aye  
Council Member Kreuter – Aye  
Council Member Hoffman – Aye

Attachment: 07 13 15 minutes (1440 : Council Minutes Dated July 13, 2015)



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Council Member Lawrence – Aye

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

**BUSINESS FROM MAYOR AND CITY COUNCIL**

**8. Council Liaison Reports**

None

**BUSINESS FROM CITY ADMINISTRATOR**

**9. Creve Coeur Arts Committee Update Artist Designed Transit Shelter at Donald Danforth Center**

Bess McCoy, staff liaison for the Arts Committee explained the location of the proposed bus shelter. Currently working with the City Attorney and artist to have a contract drafted in the amount of \$50,000 and the scope of the contract will include three phases; concept, final design and construction/installation. Construction is anticipated to begin in fall of 2015 with final installation anticipated by the end of 2016.

Council Member Kent encouraged the Arts Committee to come up with designs on a four or five year plan to get the other transit shelters completed in the city.

**10. Creve Coeur Arts Committee Update Artist Designed Transit Shelter at St. Luke's Urgent Care**

Bess McCoy stated as a condition of the CVS/St. Luke's Urgent Care on Olive Blvd the developer set aside land and funds of \$30,000 for an artistic designed transit shelter. In 2010 the Creve Coeur Arts Committee issued a call to artists and in 2012 the city approved the Windows Tree sculpture. The artist is almost completed with the construction and is nearing delivery. The sculpture will be delivered nearly intact with the exception of the installation of the actual windows themselves. Installation is anticipated for fall of 2015.

Council Member Lawrence asked if this sculpture will actually protect people from the elements.

Whitney Kelly stated the idea from the artist is that the protection would be the same as if you were standing under a tree. What is not seen in the rendering is that once the actual windows are installed it would provide some shielding.

Matt Wohlberg presented a concept layout of the Window Tree bus shelter to the City Council, stating that the combination of utility conflicts, future roadway expansion, and Metro design requirements would force the Window Tree shelter to be at least 60 feet away from the receiving pad for the bus stop.

Council Member Hoffman stated for anyone dealing with any handicap, 60 feet is too long of a distance and questioned why it took four to five years to find this information out.

Attachment: 07 13 15 minutes (1440 : Council Minutes Dated July 13, 2015)



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Council Member Kent asked if staff has spoken with Bi-state about moving the bus stop and asked if Entech would be able to locate the utilities in that area at a reasonable cost to let the city know exactly where they are.

Matt Wohlberg stated Metro wants the bus stop to be located where it is due to safety issues and regulations. Mr. Wohlberg stated he is unaware if Entech would be able to locate the utilities but has a meeting scheduled with them tomorrow and could inquire then.

Council Member Kent suggested moving the artistic shelter to another location in the city until the issues in this location could be worked out.

Council Member Saunders stated there is currently a concrete pad in front of CVS where the bus shelter is supposed to go and asked if Bi-state has an easement for a shelter of some kind to be at that location.

Matt Wohlberg stated there isn't a specific easement and either place we move the stop (CVS or St. Lukes) the utility issues are the same.

Council Member Kent suggested staff research moving this shelter to another area and looking into another design that would meet the restrictions of the site.

Mark Perkins stated staff feels that another location could be found within the city that could accommodate the site requirements for the artistic shelter.

### **11. Street Banner Project Proposal**

Bess McCoy stated the Creve Coeur Arts Committee is requesting funds in the amount of \$7,400 to commission a local artist to design 54 street banners to be included in the seasonal rotation along Olive Blvd. The city currently has banners for the winter season and in FY 2015 budgeted \$8,000 for two sets of banners to be displayed in different seasons. The Creve Coeur Arts and HEB Committees were approached to submit designs for those banners. The HEB submitted a dual design for the spring and summer seasons and entered into a contract with Flag Loft to print the banners at a cost of \$2,280. The Creve Coeur Arts Committee saw an opportunity in this project to incorporate more public art into the city and was not able to complete the project in FY 2015. There was intent to budget the project for FY 2016 but due to an oversight the funding was not deferred.

Mark Perkins stated we can put in a future budget amendment but with Council support the committee can move forward.

Council unanimously supported the banners.

### **12. Upcoming Council Meeting Schedule**

Mark Perkins stated Council normally cancels the second meeting in July for vacation. However, this year there are a few items that should be discussed before the August meeting. Council Members unanimously agreed and confirmed their schedules for attendance.





**MINUTES  
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Mark Perkins stated the Monday, September 14, 2015 the Jewish Holiday Rosh Hashana as well as Tuesday, September 15 and suggested moving the meeting date to Wednesday, September 16, 2015 beginning at 7:00 p.m.

Council Member Hoffman moved, seconded by Council Member Saunders to move the regularly scheduled Council meeting from Monday, September 14, 2015 to Wednesday, September 16, 2015, with the vote upon such motion as follows, to-wit:

Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member Kreuter – Aye  
Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye

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

Council Member Hoffman moved, seconded by Council Member Saunders to go into Executive Session pursuant to Section 610.022 to discuss real estate, personnel and attorney-client matters at 8:45 p.m., with the vote upon such motion being as follows:

Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Lawrence – Aye  
Council Member Hoffman – Aye  
Council Member Kreuter – Aye

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

Council Member Saunders moved, seconded by Council Member Hoffman to adjourn Executive Session at 8:58 p.m., with the vote upon such motion being as follows:

Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye  
Council Member Saunders – Aye  
Council Member Kent – Aye  
Council Member Wang – Aye

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

Council Member Hoffman moved, seconded by Council Member Saunders to adjourn at 9:00 p.m., with the vote upon such motion begin as follows:

Council Member Kent – Aye  
Council Member Wang – Aye  
Council Member Saunders - Aye

Attachment: 07 13 15 minutes (1440 : Council Minutes Dated July 13, 2015)





**MINUTES  
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Council Member Kreuter – Aye  
Council Member Hoffman – Aye  
Council Member Lawrence – Aye

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

Submitted by:

\_\_\_\_\_  
Deborah Ryan  
City Clerk

\_\_\_\_\_  
Barry Glantz  
Mayor

Attachment: 07 13 15 minutes (1440 : Council Minutes Dated July 13, 2015)



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

**SCHEDULED**

**BILLS LISTING (ID # 1433)**

Meeting: 07/27/15 07:00 PM  
Department: Finance Department  
Category: Report  
Prepared By: Sherry Hall  
Initiator: Dan Smith  
Sponsors:  
DOC ID: 1433

**B**

## **Bills Payable Listing**

A report of bills payable dated July 21, 2015 in the amount of \$235,915.82 has been provided for Council review. No vote is required.



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

**DATE:** July 21, 2015  
**TO:** Mark Perkins, City Administrator  
**FROM:** Daniel Smith, Director of Finance  
**SUBJECT:** Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated July 21, 2015 in the amount of \$235,915.82.

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/20

NO DEPT - NO DIV

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name           | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-----------------------|--------------------------------|---------------|----------------|
| 02519           |                | 042815         | 02-Jul-15    | BONACORSI, JOHN       | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 4,356.         |
| 00121           |                | 926143351      | 26-Jun-15    | CALLAWAY GOLF         | BALLS FOR RESALE               | 06-00-00-1625 | 587.           |
| 00121           |                | 926138118      | 24-Jun-15    | CALLAWAY GOLF         | HAT APARRELL FOR RESALE        | 06-00-00-1628 | 82.            |
| 00605           | P002204        | 6596           | 09-Jun-15    | POLICE LEGAL SCIENCES | 50 RENEW MISSOURI LEGAL UPDATE | 01-00-00-2414 | 6,000.         |
| 02516           |                | 070715 SEWER   | 07-Jul-15    | REED, SILVIA AZOCAR   | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 1,992.         |
| 00734           |                | 30834800       | 21-May-15    | TAYLORMADE            | MENS SHOES FOR RESALE          | 06-00-00-1628 | 68.            |
| 02517           |                | 071415 SEWER   | 14-Jul-15    | VANDERHOEF, ERIC      | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 7,024.         |
| Sum of Invoices |                |                |              |                       |                                |               | 20,110.4       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

7/21/201

LEGISLATIVE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                      | Description           | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------------|-----------------------|---------------|----------------|
| 00019           | P002148        | 110712         | 30-Jun-15    | CURTIS, HEINZ, GARRETT & O'KEEFE | SERVICES THRU 6/30/15 | 01-11-12-6201 | 14,200.0       |
| 02113           |                | BILL00018017   | 02-Jul-15    | GENERAL CODE                     | SUPPLEMENT #21 QTY 10 | 01-11-13-6203 | 427.5          |
| Sum of Invoices |                |                |              |                                  |                       |               | 14,627.5       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/20

Administration

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                  | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------------------|--------------------------------|---------------|----------------|
| 01120           |                | 063015         | 30-Jun-15    | ASI                          | HRA ADMIN FEE FOR JUNE 2015    | 01-12-11-6203 | 200            |
| 01120           |                | 17865606G8R    | 30-Jun-15    | ASI                          | HRA ADMIN FEES 6/1-6/30/15     | 01-12-11-6203 | 141            |
| 02443           |                | 88788          | 15-Jul-15    | BENEFLEX HR RESOURCES, INC.  | MONTHLY COBRA ADMINISTRATION   | 01-12-11-6203 | 12             |
| 01997           |                | 9209365        | 30-Jun-15    | EQUIFAX INFORMATION SERVICES | INFORMATION SERVICES           | 01-12-11-6202 | 15             |
| 00667           |                | 09122-G8Z9Q9   | 17-Jun-15    | IPMA-HR                      | MEMBERSHIP 9/1-8/31/16         | 01-12-11-6262 | 149            |
| 00667           |                | 07919-M4N3S1   | 28-Apr-15    | IPMA-HR                      | MEMBERSHIP 7/1-6/30/16         | 01-12-11-6262 | 67             |
| 00053           |                | 244781         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 107            |
| 00053           |                | 246526         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 110            |
| 00053           |                | 248685         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 110            |
| 00053           |                | 243776         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 55             |
| 01262           | P002183        | 33805          | 08-Jul-15    | SPECIALTY MAILING            | HANDLING/MAILING JULY 2015 NEW | 01-12-11-6203 | 224            |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS             | CELL PHONE JUNE 15             | 01-12-11-6253 | 52             |
| Sum of Invoices |                |                |              |                              |                                |               | 1,244.0        |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/201

IT

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------|--------------------------------|---------------|----------------|
| 00073           |                | WM66029        | 02-Jul-15    | CDW-G                      | XTM 26-W LIVE SECURITY 1YR REN | 01-12-51-6213 | 171.2          |
| 01083           | P002188        | 154770         | 01-Jul-15    | CIVIC PLUS                 | ANNUAL FEE FOR HOSTING AND SUP | 01-12-51-6213 | 8,473.8        |
| 01083           | P002188        | 154770         | 01-Jul-15    | CIVIC PLUS                 | ANNUAL FEE FOR MEDIA CENTER    | 01-12-51-6213 | 1,050.0        |
| 02338           |                | 70817          | 06-Jul-15    | ID EDGE INC                | CARD PRINTER RIBBON            | 01-12-51-7331 | 166.5          |
| 00050           |                | INV0042778     | 30-Jun-15    | REJIS                      | CAD SERVER MIGRATION           | 01-12-51-6213 | 539.5          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS           | CELL PHONE JUNE 15             | 01-12-51-6253 | 52.1           |
| 01891           | P002192        | 13600          | 01-Jul-15    | WINNING TECHNOLOGIES, INC. | 6 MONTHS IT SERVICES 07-12/15  | 01-12-51-6202 | 4,400.0        |
| Sum of Invoices |                |                |              |                            |                                |               | 14,853.2       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

FINANCE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                | Description        | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------|--------------------|---------------|----------------|
| 02493           | P002195        | 180887         | 20-May-15    | SCHOWALTER & JABOURI, P.C. | FY15 AUDIT/CAFR    | 01-13-11-6209 | 2,000.00       |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS           | CELL PHONE JUNE 15 | 01-13-11-6253 | 52.19          |
| Sum of Invoices |                |                |              |                            |                    |               | 2,052.19       |

Attachment: Bill.xls (1433 : Bills Payable Listing)





CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

MUNICIPAL COURT

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|--------------------------------|---------------|----------------|
| 01374           |                | 071415         | 30-Jun-15    | ENGELMEYER & PEZZANI LLC  | REIMB FOR MMACJA CONFERENCE    | 01-13-14-6265 | 738.35         |
| 00045           |                | 776891873001   | 22-Jun-15    | OFFICE DEPOT-BUSINESS DIV | PHASE II OF COURT SOFTW UPGRAD | 01-13-14-6202 | 1,428.45       |
| Sum of Invoices |                |                |              |                           |                                |               | 2,166.80       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/20

INTERDEPARTMENTAL

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|--------------------------|---------------|----------------|
| 00014           |                | 0215116 7/15   | 06-Jul-15    | CHARTER COMMUNICATIONS    | TV SERVICE AT SHOP       | 01-13-15-6255 | 76             |
| 00045           |                | 778620436001   | 02-Jul-15    | OFFICE DEPOT-BUSINESS DIV | OFFICE SUPPLIES          | 01-13-15-7312 | 273            |
| 00045           |                | 778620470001   | 02-Jul-15    | OFFICE DEPOT-BUSINESS DIV | POST IT NOTES            | 01-13-15-7312 | 15             |
| 00045           |                | 778841304001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | TRAYS, LETTER, DESKCADDY | 01-13-15-7312 | 79             |
| 00045           |                | 778870606001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | TABS                     | 01-13-15-7312 | 9              |
| 00045           |                | 778870719001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | BINDER                   | 01-13-15-7312 | 5              |
| 00045           |                | 777706299002   | 26-Jun-15    | OFFICE DEPOT-BUSINESS DIV | ELECTRIC HOLE PUNCH      | 01-13-15-7312 | 115            |
| 00045           |                | 777706299001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | ELECTRIC STAPLER         | 01-13-15-7312 | 26             |
| 00045           |                | 777604858001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | LAMINATE POUCHES         | 01-13-15-7312 | 10             |
| 00045           |                | 777604714001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | VISITORS BOOK            | 01-13-15-7312 | 10             |
| 00045           |                | 777513044001   | 24-Jun-15    | OFFICE DEPOT-BUSINESS DIV | TONER                    | 01-13-15-7312 | 149            |
| 00045           |                | 777512950001   | 24-Jun-15    | OFFICE DEPOT-BUSINESS DIV | TONER                    | 01-13-15-7312 | 153            |
| 00046           |                | CIV0156486     | 07-Jul-15    | OFFICE ESSENTIALS         | TONER                    | 01-13-15-7312 | 537            |
| 00046           |                | CIV0155784     | 03-Jul-15    | OFFICE ESSENTIALS         | COPY PAPER               | 01-13-15-7312 | 811            |
| 00046           |                | CIV0156000     | 06-Jul-15    | OFFICE ESSENTIALS         | CLIPBOARDS               | 01-13-15-7312 | 7              |
| 00046           |                | CIV0155708     | 03-Jul-15    | OFFICE ESSENTIALS         | OFFICE SUPPLIES          | 01-13-15-7312 | 248            |
| Sum of Invoices |                |                |              |                           |                          |               | 2,530.         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/201

COMMUNITY SERVICES

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                 | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|-----------------------------|---------------|----------------|
| 01116           |                | 1117           | 09-Feb-15    | FRONTYARD FEATURES        | MOVIE SCREEN RENTAL 5/30/15 | 01-14-11-6203 | 450.0          |
| 00045           |                | 775529873001   | 12-Jun-15    | OFFICE DEPOT-BUSINESS DIV | WALL CLOCK                  | 01-14-11-7304 | 13.5           |
| 00045           |                | 775529675001   | 15-Jun-15    | OFFICE DEPOT-BUSINESS DIV | 2 CALCULATORS               | 01-14-11-7304 | 11.7           |
| Sum of Invoices |                |                |              |                           |                             |               | 475.3          |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/20

ICE ARENA

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name              | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|--------------------------|--------------------------------|---------------|----------------|
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7301 | 1              |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7301 | 1              |
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7308 | 4              |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7308 | 4              |
| 00564           |                | 15-0886          | 30-Jun-15    | BOB RAEKER PLUMBING CO.  | YEARLY BACKFLOW TEST           | 06-14-31-6212 | 180            |
| 02159           |                | 3306             | 04-Jun-15    | CTM SOLUTIONS            | NEW GRILL FOR OLY              | 06-14-31-6211 | 610            |
| 00082           |                | 0231637          | 02-Jul-15    | METROLIFT PROPANE        | PROPANE OF OLYMPIA             | 06-14-31-7307 | 205            |
| 00082           |                | 194054           | 04-Jun-15    | METROLIFT PROPANE        | PROPANE OFR OLYMPIA            | 06-14-31-7307 | 238            |
| 00082           |                | 211903           | 18-Jun-15    | METROLIFT PROPANE        | PROPANE FOR OLYMPIA            | 06-14-31-7307 | 238            |
| 00867           | P002047        | 52226            | 18-Feb-15    | MURPHY                   | 125 POUNDS R22 FREON-INSTALLED | 06-14-31-6211 | 1,224          |
| 00867           | P002047        | 52226            | 18-Feb-15    | MURPHY                   | REPLACE BLOWER MOTOR           | 06-14-31-6211 | 450            |
| 00867           |                | 60682            | 18-Jun-15    | MURPHY                   | RINK BOILER REPAIR             | 06-14-31-6211 | 640            |
| 00867           |                | 60684            | 18-Jun-15    | MURPHY                   | RINK BOILER REPAIR             | 06-14-31-6211 | 993            |
| 00048           |                | 211852           | 22-Jun-15    | PAVYER                   | OLY BLADE SHARPENING           | 06-14-31-6211 | 75             |
| 00711           |                | 346349615        | 09-Jun-15    | TERMINIX                 | PEST CONTROL                   | 06-14-31-6212 | 35             |
| 00973           |                | 44393            | 01-Jun-15    | US FIGURE SKATING        | LTS PARTICIPANT REG            | 06-14-31-6262 | 397            |
| 00973           |                | 53639            | 02-Jul-15    | US FIGURE SKATING        | LTS PARTICIPANTS REG           | 06-14-31-6262 | 445            |
| 01048           |                | 9748218124 EF    | 30-Jun-15    | VERIZON WIRELESS         | CELL PHONE JUNE 15             | 06-14-31-6253 | 52             |
| Sum of Invoices |                |                  |              |                          |                                |               | 5,800.         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

GOLF MAINTENANCE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name             | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-------------------------|--------------------------------|---------------|----------------|
| 02085           |                | 2396           | 02-Jul-15    | BLUEWING SUPPLY LLC     | NEEDLE TINES FOR PROCORE 648   | 06-14-32-6212 | 352.10         |
| 00564           |                | 15-0886        | 30-Jun-15    | BOB RAEKER PLUMBING CO. | YEARLY BACKFLOW TEST           | 06-14-32-6202 | 145.00         |
| 01415           |                | INV0015279     | 06-Jul-15    | GREENSPRO, INC.         | GREENS FUNGICIDE               | 06-14-32-7303 | 660.50         |
| 00117           |                | 9185310        | 14-Jul-15    | HOME DEPOT              | BLOCKS FOR MEMORIAL TREE       | 06-14-32-6212 | 88.30          |
| 00117           |                | 7060783        | 06-Jul-15    | HOME DEPOT              | RECIPROCATING SAW/BLADES       | 06-14-32-7302 | 79.90          |
| 00117           |                | 4085612        | 09-Jul-15    | HOME DEPOT              | SHOVELS                        | 06-14-32-7302 | 28.40          |
| 00175           |                | 1023963-00     | 13-Jul-15    | MTI DISTRIBUTING, INC.  | BOOM VALVE FOR SPRAYER         | 06-14-32-6211 | 611.90         |
| 00116           |                | 3704 8182      | 09-Jul-15    | SAM'S CLUB              | MOTOR OIL                      | 06-14-32-6211 | 52.30          |
| 00116           |                | 3704 8182      | 09-Jul-15    | SAM'S CLUB              | GLOVES                         | 06-14-32-7308 | 3.80           |
| 00173           |                | IN127925       | 06-Jul-15    | SUPREME TURF PRODUCTS   | TEE TOWELS                     | 06-14-32-6212 | 115.00         |
| 00173           |                | IN127782       | 29-Jun-15    | SUPREME TURF PRODUCTS   | HERBICIDE AND CARRIER          | 06-14-32-7303 | 405.00         |
| 00173           |                | IN127996       | 08-Jul-15    | SUPREME TURF PRODUCTS   | FERTILIZER FOR TEES & FAIRWAYS | 06-14-32-7303 | 748.00         |
| Sum of Invoices |                |                |              |                         |                                |               | 3,290.47       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

PRO SHOP

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name   | Description             | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------|-------------------------|---------------|----------------|
| 00121           |                | 926143351      | 26-Jun-15    | CALLAWAY GOLF | BALLS FOR RESALE        | 06-14-33-8325 | 0.12           |
| 00121           |                | 926138118      | 24-Jun-15    | CALLAWAY GOLF | HAT APARRELL FOR RESALE | 06-14-33-8325 | 0.02           |
| 00711           |                | 346349615      | 09-Jun-15    | TERMINIX      | PEST CONTROL            | 06-14-33-6212 | 35.00          |
| Sum of Invoices |                |                |              |               |                         |               | 35.14          |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

SNACK BAR

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                     | Description             | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|---------------------------------|-------------------------|---------------|----------------|
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES        | TOWELS & UNIFORMS       | 06-14-34-7301 | 3.63           |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES        | TOWELS & UNIFORMS       | 06-14-34-7301 | 3.63           |
| 00010           |                | 968077           | 29-Jun-15    | BRANNEKY HARDWARE               | GRILL SUPPLIES          | 06-14-34-7302 | 13.99          |
| 00080           |                | 1866-131-5       | 22-Jun-15    | DIERBERGS                       | FOOD FOR RESALE         | 06-14-34-8315 | 31.51          |
| 00080           |                | 2273-112-5       | 02-Jul-15    | DIERBERGS                       | BEER FOR RESALE         | 06-14-34-8316 | 91.75          |
| 01491           |                | 61898414         | 30-Jun-15    | FARMER BROS. COFFEE             | COFFEE FOR RESALE       | 06-14-34-8317 | 104.02         |
| 01263           |                | 070315           | 03-Jul-15    | FROZEN DISTRIBUTION INC         | SNACKS FOR RESALE       | 06-14-34-8319 | 238.00         |
| 01471           |                | 97775            | 08-Jul-15    | RL MUELLER NATIONAL DIST., INC. | MISC/ SNACKS FOR RESALE | 06-14-34-8319 | 295.85         |
| 01471           |                | 97815            | 13-Jul-15    | RL MUELLER NATIONAL DIST., INC. | SNACKS FOR RESALE       | 06-14-34-8319 | 151.00         |
| 01471           |                | 97775            | 08-Jul-15    | RL MUELLER NATIONAL DIST., INC. | MISC/ SNACKS FOR RESALE | 06-14-34-8321 | 12.75          |
| Sum of Invoices |                |                  |              |                                 |                         |               | 946.13         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

BUILDING MAINTENANCE

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                            | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|----------------------------------------|--------------------------|---------------|----------------|
| 01550           |                | 452-8957970 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES               | UNIFORM SERVICE 7/07/15  | 01-16-11-7308 | 4.38           |
| 01550           |                | 452-8983310 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES               | UNIFORM SERVICE 7/14/15  | 01-16-11-7308 | 4.38           |
| 00164           |                | 050948           | 09-Jul-15    | NEW SYSTEM CARPET & BUILDING CARE LTD. | PAPER PRODUCTS CITY HALL | 01-16-11-6212 | 714.84         |
| 01048           |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                       | CELL PHONE JUNE 15       | 01-16-11-6253 | 32.29          |
| 00054           |                | 2236615          | 02-Jul-15    | WALTER KNOLL FLORIST                   | PLANT MAINT AUG 2015     | 01-16-11-6212 | 80.00          |
| Sum of Invoices |                |                  |              |                                        |                          |               | 835.89         |

Attachment: Bill.xls (1433 : Bills Payable Listing)





CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

POLICE-ADMIN

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                         | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-------------------------------------|--------------------------------|---------------|----------------|
| 02119           |                | 223107         | 02-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2415 3000 MILE SERVICE     | 01-21-11-6210 | 42.95          |
| 02119           |                | 223334         | 09-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2418 3000 MILE SERVICE     | 01-21-11-6210 | 42.95          |
| 01068           |                | 151560         | 07-May-15    | DNT                                 | MONTHLY COLOR COPIER MAINT     | 01-21-11-6213 | 5.40           |
| 01068           |                | 153679         | 09-Jun-15    | DNT                                 | MONTHLY COLOR COPIER MAINT     | 01-21-11-6213 | 15.24          |
| 01068           |                | 155320         | 01-Jul-15    | DNT                                 | QTRLY RECORDS COPIER MAINTENAN | 01-21-11-6213 | 125.96         |
| 00116           |                | 8698           | 08-Jul-15    | SAM'S CLUB                          | SIX FLASH DRIVES               | 01-21-11-6213 | 86.50          |
| 00116           |                | 07012015       | 01-Jul-15    | SAM'S CLUB                          | (2) BLACK INK CARTRIDGES       | 01-21-11-7304 | 55.98          |
| 00116           |                | 8698           | 08-Jul-15    | SAM'S CLUB                          | PRISONER MEALS                 | 01-21-11-7309 | 71.42          |
| 00092           |                | 73368          | 06-Jul-15    | ST LOUIS COUNTY                     | JULY CARE CONTRACT             | 01-21-11-6202 | 23.91          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-11-6253 | 84.48          |
| Sum of Invoices |                |                |              |                                     |                                |               | 554.79         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

POLICE-INVESTIGATIONS

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                         | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|-------------------------------------|--------------------------------|---------------|----------------|
| 02119           |                | 223084           | 07-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2423 REPL THROTTLE POS SEN | 01-21-21-6210 | 380.00         |
| 00234           |                | 432665           | 02-Jul-05    | ED. ROEHR SAFETY PRODUCTS           | SERPA HOLSTER FOR NEW DET      | 01-21-21-7308 | 42.29          |
| 01358           | P002199        | 231797           | 01-May-15    | LEADS ONLINE                        | ANNUAL LEADS ONLINE TOTAL TRAC | 01-21-21-6202 | 792.00         |
| 01228           |                | 1432814-20150630 | 30-Jun-15    | LEXISNEXIS                          | JUNE 2015 (2) USER FEES        | 01-21-21-6202 | 175.10         |
| 00116           |                | 07072015         | 07-Jul-15    | SAM'S CLUB                          | DVD'S, CD'S, SLEEVES           | 01-21-21-7304 | 108.04         |
| 01048           |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-21-6253 | 193.74         |
| Sum of Invoices |                |                  |              |                                     |                                |               | 1,691.17       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

POLICE-PATROL

| Vendor Number | Purchase Order | Invoice Number | Invoice Date | Vendor Name                         | Description                    | GL Account      | Invoice Amount |
|---------------|----------------|----------------|--------------|-------------------------------------|--------------------------------|-----------------|----------------|
| 00007         |                | 379-651505     | 02-Jul-15    | BATTERIES PLUS BULBS                | BATTERY FOR CAR 2409           | 01-21-22-6210   | 181.45         |
| 02119         |                | 223589         | 17-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2406 ADDED POW STEERING FL | 01-21-22-6210   | 66.00          |
| 02119         |                | 223037         | 01-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2406 REPLACED ALTERNATOR   | 01-21-22-6210   | 782.45         |
| 02119         |                | 223153         | 06-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2413 REAR BRAKES, AIRBAG L | 01-21-22-6210   | 420.93         |
| 02119         |                | 222948         | 03-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2408 REPLACE A/C LINE      | 01-21-22-6210   | 571.19         |
| 02119         |                | 223247         | 08-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2407 COOLING FAN           | 01-21-22-6210   | 334.45         |
| 02119         |                | 223272         | 09-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | MOUNT AND BALANCE ONE TIRE     | 01-21-22-6210   | 12.50          |
| 02119         |                | 223556         | 16-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2410 3000 MILE SVS         | 01-21-22-6210   | 42.95          |
| 02119         |                | 223481         | 14-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2424 3000 MILE SERVICE     | 01-21-22-6210   | 42.95          |
| 02119         |                | 223530         | 15-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2416 HDLAMP, 3000 ML SVS   | 01-21-22-6210   | 61.91          |
| 00095         |                | 301342         | 29-Jun-15    | DOBBS TIRE & AUTO                   | ONE DODGE CHARGER TIRE         | 01-21-22-6210   | 126.40         |
| 00095         |                | 301417         | 02-Jul-15    | DOBBS TIRE & AUTO                   | ONE DODGE CHARGER TIRE         | 01-21-22-6210   | 126.40         |
| 00095         |                | 301486         | 08-Jul-15    | DOBBS TIRE & AUTO                   | (1) CROWN VIC TIRE             | 01-21-22-6210   | 109.35         |
| 00234         | P002175        | 432672         | 02-Jul-15    | ED. ROEHR SAFETY PRODUCTS           | 2 EA CODE 3 MASTERCOM SIREN BO | 01-21-22-9503   | 699.90         |
| 00125         |                | 352207         | 23-Jun-15    | LEON UNIFORM                        | CIT BAR                        | 01-21-22-7304   | 190.80         |
| 00125         |                | 355169         | 03-Jul-15    | LEON UNIFORM                        | FLEXFIT WOOL CAP/BIKE OFFICER  | 01-21-22-7308   | 11.99          |
| 00125         |                | 351666-01      | 26-Jun-15    | LEON UNIFORM                        | FLEX-TAC STRYKE PANT           | 01-21-22-7313   | 62.99          |
| 00970         |                | 1852-481647    | 15-Jul-15    | O'REILLY AUTO PARTS                 | MIRROR ADHESIVE, TIRE SHINE    | 01-21-22-6210   | 26.34          |
| 01978         | P002170        | 062615         | 30-Jun-15    | PACKS FOR SURVIVAL                  | 20 CERT STARTER KITS; INCLUDES | 01-21-22-7314   | 970.80         |
| 00116         |                | 07072015       | 07-Jul-15    | SAM'S CLUB                          | 5 ROLLS BLUE PAINTERS TAPE     | 01-21-22-7313   | 18.90          |
| 01048         |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-22-6253   | 362.70         |
| 00965         |                | 3079           | 14-Jul-15    | VIP                                 | TINT WINDOWS ON CAR 2417       | 01-21-22-6210   | 195.00         |
|               |                |                |              |                                     |                                | Sum of Invoices | 5,418.35       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

PUBLIC WORKS

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|----------------------------|---------------|----------------|
| 02169           |                | 393669         | 30-Jun-15    | DREXEL TECHNOLOGIES, INC. | MONTHLY FEE SCANNER COPIER | 01-31-11-9504 | 50.00          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS          | CELL PHONE JUNE 15         | 01-31-11-6253 | 188.86         |
| Sum of Invoices |                |                |              |                           |                            |               | 238.86         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

STREETS

| Vendor Number | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                        | Description                   | GL Account    | Invoice Amount |
|---------------|----------------|------------------|--------------|------------------------------------|-------------------------------|---------------|----------------|
| 00131         |                | 9928876097       | 30-Jun-15    | AIRGAS                             | MONTHLY GAS RENTAL            | 01-31-41-7307 | 58.66          |
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES           | UNIFORM RENTAL 7/14/15        | 01-31-41-6212 | 4.19           |
| 01550         |                | 16338381         | 03-Jul-15    | ARAMARK UNIFORM SERVICES           | SHIRTS FOR NEW OPS SUPER      | 01-31-41-7308 | 335.39         |
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES           | UNIFORM RENTAL 7/14/15        | 01-31-41-7308 | 39.56          |
| 01980         |                | 760277           | 01-Jul-15    | BLUE CHIP EXTERMINATING            | PEST CONTROL SHOP             | 01-31-41-7301 | 26.00          |
| 00049         |                | 38093            | 30-Jun-15    | EMPLOYEE STAFFING GROUP            | TEMP HELP WEEK ENDING 6/28/15 | 01-31-41-6207 | 2,639.10       |
| 00049         |                | 38110            | 08-Jul-15    | EMPLOYEE STAFFING GROUP            | TEMP HELP WEEK ENDING 7/5/15  | 01-31-41-6207 | 1,882.85       |
| 01979         |                | D-44965          | 07-Jul-15    | FASTSIGNS OF BRIDGETON             | LAMINATED CREVE COEUR MAP     | 01-31-41-7311 | 234.00         |
| 00023         |                | 477036           | 30-Jun-15    | FRED WEBER                         | ASPHALT FOR AUBURNDALE        | 01-31-41-7305 | 440.00         |
| 00023         |                | 478908           | 09-Jul-15    | FRED WEBER                         | ASPHALT AUBURNDALE            | 01-31-41-7305 | 275.00         |
| 02402         |                | 6219-244151      | 07-Jul-15    | HANDY AUTOMOTIVE                   | WIPERS FOR TRUCK #106         | 01-31-41-6210 | 58.27          |
| 02402         |                | 6219-243983      | 06-Jul-15    | HANDY AUTOMOTIVE                   | VEHICLE FILTERS               | 01-31-41-6210 | 5.62           |
| 02402         |                | 6219-244804      | 13-Jul-15    | HANDY AUTOMOTIVE                   | GAS CAP FOR TRUCK #106        | 01-31-41-6210 | 9.02           |
| 02402         |                | 6219-244056      | 06-Jul-15    | HANDY AUTOMOTIVE                   | OIL FOR SHOP                  | 01-31-41-6211 | 8.82           |
| 00117         |                | 72361            | 08-Jul-15    | HOME DEPOT                         | RETURNED PALLETS              | 01-31-41-6212 | -130.04        |
| 00117         |                | 46954            | 09-Jul-15    | HOME DEPOT                         | CREDIT FOR PALLETS            | 01-31-41-6212 | -57.53         |
| 00117         |                | 22612            | 08-Jul-15    | HOME DEPOT                         | SMALL TOOLS STREETS           | 01-31-41-7302 | 130.97         |
| 02322         |                | 0347-000179757   | 30-Jun-15    | JOHNNY ON THE SPOT #347            | RENTAL 2 PORTA JOHNS          | 01-31-41-6266 | 163.00         |
| 00156         |                | 66549            | 30-Jun-15    | L & C TRUCK REPAIR, INC.           | REPAIR ON TRUCK #108          | 01-31-41-6210 | 278.96         |
| 00156         |                | 66424            | 19-Jun-15    | L & C TRUCK REPAIR, INC.           | REPAIR ON TRUCK #318          | 01-31-41-6210 | 223.60         |
| 00042         |                | 1143974          | 09-Jul-15    | MPR SUPPLY                         | IRRIGATION SUPPLIES           | 01-31-41-6211 | 14.60          |
| 00042         |                | 143963           | 09-Jul-15    | MPR SUPPLY                         | IRRIGATION SUPPLIES           | 01-31-41-6211 | 9.71           |
| 00042         |                | 1143884          | 08-Jul-15    | MPR SUPPLY                         | IRRIGATION REPAIRS            | 01-31-41-6211 | 505.37         |
| 00165         |                | TI-0287432       | 30-Jun-15    | NEWMAN TRAFFIC SIGNS               | STREET SIGNS                  | 01-31-41-7311 | 80.06          |
| 00796         |                | 461274           | 10-Jul-15    | OVERHEAD DOOR COMPANY OF ST. LOUIS | REPAIR SALT DOME DOOR         | 01-31-41-6212 | 434.75         |
| 01048         |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                   | CELL PHONE JUNE 15            | 01-31-41-6253 | 88.66          |
| 00311         |                | 1778812          | 07-Jul-15    | WEBER CHEVROLET                    | DUST PLATE FOR TRUCK #205     | 01-31-41-6210 | 24.28          |

Sum of Invoices 7,782.87

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

HEALTH & WELFARE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                  | Description         | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------------------|---------------------|---------------|----------------|
| 01836           |                | 104609         | 30-Jun-15    | CRITTER CONTROL OF ST. LOUIS | DEAD ANIMAL REMOVAL | 01-31-42-6214 | 477.00         |
| 01413           |                | 25456          | 08-Jul-15    | RAY'S TREE SERVICE           | REMOVE DOWNED TREE  | 01-31-42-6215 | 599.99         |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS             | CELL PHONE JUNE 15  | 01-31-42-6253 | 32.29          |
| Sum of Invoices |                |                |              |                              |                     |               | 1,109.28       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

PARKS

| Vendor Number | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                     | Description                    | GL Account    | Invoice Amount |
|---------------|----------------|------------------|--------------|---------------------------------|--------------------------------|---------------|----------------|
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES        | UNIFORM RENTAL 7/14/15         | 01-31-43-7308 | 39.55          |
| 01980         |                | 760277           | 01-Jul-15    | BLUE CHIP EXTERMINATING         | PEST CONTROL SHOP              | 01-31-43-7301 | 26.00          |
| 00010         |                | 968710           | 09-Jul-15    | BRANNEKY HARDWARE               | ITEMS FOR TAPPMAYER            | 01-31-43-6212 | 17.64          |
| 00010         |                | 968574           | 09-Jul-15    | BRANNEKY HARDWARE               | ITEMS FOR TAPPMAYER            | 01-31-43-6212 | 74.93          |
| 00049         |                | 38093            | 30-Jun-15    | EMPLOYEE STAFFING GROUP         | TEMP HELP WEEK ENDING 6/28/15  | 01-31-43-6207 | 879.70         |
| 00049         |                | 38110            | 08-Jul-15    | EMPLOYEE STAFFING GROUP         | TEMP HELP WEEK ENDING 7/5/15   | 01-31-43-6207 | 627.62         |
| 02402         |                | 6219-244151      | 07-Jul-15    | HANDY AUTOMOTIVE                | WIPERS FOR TRUCK #106          | 01-31-43-6210 | 19.43          |
| 02402         |                | 6219-243983      | 06-Jul-15    | HANDY AUTOMOTIVE                | VEHICLE FILTERS                | 01-31-43-6210 | 1.88           |
| 02402         |                | 6219-244804      | 13-Jul-15    | HANDY AUTOMOTIVE                | GAS CAP FOR TRUCK #106         | 01-31-43-6210 | 3.01           |
| 00117         |                | 22331            | 08-Jul-15    | HOME DEPOT                      | DEHUMIDIFIER FOR TAPPMAYER     | 01-31-43-6212 | 284.05         |
| 00156         |                | 66549            | 30-Jun-15    | L & C TRUCK REPAIR, INC.        | REPAIR ON TRUCK #108           | 01-31-43-6210 | 92.99          |
| 00156         |                | 66424            | 19-Jun-15    | L & C TRUCK REPAIR, INC.        | REPAIR ON TRUCK #318           | 01-31-43-6210 | 74.53          |
| 01534         |                | 764138           | 30-Jun-15    | MIRACLE RECREATION EQUIPMENT CO | BONGO STUMP BERNIE PARK        | 01-31-43-6212 | 160.70         |
| 00110         |                | 321411           | 30-Jun-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 120.57         |
| 00110         |                | 321485           | 10-Jul-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 251.20         |
| 00110         |                | 321476           | 08-Jul-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 214.25         |
| 00547         | P002167        | 226008           | 30-Jun-15    | ST LOUIS BACKFLOW SERVICES      | TEST & REPAIR BACKFLOW PREVENT | 01-31-43-6212 | 1,550.00       |
| 01352         |                | 331286           | 28-Apr-15    | ST LOUIS COMPOSTING, INC.       | RAISED BED MIX                 | 01-31-43-7303 | 68.00          |
| 01352         |                | 331077           | 28-Apr-15    | ST LOUIS COMPOSTING, INC.       | RAISED BED MIX                 | 01-31-43-7303 | 68.00          |
| 00173         |                | IN128063         | 09-Jul-15    | SUPREME TURF PRODUCTS           | CHEMICALS FOR CONWAY LAKE      | 01-31-43-7301 | 735.00         |
| 00260         |                | 26239            | 07-Jul-15    | TOTAL LOCK & SECURITY           | DOG PARK GATE LOCK REPAIR      | 01-31-43-6212 | 112.50         |
| 01048         |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                | CELL PHONE JUNE 15             | 01-31-43-6253 | 39.29          |
| 00311         |                | 1778812          | 07-Jul-15    | WEBER CHEVROLET                 | DUST PLATE FOR TRUCK #205      | 01-31-43-6210 | 8.10           |
| 00109         |                | 457414           | 08-Jul-15    | WESTPORT POOLS                  | CHEMICALS FOR SPLASH PAD       | 01-31-43-7301 | 18.53          |

Sum of Invoices 5,487.47

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

COMMUNITY DEVELOPMENT - PLANNING

| Vendor Number | Purchase Order | Invoice Number | Invoice Date | Vendor Name                              | Description         | GL Account      |
|---------------|----------------|----------------|--------------|------------------------------------------|---------------------|-----------------|
| 00213         |                | 071015-1       | 30-Jun-15    | MCLAUGHLIN COURT REPORTING SERVICES, INC | BOA MEETING 5/21/15 | 01-32-11-6202   |
| 00213         |                | 071615-1       | 17-Jul-15    | MCLAUGHLIN COURT REPORTING SERVICES, INC | P&Z MINUTES         | 01-32-11-6202   |
| 01048         |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                         | CELL PHONE JUNE 15  | 01-32-11-6253   |
|               |                |                |              |                                          |                     | Sum of Invoices |

Attachment: Bill.xls (1433 : Bills Payable Listing)





7/21/2015

CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

| Invoice<br>Amount |
|-------------------|
| 134.00            |
| 102.00            |
| 78.87             |
| 314.87            |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

COMMUNITY DEVELOPMENT - BUILDING

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name      | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------|--------------------------|---------------|----------------|
| 00112           |                | 201308         | 25-Jun-15    | MPS              | INSPECTION REQUEST FORMS | 01-32-61-7304 | 376.59         |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS | CELL PHONE JUNE 15       | 01-32-61-6253 | 207.15         |
| Sum of Invoices |                |                |              |                  |                          |               | 583.74         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.a

7/21/2015

CAPITAL IMPROVEMENTS

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                    | Description                    | GL Account          | Invoice Amount |
|-----------------|----------------|----------------|--------------|--------------------------------|--------------------------------|---------------------|----------------|
| 02103           | P002129        | 01791          | 30-Jun-15    | BOND ARCHITECTS                | ARCHITECTUAL SERVICES-CITY HAL | 02-61-71-9501-14104 | 2,918.00       |
| 02103           | P002129        | 01730          | 30-Jun-15    | BOND ARCHITECTS                | ARCHITECTUAL SERVICES-CITY HAL | 02-61-71-9501-14104 | 10,281.80      |
| 02313           | P002049        | PAYMENT #7     | 30-Jun-15    | L.F. KRUPP CONSTRUCTION INC.   | GRAESER ROAD RESURFACING PROJE | 02-61-71-9510-14707 | 46,152.32      |
| 01333           | P002150        | FINAL PAYMENT  | 28-May-15    | M & H CONCRETE                 | CHANGE ORDER #1. INCREASE OF F | 02-61-71-9510-15709 | 22,245.40      |
| 02440           | P002153        | FINAL PAYMENT  | 30-Jun-15    | ROADSAFE TRAFFIC SYSTEMS, INC. | 2015 ROAD STRIPING IMPROVEMENT | 02-61-71-9510-15602 | 55,964.20      |
| 00914           | P002177        | 071715         | 30-Jun-15    | STRUCTURES INC                 | SITE DESIGN SERVICES-CVS BUS   | 02-61-71-9501-15103 | 6,205.00       |
| Sum of Invoices |                |                |              |                                |                                |                     | 143,766.72     |

Total of All Invoices 235,915.82

Attachment: Bill.xls (1433 : Bills Payable Listing)



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

**DATE:** July 21, 2015  
**TO:** Mark Perkins, City Administrator  
**FROM:** Daniel Smith, Director of Finance  
**SUBJECT:** Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated July 21, 2015 in the amount of \$235,915.82.

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/20

NO DEPT - NO DIV

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name           | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-----------------------|--------------------------------|---------------|----------------|
| 02519           |                | 042815         | 02-Jul-15    | BONACORSI, JOHN       | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 4,356.         |
| 00121           |                | 926143351      | 26-Jun-15    | CALLAWAY GOLF         | BALLS FOR RESALE               | 06-00-00-1625 | 587.           |
| 00121           |                | 926138118      | 24-Jun-15    | CALLAWAY GOLF         | HAT APARRELL FOR RESALE        | 06-00-00-1628 | 82.            |
| 00605           | P002204        | 6596           | 09-Jun-15    | POLICE LEGAL SCIENCES | 50 RENEW MISSOURI LEGAL UPDATE | 01-00-00-2414 | 6,000.         |
| 02516           |                | 070715 SEWER   | 07-Jul-15    | REED, SILVIA AZOCAR   | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 1,992.         |
| 00734           |                | 30834800       | 21-May-15    | TAYLORMADE            | MENS SHOES FOR RESALE          | 06-00-00-1628 | 68.            |
| 02517           |                | 071415 SEWER   | 14-Jul-15    | VANDERHOEF, ERIC      | SEWER LATERAL REPAIR REIMB     | 02-00-00-1901 | 7,024.         |
| Sum of Invoices |                |                |              |                       |                                |               | 20,110.4       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

7/21/201

LEGISLATIVE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                      | Description           | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------------|-----------------------|---------------|----------------|
| 00019           | P002148        | 110712         | 30-Jun-15    | CURTIS, HEINZ, GARRETT & O'KEEFE | SERVICES THRU 6/30/15 | 01-11-12-6201 | 14,200.0       |
| 02113           |                | BILL00018017   | 02-Jul-15    | GENERAL CODE                     | SUPPLEMENT #21 QTY 10 | 01-11-13-6203 | 427.5          |
| Sum of Invoices |                |                |              |                                  |                       |               | 14,627.5       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/20

Administration

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                  | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------------------|--------------------------------|---------------|----------------|
| 01120           |                | 063015         | 30-Jun-15    | ASI                          | HRA ADMIN FEE FOR JUNE 2015    | 01-12-11-6203 | 200            |
| 01120           |                | 17865606G8R    | 30-Jun-15    | ASI                          | HRA ADMIN FEES 6/1-6/30/15     | 01-12-11-6203 | 141            |
| 02443           |                | 88788          | 15-Jul-15    | BENEFLEX HR RESOURCES, INC.  | MONTHLY COBRA ADMINISTRATION   | 01-12-11-6203 | 12             |
| 01997           |                | 9209365        | 30-Jun-15    | EQUIFAX INFORMATION SERVICES | INFORMATION SERVICES           | 01-12-11-6202 | 15             |
| 00667           |                | 09122-G8Z9Q9   | 17-Jun-15    | IPMA-HR                      | MEMBERSHIP 9/1-8/31/16         | 01-12-11-6262 | 149            |
| 00667           |                | 07919-M4N3S1   | 28-Apr-15    | IPMA-HR                      | MEMBERSHIP 7/1-6/30/16         | 01-12-11-6262 | 67             |
| 00053           |                | 244781         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 107            |
| 00053           |                | 246526         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 110            |
| 00053           |                | 248685         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 110            |
| 00053           |                | 243776         | 30-Jun-15    | MERCY CORPORATE HEALTH       | PREPLACEMENT PHYSICAL          | 01-12-11-6271 | 55             |
| 01262           | P002183        | 33805          | 08-Jul-15    | SPECIALTY MAILING            | HANDLING/MAILING JULY 2015 NEW | 01-12-11-6203 | 224            |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS             | CELL PHONE JUNE 15             | 01-12-11-6253 | 52             |
| Sum of Invoices |                |                |              |                              |                                |               | 1,244.0        |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/201

IT

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------|--------------------------------|---------------|----------------|
| 00073           |                | WM66029        | 02-Jul-15    | CDW-G                      | XTM 26-W LIVE SECURITY 1YR REN | 01-12-51-6213 | 171.2          |
| 01083           | P002188        | 154770         | 01-Jul-15    | CIVIC PLUS                 | ANNUAL FEE FOR HOSTING AND SUP | 01-12-51-6213 | 8,473.8        |
| 01083           | P002188        | 154770         | 01-Jul-15    | CIVIC PLUS                 | ANNUAL FEE FOR MEDIA CENTER    | 01-12-51-6213 | 1,050.0        |
| 02338           |                | 70817          | 06-Jul-15    | ID EDGE INC                | CARD PRINTER RIBBON            | 01-12-51-7331 | 166.5          |
| 00050           |                | INV0042778     | 30-Jun-15    | REJIS                      | CAD SERVER MIGRATION           | 01-12-51-6213 | 539.5          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS           | CELL PHONE JUNE 15             | 01-12-51-6253 | 52.1           |
| 01891           | P002192        | 13600          | 01-Jul-15    | WINNING TECHNOLOGIES, INC. | 6 MONTHS IT SERVICES 07-12/15  | 01-12-51-6202 | 4,400.0        |
| Sum of Invoices |                |                |              |                            |                                |               | 14,853.2       |

Attachment: Bill.xls (1433 : Bills Payable Listing)





CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

FINANCE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                | Description        | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|----------------------------|--------------------|---------------|----------------|
| 02493           | P002195        | 180887         | 20-May-15    | SCHOWALTER & JABOURI, P.C. | FY15 AUDIT/CAFR    | 01-13-11-6209 | 2,000.00       |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS           | CELL PHONE JUNE 15 | 01-13-11-6253 | 52.19          |
| Sum of Invoices |                |                |              |                            |                    |               | 2,052.19       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

MUNICIPAL COURT

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|--------------------------------|---------------|----------------|
| 01374           |                | 071415         | 30-Jun-15    | ENGELMEYER & PEZZANI LLC  | REIMB FOR MMACJA CONFERENCE    | 01-13-14-6265 | 738.35         |
| 00045           |                | 776891873001   | 22-Jun-15    | OFFICE DEPOT-BUSINESS DIV | PHASE II OF COURT SOFTW UPGRAD | 01-13-14-6202 | 1,428.45       |
| Sum of Invoices |                |                |              |                           |                                |               | 2,166.80       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/20

INTERDEPARTMENTAL

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|--------------------------|---------------|----------------|
| 00014           |                | 0215116 7/15   | 06-Jul-15    | CHARTER COMMUNICATIONS    | TV SERVICE AT SHOP       | 01-13-15-6255 | 76             |
| 00045           |                | 778620436001   | 02-Jul-15    | OFFICE DEPOT-BUSINESS DIV | OFFICE SUPPLIES          | 01-13-15-7312 | 273            |
| 00045           |                | 778620470001   | 02-Jul-15    | OFFICE DEPOT-BUSINESS DIV | POST IT NOTES            | 01-13-15-7312 | 15             |
| 00045           |                | 778841304001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | TRAYS, LETTER, DESKCADDY | 01-13-15-7312 | 79             |
| 00045           |                | 778870606001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | TABS                     | 01-13-15-7312 | 9              |
| 00045           |                | 778870719001   | 06-Jul-15    | OFFICE DEPOT-BUSINESS DIV | BINDER                   | 01-13-15-7312 | 5              |
| 00045           |                | 777706299002   | 26-Jun-15    | OFFICE DEPOT-BUSINESS DIV | ELECTRIC HOLE PUNCH      | 01-13-15-7312 | 115            |
| 00045           |                | 777706299001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | ELECTRIC STAPLER         | 01-13-15-7312 | 26             |
| 00045           |                | 777604858001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | LAMINATE POUCHES         | 01-13-15-7312 | 10             |
| 00045           |                | 777604714001   | 25-Jun-15    | OFFICE DEPOT-BUSINESS DIV | VISITORS BOOK            | 01-13-15-7312 | 10             |
| 00045           |                | 777513044001   | 24-Jun-15    | OFFICE DEPOT-BUSINESS DIV | TONER                    | 01-13-15-7312 | 149            |
| 00045           |                | 777512950001   | 24-Jun-15    | OFFICE DEPOT-BUSINESS DIV | TONER                    | 01-13-15-7312 | 153            |
| 00046           |                | CIV0156486     | 07-Jul-15    | OFFICE ESSENTIALS         | TONER                    | 01-13-15-7312 | 537            |
| 00046           |                | CIV0155784     | 03-Jul-15    | OFFICE ESSENTIALS         | COPY PAPER               | 01-13-15-7312 | 811            |
| 00046           |                | CIV0156000     | 06-Jul-15    | OFFICE ESSENTIALS         | CLIPBOARDS               | 01-13-15-7312 | 7              |
| 00046           |                | CIV0155708     | 03-Jul-15    | OFFICE ESSENTIALS         | OFFICE SUPPLIES          | 01-13-15-7312 | 248            |
| Sum of Invoices |                |                |              |                           |                          |               | 2,530.         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/201

COMMUNITY SERVICES

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                 | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|-----------------------------|---------------|----------------|
| 01116           |                | 1117           | 09-Feb-15    | FRONTYARD FEATURES        | MOVIE SCREEN RENTAL 5/30/15 | 01-14-11-6203 | 450.0          |
| 00045           |                | 775529873001   | 12-Jun-15    | OFFICE DEPOT-BUSINESS DIV | WALL CLOCK                  | 01-14-11-7304 | 13.5           |
| 00045           |                | 775529675001   | 15-Jun-15    | OFFICE DEPOT-BUSINESS DIV | 2 CALCULATORS               | 01-14-11-7304 | 11.7           |
| Sum of Invoices |                |                |              |                           |                             |               | 475.3          |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/20

ICE ARENA

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name              | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|--------------------------|--------------------------------|---------------|----------------|
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7301 | 1              |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7301 | 1              |
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7308 | 4              |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES | TOWELS & UNIFORMS              | 06-14-31-7308 | 4              |
| 00564           |                | 15-0886          | 30-Jun-15    | BOB RAEKER PLUMBING CO.  | YEARLY BACKFLOW TEST           | 06-14-31-6212 | 180            |
| 02159           |                | 3306             | 04-Jun-15    | CTM SOLUTIONS            | NEW GRILL FOR OLY              | 06-14-31-6211 | 610            |
| 00082           |                | 0231637          | 02-Jul-15    | METROLIFT PROPANE        | PROPANE OF OLYMPIA             | 06-14-31-7307 | 205            |
| 00082           |                | 194054           | 04-Jun-15    | METROLIFT PROPANE        | PROPANE OFR OLYMPIA            | 06-14-31-7307 | 238            |
| 00082           |                | 211903           | 18-Jun-15    | METROLIFT PROPANE        | PROPANE FOR OLYMPIA            | 06-14-31-7307 | 238            |
| 00867           | P002047        | 52226            | 18-Feb-15    | MURPHY                   | 125 POUNDS R22 FREON-INSTALLED | 06-14-31-6211 | 1,224          |
| 00867           | P002047        | 52226            | 18-Feb-15    | MURPHY                   | REPLACE BLOWER MOTOR           | 06-14-31-6211 | 450            |
| 00867           |                | 60682            | 18-Jun-15    | MURPHY                   | RINK BOILER REPAIR             | 06-14-31-6211 | 640            |
| 00867           |                | 60684            | 18-Jun-15    | MURPHY                   | RINK BOILER REPAIR             | 06-14-31-6211 | 993            |
| 00048           |                | 211852           | 22-Jun-15    | PAVYER                   | OLY BLADE SHARPENING           | 06-14-31-6211 | 75             |
| 00711           |                | 346349615        | 09-Jun-15    | TERMINIX                 | PEST CONTROL                   | 06-14-31-6212 | 35             |
| 00973           |                | 44393            | 01-Jun-15    | US FIGURE SKATING        | LTS PARTICIPANT REG            | 06-14-31-6262 | 397            |
| 00973           |                | 53639            | 02-Jul-15    | US FIGURE SKATING        | LTS PARTICIPANTS REG           | 06-14-31-6262 | 445            |
| 01048           |                | 9748218124 EF    | 30-Jun-15    | VERIZON WIRELESS         | CELL PHONE JUNE 15             | 06-14-31-6253 | 52             |
| Sum of Invoices |                |                  |              |                          |                                |               | 5,800.         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

GOLF MAINTENANCE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name             | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-------------------------|--------------------------------|---------------|----------------|
| 02085           |                | 2396           | 02-Jul-15    | BLUEWING SUPPLY LLC     | NEEDLE TINES FOR PROCORE 648   | 06-14-32-6212 | 352.10         |
| 00564           |                | 15-0886        | 30-Jun-15    | BOB RAEKER PLUMBING CO. | YEARLY BACKFLOW TEST           | 06-14-32-6202 | 145.00         |
| 01415           |                | INV0015279     | 06-Jul-15    | GREENSPRO, INC.         | GREENS FUNGICIDE               | 06-14-32-7303 | 660.50         |
| 00117           |                | 9185310        | 14-Jul-15    | HOME DEPOT              | BLOCKS FOR MEMORIAL TREE       | 06-14-32-6212 | 88.30          |
| 00117           |                | 7060783        | 06-Jul-15    | HOME DEPOT              | RECIPROCATING SAW/BLADES       | 06-14-32-7302 | 79.90          |
| 00117           |                | 4085612        | 09-Jul-15    | HOME DEPOT              | SHOVELS                        | 06-14-32-7302 | 28.40          |
| 00175           |                | 1023963-00     | 13-Jul-15    | MTI DISTRIBUTING, INC.  | BOOM VALVE FOR SPRAYER         | 06-14-32-6211 | 611.90         |
| 00116           |                | 3704 8182      | 09-Jul-15    | SAM'S CLUB              | MOTOR OIL                      | 06-14-32-6211 | 52.30          |
| 00116           |                | 3704 8182      | 09-Jul-15    | SAM'S CLUB              | GLOVES                         | 06-14-32-7308 | 3.80           |
| 00173           |                | IN127925       | 06-Jul-15    | SUPREME TURF PRODUCTS   | TEE TOWELS                     | 06-14-32-6212 | 115.00         |
| 00173           |                | IN127782       | 29-Jun-15    | SUPREME TURF PRODUCTS   | HERBICIDE AND CARRIER          | 06-14-32-7303 | 405.00         |
| 00173           |                | IN127996       | 08-Jul-15    | SUPREME TURF PRODUCTS   | FERTILIZER FOR TEES & FAIRWAYS | 06-14-32-7303 | 748.00         |
| Sum of Invoices |                |                |              |                         |                                |               | 3,290.47       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

PRO SHOP

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name   | Description             | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------|-------------------------|---------------|----------------|
| 00121           |                | 926143351      | 26-Jun-15    | CALLAWAY GOLF | BALLS FOR RESALE        | 06-14-33-8325 | 0.12           |
| 00121           |                | 926138118      | 24-Jun-15    | CALLAWAY GOLF | HAT APARRELL FOR RESALE | 06-14-33-8325 | 0.02           |
| 00711           |                | 346349615      | 09-Jun-15    | TERMINIX      | PEST CONTROL            | 06-14-33-6212 | 35.00          |
| Sum of Invoices |                |                |              |               |                         |               | 35.14          |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

SNACK BAR

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                     | Description             | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|---------------------------------|-------------------------|---------------|----------------|
| 01550           |                | 452-8957971 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES        | TOWELS & UNIFORMS       | 06-14-34-7301 | 3.63           |
| 01550           |                | 452-8932767 6/30 | 30-Jun-15    | ARAMARK UNIFORM SERVICES        | TOWELS & UNIFORMS       | 06-14-34-7301 | 3.63           |
| 00010           |                | 968077           | 29-Jun-15    | BRANNEKY HARDWARE               | GRILL SUPPLIES          | 06-14-34-7302 | 13.99          |
| 00080           |                | 1866-131-5       | 22-Jun-15    | DIERBERGS                       | FOOD FOR RESALE         | 06-14-34-8315 | 31.51          |
| 00080           |                | 2273-112-5       | 02-Jul-15    | DIERBERGS                       | BEER FOR RESALE         | 06-14-34-8316 | 91.75          |
| 01491           |                | 61898414         | 30-Jun-15    | FARMER BROS. COFFEE             | COFFEE FOR RESALE       | 06-14-34-8317 | 104.02         |
| 01263           |                | 070315           | 03-Jul-15    | FROZEN DISTRIBUTION INC         | SNACKS FOR RESALE       | 06-14-34-8319 | 238.00         |
| 01471           |                | 97775            | 08-Jul-15    | RL MUELLER NATIONAL DIST., INC. | MISC/ SNACKS FOR RESALE | 06-14-34-8319 | 295.85         |
| 01471           |                | 97815            | 13-Jul-15    | RL MUELLER NATIONAL DIST., INC. | SNACKS FOR RESALE       | 06-14-34-8319 | 151.00         |
| 01471           |                | 97775            | 08-Jul-15    | RL MUELLER NATIONAL DIST., INC. | MISC/ SNACKS FOR RESALE | 06-14-34-8321 | 12.75          |
| Sum of Invoices |                |                  |              |                                 |                         |               | 946.13         |

Attachment: Bill.xls (1433 : Bills Payable Listing)





CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

BUILDING MAINTENANCE

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                            | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|----------------------------------------|--------------------------|---------------|----------------|
| 01550           |                | 452-8957970 7/07 | 07-Jul-15    | ARAMARK UNIFORM SERVICES               | UNIFORM SERVICE 7/07/15  | 01-16-11-7308 | 4.38           |
| 01550           |                | 452-8983310 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES               | UNIFORM SERVICE 7/14/15  | 01-16-11-7308 | 4.38           |
| 00164           |                | 050948           | 09-Jul-15    | NEW SYSTEM CARPET & BUILDING CARE LTD. | PAPER PRODUCTS CITY HALL | 01-16-11-6212 | 714.84         |
| 01048           |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                       | CELL PHONE JUNE 15       | 01-16-11-6253 | 32.29          |
| 00054           |                | 2236615          | 02-Jul-15    | WALTER KNOLL FLORIST                   | PLANT MAINT AUG 2015     | 01-16-11-6212 | 80.00          |
| Sum of Invoices |                |                  |              |                                        |                          |               | 835.89         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

POLICE-ADMIN

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                         | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|-------------------------------------|--------------------------------|---------------|----------------|
| 02119           |                | 223107         | 02-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2415 3000 MILE SERVICE     | 01-21-11-6210 | 42.95          |
| 02119           |                | 223334         | 09-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2418 3000 MILE SERVICE     | 01-21-11-6210 | 42.95          |
| 01068           |                | 151560         | 07-May-15    | DNT                                 | MONTHLY COLOR COPIER MAINT     | 01-21-11-6213 | 5.40           |
| 01068           |                | 153679         | 09-Jun-15    | DNT                                 | MONTHLY COLOR COPIER MAINT     | 01-21-11-6213 | 15.24          |
| 01068           |                | 155320         | 01-Jul-15    | DNT                                 | QTRLY RECORDS COPIER MAINTENAN | 01-21-11-6213 | 125.96         |
| 00116           |                | 8698           | 08-Jul-15    | SAM'S CLUB                          | SIX FLASH DRIVES               | 01-21-11-6213 | 86.50          |
| 00116           |                | 07012015       | 01-Jul-15    | SAM'S CLUB                          | (2) BLACK INK CARTRIDGES       | 01-21-11-7304 | 55.98          |
| 00116           |                | 8698           | 08-Jul-15    | SAM'S CLUB                          | PRISONER MEALS                 | 01-21-11-7309 | 71.42          |
| 00092           |                | 73368          | 06-Jul-15    | ST LOUIS COUNTY                     | JULY CARE CONTRACT             | 01-21-11-6202 | 23.91          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-11-6253 | 84.48          |
| Sum of Invoices |                |                |              |                                     |                                |               | 554.79         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

POLICE-INVESTIGATIONS

| Vendor Number   | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                         | Description                    | GL Account    | Invoice Amount |
|-----------------|----------------|------------------|--------------|-------------------------------------|--------------------------------|---------------|----------------|
| 02119           |                | 223084           | 07-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2423 REPL THROTTLE POS SEN | 01-21-21-6210 | 380.00         |
| 00234           |                | 432665           | 02-Jul-05    | ED. ROEHR SAFETY PRODUCTS           | SERPA HOLSTER FOR NEW DET      | 01-21-21-7308 | 42.29          |
| 01358           | P002199        | 231797           | 01-May-15    | LEADS ONLINE                        | ANNUAL LEADS ONLINE TOTAL TRAC | 01-21-21-6202 | 792.00         |
| 01228           |                | 1432814-20150630 | 30-Jun-15    | LEXISNEXIS                          | JUNE 2015 (2) USER FEES        | 01-21-21-6202 | 175.10         |
| 00116           |                | 07072015         | 07-Jul-15    | SAM'S CLUB                          | DVD'S, CD'S, SLEEVES           | 01-21-21-7304 | 108.04         |
| 01048           |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-21-6253 | 193.74         |
| Sum of Invoices |                |                  |              |                                     |                                |               | 1,691.17       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

POLICE-PATROL

| Vendor Number | Purchase Order | Invoice Number | Invoice Date | Vendor Name                         | Description                    | GL Account      | Invoice Amount |
|---------------|----------------|----------------|--------------|-------------------------------------|--------------------------------|-----------------|----------------|
| 00007         |                | 379-651505     | 02-Jul-15    | BATTERIES PLUS BULBS                | BATTERY FOR CAR 2409           | 01-21-22-6210   | 181.45         |
| 02119         |                | 223589         | 17-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2406 ADDED POW STEERING FL | 01-21-22-6210   | 66.00          |
| 02119         |                | 223037         | 01-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2406 REPLACED ALTERNATOR   | 01-21-22-6210   | 782.45         |
| 02119         |                | 223153         | 06-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2413 REAR BRAKES, AIRBAG L | 01-21-22-6210   | 420.93         |
| 02119         |                | 222948         | 03-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2408 REPLACE A/C LINE      | 01-21-22-6210   | 571.19         |
| 02119         |                | 223247         | 08-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2407 COOLING FAN           | 01-21-22-6210   | 334.45         |
| 02119         |                | 223272         | 09-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | MOUNT AND BALANCE ONE TIRE     | 01-21-22-6210   | 12.50          |
| 02119         |                | 223556         | 16-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2410 3000 MILE SVS         | 01-21-22-6210   | 42.95          |
| 02119         |                | 223481         | 14-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2424 3000 MILE SERVICE     | 01-21-22-6210   | 42.95          |
| 02119         |                | 223530         | 15-Jul-15    | DAVE SINCLAIR LINCOLN-MERCURY, INC. | CAR 2416 HDLAMP, 3000 ML SVS   | 01-21-22-6210   | 61.91          |
| 00095         |                | 301342         | 29-Jun-15    | DOBBS TIRE & AUTO                   | ONE DODGE CHARGER TIRE         | 01-21-22-6210   | 126.40         |
| 00095         |                | 301417         | 02-Jul-15    | DOBBS TIRE & AUTO                   | ONE DODGE CHARGER TIRE         | 01-21-22-6210   | 126.40         |
| 00095         |                | 301486         | 08-Jul-15    | DOBBS TIRE & AUTO                   | (1) CROWN VIC TIRE             | 01-21-22-6210   | 109.35         |
| 00234         | P002175        | 432672         | 02-Jul-15    | ED. ROEHR SAFETY PRODUCTS           | 2 EA CODE 3 MASTERCOM SIREN BO | 01-21-22-9503   | 699.90         |
| 00125         |                | 352207         | 23-Jun-15    | LEON UNIFORM                        | CIT BAR                        | 01-21-22-7304   | 190.80         |
| 00125         |                | 355169         | 03-Jul-15    | LEON UNIFORM                        | FLEXFIT WOOL CAP/BIKE OFFICER  | 01-21-22-7308   | 11.99          |
| 00125         |                | 351666-01      | 26-Jun-15    | LEON UNIFORM                        | FLEX-TAC STRYKE PANT           | 01-21-22-7313   | 62.99          |
| 00970         |                | 1852-481647    | 15-Jul-15    | O'REILLY AUTO PARTS                 | MIRROR ADHESIVE, TIRE SHINE    | 01-21-22-6210   | 26.34          |
| 01978         | P002170        | 062615         | 30-Jun-15    | PACKS FOR SURVIVAL                  | 20 CERT STARTER KITS; INCLUDES | 01-21-22-7314   | 970.80         |
| 00116         |                | 07072015       | 07-Jul-15    | SAM'S CLUB                          | 5 ROLLS BLUE PAINTERS TAPE     | 01-21-22-7313   | 18.90          |
| 01048         |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                    | CELL PHONE JUNE 15             | 01-21-22-6253   | 362.70         |
| 00965         |                | 3079           | 14-Jul-15    | VIP                                 | TINT WINDOWS ON CAR 2417       | 01-21-22-6210   | 195.00         |
|               |                |                |              |                                     |                                | Sum of Invoices | 5,418.35       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

PUBLIC WORKS

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name               | Description                | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|---------------------------|----------------------------|---------------|----------------|
| 02169           |                | 393669         | 30-Jun-15    | DREXEL TECHNOLOGIES, INC. | MONTHLY FEE SCANNER COPIER | 01-31-11-9504 | 50.00          |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS          | CELL PHONE JUNE 15         | 01-31-11-6253 | 188.86         |
| Sum of Invoices |                |                |              |                           |                            |               | 238.86         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

STREETS

| Vendor Number | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                        | Description                   | GL Account    | Invoice Amount |
|---------------|----------------|------------------|--------------|------------------------------------|-------------------------------|---------------|----------------|
| 00131         |                | 9928876097       | 30-Jun-15    | AIRGAS                             | MONTHLY GAS RENTAL            | 01-31-41-7307 | 58.66          |
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES           | UNIFORM RENTAL 7/14/15        | 01-31-41-6212 | 4.19           |
| 01550         |                | 16338381         | 03-Jul-15    | ARAMARK UNIFORM SERVICES           | SHIRTS FOR NEW OPS SUPER      | 01-31-41-7308 | 335.39         |
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES           | UNIFORM RENTAL 7/14/15        | 01-31-41-7308 | 39.56          |
| 01980         |                | 760277           | 01-Jul-15    | BLUE CHIP EXTERMINATING            | PEST CONTROL SHOP             | 01-31-41-7301 | 26.00          |
| 00049         |                | 38093            | 30-Jun-15    | EMPLOYEE STAFFING GROUP            | TEMP HELP WEEK ENDING 6/28/15 | 01-31-41-6207 | 2,639.10       |
| 00049         |                | 38110            | 08-Jul-15    | EMPLOYEE STAFFING GROUP            | TEMP HELP WEEK ENDING 7/5/15  | 01-31-41-6207 | 1,882.85       |
| 01979         |                | D-44965          | 07-Jul-15    | FASTSIGNS OF BRIDGETON             | LAMINATED CREVE COEUR MAP     | 01-31-41-7311 | 234.00         |
| 00023         |                | 477036           | 30-Jun-15    | FRED WEBER                         | ASPHALT FOR AUBURNDALE        | 01-31-41-7305 | 440.00         |
| 00023         |                | 478908           | 09-Jul-15    | FRED WEBER                         | ASPHALT AUBURNDALE            | 01-31-41-7305 | 275.00         |
| 02402         |                | 6219-244151      | 07-Jul-15    | HANDY AUTOMOTIVE                   | WIPERS FOR TRUCK #106         | 01-31-41-6210 | 58.27          |
| 02402         |                | 6219-243983      | 06-Jul-15    | HANDY AUTOMOTIVE                   | VEHICLE FILTERS               | 01-31-41-6210 | 5.62           |
| 02402         |                | 6219-244804      | 13-Jul-15    | HANDY AUTOMOTIVE                   | GAS CAP FOR TRUCK #106        | 01-31-41-6210 | 9.02           |
| 02402         |                | 6219-244056      | 06-Jul-15    | HANDY AUTOMOTIVE                   | OIL FOR SHOP                  | 01-31-41-6211 | 8.82           |
| 00117         |                | 72361            | 08-Jul-15    | HOME DEPOT                         | RETURNED PALLETS              | 01-31-41-6212 | -130.04        |
| 00117         |                | 46954            | 09-Jul-15    | HOME DEPOT                         | CREDIT FOR PALLETS            | 01-31-41-6212 | -57.53         |
| 00117         |                | 22612            | 08-Jul-15    | HOME DEPOT                         | SMALL TOOLS STREETS           | 01-31-41-7302 | 130.97         |
| 02322         |                | 0347-000179757   | 30-Jun-15    | JOHNNY ON THE SPOT #347            | RENTAL 2 PORTA JOHNS          | 01-31-41-6266 | 163.00         |
| 00156         |                | 66549            | 30-Jun-15    | L & C TRUCK REPAIR, INC.           | REPAIR ON TRUCK #108          | 01-31-41-6210 | 278.96         |
| 00156         |                | 66424            | 19-Jun-15    | L & C TRUCK REPAIR, INC.           | REPAIR ON TRUCK #318          | 01-31-41-6210 | 223.60         |
| 00042         |                | 1143974          | 09-Jul-15    | MPR SUPPLY                         | IRRIGATION SUPPLIES           | 01-31-41-6211 | 14.60          |
| 00042         |                | 143963           | 09-Jul-15    | MPR SUPPLY                         | IRRIGATION SUPPLIES           | 01-31-41-6211 | 9.71           |
| 00042         |                | 1143884          | 08-Jul-15    | MPR SUPPLY                         | IRRIGATION REPAIRS            | 01-31-41-6211 | 505.37         |
| 00165         |                | TI-0287432       | 30-Jun-15    | NEWMAN TRAFFIC SIGNS               | STREET SIGNS                  | 01-31-41-7311 | 80.06          |
| 00796         |                | 461274           | 10-Jul-15    | OVERHEAD DOOR COMPANY OF ST. LOUIS | REPAIR SALT DOME DOOR         | 01-31-41-6212 | 434.75         |
| 01048         |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                   | CELL PHONE JUNE 15            | 01-31-41-6253 | 88.66          |
| 00311         |                | 1778812          | 07-Jul-15    | WEBER CHEVROLET                    | DUST PLATE FOR TRUCK #205     | 01-31-41-6210 | 24.28          |

Sum of Invoices 7,782.87

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

HEALTH & WELFARE

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                  | Description         | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------------------|---------------------|---------------|----------------|
| 01836           |                | 104609         | 30-Jun-15    | CRITTER CONTROL OF ST. LOUIS | DEAD ANIMAL REMOVAL | 01-31-42-6214 | 477.00         |
| 01413           |                | 25456          | 08-Jul-15    | RAY'S TREE SERVICE           | REMOVE DOWNED TREE  | 01-31-42-6215 | 599.99         |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS             | CELL PHONE JUNE 15  | 01-31-42-6253 | 32.29          |
| Sum of Invoices |                |                |              |                              |                     |               | 1,109.28       |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

PARKS

| Vendor Number | Purchase Order | Invoice Number   | Invoice Date | Vendor Name                     | Description                    | GL Account    | Invoice Amount |
|---------------|----------------|------------------|--------------|---------------------------------|--------------------------------|---------------|----------------|
| 01550         |                | 452-8983307 7/14 | 14-Jul-15    | ARAMARK UNIFORM SERVICES        | UNIFORM RENTAL 7/14/15         | 01-31-43-7308 | 39.55          |
| 01980         |                | 760277           | 01-Jul-15    | BLUE CHIP EXTERMINATING         | PEST CONTROL SHOP              | 01-31-43-7301 | 26.00          |
| 00010         |                | 968710           | 09-Jul-15    | BRANNEKY HARDWARE               | ITEMS FOR TAPPMAYER            | 01-31-43-6212 | 17.64          |
| 00010         |                | 968574           | 09-Jul-15    | BRANNEKY HARDWARE               | ITEMS FOR TAPPMAYER            | 01-31-43-6212 | 74.93          |
| 00049         |                | 38093            | 30-Jun-15    | EMPLOYEE STAFFING GROUP         | TEMP HELP WEEK ENDING 6/28/15  | 01-31-43-6207 | 879.70         |
| 00049         |                | 38110            | 08-Jul-15    | EMPLOYEE STAFFING GROUP         | TEMP HELP WEEK ENDING 7/5/15   | 01-31-43-6207 | 627.62         |
| 02402         |                | 6219-244151      | 07-Jul-15    | HANDY AUTOMOTIVE                | WIPERS FOR TRUCK #106          | 01-31-43-6210 | 19.43          |
| 02402         |                | 6219-243983      | 06-Jul-15    | HANDY AUTOMOTIVE                | VEHICLE FILTERS                | 01-31-43-6210 | 1.88           |
| 02402         |                | 6219-244804      | 13-Jul-15    | HANDY AUTOMOTIVE                | GAS CAP FOR TRUCK #106         | 01-31-43-6210 | 3.01           |
| 00117         |                | 22331            | 08-Jul-15    | HOME DEPOT                      | DEHUMIDIFIER FOR TAPPMAYER     | 01-31-43-6212 | 284.05         |
| 00156         |                | 66549            | 30-Jun-15    | L & C TRUCK REPAIR, INC.        | REPAIR ON TRUCK #108           | 01-31-43-6210 | 92.99          |
| 00156         |                | 66424            | 19-Jun-15    | L & C TRUCK REPAIR, INC.        | REPAIR ON TRUCK #318           | 01-31-43-6210 | 74.53          |
| 01534         |                | 764138           | 30-Jun-15    | MIRACLE RECREATION EQUIPMENT CO | BONGO STUMP BERNIE PARK        | 01-31-43-6212 | 160.70         |
| 00110         |                | 321411           | 30-Jun-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 120.57         |
| 00110         |                | 321485           | 10-Jul-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 251.20         |
| 00110         |                | 321476           | 08-Jul-15    | RICMAR INDUSTRIES               | WEED KILLER                    | 01-31-43-7303 | 214.25         |
| 00547         | P002167        | 226008           | 30-Jun-15    | ST LOUIS BACKFLOW SERVICES      | TEST & REPAIR BACKFLOW PREVENT | 01-31-43-6212 | 1,550.00       |
| 01352         |                | 331286           | 28-Apr-15    | ST LOUIS COMPOSTING, INC.       | RAISED BED MIX                 | 01-31-43-7303 | 68.00          |
| 01352         |                | 331077           | 28-Apr-15    | ST LOUIS COMPOSTING, INC.       | RAISED BED MIX                 | 01-31-43-7303 | 68.00          |
| 00173         |                | IN128063         | 09-Jul-15    | SUPREME TURF PRODUCTS           | CHEMICALS FOR CONWAY LAKE      | 01-31-43-7301 | 735.00         |
| 00260         |                | 26239            | 07-Jul-15    | TOTAL LOCK & SECURITY           | DOG PARK GATE LOCK REPAIR      | 01-31-43-6212 | 112.50         |
| 01048         |                | 9748218124 GF    | 30-Jun-15    | VERIZON WIRELESS                | CELL PHONE JUNE 15             | 01-31-43-6253 | 39.29          |
| 00311         |                | 1778812          | 07-Jul-15    | WEBER CHEVROLET                 | DUST PLATE FOR TRUCK #205      | 01-31-43-6210 | 8.10           |
| 00109         |                | 457414           | 08-Jul-15    | WESTPORT POOLS                  | CHEMICALS FOR SPLASH PAD       | 01-31-43-7301 | 18.53          |

Sum of Invoices 5,487.47

Attachment: Bill.xls (1433 : Bills Payable Listing)





CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

COMMUNITY DEVELOPMENT - PLANNING

| Vendor Number | Purchase Order | Invoice Number | Invoice Date | Vendor Name                              | Description         | GL Account      |
|---------------|----------------|----------------|--------------|------------------------------------------|---------------------|-----------------|
| 00213         |                | 071015-1       | 30-Jun-15    | MCLAUGHLIN COURT REPORTING SERVICES, INC | BOA MEETING 5/21/15 | 01-32-11-6202   |
| 00213         |                | 071615-1       | 17-Jul-15    | MCLAUGHLIN COURT REPORTING SERVICES, INC | P&Z MINUTES         | 01-32-11-6202   |
| 01048         |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS                         | CELL PHONE JUNE 15  | 01-32-11-6253   |
|               |                |                |              |                                          |                     | Sum of Invoices |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

| Invoice<br>Amount |
|-------------------|
| 134.00            |
| 102.00            |
| 78.87             |
| 314.87            |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

COMMUNITY DEVELOPMENT - BUILDING

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name      | Description              | GL Account    | Invoice Amount |
|-----------------|----------------|----------------|--------------|------------------|--------------------------|---------------|----------------|
| 00112           |                | 201308         | 25-Jun-15    | MPS              | INSPECTION REQUEST FORMS | 01-32-61-7304 | 376.59         |
| 01048           |                | 9748218124 GF  | 30-Jun-15    | VERIZON WIRELESS | CELL PHONE JUNE 15       | 01-32-61-6253 | 207.15         |
| Sum of Invoices |                |                |              |                  |                          |               | 583.74         |

Attachment: Bill.xls (1433 : Bills Payable Listing)



CITY OF CREVE COEUR  
ACCOUNTS PAYABLE LISTING

B.b

7/21/2015

CAPITAL IMPROVEMENTS

| Vendor Number   | Purchase Order | Invoice Number | Invoice Date | Vendor Name                    | Description                    | GL Account          | Invoice Amount |
|-----------------|----------------|----------------|--------------|--------------------------------|--------------------------------|---------------------|----------------|
| 02103           | P002129        | 01791          | 30-Jun-15    | BOND ARCHITECTS                | ARCHITECTUAL SERVICES-CITY HAL | 02-61-71-9501-14104 | 2,918.00       |
| 02103           | P002129        | 01730          | 30-Jun-15    | BOND ARCHITECTS                | ARCHITECTUAL SERVICES-CITY HAL | 02-61-71-9501-14104 | 10,281.80      |
| 02313           | P002049        | PAYMENT #7     | 30-Jun-15    | L.F. KRUPP CONSTRUCTION INC.   | GRAESER ROAD RESURFACING PROJE | 02-61-71-9510-14707 | 46,152.32      |
| 01333           | P002150        | FINAL PAYMENT  | 28-May-15    | M & H CONCRETE                 | CHANGE ORDER #1. INCREASE OF F | 02-61-71-9510-15709 | 22,245.40      |
| 02440           | P002153        | FINAL PAYMENT  | 30-Jun-15    | ROADSAFE TRAFFIC SYSTEMS, INC. | 2015 ROAD STRIPING IMPROVEMENT | 02-61-71-9510-15602 | 55,964.20      |
| 00914           | P002177        | 071715         | 30-Jun-15    | STRUCTURES INC                 | SITE DESIGN SERVICES-CVS BUS   | 02-61-71-9501-15103 | 6,205.00       |
| Sum of Invoices |                |                |              |                                |                                |                     | 143,766.72     |

Total of All Invoices 235,915.82

Attachment: Bill.xls (1433 : Bills Payable Listing)



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

Meeting: 07/27/15 07:00 PM  
Department: Public Works Department  
Category: Grant  
Prepared By: Matt Wohlberg  
Department Head: Jim Heines

**SCHEDULED**

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**ORDINANCE**

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**Bill No. 5552 - an Ordinance of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Transportation Alternatives Funds Program Agreement with the Missouri Highways and Transportation Commission to Enable the City to Use Federal Grant Funding to Construct the Emerson Sidewalk Improvement Project. Final Reading and Passage**

The City has been awarded a federal Transportation Alternatives Program grant to construct a sidewalk along Emerson Road. City staff recommends that the City Council authorize the execution of the Program Agreement with the Missouri Highways and Transportation Commission that is necessary to secure the grant.

BILL No 5552

ORDINANCE No \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF A TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO ENABLE THE CITY TO USE FEDERAL GRANT FUNDING TO CONSTRUCT THE EMERSON SIDEWALK IMPROVEMENT PROJECT.**

**WHEREAS**, the City of Creve Coeur strives to promote a beautiful and safe place for the residents to live, work, and drive; and

**WHEREAS**, the City has identified the addition of a sidewalk along Emerson Road, from Old Ballas Road south to Ladue Road, as a “third priority” sidewalk in the Creve Coeur Pedestrian Plan; and

**WHEREAS**, the City has been awarded grant funding under the federal Transportation Alternatives Program (TAP) to substantially assist with the cost to construct an accessible sidewalk along Emerson Road, from Old Ballas Road to Ladue Road; and

**WHEREAS**, the attached “Exhibit One” is an agreement with the Missouri Highways and Transportation Commission regarding the responsibilities and requirements of the Transportation Alternatives Grant Program,

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

**Section 1:** The Transportation Alternatives Funds Program Agreement between the Missouri Highways and Transportation Commission and the City of Creve Coeur, regarding the construction of an accessible sidewalk along Emerson Road, referred to herein as the “Agreement” and attached hereto as “Exhibit One,” is hereby approved, and the City Administrator is authorized to execute same on behalf of the City and the City Clerk is authorized and directed to attest thereto. The Agreement as executed shall be in substantially the form of Exhibit One, with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Ordinance 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 Ordinance, the matters herein authorized, and the rights and duties of the City under the Agreement.

Approved this 10<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
David Kreuter  
President of City Council

Adopted this 10<sup>th</sup> day of August, 2015.

Ordinance

Meeting of July 27, 2015

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Barry Glantz  
Mayor

Attest:

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Deborah Ryan, City Clerk

CCO Form: FS25  
 Approved: 04/95 (MGB)  
 Revised: 05/15 (MWH)  
 Modified:

CFDA Number: CDFA #20.205  
 CFDA Title: Highway Planning and Construction  
 Award name/number: TAP-5526(643)  
 Award Year: FY 2015  
 Federal Agency: Federal Highway Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
 TRANSPORTATION ALTERNATIVES FUNDS  
 PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and City of Creve Coeur (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The United States Congress has authorized, in MAP-21 §1122; 23 U.S.C. §101, §106 and §213; SAFETEA-LU §1404 funds to be used for transportation alternatives activities. The purpose of this Agreement is to grant the use of such transportation enhancement funds to the City.

(2) LOCATION: The transportation alternatives funds which are the subject of this Agreement are for the project at the following location: Sidewalk improvements along Emerson Road from Ladue Road to Old Ballas Road.

The general location of the project is shown on attachment marked "Exhibit A" and incorporated herein by reference.

(3) REASONABLE PROGRESS POLICY: The project as described in this agreement is subject to the reasonable progress policy set forth in the Local Public Agency (LPA) Manual and the final deadline specified in Exhibit B attached hereto and incorporated herein by reference. In the event, the LPA Manual and the final deadline within Exhibit B conflict, the final deadline within Exhibit B controls. If the project is within a Transportation Management Area that has a reasonable progress policy in place, the project is subject to that policy. If the project is withdrawn for not meeting reasonable progress, the City agrees to repay the Commission for any progress payments made to the City for the project and agrees that the Commission may deduct



progress payments made to the City from future payments to the City. The City may not be eligible for future Transportation Alternatives Funds if the City does not meet the reasonable progress policy.

(4) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

1. To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(5) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(6) COMMISSION REPRESENTATIVE: The Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(7) NONDISCRIMINATION ASSURANCE: With regard to work under this Agreement, the City agrees as follows:

(A) Civil Rights Statutes: The City shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d and §2000e, *et seq.*), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. §12101, *et seq.*). In addition, if the City is providing services or operating programs on behalf of the Department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".

(B) Administrative Rules: The City shall comply with the administrative rules of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 C.F.R. Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, creed, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices.

(D) Solicitations for Subcontracts, Including Procurements of Material and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the City. These apply to all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the City of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, creed, sex, disability or national origin, age or ancestry of any individual.

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the United States Department of Transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as appropriate and shall set forth what efforts it has made to obtain the information.

(F) Sanctions for Noncompliance: In the event the City fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the United States Department of Transportation may

determine to be appropriate, including but not limited to:

1. Withholding of payments under this Agreement until the City complies; and/or
2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

(G) Incorporation of Provisions: The City shall include the provisions of paragraph (7) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission or the United States Department of Transportation. The City will take such action with respect to any subcontract or procurement as the Commission or the United States Department of Transportation may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that in the event the City becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the City may request the United States to enter into such litigation to protect the interests of the United States.

(8) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(10) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(11) ACCESS TO RECORDS: The City and its contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the Federal Highway Administration (FHWA) and the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(12) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA)

1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit C. Wherever the term "the contractor" or words of similar import appear in these sections, the term "the City" is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

(13) ACQUISITION OF RIGHT OF WAY: No acquisition of additional right of way is anticipated in connection with Project TAP-5526(643) or contemplated by this Agreement.

(14) MAINTENANCE OF DEVELOPMENT: The City shall maintain the herein contemplated improvements without any cost or expense to the Commission. All maintenance by the City shall be done for the safety of the general public and the esthetics of the area. In addition, if any sidewalk or bike trails are constructed on the Commission's right-of-way pursuant to this Agreement, the City shall inspect and maintain the sidewalk or bike trails constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalk or bike trails. If the City fails to maintain the herein contemplated improvements, the Commission or its representatives, at the Commission's sole discretion shall notify the City in writing of the City's failure to maintain the improvement. If the City continues to fail in maintaining the improvement, the Commission may remove the herein contemplated improvement whether or not the improvement is located on the Commission's right of way. Any removal by the Commission shall be at the sole cost and expense of the City. Maintenance includes but is not limited to mowing and trimming between shrubs and other plantings that are part of the improvement.

(15) PLANS: The City shall prepare preliminary and final plans and specifications for the herein improvements. The plans and specifications shall be submitted to the Commission for the Commission's review and approval. The Commission has the discretion to require changes to any plans and specification prior to any approval by the Commission.

(16) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

(A) Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. The federal share for this project will be 80 percent not to exceed \$233,600.00. The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of City. The

Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(17) PROGRESS PAYMENTS: The City may request progress payments be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. The City shall repay any progress payments which involve ineligible costs.

(18) PROMPT PAYMENTS: Progress invoices submitted to MoDOT for reimbursement more than thirty (30) calendar days after the date of the vendor invoice shall also include documentation that the vendor was paid in full for the work identified in the progress invoice. Examples of proof of payment may include a letter or e-mail from the vendor, lien waiver or copies of cancelled checks. Reimbursement will not be made on these submittals until proof of payment is provided. Progress invoices submitted to MoDOT for reimbursement within thirty (30) calendar days of the date on the vendor invoice will be processed for reimbursement without proof of payment to the vendor. If the City has not paid the vendor prior to receiving reimbursement, the City must pay the vendor within two (2) business days of receipt of funds from MoDOT.

(19) PERMITS: The City shall secure any necessary approvals or permits from any federal or state agency as required for the completion of the herein improvements. If this improvement is on the right of way of the Commission, the City must secure a permit from the Commission prior to the start of any work on the right of way. The permits which may be required include, but are not limited to, environmental, architectural, historical or cultural requirements of federal or state law or regulation.

(20) INSPECTION OF IMPROVEMENTS AND RECORDS: The City shall assure that representatives of the Commission and FHWA shall have the privilege of inspecting and reviewing the work being done by the City's contractor and subcontractor on the herein project. The City shall also assure that its contractor, and all subcontractors, if any, maintain all books, documents, papers and other evidence pertaining to costs incurred in connection with the Transportation Enhancement Program Agreement, and make such materials available at such contractor's office at all reasonable times at no charge during this Agreement period, and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission, FHWA or any authorized representatives of the Federal Government and the State of Missouri, and copies shall be furnished, upon request, to authorized representatives of the Commission, State, FHWA, or other Federal agencies.

(21) CREDIT FOR DONATIONS OF FUNDS, MATERIALS, OR SERVICES: A person may offer to donate funds, materials or services in connection with this project. Any donated funds, or the fair market value of any donated materials or services that are accepted and incorporated into this project shall be credited according to 23 U.S.C. §323.

(22) DISADVANTAGED BUSINESS ENTERPRISES (DBE): The Commission will advise the City of any required goals for participation by disadvantaged business enterprises (DBEs) to be included in the City's proposal for the work to be performed. The City shall submit for Commission approval a DBE goal or plan. The City shall comply with the plan or goal that is approved by the Commission and all requirements of 49 C.F.R. Part 26, as amended.

(23) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(24) NOTICE TO BIDDERS: The City shall notify the prospective bidders that disadvantaged business enterprises shall be afforded full and affirmative opportunity to submit bids in response to the invitation and will not be discriminated against on grounds of race, color, sex, or national origin in consideration for an award.

(25) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The United States Government shall reimburse the City, through the Commission, any monies due. The City shall refund any overpayments as determined by the final audit.

(26) OMB AUDIT: If the City expend(s) seven hundred fifty thousand dollars (\$750,000) or more in a year in federal financial assistance it is required to have an independent annual audit conducted in accordance with 2 CFR Part 200. A copy of the audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Subject to the requirements of 2 CFR Part 200, if the City expend(s) less than seven hundred fifty thousand dollars (\$750,000) a year, the City may be exempt from auditing requirements for that year but records must be available for review or audit by applicable state and federal authorities.

(27) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006: The City shall comply with all reporting requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, as amended. This Agreement is subject to the award terms within 2 C.F.R. Part 170.



IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

City of Creve Coeur

\_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

\_\_\_\_\_

Title \_\_\_\_\_

Ordinance No \_\_\_\_\_

Exhibit A - Location of Project



## Emerson Road Improvement Project

— Sidewalk Improvements/  
Project Limits

0 125 250 500 750 1,000 Feet





### Exhibit B – Project Schedule

Project Description: Project TAP-5526(643) consists of adding new sidewalk along Emerson Road from Ladue Road to Old Ballas Road as well as upgrading existing sidewalk to meet ADA standards.

| <b>Task</b>                                                                  | <b>Date</b>  |
|------------------------------------------------------------------------------|--------------|
| Date funding is made available or allocated to recipient                     | October 2014 |
| Preliminary Plans Submittal                                                  | August 2015  |
| Plans, Specifications & Estimate (PS&E) Submittal                            | March 2016   |
| Plans, Specifications & Estimate (PS&E) Approval                             | April 2016   |
| Advertisement for Letting                                                    | May 2016     |
| Bid Opening                                                                  | July 2016    |
| Construction Contract Award or Planning Study completed<br><b>(REQUIRED)</b> | August 2016  |

\*Note: the dates established in the schedule above will be used in the applicable ESC between the sponsor agency and consultant firm.

\*\*Schedule dates are approximate as the project schedule will be actively managed and issues mitigated through the project delivery process. The Award Date or Planning Study Date deliverable is not approximate and a Supplemental Agreement is required to modify this date.

## Exhibit C

FHWA-1273 -- Revised May 1, 2012

# **REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

## **ATTACHMENTS**

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

## **I. GENERAL**

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

## **II. NONDISCRIMINATION**

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

**1. Equal Employment Opportunity:** Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

**2. EEO Officer:** The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

**3. Dissemination of Policy:** All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

**4. Recruitment:** When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

**5. Personnel Actions:** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

**6. Training and Promotion:**

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

**7. Unions:** If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

**8. Reasonable Accommodation for Applicants / Employees with Disabilities:** The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

**9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:** The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

#### **10. Assurance Required by 49 CFR 26.13(b):**

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

**11. Records and Reports:** The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

### III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

### IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

#### 1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b.(1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or



will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## 2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## 3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### 4. Apprentices and trainees

##### a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

##### b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

**5. Compliance with Copeland Act requirements.** The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

**6. Subcontracts.** The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

**7. Contract termination: debarment.** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

**8. Compliance with Davis-Bacon and Related Act requirements.** All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

**9. Disputes concerning labor standards.** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

**10. Certification of eligibility.**

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

**1. Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

**2. Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

**3. Withholding for unpaid wages and liquidated damages.** The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

**4. Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.



## VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

- (1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) the prime contractor remains responsible for the quality of the work of the leased employees;
- (3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
- (4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

## VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

## VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

#### **IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

#### **X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

##### **1. Instructions for Certification – First Tier Participants:**

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

\* \* \* \* \*

## **2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:**

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

### **2. Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

\* \* \* \* \*

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\* \* \* \* \*

**XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS  
PREFERENCE FOR APPALACHIAN DEVELOPMENT  
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS  
ROAD CONTRACTS**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.





## DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

**DATE:** July 8, 2015

**TO:** Mark Perkins, City Administrator

**CC:** Jim Heines, Director of Public Works

**FROM:** Matt Wohlberg, P.E., City Engineer

**SUBJECT:** Recommendation for Program Agreement  
Emerson Sidewalk Improvement Project

The City of Creve Coeur has been awarded grant funding assistance for the construction of a sidewalk along the east side of Emerson Road from Ladue Road to Old Ballas Road. The City is required to enter into a formal agreement with the Missouri Transportation and Highways Commission (MoDOT) in order to be eligible for grant reimbursement for the project.

### **Scope of Project**

The project will involve the construction of a new, accessible sidewalk along the east side of Emerson Road. This sidewalk will connect the newly built sidewalk on Ladue Road to the existing sidewalk on Old Ballas Road. City staff is currently developing plans to repair and improve the accessibility of the sidewalks along Old Ballas Road as part of the FYE2016 sidewalk improvement program.

The proposed sidewalk follows the Emerson Road concept plan that was developed in 2010-2011 and is being designed to accommodate the roadway widening envisioned in that concept plan.

Once completed, the proposed sidewalk along Emerson Road will complete a continuous, accessible route along Emerson Road and Old Ballas Road between Ladue Road and New Ballas Road. These improvements will add to or introduce pedestrian options for the Balmoral subdivision, Emerald Green subdivision, and De Smet High School.

### **Project Schedule and Status**

One of the most pertinent terms of the program agreement is its schedule. According to the schedule in Exhibit B of the agreement, the project's final plans and specifications must be approved by MoDOT by March 2016. This is a relatively short schedule, and the City cannot afford to have lingering review times or a prolonged easement process. Staff has inquired about having this schedule revised to allow for more time.

One good point about the grant and the schedule is that the City did not pursue grant funding for design, which allowed the City to hire Horner & Shifrin to begin this design immediately upon notification of award of the grant. To date, the preliminary plans have been reviewed by staff, and these plans are ready for submittal to MoDOT for their review.

Through the preliminary design process, staff learned that the grade change to the driveways along Emerson Road caused by the sidewalk could be smoothed out by replacing more of each driveway. This would require a temporary construction easement from each affected resident, and staff has begun working with these residents to determine each resident's interest in the providing such an easement. Given the tight schedule, staff feels that the design will need to work within the existing right of way and easements without cooperation from the residents.

**Transportation Alternatives Program Grant**

The Transportation Alternatives Program (TAP) grant is similar to a Surface Transportation Program (STP) grant, which the City has used for several roadway projects in the recent past. Both are federal programs, and both are administered by MoDOT. The main difference between the STP and TAP grants is that the STP grant is primarily for roadway improvements and the TAP grant is primarily for other modes of transportation (“transportation alternatives”), such as pedestrian, bicycles, buses, etc.

The TAP grant will reimburse 80% of construction costs for the project, up to \$233,600. The total cost of the project was estimated to be \$292,000, leaving the City’s share at \$58,400.

The City Council authorized the pursuit of the Transportation Alternatives Program (TAP) grant through resolution 1115 on June 23, 2014.

Funding for this project has been allocated for the 2016-2017 fiscal year in the City’s capital improvement plan. Construction is not anticipated to begin prior to July 1, 2016.

**Recommendation**

City staff recommends that the City Council approve the program agreement with MoDOT for this grant. Although it will be a challenge to meet the schedule provided in the agreement, the City will benefit from the new sidewalk and the grant funding provided for it.



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

Meeting: 07/27/15 07:00 PM  
Department: Planning Division  
Category: Report  
Prepared By: Whitney Kelly  
Department Head: Whitney Kelly

**SCHEDULED**

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## **ORDINANCE**

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### **Bill No. 5553 - an Ordinance Making Technical Corrections and Clarifications to Section 355.110 Parking of Trailers, Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance, of the Code of Ordinances of the City of Creve Coeur. Final Reading and Passage**

The Director of Community Development, on behalf of the City of Creve Coeur, Planning Division has requested several amendments that include a variety of technical corrections and clarifications to Section 355.110, Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance. The amendments address changes to the State statutes, correct outdated terminology, delete blind references, and add greater precision to vague language. P and Z has recommended approval.



Ordinance

Meeting of July 27, 2015

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**AN ORDINANCE MAKING TECHNICAL CORRECTIONS AND CLARIFICATIONS TO SECTION 355.110 PARKING OF TRAILERS, CHAPTER 400, PLANNING ORDINANCE, AND CHAPTER 405, ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR.**

**WHEREAS**, Chapter 400 of the City Code of Ordinances addresses certain planning matters and Chapter 405 of the City Code of Ordinances addresses zoning matters; and

**WHEREAS**, changes in state law (2014 HB 1064) require technical corrections to the City's Zoning Ordinance; and

**WHEREAS**, other technical corrections and clarifications to Section 355.110, Chapter 400 the Planning Ordinance and Chapter 405 the Zoning Ordinance have been identified as necessary; and

**WHEREAS**, an application by the City of Creve Coeur was submitted for such technical corrections and clarifications to the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for such technical corrections and clarifications as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on June 15, 2015, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

**WHEREAS**, the Planning and Zoning Commission reviewed and, by a vote of 4-0 recommended approval of the subject amendments at its meeting on July 6, 2015; and,

**WHEREAS**, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and,

**WHEREAS**, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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:** Sections 400.010 and 400.020 are each amended by adding a new subsection C, to read as follows:

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C. Any person or entity asserting rights under this section shall have the burden of proving eligibility to the reasonable satisfaction of the Zoning Administrator.

**Section 2:** Pursuant to HB 1064 (2014), Sections 405.120(67)(definition of Group Home), 405.450, 405.470, and 405.1000 are amended by changing the phrases “mentally retarded” and “mental retardation” respectively to “intellectually disabled” and “intellectual disability”.

**Section 3:** Definition of “Family” in Section 405.120 Definition of Terms shall be amended as follows:

FAMILY - One (1) or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit, sharing one (1) common kitchen facility, but not including group quarters such as dormitories, fraternities, sororities, motels, hotels, rooming houses, ~~or~~ boarding houses, or apodments/micro-apartments.

**Section 4:** Section 405.250 “A” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered accordingly:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “A” Single Family Residential when it is contiguous to such an existing district

**Section 5:** Section 405.260, “B” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “B” Single Family Residential when it is contiguous to such an existing district.

**Section 6:** Section 405.260, “B” Single-Family Residential District, subsection E.3.c is amended to read as follows:

3. *Yard and setback requirements*

- c. *Minimum side yard for permitted uses.* Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less. However, for subdivisions approved prior to August 10, 1983, side yard requirements for existing homes in said subdivisions shall remain the same as those shown on the subdivision plat heretofore approved by the City, provided that the square footage of the ground floor of such an existing home within the otherwise applicable minimum side yard area shall not be increased by more than ten percent of such square footage as of August 10, 1983.

**Section 7:** Section 405.270, “C” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

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1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "C" Single Family Residential when it is contiguous to such an existing district.

**Section 8:** Section 405.280, "D" Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "D" Single Family Residential when it is contiguous to such an existing district.

**Section 9.** Section 405.340 "MX" Mixed Use District, subsection E.3.c. Maximum floor area is deleted as follows:

~~Maximum floor area ratio. Sites will be subject to the following maximum floor area ratios (FAR) based on the size of the site:~~

| <del>Acreage Range</del>      | <del>Maximum FAR</del> |
|-------------------------------|------------------------|
| <del>1.00 to 2.99 acres</del> | <del>.2</del>          |
| <del>3.00 to 3.99 acres</del> | <del>.3</del>          |
| <del>4.00 to 4.99 acres</del> | <del>.35</del>         |
| <del>5.00 to 5.99 acres</del> | <del>.4</del>          |
| <del>6.00 to 6.99 acres</del> | <del>.5</del>          |
| <del>7.00 to 7.99 acres</del> | <del>.6</del>          |
| <del>8.00 to 8.99 acres</del> | <del>.8</del>          |
| <del>9.00+ acres</del>        |                        |

**Section 10.** Section 405.350, "Planned Community District", subsection E.3.a., is revised to read as follows:

~~Maximum floor area. No building or structure in SIC Codes 54, 56 or 59~~ the NAICS Sector 44-45 – Retail Trade shall exceed twenty-five thousand (25,000) square feet in floor area.

**Section 11.** Section 405.370 "CB" Core Business District, subsection E.3.c, is amended to read as follows:

c. Maximum floor area ratio. ~~Class 1 developments shall not exceed a floor area ratio (FAR) of twenty-five hundredths (.25) (one (1) square foot of gross building floor area per four (4) square foot of site area). Class 2 developments shall not exceed a floor area ratio of one (1.0) (one (1) square foot of floor area per square foot of site).~~

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**Section 12.** Section 405.370 "CB" Core Business District, subsection G.1 is amended to read as follows:

Council right, power and authority to review. Notwithstanding anything to the contrary contained in this Code, the City Council will hereby exercise the right, power and authority to review and approve any and all development or redevelopment plans, other than minor site plans, within the following areas:

- a. The area bounded by the City limits on the north, Olive Boulevard on the south, Craig Road on the east and I-270 on the west.
- b. The area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west.

**Section 13.** Section 405.460 "Accessory Uses and Structures", subsection B, items 13, 16 and 17 shall be amended to read as follows:

13. Solar collectors, provided such accessory structures shall not be located in the front yard or along street right of way within the area equivalent to the front yard setback of the applicable zoning district, and shall not exceed a maximum height of six feet or a maximum capacity exceeding the reasonably anticipated needs of the primary use on the site.
16. Satellite dish antennas up to one meter in diameter shall be permitted in the "A", "B", "C", "D" and "AR" Districts, in accordance with the following provisions:
  - ~~a. Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted and all associated wiring shall be placed underground.~~
  - ~~b. Dish antennas shall be limited to a maximum of ten (10) feet in diameter. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit.~~
  - ~~c. All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.~~
  - ~~d. Dish antennas exceeding twenty-two (22) inches in diameter shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.~~
  - ~~e. Dish antennas shall not be installed on the front portion of the roof or the front wall of any principal building.~~
  - ~~f. There shall be no more than one (1) satellite dish antenna per lot.~~
17. Satellite dish antennas up to two meters in diameter shall be permitted in the "MR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Districts, in accordance with the following provisions:
  - ~~a. Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted, mounted on an antenna structure or roof mounted.~~
  - ~~b. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit. Dishes exceeding ten (10) feet in diameter shall require site development plan approval by the Planning and Zoning Commission.~~
  - ~~c. All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.~~

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~~d. Dish antennas exceeding twenty-two (22) inches in diameter which are ground mounted or roof mounted shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.~~

~~e. Dish antennas shall not be installed on the front of any principal building.~~

**Section 14:** Section 405.820 "Required Off-Street Parking Spaces", subsection A.7., is revised to read as follows:

If a specific land use is not included in the list of uses for which parking space requirements are specifically listed, then the required parking for that use shall be determined by using the required parking for the most similar use that is specifically listed. ~~two (2)-digit Standard Industrial Classification (SIC) Code~~

**Section 15:** Section 405.1080, Site Concept, Site Development and Minor Site Plan Approval, is amended to read as follows:

A. Purpose And Intent. The purpose of the site concept, site development plan and minor site plan approval procedures is to enable the City to consider potential impacts upon the area in the vicinity of the property, to ensure consistency with good planning practice and to ensure high standards of site design for the general welfare of the City and its residents.

B. Types Of Site Plans.

1. Site plans shall be divided among site concept plans, site development plans and minor site plans. Within this Section, requirements for site development plans do not apply to site concept plans or minor site plans unless specifically indicated.

2. A site development plan shall be required for:

a. Any conditional use,

b. Any project which includes the development of a parcel of land that contains no buildings or for which the existing buildings are to be removed and a new building or buildings constructed,

c. Any development that is adding more than five thousand (5,000) square feet of new impermeable surface to a site, and

d. Any development which will add less than five thousand (5,000) square feet of new impermeable surface to a site where such site has previously received one (1) or more minor site plan approvals and the sum total of the impermeable surface added and proposed to be added to the site exceeds five thousand (5,000) square feet. ~~A site development plan must be approved by the Planning and Zoning Commission.~~

3. Minor site plans shall be ~~required~~defined as plans for:

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a. The expansion of a permitted use;

b. Change in use to another permitted use; or

c. Any proposed alteration that would add new impermeable surface in excess of 500 square feet or significantly affect the exterior of a building or redevelopment of a site that already contains a building or buildings, provided that any such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site. More than one (1) minor site plan may be approved for an individual site, provided that the sum total of the new impermeable surface of all of the minor site plans does not exceed five thousand (5,000) square feet. A minor site plan must be approved by the Planning and Zoning Commission.

4. If there is any question or ambiguity in these regulations when determining whether a proposed development must file a site development plan or a minor site plan, the applicant shall be required to file a site development plan and follow the procedures pertaining thereto.

*C. Application And Submission Requirements, Generally.*

1. An application for site concept or site development plan approval or minor site plan approval may be filed by the owner of the property to be developed according to the submitted plan or any person with a financial, contractual or proprietary interest in the property to be developed according to the submitted plan who also submits the owner's consent to the application.

~~2-2.~~ All applications for site concept or site development plan approval or minor site plan shall be filed in the office of the Zoning Administrator in both paper format and electronic format in a commonly used medium such as diskette or CD-ROM and in a format that can be read by a word processing program used by the Zoning Administrator. The filing party shall certify that the electronic copy has been scanned for viruses and that it is virus-free. An application ~~for site development plan approval~~ shall contain information as prescribed herein as well as such additional information as the Planning and Zoning Commission may prescribe by administrative regulations. An application for site concept plan approval shall contain the information as prescribed in items (a) and (b) as well as the information required by Section 405.1080(D), as well as such additional information as the Commission may prescribe by administrative regulations.

a. All applications shall be signed by the applicant and shall state the applicant's name, mailing address, telephone number, and (if available) e-mail address.

b. The site concept or site development plan or minor site plan shall include all necessary data and drawings in order that the Zoning Administrator can determine whether the proposed use and development complies with the district requirements and that City departments affected by the project may assess the impact of the proposed development on public facilities and services and on the surrounding area.

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D. Site Concept Plans. When a site or project greater than ten (10) acres in size or a tract of a different size as required elsewhere in this Chapter provides for the construction of a complex of buildings and site improvements, such as hospital, college or universities, and mixed use developments to be developed over an extended period of time or in multiple phases, a site concept plan shall be submitted for approval by the Planning and Zoning Commission and, if required by the zoning ordinance, the Creve Coeur City Council. This site concept plan shall contain at least the following information:

1. The location of the parcel in relation to all surrounding and adjacent uses, buildings and zoning;
2. The location of the parcel in relation to major arterials and/or highways and any roadways or drives connecting the parcel to those major thoroughfares;
3. The boundaries, dimensions and area of the parcel;
4. The proposed use and development of the parcel including principal and accessory uses;
5. The location and size of each existing structure and building on the parcel;
6. The footprint of each proposed building or structure on the parcel;
7. The height and number of stories of all proposed buildings and structures;
8. The amount of land area covered by all proposed buildings, structures, drives and parking facilities;
9. The ratio of floor area to land area (FAR);
10. Approximate locations of existing and proposed utility easements and stormwater retention areas;
11. Existing and proposed contours at vertical intervals of not more than five (5) feet;
12. Two (2) section profiles through the site showing preliminary building form, existing natural and proposed final grade;
13. Preliminary plan for sanitation and drainage facilities;
14. Drawings shall contain the project name, street names, a scale, north arrow and the date drawn and the scale for all drawings shall be no smaller than one (1) inch equals fifty (50) feet.

A site development plan shall then be submitted with applicable fees and escrow, for each specific building or phase within the project, for review and approval of the appropriate body.  
Such site development plan shall be submitted in advance of or in conjunction with an



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application for a building permit. Of primary importance in the review of a site development plan will be a determination that the plan complies with the site concept plan approved for the total development or project

Either the City of Creve Coeur or the applicant may call for updates to the site concept plan at any time, as conditions or circumstances change.

E. Site Development Plans.

1. For a site development plan to be accepted for review, the following information shall be either placed on the site development plan or on a separate sheet accompanying the plan:

a. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

b. Location map, north arrow and plan scale.

c. Current zoning classification, proposed zoning classification, subdivision name, lot number and zoning of adjacent parcels.

d. Title block including name of proposed project, name, address and phone number of preparers and project applicant or owner.

e. Proposed use of each building and distance from adjacent property lines and required setback lines.

f. The location and size of each building on the site.

g. Legal description of the parcel or lot, the dimensions and area of the lot or site.

h. The height and number of stories of the proposed building or buildings.

i. Building schematic elevations depicting general size, shape and special design elements proposed as well as proposed materials to be used. Include two (2) sections at ninety degrees (90°) from each other through the proposed site and building(s).

j. Location and identification of all easements (existing and proposed).

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k. Identification of utilities serving the site, water shed, fire district and school district.

l. Location of existing and proposed sewage treatment, stormwater collection and detention (if applicable) and preliminary stormwater runoff calculations (if applicable) — amount of detention required and provided.

m. Existing and proposed contour lines or elevations based on mean sea level datum.

n. Site coverage data in a percentage form (a ratio of building and paved area to green space).

o. The ratio of floor area to the site area (FAR).

p. The location and number of proposed parking spaces, surface lot or structures, in relation to the applicable parking regulations in Article VII. The layout shall include curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility.

q. Location and height of all light poles and trash enclosures.

r. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

s. Photometric study.

2. The site development plan shall be submitted with the appropriate applications, fees and escrows and shall contain, at a minimum, the information required above. Additional information to be placed on the site development plan beyond the requirements listed above may be requested by authorized departmental representatives of the City of Creve Coeur. Possible additional information includes, but is not limited to, report on project features, anticipated project schedule or phasing schedule, floodplain study and traffic impact study.

F. Minor Site Plans. An application for minor site plan approval shall include applicable fees and escrow and a site plan containing the following:

1. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction and control of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

2. Location map, north arrow and plan scale.

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3. Current zoning classification, subdivision name, lot number and zoning of adjacent parcels.

4. Title block including name of project, name, address and phone number of preparers and project applicant or owner.

5. Proposed use of any new or expanded building and distance from adjacent property lines and required setback lines.

6. The location and size of each building on the site.

7. Legal description of the parcel or lot, the dimensions and area of the lot or site.

8. The height and number of stories of any proposed building or addition to an existing building.

9. Location and identification of all existing and proposed easements.

10. Proposed changes to contour lines or elevations based on mean sea level datum.

11. Site coverage data in a percentage form (ratio of building and paved area to green space).

12. Floor area ratio (FAR).

13. The number of existing and proposed parking spaces and the location of any proposed parking spaces in relation to the applicable parking regulations in Article VII of this Chapter.

14. The layout of any proposed curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility. If no changes are proposed to the parking area, this information will not be required.

15. Location and height of all proposed light poles and trash enclosures, if applicable.

16. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

G. *Review Procedure, Site Concept And Site Development Plans.*

1. A site concept or site development plan shall be submitted with the application for site concept or site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080. An application for site concept or site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

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2. The Zoning Administrator shall coordinate the review and analysis of the site concept or site development plan application by the City staff including other affected City departments before any final action may be taken ~~by the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign regarding the application to be posted on the affected property, and (4) cause the application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. In considering any application for approval of a site development plan, the Planning and Zoning Commission and City Council shall consider the following factors:

- a. The relationship of proposed uses, functions, sites and buildings within the development tract to each other;
- b. The relationship of proposed uses, functions, sites and buildings within the tract to existing land uses and the permitted uses of adjoining tracts in accordance with correct zoning;
- c. The provisions and distribution of adequate parking facilities;
- d. The provision of proper means of access to and from public roads;
- e. The provision of site amenities including landscaping and fences;
- f. Applicable design guidelines; and
- g. Any other factors relevant to the public health, safety and convenience and general welfare of the residents of the City.

5. After the Planning and Zoning Commission receives the site concept or site development plan application and associated documents, it shall review the application and report it has received from the Zoning Administrator. The Planning and Zoning Commission may then either approve, disapprove or conditionally approve the site concept or site development plan application or forward its recommendation to the City Council if required elsewhere by this Chapter.

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6. Once a site development plan, which contains the necessary information required by Section 405.1080, receives approval of the Planning and Zoning Commission, or the City Council if required elsewhere by this Chapter, further review of the final building, construction and site improvement plans by the Planning and Zoning Commission or the City Council will not be required, provided those final plans are consistent with and in substantial compliance with the approved site development plan,

The City staff will review the final plans for consistency with the approved site development plan. Should the City staff, in its judgment, note "substantive changes" as defined in Section 405.120 between the final plans and the approved site development plan, the plans will be referred back to the Planning and Zoning Commission and, if required, the City Council for review and approval of the changes prior to issuance of any construction permits by the City staff.

H. Review Procedure, Minor Site Development Plans.

1. A minor site development plan shall be submitted with the application for minor site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080(F). An application for minor site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

2. The Zoning Administrator shall coordinate the review and analysis of the minor site plan application by the City staff including other affected City departments before any final action may be taken by ~~the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign regarding the application to be posted on the affected property, and (4) cause the application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. After the Planning and Zoning Commission receives the minor site plan application and associated documents, it shall review the application and report it has received from

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the Zoning Administrator. The Planning and Zoning Commission may then approve, disapprove or conditionally approve the minor site plan.

I. Time Limitations. Any applicable time limitations shall be met, such as those pertaining to proposed wireless communications facilities and support structures under Sections 67.5090, RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.<sup>[1]</sup>[Ord. No. 5381 §7, 7-14-2014]

[1]:

*Note: See also 47 U.S.C. 1455, 47 CFR 1.40001, FCC Report and Order, WT Docket No. 13-238 re. 10-21-2014.*

J. Conditions And Restrictions.  
[Ord. No. 5381 §7, 7-14-2014]

1. In approving a site concept, site development plan or minor site plan application, the Planning and Zoning Commission or City Council may impose conditions and restrictions and may vary the standards and prescribe development standards within the range of such discretion as prescribed elsewhere in this Chapter, so long as the general intent of this Chapter is carried out. In no event, however, shall any permitted use or use regulations be varied so as to make them less restrictive than prescribed in the district regulations contained in Article VI of this Chapter.

2. In its review and approval of a site concept, site development or minor site plan application for any zoning district, the Planning and Zoning Commission or City Council may increase the minimum requirements designated in the applicable sections of this Chapter including, but not limited to, front yard, side yard or rear yard setbacks based upon its review of the individual site's topography, the building's orientation in relationship to street rights-of-way and adjoining properties, the building materials used and the mass and height of the building. The purpose of such increases in the minimum requirements ~~shall be~~ to minimize any adverse impacts of the proposed development on adjoining or nearby properties and the general community.

3. If the Planning and Zoning Commission or City Council imposes conditions or restrictions, it shall designate specific requirements which must be met before an applicant may be granted final approval of a site development plan or minor site plan and building and occupancy permits.

4. Failure to comply with any of these conditions or restrictions shall constitute a violation of this Chapter punishable as provided in Section 405.1150 of this Chapter.

K. Period Of Validity For Site Concept Plan, Site Development Plan And Minor Site Plan Approval.  
[Ord. No. 5381 §7, 7-14-2014]

1. Site concept plans approved by the City of Creve Coeur shall be valid for a period of up to eight (8) years from the date of approval. After the eighth year, a site concept plan will no longer be valid unless an extension is granted as set forth below. The City of Creve Coeur may grant one (1) one-year extension prior to the expiration of the site concept plan upon written request of the applicant submitted to the City at least one

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hundred eighty (180) days prior to the expiration date and granted prior to the expiration date.

2. Upon such written request for a one-year extension, the Planning and Zoning Commission and City Council, when required, does, however, have the power to disapprove the extension or to attach new conditions to the extension, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Where the application for a one-year extension contains changes, which the Zoning Administrator ~~City~~ concludes substantially or materially alters the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site concept plan review procedure as stated in Section 405.1080.

3. An application to amend an existing site concept plan may be submitted at least one hundred eighty (180) days before the date of expiration and granted prior to the expiration date. The City does, however, have the power to disapprove the application or to attach new conditions to the existing site concept plan, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Once the City of Creve Coeur has granted an amendment to an existing site concept plan which has not yet expired, such amended site concept plan is subject to a period of validity no longer than eight (8) years from the date of approval of the amended plan, unless a one-year extension is granted as set forth above. An application to amend an existing site concept plan shall be subject to the same procedures as an original application.

4. No site development plan or minor site plan approval ~~by the Planning and Zoning Commission~~ shall be valid for a period longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable, ~~have~~ has the power in such cases to attach new conditions to ~~their~~ its re-approval or to disapprove the reapplication. Where the application for re-approval contains changes which the Zoning Administrator ~~Commission~~ concludes materially alter the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site development plan review procedure as stated in Section 405.1080 or a new minor site plan review procedure as stated in Section 405.1080.

5. Notwithstanding the foregoing, a site concept plan or site development plan approved for a wireless communications facility or support structure shall not expire.

**Section 16.** Section 405.1110, Variances and Appeals, is amended to read as follows:

*1.3. Procedure.* The Board of Adjustment shall notify the officer or the department from whom the appeal is taken. The officer or department shall immediately transmit to the Board of Adjustment all the papers and documents constituting the records of the

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actions or events which are being appealed. The Zoning Administrator shall receive the appeal and determine whether it complies with all applicable submission requirements. Upon an affirmative determination, the Zoning Administrator shall promptly:

- a. Forward the appeal application to the Board of Adjustment, Mayor and City Council,
- b. Cause notice of the appeal application to be publicly posted at the Government Center in the same manner as Commission meeting agendas,
- c. Cause a sign regarding the appeal application to be posted on the affected property, and
- d. Cause the appeal application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Board of Adjustment Planning and Zoning Commission at which the application is first considered. The Zoning Administrator shall prepare a report describing the circumstances of the application. The Zoning Administrator shall then forward the report and any recommendations or actions of any other City department or agency to the Board of Adjustment, Mayor and City Council in advance of the meeting at which the appeal application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of the meeting.

**Section 17.** The Table of Uses, Table A to the Zoning Code, is amended to delete 321113 Sawmills, 321114 Wood preservation, 493130 Farm product warehousing and storage, 493190 Other warehousing and storage, and 522298 All other non-depository credit intermediation (including pawnshops).

**Section 18.** The Table of Uses, Table A to the Zoning Code, is amended so that the following items in the "2012 NAICS Title" column read as follows: CC814120 Low-Density Multifamily Residential (up to 6 single family units per acre), CC814130 Medium-Density Multifamily Residential (up to 20 single family units per acre), CC814140 High-Density Multifamily Residential (more than 20 single family units per acre).

**Section 19.** Section 355.110.A is revised to read as follows:

In addition to the requirements and limitations of Chapter 405, No person shall park nor shall the owner or lessee of a parcel of land permit the parking of any trailer, trailer cab, bus, shipping container, dump truck, step-up van, boat trailer, utility trailer, motor home, RV vehicle, tent trailer, snowmobile trailer, camping trailer or motorcycle trailer within seventy-five (75) feet of any property line on any parking lot for any store, commercial building or warehouse located in any "B-1" through "B-5" or "HB" zoning district or any lot located in such the HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning zoning districts unless a permit therefore shall have been obtained from the Chief of Police, except as follows:

1. Trailers and other vehicles directly involved in the operations of the store or building.
2. Trailers and other vehicles which are delivering supplies and materials to the store or business.
3. Trailers and other vehicles which are being serviced by the store or business as part of their normal operations.
4. Trailers used for storage during construction provided that such trailers shall be located behind the building unless otherwise approved by the Chief of Police.
5. Trailers used temporarily for truckload sales provided that such trailers shall not be used for more than seven (7) consecutive days.
6. Trailers used temporarily by churches and not-for-profit organizations.

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7. Trailers used temporarily at loading docks.8. Trailers used for recycling purposes.9. Trailers used temporarily during carnivals.

▲ B. Upon application therefore by the property owner, or the owner's permittee with his/her consent, of a lot or a parcel having a store, commercial building or warehouse located in an HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning "B-1" through "B-5" or "HB" zoning district, the Chief of Police may grant, at no cost to the applicant, a renewable ninety (90) day permit authorizing the parking within seventy-five (75) feet of the property lines of such lot or parcel of vehicles whose parking within such area is otherwise prohibited by Subsection **(A)** upon a finding that such parking would not endanger public health or safety or constitute a nuisance to adjoining property or residents thereof or visitors thereto and would be consistent with good planning practices. In making such determination the Chief of Police shall take into consideration the zoning and uses of adjacent properties, giving special attention to any residential uses, public facilities, public access areas, and traffic concerns. In issuing any permit the Chief of Police may impose such conditions and restrictions, including restrictions as to areas in which parking is permitted and screening requirements, as may be appropriate in light of the various factors considered.

C. When parking of vehicles is permitted or authorized under provisions of Subsection **(A)**, such vehicles shall be parked only on an approved surface of concrete or asphalt.

▲ **Section 20.** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN  
CITY CLERK

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(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966  
www.creve-coeur.org

**APPLICATION TO PLANNING AND ZONING COMMISSION  
#15-011 FOR TEXT AMENDMENTS TO CHAPTER 400, PLANNING, AND  
VARIOUS SECTIONS OF CHAPTER 405, THE ZONING ORDINANCE**

**FOR THE MEETING OF:** Monday, July 6, 2015

**LOCATION:** City-wide

**REQUEST:** The Director of Community Development, on behalf of the City of Creve Coeur has requested several amendments that include a variety of technical corrections and clarifications to Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance. The amendments address changes to the State statutes, correct outdated terminology, delete blind references, add greater precision to vague language and modify notification procedures. No changes to development intensity or use are contemplated in the amendments.

**ADDITIONAL INFORMATION:** Included in the revisions is a provision for a minimum district size of five acres for residential districts where, previously, the standard had always been assumed. Also included are: a clarification of the level of review for minor site plans; a revision to the regulations controlling satellite dish antennas to comply with state regulations; and an allowance for text amendments to occur without notice in the City's monthly newsletter.

**APPLICANT:** Paul Langdon  
Director of Community Development  
City of Creve Coeur  
300 N. New Ballas Road  
Creve Coeur, MO 63141

**REPORT PREPARED BY:** Whitney Kelly, AICP, City Planner  
June 12, 2015

**ATTACHMENTS:** Revised Draft Ordinance

**Key Issues:**

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

**Comp. Plan References**

- Goals and Strategies

**Zoning Code References**

- Chapter 400, Planning
- Chapter 405, Zoning Ordinance

## DISCUSSION

Attached hereto is the revised proposed ordinance based upon the June 15<sup>th</sup> Planning and Zoning Commission's discussion.

### *Apodments/Micro-apartments (Draft Ordinance Section 3)*

Draft Ordinance was revised to match Staff Memo regarding Apodments and Micro-apartments:

FAMILY - One (1) or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit, sharing one (1) common kitchen facility, but not including group quarters such as dormitories, fraternities, sororities, motels, hotels, rooming houses, or boarding houses, or apodments/micro-apartments..

### *Minimum Side-yard Setback for B Single-Family Residential District (Draft Ordinance Section 6)*

Draft Ordinance was revised to revised to match final proposal set forth in the prior staff report:

E. Dimensional Regulations. The following area and yard regulations apply in the "B" Single-Family Residential District.

#### *3. Yard and setback requirements*

*c. Minimum side yard for permitted uses.* Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less. However, for subdivisions approved prior to August 10, 1983, side yard requirements for existing homes in said subdivisions shall remain the same as those shown on the subdivision plat heretofore approved by the City, provided that the square footage of the ground floor of such an existing home within the otherwise applicable minimum side yard area shall not be increased by more than ten percent of such square footage as of August 10, 1983.

### *Solar Collectors and Satellite Dish Antennas (Draft Ordinance Section 12)*

Accessory Uses and Structures Section regarding Solar Collectors and Satellite dish antennas requirements are modified to be consistent with State Law.

### *Text Amendments Notification*

Based upon the discussion of the Planning and Zoning Commission regarding notification of text amendments in the City's Newsletter, Staff has removed the prior proposed changes and will maintain the existing language requiring that all text amendments shall be published in the City Newsletter.

### *Minor Site Plan Approval (Draft Ordinance Section 15)*

Based upon the discussion of the Commission, Staff deleted proposed authority of Zoning Administrator to approve minor site plans. However, Staff is proposing adding a minimum of 500 square feet of impermeable surface, along with the determination of significantly affect the exterior of a building or redevelopment of the site that would prompt a minor site plan and thus Planning and Zoning Commission approval. Any proposed project that is less than 500 square feet of impermeable surface and would not significantly alter the site would not prompt additional review by the Planning and Zoning Commission. To provide a context for this area, would equate to approximately just under three parking spaces (three parking spaces at 9 feet by 19 feet is 513 square feet).

3. Minor site plans shall be required for:
  - a. The expansion of a permitted use;
  - b. Change in use to another permitted use; or
  - c. Any proposed alteration that would add new impermeable surface in excess of 500 square feet or significantly affect the exterior of a building or redevelopment of a site that already contains a building or buildings, provided that any such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site. More than one (1) minor site plan may be approved for an individual site, provided that the sum total of the new impermeable surface of all of the minor site plans does not exceed five thousand (5,000) square feet.

#### **MOTION**

If the members of the Planning and Zoning Commission are satisfied that the proposed amendments are justified and appropriately worded, the following is an example of an appropriate motion for this application:

“I move to recommend approval of the draft ordinance attached to the staff report on Application #15-011, for various text amendments to Chapters 400 and 405 of the Code of Ordinances of the City of Creve Coeur, Missouri, to address changes to the State statutes, correct outdated terminology, delete blind references, and add greater precision to vague language, as presented on July 6<sup>th</sup>, 2015.”

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#### **APPENDIX 1: COMPREHENSIVE PLAN**

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

#### **APPENDIX 2: ZONING CODE**

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

#### **APPENDIX 3: TRAFFIC CODE**

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

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**AN ORDINANCE MAKING TECHNICAL CORRECTIONS AND CLARIFICATIONS TO SECTION 355.110 PARKING OF TRAILERS, CHAPTER 400, PLANNING ORDINANCE, AND CHAPTER 405, ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR.**

**WHEREAS**, Chapter 400 of the City Code of Ordinances addresses certain planning matters and Chapter 405 of the City Code of Ordinances addresses zoning matters; and

**WHEREAS**, changes in state law (2014 HB 1064) require technical corrections to the City's Zoning Ordinance; and

**WHEREAS**, other technical corrections and clarifications to Section 355.110, Chapter 400 the Planning Ordinance and Chapter 405 the Zoning Ordinance have been identified as necessary; and

**WHEREAS**, an application by the City of Creve Coeur was submitted for such technical corrections and clarifications to the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for such technical corrections and clarifications as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on June 15, 2015, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

**WHEREAS**, the Planning and Zoning Commission reviewed and, by a vote of \_\_\_\_\_ recommended approval of the subject amendments at its meeting on \_\_\_\_\_; and,

**WHEREAS**, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and,

**WHEREAS**, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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:** Sections 400.010 and 400.020 are each amended by adding a new subsection C, to read as follows:

C. Any person or entity asserting rights under this section shall have the burden of proving eligibility to the reasonable satisfaction of the Zoning Administrator.

**Section 2:** Pursuant to HB 1064 (2014), Sections 405.120(67)(definition of Group Home), 405.450, 405.470, and 405.1000 are amended by changing the phrases “mentally retarded” and “mental retardation” respectively to “intellectually disabled” and “intellectual disability”.

**Section 3:** Definition of “Family” in Section 405.120 Definition of Terms shall be amended as follows:

FAMILY - One (1) or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit, sharing one (1) common kitchen facility, but not including group quarters such as dormitories, fraternities, sororities, motels, hotels, rooming houses, or boarding houses, or apodments/micro-apartments.

**Section 4:** Section 405.250 ““A” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered accordingly:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “A” Single Family Residential when it is contiguous to such an existing district

**Section 5:** Section 405.260, “B” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “B” Single Family Residential when it is contiguous to such an existing district.

**Section 6:** Section 405.260, “B” Single-Family Residential District, subsection E.3.c is amended to read as follows:

3. *Yard and setback requirements*

- c. *Minimum side yard for permitted uses.* Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less. However, for subdivisions approved prior to August 10, 1983, side yard requirements for existing homes in said subdivisions shall remain the same as those shown on the subdivision plat heretofore approved by the City, provided that the square footage of the ground floor of such an existing home within the otherwise applicable minimum side yard area shall not be increased by more than ten percent of such square footage as of August 10, 1983.

**Section 7:** Section 405.270, “C” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “C” Single Family Residential when it is contiguous to such an existing district.

**Section 8:** Section 405.280, “D” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “D” Single Family Residential when it is contiguous to such an existing district.

**Section 9.** Section 405.340 “MX” Mixed Use District, subsection E.3.c. Maximum floor area is deleted as follows:

~~Maximum floor area ratio. Sites will be subject to the following maximum floor area ratios (FAR) based on the size of the site:~~

| <del>Acreage Range</del>      | <del>Maximum FAR</del> |
|-------------------------------|------------------------|
| <del>1.00 to 2.99 acres</del> | <del>.2</del>          |
| <del>3.00 to 3.99 acres</del> | <del>.3</del>          |
| <del>4.00 to 4.99 acres</del> | <del>.35</del>         |
| <del>5.00 to 5.99 acres</del> | <del>.4</del>          |
| <del>6.00 to 6.99 acres</del> | <del>.5</del>          |
| <del>7.00 to 7.99 acres</del> | <del>.6</del>          |
| <del>8.00 to 8.99 acres</del> | <del>.8</del>          |
| <del>9.00+ acres</del>        |                        |

**Section 10.** Section 405.350, “Planned Community District”, subsection E.3.a., is revised to read as follows:

~~Maximum floor area. No building or structure in SIC Codes 54, 56 or 59~~ the NAICS Sector 44-45 – Retail Trade shall exceed twenty-five thousand (25,000) square feet in floor area.

**Section 11.** Section 405.370 “CB” Core Business District, subsection E.3.c, is amended to read as follows:



c. Maximum floor area ratio. ~~Class 1 developments shall not exceed a floor area ratio (FAR) of twenty-five hundredths (.25) (one (1) square foot of gross building floor area per four (4) square feet of site area). Class 2 developments shall not exceed a floor area ratio of one (1.0) (one (1) square foot of floor area per square foot of site).~~

**Section 12.** Section 405.370 "CB" Core Business District, subsection G.1 is amended to read as follows:

Council right, power and authority to review. Notwithstanding anything to the contrary contained in this Code, the City Council will hereby exercise the right, power and authority to review and approve any and all development or redevelopment plans, other than minor site plans, within the following areas:

- a. The area bounded by the City limits on the north, Olive Boulevard on the south, Craig Road on the east and I-270 on the west.
- b. The area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west.

**Section 13.** Section 405.460 "Accessory Uses and Structures", subsection B, items 13, 16 and 17 shall be amended to read as follows:

13. Solar collectors, provided such accessory structures shall not be located in the front yard or along street right of way within the area equivalent to the front yard setback of the applicable zoning district, and shall not exceed a maximum height of six feet or a maximum capacity exceeding the reasonably anticipated needs of the primary use on the site.
16. Satellite dish antennas up to one meter in diameter shall be permitted in the "A", "B", "C", "D" and "AR" Districts, in accordance with the following provisions:
  - a. ~~Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted and all associated wiring shall be placed underground.~~
  - b. ~~Dish antennas shall be limited to a maximum of ten (10) feet in diameter. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit.~~
  - c. ~~All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.~~
  - d. ~~Dish antennas exceeding twenty-two (22) inches in diameter shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.~~
  - e. ~~Dish antennas shall not be installed on the front portion of the roof or the front wall of any principal building.~~
  - f. ~~There shall be no more than one (1) satellite dish antenna per lot.~~
17. Satellite dish antennas up to two meters in diameter shall be permitted in the "MR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Districts, in accordance with the following provisions:
  - a. ~~Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted, mounted on an antenna structure or roof mounted.~~



- ~~b. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit. Dishes exceeding ten (10) feet in diameter shall require site development plan approval by the Planning and Zoning Commission.~~
- ~~c. All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.~~
- ~~d. Dish antennas exceeding twenty-two (22) inches in diameter which are ground mounted or roof mounted shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.~~
- ~~e. Dish antennas shall not be installed on the front of any principal building.~~

**Section 14:** Section 405.820 "Required Off-Street Parking Spaces", subsection A.7., is revised to read as follows:

If a specific land use is not included in the list of uses for which parking space requirements are specifically listed, then the required parking for that use shall be determined by using the required parking for the most similar use that is specifically listed. ~~two (2)-digit Standard Industrial Classification (SIC) Code~~

**Section 15:** Section 405.1080, Site Concept, Site Development and Minor Site Plan Approval, is amended to read as follows:

A. Purpose And Intent. The purpose of the site concept, site development plan and minor site plan approval procedures is to enable the City to consider potential impacts upon the area in the vicinity of the property, to ensure consistency with good planning practice and to ensure high standards of site design for the general welfare of the City and its residents.

B. Types Of Site Plans.

1. Site plans shall be divided among site concept plans, site development plans and minor site plans. Within this Section, requirements for site development plans do not apply to site concept plans or minor site plans unless specifically indicated.

2. A site development plan shall be required for:

a. Any conditional use,

b. Any project which includes the development of a parcel of land that contains no buildings or for which the existing buildings are to be removed and a new building or buildings constructed,

c. Any development that is adding more than five thousand (5,000) square feet of new impermeable surface to a site, and

d. Any development which will add less than five thousand (5,000) square feet of new impermeable surface to a site where such site has previously received one (1) or more minor site plan approvals and the sum total of the impermeable surface added and proposed to be added to the site exceeds five thousand (5,000) square feet. ~~A site development plan must be approved by the Planning and Zoning Commission.~~

3. Minor site plans shall be ~~required~~defined as plans for:

a. The expansion of a permitted use;

b. Change in use to another permitted use; or

c. Any proposed alteration that would add new impermeable surface in excess of 500 square feet or significantly affect the exterior of a building or redevelopment of a site that already contains a building or buildings, provided that any such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site. More than one (1) minor site plan may be approved for an individual site, provided that the sum total of the new impermeable surface of all of the minor site plans does not exceed five thousand (5,000) square feet. ~~A minor site plan must be approved by the Planning and Zoning Commission.~~

4. If there is any question or ambiguity in these regulations when determining whether a proposed development must file a site development plan or a minor site plan, the applicant shall be required to file a site development plan and follow the procedures pertaining thereto.

C. Application And Submission Requirements, Generally.

1. An application for site concept or site development plan approval or minor site plan approval may be filed by the owner of the property to be developed according to the submitted plan or any person with a financial, contractual or proprietary interest in the property to be developed according to the submitted plan who also submits the owner's consent to the application.

2.2. All applications for site concept or site development plan approval or minor site plan shall be filed in the office of the Zoning Administrator in both paper format and electronic format in a commonly used medium such as diskette or CD-ROM and in a format that can be read by a word processing program used by the Zoning Administrator. The filing party shall certify that the electronic copy has been scanned for viruses and that it is virus-free. An application ~~for site development plan approval~~ shall contain information as prescribed herein as well as such additional information as the Planning and Zoning Commission may prescribe by administrative regulations. ~~An application for site concept plan approval shall contain the information as prescribed in items (a) and (b) as well as the information required by Section 405.1080(D), as well as such additional information as the Commission may prescribe by administrative regulations.~~

a. All applications shall be signed by the applicant and shall state the applicant's name, mailing address, telephone number, and (if available) e-mail address.

b. The site concept or site development plan [or minor site plan](#) shall include all necessary data and drawings in order that the Zoning Administrator can determine whether the proposed use and development complies with the district requirements and that City departments affected by the project may assess the impact of the proposed development on public facilities and services and on the surrounding area.

D. Site Concept Plans. When a site or project greater than ten (10) acres in size or a tract of a different size as required elsewhere in this Chapter provides for the construction of a complex of buildings and site improvements, such as hospital, college or universities, and mixed use developments to be developed over an extended period of time or in multiple phases, a site concept plan shall be submitted for approval by the Planning and Zoning Commission and, if required by the zoning ordinance, the Creve Coeur City Council. This site concept plan shall contain at least the following information:

1. The location of the parcel in relation to all surrounding and adjacent uses, buildings and zoning;
2. The location of the parcel in relation to major arterials and/or highways and any roadways or drives connecting the parcel to those major thoroughfares;
3. The boundaries, dimensions and area of the parcel;
4. The proposed use and development of the parcel including principal and accessory uses;
5. The location and size of each existing structure and building on the parcel;
6. The footprint of each proposed building or structure on the parcel;
7. The height and number of stories of all proposed buildings and structures;
8. The amount of land area covered by all proposed buildings, structures, drives and parking facilities;
9. The ratio of floor area to land area (FAR);
10. Approximate locations of existing and proposed utility easements and stormwater retention areas;
11. Existing and proposed contours at vertical intervals of not more than five (5) feet;
12. Two (2) section profiles through the site showing preliminary building form, existing natural and proposed final grade;
13. Preliminary plan for sanitation and drainage facilities;

14. Drawings shall contain the project name, street names, a scale, north arrow and the date drawn and the scale for all drawings shall be no smaller than one (1) inch equals fifty (50) feet.

A site development plan shall then be submitted with applicable fees and escrow, for each specific building or phase within the project, for review and approval of the appropriate body.

Such site development plan shall be submitted in advance of or in conjunction with an application for a building permit. Of primary importance in the review of a site development plan will be a determination that the plan complies with the site concept plan approved for the total development or project

Either the City of Creve Coeur or the applicant may call for updates to the site concept plan at any time, as conditions or circumstances change.

#### E. Site Development Plans.

1. For a site development plan to be accepted for review, the following information shall be either placed on the site development plan or on a separate sheet accompanying the plan:

a. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

b. Location map, north arrow and plan scale.

c. Current zoning classification, proposed zoning classification, subdivision name, lot number and zoning of adjacent parcels.

d. Title block including name of proposed project, name, address and phone number of preparers and project applicant or owner.

e. Proposed use of each building and distance from adjacent property lines and required setback lines.

f. The location and size of each building on the site.

g. Legal description of the parcel or lot, the dimensions and area of the lot or site.

h. The height and number of stories of the proposed building or buildings.

i. Building schematic elevations depicting general size, shape and special design elements proposed as well as proposed materials to be used. Include two (2) sections at ninety degrees (90°) from each other through the proposed site and building(s).

j. Location and identification of all easements (existing and proposed).

k. Identification of utilities serving the site, water shed, fire district and school district.

l. Location of existing and proposed sewage treatment, stormwater collection and detention (if applicable) and preliminary stormwater runoff calculations (if applicable) — amount of detention required and provided.

m. Existing and proposed contour lines or elevations based on mean sea level datum.

n. Site coverage data in a percentage form (a ratio of building and paved area to green space).

o. The ratio of floor area to the site area (FAR).

p. The location and number of proposed parking spaces, surface lot or structures, in relation to the applicable parking regulations in Article VII. The layout shall include curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility.

q. Location and height of all light poles and trash enclosures.

r. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

s. Photometric study.

2. The site development plan shall be submitted with the appropriate applications, fees and escrows and shall contain, at a minimum, the information required above. Additional information to be placed on the site development plan beyond the requirements listed above may be requested by authorized departmental representatives of the City of Creve Coeur. Possible additional information includes, but is not limited to, report on project features, anticipated project schedule or phasing schedule, floodplain study and traffic impact study.

~~3. It is the intent that once the Planning and Zoning Commission and/or City Council approves this plan, no further review by them is required. The approved site development plan then is to be utilized by the City staff to determine conformance with all requirements of this plan prior to issuance of a building permit.~~

F. Minor Site Plans. An application for minor site plan approval shall include applicable fees and escrow and a site plan containing the following:

1. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction and control of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

2. Location map, north arrow and plan scale.

3. Current zoning classification, subdivision name, lot number and zoning of adjacent parcels.

4. Title block including name of project, name, address and phone number of preparers and project applicant or owner.

5. Proposed use of any new or expanded building and distance from adjacent property lines and required setback lines.

6. The location and size of each building on the site.

7. Legal description of the parcel or lot, the dimensions and area of the lot or site.

8. The height and number of stories of any proposed building or addition to an existing building.

9. Location and identification of all existing and proposed easements.

10. Proposed changes to contour lines or elevations based on mean sea level datum.

11. Site coverage data in a percentage form (ratio of building and paved area to green space).

12. Floor area ratio (FAR).

13. The number of existing and proposed parking spaces and the location of any proposed parking spaces in relation to the applicable parking regulations in Article **VII** of this Chapter.

14. The layout of any proposed curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility. If no changes are proposed to the parking area, this information will not be required.

15. Location and height of all proposed light poles and trash enclosures, if applicable.

16. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

G. *Review Procedure, Site Concept And Site Development Plans.*

1. A site concept or site development plan shall be submitted with the application for site concept or site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080. An application for site concept or site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

2. The Zoning Administrator shall coordinate the review and analysis of the site concept or site development plan application by the City staff including other affected City departments before any final action may be taken ~~by the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign regarding the application to be posted on the affected property, and (4) cause the application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. In considering any application for approval of a site development plan, the Planning and Zoning Commission and City Council shall consider the following factors:

a. The relationship of proposed uses, functions, sites and buildings within the development tract to each other;

b. The relationship of proposed uses, functions, sites and buildings within the tract to existing land uses and the permitted uses of adjoining tracts in accordance with correct zoning;

c. The provisions and distribution of adequate parking facilities;



d. The provision of proper means of access to and from public roads;

e. The provision of site amenities including landscaping and fences;

f. Applicable design guidelines; and

g. Any other factors relevant to the public health, safety and convenience and general welfare of the residents of the City.

5. After the Planning and Zoning Commission receives the site concept or site development plan application and associated documents, it shall review the application and report it has received from the Zoning Administrator. The Planning and Zoning Commission may then either approve, disapprove or conditionally approve the site concept or site development plan application or forward its recommendation to the City Council if required elsewhere by this Chapter.

6. Once a site development plan, which contains the necessary information required by Section 405.1080, receives approval of the Planning and Zoning Commission, or the City Council if required elsewhere by this Chapter, further review of the final building, construction and site improvement plans by the Planning and Zoning Commission or the City Council will not be required, provided those final plans are consistent with and in substantial compliance with the approved site development plan,

The City staff will review the final plans for consistency with the approved site development plan.

Should the City staff, in its judgment, note "substantive changes" as defined in Section 405.120 between the final plans and the approved site development plan, the plans will be referred back to the Planning and Zoning Commission and, if required, the City Council for review and approval of the changes prior to issuance of any construction permits by the City staff.

#### H. Review Procedure, Minor Site Development Plans.

1. A minor site development plan shall be submitted with the application for minor site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080(F). An application for minor site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

2. The Zoning Administrator shall coordinate the review and analysis of the minor site plan application by the City staff including other affected City departments before any final action may be taken by ~~the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign regarding the application to be posted on the affected property, and (4) cause the



application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. After the Planning and Zoning Commission receives the minor site plan application and associated documents, it shall review the application and report it has received from the Zoning Administrator. The Planning and Zoning Commission may then approve, disapprove or conditionally approve the minor site plan.

I. Time Limitations. Any applicable time limitations shall be met, such as those pertaining to proposed wireless communications facilities and support structures under Sections 67.5090, RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.<sup>[1]</sup>

[Ord. No. 5381 §7, 7-14-2014]

[1]:

*Note: See also 47 U.S.C. 1455, 47 CFR 1.40001, FCC Report and Order, WT Docket No. 13-238 re. 10-21-2014.*

J. Conditions And Restrictions.

[Ord. No. 5381 §7, 7-14-2014]

1. In approving a site concept, site development plan or minor site plan application, the Planning and Zoning Commission or City Council may impose conditions and restrictions and may vary the standards and prescribe development standards within the range of such discretion as prescribed elsewhere in this Chapter, so long as the general intent of this Chapter is carried out. In no event, however, shall any permitted use or use regulations be varied so as to make them less restrictive than prescribed in the district regulations contained in Article VI of this Chapter.

2. In its review and approval of a site concept, site development or minor site plan application for any zoning district, the Planning and Zoning Commission or City Council may increase the minimum requirements designated in the applicable sections of this Chapter including, but not limited to, front yard, side yard or rear yard setbacks based upon its review of the individual site's topography, the building's orientation in relationship to street rights-of-way and adjoining properties, the building materials used and the mass and height of the building. The purpose of such increases in the minimum requirements shall be to minimize any adverse impacts of the proposed development on adjoining or nearby properties and the general community.

3. If the Planning and Zoning Commission or City Council imposes conditions or restrictions, it shall designate specific requirements which must be met before an

applicant may be granted final approval of a site development plan or minor site plan and building and occupancy permits.

4. Failure to comply with any of these conditions or restrictions shall constitute a violation of this Chapter punishable as provided in Section **405.1150** of this Chapter.

*K. Period Of Validity For Site Concept Plan, Site Development Plan And Minor Site Plan Approval.*

[Ord. No. 5381 §7, 7-14-2014]

1. Site concept plans approved by the City of Creve Coeur shall be valid for a period of up to eight (8) years from the date of approval. After the eighth year, a site concept plan will no longer be valid unless an extension is granted as set forth below. The City of Creve Coeur may grant one (1) one-year extension prior to the expiration of the site concept plan upon written request of the applicant submitted to the City at least one hundred eighty (180) days prior to the expiration date and granted prior to the expiration date.

2. Upon such written request for a one-year extension, the Planning and Zoning Commission and City Council, when required, does, however, have the power to disapprove the extension or to attach new conditions to the extension, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Where the application for a one-year extension contains changes, which the Zoning Administrator concludes substantially or materially alters the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site concept plan review procedure as stated in Section **405.1080**.

3. An application to amend an existing site concept plan may be submitted at least one hundred eighty (180) days before the date of expiration and granted prior to the expiration date. The City does, however, have the power to disapprove the application or to attach new conditions to the existing site concept plan, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Once the City of Creve Coeur has granted an amendment to an existing site concept plan which has not yet expired, such amended site concept plan is subject to a period of validity no longer than eight (8) years from the date of approval of the amended plan, unless a one-year extension is granted as set forth above. An application to amend an existing site concept plan shall be subject to the same procedures as an original application.

4. No site development plan or minor site plan approval ~~by the Planning and Zoning Commission~~ shall be valid for a period longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable,

~~have~~ has the power in such cases to attach new conditions to ~~their~~s re-approval or to disapprove the reapplication. Where the application for re-approval contains changes which the ~~Zoning Administrator-Commission~~ concludes materially alter the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site development plan review procedure as stated in Section **405.1080** or ~~a~~ new minor site plan review procedure as stated in Section **405.1080**.

5. Notwithstanding the foregoing, a site concept plan or site development plan approved for a wireless communications facility or support structure shall not expire.

**Section 16.** Section 405.1110, Variances and Appeals, is amended to read as follows:

*J.3. Procedure.* The Board of Adjustment shall notify the officer or the department from whom the appeal is taken. The officer or department shall immediately transmit to the Board of Adjustment all the papers and documents constituting the records of the actions or events which are being appealed. The Zoning Administrator shall receive the appeal and determine whether it complies with all applicable submission requirements. Upon an affirmative determination, the Zoning Administrator shall promptly:

- a. Forward the appeal application to the Board of Adjustment, Mayor and City Council,
- b. Cause notice of the appeal application to be publicly posted at the Government Center in the same manner as Commission meeting agendas,
- c. Cause a sign regarding the appeal application to be posted on the affected property, and
- d. Cause the appeal application to be made publicly available on the City website,

all at least ten (10) days prior to the date of the meeting of the Board of Adjustment ~~Planning and Zoning Commission~~ at which the application is first considered. The Zoning Administrator shall prepare a report describing the circumstances of the application. The Zoning Administrator shall then forward the report and any recommendations or actions of any other City department or agency to the Board of Adjustment, Mayor and City Council in advance of the meeting at which the appeal application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of the meeting.

**Section 17.** The Table of Uses, Table A to the Zoning Code, is amended to delete 321113 Sawmills, 321114 Wood preservation, 493130 Farm product warehousing and storage, 493190 Other warehousing and storage, and 522298 All other non-depository credit intermediation (including pawnshops).

**Section 18.** The Table of Uses, Table A to the Zoning Code, is amended so that the following items in the "2012 NAICS Title" column read as follows: CC814120 Low-Density Multifamily Residential (up to 6 single family units per acre), CC814130 Medium-Density Multifamily Residential (up to 20 single family units per acre), CC814140 High-Density Multifamily Residential (more than 20 single family units per acre).

**Section 19.** Section 355.110.A is revised to read as follows:

In addition to the requirements and limitations of Chapter 405, No person shall park nor shall the owner or lessee of a parcel of land permit the parking of any trailer, trailer cab, bus, dump truck, step-up van, boat trailer, utility trailer, motor home, RV vehicle, tent trailer, snowmobile trailer, camping trailer or motorcycle trailer within seventy-five (75) feet of any property line on any parking lot for any store, commercial building or warehouse located in any ~~"B-1" through "B-5" or "HB"~~ zoning district or any lot located in ~~such the~~ HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning zoning districts unless a permit therefore shall have been obtained from the Chief of Police, except as follows:

1.  
Trailers and other vehicles directly involved in the operations of the store or building.
2.  
Trailers and other vehicles which are delivering supplies and materials to the store or business.
3.  
Trailers and other vehicles which are being serviced by the store or business as part of their normal operations.
4.  
Trailers used for storage during construction provided that such trailers shall be located behind the building unless otherwise approved by the Chief of Police.
5.  
Trailers used temporarily for truckload sales provided that such trailers shall not be used for more than seven (7) consecutive days.
6.  
Trailers used temporarily by churches and not-for-profit organizations.
7.  
Trailers used temporarily at loading docks.
8.  
Trailers used for recycling purposes.
9.  
Trailers used temporarily during carnivals.

B.

Upon application therefore by the property owner, or the owner's permittee with his/her consent, of a lot or a parcel having a store, commercial building or warehouse located in an HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning ~~"B-1" through "B-5" or "HB"~~ zoning district, the Chief of Police may grant, at no cost to the applicant, a renewable ninety (90) day permit authorizing the parking within seventy-five (75) feet of the property lines of such lot or parcel of vehicles whose parking within such area is otherwise prohibited by Subsection **(A)** upon a finding that such parking would not endanger public health or safety or constitute a nuisance to adjoining property or residents thereof or visitors thereto and would be consistent with good planning practices. In making such determination the Chief of Police shall take into consideration the zoning and uses of adjacent properties, giving special attention to any residential uses, public facilities, public access areas, and traffic concerns. In issuing any permit the Chief of Police may impose such conditions and restrictions, including restrictions as to areas in which parking is permitted and screening requirements, as may be appropriate in light of the various factors considered.

C.

When parking of vehicles is permitted or authorized under provisions of Subsection **(A)**, such vehicles shall be parked only on an approved surface of concrete or asphalt.

**Section 20.** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

\_\_\_\_\_  
BARRY GLANTZ, MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, CITY CLERK, MPCC



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**APPLICATION TO PLANNING AND ZONING COMMISSION  
#15-011 FOR TEXT AMENDMENTS TO CHAPTER 400, PLANNING, AND  
VARIOUS SECTIONS OF CHAPTER 405, THE ZONING ORDINANCE**

**FOR THE MEETING OF:** Monday, July 15, 2015

**LOCATION:** City-wide

**REQUEST:** The Director of Community Development, on behalf of the City of Creve Coeur has requested several amendments that include a variety of technical corrections and clarifications to Chapter 400, Planning Ordinance, and Chapter 405, Zoning Ordinance. The amendments address changes to the State statutes, correct outdated terminology, delete blind references, add greater precision to vague language and modify notification procedures. No changes to development intensity or use are contemplated in the amendments.

**ADDITIONAL INFORMATION:** Included in the revisions is a provision for a minimum district size of five acres for residential districts where, previously, the standard had always been assumed. Also included are: a clarification of the level of review for minor site plans; a revision to the regulations controlling satellite dish antennas to comply with state regulations; and an allowance for text amendments to occur without notice in the City's monthly newsletter.

**APPLICANT:** Paul Langdon  
Director of Community Development  
City of Creve Coeur  
300 N. New Ballas Road  
Creve Coeur, MO 63141

**REPORT PREPARED BY:** Whitney Kelly, AICP, City Planner  
June 12, 2015

**ATTACHMENTS:** Draft Ordinance

**Key Issues:**

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

**Comp. Plan References**

- Goals and Strategies

**Zoning Code References**

- Chapter 400, Planning
- Chapter 405, Zoning Ordinance

## DISCUSSION

Most of the changes within the attached ordinance are simple clarifications and are self-explanatory. The discussion below will focus on those items that may require additional explanation. However, if the Planning and Zoning Commission members have any questions not covered below, Staff will be available for further elaboration during the meeting.

### *Apodments/Micro-apartments (Draft Ordinance Section 3)*

Apodments are also known as micro-apartments, where a one-room, self-contained living space could share a communal kitchen, communal bathroom/shower, patio and roof garden with other similar units. They are similar in style to a dorm room, and are becoming more popular as an affordable housing option that avoids the designation of multi-family residential by sharing dining facilities. Since the City's definition of family also relies on the sharing of facilities, a concern is that these types of development could be argued to be an allowed use in the Single-Family Districts. Given the disparity of building style and density between apodments and true single-family houses, Staff has requested that apodments be added as a listed exclusion per the following:

FAMILY - One (1) or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit, sharing one (1) common kitchen facility, but not including group quarters such as dormitories, fraternities, sororities, motels, hotels, rooming houses, or boarding houses, or apodments/micro-apartments.

### *Minimum Acreage Requirements for Single Family Districts (Draft Ordinance Sections 4,5,7 & 8)*

Staff has included a five acre minimum district size to all of the residential zoning districts to be consistent with the minimum district regulations for the commercial districts. Staff has always worked on the assumption that such was already the case, but it was not. This could lead to very small assemblages of land being proposed for up-zoning that are contrary to the established land use patterns and the Comprehensive Plan. The proposed regulations will eliminate any such possibility.

### *Minimum Side-yard Setback for B Single-Family Residential District (Draft Ordinance Section 6)*

The minimum side yard for the B Single-Family Residential District currently allows for a shorter setback for existing homes in older subdivisions (pre-August 10, 1983). The concern that Staff has is how much of the original house must be maintained to allow for the shorter side-yard setback. In many cases, the "new" house is much larger than the prior house and, if located closer than the standard district setback allows, it would seem to violate the Comprehensive Plan goal for low-density residential image and character. On the other hand, if the existing house is completely removed, the owner has the right to build to the maximum extent allowed by the zoning district within the standard setbacks. In other words, this concern is focused on the area between the standard setback and the one shown on the original plat. Therefore, Staff is proposing a maximum percentage that any addition may utilize such regulations to read as follows:

- E. Dimensional Regulations. The following area and yard regulations apply in the "B" Single-Family Residential District.
  - 3. Yard and setback requirements.



- c. Minimum side yard for permitted uses. Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less. However, for subdivisions approved prior to August 10, 1983, side yard requirements for existing homes in said subdivisions shall remain the same as those shown on the subdivision plat heretofore approved by the City provided that the square footage of the ground floor portion of such an existing home within the otherwise applicable minimum side yard area shall not be increased by more than ten percent of the square footage within the same portion of the lot as of August 10, 1983.

*MX District Maximum Floor Area Ratio (Draft Ordinance Section 9)*

Staff is proposing the removal of the various ranges of floor area ratio for the Mixed-Use District. The regulations limiting maximum structure height and maximum site coverage can accomplish similar limitations so the FAR would seem redundant and can be eliminated.

*CB District Maximum Floor Area Ratio (Draft Ordinance Section 11)*

In the CB District regulations, Class 1 developments are one-half acre to one acre in size and are limited to a FAR of 0.25; Class 2 Developments are one acre or more and are limited to a FAR of 1.0. There are a very limited number of properties remaining within the CB District that are under one acre, and should those redevelop, the purpose of the CB District is to create a more intense urban designed development. Therefore, to further that purpose, Staff recommends eliminating the Class 1 properties altogether, and the FAR be applied to all properties in the CB District.

*Text Amendments Notification (Draft Ordinance Section 15)*

Currently, the ordinance requires that any text amendment is to be notified within the City's monthly newsletter. Although text amendments could affect the entire City, a direct mailing to all "affected parties" is not feasible. The newsletter provides a means of mailing all households, however, the lead time to get information into the newsletter can be lengthy. The layout and editing are often completed within the first week of the month prior, and printing is occurring by the middle of the prior month for mailing and delivery in time. For example, if an application were to be submitted on June 15<sup>th</sup>, the public hearing could not occur until the second bi-monthly meeting of the Planning and Zoning in August. Further, if an error or change occurs, the delay is another month rather than two or three weeks. This long lead time can be a hindrance for applicants (who is often the City), especially in light of the City's constant efforts to be timely and efficient in getting applications reviewed. Also, if either the Planning Commission or City Council believes that an item has not been adequately advertised, they can always vote to continue or table the item until it is published in the newsletter. The attached draft ordinance will eliminate the requirement for publication in the newsletter.

*Minor Site Plan Approval (Draft Ordinance Section 16)*

The Code provides for three levels of review for projects within the City: permit approvals by staff, minor site plans, and site development plans. Generally, the pre-requisites for Staff approval include that the project does not substantially alter the building or site and additional coverage is not created. Minor site plans that are approved by the Planning and Zoning Commission are necessary if there is a substantial alteration to the building or site, and less than 5,000 square-feet of coverage is added. Site development plan approval by the Planning and Zoning Commission or City Council is required for a new building, or if more than 5,000 square feet of coverage is added. Within the CB District, the City Council reviews and approves any and all development or redevelopment plans for the areas from Craig Road to I-270 north of



Olive Boulevard and Old Ballas Road and 1-270 south of Olive Boulevard thus creating a burdensome process and delays for very small projects in these areas and eliminating the distinction in the review of minor site plans and major redevelopment projects. Staff recommends maintaining the separate level of reviews that are in other areas of the City, in an effort to reduce applicant confusion and be more efficient in project review.

Also in the interest of keeping projects moving forward, Staff is recommending language that clearly provides the Zoning Administrator the authority to grant simple approvals to minor site plans because they have not noted any substantial alterations to the originally approved development.

#### **MOTION**

If the members of the Planning and Zoning Commission are satisfied that the proposed amendments are justified and appropriately worded, the following is an example of an appropriate motion for this application:

“I move to recommend approval of the draft ordinance attached to the staff report on Application #15-011, for various text amendments to Chapters 400 and 405 of the Code of Ordinances of the City of Creve Coeur, Missouri, to address changes to the State statutes, correct outdated terminology, delete blind references, add greater precision to vague language and modify notification procedures.”

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#### **APPENDIX 1: COMPREHENSIVE PLAN**

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

#### **APPENDIX 2: ZONING CODE**

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

#### **APPENDIX 3: TRAFFIC CODE**

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

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE MAKING TECHNICAL CORRECTIONS AND CLARIFICATIONS TO SECTION 355.110 PARKING OF TRAILERS, CHAPTER 400, PLANNING ORDINANCE, AND CHAPTER 405, ZONING ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR.**

**WHEREAS**, Chapter 400 of the City Code of Ordinances addresses certain planning matters and Chapter 405 of the City Code of Ordinances addresses zoning matters; and

**WHEREAS**, changes in state law (2014 HB 1064) require technical corrections to the City's Zoning Ordinance; and

**WHEREAS**, other technical corrections and clarifications to Section 355.110, Chapter 400 the Planning Ordinance and Chapter 405 the Zoning Ordinance have been identified as necessary; and

**WHEREAS**, an application by the City of Creve Coeur was submitted for such technical corrections and clarifications to the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for such technical corrections and clarifications as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Planning Ordinance and the Zoning Ordinance; and,

**WHEREAS**, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on \_\_\_\_\_, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

**WHEREAS**, the Planning and Zoning Commission reviewed and, by a vote of \_\_\_\_\_ recommended approval of the subject amendments at its meeting on \_\_\_\_\_; and,

**WHEREAS**, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and,

**WHEREAS**, all persons who presented themselves at said meeting and desiring to be heard 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 City Council; and the Bill was 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:** Sections 400.010 and 400.020 are each amended by adding a new subsection C, to read as follows:

C. Any person or entity asserting rights under this section shall have the burden of proving eligibility to the reasonable satisfaction of the Zoning Administrator.

**Section 2:** Pursuant to HB 1064 (2014), Sections 405.120(67)(definition of Group Home), 405.450, 405.470, and 405.1000 are amended by changing the phrases “mentally retarded” and “mental retardation” respectively to “intellectually disabled” and “intellectual disability”.

**Section 3:** Definition of “Family” in Section 405.120 Definition of Terms shall be amended as follows:

FAMILY - One (1) or more persons occupying a dwelling unit and living together as a single non-profit housekeeping unit, sharing one (1) common kitchen facility, but not including group quarters such as dormitories, fraternities, sororities, motels, hotels, rooming houses, or boarding houses, or apodments.

**Section 4:** Section 405.250 ““A” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered accordingly:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “A” Single Family Residential when it is contiguous to such an existing district

**Section 5:** Section 405.260, “B” Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned “B” Single Family Residential when it is contiguous to such an existing district.

**Section 6:** Section 405.260, “B” Single-Family Residential District, subsection E.3.c is amended to read as follows:

3. *Yard and setback requirements*

- c. *Minimum side yard for permitted uses.* Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less. However, for subdivisions approved prior to August 10, 1983, side yard requirements for existing homes in said subdivisions shall remain the same as those shown on the subdivision plat heretofore approved by the City, provided that for such exception to continue to apply the ground floor square footage of the primary structure on the lot shall not exceed the original size of said “existing home” (as of August 10, 1983) by more than 10%.

**Section 7:** Section 405.270, "C" Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "C" Single Family Residential when it is contiguous to such an existing district.

**Section 8:** Section 405.280, "D" Single-Family Residential District, subsection E. Dimensional Regulations shall be amended to include a new subsection 1 to read as follows, and the remaining subsections shall be renumbered according:

1. Minimum District Size. The minimum district size shall be five (5) acres. Such a district may consist of a single tract of land or two (2) or more contiguous tracts of land that are at least five (5) acres combined. In addition, a tract of land that is less than five (5) acres may be zoned "D" Single Family Residential when it is contiguous to such an existing district.

**Section 9.** Section 405.340 "MX" Mixed Use District, subsection E.3.c. Maximum floor area is deleted as follows:

~~Maximum floor area ratio. Sites will be subject to the following maximum floor area ratios (FAR) based on the size of the site:~~

| <del>Acreage Range</del>      | <del>Maximum FAR</del> |
|-------------------------------|------------------------|
| <del>1.00 to 2.99 acres</del> | <del>.2</del>          |
| <del>3.00 to 3.99 acres</del> | <del>.3</del>          |
| <del>4.00 to 4.99 acres</del> | <del>.35</del>         |
| <del>5.00 to 5.99 acres</del> | <del>.4</del>          |
| <del>6.00 to 6.99 acres</del> | <del>.5</del>          |
| <del>7.00 to 7.99 acres</del> | <del>.6</del>          |
| <del>8.00 to 8.99 acres</del> | <del>.8</del>          |
| <del>9.00+ acres</del>        |                        |

**Section 10.** Section 405.350, "Planned Community District", subsection E.3.a., is revised to read as follows:

~~Maximum floor area. No building or structure in SIC Codes 54, 56 or 59~~ the NAICS Sector 44-45 – Retail Trade shall exceed twenty-five thousand (25,000) square feet in floor area.

**Section 11.** Section 405.370 "CB" Core Business District, subsection E.3.c, is amended to read as follows:

c. Maximum floor area ratio. ~~Class 1 developments shall not exceed a floor area ratio (FAR) of twenty-five hundredths (.25) (one (1) square foot of gross building floor area per four (4) square feet of site area). Class 2 developments shall not exceed a floor area ratio of one (1.0) (one (1) square foot of floor area per square foot of site).~~

**Section 12.** Section 405.370 "CB" Core Business District, subsection G.1 is amended to read as follows:

*Council right, power and authority to review.* Notwithstanding anything to the contrary contained in this Code, the City Council will hereby exercise the right, power and authority to review and approve any and all development or redevelopment plans, other than minor site plans, within the following areas:

a.

The area bounded by the City limits on the north, Olive Boulevard on the south, Craig Road on the east and I-270 on the west.

b.

The area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west.

**Section 13.** Section 405.460 "Accessory Uses and Structures", subsection B, items 13, 16 and 17 shall be amended to read as follows:

13. Solar collectors, provided such accessory structures shall not be located in the front yard or along street right of way within the area equivalent to the front yard setback of the applicable zoning district, and shall not exceed a maximum height of six feet or a maximum capacity exceeding the reasonably anticipated needs of the primary use on the site.
16. Satellite dish antennas up to one meter in diameter shall be permitted in the "A", "B", "C", "D" and "AR" Districts, in accordance with the following provisions:
  - a. Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted and all associated wiring shall be placed underground.
  - b. Dish antennas shall be limited to a maximum of ten (10) feet in diameter. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit.
  - c. All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.
  - d. Dish antennas exceeding twenty-two (22) inches in diameter shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.
  - e. Dish antennas shall not be installed on the front portion of the roof or the front wall of any principal building.
  - f. There shall be no more than one (1) satellite dish antenna per lot.

17. Satellite dish antennas up to two meters in diameter shall be permitted in the "MR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Districts in accordance with the following provisions:
- ~~a. Dish antennas exceeding twenty-two (22) inches in diameter shall be ground mounted, mounted on an antenna structure or roof mounted.~~
  - ~~b. Dishes exceeding three (3) feet in diameter shall require the issuance of a building permit. Dishes exceeding ten (10) feet in diameter shall require site development plan approval by the Planning and Zoning Commission.~~
  - ~~c. All applications for satellite dish antenna building permits must include certification and calculations, signed and sealed by a Missouri registered professional engineer, that the proposed installation complies with the structural standards listed in the Building Code adopted by the City.~~
  - ~~d. Dish antennas exceeding twenty-two (22) inches in diameter which are ground mounted or roof mounted shall include screening treatments of at least six (6) feet in height located along the antenna's non-reception window axes and low-level ornamental landscape treatments along the reception window axes of the antenna's base. The screening treatments shall be permanently maintained in good condition and shall provide for effective year-round screening.~~
  - ~~e. Dish antennas shall not be installed on the front of any principal building.~~

**Section 14:** Section 405.820 "Required Off-Street Parking Spaces", subsection A.7., is revised to read as follows:

If a specific land use is not included in the list of uses for which parking space requirements are specifically listed, then the required parking for that use shall be determined by using the required parking for the most similar use that is specifically listed. ~~two (2)-digit Standard Industrial Classification (SIC) Code~~

**Section 15:** Section 405.1060, Zoning Changes and Text Amendment, subsection D.3 is revised to read as follows:

3. Public hearing. Prior to the Commission making its decision regarding an application, the City Clerk shall set a date for a public hearing before the Commission and publish a public notice as required under Section 405.1120 of this Code and post it on the City website. In the instance of a rezoning application, the City Clerk shall also send written notice of said public hearing to the owners of the subject property and all owners of property located within an area determined by lines drawn parallel to and three hundred (300) feet distant from the boundaries of the property for which a rezoning is sought, stating the nature of the proposed Zoning District Map amendment and advising of the date, time and location of the public hearing. For a text amendment no notice shall be mailed, ~~but notice of the hearing shall also be published in the City newsletter.~~ No application for text amendment or rezoning may be approved until after such hearing is held.

**Section 16:** Section 405.1080, Site Concept, Site Development and Minor Site Plan Approval, is amended to read as follows:

A. Purpose And Intent. The purpose of the site concept, site development plan and minor site plan approval procedures is to enable the City to consider potential impacts upon the area in the vicinity of the property, to ensure consistency with good planning practice and to ensure high standards of site design for the general welfare of the City and its residents.

B. Types Of Site Plans.

1. Site plans shall be divided among site concept plans, site development plans and minor site plans. Within this Section, requirements for site development plans do not apply to site concept plans or minor site plans unless specifically indicated.

2. A site development plan shall be required for:

a. Any conditional use,

b. Any project which includes the development of a parcel of land that contains no buildings or for which the existing buildings are to be removed and a new building or buildings constructed,

c. Any development that is adding more than five thousand (5,000) square feet of new impermeable surface to a site, and

d. Any development which will add less than five thousand (5,000) square feet of new impermeable surface to a site where such site has previously received one (1) or more minor site plan approvals and the sum total of the impermeable surface added and proposed to be added to the site exceeds five thousand (5,000) square feet. ~~A site development plan must be approved by the Planning and Zoning Commission.~~

3. Minor site plans shall be ~~required~~defined as plans for:

a. The expansion of a permitted use;

b. Change in use to another permitted use; or

c. Any proposed alteration that would add new impermeable surface or significantly affect the exterior of a building or redevelopment of a site that already contains a building or buildings, provided that any such expansion, change or redevelopment shall not add more than five thousand (5,000) square feet of new impermeable surface to the site. More than one (1) minor site plan may be approved for an individual site, provided that the sum total of the new impermeable surface of all of the minor site plans does not exceed five thousand (5,000) square feet. ~~A minor site plan must be approved by the Planning and Zoning Commission.~~

4. If there is any question or ambiguity in these regulations when determining whether a proposed development must file a site development plan or a minor site plan, the



applicant shall be required to file a site development plan and follow the procedures pertaining thereto.

C. Application And Submission Requirements, Generally.

1. An application for site concept or site development plan approval [or minor site plan approval](#) may be filed by the owner of the property to be developed according to the submitted plan or any person with a financial, contractual or proprietary interest in the property to be developed according to the submitted plan who also submits the owner's consent to the application.

~~2.2.~~ All applications for site concept or site development plan approval [or minor site plan](#) shall be filed in the office of the Zoning Administrator in both paper format and electronic format in a commonly used medium such as diskette or CD-ROM and in a format that can be read by a word processing program used by the Zoning Administrator. The filing party shall certify that the electronic copy has been scanned for viruses and that it is virus-free. An application ~~for site development plan approval~~ shall contain information as prescribed herein as well as such additional information as the Planning and Zoning Commission may prescribe by administrative regulations. ~~An application for site concept plan approval shall contain the information as prescribed in items (a) and (b) as well as the information required by Section 405.1080(D), as well as such additional information as the Commission may prescribe by administrative regulations.~~

a. All applications shall be signed by the applicant and shall state the applicant's name, mailing address, telephone number, and (if available) e-mail address.

b. The site concept or site development plan [or minor site plan](#) shall include all necessary data and drawings in order that the Zoning Administrator can determine whether the proposed use and development complies with the district requirements and that City departments affected by the project may assess the impact of the proposed development on public facilities and services and on the surrounding area.

D. Site Concept Plans. When a site or project greater than ten (10) acres in size or a tract of a different size as required elsewhere in this Chapter provides for the construction of a complex of buildings and site improvements, such as hospital, college or universities, and mixed use developments to be developed over an extended period of time or in multiple phases, a site concept plan shall be submitted for approval by the Planning and Zoning Commission and, if required by the zoning ordinance, the Creve Coeur City Council. This site concept plan shall contain at least the following information:

1. The location of the parcel in relation to all surrounding and adjacent uses, buildings and zoning;
2. The location of the parcel in relation to major arterials and/or highways and any roadways or drives connecting the parcel to those major thoroughfares;
3. The boundaries, dimensions and area of the parcel;



4. The proposed use and development of the parcel including principal and accessory uses;
5. The location and size of each existing structure and building on the parcel;
6. The footprint of each proposed building or structure on the parcel;
7. The height and number of stories of all proposed buildings and structures;
8. The amount of land area covered by all proposed buildings, structures, drives and parking facilities;
9. The ratio of floor area to land area (FAR);
10. Approximate locations of existing and proposed utility easements and stormwater retention areas;
11. Existing and proposed contours at vertical intervals of not more than five (5) feet;
12. Two (2) section profiles through the site showing preliminary building form, existing natural and proposed final grade;
13. Preliminary plan for sanitation and drainage facilities;
14. Drawings shall contain the project name, street names, a scale, north arrow and the date drawn and the scale for all drawings shall be no smaller than one (1) inch equals fifty (50) feet.

A site development plan shall then be submitted with applicable fees and escrow, for each specific building or phase within the project, for review and approval of the appropriate body.

Such site development plan shall be submitted in advance of or in conjunction with an application for a building permit. Of primary importance in the review of a site development plan will be a determination that the plan complies with the site concept plan approved for the total development or project

Either the City of Creve Coeur or the applicant may call for updates to the site concept plan at any time, as conditions or circumstances change.

#### E. Site Development Plans.

1. For a site development plan to be accepted for review, the following information shall be either placed on the site development plan or on a separate sheet accompanying the plan:

a. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

b. Location map, north arrow and plan scale.

c. Current zoning classification, proposed zoning classification, subdivision name, lot number and zoning of adjacent parcels.

d. Title block including name of proposed project, name, address and phone number of preparers and project applicant or owner.

e. Proposed use of each building and distance from adjacent property lines and required setback lines.

f. The location and size of each building on the site.

g. Legal description of the parcel or lot, the dimensions and area of the lot or site.

h. The height and number of stories of the proposed building or buildings.

i. Building schematic elevations depicting general size, shape and special design elements proposed as well as proposed materials to be used. Include two (2) sections at ninety degrees (90°) from each other through the proposed site and building(s).

j. Location and identification of all easements (existing and proposed).

k. Identification of utilities serving the site, water shed, fire district and school district.

l. Location of existing and proposed sewage treatment, stormwater collection and detention (if applicable) and preliminary stormwater runoff calculations (if applicable) — amount of detention required and provided.

m. Existing and proposed contour lines or elevations based on mean sea level datum.

n. Site coverage data in a percentage form (a ratio of building and paved area to green space).

o. The ratio of floor area to the site area (FAR).

p. The location and number of proposed parking spaces, surface lot or structures, in relation to the applicable parking regulations in Article VII. The layout shall include curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility.

q. Location and height of all light poles and trash enclosures.

r. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

s. Photometric study.

2. The site development plan shall be submitted with the appropriate applications, fees and escrows and shall contain, at a minimum, the information required above. Additional information to be placed on the site development plan beyond the requirements listed above may be requested by authorized departmental representatives of the City of Creve Coeur. Possible additional information includes, but is not limited to, report on project features, anticipated project schedule or phasing schedule, floodplain study and traffic impact study.

~~3. It is the intent that once the Planning and Zoning Commission and/or City Council approves this plan, no further review by them is required. The approved site development plan then is to be utilized by the City staff to determine conformance with all requirements of this plan prior to issuance of a building permit.~~

E. Minor Site Plans. An application for minor site plan approval shall include applicable fees and escrow and a site plan containing the following:

1. All submissions to the City's Planning and Zoning Commission and City Council shall be properly sealed and signed by a licensed architect, professional engineer or land surveyor registered in the State of Missouri pursuant to laws and regulations established by the Missouri Board for Architects, Professional Engineers and Land Surveyors. An original seal, signature and print date shall appear on each page of one (1) original submittal set as evidence that the submitted material was prepared under the direction and control of a licensed architect, professional engineer or land surveyor. All other submissions shall be copies of the original set.

2. Location map, north arrow and plan scale.

3. Current zoning classification, subdivision name, lot number and zoning of adjacent parcels.

4. Title block including name of project, name, address and phone number of preparers and project applicant or owner.

5. Proposed use of any new or expanded building and distance from adjacent property lines and required setback lines.

6. The location and size of each building on the site.

7. Legal description of the parcel or lot, the dimensions and area of the lot or site.

8. The height and number of stories of any proposed building or addition to an existing building.

9. Location and identification of all existing and proposed easements.

10. Proposed changes to contour lines or elevations based on mean sea level datum.

11. Site coverage data in a percentage form (ratio of building and paved area to green space).

12. Floor area ratio (FAR).

13. The number of existing and proposed parking spaces and the location of any proposed parking spaces in relation to the applicable parking regulations in Article VII of this Chapter.

14. The layout of any proposed curb cuts, sidewalks, dimensional driveways and typical parking spaces showing physically disabled parking and accessibility. If no changes are proposed to the parking area, this information will not be required.

15. Location and height of all proposed light poles and trash enclosures, if applicable.

16. Existing and proposed landscaping including a concept landscape plan as described in Section 405.540 including related site improvements such as walls, berms, fences, street furniture, water features and walkways.

G. *Review Procedure, Site Concept And Site Development Plans.*

1. A site concept or site development plan shall be submitted with the application for site concept or site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080. An application for site concept or site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

2. The Zoning Administrator shall coordinate the review and analysis of the site concept or site development plan application by the City staff including other affected City departments before any final action may be taken ~~by the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign

regarding the application to be posted on the affected property, and (4) cause the application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. In considering any application for approval of a site development plan, the Planning and Zoning Commission and City Council shall consider the following factors:

- a. The relationship of proposed uses, functions, sites and buildings within the development tract to each other;
- b. The relationship of proposed uses, functions, sites and buildings within the tract to existing land uses and the permitted uses of adjoining tracts in accordance with correct zoning;
- c. The provisions and distribution of adequate parking facilities;
- d. The provision of proper means of access to and from public roads;
- e. The provision of site amenities including landscaping and fences;
- f. Applicable design guidelines; and
- g. Any other factors relevant to the public health, safety and convenience and general welfare of the residents of the City.

5. After the Planning and Zoning Commission receives the site concept or site development plan application and associated documents, it shall review the application and report it has received from the Zoning Administrator. The Planning and Zoning Commission may then either approve, disapprove or conditionally approve the site concept or site development plan application or forward its recommendation to the City Council if required elsewhere by this Chapter.

6. Once a site development plan, which contains the necessary information required by Section **405.1080**, receives approval of the Planning and Zoning Commission, or the City Council if required elsewhere by this Chapter, further review of the final building, construction and site improvement plans by the Planning and Zoning Commission or the City Council will not be required, provided those final plans are consistent with and in substantial compliance with the approved site development plan,

The City staff will review the final plans for consistency with the approved site development plan. Should the City staff, in its judgment, note "substantive changes" as defined in Section **405.120**

between the final plans and the approved site development plan, the plans will be referred back to the Planning and Zoning Commission and, if required, the City Council for review and approval of the changes prior to issuance of any construction permits by the City staff.

#### H. Review Procedure, Minor Site Development Plans.

1. A minor site development plan shall be submitted with the application for minor site development plan approval on a form provided by the Zoning Administrator which shall contain, at a minimum, that information required by any district specific regulations in addition to the application and submission requirements of Section 405.1080(F). An application for minor site development plan approval shall not be accepted by the Zoning Administrator if the application does not comply with all the requirements of this Section and any regulation pursuant thereto or if the required fees and escrows have not been submitted.

2. The Zoning Administrator shall coordinate the review and analysis of the minor site plan application by the City staff including other affected City departments before any final action may be taken by ~~the Planning and Zoning Commission~~ on the application.

3. The Zoning Administrator shall receive the application and determine whether it complies with all applicable submission requirements. Upon an affirmative determination the Zoning Administrator shall promptly either approve the minor site, or if the Zoning Administrator determines that he or she recommends any action other than unconditional approval, then: (1) forward the application to the Planning and Zoning Commission, Mayor and City Council, (2) cause notice of the application to be publicly posted in the same manner as Commission meeting agendas, (3) cause a sign regarding the application to be posted on the affected property, and (4) cause the application to be made publicly available on the City website, all at least ten (10) days prior to the date of the meeting of the Planning and Zoning Commission at which the application is first considered. An application shall have been received and determined to be complete by the Zoning Administrator and the coordinated review shall have been completed prior to date of the meeting of the Planning and Zoning Commission in order to be included on the agenda. The Zoning Administrator shall also prepare a staff analysis and report in conjunction with all applications being forwarded to the Planning and Zoning Commission, and shall submit such analysis and report to the Commission, Mayor and City Council in advance of the meeting at which the application is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of that meeting.

4. After the Planning and Zoning Commission receives the minor site plan application and associated documents, it shall review the application and report it has received from the Zoning Administrator. The Planning and Zoning Commission may then approve, disapprove or conditionally approve the minor site plan.

I. Time Limitations. Any applicable time limitations shall be met, such as those pertaining to proposed wireless communications facilities and support structures under Sections 67.5090, RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.<sup>[1]</sup>

[Ord. No. 5381 §7, 7-14-2014]

[1]:

*Note: See also 47 U.S.C. 1455, 47 CFR 1.40001, FCC Report and Order, WT Docket No. 13-238 re. 10-21-2014.*

J. Conditions And Restrictions.

[Ord. No. 5381 §7, 7-14-2014]

1. In approving a site concept, site development plan or minor site plan application, the Planning and Zoning Commission ~~or City Council~~ may impose conditions and restrictions and may vary the standards and prescribe development standards within the range of such discretion as prescribed elsewhere in this Chapter, so long as the general intent of this Chapter is carried out. In no event, however, shall any permitted use or use regulations be varied so as to make them less restrictive than prescribed in the district regulations contained in Article VI of this Chapter.

2. In its review and approval of a site concept, site development or minor site plan application for any zoning district, the Planning and Zoning Commission ~~or City Council~~ may increase the minimum requirements designated in the applicable sections of this Chapter including, but not limited to, front yard, side yard or rear yard setbacks based upon its review of the individual site's topography, the building's orientation in relationship to street rights-of-way and adjoining properties, the building materials used and the mass and height of the building. The purpose of such increases in the minimum requirements ~~shall be~~ to minimize any adverse impacts of the proposed development on adjoining or nearby properties and the general community.

3. If the Planning and Zoning Commission or City Council imposes conditions or restrictions, it shall designate specific requirements which must be met before an applicant may be granted final approval of a site development plan or minor site plan and building and occupancy permits.

4. Failure to comply with any of these conditions or restrictions shall constitute a violation of this Chapter punishable as provided in Section 405.1150 of this Chapter.

K. Period Of Validity For Site Concept Plan, Site Development Plan And Minor Site Plan Approval.

[Ord. No. 5381 §7, 7-14-2014]

1. Site concept plans approved by the City of Creve Coeur shall be valid for a period of up to eight (8) years from the date of approval. After the eighth year, a site concept plan will no longer be valid unless an extension is granted as set forth below. The City of Creve Coeur may grant one (1) one-year extension prior to the expiration of the site concept plan upon written request of the applicant submitted to the City at least one hundred eighty (180) days prior to the expiration date and granted prior to the expiration date.

2. Upon such written request for a one-year extension, the Planning and Zoning Commission and City Council, when required, does, however, have the power to disapprove the extension or to attach new conditions to the extension, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Where the application for a one-year extension



contains changes, which the ~~Zoning Administrator~~City concludes substantially or materially alters the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site concept plan review procedure as stated in Section 405.1080.

3. An application to amend an existing site concept plan may be submitted at least one hundred eighty (180) days before the date of expiration and granted prior to the expiration date. The City does, however, have the power to disapprove the application or to attach new conditions to the existing site concept plan, based upon any change in circumstances or changes in the City's ordinances since the time that the application was originally approved. Once the City of Creve Coeur has granted an amendment to an existing site concept plan which has not yet expired, such amended site concept plan is subject to a period of validity no longer than eight (8) years from the date of approval of the amended plan, unless a one-year extension is granted as set forth above. An application to amend an existing site concept plan shall be subject to the same procedures as an original application.

4. No site development plan or minor site plan approval ~~by the Planning and Zoning Commission~~ shall be valid for a period longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. Substantial construction shall be deemed to consist of clearing the site, completion of footings, basement or building slab and inspection of such work. The Planning and Zoning Commission and the City Council, when required, may grant extensions not exceeding twelve (12) months each upon written request of the original applicant prior to the expiration of such period and resubmission of the application if the application as resubmitted is substantially the same as the initially approved application. However, the Commission and the Council, as applicable, ~~have~~has the power in such cases to attach new conditions to ~~their~~its re-approval or ~~to~~ disapprove the reapplication. Where the application for re-approval contains changes which the ~~Zoning Administrator-Commission~~ concludes materially alter the initial application, ~~it shall refer the application to~~ the Zoning Administrator ~~who~~ shall initiate a new site development plan review procedure as stated in Section 405.1080 or a new minor site plan review procedure as stated in Section 405.1080.

5. Notwithstanding the foregoing, a site concept plan or site development plan approved for a wireless communications facility or support structure shall not expire.

**Section 17.** Section 405.1110, Variances and Appeals, is amended to read as follows:

*J.3. Procedure.* The Board of Adjustment shall notify the officer or the department from whom the appeal is taken. The officer or department shall immediately transmit to the Board of Adjustment all the papers and documents constituting the records of the actions or events which are being appealed. The Zoning Administrator shall receive the appeal and determine whether it complies with all applicable submission requirements. Upon an affirmative determination, the Zoning Administrator shall promptly:

a. Forward the ~~appeal~~application to the Board of Adjustment, Mayor and City Council,



b. Cause notice of the [appeal application](#) to be publicly posted at the Government Center in the same manner as Commission meeting agendas,

c. Cause a sign regarding the [appeal application](#) to be posted on the affected property, and

d. Cause the [appeal application](#) to be made publicly available on the City website,

all at least ten (10) days prior to the date of the meeting of the [Board of Adjustment Planning and Zoning Commission](#)

at which the application is first considered. The Zoning Administrator shall prepare a report describing the circumstances of the application. The Zoning Administrator shall then forward the report and any recommendations or actions of any other City department or agency to the Board of Adjustment, Mayor and City Council in advance of the meeting at which the [appeal application](#) is scheduled to be considered, and cause such analysis and report to be made publicly available on the City website in advance of the meeting.

**Section 18.** The Table of Uses, Table A to the Zoning Code, is amended to delete 321113 Sawmills, 321114 Wood preservation, 493130 Farm product warehousing and storage, 493190 Other warehousing and storage, and 522298 All other non-depository credit intermediation (including pawnshops).

**Section 19.** The Table of Uses, Table A to the Zoning Code, is amended so that the following items in the "2012 NAICS Title" column read as follows: CC814120 Low-Density Multifamily Residential (up to 6 single family units per acre), CC814130 Medium-Density Multifamily Residential (up to 20 single family units per acre), CC814140 High-Density Multifamily Residential (more than 20 single family units per acre).

**Section 20.** Section 355.110.A is revised to read as follows:

[In addition to the requirements and limitations of Chapter 405,](#) No person shall park nor shall the owner or lessee of a parcel of land permit the parking of any trailer, trailer cab, bus, dump truck, step-up van, boat trailer, utility trailer, motor home, RV vehicle, tent trailer, snowmobile trailer, camping trailer or motorcycle trailer within seventy-five (75) feet of any property line on any parking lot for any store, commercial building or warehouse located in any ["B-1" through "B-5" or "HB"](#) zoning district or any lot located in [such the HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning](#) zoning districts unless a permit therefore shall have been obtained from the Chief of Police, except as follows:

1. Trailers and other vehicles directly involved in the operations of the store or building.
2. Trailers and other vehicles which are delivering supplies and materials to the store or business.
3. Trailers and other vehicles which are being serviced by the store or business as part of their normal operations.
4. Trailers used for storage during construction provided that such trailers shall be located behind the building unless otherwise approved by the Chief of Police.
- 5.

Trailers used temporarily for truckload sales provided that such trailers shall not be used for more than seven (7) consecutive days.

6.

Trailers used temporarily by churches and not-for-profit organizations.

7.

Trailers used temporarily at loading docks.

8.

Trailers used for recycling purposes.

9.

Trailers used temporarily during carnivals.

B.

Upon application therefore by the property owner, or the owner's permittee with his/her consent, of a lot or a parcel having a store, commercial building or warehouse located in an HE, PH, PO, RO, MX, PC, GC, CB, LI, or Planned Zoning ~~"B-1" through "B-5" or "HB"~~ zoning district, the Chief of Police may grant, at no cost to the applicant, a renewable ninety (90) day permit authorizing the parking within seventy-five (75) feet of the property lines of such lot or parcel of vehicles whose parking within such area is otherwise prohibited by Subsection **(A)** upon a finding that such parking would not endanger public health or safety or constitute a nuisance to adjoining property or residents thereof or visitors thereto and would be consistent with good planning practices. In making such determination the Chief of Police shall take into consideration the zoning and uses of adjacent properties, giving special attention to any residential uses, public facilities, public access areas, and traffic concerns. In issuing any permit the Chief of Police may impose such conditions and restrictions, including restrictions as to areas in which parking is permitted and screening requirements, as may be appropriate in light of the various factors considered.

C.

When parking of vehicles is permitted or authorized under provisions of Subsection **(A)**, such vehicles shall be parked only on an approved surface of concrete or asphalt.

**Section 21.** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

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BARRY GLANTZ, MAYOR

ATTEST:

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DEBORAH RYAN, CITY CLERK, MPCC

## Langdon. Paul

**From:** L R [lrezny@hotmail.com]  
**Sent:** Monday, June 15, 2015 5:33 PM  
**To:** planningandzoning; Langdon. Paul; Mayor-Council  
**Subject:** "Housekeeping" Zoning changes

Some of the proposed changes are indeed only "housekeeping", but others are potentially much more important than that.

One section drops publishing changes in the Zoning ordinance in the newsletter. Another section deals with what the staff decides and what has to go to the Commission or the Council. This comes at the same time when the City is losing Paul Langdon as Director of Community Development. The changes would put more decisions in the hands of the Planning Staff at a time when institutional knowledge is being lost. There are reasons the Commission and the Council have these responsibilities and now is certainly not the time to give more power to a new and untested director.

Section 15 on page 5 drops the requirement to inform residents in the Newsletter about Hearings involving Zoning rules changes. Currently if the City wants to amend the Zoning Code, they have to publish the change and the Hearing date in the Newsletter. Dropping that Newsletter notification means important changes could be made before many people had the opportunity to know about it and attend the hearing. According to the opinion poll, the newsletter is widely read.

Website notification exists, but a sizable minority of residents are not that tech savvy. Those who are up-to-date technologically have enough to do keeping up with email and social media and don't to check the website before each meeting. Changing the zoning rules is not a frequent occurrence and can be of great import to others besides a developer. If a developer or the City wants to change the zoning rule for ALL of Creve Coeur they should expect it might take a bit longer to accomplish than a changing the zoning for a parcel. If you want to shorten the lag time, move the deadline for submitting the material to the printer closer to the printing date and the printing date closer to the mailing date.

2) Section 16 on page 6 makes changes and "clarifications" about which what Planning and Zoning staff can do without consulting the Planning and Zoning Commission (the appointed voting body) or the Council (the elected voting body). For example, "Minor" changes would be in the hands of staff. These minor changes are not changes the color of the building or the landscaping, they are

Expansion, Change of use, and additions to building or paving less than 5,000 sq ft. As an example, adding a 49 by 100 ft area to a building or adding that much paving is by definition "minor", but is not minor to the neighbors or the environment. Either leave things the way they are OR change the definition of "minor". Other parts of this section, for example J on page 14, leave decisions at the Planning Commission, cutting out review by the elected Council. These are not places to cede the power of the Council.

The City is constantly balancing the needs of the residents and developers, balancing the need for income or new business with current business and residents, balancing the perception of the residents and the businesses that they are given fair hearing. Balances speed with fairness. To maintain this balance the appointed and elected persons of the Commission and the Council can not relinquish their important powers. Nor should they leave residents out of the loop by dropping the Newsletter notice for Text amendments.

These comments would have been better informed if I had Paul Langdon to consult before the meeting, but I suspected Paul and the rest of the City staff were busy with a farewell afternoon. Paul and I do not always agree, but he has always patiently listened and given pertinent and unbiased answers.

You are losing Paul who helped keep your sense of balance, don't lose the Commission's or the Council's powers that help keep the balance.

(Given the time I sent this, the Commission will not see them before I read them at the meeting)

**Langdon. Paul**

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**From:** planningandzoning@ci.creve-coeur.mo.us on behalf of PAUL KUTZ [pkutz@sbcglobal.net]  
**Sent:** Monday, June 15, 2015 11:08 AM  
**To:** planningandzonning  
**Subject:** [planningandzoning] Zoning code notification changes {01}

Why the effort drop the requirement to inform residents in the Newsletter about Hearings involving changing to Zoning rules? During the latter years of the terms of Dielman & Haddenhorst there were many contentious meetings resulting from lack of notification of well-kept secret negotiations relative to zoning. The Council has avoided the issues by passing the baton to P&Z. Why does the City want to relive those nasty meetings which resulted from not advertising changes that were being contemplated? A number of concerned citizens and concerned council members worked hard to keep the zoning process transparent.

Does the City desire more TV coverage of protesting citizens? Keep actions transparent and well publicized.

Attachment: Email Received 6-15-2015 (2) (1410 : Bill No. 5553 - Zoning Corrections Text Amendment)

## Kelly, Whitney

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**From:** Kelly, Whitney  
**Sent:** Wednesday, June 17, 2015 9:49 AM  
**To:** Kelly, Whitney  
**Subject:** FW: Minor Site Plan Approval

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**From:** Robert Kent [<mailto:marcopolo82@att.net>]  
**Sent:** Tuesday, June 16, 2015 4:02 PM  
**To:** "Tim Madden"; Mayor-Council; Perkins, Mark C.  
**Subject:** Minor Site Plan Approval

Mr. Tim Madden  
 Chairman,  
 Planning & Zoning Commission

Dear Mr. Madden:

We are writing to you in our capacity as Trustees of Greengate Subdivision.

In 1999, Mill Crossing Condominiums were approved with seven buildings contiguous to and immediately west of the Greengate Subdivision. These are three story buildings.

One of the key selling points by the Michelson Organization was that, although the buildings were three stories high the ends of the buildings facing lots 6 to 10 of Greengate would be brick walls with no windows. Guess what, when Building C was constructed, the corners of the buildings were filled out from recessed to full width of the building; six windows were added to each floor and the building was literally moved 50' closer to the Greengate lot line.

The rationale was that only 2% of the building was changed and windows are a common installation and the 50 feet was inconsequential.

I can tell you the five residents of Greengate immediately affected did not see it that way.

The building department issued a permit to Michelson based on the "Minor Site Change"

Greengate asked for and received a " Stop Work Order"

All of this was done as a minor site plan change without a P&Z public notice, notification of adjacent properties, nor a public hearing.

At the subsequent P&Z hearing, Michelson threatened a law suit with substantial daily damage charges if the Stop Work Order was not lifted The City Attorney at the time acknowledged that the City had violated its ordinances by not having a public hearing but in view of the fact that the City had issued a lawful Permit and "Minor Site Change" the City would likely lose the suit and incur substantial financial damage. Therefore, the Stop work order was lifted.

Greengate was left with the option of suing the City but that would not correct the Mill Crossing change.

Based upon this experience, we can only wonder what mischief might occur by mistake or lack of foresight if the P&Z Commission gives up its right to review "Minor Site Changes."

Please record and show that on behalf of the eighteen (18) Creve Coeur residents of Greengate we oppose the change to allow staff to approve "Minor Site Changes" without review and approval of the P&Z Commission, after proper public notice.

Greengate Trustees

Constance Young  
John Nester  
Robert Kent

Attachment: Email received 6-16-2015 (1410 : Bill No. 5553 - Zoning Corrections Text Amendment)



## PLANNING AND ZONING COMMISSION PUBLIC HEARING

CITY OF CREVE COEUR, MISSOURI

300 NORTH NEW BALLAS ROAD

MONDAY, JUNE 15, 2015

7:00 P.M.

PUBLIC HEARING #15-011

## THOSE IN ATTENDANCE:

Mr. Tim Madden, Chairman  
Mr. Tim Carney  
Mr. James Faron  
Mr. Ken Howard  
Ms. Beth Kistner  
Mr. Charles Pullium  
Mr. Gene Rovak  
Mr. Carl Lumley, City Attorney  
Mr. Paul Langdon, Director of Community Development  
Ms. Whitney Kelly, City Planner  
Ms. Jessica Stutte, Administrative Assistant  
Ms. Deborah McLaughlin, Recording Secretary

McLaughlin Court Reporting Services, Inc.

Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR  
4772 Gatesbury Drive  
St. Louis, MO 63128  
(314) 487-2259

1 CHAIRMAN MADDEN: That'll move us to new  
2 business. It's a public hearing. Application No. 15-0 --  
3 excuse me -- No. 15-011, for text amendments to Chapter  
4 400, planning and various sections of Chapter 405, the  
5 Zoning Ordinance.

6 MR. JOHN KING: Mr. Chairman, may I say  
7 something?

8 CHAIRMAN MADDEN: Sure.

9 MR. JOHN KING: First of all, I thank you for  
10 the consideration of all that you've given us tonight, and  
11 we certainly have a way to go.

12 But what I really would like to tell you is I  
13 think you're losing a good man in the City of Creve Coeur.

14 I've dealt with Paul Langdon for, I guess, 20 or  
15 25 years, when he was in Maryland Heights and other  
16 occasions. And Creve Coeur's loss is somebody else's  
17 gain. I think he's done a wonderful job for you.

18 CHAIRMAN MADDEN: Totally agree.

19 Thank you very much.

20 MR. LANGDON: Thank you. Appreciate it.

21 CHAIRMAN MADDEN: I guess you're back up.  
22 Unless you want to do it from over there --

23 MR. LANGDON: No.

24 CHAIRMAN MADDEN: -- whichever's easiest.

25 MR. LANGDON: No.

1 CHAIRMAN MADDEN: Anybody that's going to be  
2 commenting on this, please come up and be sworn in with  
3 Paul. This is a public hearing. I know a couple of you  
4 have given me cards so.

5 (The speakers were sworn in by the court  
6 reporter.)

7 MR. LANGDON: Once again, Mr. Chairman, Paul  
8 Langdon, Director of Community Development for the City of  
9 Creve Coeur. Application from the City.

10 From time to time we accumulate changes to the  
11 state law, as well as experiences that either we have to  
12 recognize in the Zoning Code, or if we find it appropriate  
13 to incorporate it in the Zoning Code.

14 And what you have tonight is a proposed  
15 amendment that covers some of both.

16 In the cases of the state law changes, I think  
17 the wording is fairly clear and simple, and most of those,  
18 it's fairly minor.

19 Some of the larger more complicated issues are  
20 the ones that come out of our experience in working with  
21 the code.

22 So what you have is an ordinance that covers a  
23 lot of things. Staff report covers fewer. And what I  
24 would like to do, and I apologize, we don't really have  
25 nice graphics to look at or anything interesting about

1 this, sort of work down through the ordinance. I'll skip  
2 the parts that are really obvious, but at any point if you  
3 have a question, please stop me and we'll go over it.

4 There are some items which are more technical in  
5 nature relating to state laws, and I may have to refer to  
6 Mr. Lumley to elaborate on those, but I think that's  
7 really best way to do this, so that we cover the bases.

8 So using the ordinance as our guide. The first  
9 one is really an interesting one. This question of -- of  
10 apodments, which is a term of art applied to, really,  
11 market rate dormitories, is what they really come down to.  
12 And they're a way -- they are a way to avoid being  
13 considered multifamily housing, even though, in fact,  
14 that's largely what they are.

15 They don't fit in with what we consider  
16 appropriate housing in single-family areas. They don't  
17 even fit in with what we consider appropriate housing in  
18 multifamily areas.

19 They're a dormitory. They're a rooming house.  
20 They're not what fall into our definition of family --  
21 excuse me -- as it applies to a single-family house or a  
22 multifamily house.

23 So rather than get into some complex means of  
24 trying to limit them, we've simply turned the definition  
25 to family, and said there are some versions of housing,

1 which you can argue over how they go up, but we don't  
2 really care, we're just saying we know that. They're not  
3 what we have in mind.

4 They include dormitories, fraternities,  
5 sororities, motel, hotels, rooming houses, boarding  
6 houses, and now suggesting that it should say apodments.

7 We should have a -- a -- perhaps a definition of  
8 what that means, but I think that anything that follows  
9 this model of having a common kitchen, but multiple rooms  
10 of unrelated people is -- is really what we're talking  
11 about. It's that rooming house or dormitory type of  
12 setting.

13 Any questions about what we've done with that?

14 Minimum district size. This is an interesting  
15 one because every now and then we discover the code  
16 doesn't say what we thought it said.

17 We have always told people, when they called and  
18 said can I rezone this piece of property to a certain  
19 residential district or commercial district, well, it  
20 doesn't meet the minimum. What's that. Well, the  
21 exception of GC, that's 5 acres. One of the Planning  
22 Zoning business allows 3.5.

23 Well, upon further research, it turns out that's  
24 not the case for single-family housing. And I think that  
25 it's important that it do say that, because while there's

1 always accusations of spot zoning when things get changed  
2 from one district to another, what actually is spot zoning  
3 is a lot harder to approve than a G.

4           If you take a 4.5 acre piece of ground in the  
5 A Zoning District, and in some cases you can do that with  
6 just two lots, but then rezone it to B or C, doesn't  
7 necessarily constitute spot zoning. It's still  
8 single-family housing. They're still fairly large lots.  
9 But you could get more houses out of 4.5 acres out of B or  
10 C than you can with A. And it becomes difficult, and  
11 while the City might have the discretion to deny it,  
12 ultimately it still is a situation that we should avoid in  
13 the first place.

14           If we believe that subdivisions are large enough  
15 to have a neighborhood feel to them, then anything less  
16 than 5 acres really is pretty tough to accomplish without  
17 going to very small lots.

18           Yes, you can do it, but very small lots. But in  
19 the A District, you don't want that. That's not what the  
20 Comprehensive Plan suggests. And in order to be thorough  
21 about that standard, we think you should incorporate that  
22 into the Zoning Code. 5 acres certainly can make it  
23 larger, but, for example, the recently approved  
24 subdivision on Conway just meets that mark. And I think  
25 that that subdivision is perfectly appropriate. If it

1 were cut down into the B Zoning District, then I think  
2 you've got something else altogether.

3 So 5 is sort of a, I think, appropriate number,  
4 and you'll see that incorporated into the A, B and C  
5 Districts.

6 The B District has an extra trick in it, in that  
7 at some point, and I don't know specifically the  
8 timeframe, one of the subdivisions were approved with  
9 narrow side yards, 7.5 on side yards, which would be too  
10 narrow by today's standards.

11 And in response to a lot of problems, there's  
12 still Board of Adjustment. A special condition was  
13 written in for all of these unique subdivisions wherein  
14 you could keep that side yard when you added on to the  
15 house or renovated the house.

16 Well, this becomes kind of difficult to  
17 reconcile against some of our nonconforming standards when  
18 you say you can't expand a nonconforming.

19 Also runs up against, again, the Comprehensive  
20 Plan that says we should maintain the open nature of the  
21 City as much as possible, the open green spaces. Because  
22 when you look at a lot of those pre-1983 subdivisions,  
23 which are affected by that section, they tend to be  
24 smaller houses and they tend to be the ones that get torn  
25 down and replaced with the big houses. And if they're at

1 7.5 feet from the property line or 8 feet from the  
2 property line, that's really not the setting that the A,  
3 B -- A or B Districts really permitted.

4 So I think that it's -- it may been fine in '83,  
5 when they didn't picture the types of houses that are  
6 taking place now.

7 So what we would suggest as a reasonable  
8 opportunity here for people that have these nonconforming,  
9 but not a complete violation of the -- of the open space  
10 expectation is that any expansion within that area, that  
11 7.5 to what is normal, 15-foot setback, is limited to  
12 10 percent. They can renovate. They can make it part of  
13 an addition. They can do some subtle alterations. But it  
14 doesn't suddenly become this very large wall right there  
15 at the property line, have no reason to expect.

16 And, frankly, I think we look at it relative to  
17 most of the City. So that's a -- a number that's chosen  
18 to try to provide some opportunity, but not an unlimited  
19 opportunity. If you feel like it should be more or less,  
20 we can do that, but let's say it's a starting point for  
21 conversation.

22 And before we lose it, I'm going to stop there  
23 and see if any of you want to play with that number.

24 MR. FARON: Question actually about, so we're  
25 looking, if there's a tear-down in the -- in B --



1 MR. LANGDON: Uh-huh.

2 MR. FARON: -- you're allowed a 10 percent  
3 increase in terms of your ground for square footage.

4 MR. LANGDON: Within that space.

5 MR. FARON: Within that 7.5, say, to 15. So  
6 we're looking at, instead of having someone come in and  
7 tear down right up to that 7.5 with that brand new home,  
8 they're getting by with the pre-1983 standard, and we're  
9 going to try to pull that back within a 10 percent  
10 increase in ground floor?

11 MR. LANGDON: And then once you went beyond the  
12 15 feet, you could make it as large as the FAR and site  
13 covered lot.

14 MR. FARON: So if you could go -- I mean if you  
15 limited to that ground floor, you can, second floor,  
16 whatever, still can be ginormous, but it's going to be  
17 controlled on encroachment of your neighbor, per se, in B,  
18 pre-1983?

19 MR. LANGDON: Correct.

20 MR. FARON: A lot of our mid-century ranch kind  
21 of subdivisions are of that nature?

22 MR. LANGDON: Yes.

23 MR. FARON: Thanks for the clarification on  
24 that. Thank you, Paul.

25 MR. CARNEY: I have a question too.

1           What -- what if they're already at the 7.5, and  
2 they want to double the size of their house backwards,  
3 but, you know, conform to that 7.5, is that affected by  
4 this or --

5           MR. LANGDON: When you say go backwards, you  
6 mean towards the back of the lot?

7           MR. CARNEY: Say they want to expand their  
8 house, but they want to go back, back yard, or not towards  
9 the side, can they make a gigantic house, but still have  
10 part of it?

11          MR. LANGDON: Yeah, I think you have -- what you  
12 have is an L-shaped house. Only 7.5 feet would be the  
13 amount in question where that could come up closer to the  
14 neighbor, and then once beyond the 15 foot, then you could  
15 go back as much as the district.

16          MR. CARNEY: So you could get some funky designs  
17 if you do this?

18          MR. LANGDON: Yeah, but I would say most of our  
19 houses are not square or rectangular. They're usually --  
20 have some irregularity to them, so I don't think it's all  
21 that unusual. But it will stop that entire side wall  
22 being at 7.5.

23          MS. KISTNER: My -- my perception is that  
24 10 percent is probably okay, because that -- that stock of  
25 houses, the ground floor square footage tends not to be

1 that great anyway, so you're probably looking at maybe  
2 1,000 square feet.

3 MR. LANGDON: Within that setback area,  
4 that's -- that's going to be even smaller than that, so  
5 10 percent is --

6 MS. KISTNER: So it's 10 percent of the area in  
7 that between the 7 and -- okay, not --

8 MR. LANGDON: Yeah.

9 MS. KISTNER: -- not 10 percent of the entire?

10 MR. LANGDON: Correct.

11 MS. KISTNER: Okay. I misunderstood that.

12 So one other question. Is that kind of a  
13 one-time only? I mean is it conceivable that somebody  
14 could keep, you know, adding another 10 percent, another  
15 10 percent?

16 MR. LANGDON: What it does is reference the  
17 square footage as of that day --

18 MS. KISTNER: Okay, perfect. That's all I  
19 wanted.

20 MR. LANGDON: Well, I mean if they didn't use  
21 all the 10 percent, they could keep going up till they  
22 did, but --

23 MS. KISTNER: That would be -- Okay.

24 Carl.

25 MR. LUMLEY: Just to clarify one point.

1           The language staff wants on this item is the  
2 language in staff report. It doesn't match the ordinance.

3           MR. LANGDON: Oh, yes.

4           MR. LUMLEY: And so may have been looking at --  
5 that was the initial version is in the ordinance, but the  
6 staff recommendation, we need to catch up to is in the  
7 staff report packet on page 82.

8           So if you're looking at the other one, you're  
9 questioning --

10          MS. KISTNER: Okay, so this language in the  
11 staff report is -- okay.

12          MR. LUMLEY: So when you said incorporate that.

13          MR. LANGDON: We have a motion to incorporate  
14 staff report.

15          MR. LUMLEY: Another, I didn't catch before, did  
16 you want apodment slash micro apartment as in the staff  
17 report, cause the micro apartments not in the ordinance.

18          MR. LANGDON: I think -- I think that probably  
19 to avoid debates over what we meant by that, we probably  
20 should or just provide the definition of apodment, which  
21 does include.

22          MR. LUMLEY: No, I don't want to do that.

23          MR. LANGDON: Okay. Fair enough.

24          MR. FARON: I ask, Paul, that 10 percent, what  
25 is that, is that a type of standard or that number, I know

1 you were asking about that, was that just an industry  
2 standard for a situation like this or --

3 MR. LANGDON: No, it's, I think that what  
4 you're -- what we're trying to do is come up with  
5 something that provides some meaningful amount, but that  
6 doesn't go to sort of a meaningless amount of discretion.

7 By that I mean if they can -- if we set that  
8 percentage very high, well, then the standard really  
9 doesn't accomplish what we meant to.

10 Well, they've got so much latitude, and who  
11 knows if they'll actually impact the neighbor or not.  
12 10 percent, I don't think they will. When you get up to  
13 30 or 40, yeah, that can become substantial.

14 What is the magic number there? That's  
15 subjective.

16 MR. FARON: Thank you.

17 MR. LANGDON: Moving on. We have a couple minor  
18 changes to eliminate old sections of the code that really  
19 necessary, class, sizes, classes one and two. We don't  
20 have a big problem with converting old houses to offices  
21 anymore, so I don't think the code needs to deal with  
22 that.

23 Accessory buildings, solar collectors, I only  
24 raise that because they're fairly new, and the courts are  
25 dealing with this recently, and we're trying to keep it in

1 line with what's expected. Also state law affecting  
2 tenants is reflected in the code and what we can and  
3 cannot. Those are fairly -- fairly tight standards.

4 We have a little bit, at the section on site  
5 plans, a lot of individual changes, and the biggest one  
6 relates to the question of what to do in the minor site  
7 plan.

8 And right now, the way the code reads is we have  
9 really three things that can happen.

10 Somebody proposes some change to a site that's  
11 already built, and we look at it and say, well, that's not  
12 really a substantial change from what was approved.  
13 There's no additional coverage, it's just a small thing.  
14 We issue a permit for it and they get it done. If they  
15 note that it is a substantial change or there's site  
16 coverage increase, they're adding parking or making the  
17 building larger, going into green space to do it, then  
18 that comes to you all most of the time, and within that  
19 one district of the City, it goes also to the City  
20 Council.

21 And then you have full site plan, site  
22 development plans that must come to you, and site concept  
23 plans which also go to City Council.

24 The real issue is when you get to a very small  
25 project that technically does have an increase in

1 coverage, but it's still effectively true, and does that  
2 still need to come to the Planning Commission.

3 Are there not times when a building permit could  
4 be issued, worked on and we keep the project moving, when  
5 you have been a little more business friendly, but we  
6 haven't done something that is a complete change to the  
7 site or a rearrangement of things that is not acceptable  
8 to the community.

9 Well, that's really a question of whether or not  
10 you trust the staff's judgment. And while, at first  
11 blush, this would appear to be suddenly giving us some  
12 discretion that we didn't have before, in reality, we've  
13 always had it. The only difference was site coverage.

14 The code is very clear that if you have any  
15 increase in site coverage, it's a minor site plan, that  
16 must be provided to the Planning Commission.

17 Site coverage isn't always an indicator of some  
18 major change. Minor site coverage can also be just that,  
19 minor. And it doesn't need to come to you all. Doesn't  
20 need to slow down a project. Doesn't need to occupy your  
21 evening. Doesn't affect anybody negatively.

22 But there is that discretion. There's always  
23 been that discretion for staff to determine if something  
24 is a substantial change or not.

25 So this certainly isn't anything new. It is a

1 minor expansion of the discretion afforded the staff to  
2 say, no, this really hasn't reached minor site plan level,  
3 it doesn't need to go to Planning Commission, we can  
4 handle that at the staff level.

5 If, however, you feel like that is a bridge too  
6 far, then, certainly, we can drop this out. But there's  
7 no state law driving this. There's no obligation to do  
8 this. This is one of those voluntarily.

9 Any concerns with that?

10 I know you have email communication in front of  
11 you that was submitted from the public, and I think  
12 they're here this evening to speak to that, so can discuss  
13 that more later.

14 MS. KISTNER: Can I ask a couple questions here.

15 Just the -- in trying to read the red line  
16 version --

17 MR. LANGDON: Yeah.

18 MS. KISTNER: -- well, blue line in this case.

19 And the staff memo, I still wasn't entirely  
20 clear.

21 Would this, first of all, would any change at  
22 all to how CD District changes are reviewed?

23 MR. LANGDON: Yes.

24 MS. KISTNER: And the current CD District is  
25 that the City Council has to review and approve any and



1 all development and redevelopment plans, but would -- if  
2 there are minor -- minor site plans, I'm not sure what  
3 that -- what the standard is for CD and whether that would  
4 change under this.

5 MR. LANGDON: It would not change most plans,  
6 but if we're talking about a more recent plan or minor  
7 issues, then, yes, it would just be handled at the staff  
8 level rather than come --

9 MR. LUMLEY: Staff or P&Z.

10 MR. LANGDON: Right. Just want to find the  
11 actual section.

12 MR. FARON: Section 12. 87, Section 12.

13 MR. LANGDON: So many, I can't keep track of  
14 them.

15 MR. LUMLEY: Section 12.

16 MR. LANGDON: Section 12.

17 MR. LUMLEY: The City Council wouldn't have to  
18 look at a minor site plan, but then when you look at other  
19 changes, if staff feels it's relatively straightforward,  
20 they can approve it. If they think it requires conditions  
21 of approval or recommending denial, P&Z.

22 MS. KISTNER: And that would be for?

23 MR. LUMLEY: 5,000 square feet.

24 MR. FARON: Does the ordinance even include  
25 goods also.

1 MR. LUMLEY: It's already in there. You go  
2 to --

3 MR. FARON: I didn't see City Council.

4 MR. LUMLEY: That's just clarifying that the  
5 City Council doesn't have to look at it. But when you get  
6 to the site plan section it says.

7 MR. FARON: What's that? Is that --

8 MS. KISTNER: I would -- I would find it useful,  
9 in order to evaluate this particular one, to see some  
10 prior examples of minor site plans that previously would  
11 have absolutely required P&Z approval, and would no longer  
12 under this, just to get some sense of -- the level of -- I  
13 just am not pulling up anything in my head that's helping  
14 me.

15 MS. KELLY: The one I can think of that best  
16 describes it would be the former Eggleston Eye Care  
17 building at 633 -- or 605 Emerson, where the new owners  
18 were changing the front canopy and adding new landscaping,  
19 and that was a minor site plan that was reviewed at P&Z as  
20 well as City Council.

21 I think another good option --

22 MS. KISTNER: City Council.

23 MS. KELLY: Because it was -- it was a  
24 redevelopment of the site, and the code requires that  
25 all -- all projects within that area require City Council

1 approval.

2 MS. KISTNER: In CD District?

3 MS. KELLY: In the CD District, yeah.

4 I think that's an excellent example of what  
5 could just be handled here at P&Z and not going to City  
6 Council.

7 I can't remember -- I think also the -- the  
8 new -- the shopping center just on Ballas across -- on Rue  
9 De La Banque, as well, they were doing facade changes,  
10 they weren't adding any space, but it wasn't a change to  
11 the building, and also minor site plan was reviewed at  
12 P&Z, and also required to go to City Council.

13 That -- that -- whereas, in other areas of the  
14 City, that is only just at P&Z review, it would not go to  
15 Council.

16 MR. FARON: Because of the district location,  
17 basically?

18 MS. KELLY: Correct.

19 MS. KISTNER: My -- I don't know what -- are we  
20 at a point discussing or still going?

21 MR. LUMLEY: We should complete the public  
22 hearing before you --

23 MS. KISTNER: Yeah.

24 MR. LUMLEY: -- start discussing.

25 MS. KISTNER: Yeah. Okay.

1 MR. LANGDON: Okay. Then moving on.

2 The question of notification.

3 Right now we provide notification and signs  
4 boarded out front. If it's a text amendment, we put the  
5 sign on City property out front of City Hall. We put it  
6 on the website. We advertise it in the newspaper. And  
7 we're also required to put it in the newsletter.

8 And at the time that that was brought in, there  
9 was a lot of concern that the public was not aware the  
10 text amendments were being made, because they were not  
11 receiving direct mailing. And we can't afford to send out  
12 direct mailing to every household every time a text  
13 amendment comes. We do ten to fifteen a year.

14 And the newsletter was there as a thing that we  
15 do anyway, so why not just put them in the newsletter.

16 Well, that caused some concern about the  
17 timeframe, and the feeling, at the time was, well, you  
18 know, it's a text amendment, it's a big deal. We should  
19 take the time to make sure the people know.

20 That's fine, except that what goes into making  
21 the newsletter is more than I think we realized at the  
22 time. And it's become more so over time. And we don't  
23 even control a lot of it, it's the printer that controls a  
24 lot of it, the printer and mailing house.

25 So, essentially, the newsletter has to be ready

1 to send out two to three weeks ahead of your first meeting  
2 every month. So if you meet the first Monday of the  
3 month, typically we're done putting the newsletter  
4 together two to three weeks ahead of time.

5 So if we have to, and then that comes out  
6 roughly the first week in the month. So if we have to  
7 have 15 days notice, that means that we have to delay the  
8 meeting until the second meeting of the month, or we have  
9 to go to the newsletter before, which is, you know,  
10 another whole month in advance.

11 The bottom line being you end up with almost  
12 sort of double the notice time or the application time,  
13 double the application time we have.

14 And when it's a staff-generated text amendment,  
15 like this one, that's usually not a problem because at  
16 least take time to form and we can see them coming and  
17 sort of lining up the schedule for it. That's one thing.

18 We do have certain statutes, and we just had one  
19 recently in the City, where that extra month, which is  
20 really what it amounts to most of the time becomes really  
21 problematic for the commercial property owners. They're  
22 trying to accomplish something, whether it's modification  
23 of the building that requires a text amendment, whether  
24 it's a tenant whose use is not listed in our list of uses,  
25 and they want to get it added or -- or some other change,

1 you know, performance standard that they would like  
2 modified.

3 To give you a real life example, we have a  
4 multi-tenant property owner, and we have lots of those,  
5 who wanted a use, which is not currently allowed in their  
6 zoning district. And it's fairly debatable on whether or  
7 not that use should or should not be allowed, but the  
8 point is right now it's not. And it's clearly defined.  
9 It's not debatable point. We know exactly what they are  
10 and what they -- they're coded as in the NICS, so we  
11 really didn't have any latitude to say, well, it is sort  
12 of like this though, and that is allowable, we can allow  
13 that. No, it's really not a debatable point.

14 So the text amendment was the only -- only  
15 option. Well, how long will that take. Well, the  
16 newsletter deadline for the upcoming one is past a week  
17 ago, the next one will be in four weeks, the deadline of  
18 the meeting will be another three weeks after that, so be  
19 almost two months before the hearing. Then you got to go  
20 to City Council for two meetings after that.

21 So you're looking about two to three months to  
22 get one-line text amendment done.

23 No perspective tenant is going to wait that  
24 long, if they have other options, and this one didn't and  
25 they were lost.

1           That points out that sometimes that taking the  
2 extra time has real, and none of the other forms of notice  
3 cause that, still use the website, we still use the signs,  
4 we still use the newspaper, we're still doing everything  
5 we can except relying on the newsletter.

6           If we have the time, will we put it in the  
7 newsletter? Sure, we do it now. There's lots of projects  
8 that we put in there just for notice sake, so the people  
9 know about it.

10           This project tonight, it's not required that it  
11 be in the newsletter, but we keep putting it in the  
12 newsletter so people know about it. That's just practice  
13 though, that's not a requirement.

14           So what we wanted to do is bring it to you all,  
15 and ultimately City Council, and say this is, you know,  
16 talking about burdensome regulation, this one comes close  
17 to it at times for certain circumstances, but it's not a  
18 burden that you all are still comfortable with, and if  
19 not, then it's simply taken out.

20           I think that most of the time the newsletter  
21 notice is not a big deal, it's minor, can be incorporated,  
22 it's a nice way to get things out to people, but once in a  
23 while it really is a big deal, and it really is something  
24 that we do that very few other cities actually require, a  
25 lot do it, but very few actually require it. There's no

1 discretion for that.

2           So, you know, it's really -- is it an economic  
3 development question? Is it a community character  
4 question? It's a public policy. More notice is always  
5 good as a matter of public policy. But economic  
6 development and your efforts in that regard are also  
7 public policy, and you shouldn't have a requirement like  
8 this without at least occasionally asking yourself, is it  
9 still right for you or is it overkill. So we're giving  
10 you that question now.

11           If I were in your shoes, I think I would be  
12 inclined to keep it. But for the sake of staff who have  
13 to defend it, it's a good opportunity for you all to weigh  
14 in and say no. We know we're going to lose some business.  
15 We know we're going to irritate some property owners. But  
16 we think it's that important.

17           And if you don't feel that way, well, then by  
18 all means, we should take it out.

19           MR. ROVAK: And I don't know if this is the time  
20 for discussion or do we wait for public comments and  
21 then --

22           MR. LUMLEY: We should wait until the public  
23 hearing is over.

24           MR. ROVAK: That's okay.

25           MR. LUMLEY: I mean if you have questions,



1 that's different.

2 MR. ROVAK: No, it's not a question, no, I'll  
3 wait.

4 MR. LANGDON: I don't know if I have anything  
5 else to cover.

6 MS. KISTNER: I have one question for you.

7 MR. LANGDON: Uh-huh.

8 MS. KISTNER: Paul, what would be the cost of a  
9 city-wide postcard mailing. Just very roughly, any idea  
10 how much that is?

11 MR. LANGDON: I believe the mailing on the --  
12 the newsletter, very roughly, is about 5,000 copies, so  
13 multiply that by postcard mailing, which is, what, 49  
14 cents, 50.

15 MS. KISTNER: Postcard would be less.

16 MR. LUMLEY: Prices just went up.

17 MR. ROVAK: Well, just printing and  
18 distributing.

19 MR. LUMLEY: It'd be 33 cents.

20 MR. LANGDON: But then there's printing --

21 MR. ROVAK: Then there's the printing and  
22 distributing so.

23 MS. KISTNER: Okay.

24 MR. LANGDON: So, you know, I think you're  
25 talking certainly over \$1,000 every time.

1 MS. KISTNER: Okay.

2 CHAIRMAN MADDEN: I don't think you can fit much  
3 on a postcard.

4 MR. LANGDON: I'm sorry?

5 CHAIRMAN MADDEN: Say you have a couple things,  
6 going to have to be very brief on the back of the  
7 postcard.

8 MS. KISTNER: Well, and I just wanted to have  
9 that cost in the --

10 MR. LANGDON: Yeah.

11 MS. KISTNER: -- record, but we can discuss it  
12 later.

13 MR. LANGDON: And -- and -- and we talked about  
14 that when this change was made originally, cause I was  
15 here at the time, and that was thought about, well, why  
16 don't we just pass that cost through to the applicant.

17 Can certainly do that. Our fees generally are  
18 very reasonable compared to other cities, and we do that  
19 on purpose. We do look at what others are charging and  
20 try not to be on top of the pile there.

21 To throw a \$1,000 or more mailing into every  
22 request, I think would put us at the top of the list of  
23 expectation for this area.

24 Now, go to the east coast or California, all  
25 bets are much more expensive.

1 MR. PULLIUM: What cities around here require  
2 that you are aware of?

3 MR. LANGDON: Require?

4 MR. PULLIUM: Require what we require?

5 MR. LANGDON: None that I'm aware of.

6 MR. PULLIUM: Oh.

7 MR. LANGDON: Require -- actually required in  
8 the newsletter, as far as I know, we're the only ones that  
9 require.

10 Everybody that has a newsletter, I think uses it  
11 that way, but their code doesn't specifically say it must  
12 be in it, to my knowledge.

13 MR. CARNEY: Do you have any knowledge of if  
14 anybody uses more than 300 feet distance from the property  
15 for notification?

16 MR. LANGDON: I couldn't tell you off the top of  
17 my head to name one, but I believe there are some for  
18 certain issues, they extend that range. But I -- that's  
19 only my recollection from conversation. I think I've  
20 heard other planners say, well, we require 500 feet, 600  
21 feet for certain things.

22 The -- the State only requires 185 -- 180, 185,  
23 so we're already well beyond what we have to do, but most  
24 of these are in the 300-foot range, 2, 3, 400.

25 CHAIRMAN MADDEN: Mr. Faron.

1 MR. FARON: Do respective applicants, I guess,  
2 understand that it could be that lengthy of a turnaround,  
3 so generally you're getting pushed back from new business  
4 to the City, and previous business, or the word on the  
5 street is that really need to expect that two to three  
6 months away, possibly would have this read twice by  
7 Council or --

8 MR. LANGDON: Yeah, I mean we always let  
9 applicants know what the timeframe is going to be, and  
10 that's part of the initial conversation.

11 Because of -- this is the only thing that has  
12 all the other forms of application received much more  
13 quickly.

14 And that's the problem, because the word on the  
15 street is that things move fast in Creve Coeur. You have  
16 to be ready for processing, could very well be faster than  
17 you're able to keep up, because they can't turn our  
18 drawings fast enough.

19 We're good at it, and we should be proud of  
20 that.

21 This is the one thing where we -- we drag our  
22 feet on purpose in order to get the section mailing out.  
23 And so any time we get into that conversation, there's  
24 always, you know, the wide eyes, and, really, you know,  
25 why do we have to take that extra month, we're already

1 doing six forms of notice, how much notice do you need.

2 That kind of reaction.

3 So, yes, they always know it before they apply,  
4 and, yes, we always get a negative reaction.

5 MS. KISTNER: One -- one more question on that.

6 Did you consider when you were drafting this  
7 proposed text amendment, instead of having it either --  
8 having it be an option, that hearing would be published in  
9 the newsletter or at the option of the applicant, a  
10 postcard mailing? So that if time wasn't an issue, or if  
11 the actual sequencing was such that the -- that the  
12 newsletter was not going to be a delay factor that they  
13 don't have to choose it, but if they're in particular  
14 hurry, you know, hoping to hold on to a tenant, perhaps  
15 the \$2500 mailing would be a preferable option to waiting  
16 for the newsletter.

17 So did you consider that?

18 MR. LANGDON: We did talk about it, creating  
19 that as an option. There become some concerns in terms of  
20 how do we make sure it was done correctly; how do we make  
21 sure that they actually did mail it to everybody. If it  
22 becomes a, you know, well, you have to show us the mailing  
23 list that you used, how do we know it's correct.

24 MS. KISTNER: But we have a newsletter mailing  
25 list.

1 MR. LANGDON: Right. And so then we end up  
2 doing the mailing, and that becomes the significant burden  
3 on staff, if we're actually generating another whole  
4 city-wide mailing.

5 So on -- not looking to avoid, but I'm also not  
6 looking to --

7 MS. KISTNER: I just mean if a mailing list  
8 exists, it can be out there.

9 MR. LANGDON: Yeah.

10 MS. KISTNER: It simply would supply the mailing  
11 list, they do --

12 MR. LANGDON: Yeah.

13 MS. KISTNER: -- all the rest of the work.

14 MR. LANGDON: It requires a level of trust that  
15 they follow correctly.

16 In other words, when we do the mailing for the  
17 newsletters, well, you do have to trust us, I guess, that  
18 we're doing it correctly as well. It's -- it's an option.  
19 I won't say it's not available.

20 MR. LUMLEY: Just to be clear, because of the  
21 validity of the action depends on performing the required  
22 notice, you know, it has to be in a format that, you know,  
23 somebody files a lawsuit later saying that text change was  
24 illegal, we have the evidence to show that the required  
25 notice was given, so however it's structured, it has to be

1 done in a way that we would be able to demonstrate,  
2 because, otherwise, in theory, somebody could, you know,  
3 seven years later come set aside some change that we all  
4 thought was change.

5 So I'm pretty sure it is acceptable, just keep  
6 that in mind, it was ordered.

7 MS. KISTNER: Okay.

8 MR. CARNEY: Is the newsletter available by  
9 email, or do we just mail it to everybody and you can get  
10 it by email?

11 MR. FARON: It is on the website.

12 MR. LANGDON: Yeah, it's on the website. I  
13 don't know that we email it. It -- I believe the document  
14 is probably too large.

15 MR. CARNEY: Could we create a email list for --  
16 for these notices, people could sign up and get notices if  
17 they wanted to.

18 MR. LUMLEY: We already do that. You can  
19 subscribe to follow P&Z.

20 MR. CARNEY: And I think if we publicize that,  
21 it could go a long way to tell people here's how you  
22 access this information, it won't be in the newsletter.

23 MR. LANGDON: There is the -- yeah. Again, I  
24 didn't -- to have it as a legal form of notice, we don't  
25 really know who's going to get it for sure or not. Email

1 addresses change. You know, it's voluntarily notice,  
2 but --

3 MR. CARNEY: I don't think they should have to  
4 go through the packets and whole thing.

5 MR. LANGDON: Right.

6 MR. CARNEY: If we could just send out a brief  
7 notice like we do in the newsletter, and say here's what's  
8 going on in the next two weeks or whatever.

9 That would be my suggestion.

10 MS. KISTNER: Hear from our public?

11 MR. FARON: Sure.

12 CHAIRMAN MADDEN: Go ahead.

13 MR. LANGDON: That's all the items I have to  
14 present.

15 Again, there are lots of little phrase changes  
16 all the way through this to clarify or -- or correct.

17 MR. PULLIUM: I have a question.

18 Section 16, Minor Site Plans?

19 MR. LANGDON: Yes.

20 MR. PULLIUM: You want to amend that to state  
21 that, "shall be defined as plans for", and then Section C,  
22 "Any proposed alteration that would used to be -- or is  
23 significantly affect the exterior of a building or  
24 redevelopment", and then it goes beyond, and so I think,  
25 as it stands, it defines minor site plans as several



1 things.

2           You suggested "shall be required", and that  
3 would add "new impermeable surface or", and then goes on  
4 "significantly affect the -- the exterior".

5           So you've -- you've added a new level there that  
6 didn't exist before, and I just want to know how that's  
7 going to impact the residents in terms of requiring  
8 something other -- that -- that's not required of them  
9 now.

10           MR. LANGDON: Well, the -- where that came from  
11 is, actually comes out of the section above, it talks  
12 about site development plan and anything that adds 4 to  
13 5,000 feet, and so the question was, well, was that a --  
14 if it's less than that, then is that a minor site plan or  
15 not.

16           So we're trying to say that if you add coverage,  
17 it's still defined as a minor site plan. What changes is  
18 whether all minor site plans have to be reviewed by P&Z or  
19 not. That some can be handled by staff.

20           So the last line of 3C, "Minor site plan must be  
21 approved by the Planning & Zoning Commission", that comes  
22 out, then it becomes as the staff determination whether it  
23 needs to be reviewed by P&Z.

24           But --

25           MR. PULLIUM: Yeah, but you've added a section

1 there, "Adds no permeable surface", and that section  
2 didn't exist before, even though -- so it didn't --  
3 presumably, there's an insignificant proposed alteration  
4 that added, apparently, almost -- well, whatever new and  
5 permeable surface, as added, was insignificant, and,  
6 therefore, minor site plan would not be required. But  
7 here you're saying if it adds any impermeable surface.

8           Isn't that -- aren't we creating a new -- a new  
9 section that does require a minor site plan?

10           MR. LUMLEY: We were trying to address, the one  
11 situation that kind of triggered it was the building of  
12 sport courts, you know, near neighbors, and it wasn't  
13 clear that we could review those and make sure that they  
14 were -- so that they were building them, and now all of a  
15 sudden the neighbors are complaining about the fencing and  
16 things like that. We wanted to just make it clear that  
17 they had to come in at the front end before they sunk  
18 their money into the improvement to make sure that they  
19 had laid it out correctly.

20           MR. PULLIUM: Well, and I -- I think all of us  
21 are probably sensitive to that or recognize that as an  
22 issue because we've certainly seen it here.

23           But what if their -- their new and permeable  
24 surface is de minimis, and by de minimis, I mean less than  
25 10 square feet --

1 MR. LANGDON: Uh-huh.

2 MR. PULLIUM: -- do we really want someone who's  
3 doing something so de minimus come in before, even bring  
4 it to staff or be required to bring such a -- that to  
5 staff, when they don't have to now, or at least probably  
6 don't think they should?

7 A sport court is one thing, that's -- that's  
8 half your yard. But if you're talking about, I don't  
9 know, something -- maybe you can come up with an example.  
10 I don't know.

11 MR. LANGDON: Well, I think --

12 MR. PULLIUM: A concrete pad for my bird feeder,  
13 I don't know.

14 MR. LANGDON: Yeah --

15 MS. KISTNER: A pathway. A walkway from your  
16 driveway to your house.

17 MR. PULLIUM: Sure. Yeah, I might not want to  
18 see.

19 MR. ROVAK: Maybe I'm reading it wrong.

20 I see, first going back up to 2, the full site  
21 development plan, it says, even if it's less, but if it  
22 brings the total up to 5,000, so that's one situation.

23 Then the minor is still saying brings the  
24 total -- more than one -- provided the sum total does not  
25 exceed 5,000. So you're still -- you've still got that

1 threshold. You -- and it might be a matter of  
2 incrementally getting past that threshold, but still  
3 seeing that size.

4           So 10 square feet by itself would not mean  
5 anything, but if you pushed everything to, you're staying  
6 just under the radar, and you're at 4,990, and now you add  
7 50 square feet, now you've -- you've come up for air,  
8 you've come to the surface, and you brought it to the --  
9 now you're at the attention of something that needs that  
10 minor site plan.

11           That's how I --

12           MR. HOWARD: I would ask Carl that question,  
13 because as C reads, it says, "Any proposed alteration that  
14 would add new and permeable surface or significantly", and  
15 then goes on to address how you just mentioned it.

16           So I think that what this does is exactly what  
17 Mr. Pullium says, add an extra layer.

18           And I'm just thinking of having redone my  
19 driveway, and that's the flatwork, something specifically  
20 not been reviewed. But then would I have to come in with  
21 plans for the City to make sure that the new driveway was  
22 poured in the exact same place as the old driveway  
23 because -- running the risks that somebody had some  
24 dimensions on record with the City that now we're the same  
25 as, you know, same thing.

1 But this word "or" here adds a level.

2 MR. ROVAK: But then goes "Provided that any  
3 such expansion", which seems to qualify it.

4 MR. LUMLEY: It's -- it's saying this only  
5 applies to less than 5,000 square foot change, so if you  
6 go above that amount, you're in the site development --

7 MR. ROVAK: Right.

8 MR. LUMLEY: -- plan.

9 You know, I mean -- I mean Mr. Howard's reading  
10 is correct.

11 You could add the word "significant" there if  
12 you wanted to. We already had that discretion as to the  
13 building exterior, so that staff could say, you know,  
14 putting in a bird feeder, don't need to come to City Hall,  
15 but --

16 MR. LANGDON: Well, I think also you have to --  
17 you have to bear in mind the change that's under H3, for  
18 the review procedure for a minor site plan, City  
19 Administrator receive the application and determine  
20 whether it's compliant. Upon that determination, either  
21 approve the minor site plan or if the Zoning Administrator  
22 determines that he or she recommends any action other than  
23 unconditional approval that it move forward.

24 So if you come in and you show me a diagram of  
25 your -- your 10 by 10 concrete pad or whatever, and I look

1 at it and say, well, that's -- that's a minor issue, I can  
2 just approve that, then it doesn't come to Planning  
3 Commission. It's just done.

4 Now, the other wrinkle in this, and this is the  
5 only place where this comes from, and Mr. Howard brings up  
6 in example driveways.

7 Right now we don't have any clear permit  
8 requirement for a driveway once you have the right of way.  
9 You're looking in the right of way, yes, but beyond that,  
10 no.

11 The development plan does speak to driveway  
12 construction. But I can't tell you how many properties  
13 we've run into that are limited site coverage or right at  
14 the edge because they've expanded the driveway. We didn't  
15 know anything about it.

16 And while we wouldn't have said anything about  
17 how they're building it, we could have at least warned  
18 them, hey, you're about to blow through your site coverage  
19 limit or you're going to put yourself right on the edge,  
20 so the next time you come in for anything that requires a  
21 permit, the answer is no, because your driveway's too big.  
22 And then they start.

23 I'm not kidding, it happens all the time. The  
24 driveways that we get in place of permeable pavers. How,  
25 many times is it a driveway. It's a circular driveway or

1 it's got a big hammerhead in it, or they've enlarged it  
2 for the basketball court because nobody checked it because  
3 we had no means to check it.

4 This at least puts an obligation on somebody to  
5 check and see if there's a problem. And if there's not,  
6 it's not even subject to a permit. None. Move forward.

7 But if there is, you've gotten fair warning, and  
8 it if requires a permit, now we can actually get it done.

9 CHAIRMAN MADDEN: Yes, Mr. Howard.

10 MR. HOWARD: I have a question for Mr. Lumley.

11 Back up to minor site plans, shall be and it was  
12 defined as plans for, and then so that was -- this was the  
13 definition of a minor site plan. The minor site plan  
14 without it being capitalized.

15 Is this then defined someplace else, because --

16 MR. LUMLEY: Well, that's --

17 MR. HOWARD: -- this takes -- this was the  
18 definition of a minor site plan, but now that's deleted,  
19 and it is now required in these situations.

20 So unless a minor site --

21 MR. LUMLEY: We're going to probably need a  
22 definition because it just tracks through how do you  
23 approve a minor site plan. I mean there's very specific  
24 detail about what a minor site plan application must  
25 contain.

1           So this is what you need to do, and then there's  
2 a section that says, well, what does that application look  
3 like, and then there's a section that says approval.

4           So I would -- I'd help clarify the situation to  
5 not just define it, but say this is when you need this  
6 kind of approval.

7           MR. HOWARD: So then this -- this minor site  
8 plan down here is a -- it's not a previously defined term  
9 or a condition capitalized?

10          MR. LUMLEY: It's kind of defined by what the  
11 application must consist of, which is in F.

12          CHAIRMAN MADDEN: Ms. Kistner.

13          MS. KISTNER: On the, you know, adding in the  
14 new permeable surface, I can understand why addressing  
15 that makes sense. But would it be helpful to have some  
16 kind of basic exclusion, like new and permeable surface  
17 over 50 square feet, 60 square feet, 100 square feet?  
18 Something that at least made it clear that if you were  
19 putting paving stones, you know, walkway, that you were --  
20 you didn't even have to go through the process to ask.  
21 You put some kind of level on it, and I don't know if 100  
22 square feet is too big, but some minimal level.

23          MR. LANGDON: Sure. I mean I think it sort of  
24 helps define where we're involved and where we're not is a  
25 good thing.



1           So I don't have an issue with that. We were  
2 just trying to, you know, create as much discretion as  
3 possible, but I understand, and, yeah, so what's the kind  
4 of like the 10 percent role, what's the right amount? I  
5 don't know. Think in terms of what things actually are.  
6 You know is a reasonable patio size 10 by 10 at a minimum,  
7 you know, do you want to build less than that kind of  
8 thing.

9           So it figures out some perimeters and what you  
10 would consider too small to be of interest in the City.

11           You know have a half acre lot, 20,000 square  
12 feet, 1 percent being 200 square feet, so, you know, that  
13 would be a 1 percent change.

14           So there's -- there's different ways to look at  
15 it. Majority of the land in the City is zoned A, it's 1  
16 acre lots, so 1 -- 1 percent of that, 400 square feet, to  
17 give you a rough estimate.

18           MS. KISTNER: Hear from the public?

19           CHAIRMAN MADDEN: Pardon me?

20           MS. KISTNER: Hear from our --

21           CHAIRMAN MADDEN: Yeah.

22           Are you all done?

23           MR. LANGDON: Yes, sir.

24           CHAIRMAN MADDEN: Everybody?

25           You done too?

1 MR. LANGDON: Yes, sir.

2 CHAIRMAN MADDEN: Okay.

3 Linda Rezny.

4 MS. REZNY: Linda Rezny, 104 Graeser Acres.

5 Some of the proposed changes -- so you -- you  
6 all got this, right?

7 CHAIRMAN MADDEN: Uh-huh.

8 MS. REZNY: Okay.

9 And actually you covered some of the stuff  
10 that's in here, so I'm going to maybe delete stuff a  
11 little bit.

12 Okay. Because some of the -- most changes are  
13 housekeeping, but others are potentially much more  
14 important than that.

15 And that's -- the one section that dropped the  
16 publishing changes in the Zoning Ordinance in the  
17 newsletter.

18 And the other section that deals with what the  
19 staff decides and what has to go to the Commission or the  
20 Council.

21 This comes at the same time the City is losing  
22 Paul Langdon as Director of Community Development.

23 The changes would put more decisions in the  
24 hands of the planning staff at a time when institutional  
25 knowledge is being lost. There are reasons the Commission

1 and the Council have these responsibilities, and now is  
2 certainly not the time to give more powers to a new and  
3 untested director.

4           Section 15 on page 5 drops the requirement to  
5 inform the residents in the newsletter about hearings  
6 involving zoning rules changes.

7           Currently if the City wants to amend Zoning  
8 Code, they have to publish the change and hearing day in  
9 the newsletter, and dropping that newsletter notification  
10 means important changes could be made before many people  
11 had the opportunity to know about it and attend the  
12 hearing. According to the opinion poll, the newsletter is  
13 widely read.

14           Website notification exists, but a sizeable  
15 minority of residents are not that tech savvy, and there  
16 are those who don't have email.

17           Okay. You, of course, all do. But you have a  
18 sizeable older-than-me population, and they are not that  
19 tech savvy, and those who are up-to-date technologically  
20 have enough to do keeping up with email and social media,  
21 and don't need to check -- and don't check the website  
22 before each meeting.

23           So changing the zoning rules is not a frequent  
24 occurrence, and can be of great import to others besides a  
25 developer.

1           If a developer or the City wants to change the  
2 zoning rule for all of Creve Coeur, they should expect it  
3 might take a bit longer than for changing the zoning  
4 parcel.

5           If you want to shorten the lag time, move the  
6 deadline for submitting the material to the printer closer  
7 to the printing date and the printing date closer to the  
8 mailing date.

9           And I would add here that there are places where  
10 you can walk in and say I want to have this book, at a  
11 book store, and they will print the whole book for you  
12 right there.

13           If you were running for office, I don't think it  
14 would take you that long to come up with new copy and have  
15 it mailed out.

16           So push -- push the printer. Okay. That could  
17 be done more rapidly.

18           Another option would be to have a section in  
19 your newsletter that was an open space or putting in  
20 something at the last minute. Okay. And if it -- you  
21 would have a -- a -- an optional thing that you could  
22 add -- that you could put in there, but it could be pulled  
23 and that would be where you would put in something at the  
24 last minute.

25           It shouldn't take all this time just to get your

1 newsletter out.

2           Okay. So Section 16 on page 6 makes changes and  
3 clarifications about what Planning & Zoning staff can do  
4 without consulting the Planning & Zoning Commission, which  
5 is the appointed voting body, or the Council, the elected  
6 voting body.

7           For example, minor changes would be in the hands  
8 of staff. And these minor changes are not the color of  
9 the building or the landscaping. They are bigger things  
10 like expansion, changes in use in addition to building or  
11 paving less than 5,000 square feet, which you were just  
12 now talking about.

13           For example, now if you add a 90 by 100 foot  
14 area for a building, adding that much paving, that's  
15 minor. But minor is to the neighbors or the environment.

16           So I think that some of these things you need to  
17 redefine minor as being something really small, instead of  
18 saying that things that are actually bigger, but are  
19 called minor, are all handled by the City. Okay. You  
20 need to redefine minor.

21           And then other parts of this section, for  
22 example, J on page 14, are leaving decisions at the  
23 Planning Commission, cutting out review by the elected  
24 Council. These are also not places to cede the power of  
25 the Council.

1           The City is constantly balancing the needs of  
2 residents and developers; balancing the need for income or  
3 new business with current businesses and residents;  
4 balancing the perception of the residents and the  
5 businesses that they are given a fair hearing; balances  
6 speed with fairness.

7           To maintain these balances, the appointed and  
8 elected persons of the Commission and the Council can not  
9 relinquish their important powers. Nor should they leave  
10 the residents out of the loop by dropping the newsletter  
11 notice for text amendments.

12           These comments would been better informed if I  
13 had had Paul Langdon to consult before the meeting,  
14 because I'm still not clear on how some of these things  
15 were worked out.

16           I suspect Paul and the rest of the staff were  
17 busy with his farewell afternoon.

18           Paul and I do not always agree, but he has  
19 always patiently listened and given pertinent and unbiased  
20 answers.

21           You are losing Paul, who keeps your sense of  
22 balance. Don't lose the Commission's power or the  
23 Commission's power -- no, I'm sorry -- or the Council's  
24 powers that help keep the balance.

25           CHAIRMAN MADDEN: Thank you.

1 Joe Levy.

2 MR. LEVY: Hi, Joe Levy, and I live at 1100  
3 Dautel Lane.

4 CHAIRMAN MADDEN: Just a minute. I think he  
5 needs to fix that so that it will record for you. He  
6 just --

7 Could you state your address when you get it  
8 back, please.

9 MR. LEVY: Okay.

10 CHAIRMAN MADDEN: Thank you.

11 MR. LEVY: Joe Levy, and I'm at 1100 Dautel  
12 Lane.

13 And thank you very much for your service, Paul.

14 I want to take an issue at the -- the amount of  
15 time that would be taken for printing. That's quite a  
16 long time. I'd say you shouldn't take that long to -- to  
17 printing.

18 And the example that you gave for the apartment  
19 person, that's not really a fair assessment because its  
20 tenant would be gone for -- if he had waited for seven  
21 weeks, I don't think that that would have gone -- been  
22 still available.

23 So that's -- that's the two things that I wanted  
24 to say.

25 The other thing that -- the newsletter makes the

1 Planning Commission more accessible and less opaque.

2 At a time when City government is really being  
3 opened to its citizens, you should not lose that one thing  
4 that is allowing it to be more open.

5 That's what I have to say.

6 CHAIRMAN MADDEN: Thank you very much.

7 MR. LUMLEY: Mr. Chairman, I offer the following  
8 exhibits into the record of this public hearing.

9 Documentation of the City Clerk reflecting the  
10 public notice; the staff's report, Ms. Rezny's email of  
11 June 15, 2015, and Mr. Kutz' (phonetic) email on the same  
12 date, the City Code of Ordinances, the Charter, the City's  
13 Comprehensive Plan, the public file regarding this  
14 application.

15 CHAIRMAN MADDEN: Okay. That'll close the  
16 public hearing.

17 (The public hearing was closed.)  
18  
19  
20  
21  
22  
23  
24  
25



STATE OF MISSOURI       )  
                                          ) SS  
COUNTY OF ST. LOUIS   )

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

\_\_\_\_\_, RPR, MO-CCR, IL-CSR, KS-CCR  
Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

Meeting: 07/27/15 07:00 PM  
Department: Legislative /City Clerk  
Category: Policy  
Prepared By: Debbie Ryan  
Department Head: Debbie Ryan

**SCHEDULED**

**ORDINANCE**

---

**Bill No. 5554 - an Ordinance of the City Council of the City of  
Creve Coeur, Missouri, Reestablishing and Making Public  
Previously Established Methods of Disclosing Potential  
Conflicts of Interest and Substantial Interests Pursuant to  
Section 105.485 of the Revised Statutes of Missouri. First  
Reading**

Reestablishing and making public previously established methods of disclosing potential conflicts of interest and substantial interests pursuant to Section 105.485 of the revised statutes of Missouri.

Ordinance

Meeting of July 27, 2015

BILL NO. 5554

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, REESTABLISHING AND MAKING PUBLIC PREVIOUSLY ESTABLISHED METHODS OF DISCLOSING POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS PURSUANT TO SECTION 105.485 OF THE REVISED STATUTES OF MISSOURI.**

**WHEREAS**, the City has previously established methods of disclosing potential conflicts of interest and substantial interests pursuant to Section 105.485 of the Revised Statutes of Missouri and codified such methods at Sections 130.090 and 130.095 of the Code of Ordinances; and

**WHEREAS**, Section 105.485.4 requires the City to reestablish such matters by September 15, 2015;

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

**SECTION 1.** The City hereby reestablishes and makes public the provisions of Section 130.090 of the Code of Ordinances, a copy of which is attached hereto and incorporated herein as **EXHIBIT A**. The City also reestablishes prior reporting practices by repealing Section 130.095 (adopted 2012) of the Code of Ordinances.

**SECTION 2.** The City Clerk shall send a certified copy of this Ordinance to the Missouri Ethics Commission within 10 days of its adoption.

**SECTION 3.** This Ordinance shall take effect as provided in Section 3.11(g) the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
BARRY GLANTZ  
MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, MPCC

Attachment: Bill No. 5554 (1441 : Bill No. 5554 - Financial Disclosures and Conflicts of Interest)

## SECTION 130.090: PERSONAL FINANCIAL DISCLOSURE REPORTS

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 spouse 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 co-participant 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 has disclosed that information known to them and that their spouse has refused or failed to provide other information upon their 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:

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 forty-fifth (45th) 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 forty-fifth (45th) day after the last day for filing for the election, the statement shall be filed within ten (10) 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 first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that person may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement.



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

Meeting: 07/27/15 07:00 PM  
Department: City Administrator  
Category: Amendment  
Prepared By: Mark Perkins  
Department Head: Carl Lumley

**SCHEDULED**

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## **ORDINANCE**

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# **Bill No. 5555 - an Ordinance Amending Chapter 135 of the Code of Ordinances of the City of Creve Coeur Regarding the Municipal Court. First Reading**

Recent state legislation requires several changes to clarify the city's code of ordinances pertaining to municipal court. In large part, court practices already meet the legislation.

Ordinance

Meeting of July 27, 2015



BILL NO. 5555

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 135 OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR REGARDING THE MUNICIPAL COURT.**

**WHEREAS**, Chapter 135 of the City Code of Ordinances addresses municipal court matters; and

**WHEREAS**, changes in state law (2015 HCS SB5) and Supreme Court rules require revisions to the City's ordinances;

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

**Section 1.** Chapter 135 of the City Code of Ordinances is hereby amended to read as follows:

Chapter 135. Municipal Court

Article I. In General

Section 135.010. Established.

[R.O. 2008 §17-1; Ord. No. 5041 §1, 5-27-2008]

Pursuant to the option granted in Chapter 479, RSMo., there is hereby established in this City a Municipal Court, to be known as the "Creve Coeur Municipal Court, a division of the 21st Judicial Circuit Court of the State of Missouri". This Court is a continuation of the Police Court of the City as previously established and is termed herein the "Municipal Court".

Section 135.020. Jurisdiction.

[R.O. 2008 §17-2; Ord. No. 5041 §1, 5-27-2008]

The jurisdiction of the Municipal Court shall extend to all cases involving alleged violations of the ordinances of the City.

[1]

*State Law Reference — Similar provisions, §479.020(1), RSMo.*

Section 135.030. Superintending Authority.

[R.O. 2008 §17-3; Ord. No. 5041 §1, 5-27-2008]

The Municipal Court of the City shall be subject to the rules of the Circuit Court of St. Louis County and to the rules of the Missouri Supreme Court. The Municipal Court shall be subject to the general administrative authority of the Presiding Judge of the Circuit Court and the Municipal Judge and the Court personnel of such Court shall obey their directives.

[1]

*State Law Reference — Similar provisions, §479.020(5), RSMo.*

## Section 135.040. Court Administrator.

[R.O. 2008 §17-4; Ord. No. 5041 §1, 5-27-2008]

A.

The City Administrator shall designate a suitable and qualified person to serve as the Administrator of the Municipal Court with such assistants as may be needed from time to time. The duties of the Court Administrator shall include the following:

1.

Supervise the personnel and overall operation of the Municipal Court.

2.

Collect such fines for violations of such offenses as may be ~~prescribed~~described and the Court costs thereof.

3.

Take oaths and affirmations regarding Municipal Court proceedings.

4.

Accept signed complaints and allow the same to be signed and sworn to or affirmed before ~~them~~him/her.

5.

Sign and issue subpoenas requiring the attendance of witnesses and sign and issue subpoenas duces tecum.

6.

Accept the appearance, waiver of trial and plea of guilty and payment of fine and costs in Violations Bureau cases or as directed by the Municipal Judge and perform all other duties as provided by Chapters 300 and 479, RSMo.

7.

Perform all other duties as provided for by ordinance, by rules of practice and procedure adopted by the Municipal Judge and by the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and by Statute.

8.

Maintain, properly certified by the City Clerk, a complete copy of the ordinances of the City, which shall constitute prima facie evidence of such ordinances before the Court and, further, on request shall provide a similar certified copy for filing with the Clerk serving the Circuit Court of St. Louis County.

[1]

*State Law References — Municipality to provide, by ordinance, for clerk, §479.060(1), RSMo., see §479.250.*

## Section 135.050. Marshal.

[R.O. 2008 §17-5; Ord. No. 5041 §1, 5-27-2008]

The Chief of Police or ~~their~~his/her designees shall serve as Marshal and deputy Marshals, respectively, of the Municipal Court and shall enforce its orders, judgments and decrees.

## Section 135.060. Continuances and Dismissals.

[R.O. 2008 §17-6; Ord. No. 5041 §1, 5-27-2008]

All applications for continuance shall be made prior to the opening of the Court on the day on which the case is set for trial and at no other time, unless by leave of the Court, and all motions for

dismissal on account of informality or illegality in the papers or proceedings and all other motions not necessarily arising during the trial must be made and filed in writing and argued when the case is called for trial and at no other time, unless by leave of the Court.

### Section 135.070. Violations Bureau.

[R.O. 2008 §17-7; Ord. No. 5041 §1, 5-27-2008]

The City shall provide for all lawful expenses incident to the operation of the Violations Bureau. The Municipal Court Clerk and the deputy clerks are hereby designated as the Violations Clerks for the Bureau.

### Section 135.075. When Person Charged May Appear At Violations Bureau or Before Municipal Judge.

[R.O. 2008 §16-88; Ord. No. 977 §1(2.31), 1-5-1981]

A.

Any person charged with an offense for which payment of a fine may be made to the Violations Bureau shall have the option of paying such fine within the time specified in the citation ~~notice of arrest~~ at the Violations Bureau upon entering a plea of guilty and upon waiving appearance in court; ~~or may have the option of depositing required lawful bail and upon a plea of not guilty shall be entitled to a trial as authorized by law.~~

B.

The payment of a fine to the Bureau shall be deemed an acknowledgment of conviction of the alleged offense and the Bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

[1]

*State Law Reference — Similar provisions, §300.555, RSMo.*

### Section 135.080. Sessions.

[R.O. 2008 §17-8; Ord. No. 5041 §1, 5-27-2008]

There shall be a session of the Municipal Court on such days as determined by the Municipal Judge and all cases set for each day shall be tried on such day at an hour fixed by the Municipal Judge, unless continued on application to or on motion of the Municipal Judge.

### Section 135.090. Procedure.

[R.O. 2008 §17-9; Ord. No. 5041 §1, 5-27-2008]

All decisions of the Municipal Judge and all matters before the Municipal Court shall be governed by the procedural and substantive law of the Revised Statutes of Missouri, Supreme Court Rule 37, the ordinances of the City and case law applicable to Missouri Municipal Courts.

### Section 135.100. Issuance and Execution of Arrest Warrants.

[R.O. 2008 §17-10; Ord. No. 5041 §1, 5-27-2008]

All arrest warrants issued by a Municipal Judge shall be directed to the Chief of Police or any other Police Officer of the municipality or to the Sheriff of the County. The arrest warrant shall be executed

by the Chief of Police, Police Officer or Sheriff any place within the limits of the County and not elsewhere unless the warrants ~~is are~~ endorsed in the manner provided for warrants in criminal cases and, when so endorsed, shall be served in other Counties as provided for in warrants in criminal cases.

[1]

*State Law Reference — Similar provisions, §479.100, RSMo.*

## Section 135.110. ~~Reserved~~List of Persons in Custody To Be Furnished Court — Trial.

~~[R.O. 2008 §17-11; Ord. No. 5041 §1, 5-27-2008]~~

~~It shall be the duty of the Chief of Police to furnish to the Court prior to or at the opening thereof at each session a statement showing the names of all persons arrested since the last session, the offense with which they are charged and the name of the officer who made the arrest and such further information as may be necessary and all persons in custody shall be forthwith tried, if ready for trial. All other persons shall be tried in the order of which their names appear on the docket.~~

## Section 135.115. Records and Reports of Convictions.

[R.O. 2008 §16-95; Ord. No. 977 §1(15.8), 1-5-1981; Ord. No. 5075 §1, 2-9-2009]

A.

The Municipal Court shall keep or cause to be kept a record of every information filed with the court and shall keep a record of every official action by the court, in accordance with State law ~~and/or~~ court rules.

B.

Within thirty (30) days after the final conviction, or forfeiture of bail not vacated, of a person upon a charge ~~of violating any provision of this Chapter~~ for which a report may then be required by the State Director of Revenue, the Municipal Judge or Clerk of the Municipal Court shall prepare or cause to be prepared an abstract of the record of the court covering the case and immediately forward the abstract to the Director. The abstract shall be certified by the person required to prepare the same to be true and correct.

## Section 135.120. Release and Bail.

[R.O. 2008 §17-12; Ord. No. 5041 §1, 5-27-2008; Ord. No. 5058 §7, 9-4-2008; Ord. No. 5264 §1, 8-27-2012]

A.

Any person in custody pursuant to an initial arrest warrant issued by the Municipal Court shall have an opportunity to be heard by the Municipal Judge in person, by telephone, or video conferencing as soon as practicable and not later than 48 hours after being taken into custody, and if not given that opportunity shall be released. Any person in municipal custody shall not be held more than 24 hours without a warrant after arrest. Any person arrested for violation of any ordinance and not released by an arresting officer either pursuant to the bail schedule furnished by the Municipal Judge or otherwise, shall be released from custody pending trial or other proceedings on personal recognizance, unless the Municipal Judge determines in the exercise of discretion that such a release is not sufficient reasonably to assure the appearance of the person as required, or the person poses a danger to a victim, the community or any other person. When such a determination is made, the Municipal Judge may impose any combination of the following conditions of release

which will reasonably assure the appearance of the person as required, taking into account available information, without regard to rules of admissibility of evidence, concerning the nature and circumstances of the charged offense, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, length of residence in the community, record of convictions, and record of appearances at court proceedings or flight to avoid prosecution or failure to appear:

1.

Place the person in the custody of a designated person or organization agreeing to supervise the person;

2.

Place restriction on the travel, association, or place of abode of the person during the period of release;

3.

Require the execution of a bail bond with sufficient solvent sureties, or in lieu thereof the deposit in cash or negotiable bonds of the United States or the State of Missouri or any political subdivision thereof;

4.

Require the person to report regularly to some officer of the court, or Peace Officer, in such manner as the Municipal Judge directs;

5.

Require the execution of a bond in a stated amount and the deposit in the registry of the Court of ten percent (10%), or such lesser sum as the Municipal Judge directs, of such sum in cash or negotiable bonds of the United States or the State of Missouri or any political subdivision thereof;

6.

Place the person on house arrest with electronic monitoring, with all costs associated therewith to be charged to the person, provided the Municipal Judge does not find the person unable to afford such costs;

7.

Any other condition deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

B.

When authorizing the release of a person under this Section, the Municipal Judge shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform the person of the penalties applicable to violations of the conditions of release and shall advise him that a warrant for arrest will be issued immediately upon any such violation. When issuing a warrant for arrest, the Municipal Judge shall likewise set the conditions for release, which shall be stated on the warrant

C.

A person for whom conditions of release are imposed who continues to be detained after twenty-four (24) hours from the time of the release hearing as a result of inability to meet the conditions of release, or who has been ordered to return to custody after specified hours, shall upon application be entitled to have the conditions reviewed by the Municipal Judge who imposed them, which application shall be determined promptly.

D.

The Municipal Judge may amend an order of release by imposing additional or different conditions, subject to the other provisions of this Section and applicable Court rules. The Court shall review such conditions when it enters a judgment.

E.

In accordance with this Section, a person shall be admitted to bail by executing a bond to the City, with sufficient security to be approved by the Municipal Judge in a sum not to exceed one thousand dollars (\$1,000.00), conditioned that such person will appear on the day therein stated before the

Municipal Court to answer to the charge against them and all bonds so taken shall forthwith be filed with the Municipal Judge or the Clerk of the Court by the officer approving and taking the same, ~~and whenever any person shall be arrested and brought before the Municipal Court and for any cause the trial is postponed to a time certain, such person shall be required to enter into a recognizance with security, to be approved by the Court, at the time and place appointed then and there to answer the complaint alleged against them. If any person arrested or brought before the Court shall fail or refuse to enter into recognizance, they shall be committed to jail and held to answer the information filed against them.~~

F.

If the person is not released or does not meet the conditions of release, they shall be committed to jail until discharged by due course of law. There shall be a presumption that releasing the person under any conditions shall not reasonably assure the appearance of the person as required if the Judge reasonably believes that the person is an alien unlawfully present in the United States. If such presumption exists, the person shall be committed to the County Jail as provided in Section 135.200, until such person provides verification of their lawful presence in the United States or otherwise rebuts such presumption. If the person adequately proves their lawful presence or otherwise rebuts such presumption, the Judge shall review the issue of release, without regard to previous issues concerning whether the person is lawfully present in the United States. If the person cannot prove their lawful presence or otherwise rebut such presumption, the person shall continue to be committed to the jail and remain until discharged by due course of law.

[1]

*State Law References — See §§544.455 and 544.470, RSMo.*

### Section 135.130. Arrests Without Warrants.

[R.O. 2008 §17-13; Ord. No. 5041 §1, 5-27-2008]

The Chief of Police or other Police Officer of the City may, without a warrant, make arrest of any person who commits an ~~ordinance violation~~ offense in their presence, but such officer shall ~~promptly, before the trial,~~ file a written complaint with the Court hearing violations of municipal ordinances.

[1]

*State Law Reference — Similar provisions, §479.110, RSMo.*

### Section 135.140. Jury Trials.

[R.O. 2008 §17-14; Ord. No. 5041 §1, 5-27-2008; Ord. No. 5075 §3, 2-9-2009]

To the extent required by *City of Kansas City v. Darby*, 544 S.W.2d (Mo. banc 1976) and subsequent cases, any person charged with a violation of a municipal ordinance of this City involving obscenity shall be entitled to a trial by jury, as in prosecutions for misdemeanors before an Associate Circuit Judge. Whenever a defendant accused of a violation of a municipal ordinance involving obscenity demands trial by jury, the Municipal Court shall certify the case to the Presiding Judge of the Circuit Court for reassignment, as provided by applicable Court Rule and Section 479.150, RSMo.

[1]

*State Law Reference — Similar provisions, §479.130, RSMo.*

### Section 135.150. Duties of City's Prosecuting Attorney.

[R.O. 2008 §17-15; Ord. No. 5041 §1, 5-27-2008]

It shall be the duty of an attorney designated by the [City-municipality](#) to prosecute the violations of the City's ordinances before the Municipal Judge or before any Circuit Judge hearing violations of the City's ordinances. The salary or fees of the attorney and necessary expenses incurred in such prosecutions shall be paid by the City. The compensation of such attorney shall not be contingent upon the result in any case.

[1]

*State Law Reference — Similar provisions, §479.120, RSMo.*

## Section 135.160. Summoning of Witnesses.

[R.O. 2008 §17-16; Ord. No. 5041 §1, 5-27-2008]

A.

It shall be the duty of the Municipal Judge to summon all persons whose testimony may be deemed essential as witnesses at the trial and to enforce their attendance by [subpoena and](#) attachment, if necessary. Any fees of witnesses shall be the same as those fixed for witnesses in trials before Associate Circuit Judges and shall be taxed as other costs in the case. When a trial shall be continued by a Municipal Judge, it shall not be necessary to summon any witnesses who may be present at the continuance; but the Municipal Judge shall orally notify such witnesses as either party may require to attend before the Court on the day set for trial to testify in the case and enter the names of such witnesses on the docket, which oral notice shall be valid as a [subpoenasummons](#).

B.

Officers shall attend as witnesses against persons whom they have arrested without summons [or subpoena](#) and if they fail to appear at the time of the trial, they may be attached and punished for contempt in like manner as witnesses [subpoenaed or](#) summoned.

[1]

*State Law Reference — Similar provisions, §479.160, RSMo.*

## Section 135.170. Use of Depositions.

[R.O. 2008 §17-17; Ord. No. 5041 §1, 5-27-2008]

Depositions taken in conformity with the laws of the State may be read in evidence in any case pending in the Municipal Court in accordance with applicable law.

## Section 135.180. Transfer of Complaint To Associate Circuit Judge.

[R.O. 2008 §17-18; Ord. No. 5041 §1, 5-27-2008]

If, in the progress of any trial before a Municipal Judge, it shall appear to the Judge that the accused ought to be put upon trial for an offense against the criminal laws of the State and not cognizable before a Municipal Judge, the Judge shall immediately stop all further proceedings and cause the complaint to be made before some Associate Circuit Judge within St. Louis County.

[1]

*State Law Reference — Similar provisions, §479.170, RSMo.*

## Section 135.190. Judgment.

[R.O. 2008 §17-19; Ord. No. 5041 §1, 5-27-2008; Ord. No. 5264 §2, 8-27-2012]

If the defendant pleads or is found guilty, the Municipal Judge shall declare and assess the punishment prescribed [or allowed](#) by ordinance [ander](#) Statute according to such finding and render a



judgment accordingly. Prior to rendering such judgment, the Municipal Judge shall allow a defendant to present evidence of their financial condition and shall take such evidence into account when determining fines and costs and establishing any related payment requirements. Additionally, the Municipal Court shall use alternative payment arrangements and community service alternatives as and when required or appropriate for a particular defendant. For violation of ordinances involving alcohol- or drug-related traffic offenses, the Municipal Judge shall order the person to participate in and successfully complete a substance abuse traffic offender program under Section 577.001, RSMo., and the person shall pay the fees for such program as determined by the State Department of Mental Health. In the event a sentence of confinement is ordered executed, the Municipal Judge may order that a person serve all or any portion of such sentence on electronic monitoring with all costs associated therewith to be charged to the person, provided the Municipal Judge does not find the person unable to afford such costs.

[1]

*State Law Reference — Similar provisions, §577.049, RSMo. (302.580 eff 1-1-2017)*

## Section 135.200. Jailing of Defendants.

[R.O. 2008 §17-20; Ord. No. 5041 §1, 5-27-2008]

If, in the opinion of the Municipal Judge, the City has no suitable and safe place of confinement, the Municipal Judge may commit ~~the a~~ defendant who is to be confined to the County Jail and it shall be the duty of the Director of Justice Services, if space for the prisoner is available in the County Jail, upon receipt of a warrant of commitment from the Judge, to receive and safely keep such prisoner until discharged by due process of law. The ~~City~~municipality shall pay the board of such prisoner at the same rate as may now or hereafter be allowed to such Director of Justice Services for the keeping of such prisoner in ~~theirhis/her~~ custody. The same shall be taxed as costs. No person shall be placed in confinement for failure to pay a fine or court costs unless such nonpayment violates terms of probation. No person shall be detained in order to coerce payment of fines and costs.

[1]

*State Law Reference — Similar provisions, §479.180, RSMo.*

## Section 135.210. Parole and Probation.

[R.O. 2008 §17-21; Ord. No. 5041 §1, 5-27-2008]

Any Judge hearing violations of municipal ordinances may, when in ~~theirhis/her~~ judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or who shall be convicted after a trial before such Judge on such conditions as may be imposed, all in accordance with Section 479.190, RSMo.

[1]

*State Law Reference — Similar provisions, §479.190, RSMo.*

## Section 135.220. Right of Appeal.

[R.O. 2008 §17-22; Ord. No. 5041 §1, 5-27-2008]

In all cases tried before the Municipal Court, except where there has been a plea of guilty or a jury trial, the defendant shall have a right to trial de novo before a Circuit Judge or on assignment before an Associate Circuit Judge. An application for a trial de novo shall be filed within ten (10) days after judgment and shall be filed in such form and perfected in such manner as provided by Supreme Court rules and the rules of the Circuit Court of St. Louis County.



[1]

*State Law Reference — Similar provisions, §479.200(2), RSMo.*

## Section 135.225. Failure To Appear — Driver's License Suspension~~Withheld.~~

[R.O. 2008 §16-99; Ord. No. 977 §1(15.12), 1-5-1981; Ord. No. 5075 §1, 2-9-2009]

Pursuant to Section 302.341.1 RSMo, if a Missouri resident charged with a moving traffic violation under City ordinance, other than a minor traffic violation as defined by Section 479.350 RSMo, fails to dispose of the charges through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him or her for any such violation within the period of time specified or in such installments as approved by the Municipal Court or as otherwise provided by law, the Municipal Court shall proceed to follow the procedures set forth in Section 302.341.1 RSMo regarding sanctions upon the person's driver's license.~~If the driver fails to appear at the proper time and place to answer the charge placed against him/her, the Clerk of the Municipal Court shall within thirty (30) days notify the State Director of Revenue of the failure of the defendant to appear and the Director may thereafter withhold any renewal of the license and the issuance of a duplicate license to the licensee, pursuant to the law, until notified by the court that the charge has been reduced to final judgment.~~

## Section 135.230. Breach of Recognizance.

[R.O. 2008 §17-23; Ord. No. 5041 §1, 5-27-2008]

In the case of a breach of any recognizance entered into before the Municipal Judge, the same shall be deemed forfeited and if necessary the Judge shall cause the same to be prosecuted against the principal and surety, or either of them, in the name of the municipality as plaintiff. Such action shall be prosecuted before a Circuit Judge or Associate Circuit Judge and in the event of cases caused to be prosecuted by a Municipal Judge, such shall be on the transcript of the proceedings before the Municipal Judge. All monies recovered in such actions shall be paid over to the municipal Treasury to the General Revenue Fund of the City.

[1]

*State Law Reference — Similar provisions, §479.210, RSMo.*

## Section 135.240. Court Costs — Generally.

[R.O. 2008 §17-24; Ord. No. 5041 §1, 5-27-2008; Ord. No. 5079 §1, 3-23-2009; Ord. No. 5264 §3, 8-27-2012; Ord. No. 5315 §1, 8-12-2013]

A.

In addition to any fine that may be lawfully imposed by the Municipal Judge, there shall be assessed as costs in all cases, except cases in which charges of a minor traffic violation as defined in Section 479.350 RSMo are dismissed and cases in which the Municipal Court finds the defendant to be indigent pursuant to applicable standards, the following:

1.

Costs of Court in the amount of twelve dollars (\$12.00).

2.

Actual costs assessed against the City by the County Director of Justice Services for apprehension or confinement in the County Jail pursuant to Section 221.070, RSMo.

3.

In addition to any other costs of Court pursuant to Section 488.5336, RSMo., an assessment of two dollars (\$2.00) on all ordinance violations (including infractions, moving and non-moving traffic violations), but excluding cases dismissed by the Court or when the costs are to be paid by the City, such additional assessment to be used for the training of Law Enforcement Officers.

4.

Pursuant to the authority granted by Section 488.607, RSMo., an assessment of an additional Court cost of three dollars (\$3.00) on all ordinance violations, except when the proceedings or defendant have been dismissed by the Court or when costs are to be paid by the City. Such costs shall be collected by the Clerk of the Court and disbursed by the City Council for the purpose of providing operating expenses for shelters for battered persons as defined by Section 455.200 et seq., RSMo. [Ord. No. 5404 §1, 11-24-2014<sup>u</sup>]

[1]

*Editor's Note: This ordinance also provided that it shall become effective 1-1-2015.*

5.

In addition to any other costs of Court pursuant to Section 488.5336, RSMo., an assessment of one dollar (\$1.00) on all ordinance violations (including infractions, moving and non-moving traffic violations), but excluding cases dismissed by the Court or when the costs are to be paid by the City, such additional assessment to be used for the Peace Officer's Standards and Training Commission (P.O.S.T.) Fund created by Section 590.178, RSMo.

6.

In addition to any other costs of Court pursuant to Sections 488.5339 and 595.045, RSMo., an assessment of seven dollars fifty cents (\$7.50) on all ordinance violations (including infractions, moving and non-moving traffic violations), except when the proceedings or defendant have been dismissed by the Court or when the costs are to be paid by the City, such additional assessment to be used for the Crime Victims' Compensation Fund.

7.

Upon plea of guilty or a finding of guilty for an offense of violating the provisions of municipal ordinances involving alcohol- or drug-related traffic offenses, the Court may, in addition to imposition of any penalties provided by law, order the convicted person to reimburse the City Police Department pursuant to Section 488.5334, RSMo., for the reasonable costs associated with the arrest, including the cost of any chemical test made under Chapter 577, RSMo., to determine the alcohol or drug content of the person's blood, and the costs of processing, charging, booking and holding such person in custody. The Police Department may establish a schedule of such costs, but the Court may order the costs reduced if it determines them to be excessive.

8.

Mileage, in the same amount as provided to the Sheriff in criminal violations, for each mile and fraction thereof the officer must travel (both directions) in order to serve any warrant or commitment or order of this Court, other costs, such as for the issuance of a warrant, a commitment or a summons, as provided before the Associate Circuit Judge in criminal prosecutions and any and all other costs, assessments and surcharges as required by applicable law.

9.

Other fees as [lawfully](#) determined by the Court, including ~~letter fees, warrant letter fees,~~ credit card fine fees and probation deterrent fees.

10.

A surcharge of two dollars (\$2.00) pursuant to the provisions of Section 488.5026, RSMo., shall be collected in all cases, except where the proceeding is dismissed by the Court or when the costs are to be paid by the City. All fees collected pursuant to this Subsection shall be transmitted monthly to the Finance Director of the City of Creve Coeur for deposit into the Inmate Security Fund. All funds collected pursuant to this Subparagraph shall be used only to acquire, develop, maintain, repair, and

replace biometric verification systems and information sharing systems to ensure that inmates, prisoners or detainees in a holding cell facility or other detention facility or area which holds persons detained only for a shorter period of time after arrest or after being formally charged can be properly identified upon booking and tracked within the local law enforcement administration system, criminal justice administration system, or the local jail system, and to pay for any expenses related to detention, custody and housing and other expenses for inmates, prisoners and detainees.

11.

There shall be assessed as costs a surcharge in the amount of one hundred dollars (\$100.00) on all petitions for expungement filed under the provisions of Section 610.140, RSMo., in the Municipal Court. Such surcharge shall be collected and disbursed by the Clerk of the Court as provided by Sections 488.010 to 488.020, RSMo. Monies collected from this surcharge shall be payable to the City's General Fund.

B.

No refund shall be required for overpayments of Court costs of five dollars (\$5.00) or less, nor shall the Clerk be required to pursue unpaid amounts less than five dollars (\$5.00) as provided in Section 488.014, RSMo.

### Section 135.250. Court Costs — Assessment Against Prosecuting Witness.

[R.O. 2008 §17-25; Ord. No. 5041 §1, 5-27-2008]

The costs of any action may be assessed against the prosecuting witness and judgment be rendered against them that they pay the same and stand committed until paid in any case where it appears to the satisfaction of the Municipal Judge that the prosecution was commenced without probable cause and from malicious motives, [but this section shall not apply to minor traffic violations as defined in Section 479.350 RSMo.](#)

### Section 135.260. Installment Payment of Fine.

[R.O. 2008 §17-26; Ord. No. 5041 §1, 5-27-2008]

When a fine is assessed for violating an ordinance, it shall be within the discretion of the Municipal Judge assessing the fine to provide for payment of a fine on an installment basis under such terms and conditions as the Judge may deem appropriate [and if it appears to the Judge that the defendant does not have the present means to pay, the judge shall comply with Supreme Court Rule 37.65.](#)

[1]

*State Law Reference — Similar provisions, §479.240, RSMo.*

### Section 135.270. Public Defender.

[R.O. 2008 §17-27; Ord. No. 5041 §1, 5-27-2008]

The duties of a public defender shall be to serve as counsel when appointed by the Municipal Judge to represent persons appearing before the Municipal Court and accused of a violation of the ordinances of the City ~~which subjects them to the possibility of imprisonment and~~ who demonstrate to the satisfaction of the Municipal Judge that they are unable to employ counsel on their own behalf and desire to have counsel appointed to represent them. [No such person shall be sentenced to any period of confinement unless they are represented by counsel.](#)

## Section 135.280. Procedures When Defendant Fails To Appear — Section Not To Affect Judge's Contempt Power.

[R.O. 2008 §17-28; Ord. No. 5041 §1, 5-27-2008]

A.

Any person who has promised to appear, or who has been notified or directed to appear, before the Court of the 21st Judicial Circuit, Municipal Division, of the City by summons, bail, recognizance, bond or other legal notice shall appear at the time and date so specified in said document or notice.

B.

Any person who fails to appear in Court pursuant to ~~their~~his/her promise or legal direction or notice to do so as required by Subsection **(A)** of this Section shall be guilty of violating this Section and, upon conviction thereof, the violator shall be punished as provided in Section **100.090** of this Title, regardless of the disposition of the charge for which he/she was originally arrested, provided, however, this subsection B shall not apply to minor traffic violations as defined in Section 479.350 RSMo.

C.

Nothing contained in this Section shall prevent the exercise by the Judge of the power to lawfully punish for contempt of court.

## Article II. Judge

### Section 135.290. Selection.

[R.O. 2008 §17-44; Ord. No. 5041 §1, 5-27-2008]

The Judge of the City's Municipal Court shall be known as a Municipal Judge of the 21st Judicial Circuit Court and shall be selected as provided in Section **7.2** of the City Charter.

### Section 135.300. Term of Office.

[R.O. 2008 §17-45; Ord. No. 5041 §1, 5-27-2008]

The Municipal Judge shall hold office for a period of four (4) years as provided in the City Charter.

### Section 135.310. Vacation of Office.

[R.O. 2008 §17-46; Ord. No. 5041 §1, 5-27-2008]

A.

The Municipal Judge shall vacate office under the following circumstances:

1.

Upon removal from office by the State Commission on the Retirement, Removal and Discipline of Judges as provided in Missouri Supreme Court Rule 12, or

2.

Upon attaining age seventy-five (75), or

3.

As provided in Section **7.2** of the City Charter or other applicable law.

### Section 135.320. Qualifications For Office.

[R.O. 2008 §17-47; Ord. No. 5041 §1, 5-27-2008]

A.

The Municipal Judge shall possess the following qualifications before taking office:

1.

Must be a licensed attorney qualified to practice law within this State.

2.

Must be a resident of the State.

3.

Must be between the ages of twenty-one (21) and seventy-five (75) years.

4.

May not hold any other office within the City Government.

5.

Must meet all qualifications for the office set forth in Section **7.2** of the City Charter and any and all other qualifications imposed by state law or Supreme Court Rule.

B.

Additionally, the Municipal Judge shall meet all requirements concerning course of instruction and continuing education, including pursuant to Sections 479.020 and 479.172, RSMo., and Supreme Court Rule 18.

### Section 135.330. May Serve As Judge For Other Municipalities and Accept Other Employment.

[R.O. 2008 §17-48; Ord. No. 5041 §1, 5-27-2008]

A.

The Municipal Judge may serve as Municipal Judge for any other municipalities.

B.

The Municipal Judge shall be considered as holding a part-time position and as such may accept (within the requirements of the Code of Judicial Conduct, Missouri Supreme Court Rule 2) other employment.

### Section 135.340. Powers and Duties Generally.

[R.O. 2008 §17-49; Ord. No. 5041 §1, 5-27-2008]

A.

The Municipal Judge shall be and is hereby authorized to:

1.

Establish a Violations Bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and Chapters 300 and 479, RSMo.

2.

Administer oaths and enforce due obedience to all rules and judgments made by the Court and fine and imprison for contempt committed before the Judge while holding Court, in the same manner and to the same extent as a Circuit Judge.

3.

Commute the term of any sentence, stay execution of any fine or sentence, suspend any fine or sentence and make such other orders as the Municipal Judge deems necessary relative to any matter that may be pending in the Municipal Court.

4.

Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this Chapter and to make and adopt such rules of practice and procedure as are

necessary to hear and decide matters pending before the Municipal Court and to implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts.

5.

Make use of a public or private probation program of the Court's choice if such program or programs are available for the referral of defendants for any of the following purposes: To conduct a pre-sentence investigation and prepare a report thereof for the Court; to enroll the defendant in a counseling program or short-term educational program appropriate to the offense for which the defendant has been charged; to supervise defendants placed on probation by the Court; and for such other purposes as the Municipal Judge may direct. A report of a pre-sentence investigation shall not be submitted to the Court or its contents disclosed to anyone unless the defendant has pleaded guilty or has been found guilty. The report of a pre-sentence investigation shall contain any prior record of the defendant and such information about [their/his/her](#) characteristics, [their/his/her](#) financial condition, [their/his/her](#) social history and the circumstances affecting [their/his/her](#) behavior as may be helpful in imposing sentence or in recommending probation or in the correctional treatment of the defendant. The Probation Officer shall secure such other information as may be required by the Court and whenever it is practicable and requested by the Court, investigation may include a physical and mental examination of the defendant by a licensed physician, psychiatrist or psychologist.

6.

The Municipal Judge shall have such other powers, duties and privileges as are or may be prescribed by the laws of this State or other ordinances of this City.

[1]

*State Law Reference — Similar provisions, §479.070, RSMo.*

## Section 135.350. Reports.

[R.O. 2008 §17-50; Ord. No. 5041 §1, 5-27-2008]

The Municipal Judge shall cause to be prepared such reports as may be required by law.

## Section 135.360. Docket and Court Records.

[R.O. 2008 §17-51; Ord. No. 5041 §1, 5-27-2008]

The Municipal Judge shall be a conservator of the peace. The Judge shall keep a docket and shall enter therein every case commenced before the Court and the proceedings therein and shall keep such other records as may be required. Such docket and records shall be records of the Circuit Court of St. Louis County. The Municipal Judge shall deliver the docket and records of the Municipal Court and all books and papers pertaining to the office to any successor in office or to the Presiding Judge of the Circuit Court.

[1]

*State Law Reference — Similar provisions, §479.070, RSMo.*

## Section 135.370. Disqualification of Municipal Judge From Hearing Particular Case.

[R.O. 2008 §17-52; Ord. No. 5041 §1, 5-27-2008]

A Municipal Judge shall be disqualified to hear any case in which [they are he/she is](#) in anywise interested [or otherwise disqualified by law](#), or, if before the trial is commenced, the defendant or the

prosecutor files an affidavit that the defendant or the municipality, as the case may be, cannot have a fair and impartial trial by reason of the interest or prejudice of the Judge. Neither the defendant nor the municipality shall be entitled to file more than one (1) affidavit or disqualification in the same case, except that no party shall be precluded from requesting any change of Judge for cause at any time pursuant to applicable Court rule.

[1]

*State Law Reference — Similar provisions, §479.220, RSMo.; rule 37.53.*

## Section 135.380. Temporary Municipal Judge.

[R.O. 2008 §17-53; Ord. No. 5041 §1, 5-27-2008]

Pursuant to Section 7.2 of the City Charter, a provisional Judge shall be appointed to serve if the Municipal Judge is absent, sick or disqualified from acting. If neither the Municipal Judge nor the provisional Judge ~~are~~<sup>is</sup> able to serve at a particular time due to absence, sickness or disqualification, a special interim Municipal Judge may be appointed by the Presiding Judge of the Circuit Court of St. Louis County pursuant to Section 479.230, RSMo. The City Council shall provide by ordinance for the compensation of any person designated to act as Municipal Judge under the provisions of this Section.

[1]

*State Law Reference — Similar provisions, §479.230, RSMo.*

**Section 2.** This ordinance shall become effective on August 28, 2015 in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

\_\_\_\_\_  
BARRY GLANTZ, MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, CITY CLERK, MPCC





**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

Meeting: 07/27/15 07:00 PM  
Department: Police Department  
Category: Amendment  
Prepared By: Pam Manning  
Department Head: Glenn Eidman

**SCHEDULED**

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## **ORDINANCE**

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# **Bill No. 5556 - an Ordinance Revising Various Inspection Requirements of the Code of Ordinances of the City of Creve Coeur. First Reading**

The US Supreme Court last month ruled that cities cannot mandate that hotel operators provide police with access to guest lists on demand. The proposed ordinance addresses various similar provisions in the Code.



Ordinance

Meeting of July 27, 2015

BILL NO. 5556

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REVISING VARIOUS INSPECTION REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR.**

**WHEREAS**, there are various inspection provisions set forth in the City Code of Ordinances; and

**WHEREAS**, the City has reviewed such provisions for compliance with *City of Los Angeles v. Patel*, United States Supreme Court 13-1175 (June 22, 2015), which prohibits mandatory police access to hotel guest registries without opportunity for prior court review; and

**WHEREAS**, in the course of such review certain technical corrections and clarifications were identified as necessary; and

**WHEREAS**, a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was 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:** In Chapter 505, regarding non-residential property maintenance, Section 505.100.B. is amended to read as follows:

Enforcement personnel are authorized and directed to make inspections to determine whether all property subject hereto conforms to the requirements of this Article. For the purpose of making such inspections, the enforcement personnel are hereby authorized to enter the publicly-accessible portions of all non-residential property within the City at any reasonable hour.

**Section 2:** In Chapter 615, regarding regulation of massage therapy businesses, Section 615.100.E is amended to read as follows:

Every person who engages in or conducts a massage business shall keep a daily register of all patrons with names, addresses and hours of arrival and departure and the rooms or cubicles assigned. Such daily register shall be kept on file for a minimum of two (2) years.

**Section 3:** In Chapter 615, regarding regulation of massage therapy businesses, Section 615.120 is amended to read as follows:

Designated representatives of the Community Development Department and the Police Department shall from time to time and at least twice a year make a health and safety inspection of the publicly accessible areas of each massage business in the City for the purpose of determining that the provisions of this Chapter are being met. Such inspection shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection personnel such access to the premises or to hinder such personnel in any manner regarding such inspections.

**Section 4:** In Chapter 620, regarding regulation of pawnshops, Section 620.120.D is amended to read as follows:

BILL NO. 5556

ORDINANCE NO. \_\_\_\_\_

The computerized register shall be maintained utilizing compatible magnetic media so that the information can be inspected and down loaded on consent or when authorized by Police Officers duly sworn by the City of Creve Coeur or the State of Missouri under Chapter 590, RSMo.

**Section 5:** In Chapter 620, regarding regulation of pawnshops, Section 620.160.A is amended to read as follows:

The computerized register and photographs provided for in this Article shall at all times be maintained on the business premises of the pawnshop.

**Section 6:** In Chapter 620, regarding regulation of pawnshops, Section 620.190 is amended to read as follows:

Every pawnbroker shall give the Chief of Police notice of all pawned goods to be shipped out of town. The notice shall state the name of the pledgee, the shipment destination and the date of shipment. Such goods shall not be shipped for at least seven (7) days after the delivery of the notice to the Chief of Police.

**Section 7:** In Chapter 621, regarding regulation of scrap metal dealers, Section 621.040.D is amended to read as follows:

The electronic database shall at all times be maintained on the business premises of the scrap metal dealer.

**Section 8:** In Chapter 621, regarding regulation of scrap metal dealers, Section 621.050.B is amended to read as follows:

The scrap metal dealer shall make a photocopy of any documentation provided pursuant to this Section, retain the copy as part of the transaction record, and maintain such photocopy for a period of three (3) years following the transaction.

**Section 9:** This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DAVID KREUTER  
PRESIDENT OF CITY COUNCIL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

\_\_\_\_\_  
BARRY GLANTZ, MAYOR

ATTEST:

\_\_\_\_\_  
DEBORAH RYAN, CITY CLERK



# CREVE COEUR POLICE DEPARTMENT INTEROFFICE MEMO

DATE: July 21, 2015

TO: Mark Perkins, City Administrator

FROM: Glenn Eidman, Chief of Police

SUBJECT: Ordinance Update

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The US Supreme Court last month ruled that cities cannot mandate that hotel operators provide police with access to guest lists on demand. Police can ask, but if refused they must get a warrant to allow for court involvement.

The revision provided updates our city ordinance to be in compliance with this ruling.



**City Council**  
300 North New Ballas Rd  
Creve-Coeur, MO 63141

**SCHEDULED**

Meeting: 07/27/15 07:00 PM  
Department: Public Works Department  
Category: Report  
Prepared By: Matt Wohlberg  
Department Head: Jim Heines

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## **STAFF REPORT**

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### **"Window Tree" Bus Shelter Update**

City staff has reviewed the location proposed for the Window Tree artistic bus shelter with Metro, and the layout of the site will allow for the shelter to be closer to the bus stop than was discussed at the City Council meeting on July 13. Staff will review the revised concept layout with the City Council.



## DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

**DATE:** July 22, 2015

**TO:** Mark Perkins, City Administrator

**CC:** Jim Heines, Director of Public Works  
Bess McCoy, Public Information Officer and Management Analyst

**FROM:** Matt Wohlberg, P.E., City Engineer

**SUBJECT:** Site Layout Update  
Window Tree Artistic Bus Shelter

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Following a meeting with Metro staff, City staff is much more comfortable with the viability of the CVS/St. Luke's site for the "Window Tree" artistic bus shelter. The site is located in front of the St. Luke's Urgent Care facility at 11550 Olive Boulevard.

### July 13 Council Update

A receiving pad, a concrete pad measuring at least 5 feet by 8 feet, is required to be at the location where the front door of the bus will load and unload passengers. The receiving pad and a Metro sign are the current minimum standard for a bus stop.

Staff presented a concept layout of the Window Tree bus shelter to the City Council on July 13, stating that the combination of utility conflicts, future roadway expansion, and Metro design requirements would force the Window Tree shelter to be at least 60 feet away from the receiving pad for the bus stop.

The City Council requested that staff reconsider the site and propose alternative sites for the Window Tree shelter, if necessary.

### Metro Clarification

Staff met with representatives from Metro on Thursday, July 16, in front of the St. Luke's Urgent Care to discuss the proposed location for the Window Tree bus shelter. Staff sought to verify the requirement from Metro that the receiving pad for the bus would need to be located at least 60 feet from the St. Luke's Urgent Care exit. After walking and considering the site, Metro stated that the receiving pad for the bus could be located approximately 30 feet from the St. Luke's exit. Metro confirmed this by painting the location of the receiving pad on the sidewalk during this meeting. The representatives from Metro also expressed their enthusiasm for the project.

City staff is encouraged by this update, because it brings the receiving pad for the bus much closer to the location of the Window Tree shelter than was previously understood. The proposed layout would place the Window Tree shelter approximately 30 feet from the front door of the bus, whereas the original site layout would have required those using the shelter to travel at least 65 feet to board the bus.

The updated layout brings the Window Tree shelter within the line of sight of the bus driver when the bus is parked at the stop. It also allows for the Metro bus stop sign to be placed directly between the Window Tree shelter and Olive Boulevard.

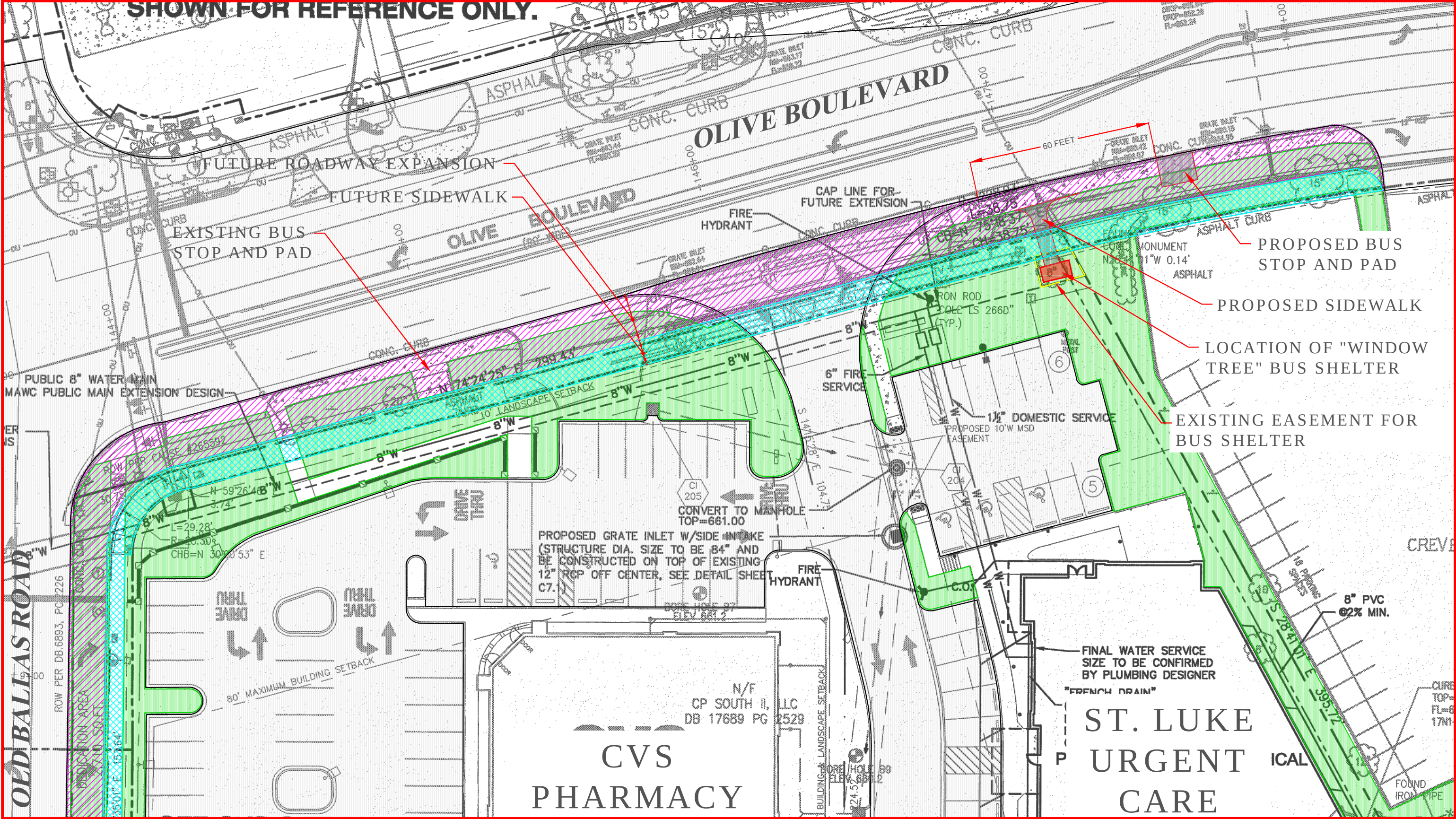
The closer proximity, better visibility, and location of the Metro sign help to connect the Window Tree shelter to the receiving pad, which is the ultimate goal of the project.

**Recommendation**

Staff feels that the new location for the receiving pad allows for the Window Tree shelter to be an intuitive and useful part of the bus stop, despite its separation from the Olive sidewalk. Staff recommends proceeding with the design and construction of the Window Tree shelter at the St. Luke's site as planned.

Attachments:      "Window Tree" Shelter - Concept Site Layout, dated July 8, 2015  
                         "Window Tree" Shelter - Revised Concept Site Layout, dated July 22, 2015



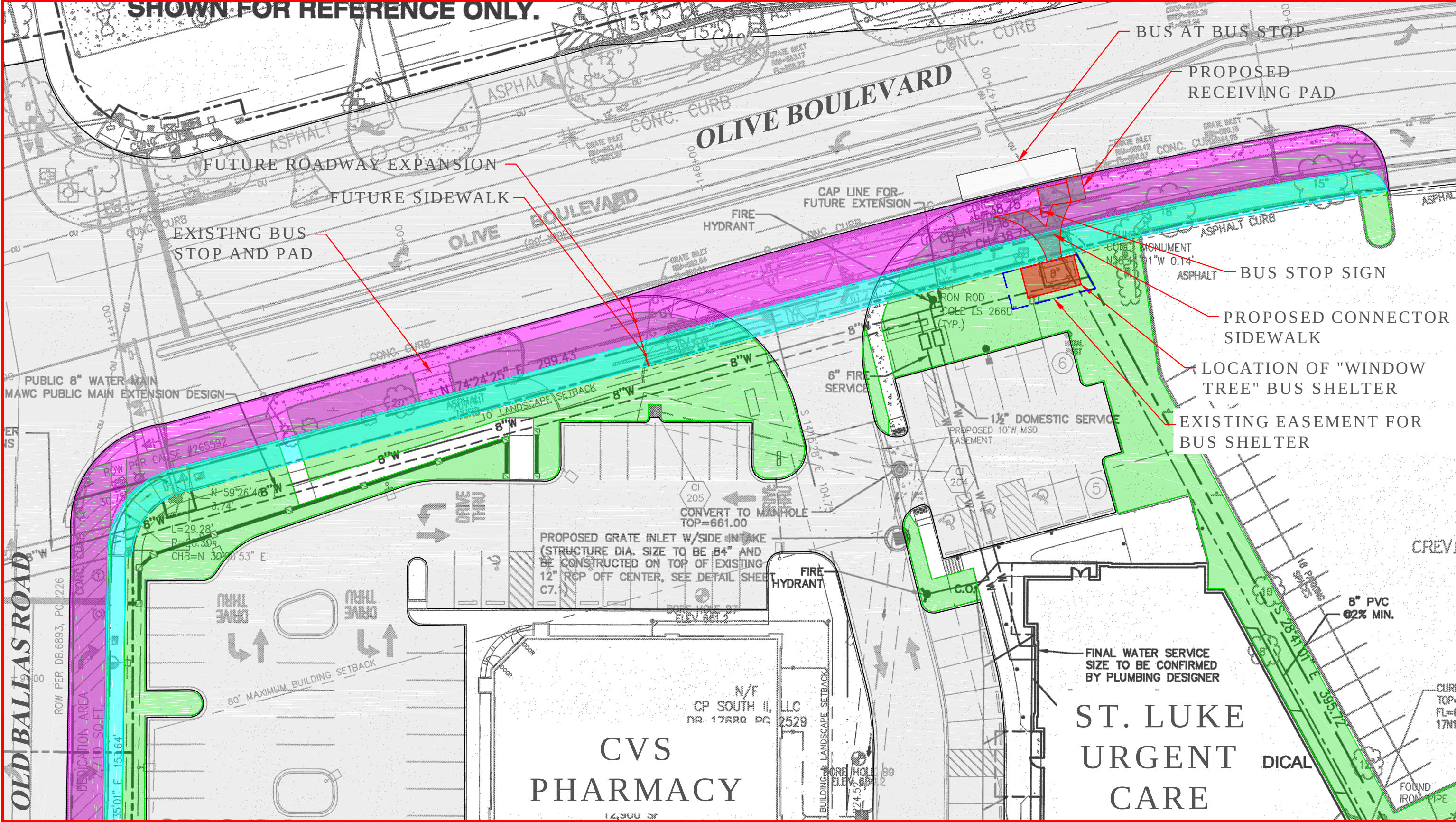


**"WINDOW TREE" SHELTER**  
**CONCEPT SITE LAYOUT WITH FUTURE OLIVE EXPANSION**  
JULY 8, 2015

-  FUTURE OLIVE EXPANSION
-  FUTURE SIDEWALK

Attachment: 2015-07-22 - Window Tree Bus Shelter - Staff Report (1439 : "Window Tree" Bus Shelter Update)





**"WINDOW TREE" SHELTER**  
**REVISED CONCEPT SITE LAYOUT WITH FUTURE OLIVE EXPANSION**  
JULY 22, 2015

- FUTURE OLIVE EXPANSION
- FUTURE SIDEWALK