



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
SEPTEMBER 24, 2018
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. Approval of September 11, 2018 City Council Regular Meeting Minutes

BILLS PAYABLE REPORT

Invoices Paid Listing

Summary: For your information and transmittal to the City Council, is a list of invoices paid September 5 through September 19, 2018 in the amount of \$977,636.83.

UNFINISHED BUSINESS

2. Bill No. 5732 - an Ordinance Ordering the Levy and Establishment of the Rates of Annual Taxes for Municipal Purposes in the City of Creve Coeur for the Year 2018. Final Reading and Passage

Summary: The proposed ordinance will establish the 2018 property tax rates at \$.083 on each one hundred dollars (\$100.00) of assessed valuation for residential property, \$.083 for commercial property, \$.034 for agricultural property, and \$.082 for the debt service levy to meet the city's budgeted revenue requirements for such taxes.



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3. Bill No. 5733 - an Ordinance Amending Section 140.010 & 140.030 Purchasing & Sales Policy. Final Reading and Passage.

Summary: This will amend the Purchasing and Sales Policy to change some of the definitions for clarity; change the requirements of a Purchase order from \$750 to \$1,500; change City Administrator's requirement approval from \$5,000 to \$7,500; add a Performance Bond as needed; and to authorize the City Administrator the ability to change Purchase Orders for more than just construction change orders, including change orders for professional services.

NEW BUSINESS

4. Bill No. 5734 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for a 1,975 Square-Foot Eating and Drinking Establishment, for St. Louis Rotisserie, Located at 12414 Olive Boulevard Within the Shoppes at Westgate Shopping Center. First Reading

Summary: Drew Sterling, of St. Louis Rotisserie, has submitted an application for a new conditional use permit for a 1,975 square foot with 24 seats, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate. The Applicant is not pursuing any changes to the exterior of the building or site. The Restaurant will also serve as the base for their catering operation. All limited service restaurants (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Planning and Zoning Commission recommended approval at its meeting on September 17, 2018.

5. Bill No. 5735 - an Ordinance Amending Ordinance Number 5424 Authorizing Revised Hours of Operation for the Drive-Thru Facility for St. Louis Bread Co. at 447 N. New Ballas Road. First Reading

Summary: Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5424) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM and end at 10:00 PM to correspond with the interior dinning hours. All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Ordinance 5424 approved on April 27, 2015 authorized the drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM. The Planning and Zoning Commission recommended approval at the September 17, 2018 meeting.



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- 6. Bill No. 5736 - an Ordinance Revising Provisions of Chapter 160 of the Code of Ordinances of the City of Creve Coeur Regarding Access to Public Records. First Reading**

Summary: This will update city code to be consistent with changes in the state public records law.

- 7. Resolution No. 1383 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Djm Ecological Services, Inc., for the Purchase and Installation of Trees and Bushes for the 2018, 2019, and 2020 Calendar Years.**

Summary: Award of the 2018-2020 Tree Planting contract will secure pricing for three years to supply and plant trees for the Shared Cost Tree Planting Program as well as planting in parks and other municipal properties.

- 8. Resolution No. 1384 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing Execution of an Agreement with International Truck & Engine Corp. for the Purchase of a 2019 International Diesel Powered Two-Ton Dump Truck with a Stainless-Steel Salt Spreader with Calcium Chloride Saddle Tanks and a 10 Foot Snow Plow for an Amount of \$126,197.85.**

Summary: The purchase of a new 2019 International 2-ton truck with plow and spreader will replace a 2008 GMC 2-ton truck with plow and spreader.

BUSINESS FROM MAYOR AND CITY COUNCIL

- 9. Council Liaison Reports**

BUSINESS FROM CITY ADMINISTRATOR

- 10. Olive Bridge Deck Planter Landscape Design Update**

Summary: Staff plans to make a presentation on the status of the landscape design for the Olive/270 Bridge Deck planters.

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 09/20/2018
Deborah Ryan, MPCC
City Clerk



**REGULAR MEETING
MINUTES
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
SEPTEMBER 11, 2018
7:00 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 City Council Chamber, 300 North New Ballas Rd, City of Creve Coeur Government Center, Creve Coeur, MO 63141 on Tuesday, September 11, 2018 at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation.

ROLL CALL

Council Member, Ward 2 AJ Wang
Council Member, Ward 2 Ellen Lawrence
Council Member, Ward 3 Robert Hoffman
Council Member, Ward 1 Alexis Travers
Council Member, Ward 4 Susan Baseley
Council Member, Ward 1 Heather Silverman

Council Member, Ward 3 Charlotte D'Alfonso -- **Absent**
Council Member, Ward 4 Scott Saunders -- **Absent**

COMMENTS FROM THE GENERAL PUBLIC

George Cibulka resident of 808 Fernview stated he has an issue with the requirement and law of wearing a helmet while riding his scooter. Mr. Cibulka also stated he feels that the city is encroaching on the 1st amendment rights of the residents with prohibiting protesting on Olive Blvd. Mr. Cibulka stated he feels that the city should be more concerned with walkable cities and those areas that don't have sidewalks by spending funding on sidewalks instead of an unwanted and unnecessary new police building.

Mark Perkins stated the city doesn't have any issues with scooters but the helmet laws cover all bikes, scooters (with or without motors), skateboards, roller blades, etc.

Chief Eidman stated Monsanto has called the CCPD as protesters were in the roadway median and walking in front of traffic. MoDOT contacted the CCPD as they maintain Olive Blvd and indicated there are laws from pedestrians being in the median of traffic, but nothing against being in the right of way on the shoulder of the roadway. The city does not prohibit protesting.



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ACCEPTANCE OF THE AGENDA

A. To accept the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Ellen Lawrence, Council Member, Ward 2
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

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***

PUBLIC HEARING

Notice of Public Hearing Setting the 2018 Property Tax Rate

A presentation was made by Lori Obermoeller, Finance Director regarding the setting of the 2018 Property Tax Rate.

David Caldwell resident of 257 Brooktrail Court and Mel Klearman resident of 739 Bergerac Drive both spoke in opposition of the proposed increase.

There being no further comments, the City Attorney presented exhibits for the record and the public hearing was closed.

I. CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Susan Baseley, Council Member, Ward 4
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

Approval of August 27, 2018 City Council Regular Meeting Minutes

BILLS PAYABLE REPORT

For Information Only

Invoices Paid Listing



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Summary: For your information and transmittal to the City Council, is a list of invoices paid August 23 through September 4, 2018 in the amount of \$364,096.15.

UNFINISHED BUSINESS

1. To amend Bill No. 5725 as reviewed.

City Clerk read Bill No. 5725 for the final time.

Carl Lumley stated there are two amendments in the ordinance provided in the packet, in reference to litigation that the city prevailed in several years ago with Laclede Gas, at the time, now Spire. The lawsuit challenged the city's the ability to raise these taxes within preset ranges. Secondly, before the signature lines at the end of the ordinance, there is a proposed repeal of another section, which is in the general business license part of the chapter, that provision specifies the exact contents of business license tax and prescribes the four corners of the certificate for the license. That prescribed format is not compatible with the new accounting software, which will ultimately issue the certificates. There is another section in the code, which provides that the Finance Director shall prescribe the format of the license. Staff is requesting that those two amendments be approved.

Council approved the amendments unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Susan Baseley, Council Member, Ward 4
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

2. Bill No. 5725 - an Ordinance Increasing Utility License Tax Rates and Prescribing Forms of License Tax Returns for Electric Utilities, Gas Utilities, Water Utilities, Telecommunications Providers, and Prescribing Video Service Fee Forms for Video Service Providers. Final Reading and Passage

Mark Perkins stated he would like to refresh review as to why this tax rate increase is before Council and remind what is going to transpire with this ordinance. This ordinance will return the city's residential tax rate on electric utility revenues tax from 5.5% to 7%. The rate was 7% for many years until it was rolled back in 2012 to the current rate of 5.5%. Other residential utilities have been at 7% and will not change beyond that current level. The other change is to the commercial utility tax rate and those are which will increase going from 7% to 8%. Staff and elected/appointed officials have discussed at length of the course of many months, about the need to certainly increase the city's revenues as well as review expenditures. The budget that was approved this past year envisioned an increase in the city's utility tax rate and included the elimination of three full time positions and continuing to



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review positions as they come open. The city has seen for a period of time a pretty stagnate growth of revenues both in our sales tax and utility tax, which and comprises approximately 7080% of the city's General Fund revenue source. Staff has done well on in keeping expenses down, which and have increased less than 2% a year over the last 10 years, but revenues have not increased in during the same period. A resident with a \$150 bill will see an increase of \$2.25, commercial users that have with a \$400 bill will see a 1% increase of \$4.

David Caldwell resident of 257 Brooktrail Court spoke in opposition of the increase, especially against the business owners.

Amended Bill No. 5725 becomes Ordinance No. 5602.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	AJ Wang, Council Member, Ward 2
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

3. Bill No. 5727 - an Ordinance Authorizing a Master Sign Plan for Saint Louis Priory School Located at 500 South Mason Road, Zoned He-Higher Education District. Final Reading and Passage

City Clerk read Bill No. 5727 for the final time.

Bill No. 5727 becomes Ordinance No. 5603.

RESULT:	SECOND AND FINAL READING [UNANIMOUS]
MOVER:	AJ Wang, Council Member, Ward 2
SECONDER:	Robert Hoffman, Council Member, Ward 3
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

4. Bill No. 5728 - an Ordinance Approving a Final Subdivision Plat for Pavilion Subdivision No. 3 to Subdivide 10598 Olive Boulevard Within the Creve Coeur Pavilion Shopping Center into Three Lots. Final Reading and Passage

City Clerk read Bill No. 5728 for the final time.

Bill No. 5728 becomes Ordinance No. 5604.



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RESULT:	SECOND AND FINAL READING [UNANIMOUS]
MOVER:	Susan Baseley, Council Member, Ward 4
SECONDER:	Robert Hoffman, Council Member, Ward 3
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

5. To substitute Bill No. 5729.

City Clerk read Bill No. 5729 for the final time.

Jason Jaggi gave a presentation regarding this application and reviewed the additions for the substitute bill as provided in the packet.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Heather Silverman, Council Member, Ward 1
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

6. Bill No. 5729 - an Ordinance Amending Provisions of the Creve Coeur Zoning Code Regarding Signs and Related Matters. Final Reading and Passage

Council Member Travers left the dais at 7:38 pm.

Substitute Bill No. 5729 becomes Ordinance No. 5605.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	AJ Wang, Council Member, Ward 2
AYES:	Wang, Lawrence, Hoffman, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders, Travers

7. Bill No. 5730 - an Ordinance Revising Section 135.240 of the Creve Coeur Municipal Code Regarding Municipal Court Costs. Final Reading and Passage

City Clerk read Bill No. 5730 for the final time.

Bill No. 5730 becomes Ordinance No. 5606.



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RESULT:	SECOND AND FINAL READING [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Susan Baseley, Council Member, Ward 4
AYES:	Wang, Lawrence, Hoffman, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders, Travers

8. Bill No. 5731 - an Ordinance Amending the Adopted 2019 General Fund, Capital Fund and Public Safety Sales Tax Fund Budgets of the City of Creve Coeur by Authorizing Additional Appropriations and Transfers from Operating Departments. Final Reading and Passage

City Clerk read Bill No. 5731 for the final time.

Bill No. 5731 becomes Ordinance No. 5607.

RESULT:	SECOND AND FINAL READING [UNANIMOUS]
MOVER:	Susan Baseley, Council Member, Ward 4
SECONDER:	Robert Hoffman, Council Member, Ward 3
AYES:	Wang, Lawrence, Hoffman, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders, Travers

NEW BUSINESS

9. Bill No. 5732 - an Ordinance Ordering the Levy and Establishment of the Rates of Annual Taxes for Municipal Purposes in the City of Creve Coeur for the Year 2018. Final Reading and Passage

City Clerk read Bill No. 5732 for the first time.

Council Member Travers returned to the dais on 7:41 pm.

RESULT:	FIRST READING	Next: 9/24/2018 7:00 PM
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10. Bill No. 5733 - an Ordinance Amending Section 140.010 & 140.030 Purchasing & Sales Policy. Final Reading and Passage.

City Clerk read Bill No. 5733 for the first time.

Lori Obermoller stated the general purpose of a Purchase Order is to recognize a contract between the City and a vendor, encumber the funds for the purchase, and to verify purchases have been created by authorized personnel. The current purchasing procedure states that the City should issue a Purchase Order for all purchases. However, the City has only been issuing purchase orders for those purchases above \$751. Eliminating the need for a purchase order on purchases below \$1,500 will make the purchasing procedures more



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efficient and will free up staff time for more critical issues. This change will allow department directors to authorize purchases under \$1,500 without a purchase order provided that budgeted funds are available. In addition to eliminating purchase orders for purchases less than \$1,500, staff is also recommending additional minor changes to Chapter 140. Finance. Below are all of the changes that I am recommending for Chapter 140:

Section 140.010 Purchasing and Sales Policy, B. Definitions

- Update definition for Formal Written Bid and Informal Written Bid to clarify the intent

Section 140.030 General Guidelines, B. Purchasing Procedures

- Rewrite #1- #5 to eliminate Purchase Orders for anything up to \$1,499.
- Clarify any purchases from \$1,500 to \$7,499 will need 3 informal written bids and a Purchase Order that is approved by the Department Director and the Director of Finance
- Clarify any purchases over \$7,500 will need 3 formal written bids and a Purchase Order

approved by Department Director, Director of Finance and City Administrator

- Added #5, Bidding instructions, which includes Performance Bond

Section 140.030 General Guidelines, C. Change Orders, 3. Changes to Purchase Orders

- Allow the City Administrator the ability to approve a change order up to 10% or \$20,000, whichever is less, to purchases due to cost changes, quantity changes and scope changes

Section 140.030 General Guidelines, G. Professional Services Contracts, 5.

- Allow City Administrator the ability to approve a change order to Professional Services of 10% or up to \$20,000, whichever is less

Roughly 26% (72) of our Purchase Orders were less than \$1,500 in 2017, so this is the amount that would not require a Purchase Order if this change is adopted.

Lori Obermoeller summarized the comments of the Finance Committee, which recommended City Attorney review of large contracts, increasing the amount of contracts the City Administrator can approve from \$20,000 to \$25,000, and ensuring that series of contracts to the same vendor cannot be approved separately in order to avoid the purchasing requirements. Mrs. Obermoeller stated that the purchasing ordinance already addresses this last concern.

Carl Lumley stated if Council could give some feedback to staff on the three the additional proposed changes, a substitute bill could be brought forward at the next Council meeting.

Council Member Hoffman stated he is comfortable with the proposed changes.

Council Member Lawrence asked how many staff hours are we saving with this change.



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Lori Obermoeller stated she does not know the amount of hours, but this change will make this process more efficient.

Council Member Lawrence asked with these changes will it open the city up to additional liability.

Lori Obermoeller stated she does not feel that there is, as there will still be an authorization process and reviewed by Finance Director.

Council Member Silverman asked with a change, in a change order, would that still be to the set limit.

Lori Obermoeller stated the change is 10% or up to \$20,000.

Carl Lumley confirmed that Council is comfortable with a substitute bill at the next meeting.

RESULT:	FIRST READING	Next: 9/24/2018 7:00 PM
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11. Resolution No. 1381 - a Resolution Declaring Intent to Increase 2018 Real Property Tax Rates to the Tax Rate Ceiling Due to Declining Revenues and the Need to Maintain Current Service Levels.

City Clerk read Resolution No. 1381.

Mark Perkins stated this step is required by law for the increase in the tax rate as previously discussed.

Mayor Glantz asked if this resolution lock the Council into a decision, should they not decide to increase the tax rate.

Carl Lumley stated no, the Council still maintains the disgression at the next meeting to vote as they determine on the actual tax increase. The statute requires a preliminary statement of intent to adopt it formally, prior to the meeting of making a decision on the tax increase.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Ellen Lawrence, Council Member, Ward 2
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

12. Resolution No. 1382 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Reinhold Electric, Inc. for Pedestrian Accessibility Improvements for the Not-To-Exceed Contract Sum of \$23,850.00.



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City Clerk read Resolution No. 3182.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	AJ Wang, Council Member, Ward 2
SECONDER:	Ellen Lawrence, Council Member, Ward 2
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

APPOINTMENTS

M. Olive TDD Board Appointments

Mayor Glantz stated Council Member Scott Saunders is up for reappointment and Council Member Heather Silverman has agreed to take the place of former Council Member David Kreuter on the Olive TDD Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Alexis Travers, Council Member, Ward 1
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders

BUSINESS FROM MAYOR AND CITY COUNCIL

N. Council Liaison Reports

Council Member Lawrence stated Audit Committee had an audit report, in the interim and met with one of the senior partners of Schowalter and Jabouri, PC and part of the pre-audit meeting. Met on August 29th and the field work will begin next week and should be completed by mid November. A couple of new items will be included in this year's audit and three new standards. We are required to include TDD information, new lease accounting standards that will be included and another requirement on how the city reports its health insurance.

Council Member Wang stated the HEB meets tomorrow at 4:30 pm.

BUSINESS FROM CITY ADMINISTRATOR

15. Leaf and Limb Collection Program Review

Mark Perkins stated staff would like to review with Council again regarding the leaf/limb collection programs. These programs are highly valued in the community and believe they are important programs. Discussions have been ongoing regarding is where can staff find some additional efficiency with these programs. Current focus is on leaves as it is ready to begin soon. Staff is finding that the first pick up of the year typically, yields a very small



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amount of leaves. Several two ton trucks, roaming the city burning fuel with three men crews and are not very efficient.

Staff is suggesting eliminating that first pick up and thereby reduce the total fall pick ups from four to three. One pick up before Thanksgiving and two additional pick ups between Thanksgiving and the end of the year. Spring leaf collection would be reduced from two to one, as the volume of leaves in the spring is very light.

The other issue is to consider limiting limb chipping to spring (prior to Memorial Day) and fall (after Labor Day), or immediately following major storm events. These changes would free up crew time for other maintenance activities which our public works crews have difficulty getting to, particularly since the number of full-time crew have been reduced.

Council Member Hoffman suggested educating the public.

Council Member Lawrence stated she agrees with the reduction in leave pick up but disagree with the limb changes.

Council Member Silverman stated in the staff memo, it is suggested that having a possible call in and then charge for the service and would it cover the costs.

Jim Heines stated it is difficult to do an on- call program and but staff could figure out how to charge by how long/how much.

Council Member Hoffman stated he feels it comes down to education and information out to residents on what we will and will not do.

Mark Perkins stated if Council is comfortable with the proposed change to the leaf collection schedule, staff will move forward with the changes and report back to Council after the season.

RESULT:	ITEM DISCUSSED
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ADJOURN

1. To adjourn at 8:12 pm

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Hoffman, Council Member, Ward 3
SECONDER:	Alexis Travers, Council Member, Ward 1
AYES:	Wang, Lawrence, Hoffman, Travers, Baseley, Silverman
ABSENT:	D'Alfonso, Saunders



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

SCHEDULED

Meeting: 09/24/18 07:00 PM
Department: Finance Department
Category: Report
Prepared By: Christy Williams
Initiator: Lori Obermoeller
Sponsors:

INVOICES PAID LISTING (ID # 3157)

DOC ID: 3157

Invoices Paid Listing

For your information and transmittal to the City Council, is a list of invoices paid September 5 through September 19, 2018 in the amount of \$977,636.83.



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

DATE: 9/19/2018

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Invoices Paid

For your information and transmittal to the City Council, is a list of invoices paid September 5 through September 19, 2018 in the amount of \$977,636.83

Vendor	PurchaseOrder	APInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
No Department - No Division 00-00							
01605		P1834700	01-Sep-18	WASHINGTON NATIONAL INS CO.	CANCER/INTENSIVE CARE 9/1-9/30	01-00-00-2215	268.15
00710		1555332 9/18	01-Sep-18	LINCOLN NATIONAL LIFE INSURANCE CO.	VOL AD&D SEP 18	01-00-00-2216	140.50
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	VOL LIFE SEP 2018	01-00-00-2216	712.45
01809		E0132308 9/18	10-Sep-18	UNUM LIFE INSURANCE	WHOLE LIFE SEP 18	01-00-00-2220	147.37
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	SHORT TERM DISABILITY SEP 2018	01-00-00-2222	218.90
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	(20) DAILY 2 HR BUS PASSES	01-00-00-2410	60.00
00116		30081395 9/18	20-Aug-18	SAM'S CLUB	PAPER CUPS FOR PRISONERS	01-00-00-2410	10.28
00116		30081395 9/18	20-Aug-18	SAM'S CLUB	12 PK KLEENEX PRISONERS/VICTIM	01-00-00-2410	19.83
00174		POST-AUG-2018	07-Sep-18	STATE OF MISSOURI	POST-AUG-2018	01-00-00-2412	289.00
00140		CVC-AUG-2018	07-Sep-18	MISSOURI DEPARTMENT OF REVENUE	CVC-AUG-2018	01-00-00-2413	2,210.00
00291		9156	04-Sep-18	BOMKAMP, DIANN	SECURITY DEPOSIT REFUND	01-00-00-2832	250.00
00291		93990	11-Sep-18	PRATHER, JESSE	SECURITY DEPOSIT REFUND	01-00-00-2832	250.00
00291		1342	15-Aug-18	GOODLETT, MELISSA	SECURITY DEP REFUND	01-00-00-2832	250.00
00291		1660	23-Aug-18	SEERS, ANDY	SECURITY DEP REFUND	01-00-00-2832	250.00
00291		97311	11-Sep-18	SPIRIT OF STL WOMEN FUND	SECUR DEP REFUND & PAR RENTAL	01-00-00-2832	250.00
00291		082418 572	28-Aug-18	ELLIE CADE CUSTOM HOMES LLC	PERMIT 33502 CANCELLED REFUND	01-00-00-4420	6,000.00
00291		EP35712	28-Aug-18	STL PIPEWORKS LLC	EP35712 FEE	01-00-00-4431	55.00
00291		EP36271	17-Sep-18	FONTANA CONTRACTING COMPANY	EXCAV PERMIT 36271 FEE REFUND	01-00-00-4431	55.00
00291		97630	11-Sep-18	KOZNEY & MCCUBBIN, LC	PAVILION REFUND	01-00-00-4538	30.00



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Vendor	PurchaseOrder	APIInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00291		2849	18-Sep-18	CALSYN, MARIA	PAVILION REFUND MILLENNIUM PK	01-00-00-4538	30.00
00291		719	11-Sep-18	WASIELEWSKI, MARGIE	PARTIAL PAVILION REFUND	01-00-00-4538	30.00
00291		94438	18-Aug-18	FREIN, JULIE	PARTIAL PAVILION REFUND	01-00-00-4538	50.00
00291		72	13-Jul-18	CALSYN, MARIA	PAVILLION REFUND	01-00-00-4538	30.00
00291		1325	11-Sep-18	PRATHER, JESSE	PARATIAL ROOM REFUND	01-00-00-4540	50.00
00291		98927	05-Aug-18	HAQUE, ENAMUL	ROOM CANCELLATION	01-00-00-4540	220.00
00291		97311	11-Sep-18	SPIRIT OF STL WOMEN FUND	SECUR DEP REFUND & PAR RENTAL	01-00-00-4540	40.00
00140		CVC-AUG-2018	07-Sep-18	MISSOURI DEPARTMENT OF REVENUE	PD REVENUE	01-00-00-4604	-109.03
Legislative-1112							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-11-12-5234	36.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	OPEN TO REVIEW	01-11-12-6264	30.38
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LUNCH COUNCIL	01-11-12-6264	178.72
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LUNCH DURING TRAINING	01-11-12-6264	128.30
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	COUNCIL DINNER	01-11-12-6264	331.60
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	NLC CONF D'ALFONSO	01-11-12-6265	755.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	FALL SCRAMBLE CHAMBER GOLF	01-11-12-7315	240.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	FED EX SHIPPING	01-11-12-7315	417.84
00019		136245	06-Sep-18	CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL SVS AUG 2018	01-12-10-6201	16,100.00
Legislative City Clerk-1113							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-11-13-5234	23.40
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-11-13-5235	4.68
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-11-13-5236	19.68
00303		743919633	28-Aug-18	MISSOURI LAWYERS MEDIA	PH 8/18 11611509	01-11-13-6260	175.52
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	NOTARY SUPPLIES	01-11-13-7304	101.00
Administrative Services-1211							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-12-11-5234	96.60
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-12-11-5235	19.32
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-12-11-5236	61.98
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	EQUIFAX	01-12-11-6202	15.75
01120		090418	04-Sep-18	ASI	HRA ADMIN FEE	01-12-11-6203	200.00
01120		A000178688088wS	31-Aug-18	ASI	FLEX BENEFITS 08/01-8/31/18	01-12-11-6203	428.50
01262	P003135	42838	09-Aug-18	SPECIALTY MAILING	2 MONTHS HANDLING & MAILING OF	01-12-11-6203	345.00
01262		42838P	09-Aug-18	SPECIALTY MAILING	2 MONTHS HANDLING & MAILING	01-12-11-6203	2.80
02518	P003099	6186	18-Sep-18	PREFERRED RESOURCE NETWORK, INC.	EMPLOYEE ASSISTANCE PROGRAM AN	01-12-11-6203	817.50
01048		9813785060	01-Sep-18	VERIZON WIRELESS	ADMIN 8/2-9/1	01-12-11-6253	104.68
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	JOB POSTING	01-12-11-6260	100.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ADVERTISING ON INDEED AUG 2018	01-12-11-6260	87.10



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Vendor	PurchaseOrder	APInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	SUBSCRIPTION FEE MONTHLY	01-12-11-6262	70.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	WALL STREET JOURNAL	01-12-11-6262	80.28
00136		4961	06-Sep-18	CHAMBER OF COMMERCE CREVE COEUR/OLIVETTE	CHAMBER OF COMM LUNCH MEETING	01-12-11-6264	20.00
00053		083118	31-Aug-18	MERCY CORPORATE HEALTH	UDS 9 PANEL LC: 1205 W MRO	01-12-11-6271	60.00
Administrative Services Mis Operations-1251							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-12-51-5234	20.55
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-12-51-5235	4.11
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-12-51-5236	17.21
01891		18586	01-Sep-18	WINNING TECHNOLOGIES, INC.	PROFESSIONAL IT SERVICES	01-12-51-6202	3,801.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	8 GB RAM UPDATE KIT	01-12-51-6213	69.99
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	DUAL MONITOR ARM	01-12-51-6213	195.00
02654		0121499	01-Sep-18	UMZUZU LLC	GOOGLE APPS FOR GOV CENTER MON	01-12-51-6213	1,300.00
02789		846738753687	27-Jul-18	SYNCB/AMAZON	USB SPEAKER/SANDISK CRUZER	01-12-51-6213	53.72
02789		466356894745	30-Jul-18	SYNCB/AMAZON	PAXTON ACCESS ID CARD	01-12-51-6213	65.46
02789		796858886633	01-Aug-18	SYNCB/AMAZON	MAGNETIC DRY & WIRELESS M510	01-12-51-6213	43.10
02789		446969395344	08-Aug-18	SYNCB/AMAZON	MULTIMEDIA SPEAKERS	01-12-51-6213	22.77
01048		9813785060	01-Sep-18	VERIZON WIRELESS	MISC 8/2-9/1	01-12-51-6253	62.34
02848	P002913	025-233563	15-Aug-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	562.50
02848	P002913	045-235175	15-Aug-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	93.75
02848	P002913	045-234439	08-Aug-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	250.00
02848	P002913	045-233400	31-Jul-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	187.50
02848	P002913	025-234717	29-Aug-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	5,760.43
02848	P002913	045-237342	05-Sep-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	62.50
02848	P002913	025-235066	05-Sep-18	TYLER TECHNOLOGIES	SOFTWARE- INCODE	01-12-51-7332	3,781.25
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	WINDOWS PRO	01-12-51-7332	199.99
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	PST MERGE SOFTWARE	01-12-51-7332	39.00
Finance Administration-1311							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-13-11-5234	87.90
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-13-11-5235	17.58
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-13-11-5236	70.03
01048		9813785060	01-Sep-18	VERIZON WIRELESS	FINANCE 8/2-9/1	01-13-11-6253	52.34
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	MO-GFOA DUES	01-13-11-6262	50.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	MO-GFOA FALL SEMINAR	01-13-11-6265	240.00
02520	P003116	81350	31-Jul-18	SWIFT PRINT COMMUNICATIONS	FY19 BUDGET BOOKS	01-13-11-7304	1,325.00
02520		81350P	31-Jul-18	SWIFT PRINT COMMUNICATIONS	FREIGHT CHARGES	01-13-11-7304	5.95

Municipal Court-1314



City of Creve Coeur
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00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-13-14-5234	39.30
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-13-14-5235	7.86
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-13-14-5236	33.01
00050		INV0062089	15-Aug-18	REJIS	SUBSCRIPTION FEES AUG 18	01-13-14-6202	1,167.70
01693		100901991	03-Aug-18	RICOH USA, INC	COPIER LEASE FEES 7/23-8/22	01-13-14-6213	337.83
Interdepartmental-1315							
00154		253823138	31-Aug-18	KONICA MINOLTA BUSINESS SOLUTIONS	MONTHLY MAINTENANCE AUG 18	01-13-15-6213	61.00
00447		6715	20-Apr-18	THE DANIEL & HENRY CO.	PUB OFFICIAL BOND-DIR OF FIN	01-13-15-6222	402.00
01739		314A73-0714 8/25	25-Aug-18	AT&T	ANALOG LINES 8/25-9/24	01-13-15-6253	287.67
01739		3145790412 9/18	01-Sep-18	AT&T	SECURITY LINES - TAPMEYER	01-13-15-6253	334.96
01743		7595480 8/18	06-Sep-18	AT&T LONG DISTANCE	LONG DISTANCE - GARAGE	01-13-15-6253	6.17
01743		42513366 8/18	09-Sep-18	AT&T LONG DISTANCE	LONG DISTANCE - CITY HALL	01-13-15-6253	2.14
01739		3149332705 9/18	07-Sep-18	AT&T	MONITOR LINES ICE ARENA 9/18	01-13-15-6253	113.95
00014		0215116090618	06-Sep-18	CHARTER COMMUNICATIONS	SERVICE @ GARAGE 9/16-10/15	01-13-15-6255	519.29
02559		N7303326	27-Aug-18	MAILFINANCE	METER RENTAL 6/29-9/28/18	01-13-15-6266	405.00
01675		351130	27-Aug-18	U.S. POSTAL SERVICE	FUNDS FOR POSTAGE PD98040-0000	01-13-15-6269	100.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	BODY HEALTH KIT 2018 VERSION	01-13-15-6272	17.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	WELLNESS COMMITTEE SUPPLIES	01-13-15-6272	14.33
00045		196296787001	31-Aug-18	OFFICE DEPOT	TONER, FOLDERS, PENS	01-13-15-7312	770.73
00045		196296944001	31-Aug-18	OFFICE DEPOT	FOLDERS	01-13-15-7312	13.49
00045		196296945001	01-Sep-18	OFFICE DEPOT	RUBBER BANDS	01-13-15-7312	10.58
00045		174564283001	01-Aug-18	OFFICE DEPOT	TONER, POSTITS, DUSTER	01-13-15-7312	431.51
00045		186891022001	17-Aug-18	OFFICE DEPOT	TONER, PENS	01-13-15-7312	1,059.02
00045		170338991001	25-Jul-18	OFFICE DEPOT	VIEWABLE TAB REFILL	01-13-15-7312	10.99
00045		170338128001	25-Jul-18	OFFICE DEPOT	TONERS, CABLE PRINTER	01-13-15-7312	716.91
00045		174565509001	31-Jul-18	OFFICE DEPOT	TONER	01-13-15-7312	83.79
02789		738967769549	17-Jul-18	SYNCB/AMAZON	TONER FOR CRT RECEIPT PRINTER	01-13-15-7312	55.02
Community Services-1411							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-14-11-5234	10.97
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-14-11-5236	2.19
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-14-11-5236	9.17
02891	P003155	4100162199	07-Aug-18	ACTIVE NETWORK LLC	CUSTOMER INTERFACE, GENERAL LE	01-14-11-6213	2,430.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ADS FOR CONCERT & FARMERS MKT	01-14-11-6230	660.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	FARMERS MKT PORT-A-POTTY RENT	01-14-11-6230	112.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	FARMERS MKT BOOST	01-14-11-6230	23.86
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ADS FOR CONCERT & FARMERS MKT	01-14-11-6260	660.00

Building Maintenance-1611



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00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-16-11-5234	26.15
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-16-11-5235	5.23
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-16-11-5236	21.93
01867		23303	01-Sep-18	AUTHORIZED ELEVATOR	QUARTERLY MAINT CITY HALL	01-16-11-6211	175.00
00054		02606827	05-Sep-18	WALTER KNOLL FLORIST	PLANT MAINT CITY HALL	01-16-11-6212	80.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	AMAZON MISC	01-16-11-6212	109.98
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	AMAZON MISC	01-16-11-6212	219.96
01644		106676	27-Aug-18	AA KEY & LOCK SERVICE	LOCK REPAIR IN PD	01-16-11-6212	135.50
02916		56372	29-Aug-18	SYSTEMAIRE SERVICE	CITY HALL COOLING TOWER REP	01-16-11-6212	412.84
02724	P002886	1316123	31-Aug-18	ISS FACILITY SERVICES	JANITORIAL SERVICES UPPER & LO	01-16-11-6212	2,387.80
00275		55031-62002 9/18	12-Sep-18	AMERENUE	CITY HALL 7/28-8/26	01-16-11-6250	8,438.10
00520		500300100 081418	24-Aug-18	SPIRE	CITY HALL 7/16-8/13/18	01-16-11-6252	139.01
00711		378570173	27-Aug-18	TERMINIX	PEST CONTROL CITY HALL	01-16-11-7301	77.00
00116		30081395 9/18	20-Aug-18	SAM'S CLUB	CITY HALL LOUNGE SUPPLIES	01-16-11-7304	124.80
01550		314059000	28-Aug-18	ARAMARK UNIFORM SERVICES	GOVT CENT MAINT W/O 8/27/18	01-16-11-7308	5.06
01550		314083227	04-Sep-18	ARAMARK UNIFORM SERVICES	W/O 9/3/18	01-16-11-7308	4.24
Police - Admin-2111							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-21-11-5234	147.15
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-21-11-5235	29.43
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-21-11-5236	115.62
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	REFUND PRIME MEMB FEE	01-21-11-6202	-13.54
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ADL EMPLOYEE DIVERSITY TRAIN	01-21-11-6203	300.00
00751		001	11-Jun-18	RICH, THOMAS	SUPBOENA TO APPEAR	01-21-11-6203	120.00
02865		130810	28-Aug-18	VALVOLINE LLC	CAR #2414 3000 MILE SVS	01-21-11-6210	70.21
02705		INV5556630	06-Sep-18	MARCO TECHNOLOGIES LLC	CHIEF'S COPIER MAINT 8/7-9/6	01-21-11-6213	13.80
02789		835735743398	17-Jul-18	SYNCB/AMAZON	IPAD CASE KNOCKI	01-21-11-6253	136.44
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PD-ADMIN 8/2-9/1	01-21-11-6253	157.02
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LUNCH DURING BLDG MEETING	01-21-11-6264	77.02
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LODGING LAW ENFORCEMENT CONF	01-21-11-6265	305.46
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	MEALS LAW ENFORCEMENT CONF	01-21-11-6265	44.58
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	GAS LAW ENFORCEMENT CONF	01-21-11-6265	102.01
01425		366238913	07-Sep-18	US BANK	CHIEFS COPIER LEASE 9/18	01-21-11-6266	137.00
02171		024863	11-Sep-18	LOU'S GLOVES, INC.	(10) BOXES NITRILE GLOVES	01-21-11-6271	74.00
00053		473787	12-Sep-18	MERCY CORPORATE HEALTH	PRE EMPLOYMENT PHYSICAL	01-21-11-6271	453.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	(6) 16 GB FLASH DRIVES	01-21-11-7302	29.94
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	UMSL FALL JOB FAIR REG 2018	01-21-11-7306	175.00



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Vendor	PurchaseOrder	APIInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00125		452112	11-Sep-18	LEON UNIFORM	(5) LIEUTENANT SOFT BADGES	01-21-11-7308	187.50
00125		451584	11-Sep-18	LEON UNIFORM	(50) CAPTAIN SOFT BADGES	01-21-11-7308	187.50
Police - Investigations-2121							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-21-21-5234	108.75
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-21-21-5235	21.75
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-21-21-5236	91.23
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PD-INVST 8/2-9/1	01-21-21-6253	52.34
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LODGING CONFERENCE	01-21-21-6265	415.88
Police - Patrol-2122							
00125	P003127	447776-03 P	28-Aug-18	LEON UNIFORM	MISC UNIFORM ITEMS FOR PO DOUG	01-21-22-5107	42.00
00125	P003127	447776-04	10-Sep-18	LEON UNIFORM	MISC UNIFORM ITEMS FOR PO DOUG	01-21-22-5107	149.99
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-21-22-5234	816.00
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-21-22-5235	161.40
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-21-22-5236	585.72
00970		1388-285636	06-Sep-18	O'REILLY AUTO PARTS	(2) HEADLIGHTS FOR EXPLORERS	01-21-22-6210	15.59
02865		131181	06-Sep-18	VALVOLINE LLC	CAR #2404 3000 MILE SVS	01-21-22-6210	38.48
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	PORTABLE JUMP STARTER REFUND	01-21-22-6210	-64.99
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	PATROL CAR WASHES	01-21-22-6210	98.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	(23) PATROL CAR WASHES	01-21-22-6210	46.00
02119		399494	29-Aug-18	DAVE SINCLAIR LINCOLN-MERCURY, INC.	CAR #2416 3000 MILE SVS	01-21-22-6210	767.30
02674		082418	24-Aug-18	CUSTOM CITY CYCLE, INC.	CYCLE #2421 REAR BRAKES, OIL	01-21-22-6210	133.93
02865		130959	31-Aug-18	VALVOLINE LLC	CAR #2406 3000 MILE SERVICE	01-21-22-6210	38.48
02865		131113	04-Sep-18	VALVOLINE LLC	CAR #2411 3000 MILE SVS	01-21-22-6210	60.22
02865		131121	04-Sep-18	VALVOLINE LLC	CAR #2419 3000 MILE SVS	01-21-22-6210	38.98
02865		131117	04-Sep-18	VALVOLINE LLC	CAR #2410 3000 MILE SVS	01-21-22-6210	38.98
01821		6123291/1	12-Sep-18	ALL STAR DODGE CHRYSLER JEEP	CAR #2403 NEW BACKUP CAMERA	01-21-22-6210	370.47
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	(7) W-T EAR PIECES	01-21-22-6211	86.45
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PD-PTRL 8/2-9/1	01-21-22-6253	451.86
00295	P003151	7330893	06-Sep-18	CARDIAC SCIENCE	POWERHEART AED G3 PEDIATRIC	01-21-22-6271	404.00
00295	P003151	7330893	06-Sep-18	CARDIAC SCIENCE	POWERHEART AED G3 ADULT ELECTR	01-21-22-6271	775.20
00113		563733 RI	06-Sep-18	MISSOURI VOCATIONAL ENTERPRISES	CAR #2404 REPL LICENSE PLATES	01-21-22-7302	19.23
00007		P5135575	27-Aug-18	BATTERIES PLUS BULBS	32 AA BATTERIES	01-21-22-7302	9.60
00080		3833	13-Sep-18	DIERBERGS	(8) BAGS KITTY LITTER	01-21-22-7304	23.92
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	GAS FOR MOTOR CYCLES	01-21-22-7307	60.88
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	GAS FOR MOTOR CYCLES	01-21-22-7307	37.62
00125		451067	27-Aug-18	LEON UNIFORM	PANT & SHIRT SECURITY UNIFORM	01-21-22-7308	112.50
00125		450561	10-Sep-18	LEON UNIFORM	BIKE PATROL SHIRT	01-21-22-7308	57.00



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Vendor	PurchaseOrder	APInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00007		P5135575	27-Aug-18	BATTERIES PLUS BULBS	12 CR123 BATTERIES	01-21-22-7313	28.49
01811		117685	05-Sep-18	CREATIVE PRODUCT SOURCING	DARE SUPPLIES/CRIME PREVENT	01-21-22-7314	495.20
00125	P003128	447776-03	28-Aug-18	LEON UNIFORM	BALLISTIC VEST FOR PO DOUGLAS	01-21-22-9503	775.00

Public Works-3111

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-31-11-5234	90.65
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-31-11-5235	18.13
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-31-11-5236	74.99
02169		499816	30-Aug-18	DREXEL TECHNOLOGIES, INC.	SCANNER/COPIER LEASE AUG 18	01-31-11-6213	57.63
01425		3649914406	24-Aug-18	US BANK	CHIEFS OFFICE COPIER LEASE	01-31-11-6213	330.58
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PW ADMIN 8/2-9/1	01-31-11-6253	289.37
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	TRAVEL FO MEETING	01-31-11-6265	925.33

Streets-3141

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-31-41-5234	151.35
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-31-41-5235	30.27
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-31-41-5236	126.91
02676	P003107	1261-2500004029	03-Sep-18	EXCEL TEMPORARY SERVICES	W/O 8/27/18	01-31-41-6207	232.70
02676	P003107	1261-2500004028	03-Sep-18	EXCEL TEMPORARY SERVICES	W/O 8/7/8	01-31-41-6207	801.41
02676	P003107	1261-2500004009	27-Aug-18	EXCEL TEMPORARY SERVICES	W/O 8/20/18	01-31-41-6207	915.90
02676	P003107	1261-2500004010	27-Aug-18	EXCEL TEMPORARY SERVICES	W/O 8/20/18	01-31-41-6207	391.99
00311		2010870	06-Sep-18	WEBER CHEVROLET	TRUCK #210 GAS CAP	01-31-41-6210	14.26
00970		1388-270342	03-May-18	O'REILLY AUTO PARTS	BRAKE TOOL FOR SHOP	01-31-41-6210	26.24
00896		102512	29-Aug-18	SHAPIRO SALVAGE & SUPPLY CO.	BEAM FOR TAILGATE RACKS	01-31-41-6210	79.80
00081		9888039774	28-Aug-18	GRAINGER	TAIL GATE RACK FOR TRUCKS	01-31-41-6210	97.31
00127		338798	06-Sep-18	ERB EQUIPMENT COMPANY	LEAF VAC PARTS	01-31-41-6211	138.44
00970		1388-285686	07-Sep-18	O'REILLY AUTO PARTS	FILTER FOR VAC	01-31-41-6211	30.87
00240		154503	04-Sep-18	KEY EQUIPMENT & SUPPLY CO	OIL SEAL CUPS FOR LEAF VAC	01-31-41-6211	14.88
00102		163821	24-Aug-18	BEYERS LUMBER	WOOD FOR TRAILER DECK	01-31-41-6211	124.50
01352		92738	06-Sep-18	ST LOUIS COMPOSTING, INC.	EAB REMOVAL ON BALLAS	01-31-41-6212	40.00
01352		92740	06-Sep-18	ST LOUIS COMPOSTING, INC.	EAB REMOVAL ON BALLAS	01-31-41-6212	40.00
01550	P003098	314083226	04-Sep-18	ARAMARK UNIFORM SERVICES	W/O 9/4/18	01-31-41-6212	4.61
00593	P003103	16633	31-Aug-18	THE GREENWOOD GROUP LLC	GROUNDS MAINTENANCE SERVICES	01-31-41-6212	4,394.46
00593	P003104	16632	31-Aug-18	THE GREENWOOD GROUP LLC	RIGHT OF WAY MAINTENANCE SERVI	01-31-41-6212	2,128.95
01352		92751	06-Sep-18	ST LOUIS COMPOSTING, INC.	EAB REMOVAL ON BALLAS	01-31-41-6212	40.00
01352		92732	06-Sep-18	ST LOUIS COMPOSTING, INC.	EAB REMOVAL ON BALLAS	01-31-41-6212	75.00
01784		08232018	23-Aug-18	ST LOUIS CO DEPT OF HEALTH	VAPOR REC OP PERMIT RENEWAL	01-31-41-6212	100.00
01550	P003098	314058999	28-Aug-18	ARAMARK UNIFORM SERVICES	W/O 8/27/18	01-31-41-6212	4.61



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Vendor	PurchaseOrder	APIInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00275		55031-62002 9/18	12-Sep-18	AMERENUE	STREET DEPT 7/28-8/26	01-31-41-6250	1,547.17
00275		55031-62002 9/18	12-Sep-18	AMERENUE	STREET LIGHTING 7/28-8/26	01-31-41-6251	10,049.02
00520		7725111000	30-Aug-18	SPIRE	SVS @ SHOP 7/17-8/19/18	01-31-41-6252	18.72
00520		0822018 9717450000	24-Aug-18	SPIRE	LEAF SITE 7/16-8/13/18	01-31-41-6252	43.50
01048		0811118 9813785060	01-Sep-18	VERIZON WIRELESS	STREETS 8/2-9/1	01-31-41-6253	117.20
00162		1391927 090418	04-Sep-18	MISSOURI AMERICAN WATER CO.	11370 ST PAUL 6/5-8/30	01-31-41-6254	150.06
00162		13915844 090418	04-Sep-18	MISSOURI AMERICAN WATER CO.	BALLAS SPRINKLER 6/5-8/31	01-31-41-6254	595.29
00162		1398706 082818	28-Aug-18	MISSOURI AMERICAN WATER CO.	533 N NEW BALLAS 5/26-8/23	01-31-41-6254	238.51
00162		13915936 082918	29-Aug-18	MISSOURI AMERICAN WATER CO.	BALLAS SPRINKLER 5/26-8/23/18	01-31-41-6254	370.12
00162		13915790 083118	31-Aug-18	MISSOURI AMERICAN WATER CO.	203 TOWNSEND 06/05-08/30/18	01-31-41-6254	34.27
00162		10165480 082818	28-Aug-18	MISSOURI AMERICAN WATER CO.	OLIVE/270 WEBER 05/24-8/23/18	01-31-41-6254	9,393.32
00162		10165879 082318	23-Aug-18	MISSOURI AMERICAN WATER CO.	OLIVE 12136 05/24-08/22/18	01-31-41-6254	8,337.57
00162		13916984 082718	27-Aug-18	MISSOURI AMERICAN WATER CO.	BALLAS SPRINKLER 05/26-8/23/18	01-31-41-6254	240.70
00162		13918416 082718	27-Aug-18	MISSOURI AMERICAN WATER CO.	BALLAS SPRINKLER 05/26-8/27/18	01-31-41-6254	129.27
00162		13917178 082718	27-Aug-18	MISSOURI AMERICAN WATER CO.	198 N NEW BALLAS 05/26-8/23/18	01-31-41-6254	53.21
01980		9335964	17-Aug-18	BLUE CHIP EXTERMINATING	SHOP PEST CONTROL	01-31-41-7301	26.50
00010		1022414	31-Aug-18	BRANNEKY HARDWARE	KITCHEN ITEMS & SMALL TOOL	01-31-41-7302	43.98
02402		6219-392479	05-Sep-18	HANDY AUTOMOTIVE	RUBBER CAPS FOR CONCRETE ANCH	01-31-41-7302	30.81
00010		1022414	31-Aug-18	BRANNEKY HARDWARE	KITCHEN ITEMS & SMALL TOOL	01-31-41-7304	46.95
00789		131384	29-Aug-18	K&K SUPPLY	CONCRETE SUPPLIES	01-31-41-7305	168.67
01550	P003098	314083226	04-Sep-18	ARAMARK UNIFORM SERVICES	W/O 9/4/18	01-31-41-7308	67.00
01550	P003098	314058999	28-Aug-18	ARAMARK UNIFORM SERVICES	W/O 8/27/18	01-31-41-7308	68.17

Health & Environment-3142

02877		AUG 2018	31-Aug-18	ANIMAL CARE SERVICE INC	DEAD ANIMAL REMOVAL	01-31-42-6214	375.00
01048		9813785060	01-Sep-18	VERIZON WIRELESS	H&W 8/2-9/1	01-31-42-6253	32.43
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	SHOE COVERS	01-31-42-7302	75.95
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	LAPTOP BRIEFCASE	01-31-42-7302	49.99

Parks-3143

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-31-43-5234	47.95
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-31-43-5235	9.59
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-31-43-5236	40.16
02676	P003107	1261-2500004029	03-Sep-18	EXCEL TEMPORARY SERVICES	W/O 8/27/18	01-31-43-6207	77.57
02676	P003107	1261-2500004028	03-Sep-18	EXCEL TEMPORARY SERVICES	W/O 8/7/8	01-31-43-6207	267.14
02676	P003107	1261-2500004009	27-Aug-18	EXCEL TEMPORARY SERVICES	W/O 8/20/18	01-31-43-6207	305.30
02676	P003107	1261-2500004010	27-Aug-18	EXCEL TEMPORARY SERVICES	W/O 8/20/18	01-31-43-6207	130.57
00311		2010870	06-Sep-18	WEBER CHEVROLET	TRUCK #210 GAS CAP	01-31-43-6210	4.75



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00970		1388-270342	03-May-18	O'REILLY AUTO PARTS	BRAKE TOOL FOR SHOP	01-31-43-6210	8.75
00896		102512	29-Aug-18	SHAPIRO SALVAGE & SUPPLY CO.	BEAM FOR TAILGATE RACKS	01-31-43-6210	26.60
00081		9888039774	28-Aug-18	GRAINGER	TAIL GATE RACK FOR TRUCKS	01-31-43-6210	32.44
00127		338798	06-Sep-18	ERB EQUIPMENT COMPANY	LEAF VAC PARTS	01-31-43-6211	46.15
00970		1388-285686	07-Sep-18	O'REILLY AUTO PARTS	FILTER FOR VAC	01-31-43-6211	10.29
00240		154503	04-Sep-18	KEY EQUIPMENT & SUPPLY CO	OIL SEAL CUPS FOR LEAF VAC	01-31-43-6211	4.96
00102		163821	24-Aug-18	BEYERS LUMBER	WOOD FOR TRAILER DECK	01-31-43-6211	41.50
02779	P003108	1571	07-Sep-18	MUNIE OUTDOOR SERVICES	PARKS MOWING	01-31-43-6212	6,765.60
01427		87227	05-Sep-18	CONTRACTORS WELDING INC.	WELDING HANDRAILS PARKS	01-31-43-6212	490.00
00826		2453877	24-Aug-18	CREST INDUSTRIES, INC.	PARKS BATHROOM SUPPLIES	01-31-43-6212	51.68
00010		1022123	27-Aug-18	BRANNEKY HARDWARE	EAV REMOVAL PARKS SUPPLIES	01-31-43-6212	41.94
00128		53937359.001	16-Aug-18	FROST ELECTRIC	LIGHTS FOR PARK RESTROOMS	01-31-43-6212	42.48
00275		55031-62002 9/18	12-Sep-18	AMERENUE	PARKS DEPT 7/28-8/26	01-31-43-6250	707.54
00520		7725111000 082018	30-Aug-18	SPIRE	SVS @ SHOP 7/17-8/19/18	01-31-43-6250	18.73
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PARKS 8/2-9/1	01-31-43-6253	32.43
01048		9813785060	01-Sep-18	VERIZON WIRELESS	BLDG MAINT 8/2-9/1	01-31-43-6253	32.43
00162		15183834 082718	27-Aug-18	MISSOURI AMERICAN WATER CO.	ORCHARD LKS 05/26-08/23/18	01-31-43-6254	131.06
00162		9677228 083118	31-Aug-18	MISSOURI AMERICAN WATER CO.	10620 COUNTRY VIEW 6/5-8/30/18	01-31-43-6254	128.70
00162		14108564 082318	23-Aug-18	MISSOURI AMERICAN WATER CO.	BANES WEST DR 05/24-08/22/18	01-31-43-6254	12,073.79
01980		9335964	17-Aug-18	BLUE CHIP EXTERMINATING	SHOP PEST CONTROL	01-31-43-7301	26.50
00010		1022408	30-Aug-18	BRANNEKY HARDWARE	PART FOR HANDRAIL IN PARK	01-31-43-7302	36.25
00010		1022166	28-Aug-18	BRANNEKY HARDWARE	BROWN MULCH PARKS	01-31-43-7303	9.99
01550	P003098	314083226	04-Sep-18	ARAMARK UNIFORM SERVICES	W/O 9/4/18	01-31-43-7308	22.34
01550	P003098	314058999	28-Aug-18	ARAMARK UNIFORM SERVICES	W/O 8/27/18	01-31-43-7308	22.72

Planning-3211

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-32-11-5234	86.55
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-32-11-5235	17.31
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD 2018	01-32-11-5236	72.54
01048		9813785060	01-Sep-18	VERIZON WIRELESS	PLNING 8/2-9/1	01-32-11-6253	104.68
00303		743922733	30-Aug-18	MISSOURI LAWYERS MEDIA	PH 8/30 18-033	01-32-11-6260	51.04
00303		743922732	30-Aug-18	MISSOURI LAWYERS MEDIA	PH 8/30 18-034	01-32-11-6260	42.92
00303		743922734	30-Aug-18	MISSOURI LAWYERS MEDIA	PH 8/30 18-035	01-32-11-6260	53.96
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	APA LUNCHEON JAGGI AUG 2018	01-32-11-6264	15.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	APA LUNCHEON WHITNEY AUG 2018	01-32-11-6264	15.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	APA KANSAS/MO BI-STATE CONF	01-32-11-6265	175.00

Building Inspections-3261



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00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	01-32-61-5234	164.59
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	01-32-61-5235	32.92
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	01-32-61-5236	150.58
01048		9813785060	01-Sep-18	VERIZON WIRELESS	BUILDING 8/2-9/1	01-32-61-6253	232.36
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	MABOI MEMB "BOLLS"	01-32-61-6261	86.51
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ICC S.BOLLS	01-32-61-6262	55.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ICC DUES B. HOLMES	01-32-61-6262	55.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ICC J. REID	01-32-61-6262	55.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ICC P. BURKE	01-32-61-6262	55.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	SIGN PRINTING	01-32-61-7304	328.94
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	I-QUEST 2015 COMPLETE COLLECT	01-32-61-7304	2,179.54
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	IMSP REQUEST FORMS	01-32-61-7304	847.21
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	ICC BOOK	01-32-61-7304	150.00
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	CLIPS / CARDBOARD TAGS	01-32-61-7304	82.70
02547		208497	24-Aug-18	NJC PRINTING	500 APT REC-OCC FORMS	01-32-61-7304	224.85
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	MENS RUBBER WORK BOOTS	01-32-61-7308	99.47
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	FILE ORGANIZER	01-32-61-9504	47.26

Capital Fund-02

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	02-61-71-5234	18.30
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	02-61-71-5235	3.66
02888		18007-02	22-Aug-18	CHARLES R HENKE PE SE	ARENA ROOF BEAM & SHORING DES	02-61-71-9501	5,250.00
00413	P003076	INV-63318	22-Aug-18	FASTSIGNS	4 DISPLAY SIGNS FOR HISTORIC	02-61-71-9506-18308	3,975.82
00413	P003076	INV-63318	22-Aug-18	FASTSIGNS	SIGN INSTALLATION	02-61-71-9506-18308	817.20
00880	P002985	PYMNT APP #6	07-Sep-18	INTUITION & LOGIC	ENGINEERING DESIGN SERVICES	02-61-71-9509-17515	62.50
00023		12213328	30-Aug-18	FRED WEBER	MICRO MATERIAL TEALWOOD	02-61-71-9510	398.34
00023		12211004	21-Aug-18	FRED WEBER	MICRO PREP ON HAVENVIEW	02-61-71-9510	500.08
00023		12211731	23-Aug-18	FRED WEBER	MICRO PREP HAVENVIEW & BEAVER	02-61-71-9510	331.17
02148	P002897	PAYMENT APP #4	25-Aug-18	THOUVENOT, WADE & MOERCHEN, INC.	SIDEWALK SURVEY & DESIGN	02-61-71-9510-16720	2,049.75
00606	P003024	PYMNT APP #13	10-Sep-18	HORNER & SHIFRIN INC	DESIGN & EASEMENT REVISIONS	02-61-71-9510-17710	1,233.00
00606	P002944	PYMNT APP #9	18-Sep-18	HORNER & SHIFRIN INC	EMERSON ROAD DESIGN SERVICES	02-61-71-9510-18701	4,785.00

Enterprise-06

00291		091418	10-Sep-18	REDDY, LAKSHMI	ROOM CANCEL MINUS \$5.00 FEE	06-00-00-4506	70.00
00291		261	18-Jul-18	BURGESS, RON	PARTIAL ICE RINK CANCELATION	06-00-00-4522	450.00
00291		95381	10-Sep-18	MA, DANNY	LTS CREDIT FR SHUT DOWN	06-00-00-4525	25.00

Ice Arena-1431

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	06-14-31-5234	39.65
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00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	06-14-31-5235	7.93
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	06-14-31-5236	24.06
02847		250146	21-Aug-18	ALARM CENTER USA, INC.	KEYS FOR NEW PT STAFF	06-14-31-6212	23.75
02707		1878	30-Aug-18	A PLUS PLUMBING AND DRAIN, LLC	SHOWER AND DRAIN MAINT	06-14-31-6212	444.00
01786		002929-11-18	01-Sep-18	ST LOUIS COUNTY TREASURER	BOILERS - INSPECTIONS	06-14-31-6212	118.00
00711		378695653	13-Aug-18	TERMINIX	PEST CONTROL ICE ARENA	06-14-31-6212	36.50
00081		9885902370	24-Aug-18	GRAINGER	WINDOW WASHER	06-14-31-6212	19.85
00081		9885902388	24-Aug-18	GRAINGER	LIGHT BULBS	06-14-31-6212	163.80
00081		9897902673	06-Sep-18	GRAINGER	CFL LIGHT BULBS	06-14-31-6212	129.80
00081		9897037553	06-Sep-18	GRAINGER	FLUORESCENT BULBS	06-14-31-6212	327.60
00081		9897037546	06-Sep-18	GRAINGER	PLUG IN CFL BULBS	06-14-31-6212	74.80
02891	P003155	4100162199	07-Aug-18	ACTIVE NETWORK LLC	CUSTOMER INTERFACE, GENERAL LE	06-14-31-6213	2,430.00
00275		180001713 8/18	04-Sep-18	AMERENUE	ICE RINK 7/11-8/9	06-14-31-6250	10,338.82
00520		4981701000 081718	27-Aug-18	SPIRE	OLDE CABIN RD 7/18-8/16/18	06-14-31-6252	1,722.79
01048		9813785060	01-Sep-18	VERIZON WIRELESS	ICE RINK 8/2-9/1	06-14-31-6253	104.68
00160		1049261-9 8/18	28-Aug-18	MSD	OLD CABIN ROAD 6/30-7/31/18	06-14-31-6254	1,402.86
01550		314083228	04-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS & UNIFORMS	06-14-31-7301	9.51
00164		073976	12-Sep-18	NEW SYSTEM CARPET & BUILDING CARE LTD.	HAND SOAP	06-14-31-7301	134.80
00164		073912	10-Sep-18	NEW SYSTEM CARPET & BUILDING CARE LTD.	CLEANING SUPPLIES	06-14-31-7301	73.12
01550		314107406	11-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, UNIFORMS, MOPS	06-14-31-7301	9.51
01550		314059001	28-Aug-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS UNIFORMS	06-14-31-7301	9.51
02918		2343962	17-Aug-18	TNEMEC COMPANY, INC.	LOCKER ROOM SHOWER PAINT	06-14-31-7301	163.90
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	OFFICE SUPPLIES	06-14-31-7304	30.07
00080		3833	13-Sep-18	DIERBERGS	BIRTHDAY CAKE 1/4 SHEET (1)	06-14-31-7304	24.99
00080		3833	13-Sep-18	DIERBERGS	BIRTHDAY CAKES 1/4 SHEET (2)	06-14-31-7304	49.98
02795		3082275101	07-Sep-18	AMERIGAS PROPANE	OLY PROPANE	06-14-31-7307	611.77
01550		314083228	04-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS & UNIFORMS	06-14-31-7308	7.08
01550		314107406	11-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, UNIFORMS, MOPS	06-14-31-7308	7.08
01550		314059001	28-Aug-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS UNIFORMS	06-14-31-7308	7.08

Golf Maintenance-1432

00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	06-14-32-5234	38.79
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	06-14-32-5235	7.76
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	06-14-32-5236	31.91
00970		1388-286053	10-Sep-18	O'REILLY AUTO PARTS	TRUCK #206 HUB ASSEMBLY	06-14-32-6210	139.49
00040		928667	29-Aug-18	MILBRADT	BLOWER PARTS	06-14-32-6211	17.48
01084		CD2269336	21-Aug-18	R&R PRODUCTS, INC.	ROLLERS FOR GM 1000	06-14-32-6211	197.70



City of Creve Coeur
Invoices Paid 8/11/17 to 8/24/17

Vendor	PurchaseOrder	APIInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
01084		CD2270052	22-Aug-18	R&R PRODUCTS, INC.	SMOOTH ROLLERS FOR 3100	06-14-32-6211	197.70
00116		30081395 9/18	20-Aug-18	SAM'S CLUB	HYDRO OIL	06-14-32-6211	104.04
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	COMPOST	06-14-32-6212	37.04
00042		201999	23-Aug-18	MPR SUPPLY	IRRIGATION PARTS	06-14-32-6212	119.20
02683		SO703382	23-Aug-18	ADVANCED TURF SOLUTIONS, INC.	HEX PLUG	06-14-32-6212	252.95
00173		IN151820	22-Aug-18	SUPREME TURF PRODUCTS	RYE GRASS SEED	06-14-32-6212	240.00
00275		06309074006 7/11	03-Aug-18	AMERENUE	LAKE FOUNTAIN 6/11-7/11/18	06-14-32-6250	12.03
00275		7072604119 8/18	04-Sep-18	AMERENUE	MAINT SHED 7/11-8/9/18	06-14-32-6250	71.01
00275		0639074006 8/18	04-Sep-18	AMERENUE	FOUNTAIN 7/11-8/9/18	06-14-32-6250	12.03
01048		9813785060	01-Sep-18	VERIZON WIRELESS	GOLF MAINT 8/2-9/1	06-14-32-6253	52.34
00116		30081395 9/18	20-Aug-18	SAM'S CLUB	BATHROOM SUPPLIES	06-14-32-7301	71.70
01415		INV0029068	10-Sep-18	GREENSPRO, INC.	CHEMICALS	06-14-32-7303	331.40
00173		IN151953	30-Aug-18	SUPREME TURF PRODUCTS	GRANULAR SUBDUE	06-14-32-7303	128.00
00173		IN151819	22-Aug-18	SUPREME TURF PRODUCTS	26GT & 3336 FUNGICIDE	06-14-32-7303	595.00
02741	P003133	ME00209	24-Aug-18	TURFWERKS-SCOTT'S POWER EQUIPMENT LLC	TURFCO TORRENT 2 DEBRIS BLOWER	06-14-32-9503	7,379.00
Pro Shop-1433							
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LIFE SEP 2018	06-14-33-5234	19.05
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	AD&D SEP 2018	06-14-33-5235	3.81
00710		1554999 082018	20-Aug-18	LINCOLN NATIONAL LIFE INSURANCE CO.	LTD SEP 2018	06-14-33-5236	16.37



City of Creve Coeur
Invoices Paid 8/11/17 to 8/24/17

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Vendor	PurchaseOrder	APIInvoice	InvoiceDate	NameSort	DescriptionFld	Account	InvoiceAmount
00953		02-17277	07-Sep-18	GATEWAY GOLF CARS, LTD	CART MAINTENANCE	06-14-33-6210	93.96
02745		915878609	11-Sep-18	E-Z-GO TEXTRON	CART MAINTENANCE	06-14-33-6210	39.32
00711		378695653	13-Aug-18	TERMINIX	PEST CONTROL ICE ARENA	06-14-33-6212	36.50
00275		9601003815 8/18	05-Sep-18	AMERENUE	PRO SHOP 7/11-8/9/18	06-14-33-6250	2,801.08
00520		4981701000 081718	27-Aug-18	SPIRE	OLDE CABIN RD 7/18-8/16/18	06-14-33-6252	738.34
00160		1049261-9 8/18	28-Aug-18	MSD	OLD CABIN ROAD 6/30-7/31/18	06-14-33-6254	467.62
01140		57118	21-Aug-18	ARCHWAY BOWLING & TROPHY	AWARDS/HOLE-IN-ONE	06-14-33-7304	20.00
01140		57134	10-Sep-18	ARCHWAY BOWLING & TROPHY	LEAGUE AWARDS	06-14-33-7304	312.50
01984	P003126	177883	31-Aug-18	PNC EQUIPMENT FINANCE	GOLF CART LEASE JUL-OCT 18	06-14-33-9503	4,800.00

Snack Bar-1434

01550		314083228	04-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS & UNIFORMS	06-14-34-7301	2.26
01550		314107406	11-Sep-18	ARAMARK UNIFORM SERVICES	TOWELS, UNIFORMS, MOPS	06-14-34-7301	2.26
01550		314059001	28-Aug-18	ARAMARK UNIFORM SERVICES	TOWELS, MOPS UNIFORMS	06-14-34-7301	11.29
01940		087184	22-Jun-18	ADVERTISING PREMIUM SALES, INC.	STAFF SHIRTS	06-14-34-7308	31.30
02632		3681698	07-Sep-18	PERFORMANCE FOOD GROUP, INC.	MISC, FOOD & SNACK RESALE	06-14-34-8315	311.19
01471		104379	06-Sep-18	RL MUELLER NATIONAL DIST., INC.	FOOD AND SNACKS RESALE	06-14-34-8315	72.10
00080		3833	13-Sep-18	DIERBERGS	BBQ RESALE/SNACKS RESALE	06-14-34-8315	69.15
00001		587826	28-Aug-18	GREY EAGLE	BEER FOR RESALE	06-14-34-8316	618.00
02846		W-272371	16-Aug-18	SHOWME BEVERAGES	BEER RESALE	06-14-34-8316	133.50
02776		599420222	22-Aug-18	HEARTLAND COCA-COLA BOTTLING COMPANY LLC	COKE PRODUCT FOR RESALE	06-14-34-8317	759.76
02776		6003205337	12-Sep-18	HEARTLAND COCA-COLA BOTTLING COMPANY LLC	BEVERAGE RESALE	06-14-34-8317	969.37
01121		122902	30-Aug-18	TJ'S PIZZA	FOOD/RESALE	06-14-34-8319	127.85
01471		104271	23-Aug-18	RL MUELLER NATIONAL DIST., INC.	SNACKS/RESALE	06-14-34-8319	204.32
01471		104161	09-Aug-18	RL MUELLER NATIONAL DIST., INC.	SNACKS RESALE, MISC CLEANING	06-14-34-8319	212.15
02632		3681698	07-Sep-18	PERFORMANCE FOOD GROUP, INC.	MISC, FOOD & SNACK RESALE	06-14-34-8319	125.16
01471		104379	06-Sep-18	RL MUELLER NATIONAL DIST., INC.	FOOD AND SNACKS RESALE	06-14-34-8319	155.90
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	SNACKS FOR RESALE	06-14-34-8319	37.45
00134		02741946 AUG 18	05-Sep-18	BANK OF AMERICA	SNACKS FOR RESALE	06-14-34-8319	163.00
00080		3833	13-Sep-18	DIERBERGS	BBQ RESALE/SNACKS RESALE	06-14-34-8319	9.88
01471		104161	09-Aug-18	RL MUELLER NATIONAL DIST., INC.	SNACKS RESALE, MISC CLEANING	06-14-34-8321	26.85
02632		3681698	07-Sep-18	PERFORMANCE FOOD GROUP, INC.	MISC, FOOD & SNACK RESALE	06-14-34-8321	78.70

Sewer Lateral Fund-11

00188		091718	17-Sep-18	ESTEPP, TIM	SEWER LATERAL ESTEEP	11-61-93-9315	5,594.75
00188		082718 319	27-Aug-18	PAYNE, GARY	SEWER LATERAL-PAYNE	11-61-93-9315	1,550.00
00188		090718 R	07-Sep-18	WAYMIRE, VERNON	SEWER LATERAL WAYMIRE	11-61-93-9315	1,239.50

Police Building Fund-15



14

Packet Pg. 28



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

Meeting: 09/24/18 07:00 PM
Department: City Council
Category: Ordinance
Prepared By: Lori Obermoeller
Department Head: Lori Obermoeller

SCHEDULED

ORDINANCE

**Bill No. 5732 - an Ordinance Ordering the Levy and
Establishment of the Rates of Annual Taxes for Municipal
Purposes in the City of Creve Coeur for the Year 2018. Final
Reading and Passage**

The proposed ordinance will establish the 2018 property tax rates at \$.083 on each one hundred dollars (\$100.00) of assessed valuation for residential property, \$.083 for commercial property, \$.034 for agricultural property, and \$.082 for the debt service levy to meet the city's budgeted revenue requirements for such taxes.

Ordinance

Meeting of September 24, 2018

BILL NO. 5732

ORDINANCE NO. _____

**AN ORDINANCE ORDERING THE LEVY AND ESTABLISHMENT OF
THE RATES OF ANNUAL TAXES FOR MUNICIPAL PURPOSES IN
THE CITY OF CREVE COEUR FOR THE YEAR 2018**

WHEREAS, THE CITY COUNCIL OF THE CITY OF CREVE COEUR HELD A PUBLIC HEARING REGARDING THE SETTING OF ITS REAL PROPERTY TAX RATES FOR 2018 AT THE CREVE COEUR GOVERNMENT CENTER ON SEPTEMBER 11, 2018 AT 7:00 P.M. OR IMMEDIATELY FOLLOWING THE CLOSE OF THE PREVIOUS PUBLIC HEARING; AND,

WHEREAS, NOTICE OF THE PUBLIC HEARING ON THE 2018 REAL PROPERTY TAX RATES WAS PREVIOUSLY PUBLISHED AT LEAST 15 DAYS PRIOR TO THE HEARING, IN THE ST. LOUIS COUNTIAN, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY; AND,

WHEREAS, ALL PERSONS WHO PRESENTED THEMSELVES AT SAID MEETINGS AND DESIRING TO BE HEARD WERE GIVEN AN OPPORTUNITY TO BE HEARD AND A COPY OF THE PROPOSED ORDINANCE WAS MADE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO ITS CONSIDERATION BY THE CITY COUNCIL AND THIS BILL HAVING BEEN READ BY TITLE AT TWO SEPARATE OPEN MEETINGS BEFORE FINAL PASSAGE BY THE CITY COUNCIL; AND,

WHEREAS, 2018 TAX RATES OF \$.083 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION FOR RESIDENTIAL PROPERTY, \$.083 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION FOR COMMERCIAL PROPERTY, \$.034 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION FOR AGRICULTURAL PROPERTY, AND \$.082 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION FOR DEBT SERVICE LEVY ON REAL AND PERSONAL PROPERTY COMPLY WITH THE LAWS OF THE STATE OF MISSOURI AND MEET THE CITY'S BUDGETED REVENUE REQUIREMENTS FOR SUCH TAXES;

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

SECTION 1. THERE IS HEREBY LEVIED UPON ALL REAL PROPERTY SUBJECT TO TAXATION FOR SAID PURPOSE IN THE CITY OF CREVE COEUR, MISSOURI, AND EACH CLASS AND SUBCLASS THEREOF AS ESTABLISHED BY STATE LAW, AND IN THE CASE OF THE DEBT LEVY ALSO ON PERSONAL PROPERTY, TAXES FOR MUNICIPAL PURPOSES FOR THE YEAR 2018 AS FOLLOWS:

RESIDENTIAL PROPERTY	\$.083 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION
COMMERCIAL PROPERTY	\$.083 ON EACH ONE HUNDRED DOLLARS (\$100.00) OF ASSESSED VALUATION
AGRICULTURAL PROPERTY	\$.034 ON HEACH ONE HUNDRED DOLLARS

BILL NO. 5732

ORDINANCE NO. _____

(\$100.00) OF ASSESSED VALUATION

DEBT SERVICE LEVY

\$.082 ON EACH ONE HUNDRED DOLLARS
(REAL AND PERSONAL PROPERTY)
(\$100.00) OF ASSESSED VALUATION

SECTION 2. THIS ORDINANCE SHALL BECOME EFFECTIVE PURSUANT TO THE PROVISIONS OF
3.11(G) OF THE CHARTER.

PASSED BY CITY COUNCIL THIS _____ DAY OF SEPTEMBER 2018.

SCOTT SAUNDERS
PRESIDENT, CITY COUNCIL

APPROVED THIS _____ DAY OF SEPTEMBER, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



MEMORANDUM

DATE: September 4, 2018

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: 2018 Property Tax Rate

Attached is legislation setting the 2018 property tax rates for the City of Creve Coeur. The proposed property tax rates for 2018 as compared to the current rates are as follows:

	<u>Tax Rate 2017</u>	<u>Proposed 2018 Tax Rates</u>	<u>Proposed 2018 Debt Service Levy</u>
Residential	.063	.083	.082
Commercial	.076	.083	.082
Agricultural	.034	.034	.082
Personal	.000	.000	.082

The proposed tax rates are based upon rescinding the voluntarily reduced rates in order to revert back to the tax rate ceiling. The City voluntarily reduced the property tax rate in 2012 due to a budget surplus at that time. Now, due to continuously declining revenue sources and the desire to maintain current service levels, staff recommends rescinding the voluntary reduction for the 2018 property tax rates. This change was contemplated with the City Council adoption of the Fiscal Year 2019 budget and will increase the General Fund property tax revenues from \$570,000 to \$670,000, thereby reducing the projected deficit for FY 19.

The Debt Service Levy is a result of the passing of the General Obligation Bonds, Series 2017, for \$10,635,000 for the purpose of constructing, furnishing and equipping a new police station and making safety, security and accessibility renovations to the existing building. The debt levy will pay the principal and interest of the bonds as they become due each year.

The assessed valuation for residential and commercial properties has increased \$8,805,700 due to new construction. The current assessment numbers for 2017 and 2018 are:

	<u>2018 (post-BOE)</u>	<u>2017 (post-BOE)</u>
Residential	524,565,680	520,513,240
Commercial	361,603,614	368,258,543
Agricultural	5,900	5,900

The proposed tax rates are based upon figures after the Board of Equalization (BOE) adjustments. Also, please note that assessed value, which property taxes are based upon, is 19% of estimated market value

for residential and 32% of estimated market value for commercial real estate, and 33% for personal property.

Based upon the proposed tax rate for residential property and the debt service levy, a home owner with a house valued at \$400,000 and personal property with market value of \$30,000 would pay the City of Creve Coeur \$133.52 in total property taxes for 2018. Of this amount, \$63.08 would go to the General Fund and \$70.44 would go to the Debt Service Fund. It is estimated that this amount represents about 2% of the property owners' total property tax bill including all taxing jurisdictions.

The new rate for the General Fund will result in an increase of \$15.20 annually for a home valued at \$400,000, with no increase for the debt service levy.

Staff recommends approval of the proposed legislation setting the 2018 tax rates for the City of Creve Coeur. I would be pleased to respond to any questions.



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

Meeting: 09/24/18 07:00 PM
Department: City Council
Category: Ordinance
Prepared By: Lori Obermoeller
Department Head: Lori Obermoeller

SCHEDULED

ORDINANCE

**Bill No. 5733 - an Ordinance Amending Section 140.010 &
140.030 Purchasing & Sales Policy. Final Reading and
Passage.**

This will amend the Purchasing and Sales Policy to change some of the definitions for clarity; change the requirements of a Purchase order from \$750 to \$1,500; change City Administrator's requirement approval from \$5,000 to \$7,500; add a Performance Bond as needed; and to authorize the City Administrator the ability to change Purchase Orders for more than just construction change orders, including change orders for professional services.

Ordinance

Meeting of September 24, 2018

**AN ORDINANCE AMENDING SECTION 140.010 AND 140.030 OF THE PURCHASING AND SALES POLICY
FOR THE CITY OF CREVE COEUR**

WHEREAS, the City Council of the City of Creve Coeur, Missouri has determined that it is necessary to revise the provisions of the Code of Ordinances regarding purchasing and sales;

WHEREAS, the City desires to improve the efficiency and effectiveness of its purchasing policy and procedures; and

WHEREAS, in order to improve its purchasing process certain changes to the current city code are necessary;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Creve Coeur, Missouri, as follows:

SECTION 140.010 PURCHASING AND SALES POLICY:

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

FORMAL WRITTEN BID

A competitive bid for supplies and services must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed format to be opened in public at a specified time.

INFORMAL WRITTEN BID

A competitive bid for supplies or services conveyed to the City in writing, generally without prior advertising, pursuant to applicable instructions.

SECTION 140.030 GENERAL GUIDELINES (B, C & G):

B. Purchasing Procedures.

No purchase or contracts for services or supplies paid from funds of the City, shall be made by any officer, employee or agent of the City, or City Administrator, except in the manner hereinafter set forth.

1. Purchases with material value from Zero dollars (\$0.00) to one thousand four hundred ninety-nine dollars (\$1,499.00). Whenever any contemplated purchase or contract for services is under one thousand five hundred dollars (\$1,500.00) and within budget, the City may order the item or items as needed without any further formality. It is the responsibility of each department director to ensure control over this process. Final approval of the purchase or contract shall be by the department director. No quotes are necessary and no purchase order is required.

2. Purchases with material value from One thousand five hundred dollars (\$1,500.00) to

SUBSTITUTE BILL No. 5733

ORDINANCE NO. _____

seven thousand four hundred ninety-nine dollars (\$7,499.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) informal written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director and the Director of Finance for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

3. Purchases with material value from Seven thousand five hundred dollars (\$7,500.00) to ~~twenty-four~~~~nineteen~~ thousand nine hundred ninety-nine dollars (\$~~2419~~,999.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

4. Purchases with material value of Twenty-~~Five~~ -thousand dollars (\$~~250~~,000.00) and above. Whenever any contemplated purchase or contract for services are within this range, at least three (3) written bids for the items or services shall be submitted in bid form. Items in this category may be ordered only after review by the City Attorney and official approval by the City Council. For purchases exceeding fifty thousand dollars (\$50,000), a formal written request for bids ~~including must be advertised in one (1) issue of a newspaper of general circulation in the City. The notice herein required shall include~~ a general description of the articles to be purchased or services performed and the time and place for opening the bids. ~~In addition, a notice inviting bids shall be posted on the City's website. In an effort to obtain the best bids possible, further notice shall be provided, as determined by the Finance Director, such as posting, on pertinent any online bidding sites available, advertising in any relevant trade publications, and may also be mailed or emailed to all responsible prospective suppliers of the items to be purchased or services performed. Newspaper advertisement shall be used when required by law or when otherwise deemed beneficial by the Finance Director.~~ Final approval of the purchase or contract shall be by affirmative vote of a majority of the City Council. After approval by the City Council, the requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

5. Bidding. The City and all parties contracting with the City shall follow the procedure hereinafter set forth in relation to all purchases exceeding fifty thousand dollars (\$50,000):

a. All notices and solicitation of bids shall state the time and place for opening.

b. All bids shall be submitted sealed, either electronically or in writing, and shall be identified as "sealed bids" on the envelope or electronic subject line.

c. All bids shall be opened in public at the time and place stated in the public notice.

d. A tabulation of all bids received shall be available for public inspection per request.

e. The City shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.

f. Determining lowest responsible bidder. Unless there is an exercise of the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for any article or to the lowest responsible bidder for the entire purchase or contract for any part thereof. In determining the lowest responsible bidder, the following shall be considered:

(1) The ability, capacity and skill of the bidder to perform the contract or provide service required.

(2) Whether the bidder can perform the contract or provide the services promptly or within specified time, without delay or interference.

(3) The quality of performance of previous contracts or services.

(4) The previous and existing compliance by the bidder with laws and ordinances of the City.

(5) The financial resources and ability of the bidder to perform the contract or provide the service.

(6) The quality, availability and adaptability of the supplies or service.

g. Performance bond. In addition to bonds required by law, the City shall have the authority to require a performance bond, in cash or otherwise, for such amount as it may deem sufficient to secure the execution of the contract of furnishing supplies or services for the best interest of the City.

6. Multiple or repeat orders. Multiple or repeat orders cannot be used to avoid the requisite approvals for the total purchase amount.

7. Special circumstances. If less than three (3) quotes are received and the quotes all exceed the amount budgeted for the purchase, departments should either request new bids for the desired goods or services or obtain approval from the Director of Finance to proceed based on the initial quote(s) on the grounds that special circumstances exist such that requests for new bids would not generate different quotes. Such special circumstances should be explained in a memorandum accompanying the purchase order.

8. Exempt purchases. The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth in subsequent Sections of this Chapter:

- a. Sole-source or monopoly purchases;
- b. Cooperative purchase agreements;
- c. Fuel purchases;
- d. Professional services;
- e. Term and supply and annual contracts;
- f. Emergency purchases.

C. Change Orders.

1. Construction change orders approved by City Administrator. The City Administrator is authorized to approve change orders not exceeding ten percent (10%) of the original contract or up to fifty thousand dollars (\$50,000.00), whichever is less.

2. Construction change orders approved by City Council. Construction change orders approved by City Council. In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to City Council for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders, regardless of amount, must go to City Council for approval. On a project-by-project basis, the City Council may authorize the City Administrator to approve up to twenty-five thousand dollars (\$250,000.00) in additional change orders following City Council review of all previous change orders, but in no event shall such additional authorization exceed ten percent (10%) of the original contract.

3. Changes to purchase orders. The City Administrator is authorized to approve change orders for purchases not exceeding ten percent (10%) of the original contract or up to ~~twenty~~ twenty-five thousand dollars (\$250,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$250,000, must be approved by City Council.

G. Professional Services Contracts.

1. Contracts for professional services provided by financial advisors, physicians, certified

SUBSTITUTE BILL No. 5733

ORDINANCE NO. _____

public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.

2. Requests for qualifications or proposals, as applicable, for professional services shall be submitted to the City Administrator for review and approval prior to distribution. When an RFQ or RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a response~~proposal~~ setting forth their interest, qualifications and description of proposed services. A contract will be negotiated with the professionals deemed to best meet the City's needs.

3. Upon approval of the Finance Director and City Administrator, professional services contracts under ten thousand dollars (\$10,000.00) may be exempt from the request for proposal process.

4. Professional services contracts for twenty~~twenty-five~~ thousand dollars (\$250,000.00) or more must be approved by the City Council.

5. The City Administrator is authorized to approve change orders for professional service contracts not exceeding ten percent (10%) of the original contract or up to twenty~~twenty-five~~ thousand dollars (\$250,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$250,000, must be approved by City Council.

SECTION 2: This Ordinance shall take effect in accordance with Section 3.11(g) of the Charter.

ADOPTED THIS _____ DAY OF _____, 2018.

SCOTT SAUNDERS
PRESIDENT, CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

SUBSTITUTE BILL No. 5733

ORDINANCE NO. _____

DEBORAH RYAN, MPCC
CITY CLERK

BILL No. 5733

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 140.010 AND 140.030 OF THE PURCHASING AND SALES POLICY
FOR THE CITY OF CREVE COEUR**

WHEREAS, the City Council of the City of Creve Coeur, Missouri has determined that it is necessary to revise the provisions of the Code of Ordinances regarding purchasing and sales;

WHEREAS, the City desires to improve the efficiency and effectiveness of its purchasing policy and procedures; and

WHEREAS, in order to improve its purchasing process certain changes to the current city code are necessary;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Creve Coeur, Missouri, as follows:

SECTION 140.010 PURCHASING AND SALES POLICY:

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

FORMAL WRITTEN BID

A competitive bid for supplies and services must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed format to be opened in public at a specified time.

INFORMAL WRITTEN BID

A competitive bid for supplies or services conveyed to the City in writing, generally without prior advertising, pursuant to applicable instructions.

SECTION 140.030 GENERAL GUIDELINES (B, C & G):

B. Purchasing Procedures.

No purchase or contracts for services or supplies paid from funds of the City, shall be made by any officer, employee or agent of the City, or City Administrator, except in the manner hereinafter set forth.

1. Purchases with material value from Zero dollars (\$0.00) to one thousand four hundred ninety-nine dollars (\$1,499.00). Whenever any contemplated purchase or contract for services is under one thousand five hundred dollars (\$1,500.00) and within budget, the City may order the item or items as needed without any further formality. It is the responsibility of each department director to ensure control over this process. Final approval of the purchase or contract shall be by the department director. No quotes are necessary and no purchase order is required.

2. Purchases with material value from One thousand five hundred dollars (\$1,500.00) to seven thousand four hundred ninety-nine dollars (\$7,499.00). Whenever any

BILL No. 5733

ORDINANCE NO. _____

contemplated purchase or contract for services are within this range and budget, at least three (3) informal written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director and the Director of Finance for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

3. Purchases with material value from Seven thousand five hundred dollars (\$7,500.00) to nineteen thousand nine hundred ninety-nine dollars (\$19,999.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

4. Purchases with material value of Twenty thousand dollars (\$20,000.00) and above. Whenever any contemplated purchase or contract for services are within this range, at least three (3) written bids for the items or services shall be submitted in bid form. Items in this category may be ordered only after official approval by the City Council. For purchases exceeding fifty thousand dollars (\$50,000), a formal written request for bids must be advertised in one (1) issue of a newspaper of general circulation in the City. The notice herein required shall include a general description of the articles to be purchased or services performed and the time and place for opening the bids. In addition, a notice inviting bids shall be posted on the City's website, on any online bidding site available, any relevant trade publication, and may also be mailed or emailed to all responsible prospective suppliers of the items to be purchased or services performed. Final approval of the purchase or contract shall be by affirmative vote of a majority of the City Council. After approval by the City Council, the requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

5. Bidding. The City and all parties contracting with the City shall follow the procedure hereinafter set forth in relation to all purchases exceeding fifty thousand dollars (\$50,000):

- a. All notices and solicitation of bids shall state the time and place for opening.
- b. All bids shall be submitted sealed, either electronically or in writing, and shall be identified as "sealed bids" on the envelope or electronic subject line.
- c. All bids shall be opened in public at the time and place stated in the public notice.
- d. A tabulation of all bids received shall be available for public inspection per request.

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ORDINANCE NO. _____

e. The City shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.

f. Determining lowest responsible bidder. Unless there is an exercise of the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for any article or to the lowest responsible bidder for the entire purchase or contract for any part thereof. In determining the lowest responsible bidder, the following shall be considered:

(1) The ability, capacity and skill of the bidder to perform the contract or provide service required.

(2) Whether the bidder can perform the contract or provide the services promptly or within specified time, without delay or interference.

(3) The quality of performance of previous contracts or services.

(4) The previous and existing compliance by the bidder with laws and ordinances of the City.

(5) The financial resources and ability of the bidder to perform the contract or provide the service.

(6) The quality, availability and adaptability of the supplies or service.

g. Performance bond. In addition to bonds required by law, the City shall have the authority to require a performance bond, in cash or otherwise, for such amount as it may deem sufficient to secure the execution of the contract of furnishing supplies or services for the best interest of the City.

6. Multiple or repeat orders. Multiple or repeat orders cannot be used to avoid the requisite approvals for the total purchase amount.

7. Special circumstances. If less than three (3) quotes are received and the quotes all exceed the amount budgeted for the purchase, departments should either request new bids for the desired goods or services or obtain approval from the Director of Finance to proceed based on the initial quote(s) on the grounds that special circumstances exist such that requests for new bids would not generate different quotes. Such special circumstances should be explained in a memorandum accompanying the purchase order.

8. Exempt purchases. The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth in subsequent Sections of this Chapter:

a. Sole-source or monopoly purchases;

b. Cooperative purchase agreements;

BILL No. 5733

ORDINANCE NO. _____

- c. Fuel purchases;
- d. Professional services;
- e. Term and supply and annual contracts;
- f. Emergency purchases.

C. Change Orders.

1. Construction change orders approved by City Administrator. The City Administrator is authorized to approve change orders not exceeding ten percent (10%) of the original contract or up to fifty thousand dollars (\$50,000.00), whichever is less.
2. Construction change orders approved by City Council. Construction change orders approved by City Council. In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to City Council for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders, regardless of amount, must go to City Council for approval. On a project-by-project basis, the City Council may authorize the City Administrator to approve up to twenty thousand dollars (\$20,000.00) in additional change orders following City Council review of all previous change orders, but in no event shall such additional authorization exceed ten percent (10%) of the original contract.
3. Changes to purchase orders. The City Administrator is authorized to approve change orders for purchases not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council.

G. Professional Services Contracts.

1. Contracts for professional services provided by financial advisors, physicians, certified public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.
2. Requests for proposals for professional services shall be submitted to the City Administrator for review and approval prior to distribution. When an RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a proposal setting forth their interest, qualifications and description of proposed services. A contract will be negotiated with the professionals deemed to best

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ORDINANCE NO. _____

meet the City's needs.

3. Upon approval of the Finance Director and City Administrator, professional services contracts under ten thousand dollars (\$10,000.00) may be exempt from the request for proposal process.

4. Professional services contracts for twenty thousand dollars (\$20,000.00) or more must be approved by the City Council.

5. The City Administrator is authorized to approve change orders for professional service contracts not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council.

SECTION 2: This Ordinance shall take effect in accordance with Section 3.11(g) of the Charter.

ADOPTED THIS _____ DAY OF _____, 2018.

SCOTT SAUNDERS
PRESIDENT, CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



MEMORANDUM

DATE: August 29, 2018

TO: Mark Perkins, City Administrator

FROM: Lori Obermoeller, Director of Finance

SUBJECT: Purchasing Procedure Proposed Changes

The general purpose of a Purchase Order is to recognize a contract between the City and a vendor, encumber the funds for the purchase, and to verify purchases have been created by authorized personnel.

The current purchasing procedures state that the City should issue a Purchase Order for all purchases. However, the City has only been issuing purchase orders for those purchases above \$751. Many times, purchase orders are entered the day the invoice is to be paid, which defeats the main purpose for a purchase order. Eliminating the need for a purchase order on purchases below \$1,500 will make the purchasing procedures more efficient and will free up staff time for more critical issues. This change will allow department directors to authorize purchases under \$1,500 without a purchase order provided that budgeted funds are available. Departments will be required to obtain 3 informal written bids for purchases over \$1,500 instead of over \$750, require 3 formal bids over \$7,500 instead of over \$1,500, and a purchase order will be required on items over \$1,500 instead of anything over \$750. The difference between informal and formal bids is that informal doesn't have to be advertised...it still can be, but it doesn't have to be.

In addition to eliminating Purchase orders for purchases less than \$1,500, I am also recommending additional minor changes to Chapter 140. Finance. Below are all of the changes that I am recommending for Chapter 140:

Section 140.010 Purchasing and Sales Policy, B. Definitions

- Update definition for Formal Written Bid and Informal Written Bid to clarify the intent

Section 140.030 General Guidelines, B. Purchasing Procedures

- Rewrite #1-#5 to eliminate Purchase Orders for anything up to \$1,499.
- Clarify any purchases from \$1,500 to \$7,499 will need 3 informal written bids and a Purchase Order that is approved by the Department Director and the Director of Finance
- Clarify any purchases over \$7,500 will need 3 formal written bids and a Purchase Order approved by Department Director, Director of Finance and City Administrator
- Added #5, Bidding instructions, which includes Performance Bond

Section 140.030 General Guidelines, C. Change Orders, 3. Changes to Purchase Orders

- Allow the City Administrator the ability to approve a change order up to 10% or \$20,000, whichever is less, to purchases due to cost changes, quantity changes and scope changes

Section 140.030 General Guidelines, G. Professional Services Contracts, 5.

- Allow City Administrator the ability to approve a change order to Professional Services of 10% or up to \$20,000, whichever is less

Roughly 26% (72) of our Purchase Orders were less than \$1,500 in 2017, so this is the amount that would not require a Purchase Order if this change is adopted.

A chart showing the formal written bid thresholds for other cities is attached. You will notice that changing our threshold to \$7,500 will put us in in the middle of what surrounding cities are doing. We will be in line with Ladue and Frontenac's policy and below Clayton, Maryland Heights and Ballwin's threshold policy.

In summary, the three major changes from this proposal are (1) changing the informal bid threshold from \$750 to \$1,500, (2) changing the formal written bid threshold from \$1,500 to \$7,500 and (3) requiring Purchase Orders on purchases over \$1,500 instead of purchases over \$750.

A red-lined version of the recommended changes is also attached. I'd be happy to answer any questions.

Chapter 140. Finances

Section 140.010. Purchasing and Sales Policy.

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

FORMAL WRITTEN BID

A competitive bid for supplies and services which must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed envelope format to be opened in public at a specified time.

INFORMAL WRITTEN BID

A competitive bid or price quotation for supplies or services conveyed to the City in writing, generally without prior advertising, pursuant to applicable instructions.

Section 140.030. General Guidelines.

B. Purchasing Procedures.

No purchase or contracts for services or supplies paid from funds of the City, shall be made by any officer, employee or agent of the City, or City Administrator, except in the manner hereinafter set forth.

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1. Purchases with material value from zero dollars (\$0.00) to seven hundred fifty dollars (\$750.00). Items in this range within budget and not available through an existing purchasing contract may be ordered by the department director. Prior to placing an order, departments should obtain the lowest cost through cost comparisons whenever reasonably possible. The requisition must be approved only by the department director for issuance of a purchase order.
2. Purchases with material value from seven hundred fifty one dollars (\$751.00) to one thousand four hundred ninety nine dollars (\$1,499.00). Items in this range within budget and not available through an existing purchasing contract may be ordered by the department director. Prior to placing an order, the department should obtain the lowest cost through cost comparisons whenever reasonably possible. The requisition must be approved by the department director and the account associate in the Finance Department for issuance of a purchase order.
3. Purchases with material value from one thousand five hundred dollars (\$1,500.00) to four thousand nine hundred ninety nine dollars (\$4,999.00). Items in this range within budget and not available through an existing purchasing contract may be ordered by the department director after the required approval of the requisition and purchase order. These items must be approved by the department director, the account associate and the Finance Director. Formal written quotes are required to insure a competitive purchase. To the extent possible, at least three (3) quotes should be obtained.
4. Purchases with material value from five thousand dollars (\$5,000.00) to nineteen thousand nine hundred ninety nine dollars (\$19,999.00). Items in this range

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within budget and not available through an existing purchasing contract may be ordered by the department director after the required approval of the requisition and purchase order. These items must be approved by the department director, account associate, Finance Director and the City Administrator. Formal written quotes are required to insure a competitive purchase. To the extent possible, at least three (3) quotes should be obtained.

5. ~~Purchases with material value of twenty thousand dollars (\$20,000.00) and above and purchases not within budget (after authorized transfers). Items in this category may be ordered only after official approval by the City Council. All such purchases require written quotes (at least three (3) if possible). For purchases exceeding fifty thousand dollars (\$50,000.00), a request for bids must be formally advertised once a week on the same day for two (2) consecutive weeks in a newspaper of general circulation within the City.~~

1. Purchases with material value from Zero dollars (\$0.00) to one thousand four hundred ninety-nine dollars (\$1,499.00). Whenever any contemplated purchase or contract for services is under one thousand five hundred dollars (\$1,500.00) and within budget, the City may order the item or items as needed without any further formality. It is the responsibility of each department director to ensure control over this process. Final approval of the purchase or contract shall be by the department director. No quotes are necessary and no purchase order is required.

2. Purchases with material value from One thousand five hundred dollars (\$1,500.00) to seven thousand four hundred ninety-nine dollars (\$7,499.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) informal written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director and the Director of Finance for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

3. Purchases with material value from Seven thousand five hundred dollars (\$7,500.00) to nineteen thousand nine hundred ninety-nine dollars (\$19,999.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

4. Purchases with material value of Twenty thousand dollars (\$20,000.00) and above. Whenever any contemplated purchase or contract for services are within this range, at least three (3) written bids for the items or services shall be submitted in bid form. Items in this category may be ordered only after official approval by the City Council. For purchases exceeding fifty thousand dollars (\$50,000), a formal written request for bids must be advertised in one (1) issue of a newspaper of general circulation in the City. The notice herein required shall include a general description of the articles to be purchased or services performed and the time and place for opening the bids. In addition, a notice inviting bids shall be posted on the City's website, on any online bidding site available, any relevant trade publication, and may also be mailed or emailed to all responsible

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prospective suppliers of the items to be purchased or services performed. Final approval of the purchase or contract shall be by affirmative vote of a majority of the City Council. After approval by the City Council, the requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

5. Bidding. The City and all parties contracting with the City shall follow the procedure hereinafter set forth in relation to all purchases exceeding fifty thousand dollars (\$50,000):

a. All notices and solicitation of bids shall state the time and place for opening.

b. All bids shall be submitted sealed, either electronically or in writing, and shall be identified as "sealed bids" on the envelope or electronic subject line.

c. All bids shall be opened in public at the time and place stated in the public notice.

d. A tabulation of all bids received shall be available for public inspection per request.

e. The City shall have the authority to reject any and all bids and parts of all bids and readvertise or resolicit bids.

f. Determining lowest responsible bidder. Unless there is an exercise of the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for any article or to the lowest responsible bidder for the entire purchase or contract for any part thereof. In determining the lowest responsible bidder, the following shall be considered:

(1) The ability, capacity and skill of the bidder to perform the contract or provide service required.

(2) Whether the bidder can perform the contract or provide the services promptly or within specified time, without delay or interference.

(3) The quality of performance of previous contracts or services.

(4) The previous and existing compliance by the bidder with laws and ordinances of the City.

(5) The financial resources and ability of the bidder to perform the contract or provide the service.

(6) The quality, availability and adaptability of the supplies or service.

6. Multiple or repeat orders. Multiple or repeat orders cannot be used to avoid the requisite approvals for the total purchase amount.
7. Special circumstances. If less than three (3) quotes are received and the quotes all exceed the amount budgeted for the purchase, departments should either request new bids for the desired goods or services or obtain approval from the Director of Finance to proceed based on the initial quote(s) on the grounds that special circumstances exist such that requests for new bids would not generate different quotes. Such special circumstances should be explained in a memorandum accompanying the purchase

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order.

8. *Exempt purchases.* The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth in subsequent Sections of this Chapter:
 - a. Sole-source or monopoly purchases;
 - b. Cooperative purchase agreements;
 - c. Fuel purchases;
 - d. Professional services;
 - e. Term and supply and annual contracts;
 - f. Emergency purchases.

g. *Performance bond.* The City shall have the authority to require a performance bond, in cash or otherwise, for such amount as it may deem sufficient to secure the execution of the contract of furnishing supplies or services for the best interest of the City.

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C. *Change Orders.*

1. *Construction change orders approved by City Administrator.* The City Administrator is authorized to approve change orders not exceeding ten percent (10%) of the original contract or up to fifty thousand dollars (\$50,000.00), whichever is less.
2. *Construction change orders approved by City Council.* Construction change orders approved by City Council. In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to City Council for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders, regardless of amount, must go to City Council for approval. On a project-by-project basis, the City Council may authorize the City Administrator to approve up to twenty thousand dollars (\$20,000.00) in additional change orders following City Council review of all previous change orders, but in no event shall such additional authorization exceed ten percent (10%) of the original contract.
3. *Changes to purchase orders.* The City Administrator is authorized to approve change orders for purchases not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council. Change orders to purchase orders are only allowed if the change is in the cost of the item being purchased. No change orders are allowed for changes in quantity or scope of the original purchase order. Changes in quantity or scope are to be purchased with separate purchase order numbers unless the City Administrator or his/her designee authorizes the amendment of an existing purchase order.

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- a. ~~Purchase order change order cost adjustments in an amount up to three thousand dollars (\$3,000.00) require prior approval of the Director of Finance.~~
- b. ~~Purchase order change order cost adjustments in an amount from three thousand one dollars (\$3,001.00) to nineteen thousand nine hundred ninety nine dollars (\$19,999.00) require prior approval of the Director of Finance and the City Administrator.~~
- c. ~~Purchase order change order cost adjustments in an amount over nineteen thousand nine hundred ninety nine dollars (\$19,999.00) require prior approval of the Director of Finance, City Administrator and City Council.~~

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G. *Professional Services Contracts.*

1. Contracts for professional services provided by financial advisors, physicians, certified public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.
2. Requests for proposals for professional services shall be submitted to the City Administrator for review and approval prior to distribution. When an RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a proposal setting forth their interest, qualifications and description of proposed services. A contract will be negotiated with the professionals deemed to best meet the City's needs.
3. Upon approval of the Finance Director and City Administrator, professional services contracts under ten thousand dollars (\$10,000.00) may be exempt from the request for proposal process.
4. Professional services contracts for twenty thousand dollars (\$20,000.00) or more must be approved by the City Council.
5. ~~In the event a change in the scope of services increases the total compensation for a professional services contract originally valued at twenty thousand dollars (\$20,000.00) or more or if the change will cause the original contract amount to exceed nineteen thousand nine hundred ninety nine dollars (\$19,999.00), a written contract modification or supplemental agreement shall be approved by the City Council prior to the additional work commencing. Contract modifications or supplemental agreements that do not cause the total contract amount to exceed nineteen thousand nine hundred ninety nine dollars (\$19,999.00) may be approved by the City Administrator. The City Administrator is authorized to approve change orders for professional service contracts not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council.~~

Chapter 140. Finances

Section 140.010. Purchasing and Sales Policy.

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

FORMAL WRITTEN BID

A competitive bid for supplies and services must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed format to be opened in public at a specified time.

INFORMAL WRITTEN BID

A competitive bid for supplies or services conveyed to the City in writing, generally without prior advertising, pursuant to applicable instructions.

Section 140.030. General Guidelines.

B. Purchasing Procedures.

No purchase or contracts for services or supplies paid from funds of the City, shall be made by any officer, employee or agent of the City, or City Administrator, except in the manner hereinafter set forth.

1. Purchases with material value from Zero dollars (\$0.00) to one thousand four hundred ninety-nine dollars (\$1,499.00). Whenever any contemplated purchase or contract for services is under one thousand five hundred dollars (\$1,500.00) and within budget, the City may order the item or items as needed without any further formality. It is the responsibility of each department director to ensure control over this process. Final approval of the purchase or contract shall be by the department director. No quotes are necessary and no purchase order is required.

2. Purchases with material value from One thousand five hundred dollars (\$1,500.00) to seven thousand four hundred ninety-nine dollars (\$7,499.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) informal written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director and the Director of Finance for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

3. Purchases with material value from Seven thousand five hundred dollars (\$7,500.00) to nineteen thousand nine hundred ninety-nine dollars (\$19,999.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

4. Purchases with material value of Twenty thousand dollars (\$20,000.00) and above. Whenever any contemplated purchase or contract for services are within this range, at least three (3) written bids for the items or services shall be submitted in bid form. Items in this category may be ordered only after official approval by the City Council. For purchases exceeding fifty thousand dollars (\$50,000), a formal written request for bids must be advertised in one (1) issue of a newspaper of general circulation in the City. The notice herein required shall include a general description of the articles to be purchased or services performed and the time and place for opening the bids. In addition, a notice inviting bids shall be posted on the City's website, on any online bidding site available, any relevant trade publication, and may also be mailed or emailed to all responsible prospective suppliers of the items to be purchased or services performed. Final approval of the purchase or contract shall be by affirmative vote of a majority of the City Council. After approval by the City Council, the requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

5. Bidding. The City and all parties contracting with the City shall follow the procedure hereinafter set forth in relation to all purchases exceeding fifty thousand dollars (\$50,000):

- a. All notices and solicitation of bids shall state the time and place for opening.
- b. All bids shall be submitted sealed, either electronically or in writing, and shall be identified as "sealed bids" on the envelope or electronic subject line.
- c. All bids shall be opened in public at the time and place stated in the public notice.
- d. A tabulation of all bids received shall be available for public inspection per request.
- e. The City shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.
- f. Determining lowest responsible bidder. Unless there is an exercise of the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for any article or to the lowest responsible bidder for the entire purchase or contract for any part thereof. In determining the lowest responsible bidder, the following shall be considered:
 - (1) The ability, capacity and skill of the bidder to perform the contract or provide service required.
 - (2) Whether the bidder can perform the contract or provide the services promptly or within specified time, without delay or interference.
 - (3) The quality of performance of previous contracts or services.
 - (4) The previous and existing compliance by the bidder with laws and ordinances of the City.
 - (5) The financial resources and ability of the bidder to perform the contract or provide the service.
 - (6) The quality, availability and adaptability of the supplies or service.

6. *Multiple or repeat orders.* Multiple or repeat orders cannot be used to avoid the requisite approvals for the total purchase amount.
7. *Special circumstances.* If less than three (3) quotes are received and the quotes all exceed the amount budgeted for the purchase, departments should either request new bids for the desired goods or services or obtain approval from the Director of Finance to proceed based on the initial quote(s) on the grounds that special circumstances exist such that requests for new bids would not generate different quotes. Such special circumstances should be explained in a memorandum accompanying the purchase order.
8. *Exempt purchases.* The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth in subsequent Sections of this Chapter:
 - a. Sole-source or monopoly purchases;
 - b. Cooperative purchase agreements;
 - c. Fuel purchases;
 - d. Professional services;
 - e. Term and supply and annual contracts;
 - f. Emergency purchases.
 - g. *Performance bond.* The City shall have the authority to require a performance bond, in cash or otherwise, for such amount as it may deem sufficient to secure the execution of the contract of furnishing supplies or services for the best interest of the City.

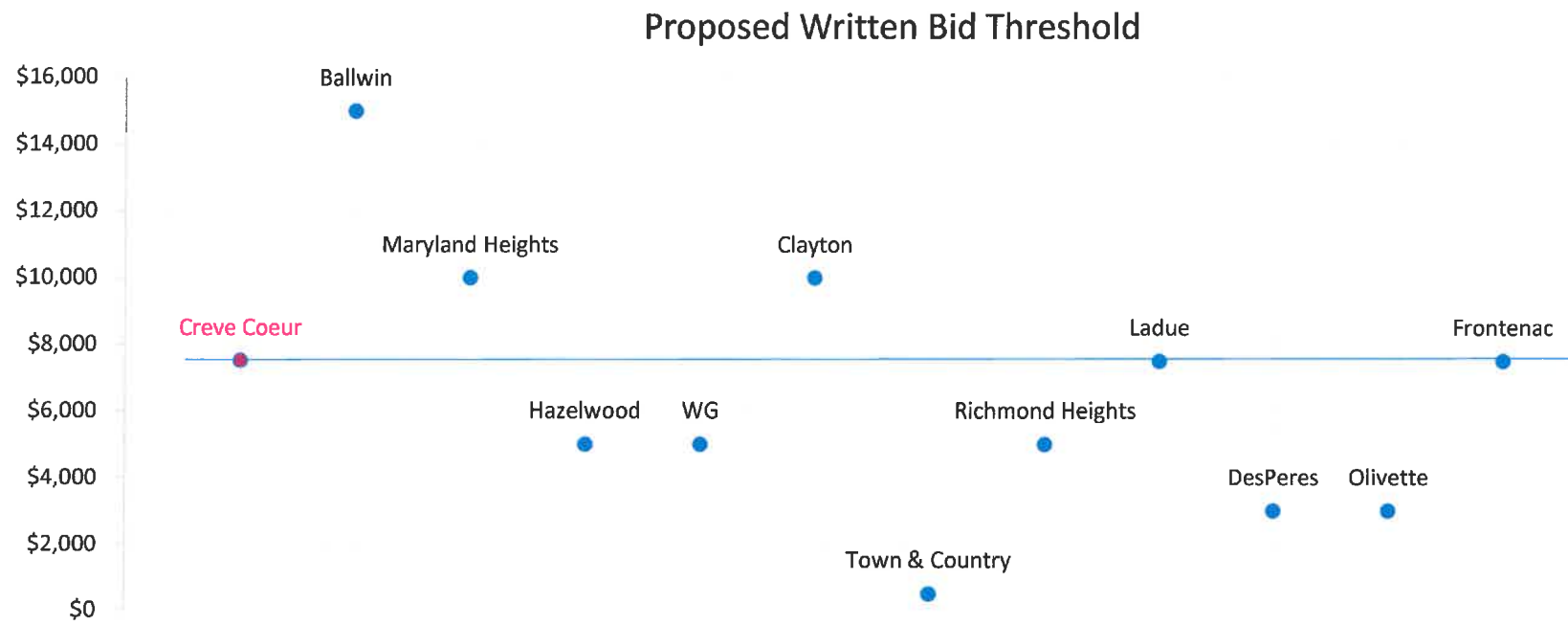
C. *Change Orders.*

1. *Construction change orders approved by City Administrator.* The City Administrator is authorized to approve change orders not exceeding ten percent (10%) of the original contract or up to fifty thousand dollars (\$50,000.00), whichever is less.
2. *Construction change orders approved by City Council.* Construction change orders approved by City Council. In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to City Council for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders, regardless of amount, must go to City Council for approval. On a project-by-project basis, the City Council may authorize the City Administrator to approve up to twenty thousand dollars (\$20,000.00) in additional change orders following City Council review of all previous change orders, but in no event shall such additional authorization exceed ten percent (10%) of the original contract.
3. *Changes to purchase orders.* The City Administrator is authorized to approve change orders for purchases not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded.

Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council.

G. *Professional Services Contracts.*

1. Contracts for professional services provided by financial advisors, physicians, certified public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.
2. Requests for proposals for professional services shall be submitted to the City Administrator for review and approval prior to distribution. When an RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a proposal setting forth their interest, qualifications and description of proposed services. A contract will be negotiated with the professionals deemed to best meet the City's needs.
3. Upon approval of the Finance Director and City Administrator, professional services contracts under ten thousand dollars (\$10,000.00) may be exempt from the request for proposal process.
4. Professional services contracts for twenty thousand dollars (\$20,000.00) or more must be approved by the City Council.
5. The City Administrator is authorized to approve change orders for professional service contracts not exceeding ten percent (10%) of the original contract or up to twenty thousand dollars (\$20,000), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of 10% or \$20,000, must be approved by City Council.





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

Meeting: 09/24/18 07:00 PM
Department: Planning Division
Category: Report
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

Bill No. 5734 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for a 1,975 Square-Foot Eating and Drinking Establishment, for St. Louis Rotisserie, Located at 12414 Olive Boulevard Within the Shoppes at Westgate Shopping Center. First Reading

Drew Sterling, of St. Louis Rotisserie, has submitted an application for a new conditional use permit for a 1,975 square foot with 24 seats, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate. The Applicant is not pursuing any changes to the exterior of the building or site. The Restaurant will also serve as the base for their catering operation. All limited service restaurants (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Planning and Zoning Commission recommended approval at its meeting on September 17, 2018.

Ordinance

Meeting of September 24, 2018

BILL NO. 5734

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A 1,975 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT, FOR ST. LOUIS ROTISserie, LOCATED AT 12414 OLIVE BOULEVARD WITHIN THE SHOPPES AT WESTGATE SHOPPING CENTER

WHEREAS, under Section 405.340(C), all limited service restaurants (NAICS 722513) in the “MX”, Mixed Use zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Drew Sterling, of St. Louis Rotisserie, for a new conditional use permit for a 1,975 square foot with 24 seats, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate; and,

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, September 17, 2018, beginning at 6:30 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and,

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 7-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on September 17, 2018; and,

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 12414 Olive Boulevard, in the “MX” Mixed Use zoning district, within the Shoppes at Westgate, whose legal description is as follows:

BILL NO. 5734

ORDINANCE NO. _____

A TRACT OF LAND BEING PART OF LOT 12 OF "QUESTOVER SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 51, PAGE 83 OF THE ST. LOUIS COUNTY RECORDS, AND PART OF "WESTGATE (AMENDED)", ACCORDING TO THE PLAT THEREOF RECORDED IN PLATBOOK 151, PAGE 46 OF THE ST. LOUIS COUNTY RECORDS, SITUATED IN U.S. SURVEY 1923, TOWNSHIP 45 NORTH, RANGE 5 EAST, IN THE CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN LINE OF LOT 12, AT ITS INTERSECTION WITH A TRACT OF LAND TAKEN FOR THE WIDENING OF MISSOURI STATE HIGHWAY 340 (ALSO KNOWN AS OLIVE STREET ROAD, VARIABLE WIDTH), BY CAUSE NUMBER 368952, RECORDED IN DEED BOOK 6830, PAGE 855 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT BEING 75.00 FEET RADIAL DISTANT SOUTHWESTWARDLY FROM THE CENTERLINE OF SAID HIGHWAY, OPPOSITE STATION 340+00.00; THENCE ALONG THE SOUTHERN RIGHT OF WAY LINE OF SAID HIGHWAY, SOUTH 57 DEGREES 00 MINUTES 38 SECONDS EAST, 53.61 FEET TO A POINT 80.00 FEET RADIAL DISTANT FROM CENTERLINE AT STATION 340+50.00; THENCE SOUTH 70 DEGREES 51 MINUTES 20 SECONDS EAST, 128.17 FEET TO A POINT 70.50 FEET RADIAL DISTANT FROM THE CENTERLINE OF SAID HIGHWAY, AT STATION 341+70.00; THENCE SOUTH 71 DEGREES 18 MINUTES 55 SECONDS EAST, 26.54 FEET TO A POINT 70.00 FEET RADIAL DISTANT FROM THE CENTERLINE AT STATION 341+95.00; THENCE SOUTH 33 DEGREES 59 MINUTES 30 SECONDS EAST, 80.59 FEET TO A POINT ON THE WESTERN RIGHT OF WAY LINE OF TEMPO DRIVE, VARIABLE WIDTH, SAID POINT BEING 120.00 FEET RADIAL DISTANT SOUTHWESTWARDLY FROM THE CENTERLINE OF SAID HIGHWAY OPPOSITE STATION 342+53.37; THENCE ALONG SAID WESTERN RIGHT OF WAY LINE, SOUTH 13 DEGREES 47 MINUTES 00 SECONDS WEST, 19.20 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTWARDLY 205.41 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,517.26 FEET AND A CHORD BEARING OF SOUTH 09 DEGREES 54 MINUTES 17 SECONDS WEST TO A POINT; THENCE DEPARTING SAID RIGHT OF WAY LINE, NORTH 77 DEGREES 02 MINUTES 44 SECONDS WEST, 370.01 FEET TO SOUTHEASTERN CORNER OF LOT 11 OF "QUESTOVER SUBDIVISION", AS AFOREMENTIONED; THENCE ALONG THE LINE BETWEEN LOTS 11 AND 12, NORTH 30 DEGREES 00 MINUTES 03 SECONDS EAST, 328.45 FEET TO THE POINT OF BEGINNING, CONTAINING 2.068 ACRES MORE OR LESS.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of a 1,975 square foot, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate.
2. Maximum seating permitted is limited to 24 indoor seats. The Zoning Administrator may authorize additional outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 10:30 a.m. to 8:30 p.m. seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the building and as far from the public right-of-way as possible.
5. Outdoor speakers may be used in the patio area only and shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

BILL NO. 5734

ORDINANCE NO. _____

7. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
8. Any mechanical equipment installed for the site shall be properly screened with approved materials.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
10. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
11. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
12. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2018.

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2018.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
 (314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION #18-034: APPLICATION FOR A CONDITIONAL USE PERMIT FOR A NEW RESTAURANT, ST. LOUIS ROTISSERIE, AT 12414 OLIVE BOULEVARD, WITHIN THE SHOPPES AT WESTGATE

FOR THE MEETING OF: Monday, September 17, 2018.

LOCATION: 12414 Olive Boulevard, within the Shoppes at Westgate, at the southwest corner of Tempo Drive and Olive Boulevard.

REQUEST: Drew Sterling, of St. Louis Rotisserie, has submitted an application for a new conditional use permit for a 1,975 square foot with 24 seats, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate. The Applicant is not pursuing any changes to the exterior of the building or site. The Restaurant will also serve as the base for their catering operation.

ADDITIONAL INFORMATION: All limited service restaurants (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Staff has included a condition of approval that the addition of outdoor seating may be reviewed and approved at Staff level, with review of a site plan for Building Code compliance and all applicable Zoning Code review, without the need to amend the ordinance.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Comp. Plan References

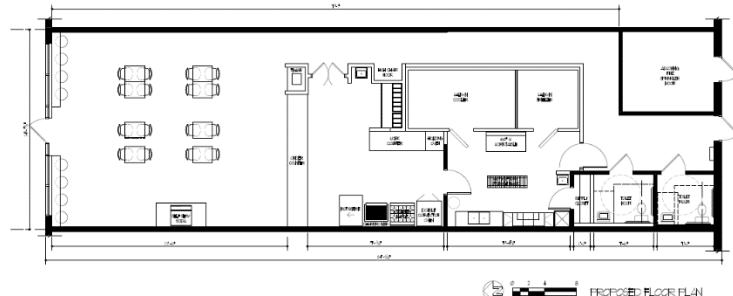
- West Olive Corridor
 - Mixed-Use (MU) District Place Type

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.340: MX-Mixed Use District
- Section 405.470: Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANTS: Drew Sterling
 St. Louis Rotisserie
 13029 Olive Boulevard
 St. Louis, MO 63141

PROPERTY OWNER'S REPRESENTATIVE: Jason Morgan
 Shoppes at Westgate LLC
 800 Maryland Ave., Suite 1120
 St. Louis, MO 63105



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 9/13/2018
ATTACHMENTS: Applicant's Materials received August 17, 2018
 Draft Ordinance

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Offices	CB-Core Business District	Olive Boulevard
South	Cove West Apartments	AR-Attached Single Family Residential	NA
East	Westgate Centre Shopping Center	PC-Planned Commercial District	Tempo Drive
West	Ortmann Stipanovich Funeral Home	MX-Mixed Use District	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located within West Olive Corridor and the Mixed-Use District (MU) place type that encourages a variety of medium-density commercial, retail, office, institutional, dining, community services, and multi-family residential within a suburban context. . The Applicant will be filling a portion of a vacant tenant space within the Shoppes at Westgate. Outdoor dining is provided on site for general use to be shared with the other tenants in the retail center. Therefore, the request meets with the Goals and Objectives of the Comprehensive Plan, in as much as this project can provide.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space formerly occupied by Ray's Donuts, in a center that includes a mixture of restaurants, retail, and services. No changes to the exterior of the building or site have been requested. At this time, the Applicant is proposing a maximum of 24 indoor seats.

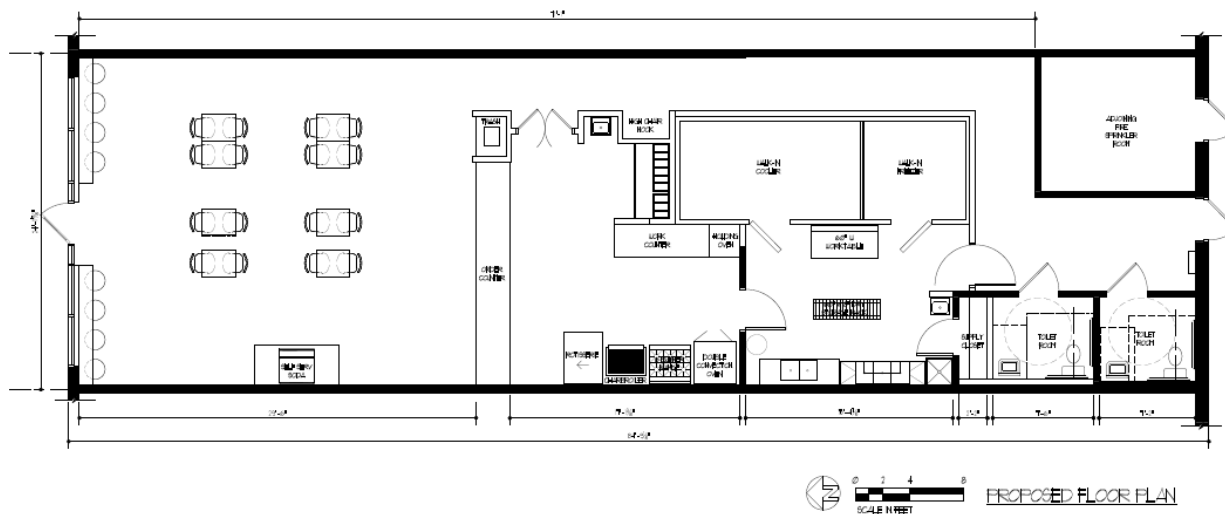


Figure 1: Close-up of the Applicant's proposed floor plan.

Use Intensity:

Section 405.470(A)(14) limits food services and drinking places to be on sites of not less than two acres. The property is just over two acres at 2.07 acres.

Parking:

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces: One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area, plus one (1) parking space per each eight (8) seats in an outdoor seating area.

Thus, for this request a total of 16 spaces are required. Shopping centers designed for restaurant, retail uses and personal service establishments may combine the total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required, per Section 405.820(B)(1).

Below is the parking table for the entire center:

Tenant	Use	Size (sq. ft.)	Parking Regulations	# of spaces
Massage Lux	Personal Services	3125	4/1000 sq. ft.	12.5
Palm Beach Tan	Personal Services	2125	4/1000 sq. ft.	8.5
*proposed STL Rotisserie	Restaurant	1975 (+24 indoor seats)	1/3 seats in C.U.P., + 1/250 sq. ft.	15.9
Cold Stone	Snack and Nonalcoholic Bars	2125	4/1000 sq. ft. (16 seats)	8.5
Salon Prive	Hair Salon	2125	4/1000 sq. ft.	8.5
Optical Expressions	Medical Office/Retail	3944	4/1000 sq. ft.	15.8
Sport Clip	Hair Salon	1430	4/1000 sq. ft.	5.7
Imo's	Restaurant	2016 (+24 indoor seats)	1/3 seats in C.U.P., + 1/250 sq. ft.	16
Patio Seating		12 seats	1/8 seats	1.5
Sub-total:				92.9
Minus 15% Reduction				13.94
Total # of Parking Spaces Required:				79
Total Available On-site:				84
Excess Parking:				5

While not associated with any restaurant, the three, 4-top outdoor patio seating on site was included in the calculation for accuracy. The Application indicated a gross floor area of 1,975 square feet. Staff has included a condition of approval that the Zoning Administrator would have the ability to authorize additional outdoor seating without the need to revise the Ordinance, based up review of an outdoor seating plan to ensure adequate pedestrian access is provided, and all other Zoning Code and Building Code requirements are met. An outdoor smoker is not proposed for this location, however Staff has included the standard condition that the restaurant shall use a tempered makeup air system in order to reduce cooking smells.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements, in the same degree or greater than the prior use, of the Comprehensive Plan and Zoning Ordinances. Staff recommends approval subject to the conditions below which are included in the draft ordinance:

1. The Conditional Use Permit shall be for the operation of a 1,975 square foot, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate.
2. Maximum seating permitted is limited to 24 indoor seats. The Zoning Administrator may authorize additional outdoor seating, based up review of an outdoor seating plan to ensure all relevant Zoning and Building Codes are adequately addressed.
3. Hours of operation shall be 10:30 a.m. to 8:30 p.m. seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

4. Employee parking, delivery and company vehicles shall be parked behind the building and as far from the public right-of-way as possible.
5. Outdoor speakers may be used in the patio area only and shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater.
6. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
7. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
8. Any mechanical equipment installed for the site shall be properly screened with approved materials.
9. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.

ACTION

If the Planning and Zoning Commission finds the attached draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of Application #18-034 for a conditional use permit for an eating and drinking establishment for St. Louis Rotisserie at 12414 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of September 17, 2018” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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: AERIAL PHOTO

12414 Olive Boulevard



City Limits

Parcels

Parcels Label

Roads Labels

September 4, 2018



Prepared By

HORNER SHIFRIN

APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 9/12/2018



Description: Close-up view of the existing tenant space.



Description: View looking southeast from Olive Boulevard at the patio seating next to the artwork, and dining area in the background across the drive aisle.



Description: View of the outdoor patio dining area.



PLANNING DIVISION

Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
<i>Name</i> Drew Sterling	<i>Name</i> Jeffrey Solomon, AIA, NCARB, Architect
<i>Company (If Applicable)</i> St. Louis Rotisserie	<i>Company (If Applicable)</i> Jeffrey Solomon Architect LLC
<i>Address</i> 13029 Olive Blvd.	<i>Address</i> 1882 Seven Pines Dr.
<i>Address</i> St. Louis, MO 63141	<i>Address</i> St. Louis, MO 63146
<i>Telephone #</i> (314) 504-9098	<i>Telephone #</i> (314) 581-5073
<i>Fax #</i>	<i>Fax #</i> (636) 441-9297
<i>Email:</i> stlotisserie@gmail.com	<i>Email:</i> Email #1: ijsolomon@att.net Email #2: jsolomon@vspconstruction.com
<i>Applicant's Signature</i>	<i>Applicant's Representative's Signature</i>

Property Information:	Owner's Acknowledgement (if different from applicant):
12414 Olive BLvd Address	Name
Address	Company (If Applicable)
Shoppes At Westgate LLC Development Name (if any)	Address
Planned Use District Current Zoning	Address
Prior CUP Approvals (if known)	Telephone #
	Fax #
	Email:
	Owner's Signature

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Quick service restaurant featuring meats smoked and cooked in a rotisserie oven served with an array of optional side dishes. The store also serves as the base for a catering operation that serves consumer, commercial, and institutional customers.

Gross Floor Area – Existing and Proposed: 1,975 SF

Number of Seats (for restaurant only): 24

Number of Employees at the busiest shift: _____

Hours of Operation: 10:30 am - 8:30 pm, everyday

Current or Most Recent Use of the Property: Retail donut shop

Will the applicant apply for a liquor license: Yes _____ No X

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included.

Submittal Checklist

☒ Rationale	☐ Building elevations for new construction <u>N/A</u>
☒ Site plan	☒ Photographs of existing structures
☒ Access and parking plan; (may be shown on site plan)	☐ Materials samples <u>N/A</u>
☐ Landscape plan <u>N/A</u>	☒ Legal Description in Word format
☒ Floor plan	☒ Fees: \$250 (non-refundable) \$2000 (refundable deposit)
☒ Electronic copies of all materials	☐ Other items as requested by staff

Preferred Public Hearing Date: Monday, September 17, 2018.

****Confirm schedule and available meeting dates with Planning Division staff****

Office Use Only

____ All Sections Complete

Received By: _____

____ All Documents, incl. e-Copies

____ Fees Paid

Date: _____

Jason Jaggi, AICP, Director of Community Development

Whitney Kelly, AICP, City Planner

Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 1/17

St. Louis Rotisserie
LEGAL DESCRIPTION
 Shoppes at Westgate



Real Estate Information
Printable Version

12410 OLIVE BLVD, SAINT LOUIS, MO 63141

Ownership and Legal Information: 17O440844 - 2018

Locator No.	Tax Year	Tax District	City Code	Site Code	Destination Code
17O440844	2018	108D	082	0406	
Owner's Name:	SHOPPES AT WESTGATE L L C				
Taxing Address:	12410 OLIVE BLVD SAINT LOUIS, MO 63141				
Care-Of Name:					
Mailing Address:	Same as the taxing address.				
Subdivision Book - Page:	352236				
Assessor's Book - Page:	08 - 0487				
City Name:	CREVE COEUR				
Subdivision Name:	QUESTOVER LOT PT 12 & SURVEY 1923-45-5				
Legal Description:	(AKA WESTGATE AMENDED PT) CONSOLIDATION TRACT A Important: This is a brief legal description and is not meant for use in recorded legal documents.				
Lot Number:		Block Number:			
Lot Dimensions:	IRR / 0370 - 0328 / 0205		Total Acres:	2.07	
Tax Code - Description:	A - TAXABLE		Land Use Code:	506	
Deed Document Number:			Deed Type:		
Deed Book and Page:	Book: 18586 Page: 1926		Trash District:	NOT APPLICABLE	
Deed Index List:	View Deed Index Information Recorded With Locator Number 17O440844				
School District:	PARKWAY		County Council District:	2	

ARCHITECT OF RECORD:
JEFFREY SOLOMON, ARCHITECT, LLC
MISSOURI CERTIFICATE OF AUTHORITY
LICENSE #A-2015012660
1883 SEVEN PINES DR
ST LOUIS, MO 63146-5716
TEL: (314) 581-9073
FAX: (636) 441-9297
EMAIL: JSOLOMON@ATT.NET

CONSULTANT:

GENERAL CONTRACTOR:

Proposed Interior Tenant Finish Construction
St. Louis Rotisserie
12414 Olive Boulevard
Creve Coeur, Missouri

Rev #	Date	Description

This drawing and the details on it are the sole property of the architect and may be used for this specific project only. It shall not be loaned, copied or reproduced, in whole or in part, or for any other purpose or project without the written consent of the Architect. Copyright © 2018 Jeffrey Solomon Architect LLC

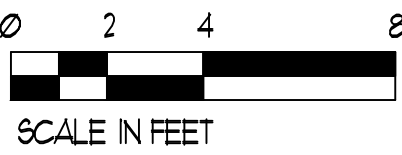
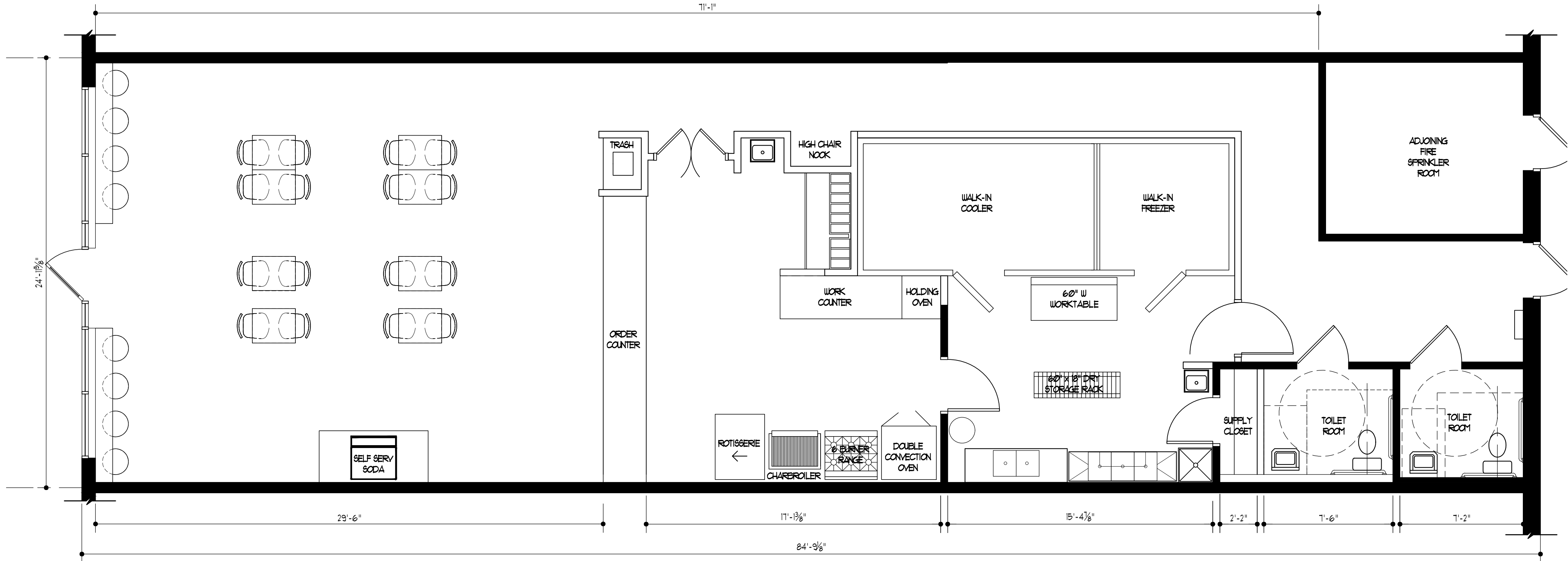
Jeffrey Solomon - Architect
MO# A-004317

The Professional Architect's seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments or other documents not exhibiting this seal shall not be considered prepared by this architect, and this architect expressly disclaims any and all responsibility for such plan, drawings or documents not exhibiting this seal.

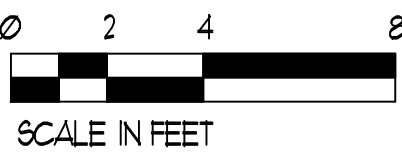
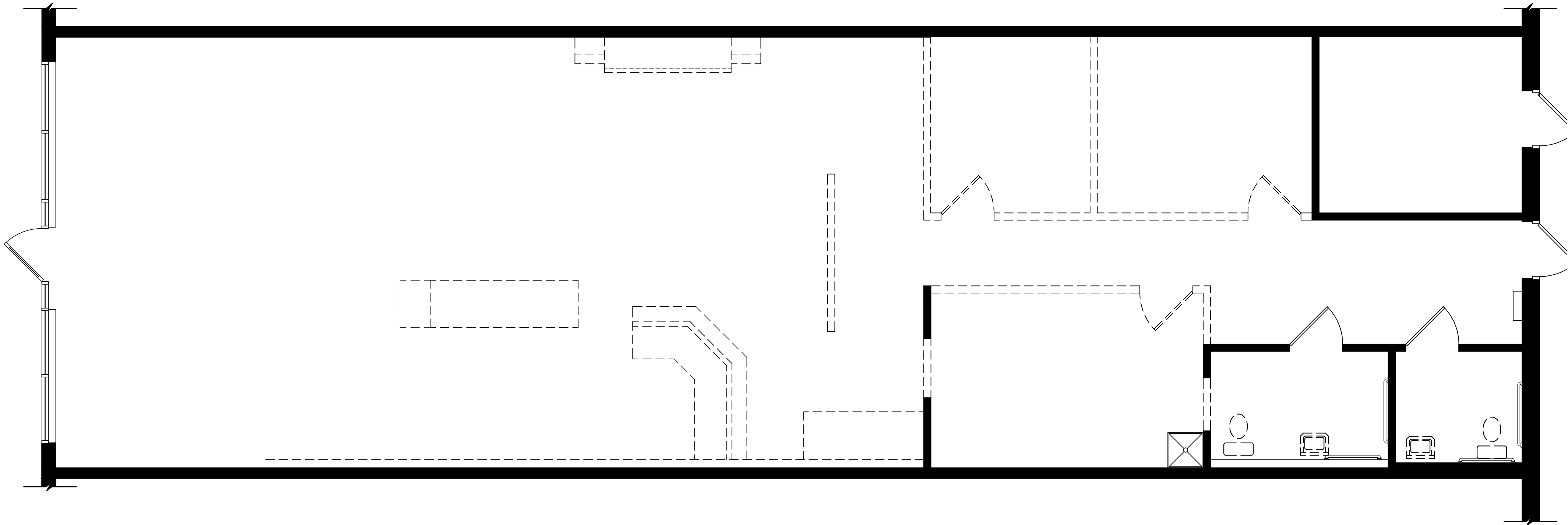
PRELIM SET: 11/14/2018
PERMIT SET: 11/14/2018

preliminary schematic plan

SP-1



PROPOSED FLOOR PLAN



PROPOSED DEMO PLAN

KEY

- EXG PARTITION TO REMAIN
- EXG EXTERIOR WALL TO REMAIN
- EXG BULKHEAD
- EXG PARTITION TO BE REMOVED
- NEW PARTITION (TYPE 1 UNLESS NOTED OTHERWISE)
- NEW PARTITION W/ SOUND BATT INSULATION

- PRE-HUNG WD
- HOLLOW METAL FRAME
- EXISTING DOORS TO REMAIN
- DOORS TO BE REMOVED
- NEW DOORS

City of Creve Coeur Planning and Zoning Commission Agenda Application

CONDITIONAL USE PERMIT – Rationale

St. Louis Rotisserie Restaurant

Hello, my name is Drew Sterling, owner and operator of the St Louis Rotisserie Restaurant. We have been serving rotisserie chicken and fresh made side dishes at 13029 Olive Blvd, St Louis, MO 63141 since 1994. It has now become time to move our established restaurant 1.5 miles east to 12414 Olive Blvd.

I believe our request for a conditional use permit should be approved for many reasons:

This business has been serving local Creve Coeur residents and workers for a long time.

As a tenant in the Olive Arcade Plaza for 24 years, we have always remained in good standing.

We serve families and business people a fresh, healthy, and quick meal.

The average time a customer spends eating at our establishment is very short. In and out. No loitering.

We do not serve alcohol.

This business has never had a complaint from the neighbors for negatively affecting traffic or disturbing the peace. We open at 10:30 am and close at 8:30 pm.

We provide employment to adults and local high school kids – Parkway North and Parkway Central.

We are locally owned and operated.

The steps being taken to lesson any impacts on surrounding residences and businesses are:

Site development will be a remodel upgrade to the inside existing leased space only.

The outdoor signage will comply with all local ordinances.

A study showing parking needs are met with existing available spaces.

Normal hours of operation.

Designated employee parking area separate from customer parking.

Leased space in an existing retail center.

Responsible owner/operator.

There are no building and landscape design changes.

Thank you very much for your consideration on the approval.

Drew Sterling – ST LOUIS ROTISSERIE (314) 504-9098

SHOPPES AT WESTGATE - PARKING CALCULATIONS:

TENANT	Tenant Appr SF	# of Parks Required (Includes CUP's)	
Massage Luxe	3125	12.5	
Palm Beach Tan	2125	8.5	
Vacant (Proposed STL Rotisserie)	1996	16.06	24 seats proposed
Cold Stone	2125	8.5	16 seats
Salon Prive	2125	8.5	
Optical Expressions	3944	15.78	
Sport Clip	1430	5.72	
Imo's	2016	16.06	24 seats
Patio (3-4 tops)		1.5	12 Seats
		93.12	Total Required Parks
		79.152	Total Required Parks w/ 15% reduction

Property Details:

*Zoned "MX" Mixed Use District

*84 parks

*General Retail Uses - 4 parks per 1,000 SF

*Restaurants (CUP): 1 park per 3 seats / 1 park for every 250 SF of floor area / 1 park for every 8 patio seats

*Imo's CUP 24 seats & Cold Stone CUP 16 seats

*If CUP for restaurant or food use has 16 seats or less parking calculation based on General Retail or 4/1000

*City allows a 15% reduction from total parks required



Ray's Donuts

COLD STONE CREAMERY

AVAILABLE
Cornerstone
314-962-0060



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

Meeting: 09/24/18 07:00 PM
Department: Planning Division
Category: Report
Prepared By: Whitney Kelly
Department Head: Jason Jaggi

SCHEDULED

ORDINANCE

Bill No. 5735 - an Ordinance Amending Ordinance Number 5424 Authorizing Revised Hours of Operation for the Drive-Thru Facility for St. Louis Bread Co. at 447 N. New Ballas Road. First Reading

Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5424) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM and end at 10:00 PM to correspond with the interior dining hours. All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Ordinance 5424 approved on April 27, 2015 authorized the drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM. The Planning and Zoning Commission recommended approval at the September 17, 2018 meeting.

Ordinance

Meeting of September 24, 2018

BILL NO. 5735

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NUMBER 5424 AUTHORIZING REVISED
HOURS OF OPERATION FOR THE DRIVE-THRU FACILITY FOR ST. LOUIS BREAD CO.
AT 447 N. NEW BALLAS ROAD**

WHEREAS, Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5424) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM to 10:00 PM to correspond with the interior dining hours; and

WHEREAS, All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission; and

WHEREAS, Ordinance 5424 approved on April 27, 2015 authorized the Conditional Use Permit for St. Louis Bread Co. drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM, and the interior dining from 6:00 AM to 10:00 PM, Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday; 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 September 17, 2018, beginning at 6:30 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by 7-0 vote, recommended approval of the amended hours of operation, subject to the conditions contained herein, at its meeting on September 17, 2018; and

WHEREAS, the City Council being fully informed finds that approving the Plan, subject to certain conditions, would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and is in the public interest; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

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

SECTION 1: Section 3, condition no. 3 of Ordinance No. 5424 shall be amended as follows, all other conditions shall remain in full effect:

3. Hours of operation ~~for the restaurant dining room~~ shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. ~~The drive-through facilities shall only operate from 7:00 a.m. to 10:00 p.m., daily.~~ Additional

BILL NO. 5735

ORDINANCE NO. _____

business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

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

ADOPTED THIS _____ DAY OF _____, 2018

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2018

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
 (314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION
#18-033: APPLICATION TO AMEND THE CONDITIONAL USE PERMIT
TO MODIFY THE HOURS OF OPERATION FOR THE DRIVE-THRU
FACILITY FOR ST. LOUIS BREAD CO., AT 447 N. NEW BALLAS ROAD
FOR THE MEETING OF: Monday, September 17, 2018

LOCATION: 447 N. New Ballas Road, in the Balmoral Plaza Shopping Center.

REQUEST: Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5425) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM and end at 10:00 PM to correspond with the interior dining hours. All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Ordinance 5424 approved on April 27, 2015 authorized the drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM.

ADDITIONAL INFORMATION: The Balmoral Plaza Shopping Center was originally developed in 1975 on 2.456 acres, and zoned GC-General Commercial District. A restaurant at this location initially received a special use permit in 1976, Ordinance Number 761. The conditional use permit for St. Louis Bread Co., repealed and replaced that ordinance in 1991 (Ordinance Number 1454), and it was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively. Ordinance 5424 repealed the prior ordinances and replaced it with the addition of the drive-thru facility.

Key Issues:

- Integration with the surrounding uses.
- Implementation of the goals of the Comprehensive Plan.
- Consistency with the required findings for a conditional use permit.

Comp. Plan References

- Large Commercial Property
 - Mixed-Use District

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: GC General Commercial District
- Section 405.470 Conditional Uses

APPLICANT: Michael Turnquist
 Panera, LLC
 3630 South Geyer road, Suite 100
 Sunset Hills, MO 63127

PROPERTY OWNER: Hutkin Development Co.
 Balmoral Plaza Investors, LLC
 10829 Olive Blvd. Suite 200
 Creve Coeur, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 9/11/2018

ATTACHMENTS: Applicants materials submitted August 13, 2018
 Draft Ordinance
 Ordinance No. 5424

PROPOSAL

The review of the addition of the Drive-Thru restaurant for Panera/St. Louis Bread Co. at this location limited the hours of operation for the restaurant dining room to 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. The hours of operation for the drive-thru facilities were established from 7:00 a.m. to 10:00 pm, seven days a week. The Applicant is requesting that the ordinance be modified to allow for the drive-thru facility to have the same operating hours as the interior restaurant hours. All of the remaining conditions of the Ordinance No. 5424 would remain the same.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office Building	CB Core Business District	N/A
South	Office Building	GC General Commercial	Rocky Drive
East	Office Building	PO Planned Office	N. New Ballas Road
West	Residences	B Single Family Residential	NA

COMPREHENSIVE PLAN REVIEW

The subject property is not located within a focus area of discussion within the Comprehensive Plan. The allowance of drive-thru restaurants throughout the city, and adjacent to residential neighborhoods, has been significantly discussed before the City Council. Noise, particularly related to drive-thru restaurants, versus other types of drive-thru facilities, was a large component of these discussions, and it was addressed in the original ordinance that required a masonry wall, and noise dampening equipment. No changes are proposed to the exterior of the building or site, and all the other conditions in the Staff Report are to remain. The Comprehensive Plan does not address the individual hours of operation of a business.

ZONING REVIEW

Condition 12 of Ordinance 5424 required that the drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB. Section 405.550(A)(2) Noise of the Environmental Performance Standards regulates noise to comply with the St. Louis County Standards for which condition 12 was meant to address.

Staff has not received any complaints regarding noise at this location since the drive through opened. Staff also checked with the Police Department and no complaints resulting from the drive-thru activity were reported. Given the lack of complaints and the other site related conditions within the ordinance to minimize noise impacts, opening an hour earlier should not have a significant impact.

RECOMMENDATION AND MOTION

Should the Planning and Zoning Commission find the reason for opening the drive-thru facility an hour earlier sufficient, and consistent with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. The Draft Ordinance only modifies the hours of operation as requested, all other conditions of Ordinance 5424 will remain.

Section 3, Condition No. 3 of Ordinance No. 5424 shall be revised to:

Hours of operation ~~for the restaurant dining room~~ shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. ~~The drive-through facilities shall only operate from 7:00 a.m. to 10:00 p.m., daily.~~ Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

MOTION

The following is an example of an appropriate motion for this application:

"I move to recommend approval of Application #18-033 to modify Ordinance No. 5425 for the Conditional Use Permit for the St. Louis Bread Company, with drive-thru facilities located at 447 N. New Ballas Road, to allow for the hours of operation of the Drive-Thru to correspond to that of the interior dining hours" (conditions may be added, eliminated, or modified by preceding motion).

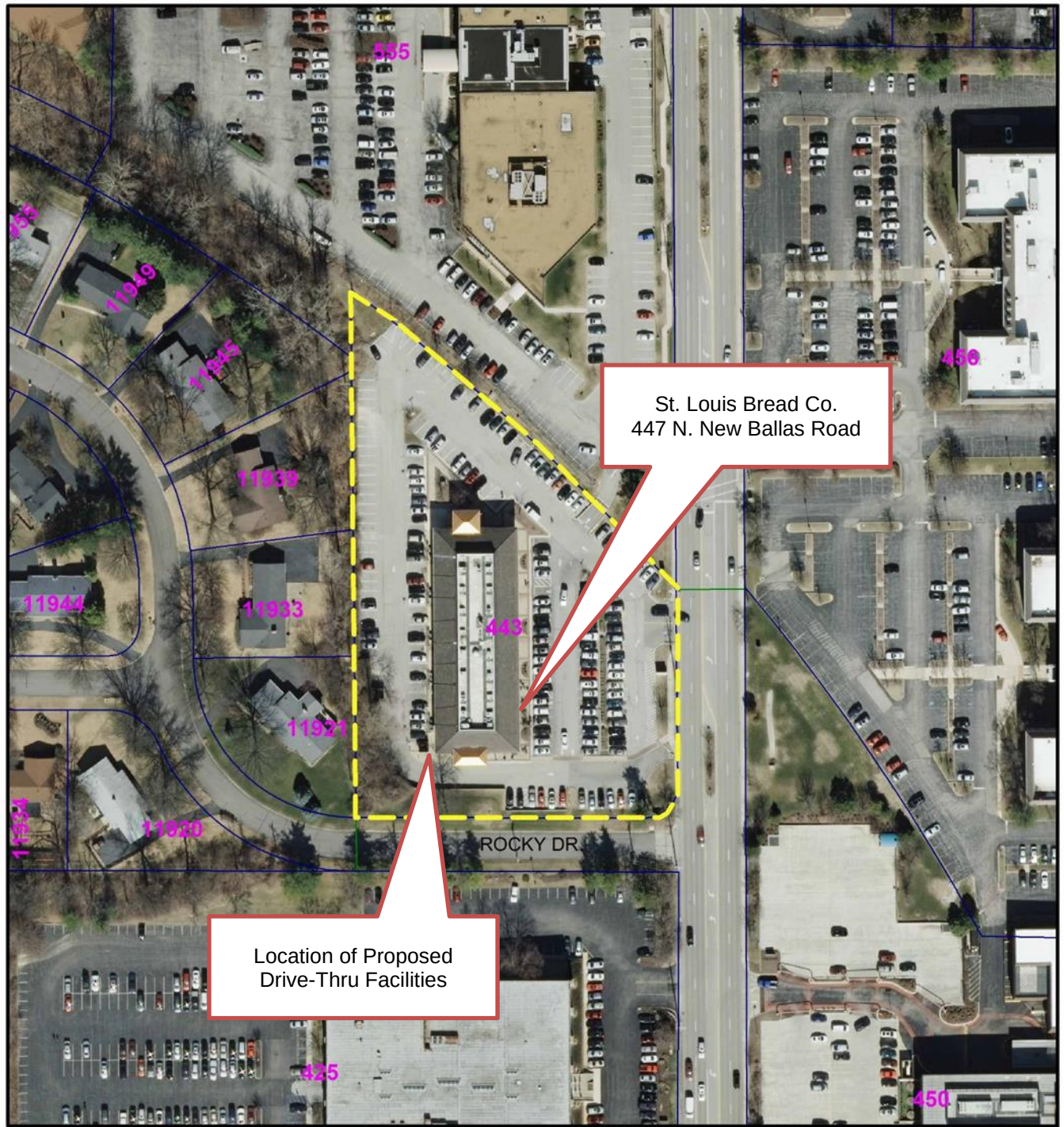
APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

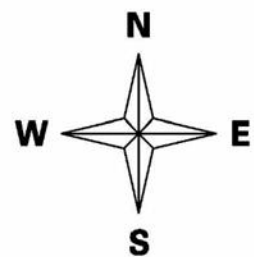
APPENDIX 2: ZONING CODE

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

APPENDIX 3: AERIAL PHOTO



- Property Lines
- Balmoral Plaza Shopping Center



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 9/12/2018



Description: View of the existing St. Louis Bread Co. space.



Description: View looking south at the rear of the building and drive-thru area with the vegetated screen between the order board, and the parking on the left and the sound wall on the right.



Description: Closer view of the existing sound wall



city



CREVE COEUR

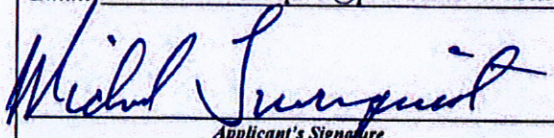
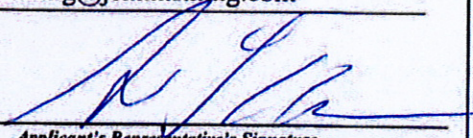
PLANNING DIVISION

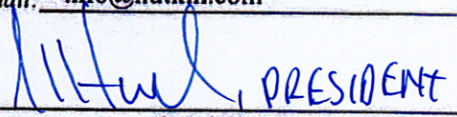
300 North New Ballas Road Creve Coeur, Missouri 63141

Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
Michael Turnquist	Stephen L. Kling, Jr.
<i>Name</i>	<i>Name</i>
Panera, LLC	Jenkins & Kling, P.C.
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
3630 South Geyer Road, Suite 100	150 North Meramec Avenue, Suite 400
<i>Address</i>	<i>Address</i>
Sunset Hills, Missouri 63127	Clayton, Missouri 63105
<i>Address</i>	<i>Address</i>
Telephone # (314) 984-2642	Telephone # (314) 721-2525
<i>Telephone #</i>	<i>Telephone #</i>
Fax # (314) 909-3370	Fax # (314) 721-5525
<i>Fax #</i>	<i>Fax #</i>
Email: Michael.Turnquist@panerabread.com	Email: skling@jenkinskling.com
<i>Email</i>	<i>Email</i>
	
<i>Applicant's Signature</i>	<i>Applicant's Representative's Signature</i>

Property Information:	Owner's Acknowledgement (if different from applicant):
447 North New Ballas Road	HUTKIN DEVELOPMENT COMPANY,
<i>Address</i>	<i>AS MANAGING AGENT ON BEHALF OF</i>
Creve Coeur, Missouri 63141	
<i>Address</i>	<i>Name</i>
Balmoral Plaza	Balmoral Plaza Investors, L.L.C.
<i>Development Name (if any)</i>	<i>Company (If Applicable)</i>
GC - General Commercial	10829 Olive Boulevard, Suite 200
<i>Current Zoning</i>	<i>Address</i>
4/27/15 - Ordinance	Creve Coeur, Missouri 63141
<i>Prior CUP Approvals (if known)</i>	<i>Address</i>
No. 5424; prior Ordinance Numbers: 1454,	Telephone # (314) 872-9140
	<i>Telephone #</i>
1487 and 2083	Fax # (314) 872-9001
	<i>Fax #</i>
	Email: info@hutkin.com
	<i>Email</i>
	
	<i>Owner's Signature</i>

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Food services with drive-thru service existing use; a CUP exists for the drive-thru; request is for a change in drive-thru hours from 7:00 a.m. to 10:00 p.m. to 6:00 a.m. to 10:00 p.m.; no other change is requested.

Gross Floor Area – Existing and Proposed: 4,760 sq. ft. interior; 402 sq. ft. drive-thru

Number of Seats (for restaurant only): 135 interior; 47 exterior

Number of Employees at the busiest shift: _____

Hours of Operation: Interior 6:00 a.m.-10:00 p.m. M-Sat., 7:00 a.m.-10:00 p.m. Sun.; drive-thru 7:00 a.m.-10:00 p.m.

Current or Most Recent Use of the Property: Food services

Will the applicant apply for a liquor license: Yes _____ No _____

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included. See attached Exhibit "A"

Submittal Checklist

- | | |
|---|---|
| ☐ Rationale | ☐ Building elevations for new construction |
| ☐ Site plan | ☐ Photographs of existing structures |
| ☐ Access and parking plan; (may be shown on site plan) | ☐ Materials samples |
| ☐ Landscape plan | ☐ Legal Description in Word format |
| ☐ Floor plan | ☐ Fees: \$250 (non-refundable) |
| ☐ Electronic copies of all materials | ☐ \$2000 (refundable deposit) |
| | ☐ Other items as requested by staff |

Preferred Public Hearing Date: Monday, _____, 20____.

****Confirm schedule and available meeting dates with Planning Division staff****

Office Use Only

____ **All Sections Complete**

Received By: _____

____ **All Documents, incl. e-Copies**

____ **Fees Paid**

Date: _____

Jason Jaggi, AICP, Director of Community Development

Whitney Kelly, AICP, City Planner

Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 1/17

EXHIBIT "A"

**CONDITIONAL USE PERMIT AMENDMENT REQUEST
OF PANERA, LLC
FOR PROPERTY AT
447 NORTH NEW BALLAS ROAD, CREVE COEUR, MISSOURI**

Panera (and its predecessor St. Louis Bread Company) has operated a food services facility at 447 North New Ballas Road, Creve Coeur, Missouri 63141 since 1991. A conditional use permit was issued for this use in 1991 and has been amended a few times since its original issuance. The most recent amended conditional use permit was enacted on April 27, 2015 as Ordinance No. 5424.

The amended conditional use permit approved the addition of a 407 square foot drive-thru facility at the rear of the existing building. The addition was completed on April 18, 2016 and the drive-thru has been in full operation since such date.

The hours of operation for the drive-thru were limited to 7:00 a.m. to 10:00 p.m. The interior restaurant hours are 6:00 a.m. to 10:00 p.m. Monday through Saturday and 7:00 a.m. to 10:00 p.m. on Sundays. Panera is requesting that the drive-thru hours be the same as the interior restaurant hours. Essentially, this request is to change the starting hours of the drive-thru from 7:00 a.m. to 6:00 a.m. Monday through Saturday.

The drive-thru was constructed with state of the art noise dampening equipment, plus additional devices and equipment beyond what Panera normally is required to install. The drive-thru facility located at the property is the most expensive drive-thru ever constructed by Panera due to the extensive noise dampening equipment. Such equipment was utilized to allay any concerns of the city and nearby property owners.

Panera currently operates 938 facilities throughout the United States. Of these, 418 have drive-thru locations. The Creve Coeur facility is the only drive-thru location which does not open at 6:00 a.m. In St. Louis, Panera has 23 drive-thru facilities and all of them—other than the Creve Coeur location—open at 6:00 a.m.

The Creve Coeur Panera drive-thru facility has been open for over 2 years. In that time, there have been no noise complaints filed with respect to its operation which reflects the quiet operation of the drive-thru, especially considering the noise dampening equipment.

As reflected in the hours at all of Panera's other drive-thru facilities, Panera believes the 6:00 a.m. opening time would better serve its customers. Many employees in Creve Coeur—such as those in the medical industry—have to be at work at 6:30 or 7:00 a.m. and the earlier hours would cater to their needs. While there are few drive-thru restaurants in Creve Coeur, the McDonald's facility has earlier hours. Walgreens and CVS have 24 hour drive-thru service.

BILL NO. 5546ORDINANCE NO. 5424

**AN ORDINANCE REPEALING ORDINANCE NOS. 1454, 1487 AND 2083 AND
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,162 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT WITH DRIVE-
THRU FACILITIES LOCATED AT 447 NORTH NEW BALLAS ROAD WITHIN
THE BALMORAL PLAZA SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all food services and drinking placed in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, St. Louis Bread Company received a conditional use permit at its current location in 1991, by Ordinance Number 1454, which permit was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively; and

WHEREAS, an application was submitted by David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant at 447 N. New Ballas Road within the Balmoral Plaza Shopping Center, including the addition of drive-thru facilities; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the amended conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the amended conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section **405.550**, the criteria in Section **405.470** and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.

BILL NO. 5546ORDINANCE NO. 5424

5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance Numbers 1454, 1487 and 2083 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 447 N. New Ballas Road with Drive-Thru Facilities, in the "GC" General Commercial zoning district, within the Balmoral Plaza Shopping Center, whose legal description is as follows:

A tract of land being all of Lot A of Balmoral, a Subdivision according to the plat thereof recorded in Plat Book 94 page 9 of the St. Louis County Records and also part of Section 3, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows:

Beginning at the Northeast corner of aforementioned Lot A, said point being in the West line of Ballas Road, 60 feet wide; thence along the West line of said Ballas Road South 0 degrees 06 minutes East, a distance of 104.55 feet to a point of curve; thence along the Western line of said Ballas Road and along the North line of Rocky Drive 50 feet wide, being on a curve to the right having a radius of 30 feet an arc distance of 47.47 feet to a point of tangency; thence along the North line of Rocky Drive 50 feet wide, North 89 degrees 26 minutes West, a distance of 269.65 feet to the Southwest corner of aforementioned Lot A; thence leaving the North line of aforesaid Rocky Drive and running along the West line of said Lot A; North 0 degrees 06 minutes West, a distance of 428.47 feet to the Northwest corner thereof; thence leaving said corner of Lot A and running North 38 degrees 06 minutes East, 50.00 feet to a point in the centerline of the former Missouri Pacific Railroad Right-of-Way (now abandoned); thence Southeastwardly along said Railroad Centerline and on a curve to the right having a radius of 1910 feet an arc distance of 373.40 feet to a point in the West line of aforementioned Ballas Road; thence along said road line South 0 degrees 06 minutes East 78.30 feet to the point of beginning according to survey executed by The Clayton Engineering Company dated October 10, 1989.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of 5,162 square foot eating and drinking establishment at 447 N. New Ballas Road, with drive-thru facilities as shown in the "Site Development Plan" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc. except as modified below.
2. Maximum seating permitted is limited to 135 indoor seats and 47 outdoor seats.
3. Hours of operation for the restaurant dining room shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. Hours of operation for the drive-thru facilities shall be 7:00 a.m. to 10:00 pm, seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

BILL NO. 5546ORDINANCE NO. 5424

4. Deliveries to any rear door on the property shall be made only from 7:00 a.m. to 9:00 p.m., daily.
5. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc.
6. The Applicant is required to submit a Site Improvement Permit application to be approved by the Zoning Administrator, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code, and including the painted stop bar at the north-south drive aisle per the recommendations of the City's traffic engineer. The permit application shall include a final Landscape Plan that is in substantial conformance with the Landscape Plan revised April 23, 2015 in conjunction within Application #15-004.
7. The Applicant shall provide an easement for a future detached sidewalk with a minimum width of five feet and separated from the curb by a minimum of three feet consistent with the Pedestrian Plan along Rocky Road, and in-lieu of constructing such side walk, equivalent funds in the sum of \$9,200.00 will be provided to the trustees of the Balmoral Subdivision for improvements to the subdivision entrance including for the purpose of minimizing confusion between that entrance and the plaza entrance.
8. A clear pedestrian path, no less than four (4) feet wide shall be maintained between the outdoor furniture and the building at all times.
9. The Applicant shall submit a detail of the proposed six-foot high sound wall for the Zoning Administrator's approval that is consistent with the Design Guidelines.
10. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
11. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
12. The drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB.
13. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance.
14. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
15. The kitchen facility shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
16. Employee parking, and delivery and company vehicles parking shall be behind the building and as far from the public right-of-way as possible.
17. Any mechanical equipment installed for the site shall be screened with materials, as approved by the Zoning Administrator.
18. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.

BILL NO. 5546ORDINANCE NO. 5424

19. Failure to comply with any one or more of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
20. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
21. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

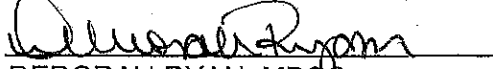
ADOPTED THIS 27th DAY OF April, 2015.


 CHARLOTTE D'ALFONSO
 PRESIDENT OF CITY COUNCIL

APPROVED THIS 27th DAY OF April, 2015.


 BARRY GLANTZ
 MAYOR

ATTEST:


 DEBORAH RYAN, MPCC
 CITY CLERK

**EXHIBITS TO APPLICATION FOR AMENDMENT OF
CONDITIONAL USE PERMIT, ORDINANCE 5424
TO THE CITY OF CREVE COEUR FOR PANERA, LLC**

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*submitted as part of public hearing on Sept. 17 by Applicant
- Whitney Kelly, City Planner*

TAB A

BILL NO. 5546ORDINANCE NO. 5424

**AN ORDINANCE REPEALING ORDINANCE NOS. 1454, 1487 AND 2083 AND
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,162 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT WITH DRIVE-
THRU FACILITIES LOCATED AT 447 NORTH NEW BALLAS ROAD WITHIN
THE BALMORAL PLAZA SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all food services and drinking placed in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, St. Louis Bread Company received a conditional use permit at its current location in 1991, by Ordinance Number 1454, which permit was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively; and

WHEREAS, an application was submitted by David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant at 447 N. New Ballas Road within the Balmoral Plaza Shopping Center, including the addition of drive-thru facilities; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the amended conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the amended conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.

BILL NO. 5546ORDINANCE NO. 5424

5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
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BILL NO. 5546ORDINANCE NO. 5424

19. Failure to comply with any one or more of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
20. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
21. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

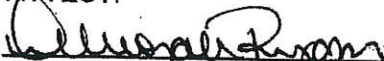
ADOPTED THIS 27th DAY OF April, 2015.


 CHARLOTTE D'ALFONSO
 PRESIDENT OF CITY COUNCIL

APPROVED THIS 27th DAY OF April, 2015.


 BARRY GLANTZ
 MAYOR

ATTEST:


 DEBORAH RYAN, MPCC
 CITY CLERK



city
of

CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141
Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant: Michael Turnquist <i>Name</i> Panera, LLC <i>Company (If Applicable)</i> 3630 South Geyer Road, Suite 100 <i>Address</i> Sunset Hills, Missouri 63127 <i>Address</i> Telephone # (314) 984-2642 Fax # (314) 909-3370 Email: Michael.Turnquist@panerabread.com <i>Michael Turnquist</i> <i>Applicant's Signature</i>	Applicant's Representative (if applicable): Stephen L. Kling, Jr. <i>Name</i> Jenkins & Kling, P.C. <i>Company (If Applicable)</i> 150 North Meramec Avenue, Suite 400 <i>Address</i> Clayton, Missouri 63105 <i>Address</i> Telephone # (314) 721-2525 Fax # (314) 721-5525 Email: skling@jenkinskling.com <i>Stephen L. Kling, Jr.</i> <i>Applicant's Representative's Signature</i>
Property Information: 447 North New Ballas Road <i>Address</i> Creve Coeur, Missouri 63141 <i>Address</i> Balmoral Plaza <i>Development Name (if any)</i> GC - General Commercial <i>Current Zoning</i> 4/27/15 - Ordinance <i>Prior CUP Approvals (if known)</i> No. 5424; prior Ordinance Numbers: 1454, 1487 and 2083	Owner's Acknowledgement (if different from applicant): HUTKIN DEVELOPMENT COMPANY, AS MANAGING AGENT ON BEHALF OF <i>Hutkin Development Company</i> <i>Name</i> Balmoral Plaza Investors, L.L.C. <i>Company (If Applicable)</i> 10829 Olive Boulevard, Suite 200 <i>Address</i> Creve Coeur, Missouri 63141 <i>Address</i> Telephone # (314) 872-9140 Fax # (314) 872-9001 Email: info@hutkin.com <i>Hutkin Development Company</i> <i>Owner's Signature</i> PRESIDENT

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Food services with drive-thru service existing use; a CUP exists for the drive-thru; request is for a change in drive-thru hours from 7:00 a.m. to 10:00 p.m. to 6:00 a.m. to 10:00 p.m.; no other change is requested.

Gross Floor Area – Existing and Proposed: 4,760 sq. ft. interior; 402 sq. ft. drive-thru
 Number of Seats (for restaurant only): 135 interior; 47 exterior
 Number of Employees at the busiest shift: _____
 Hours of Operation: Interior 6:00 a.m.-10:00 p.m. M-Sat., 7:00 a.m.-10:00 p.m. Sun.; drive-thru 7:00 a.m.-10:00 p.m.
 Current or Most Recent Use of the Property: Food services
 Will the applicant apply for a liquor license: Yes _____ No _____

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included. See attached Exhibit "A"

Submittal Checklist

- | | |
|---|---|
| ☐ Rationale | ☐ Building elevations for new construction |
| ☐ Site plan | ☐ Photographs of existing structures |
| ☐ Access and parking plan; (may be shown on site plan) | ☐ Materials samples |
| ☐ Landscape plan | ☐ Legal Description in Word format |
| ☐ Floor plan | ☐ Fees: \$250 (non-refundable) |
| ☐ Electronic copies of all materials | ☐ \$2000 (refundable deposit) |
| | ☐ Other items as requested by staff |

Preferred Public Hearing Date: Monday, _____, 20____.

****Confirm schedule and available meeting dates with Planning Division staff****

Office Use Only

☐ All Sections Complete	Received By: _____
☐ All Documents, incl. e-Copies	Date: _____
☐ Fees Paid	

Jason Jaggi, AICP, Director of Community Development
 Whitney Kelly, AICP, City Planner
 Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 1/17

EXHIBIT "A"
CONDITIONAL USE PERMIT AMENDMENT REQUEST
OF PANERA, LLC
FOR PROPERTY AT
447 NORTH NEW BALLAS ROAD, CREVE COEUR, MISSOURI

Panera (and its predecessor St. Louis Bread Company) has operated a food services facility at 447 North New Ballas Road, Creve Coeur, Missouri 63141 since 1991. A conditional use permit was issued for this use in 1991 and has been amended a few times since its original issuance. The most recent amended conditional use permit was enacted on April 27, 2015 as Ordinance No. 5424.

The amended conditional use permit approved the addition of a 407 square foot drive-thru facility at the rear of the existing building. The addition was completed on April 18, 2016 and the drive-thru has been in full operation since such date.

The hours of operation for the drive-thru were limited to 7:00 a.m. to 10:00 p.m. The interior restaurant hours are 6:00 a.m. to 10:00 p.m. Monday through Saturday and 7:00 a.m. to 10:00 p.m. on Sundays. Panera is requesting that the drive-thru hours be the same as the interior restaurant hours. Essentially, this request is to change the starting hours of the drive-thru from 7:00 a.m. to 6:00 a.m. Monday through Saturday.

The drive-thru was constructed with state of the art noise dampening equipment, plus additional devices and equipment beyond what Panera normally is required to install. The drive-thru facility located at the property is the most expensive drive-thru ever constructed by Panera due to the extensive noise dampening equipment. Such equipment was utilized to allay any concerns of the city and nearby property owners.

Panera currently operates 938 facilities throughout the United States. Of these, 418 have drive-thru locations. The Creve Coeur facility is the only drive-thru location which does not open at 6:00 a.m. In St. Louis, Panera has 23 drive-thru facilities and all of them—other than the Creve Coeur location—open at 6:00 a.m.

The Creve Coeur Panera drive-thru facility has been open for over 2 years. In that time, there have been no noise complaints filed with respect to its operation which reflects the quiet operation of the drive-thru, especially considering the noise dampening equipment.

As reflected in the hours at all of Panera's other drive-thru facilities, Panera believes the 6:00 a.m. opening time would better serve its customers. Many employees in Creve Coeur—such as those in the medical industry—have to be at work at 6:30 or 7:00 a.m. and the earlier hours would cater to their needs. While there are few drive-thru restaurants in Creve Coeur, the McDonald's facility has earlier hours. Walgreens and CVS have 24 hour drive-thru service.

TAB C

PLANNING AND ZONING COMMISSION MEETING

Monday, April 6, 2015
7:00 P.M.

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, April 6, 2015, at the Creve Coeur Government Center, 300 North New Ballas Road. Chairman Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mr. Tim Madden, Chair
Mr. James Faron
Ms. Beth Kistner
Mr. Charles Pullium
Mr. Gene Rovak

OTHERS PRESENT: Mr. Carl Lumley, City Attorney
Mr. Paul Langdon, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Jessica Stutte, Planning Assistant
Dianna Hark, Recording Secretary

1. Call to Order
2. Roll Call
3. ACCEPTANCE OF THE AGENDA
Mr. Rovak made a motion to move Item E under New Business to be addressed after Item A under New Business. All voted in favor of the revised agenda.
4. APPROVAL OF MINUTES
A. Draft Minutes for the Meeting of March 16, 2015.

Ms. Kistner moved for approval. Mr. Faron seconded the motion. All voted in favor of accepting the minutes.
5. PUBLIC COMMENT
Mr. Klearman, 739 Bergerac Drive, had information regarding consultants for the Comprehensive Plan but decided not to present it as the topic was not part of the agenda. He further discussed wanting to have hearings with public officials about the Comprehensive Plan.
Mr. Langdon explained that under the Department Report, there will be discussion regarding consultants for the Comprehensive Plan and will go into further detail regarding the vetting process.

Mr. Klearman also discussed the statute which governs the Comprehensive Plan, and Mr. Lumley responded that there was training regarding the statute over a year ago, and that if the Commission requests the statute, he would make it available to them.

6. UNFINISHED BUSINESS

A. Application #15-001: Approval of the Site Development Plan of an Office Building at 844 N. New Ballas Court. Request to Table.

Ms. Kistner moved to table the request. Mr. Faron seconded the motion.

There being no further discussion, the resultant vote is as follows:

Mr. Rovak-aye	Mr. Pullium-aye	Mr. Faron-aye
Ms. Kistner-aye	Chairman-aye	

7. NEW BUSINESS

A. Approval of Public Art Transit Shelter at the Danforth Plant Science Center.

Mr. Langdon presented regarding the design for the entranceway. He explained that the Danforth Center is in support of the design. He believes the budget is in place to cover all expenses regarding the project, with the bulk going to the artist who will design, build and install the project.

A discussion was had regarding the length of construction, which Mr. Langdon believes will be approximately two months, weather dependent.

Discussion was also had regarding the east island on Olive, and Mr. Langdon explained that it will remain as is.

Discussion was also had regarding the use of the shelter.

Dan Tierney, 224 Cuso(phonetic) Court, explained that the main use is for shelter, with an opportunity for educational uses, such as earth casting. He also explained that the power lines above are in compliance. He further explained that the sidewalk is not ADA compliant as it is comprised of open pavers where grass grows through. To be ADA compliant is not required by the bus shelter. Metro approved all other designs.

Mr. Faron made a motion to approve the Public Art Transit Shelter at the Danforth Plant Science Center. Mr. Rovak seconded the motion.

There being no further discussion, the resultant vote is as follows:

Mr. Rovak-aye	Mr. Pullium-aye	Mr. Faron-aye
Ms. Kistner-aye	Chairman-aye	

A1. Application #15-005: Approval of the Preliminary Plat for the Minor Subdivision of the 4.975 Acres at 12507 Conway Road.

Ms. Kelly presented regarding the preliminary plat approval. She explained that all the lots conform to the subdivision code, which is a minimum of one acre each. She further explained that Condition No. 3 needs to state, "Prior to the issuance of any building permits, the applicant shall prepare and record the final subdivision plat including indentures restricting future access of Lot 1 from Conway Road, and restricting access of Cabin Grove to the new road as approved by the City Council, and record appropriate

indentures requiring maintenance for the storm water basin and common ground area as approved by the city attorney."

There was discussion had regarding the easement, and Ms. Kelly explained that there will be a two-foot wide common ground area that would also be subject to the indentures. Donna Kindle, 308 Bel Arbor Lane, came forward to ask for a presentation from the builder, and also complimented the staff for their responsiveness.

Mr. Rehnquist, #2 Glencairn Lane, presented regarding comments made on the review and explained that these will be addressed. He further explained grading and burm will be done in such a way to add privacy for the neighbors. He further explained that the project will keep approximately 55 to 60 percent of the trees. He will be the sole builder of the project, including excavating and grading.

A discussion was had regarding erosion and siltation control.

Paul Kindle, 308 Bel Arbor Lane, asked if Lots 3 and 4 were going to have retention or detention basin. Mr. Rehnquist explained that between Lots 3 and 4, there will be a detention basin that will hold about 9,000 cubic feet and will be an improvement from the existing conditions.

Judy Shively, 300 Cabin Grove, asked what kind of landscaping she would see from her house. Mr. Rehnquist explained that it will not change from what it is now, and the house that will be put on the adjacent lot to hers will not be built close to the property line.

Ms. Kistner made a motion to recommend approval of the preliminary plat with the conditions outlined in the staff's revised report for the Minor Subdivision at 12507 Conway Road as shown in the preliminary plat received March 18th, 2015. Mr. Rovak seconded the motion.

There being no further discussion, the resultant vote is as follows:

Mr. Rovak-aye	Mr. Pullium-aye	Mr. Faron-aye
Ms. Kistner-aye	Chairman-aye	

B. Application #15-002: Approval for a New Conditional Use Permit for Exotic Motors, a Used-Only Automotive Dealer Located at 10640 Gateway Boulevard.

An application for a conditional use permit for a 10,408 square-foot used-only automobile dealership. All activities related to the dealership will be located inside; no outside sales or display will occur. Used car dealers (NAICS 441120) are permitted as a conditional use in the LI District with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission

Applicant: Mr. Danny Baker
 Exotic Motors Midwest, LLC
 9238 Old Bonhomme
 St. Louis, MO 63132

Property Owner: Morrie Zimring
 23 Tipton Way
 St. Louis, MO 63105

Mr. Bauer presented the hours to the Commission indicating that Monday through Friday, 8:00 a.m. to 5:00 p.m. would be the hours for service; 9:00 a.m. to 6:00 p.m. for hours of sales; Saturday hours would be appointment only.

There was a discussion regarding the placement of the Dumpster.

Mr. Faron made a motion to recommend approval of the new conditional use permit for Exotic Motors allowing used-only automotive sales at 10640 Gateway Boulevard subject to the conditions that remain in the draft ordinance attached to the staff report on Application #15-002 dated April 6, 2015, with change in Condition No. 3 for operating hours of eight a.m. to six p.m., Monday through Friday, appointment only on weekends. Mr. Rovak seconded the motion.

Mr. Lumley offered the following exhibits into the record: Documentation in possession of the City Clerk reflecting the notice to the public of the hearing, staff's report, the City's Code of Ordinances and Charter, City's Comprehensive Plan and the public file regarding this application.

There being no further discussion, the resultant vote is as follows:

Mr. Rovak-aye	Mr. Pullium-aye	Mr. Faron-aye
Ms. Kistner-aye	Chairman-aye	

C. Application #15-003: Approval of a Conditional Use Permit for Psychiatric Intensive Outpatient Therapy Clinic at 10199 Woodfield Lane.

An application was submitted for a conditional use permit to allow an intensive outpatient therapy facility providing individual and group-based psychotherapy. The facility will occupy up to 1,500 square feet of the existing psychiatric offices. No exterior changes are proposed.

Applicant: Franco Sicuro, MD
 AGM IOP-PHP
 10199 Woodfield Lane, Suite 50
 Creve Coeur, MO 63141

Mr. Sicuro explained that group therapy was a more comprehensive service. There was discussion had between Mr. Sicuro and the Commission regarding the Dumpster. Mr. Sicuro inquired regarding leverage for the damaging of the garbage enclosure and Mr. Langdon responded that they would be able to assist Mr. Sicuro.

There was discussion regarding the landscaping. Mr. Sicuro explained that the building has solar panels and large trees would impede its use. He explained that shrubs had been ordered.

Mr. Sicuro also said that lighting will be improved and has been ordered.

Ms. Kelly explained that the condition of Woodfield Lane has been under discussion with the city and St. Louis County and the property owner, but did not feel to include it at this time with this application as it requires a three-party agreement to be handled at a later date.

Mr. Faron made a move to recommend approval of the new conditional use permit for the psychiatric intensive outpatient clinic with individual and group-based psychotherapy within the building located at 10199 Woodfield Lane subject to the conditions contained in the draft ordinance attached to the staff report on Application #15-003, dated April 6th, 2015.

Ms. Kistner seconded the motion.

Mr. Lumley entered the following documents into the record: Documentation of possession of the City Clerk reflecting the Public Notice provided regarding the hearing, the Staff Report, the City Code Ordinances and Charter, the City's Comprehensive Plan and the Public File regarding the application.

There being no further discussion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

D. Application #15-004: Approval of an Amendment to the Conditional Use Permit for St. Louis Bread Company at 447 North New Ballas Court to Allow for Drive-Through Services.

A request was submitted to amend the conditional use permit and site development plan for the St. Louis Bread Company to allow the exterior renovation of the current restaurant in the Balmoral Plaza Shopping Center to accommodate drive-through service. All features of the drive-through service will be located in the rear of the building. Food services and drinking places (NAICS 7ss) with drive-through facilities shall be located on sites of not less than two acres, subject to certain conditions are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission.

Applicant: David Hutkin
 Balmoral Plaza Investors, LLC
 c/o Hutkin Development Co.
 10829 Olive Blvd., Suite 200
 Creve Coeur, MO 63141

Mr. Hutkin of Hutkin Development Co. presented. He explained that Panera will be erecting a wall that is not required by the ordinance in order to mitigate noise levels. They will also plant English Ivy for aesthetic purposes. New landscaping will also be added.

Mr. Hutkin further explained that moving a retaining wall will not only give additional parking spaces, but also allows for a loading area. He explained that staff has a concern with this change, and he has asked for time to discuss with his traffic engineer.

Mr. Hutkin further explained that the current conditional use permit allows for the hours of operation to ten p.m., and he would request that the current operating hours remain as allowed. Also, he requested that the drive-through be allowed to open at the same time as the cafe.

Mr. Hutkin further requested that the ordinance require to remove one parking space but not the parking space that is directly in front of the Bread Company's bakery cafe.

Mr. Hutkin further explained that In lieu of constructing a sidewalk that ends at the plaza property line, he would offer to provide improvements and money aimed at enhancing the streetscape at the entrance of Balmoral subdivision.

Mr. Bennett presented regarding site entrances, of which there will be no changes, and of changes in parking spaces and menu boards.

Mr. Shatto presented regarding traffic for the site. He explained that vehicular traffic would increase by 15 percent due to the drive-through addition. He explained that the circulation in the parking lot would be changed to accommodate the drive-through traffic. He explained changes of two-way and one-way traffic.

Mr. Shatto also introduced an idea that he and the city traffic consultant met about, which is a stop bar painted on the ground to help in traffic control on site. Questions were asked and discussions were had concerning the parking and traffic.

Mr. Turnquist explained that Panera is going to transition in the future away from phone-in orders and turn more to mobile app and Internet type sales instead.

Mr. Brown presented sound levels regarding the drive-through speaker and discussions were had.

Linda Rezny, 104 Graeser Acres, commented that on some drawings, Randy Drive is mislabeled. She also commented on the line of sight for neighbors on Rocky Drive, and spoke about a barrier wall.

Harry Eggleston, 11945 Randy Drive, commented on the potential noise from the drive-through speaker. He also commented on the safety of the entrance to the site.

Scott Sanders, 508 Randy Drive, commented that having the drive-through open at six instead of seven is going to create additional traffic and noise at an earlier hour. He also commented that none of the renderings are shown from the direction of the residential homes, reflecting the change in grade.

Joe Flaherty, 11921 Rocky Drive, had concerns with the traffic that will be increased at the restaurant's back door. He invited anyone who was interested to come to his house for a view of the shopping center from his angle. He further commented that he did not believe the proposed wall would not be a sufficient noise barrier.

Jack Trout, 11955, Randy Drive, confirmed the Commission's receipt of an e-mailed letter from Mr. Masterson. He also commented on the island on Ballas Road creates a dangerous situation. He further commented regarding signage that would help keep traffic off of Rocky Drive.

There was a break in the meeting before Mr. Langdon presented.

Mr. Langdon presented with clarification about the ordinance. He explained that he took decibel readings at another Bread Co. location with similar conditions as the Balmoral Subdivision, as well as going to the Balmoral Plaza site itself and taking decibel readings there as well, and readings did not exceed 60 dB.

Mr. Langdon further explained the hours of operation, the parking spots, the sidewalk requirements, the safety of the entrance and the traffic moving through it, as well as the landscaping.

There was discussion had between the Commission and applicant regarding truck deliveries and the times food is delivered. Mr. Hutkin presented truck transponder information as to the times the trucks make deliveries.

There was also discussion about differentiating the Balmoral Plaza from the Balmoral subdivision with removal of the island or signage.

There was discussion regarding a condition being inserted that the applicant return to the Commission if noise is a problem with the residents.

Mr. Rovak made a motion to recommend approval of Application 15-004 for a conditional use permit for an eating and drinking establishment, the drive-through facilities for St. Louis Bread Company located at 447 North New Ballas Road, subject to the conditions contained in the draft ordinance attached to the staff report dated April 6th, 2015.

Ms. Kistner seconded the motion.

Ms. Kistner made a motion to Condition 8 to replace it with language saying that the construction of the sidewalk will be eliminated, but the applicant would provide an easement with a minimum width of five feet separated from the curb by a minimum of three feet. And in lieu of construction of the sidewalk, funds will be provided to the subdivision of equivalent value to what the construction costs would have been.

Mr. Faron seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

Ms. Kistner made a motion to amend Condition No. 6 to note that one parking space shall be eliminated.

Mr. Faron seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

Mr. Faron made a motion to make an addition to the ordinance to landscape the additional south island and middle parking aisle to further follow the site coverage nonconformity.

Ms. Kistner seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

Mr. Faron made a motion to add a stop bar at the intersection of the north-south drive aisle.

Ms. Kistner seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

Mr. Faron made a motion to change the closing time to ten p.m. Monday through Sunday for both the restaurant dining room and the drive-through.

Ms. Kistner seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

Mr. Faron made a motion on Condition No. 3 to change the opening time for the drive-through facility to be six a.m. Monday through Saturday, and seven a.m. on Sunday.

Mr. Rovak seconded the motion.

There being no further discussion on the motion, the resultant vote is as follows:

Ms. Kistner-nay	Mr. Faron-nay	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

A vote was taken as to the original motion with all amendments, and the resultant vote is as follows:

Ms. Kistner-aye	Mr. Faron-aye	Mr. Pullium-aye
Mr. Rovak-aye	Chairman-aye	

8. WORK AGENDA
 None

9. DEPARTMENT REPORTS

A. Community Development Director

Mr. Langdon presented regarding consulting firms for the Comprehensive Plan. The three firms were Peckham, Guyton, Albers & Viets; Striler Planning; and H3 Studio.

He explained that H3 Studio was the firm decided upon that it was felt could push the update in an advanced state and that they brought a better overall package to the table. He further explained it would mean going back to the council to look at more funding if the zoning part of the project was included.

Mr. Kling commented that all plans such as the comprehensive plan have implementation suggestions that are not followed. Mr. Kling suggested that the implementations be followed.

Mr. Langdon stated that the next meeting, April 20th, is canceled. The next scheduled meeting is May 4th. There will be discussion regarding two subdivision signs, and discussion about the Comprehensive Plan statutes and their obligation.

B. City Attorney

Mr. Lumley stated that the attorney for the neighborhood opposed to the 450 N. Lindberg project has moved to Chile.

10. ADJOURNMENT

There being no further business to come before the Planning & Zoning Commission, the meeting was adjourned at 10:40 p.m.

Tim Madden, Chairman

Produced by: Dianna C. Hark, Court Reporter



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CALL TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Council Mayor Glantz at the Creve Coeur Government Center, 300 N. New Ballas Road on Monday, April 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
Ms. Kramer	Council Member Ward I
Mrs. Lawrence	Council Member Ward II
Mr. Wang	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mr. Saunders	Council Member Ward IV
Mr. Kent	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)
No one requested to speak.

ACCEPTANCE OF THE AGENDA

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

Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member D'Alfonso – Aye
Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.



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ANNOUNCEMENTS

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

PRESENTATION - TREE INVENTORY UPDATE

Josh Behounek of the Davey Resource Group explained that this project was funded in part by an urban forestry grant from MDC cost-share program. Program was broken into three Phases each completed in a different year. He discussed the benefits trees provide to the city and the threat of the Emerald Ash Borer. He reviewed the recommendations from the group and how the City can move in the future to maintain public trees. He indicated the City's trees are one of the best he has ever inventoried.

Fran Canter HEB Chair stated the HEB Committee needs the Council/city to allocate funds for this effort to manage the trees properly. Linda Rezny commented that trees near Panera need protection.

CONSENT AGENDA

Council Member Hoffman moved, seconded by Council Member Wang to accept the consent agenda as presented.

1. Council Minutes Dated March 23, 2015

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

Council Member D'Alfonso – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Aye
Council Member Saunders – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated April 9, 2015 in the amount of \$381,656.80 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS



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2. Amended Bill No. 5532 - an Ordinance Authorizing a Master Sign Plan for DeSmet Jesuit High School Located at 233 N. New Ballas Road and Zoned "B" Single Family Residential. Applicant Has Requested Withdrawal.

City Clerk read Amended Bill No. 5532 and indicated that the applicant has requested to withdraw.

Council Member Wang stated that his wife is a part time teacher at DeSmet and recused himself from the dais.

Council Member Hoffman moved, seconded by Council Member D'Alfonso to accept the withdrawal request from the applicant, with the vote upon such motion being, as follows:

Council Member Kreuter – Aye
Council Member Kent – Aye
Council Member Saunders – Aye
Council Member D'Alfonso – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Council Member Wang returned to the dais.

3. Bill No. 5542 - an Ordinance Amending the Residential Code for One- and Two-Family Dwellings of the City of Creve Coeur. Final Reading and Passage

City Clerk read Bill No. 5542 for the final time.

Council Member Saunders moved, seconded by Council Member Lawrence to approve Bill No. 5542, with the vote upon such motion being, as follows:

Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member D'Alfonso – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5542 becomes Ordinance No. 5420.

4. Bill No. 5543 - an Ordinance Amending the Plumbing Code of the City of Creve Coeur, Missouri. Final Reading and Passage

City Clerk read Bill No. 5543 for the final time.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Bill No. 5543, with the vote upon such motion being, as follows:



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Council Member D'Alfonso – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Aye
Council Member Saunders – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5543 becomes Ordinance No. 5421.

5. Resolution No. 1158 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with N. B. West Contracting Company for a Thin Asphalt Overlay in the Belle Coeur Neighborhood as Part of the Street Repair Program for the 2015 Fiscal Year for \$98,920.00.

City Clerk read Resolution No. 1158.

Council Member Wang moved, seconded by Council Member Kramer to approve Resolution No. 1158.

Matt Wohlberg made a presentation regarding this contract and an update from last meeting.

Council Member D'Alfonso asked how long is this overlay expected to last.

Matt Wohlberg stated eight to ten years.

Council Member D'Alfonso stated she doesn't feel that this is necessary right now due to unpredictability of estimates for combination streets.

Council Member Kent asked what will happen if we wait a year.

Matt Wohlberg stated it will deteriorate but not beyond repair.

Council Member Kent stated he is concerned if we are getting the best use of funds at this time and is this the most deserving street.

Council Member Hoffman stated we are planning to spend \$100,000 on a street that doesn't need immediate repair.

Jim Heines stated the pavement program employs the best practices used from the APWA (American Public Works Association) and each year funding is placed in several categories and placed on streets that have been identified by staff.

Council Member D'Alfonso stated if this is voted up or down, that doesn't mean that Laduemont is going to get the funding that isn't used for this project.



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Michael Thomas resident of Laduemont stated he wants to see funds used prudently. Funds could be used in other places in the city.

David Hilton resident of 323 Laduemont stated the long range plant of pavement preservation needs to be created and implemented.

George Andrea resident of 12802 Oak Stone Lane stated after the Mayor, staff and Council Members met to view the physical street, within 24 hours the street crews were out patching the worst holes. Street still needs to be repaired and wants tax dollars being used in the best places.

Ryan Madden resident of 324 Laduemont stated the residents are asking that Laduemont gets attention soon as it is one of the highest traveled streets in the city.

Council Member Kent stated he would like to have more context in the street program and would like to see values of other streets.

Mark Perkins stated the street preservation program is part of the street maintenance program, and it is not strictly a "worst first" program.

Mayor Glantz called the question to approve Resolution No. 1158, with the vote upon such motion as follows, to-wit:

Council Member Kramer – Nay
Council Member Lawrence – Nay
Council Member Hoffman – Aye
Council Member D'Alfonso – Nay
Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Nay
Council Member Saunders – Nay

The vote on the motion being 3 ayes and 5 nays, motion failed.

NEW BUSINESS

**6. Bill No. 5544 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for Used-Only Automotive Dealer at 10640 Gateway Boulevard.
First Reading**

City Clerk read Bill No. 5544 for the first time.

Michael Bower applicant made a presentation regarding the application.

Council Member Wang asked if there were other businesses in the area similar to this.

Paul Langdon stated there is another business that is sales and a private collection.



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7. Bill No. 5545 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for an Outpatient Psychiatric Center Located at 10199 Woodfield Lane in the "GC" General Commercial District. First Reading

City Clerk read Bill No. 5545 for the first time.

Franco Sicuro, M.D. of 10199 Woodfield Lane made a presentation regarding this application.

Paul Langdon made a presentation regarding this application.

Carl Lumley stated that he and staff have included an additional condition in the ordinance to address the lighting and landscaping on the site consistent with the applicant's representations to Planning and Zoning.

8. Bill No. 5546 - an Ordinance Repealing Ordinance Nos. 1454, 1487 and 2083 and Authorizing the Issuance of a New Conditional Use Permit for a 5,162 Square-Foot Eating and Drinking Establishment with Drive-Thru Facilities Located at 447 North New Ballas Road Within the Balmoral Plaza Shopping Center. First Reading

City Clerk read Bill No. 5546.

David Hutkin made a presentation regarding this application.

Patrick Bennett made a presentation regarding this application.

Council Member D'Alfonso submitted an email for the record. (Exhibit A)

Council Member Wang submitted a letter from Mr. Flaherty for the record. (Exhibit B)

Doug Shatto made a presentation for this application regarding the traffic study.

Phil Wentz made a presentation for this application regarding the sound study.

Mike Turnquest owner/operator of the Panera stated this would increase employees during peak times by three to five people.

Council Member Wang asked if the drive thru would increase traffic by fifteen percent.

Mike Turnquest stated the fifteen percent increase would be in sales when adding a drive thru. Mr. Turnquest stated the addition of the drive thru we are trying to address the change in the use in business trends.

Council Member Wang stated he feels the increase in traffic generated is going to be greater than fifteen percent.

Stephen Kling, Jr. attorney for the applicant made a presentation regarding this application.

Paul Langdon made a presentation regarding this application.

Carl Lumley asked if the plan dated in the packet is the correct date as discussed at P & Z and the new updated plans.



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Paul Langdon stated some dates may still need correction.

Scott Sanders resident of 508 Randy Drive stated he has concerns with the increase in noise, traffic, trash, etc and the residents are feeling as if it is the citizens against the city. There are no city residents that are for this drive thru change. There have been no discussions regarding sight lines and there are too many unanswered questions.

Jack Trout resident of 11955 Randy Drive read the letter from Mr. Flaherty as submitted to the record by Council Member Wang. (Exhibit B)

Mayor Glantz stated he would like to make it clear that the text amendment is city wide and for any commercial property that could install a drive thru near a residential area. The text amendment was not written specifically for this site.

Linda Rezny resident of Graeser Acres stated more studies need to be completed as this site has more of a canyon effect opposed to the other sites that have been examined. More meetings with residents and the applicant are needed to answer more questions.

Mel Klearman resident of 739 Bergerac Drive stated drive thrus are the trend and Hutkin is a valued commercial citizen for Creve Coeur.

David Hutkin stated he did not go out and solicit approval of residents but referenced recent survey results.

Council Member Lawrence thanked Mr. Hutkin for his very thorough presentations regarding this application.

Council Member Lawrence moved, seconded by Council Member Kramer to amend the drive thru time to begin at 7:00 a.m. instead of 6:00 a.m.

Council Member Lawrence also stated she would like to propose that the screen sound wall cover all three homes to accurately cover the 200ft requirement in Section 405.070. Mr. Langdon and Mr. Lumley stated that the code does not require a 200 feet long wall.

David Hutkin stated the sound wall is not required but a promise was made to erect it as shown in the plans.

Council Member Kramer asked if Mr. Hutkin could review the honeysuckle issue.

David Hutkin stated the city has a honeysuckle eradication program and will remove if the city wishes but if it is removed then the Mr. Flaherty will have a clear view of the back of the building during the winter months with low foliage. Mr. Hutkin indicated that he would not go on private property and remove it so Mr. Flaherty would be responsible for removing from his own property.

Paul Langdon stated any removal will increase view of the site and the areas that have been removed will grow back quickly.

Council Member Hoffman asked if the city is forcing removal.



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CITY COUNCIL
300 NORTH NEW BALLAS RD
APRIL 13, 2015
7:00 PM**

Paul Langdon stated the city is not forcing Mr. Flaherty.

Council Member D'Alfonso stated she would like the city and the applicant to have a discussion with Mr. Flaherty regarding the honeysuckle removal.

Mayor Glantz called the question to amend the drive thru time to begin at 7:00 a.m. instead of 6:00 a.m., with the vote upon such motion as follows, to-wit:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Aye
Council Member Saunders – Aye
Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member D'Alfonso – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

9. Resolution No. 1161 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract Increase with M&H Concrete Contractors, Inc., for the 2015 Roadway Reconstruction Project for the Amount of \$97,459.20.

City Clerk read Resolution No. 1161.

Council Member Wang moved, seconded by Council Member Hoffman to approve Resolution No. 1161.

Matt Wohlberg, City Engineer, explained how the conditions along the two streets involved with the project (Spoede Woods Drive and Chalet Court) were worse than expected once the surface asphalt was removed. City staff reviewed the situation and recommended the full replacement of the streets with concrete, rather than repairing the concrete base and repaving with asphalt. Although staff estimated that the full replacement of the streets would save the City money in future repairs, the change in the scope of the project resulted in an increase of \$97,459.20 in the project. City staff recommended full reconstruction and the resulting change order.

Councilwoman D'Alfonso and Councilman Kent expressed their concern that the decision to pursue full reconstruction had already been made and that this request follows a pattern of staff asking for additional funds during the course of the project. Both asked staff to consider additional planning so to avoid this situation in the future.

Mayor Glantz called the question the question to approve Resolution No. 1161, with the vote upon such motion as follows, to-wit:

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



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Council Member D'Alfonso – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

APPOINTMENTS

J. Director of Recreation

Mark Perkins stated that the city received over 100 applications for the position of Director of Recreation. Mark Perkins stated after several interviews he is recommending Jason Valvero for the position of Director of Recreation whom is currently employed with the City of Kirkwood. Mr. Valvero is scheduled to begin work here on May 1st.

Council Member Wang moved, seconded by Council Member D'Alfonso to approve Jason Valvero as the new Director of Recreation, with the vote upon such motion, as follows:

Council Member Saunders – Aye
Council Member Kent – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member D'Alfonso – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

BUSINESS FROM MAYOR AND CITY COUNCIL

11. Council Liaison Reports

Council Member Kent stated the Storm Water Committee met on April 8 and reviewed flooding and erosion driveway/bridge damage at 6 Windrush Creek which is worsening. The committee reviewed other city residential storm water regulations and will email the staff those items that need to be used in the Creve Coeur draft revision by May 8th. Council Member Kent stated Sunswept Drive has a problem and will be reviewed on the tour, which will be on June 10th at 4 p.m. Council Member Kent stated staff has indicated that MSD is receptive to working together on the sanitary sewer project in conjunction with the city's culvert project to accomplish a hopefully, one-time cost for both parties.

Council Member Kent stated Parks and Historic Preservation Committee met on April 1st. Tour of the historic cabins is scheduled for June 13th. Plans have been discussed regarding the Tappmeyer House and a \$50,000 annual budget to cover repairs. Arbor Day events are scheduled for April 26 and the Annual Heart to Heart run is scheduled for June 6.

Council Member Wang stated the subcommittee of the Arts Committee picked the winners of the art competition for the children's Arbor Day.



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7:00 PM**

12. Street Program

Council Member Kent read and presented for the record his proposal on the street program.
(Exhibit C)

Tim Madden resident of 324 Laduemont stated he feels the city needs to look at this plan and the plan needs to have examples of the ratings. There needs to be a set plan and schedule so that the residents understand where their streets stand in the program.

BUSINESS FROM CITY ADMINISTRATOR

13. Trash Schedule

Mark Perkins stated the city has an agreement with Allied/Republic requiring a schedule change. Republic has indicated now that making the change presents a man power issue. Discussions will continue to resolve the issue.

Council Member Hoffman stated there shouldn't be any issues, but the public has to be educated on the changes.

Council Member D'Alfonso stated education is the key to a successful program.

Mark Perkins stated he is working on a concession on yard waste bag/tag fee increases also.

Council Member Wang moved, seconded by Council Member Kramer to adjourn at 10:23 p.m., with the vote upon such motion begin as follows:

Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member Kent – Aye
Council Member Saunders – Aye
Council Member D'Alfonso – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

Submitted by:


Deborah Ryan
City Clerk


Barry Glantz
Mayor

Ryan, Deborah

From: Charlotte Dalfonso [charlottedalfonso@gmail.com]
Sent: Friday, April 10, 2015 4:13 PM
To: Ryan, Deborah
Subject: Fwd: ward 3 update

Debby,
 I will ask on Monday to add this email to the record.
 Thanks,
 Charlotte

Sent from my iPhone

Begin forwarded message:

From: Bob Gale <rpgale@sbcglobal.net>
Date: April 10, 2015 at 12:17:02 PM CDT
To: "hoddman@aol.com" <hoddman@aol.com>, Charlotte Dalfonso
 <charlottedalfonso@gmail.com>
Subject: Re: ward 3 update
Reply-To: Bob Gale <rpgale@sbcglobal.net>

Bob & Charlotte,

As a constituent, I wish to go on record as being against the addition of a Drive Thru for the Bread Company on Ballas Road. The parking lot is already too congested in its current configured and adding more traffic will only cause more problems. The proposed configuration has the handicap parking on the same side as the proposed lane for the traffic.

Bob Gale
 161 Royal Manor Ct.

From: "hoddman@aol.com" <hoddman@aol.com>
To: hoddman@aol.com
Sent: Thursday, April 9, 2015 5:41 PM
Subject: ward 3 update

Ward 3 Update

April 9, 2015

Bob Hoffman Council Member

Dear Neighbors,

Our meeting Monday is scheduled to begin at 7pm. As always, the complete agenda and packet are available at the city's web site www.creve-coeur.org.

Unfinished business:

- 1) Amended bill 5532 authorizing a master sign plan for DeSmet is being withdrawn at the applicant's request.
- 2) Bill 5542 amending the residential code to allow for wireless interconnection of smoke detectors and changes to gasketed fireplace doors.
- 3) Bill 5543 amending the plumbing code to ease conditions on required venting.
- 4) Resolution 1158 authorizing a contract for a thin asphalt overlay in the Belle Coeur neighborhood for \$98,920.00

New Business:

- 1) Bill 5544 authorizing a new conditional use permit for a used car dealership at 10640 Gateway Blvd.
- 2) Bill 5545 authorizing a conditional use permit for a psychiatric center at 10199 Woodfield Lane.
- 3) Bill 5546 authorizing a conditional use permit for a drive thru at 447 North Ballas Rd. for the Bread Company.
- 4) Resolution 1161 authorizing a contract increase of \$97,459.20 for roadway reconstruction.

I know you may be tired of hearing about trash but Republic is requesting that we retain the present schedule for ward 3 and ward 4 pickups on Thursday and Friday respectively. Stay tuned.

Charlotte and I will be hosting a ward3 town hall meeting on May 20th at 7pm. All are welcome.

As always please call or email.576-4885.

Bob Hoffman

April 10, 2015

City Council
City of Creve Coeur Missouri
300 North Ballas Road 63141

RE: Application for Conditional Use Permit for St. Louis Bread Company at 447 N. New Ballas Road and site development plan to allow for Drive-Thru Services

Hello, my name is Joe Flaherty and I live at 11921 Rocky Drive. This is the first home on the right when entering BALMORAL subdivision from Ballas or the home that is immediately behind the current PANERA location and the home that is most impacted due to the pending Conditional Use Permit being contemplated on Monday April 13, 2015. Unfortunately I cannot attend the meeting so I am sending a letter in regards to my thoughts and input on this proposal.

I did show up at the Planning Commission meeting on Monday April 6, 2015 and I have to admit that I am very disappointed with how quickly this was moved forward by the commission. There were many open questions that were not addressed and at the end of the day the applicant received everything they asked for with the residents of BALMORAL being totally dismissed in all of their concerns. Actually there was a some outright rude responses from the commission to residents of BALMORAL and every representative from the applicant was awarded as much time as they wanted (over 1 hour and 20 minutes) to present while the most impacted people were only allowed 3 minutes and cut off if they exceeded that time frame. People in our subdivision are upset and honestly are losing faith in their elected officials to protect their rights. I need to remind all that BALMORAL Subdivision was here quite a while before PANERA was here and the investment into our residential homes is substantial.

I have spent some time reading the draft ordinance on this application and I want to point out some very specific items in this draft ordinance that lead anyone to believe that this application does conflict with the ordinance that is being presented with these highlights:

- **"will not cause substantial injury to the value of neighboring property"**
- **"will be comparable with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services"**
- **"drive thru operations 7:00 am to 9:00 pm"**
- **"An underground irrigation system shall be installed and maintained to serve all new landscaped areas"**

A drive thru will impact the value of not only my home value but the other 3 residential homes in BALMORAL that border the shopping center. Any refuting evidence or comments from the applicant that this is NOT true cannot be believed as they are only self serving to the applicant and PANERA.

4/13/15
Exhibit B

A drive thru is NOT comparable to the surrounding residential homes and it does impose an excessive burden with a negative impact (noise, emissions, traffic, construction etc...) on adjacent users.

The original text amendment approved last year calls for operating hours of all drive-thru's to be 7am to 9pm so why will PANERA be exempt from what the city worked so hard to draft and accomplish?

In the new plan that was introduced to the planning commission more green space is going away, trees are proposed along Rocky Drive but no mention of an irrigation system was every mentioned. While not a huge issue this should be included as per the new city ordinance on drive thru users as BALMORAL residents don't want dead foliage at the edge of the subdivision.

In reviewing the approved drive thru ordinance that the City passed there are also some striking phrases that I would like to point out:

Section 405.470 Conditional Uses #8 b. shall provide landscaping to screen the view of drive up waiting spaces from surrounding properties. Currently there is some foliage between the proposed drive thru area and BALMORAL but that is located on OUR PROPERTIES. The applicant needs to PROVIDE LANDSCAPING TO SCREEN THE VIEW as written in the ordinance. Mr. Langdon said in planning commission that there really isn't enough room for landscaping here which to me is an excuse and it allows the applicant to skirt this requirement totally. Six months of the year the residents of BALMORAL will always see the drive thru cars due to the winter months therefore the applicant building a 6 foot sound wall is NOT ADEQUATE for his proposed plan. Using what is already in existence and not located on the applicants property does not excuse him from creating this buffer that was drafted into the ordinance by the City Council in order to protect the home owners.

Section 405.470 #14 C 4. The drive thru order facility and service window shall be no less than 50 feet from any property line of residential use. When this was being considered it was originally 75 feet and changed to 50 feet. My property line is 78 feet from the proposed order box. That seems to close and also makes me believe there is too much impact for BALMORAL.

Section 405.470 #14 D 6. Any service areas including, but not limited to trash receptacles, compactors, transformers, outdoor cooking or refrigeration equipment and utility connections, must be fully enclosed. Such enclosures shall appear as a part of the restaurant BUILDING to the maximum extent as found to be practicable by the city. Currently there are 2 trash dumpsters pushed against my property line and the current retaining wall. The applicants plan calls for another dumpster to be pushed against my property line. The current dumpster is fenced in with no top to the dumpster. My property sits above the shopping center and I can see into the dumpster. Animals can access the dumpster and now a new dumpster will be added here. As written above the trash receptacles need to appear as part of the restaurant building which they currently do

not and the City should not allow trash dumpsters to be shoved against a residential property line.

In these sections an acoustical study is repeatedly asked for under the approved ordinance which the applicant has provided. One of the biggest concerns BALMORAL has on the drive thru request is the noise pollution as business increases, more traffic is pushed to the back to the restaurant, more deliveries will be needed to service this increased business and trash pickups will increase on a daily and weekly basis due to the increased volume that is expected. The sound engineers admitted during the planning commission hearing that he has no idea what happens to the noise created by all this new activity once the noise level escapes the sound wall that is being proposed by the applicant. Mr. Langdon did a "FIELD TEST" that was like comparing apples to oranges as the acoustics of BALMORAL are far different based on a canyon effect at PANERA.

PANERA sits over 10-15 feet below the main level of the homes in BALMORAL. The building is a brick building. Currently there is a concrete retaining wall between BALMORAL and the shopping center which does nothing to abate the sound. Anything from deliveries to employees talking to general sounds from a commercial building during business hours are heard clearly in BALMORAL. Sound rises and sound bounces which are what happens here. By increasing the daily trips behind the building, daily deliveries, trash pickups, speaker boxes, order windows and daily activity in a commercial shopping center how is anyone to believe that building a sound wall will actually make it more peaceful than it is today? Especially when the paid consultant for the applicant admitted in planning commission that he doesn't know where the noise goes and how it affects the surrounding properties as it escapes the sound wall. A sound wall doesn't eat sound or make it go away, it contains it and attempt to mitigate by redirecting it which this will redirect the sound back to the commercial building which is also brick and then it bounces again above the sound wall height into BALMORAL.

Mr. Langdon flippantly states that the DB level on noise that is allowed as per the ordinance is that of a normal conversation. I sit on my deck with my wife on the weekend and have coffee during the nicer months of the year. While sitting on my deck I should not have to hear what a woman in a white SUV is ordering for her family and have my rights to quiet enjoyment of my property interrupted. In Mr. Langdon's explanation and his field test that he will so willingly show you he will make you believe that I should have to put up with this because "it's acceptable as per the city ordinance." I made this same point during these hearings last year and they were ignored that any additional noise and aggravation caused by a neighbor should never be allowed.

I am appealing to you as a council since I cannot be there personally on Monday evening. Even if I could be there I would not be given the same courtesy extended to the applicant and all of his paid consultants. If you move forward to approve this CUP and my points are not enough to sway you then please do my family and BALMORAL a favor and make the applicant adhere to the ordinance you approved:

- Applicant needs to screen the property as per the ordinance and not use any existing buffer because it's convenient but use his own square footage and create his own green space as per the ordinance.
- Applicant needs to relocate those dumpsters away from any residential property lines and put those enclosures against his commercial building as stated in the ordinance. If the dumpsters remain on the edge of the property then there should be a green space buffer between the property lines and the dumpsters.
- Applicant needs to make sure new landscaping installed as buffer between residential property, as per ordinance, as well as along Rocky Drive are properly irrigated and watered.
- Applicant should have to adhere to the operating hours approved by the City Council and not be allowed their request of 6am to 10pm.
- Applicant's new site plan calls for the removal of more of the green space and a large mature tree that site off of Rocky Drive to increase the asphalt area and create a truck parking area for deliveries. Why is more asphalt needed and does the site adhere to the green space requirements with this new plan?

I feel that Hutkin Development and PANERA are both good companies and BALMORAL residents have a long standing relationship with both of those companies. Today we live in relative peace and harmony but that is tempered by a majority of the business done in the PANERA is done through their current front door. The application and CUP changes the entire dynamics of the relationship taking PANERA from a neighborhood Café which is walking friendly to a Quick Serve Restaurant. The business model changes from the front door orientation to a larger portion of the business going out the back door which just so happens to face BALMORAL residents and is very close in proximity. All aspects of "quiet enjoyment" are threatened by this application and if the City Council will not outright reject this CUP then please think hard on the bullet points that I have made in this letter. There are many other items that need to also be addressed that I am sure my neighbors will bring to your attention during the hearing on Monday night. Thank you for your time and any consideration given to this letter.

Sincerely,

Joseph Flaherty
11921 Rocky Drive

Stephen L. Kling, Jr.
Email: skling@jenkinsklings.com



Admitted to Practice in
Missouri

April 23, 2015

Barry L. Glantz, Mayor
Members of City Council
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141

Re: Bill No. 5546; Conditional Use Permit for Panera Drive-Thru

Dear Mayor Glantz and Members of the City Council:

As you know, this firm and the undersigned represent Panera Bread and Hutkin Development Company in connection with the above-mentioned matter. Hutkin Development Company and Panera Bread have been longstanding corporate citizens, and they have both enjoyed an extraordinary, collaborative, and positive relationship with the City, including the time spent over the last 21 months working on this effort. Our clients find themselves at an inflection point in the City's deliberations. Specifically, our clients are concerned about: (1) the City Council's amendment to the draft ordinance restricting the drive-thru's hours of operation; (2) the suggestion that a sound wall should be extended north to include other residential properties; and (3) the suggestion that a retaining wall abutting a neighboring property and a 6 ft. fence above the retaining wall should be required.

Any condition imposed by the City Council pursuant to a CUP must be: (1) related to alleviating inadequacies of the proposed use as it relates to the standards set forth in the zoning ordinance; (2) supported by evidence presented to the City Council; and (3) reasonable. Panera Bread, Hutkin and their experts have presented extensive evidence to support that the drive-thru facility meets or exceeds all of the very specific standards the City Council has carefully created and will have no measureable impact on the adjacent residences. The City's own staff has confirmed that the plan not only meets the standards but will have no impact on the residents. The new drive-thru ordinance clearly contemplates drive-thru restaurants next to residential and includes lengthy requirements to insure there would be no impact in those situations. It would be unreasonable to require additional conditions that provide no discernible benefit under the guise of "further" protecting surrounding properties and seems to be a response to unsubstantiated opinion.

For instance, the limitation on operating hours of the drive-thru from the proposed 6:00 a.m.-10:00 p.m. hours to 7:00 a.m.-10:00 p.m. hours provides no additional benefit to the surrounding residential properties. The only justification for limiting the operating hours mentioned at the City Council meeting related to a comparison to trash pick-up times and construction start times. However, such activities, which entail dumpsters dropped on concrete pads, jackhammering and nail guns, are not equivalent or comparable to the operation of a drive-thru as proposed in the application, which entails sound mitigation to conversational levels in accordance with the standards set forth by the City Council in

Barry L. Glantz, Mayor
 Members of City Council
 April 23, 2015
 Page 2

the 2014 text amendment (the "Drive-Thru Ordinance"). Please see the enclosed letter from McClure/EDI which further discusses the effects of sound related to the drive-thru in addition to the information presented at the most recent City Council meeting. City staff has also recognized that there will be no impact on the surrounding residential properties related to noise, which is as true at 6:00 a.m. as it is at 7:00 a.m. The economics of building a sound wall even though it is not required is possible due to the additional business that would be created during these hours over the future life of the business.

Under the Drive-Thru Ordinance, a sound wall is not required because noise level from the speaker box will remain below the specified maximum sound level allowed in the Drive-Thru Ordinance, even in the most extreme conditions and without the benefit of a sound wall. However, the applicant voluntarily proposed a sound wall as a show of good faith and the desire to be a good neighbor. Requiring the sound wall to be extended north to include other residential properties when no discernible benefit can be proven establishes a very bad precedent in as much as the City Council would be inconsistent with the Drive-Thru Ordinance that you recently approved by a unanimous vote of 8-0. It would also be prohibitively expensive. Each Panera location must stand on its own financially and be profitable. The City Council spent an extraordinary amount of time perfecting the Drive-Thru Ordinance in order to avoid the subjectivity related to CUPs.

We have provided Carl Lumley with further information regarding certain legal precedents we find applicable to Panera's CUP application and we think is helpful in understanding Panera's position. Should you have any questions regarding this letter or Panera's position, we encourage you to consult further with him. As always, we would be happy to answer any questions as well.

In considering Panera Bread's CUP application, we would respectfully request the City Council to focus on addressing real and substantial impacts of the application and refrain from entertaining conditions aimed to alleviate unsubstantiated perceived impacts. The City Council spent an enormous amount of time carefully crafting the twelve (12) specific requirements of the Drive-Thru Ordinance in order to help remove subjective speculation from the CUP process. Panera's application meets or exceeds all of these requirements. The City Council should place confidence in the findings of its professional staff, engineering studies, and the requirements of the Drive-Thru Ordinance itself which was subject to intensive discussion and analysis, which the application has satisfied or exceeded.

Sincerely,

JENKINS & KLING, P.C.

By: 

Stephen L. Kling, Jr.

SLK/as

Enclosures

cc: Mark Perkins, City Administrator
 Paul Langdon, Community Development Director

TAB D

Google Maps St. Louis Bread Co.



Imagery ©2018 Google, Map data ©2018 Google 100 ft

TAB E

Google Maps

11901 Rocky Dr

Sound wall and foliage behind Panera



Image capture: Aug 2016 @ 2018 Google

Creve Coeur, Missouri



Street View - Aug 2016









McCLURE\EDI

April 23, 2015

Via email: Mike.Brunetto@panerabread.com

Mr. Mike Brunetto
Panera Bread Company
443 N New Ballas Road
Saint Louis, Missouri 63141

Via email: dhutkin@hutkin.com

Mr. David S. Hutkin
Hutkin Properties Group, LLC
10829 Olive Boulevard
Suite 200
St. Louis, MO 63141

Re: St. Louis Bread Company
Balmoral Plaza
Proposed Drive thru Sound Level
McClure Project: 104113.000

Dear Mr. Brunetto and Mr. Hutkin:

McClure/EDI Acoustics provides this report to supplement our December 18, 2014 report regarding sound levels resulting from a proposed drive-thru at the rear of Balmoral Plaza. Some items in this report were presented via a power point presentation at the April 13, 2105 council meeting. Other information is new such as measured automobile sound data from a mock drive-thru on site. The information in the report further reinforces that the sound levels at the property line behind the property will meet the City of Creve Coeur Ordinances, St. Louis County Code, and will be a significant 8-9 dB below the existing ambient sound levels.

Mr. Mike Brunetto
 Mr. David Hutkin
 April 23, 2015
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Measurements

Our original December 18, 2014 report included ambient (background) sound measurements behind 11921 Rocky Road. These measurements were repeated April 8-15, 2015 and confirm that the sound levels were similar in different seasons. Results shown in Figure 1 below. The yellow flat line on the data at 50 dBA represents the calculated maximum sound level from the order station as a reference.

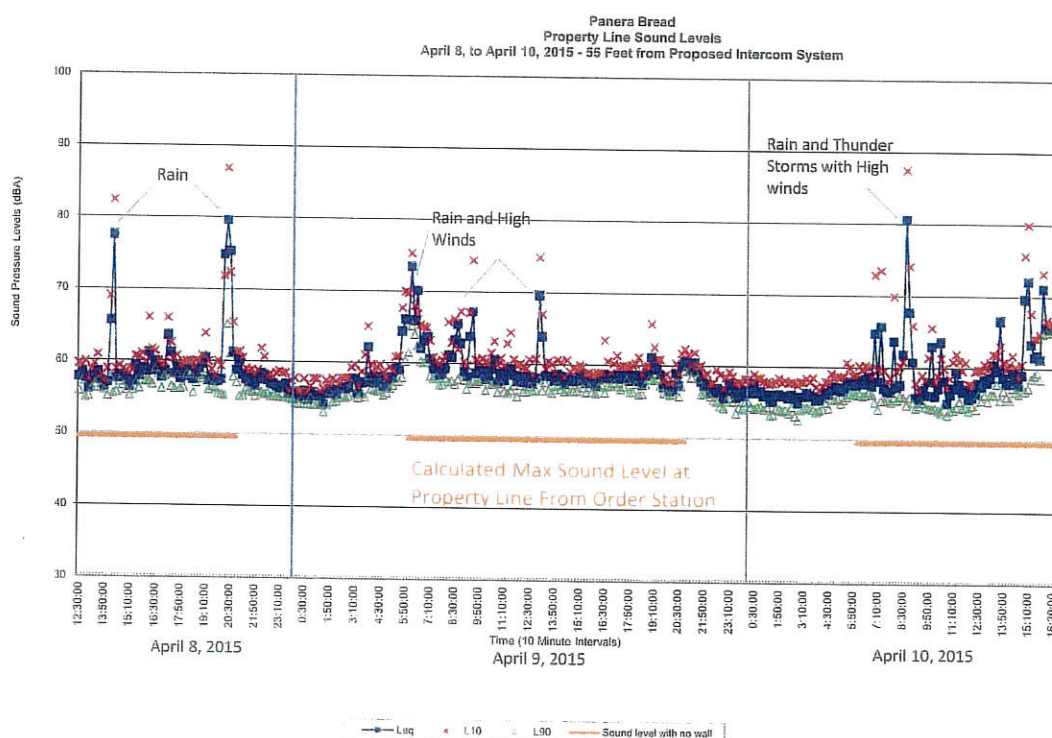


Figure 1: Measured sound data at property line at the rear of 11921 Rocky Road

Shown for each 60 minute interval are Leq, L90, L10. A Larson Davis Model 720 Sound Level Meter (SLM) was used for the measurements. The SLM recorded and stored the following A-weighted quantities for each one hour increments of the measurement period: (1) energy equivalent sound level [Leq], (2) the maximum sound level [Lmax], (3) the sound level exceeded 10% of the time [L10] and (4) the sound level exceeded 90% of the time [L90]. All measurements were A-weighted per ANSI S1.4 and are designated as dBA.

Mr. Mike Brunetto
 Mr. David Hutkin
 April 23, 2015
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Mock Drive-thru

A mock drive-thru was configured at the rear of the Balmoral building during lunchtime on April 17. Eleven automobiles were staged as if they were picking up and ordered per the proposed drawings. The automobiles were of various age, size (full size SUV's to sports cars) and all running. Measurements were taken at the property line as well as along the line of cars. The mock drive-thru measurements with automobiles running were taken about 12:30 pm. The sound from the automobiles ranged from 56 to 67 dBA at about 4 feet from the automobiles. No automobiles running occurred about 1:00 pm and the average level was 62.5 dBA walking a similar path to where the cars had been located. All measurements were recorded on video and/or photos. The measurements are summarized in the Table 1 below and locations are shown in Figure 3 below. Also note that the mock measurement was captured during the long term noise monitoring shown in Figure 2 during the 12:00 pm hour.

Measurement	Automobiles running	No automobiles	
	LAeq	LAeq,bg	LAeq, Δ
Loc. 1	61.3	59.7	1.6
Loc. 2	55.3	56.9	-1.6
Loc. 3	52.9	56.1	-3.2
Loc. 4	60.9	61.6	-0.7
Average	57.6	58.6	-1.0

Table 1: Mock drive-thru sound measurements from various automobiles running in line

Mr. Mike Brunetto
Mr. David Hutkin
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Figure 3: Location of mock drive-thru measurements



Picture 1: Looking south behind Balmoral Plaza

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Mr. David Hutkin
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Picture 2: Looking north behind Balmoral Plaza

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Mr. David Hutkin
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Picture 3 (Left): Receive location #2 with autos present



Picture 4 (Right): Receive location #2 background (no idling autos)

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Mr. David Hutkin
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Picture 5 (Left): Receive location #4 with autos present



Picture 6 (Right): Receive location #4 background (no idling autos)

Mr. Mike Brunetto
 Mr. David Hutkin
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Calculations

The site was modeled in 3D using internationally recognized Sound Plan software. The elevations and surface qualities of the buildings, ground and proposed barriers were considered. All buildings were modeled as acoustically reflective and the order station was modeled at the maximum level of 84 dBA at 1'. Figure 4 below shows the model from the home owner's point of view.

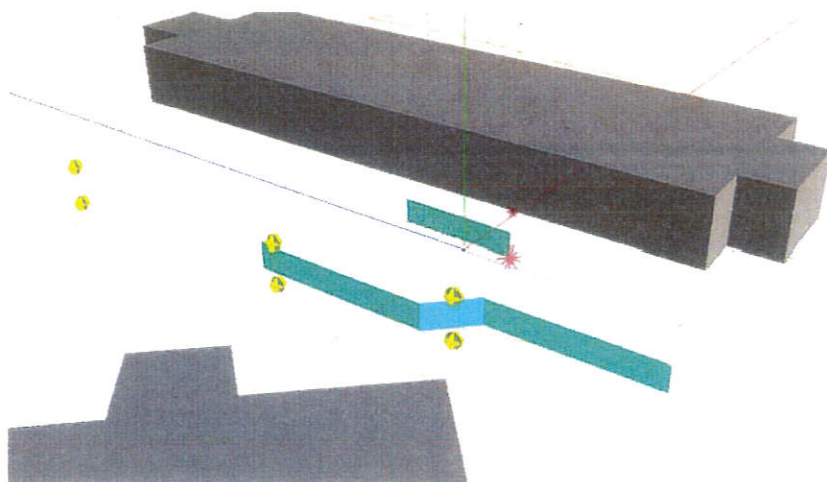


Figure 4: View of sound prediction model from home owner's perspective

As indicated in our original report, a sound barrier wall at the property line is not required by code or ordinance as per Figure 5 below. The sound level of the isometric lines are indicated in the circles on the line. The isometric lines are 5 dB apart.

As a reference, the applicable city ordinance:

Creve Coeur Ordinance

Section 405.470 14.c requires:

- (9) Automatic volume control
- (10) Less than 60 dB up to 8' high at the property line
- (10) No increase in ambient sound levels

Section 405.550 2.

Noise control per St Louis County Chapter 625.050

Table 1 – 55 dBA or less day and 50 dBA or less night for continuous noise source

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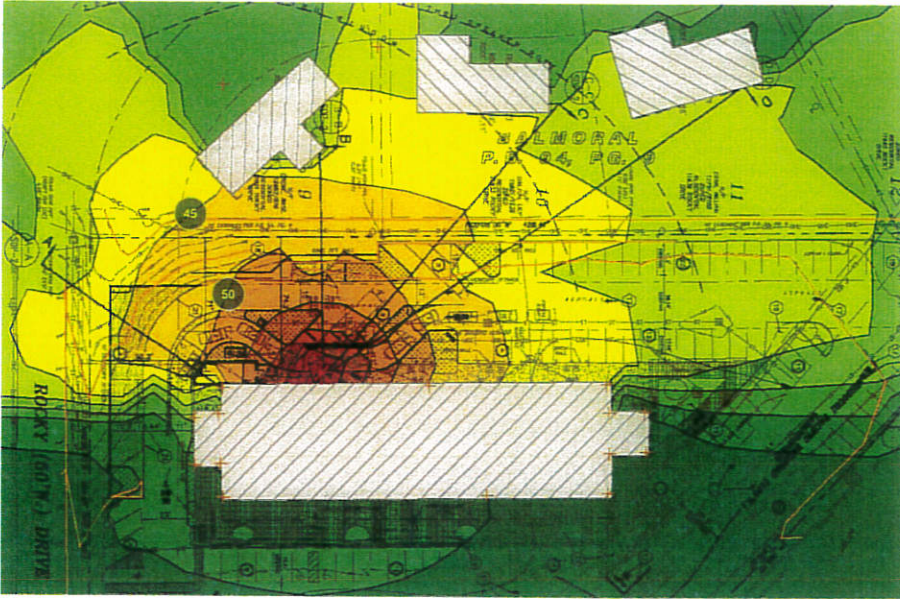


Figure 5: Sound Pressure Levels without sound wall

Figure 6 below includes the 6' sound barrier fence along part of the retaining wall. Note the noise in the backyard has decreased while the sound in the drive lane has remained the same since there is such a great distance between the building and the sound wall.

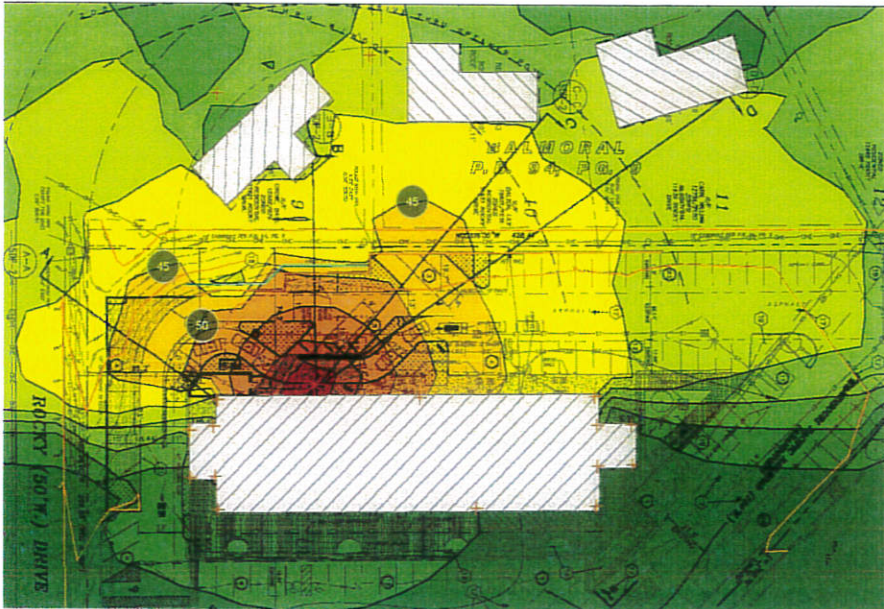


Figure 6: Sound pressure levels 5' above grade with 6' sound wall at retaining wall

Mr. Mike Brunetto
 Mr. David Hutkin
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 Page 11 of 12

The Ordinance references the sound pressure level 8' above the grade. Figure 7 shows the wall does little to reduce the noise from the order station at that elevation when compared to Figure 5.

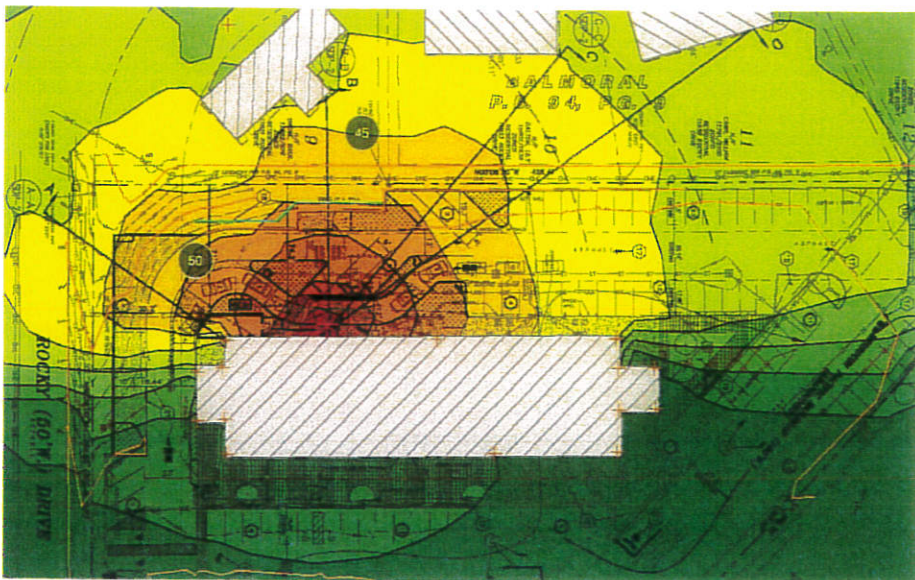


Figure 7: Sound pressure levels 8' above grade with 6' sound wall at retaining wall

The sightline fence required to block the view of the order station provides a first line of sound barrier. The sightline fence was not included in the previous figures. The sightline fence could create an acoustical concern for those ordering since the sound will reverberate as shown in Figure 8. Notice the red and orange areas increase in size near the building. Also notice it does not affect the sound levels at the property line. An acoustical absorptive or diffusive fence is recommended to reduce the reverberation within the area between the sightline fence and the building.

The automobiles have not been modeled. They are typically less than 70 dBA range at 3' which is less than the order station. Please refer to the mock drive-thru test above for verification of sound levels and impact on the ambient noise. The traffic noise from I-270 has also not been included since it would wash out the impact of the drive-thru since the noise generated by it is greater than the proposed drive-thru at Balmoral Plaza.

Mr. Mike Brunetto
 Mr. David Hutkin
 April 23, 2015
 Page 12 of 12

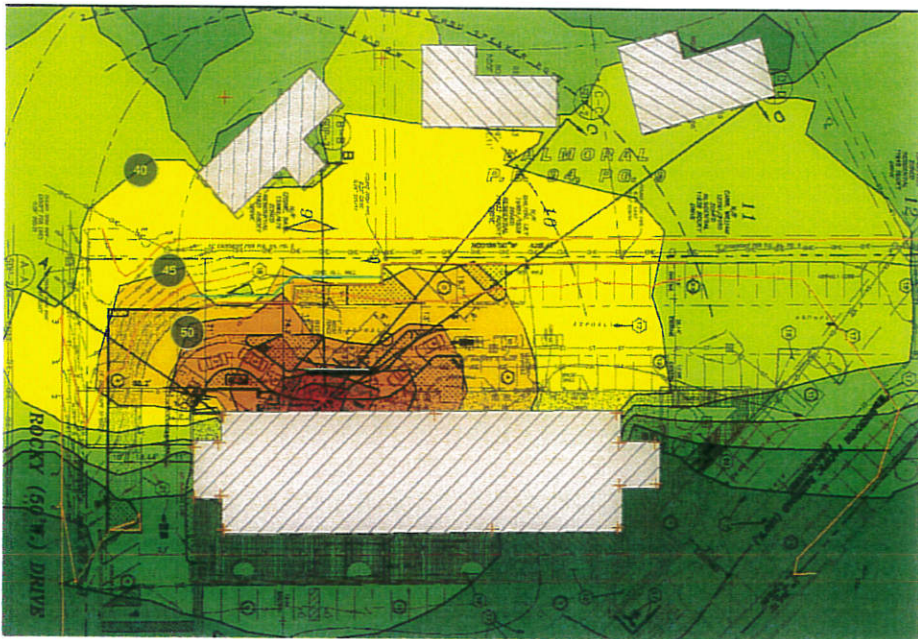


Figure 8: Sound pressure levels with sight line “green fence” and 6’ sound wall at retaining wall

Recommendations

The sound from the ordering station and drive-thru is less than what the Creve Coeur sound code requires and is below typical ambient traffic sound. No further remediation is required. If so desired, to further reduce the sound we could recommend a couple of options:

1. The interior surface of the green screen wall at the order station should have sound absorption properties to minimize the sound levels while ordering. This could be achieved with mineral wool inside the wall behind perforated or slotted panels. Applied perforated metal panels could also be utilized.

Please contact me if you have any questions.

Sincerely,

Philip J. Wentz, PE

PJW:tbn

TAB F

McCLURE ENGINEERING

September 14, 2018

Via Email: Mike.Brunetto@panerabread.com

Mr. Mike Brunetto
Panera Bread Company
443 N New Ballas Road
Saint Louis, Missouri 63141

Re: St. Louis Bread Company
447 N New Ballas Road
Creve Coeur, Missouri 63141
Post-Construction Drive-thru Sound Level
Analysis
McClure Project No.: 104113.002

Dear Mr. Brunetto:

McClure has completed our post-construction analysis and review of the current property line noise evaluation of the drive-thru operation at the St. Louis Bread Company located in Creve Coeur at 447 N New Ballas Road.

SUMMARY

Our analysis is based on the current and past background sound pressure level (SPL) measurements throughout the project. Our study began in the fall of 2014 at the St. Louis Bread Company located in The Balmoral Plaza in Creve Coeur. For this location, we have determined that the background SPL is very consistent and fluctuates by 5 dB throughout any given day, from 53 to 58 dBA. It is important to note that the ambient or background sound levels at this location have proven to play a pivotal role in determining the overall SPL experienced at the property line. Background sound level are typically determined from the L90 data, which is the sound level for 90% of the time during a measurement period.

To determine if the new drive thru operation has caused any increase in the sound levels at the property line, pre-construction and post-construction sound was compared. **Figure 1** shows data on a Tuesday and **Figure 2** shows data on a Wednesday at the same location but at different times of the year (2014 and 2018).

Mr. Mike Brunetto
September 14, 2018
Page 2 of 2

Figure 1 – Tuesday 2014 vs. 2018

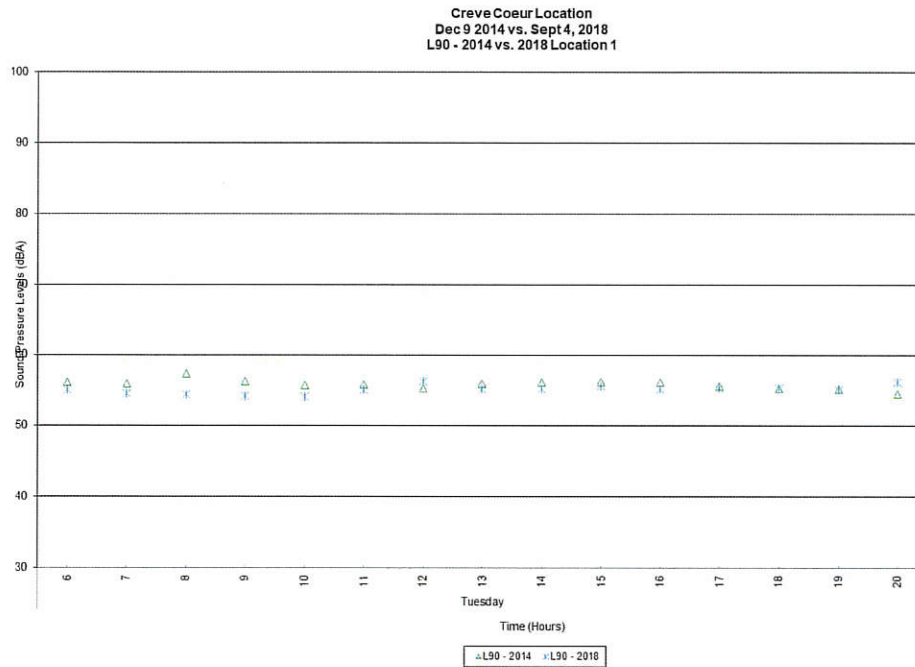
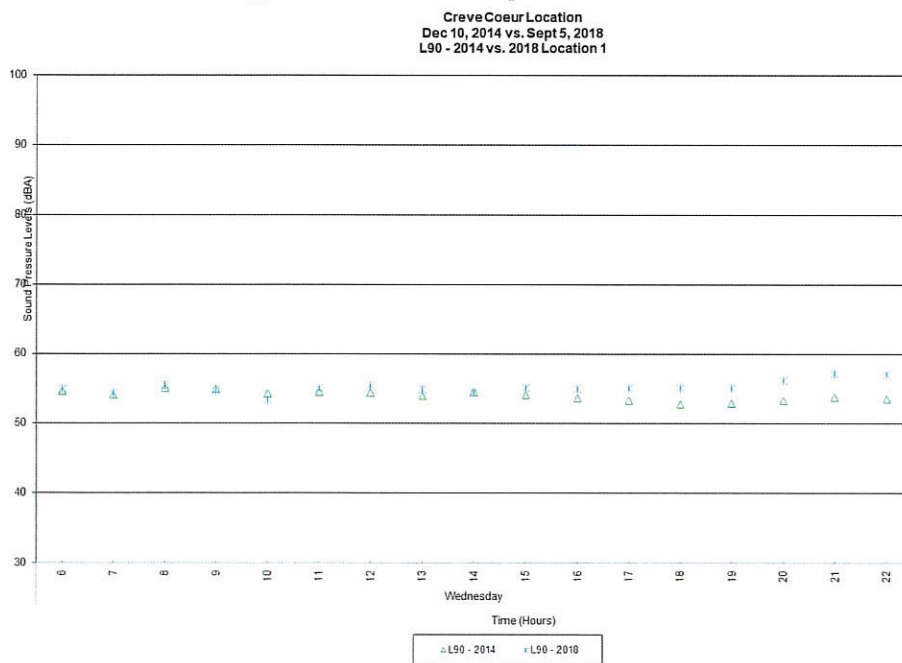


Figure 2 – Wednesday 2014 vs. 2018



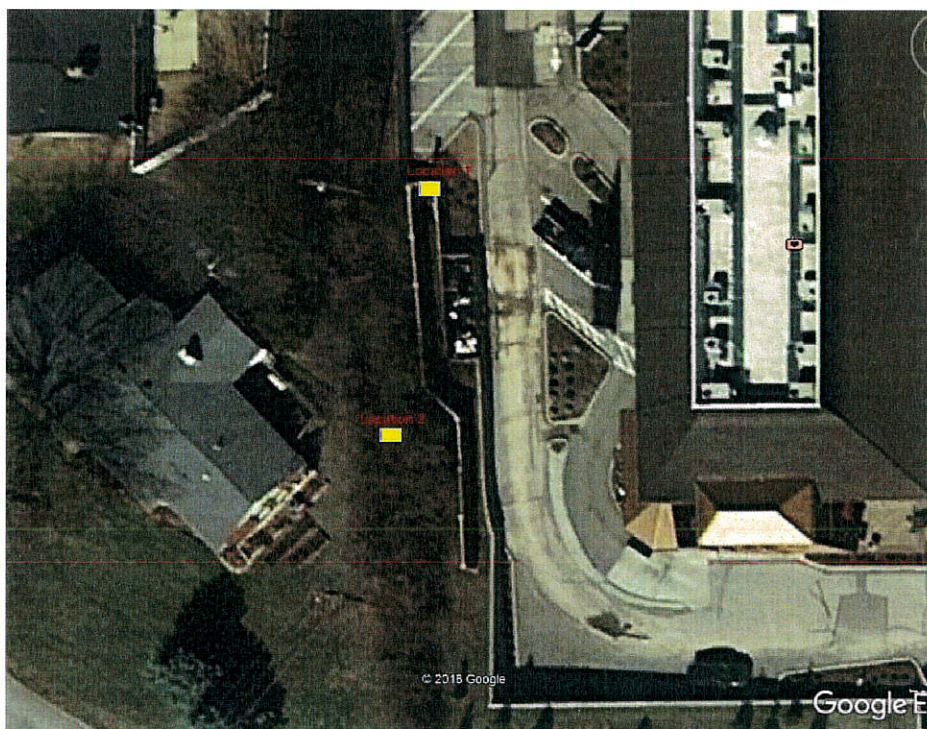
Mr. Mike Brunetto
 September 14, 2018
 Page 3 of 2

From this data it clearly shows that the background sound levels do not show any significant increase in the morning hours from 6am to 9am.

CURRENT DATA

Below in **Figure 3** is a map showing the monitor locations and the data collected from Aug 31 to Sept 5, 2018 summarized in **Figure 4** and **Figure 5**. I have also included a chart showing the Leq sound levels at Loc 1 vs. Loc 2 in **Figure 6**.

Figure 3 – Site Plan Showing Monitor Locations



Summary of the what the data shows:

- 1) The monitor at Location 2 is showing high levels of insect noise throughout the night.
- 2) There are two spikes that reach 70 dBA, one on Friday and one on Tuesday which are most likely the trash trucks.
- 3) The wall is working both ways, meaning that the wall is blocking sound from event in the parking lot but also blocking insect sound from the brush and trees to the parking lot.

From our past reports that shows the predicted data and noise maps, the main item that can be seen in the data is that the background sound level has been consistent during each set of measurements. The noise maps only show the calculated sound levels of the speaker and car in

Mr. Mike Brunetto
September 14, 2018
Page 4 of 2

the drive thru (less than 50 dBA at the PL). We have demonstrated through the monitoring process that the background sound levels without any activities from the drive thru has been consistently in the range of 53 to 58 dBA.

Based on our observations and calculations with the acoustical barrier wall in place, the SPL from the speaker post has decreased significantly to a point of 50 feet or greater, the sound from the speaker post becomes inaudible and well below measured background sound levels.

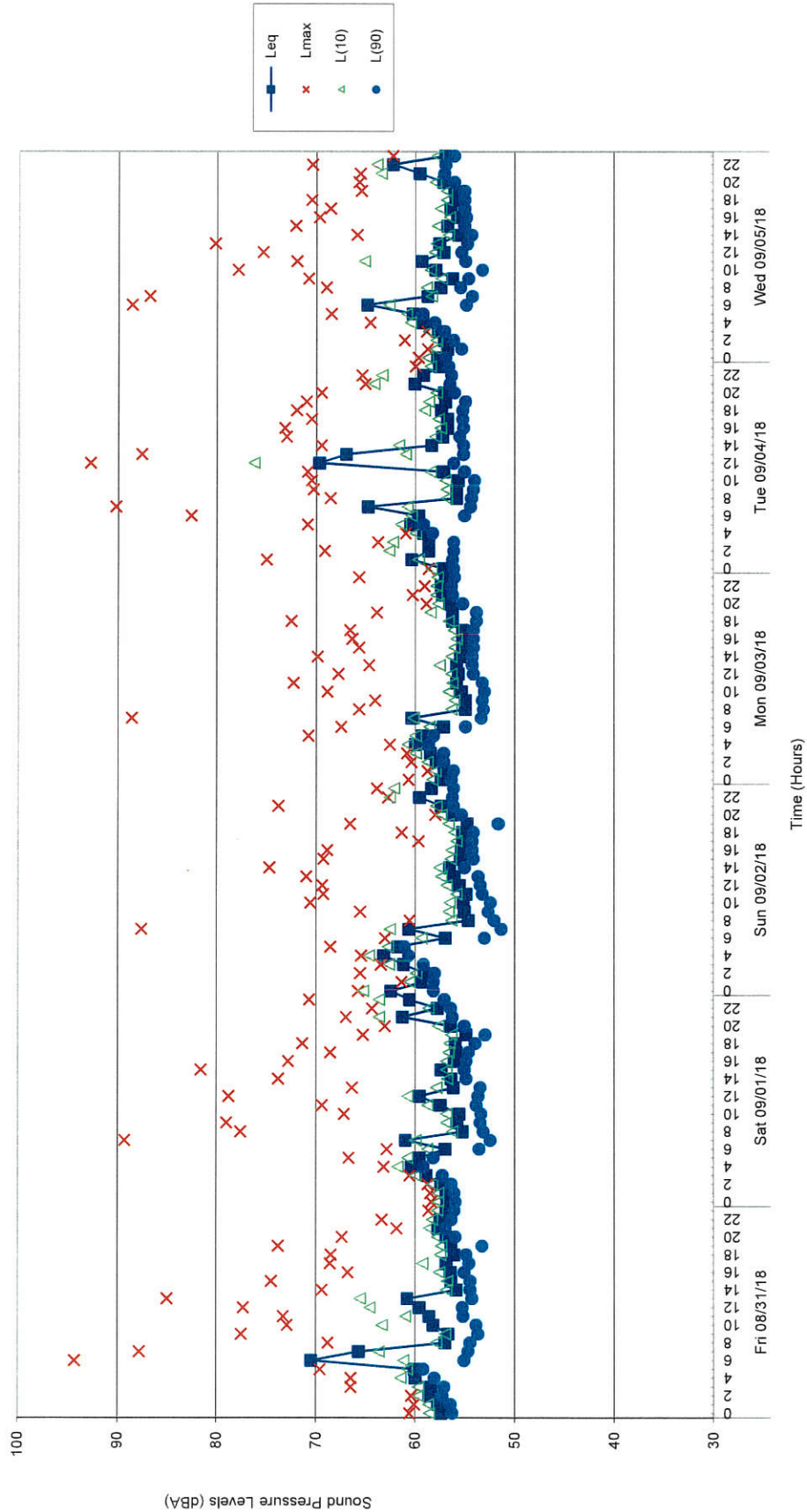
Please contact me via email or telephone call if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Gary Brown".

Gary Brown

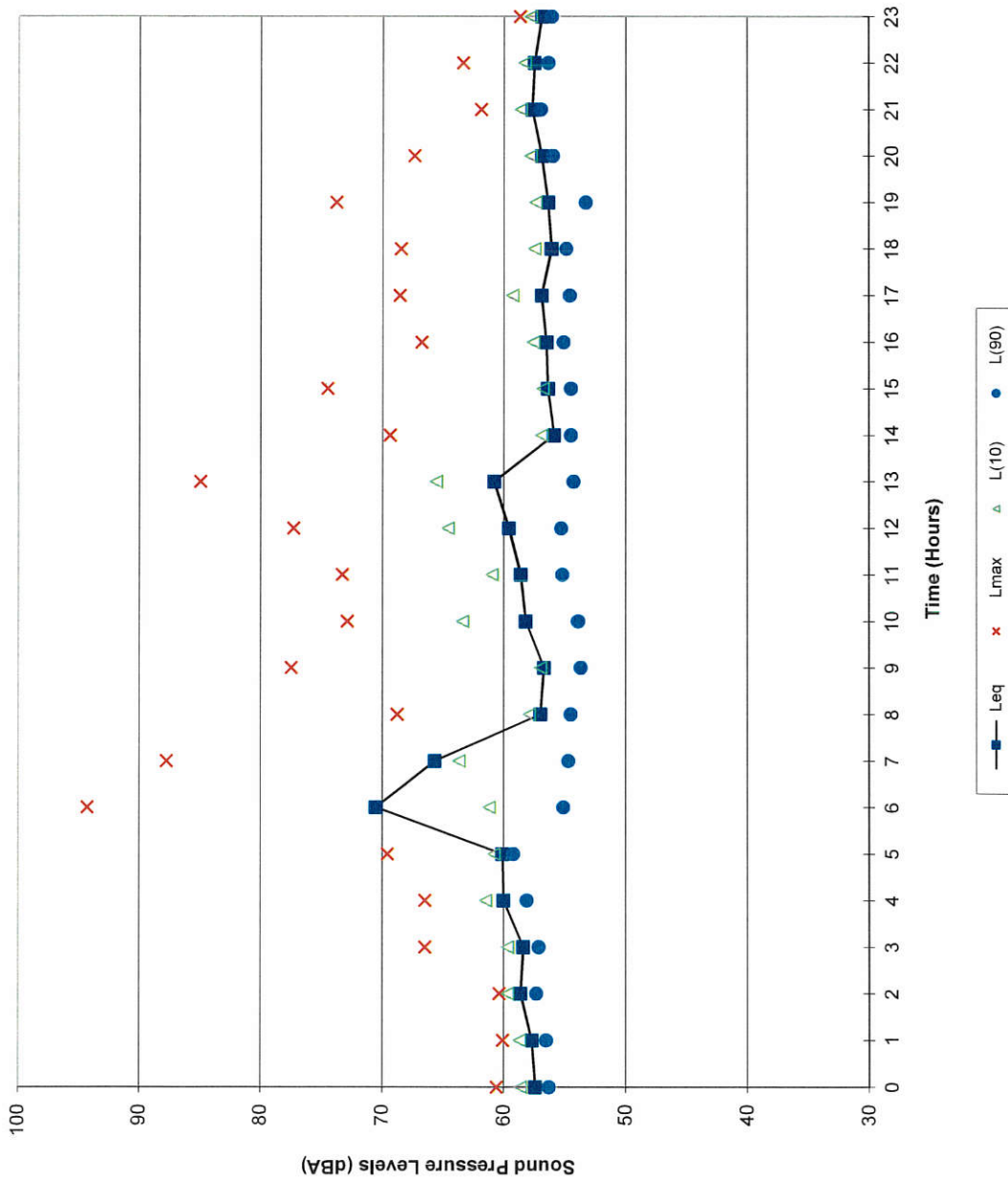
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018 - Location 1 - at edge of barrier wall nearest to speaker



Panera Bread Co.
 Creve Coeur Location
 Aug 31 to Sept 5, 2018
 Location 1 - at edge of barrier
 wall nearest to speaker

Friday August 31, 2018
 Leq(n) 62.7 dBA
 Leq(d) 59.0 dBA
 Ldn(24) 68.8 dBA

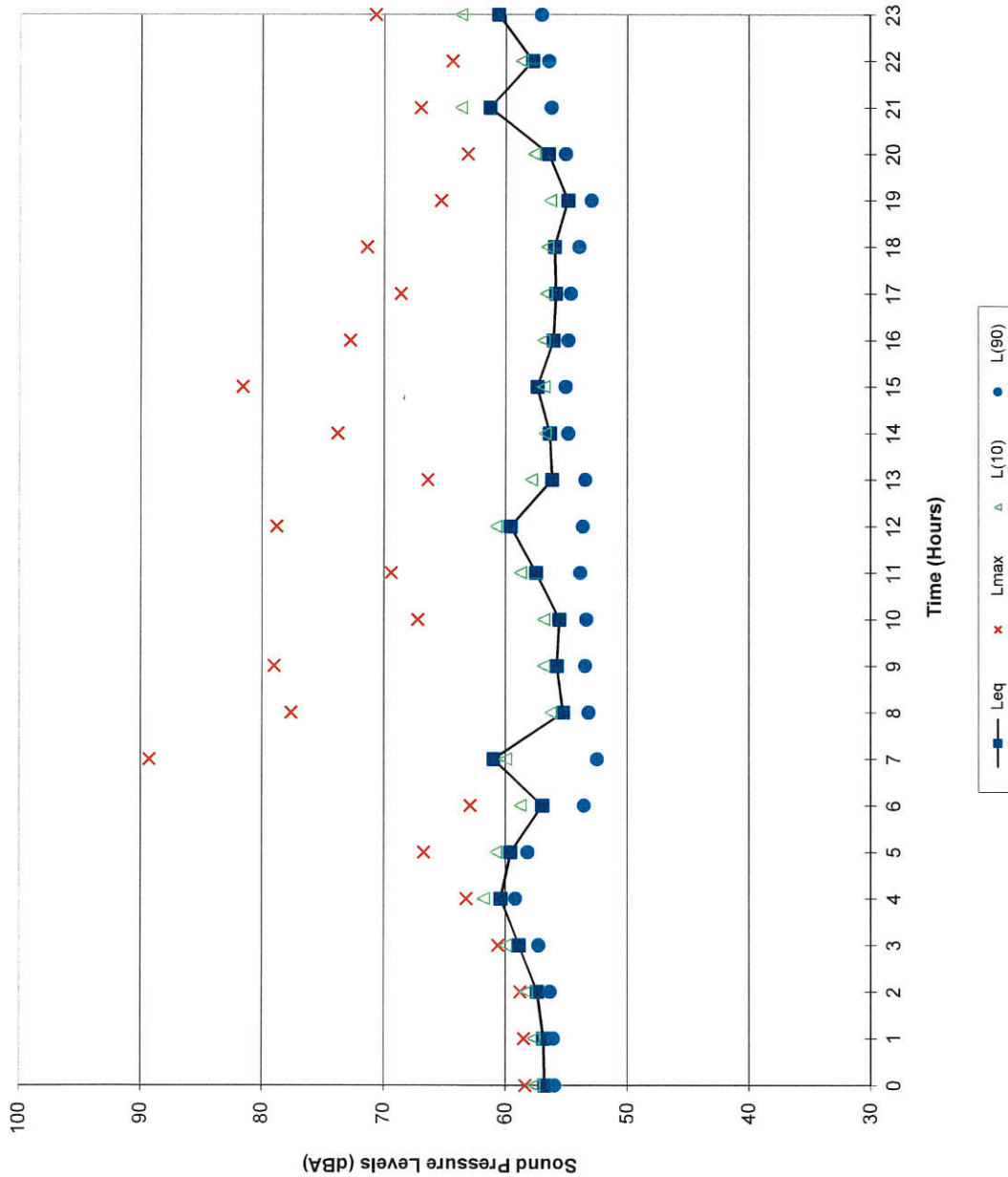
McCLURE ENGINEERING
 St. Louis, Missouri



Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018
Location 1 - at edge of barrier
wall nearest to speaker

Saturday September 01, 2018

Leq(n) 58.6 dBA
Leq(d) 57.5 dBA
Ldn(24) 64.9 dBA



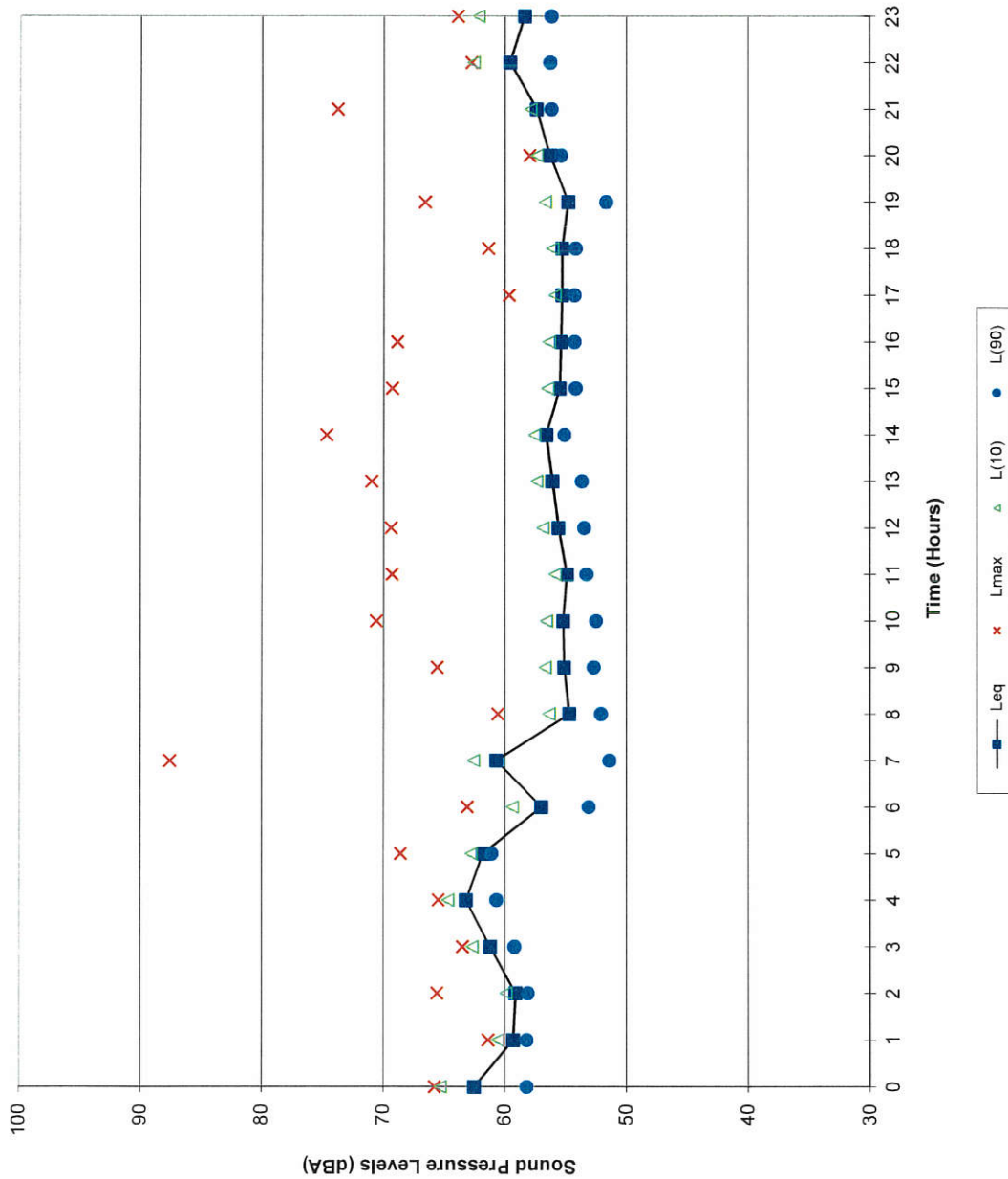
McCLURE ENGINEERING
St. Louis, Missouri

Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018
Location 1 - at edge of barrier
wall nearest to speaker

Sunday September 02, 2018

Leq(n) 60.7 dBA
Leq(d) 56.2 dBA
Ldn(24) 66.7 dBA

McCLURE ENGINEERING
St. Louis, Missouri

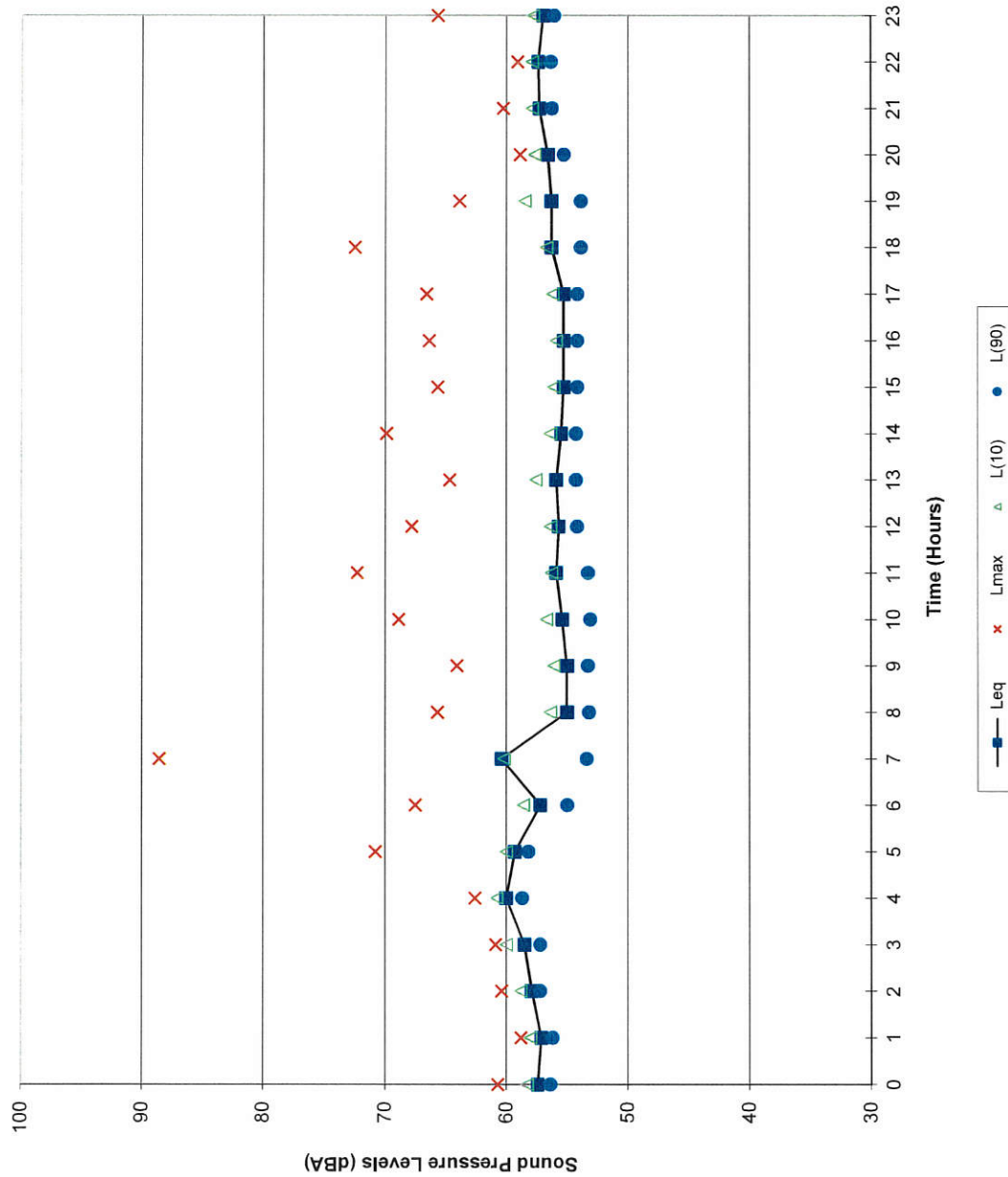


Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018
Location 1 - at edge of barrier
wall nearest to speaker

Monday September 03, 2018

Leq(n) 58.1 dBA
Leq(d) 56.3 dBA
Ldn(24) 64.3 dBA

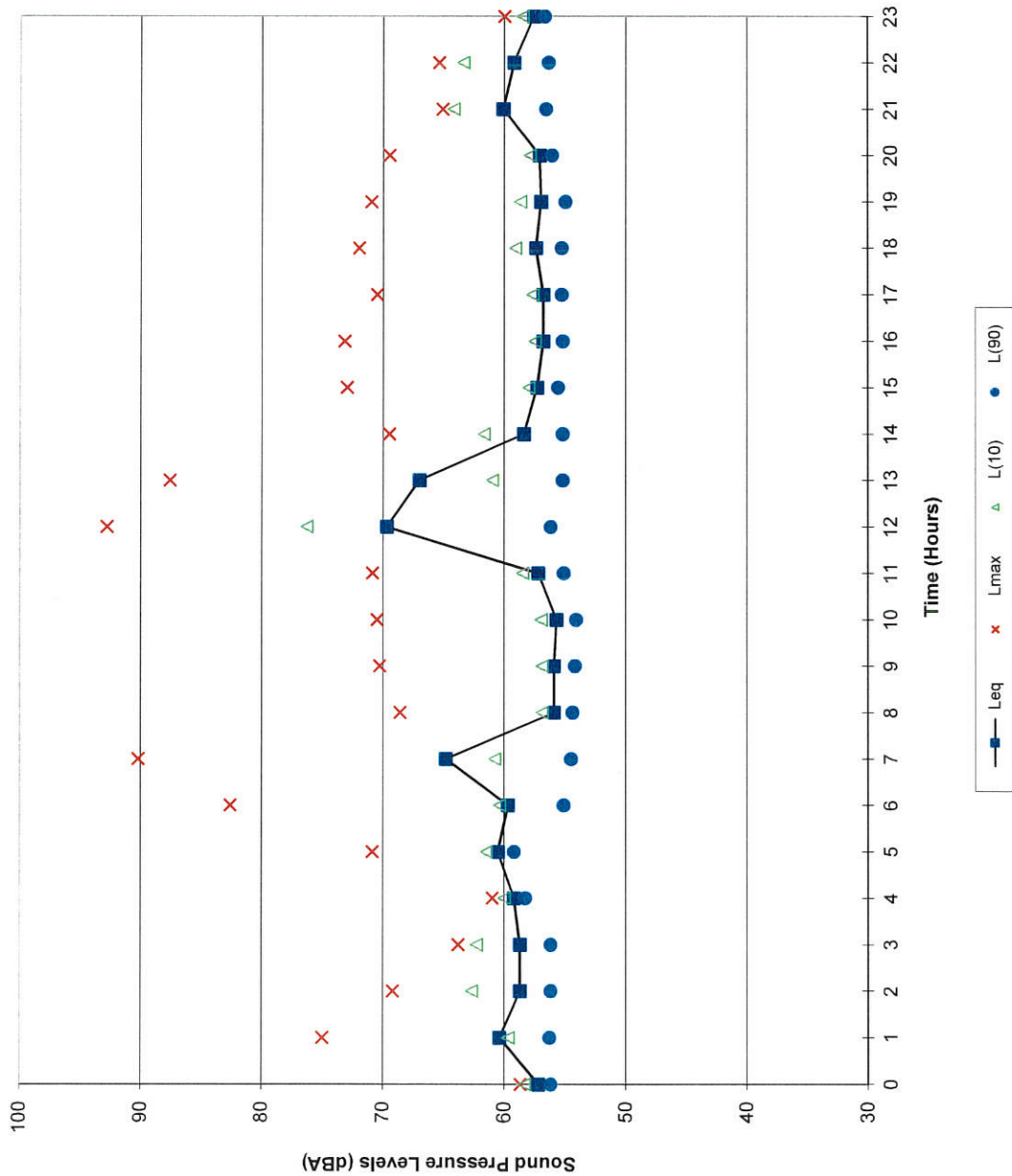
McCLURE ENGINEERING
St. Louis, Missouri



Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018
Location 1 - at edge of barrier
wall nearest to speaker

Tuesday September 04, 2018

Leq(n) 59.1 dBA
Leq(d) 62.0 dBA
Ldn(24) 66.1 dBA



McCLURE ENGINEERING
St. Louis, Missouri

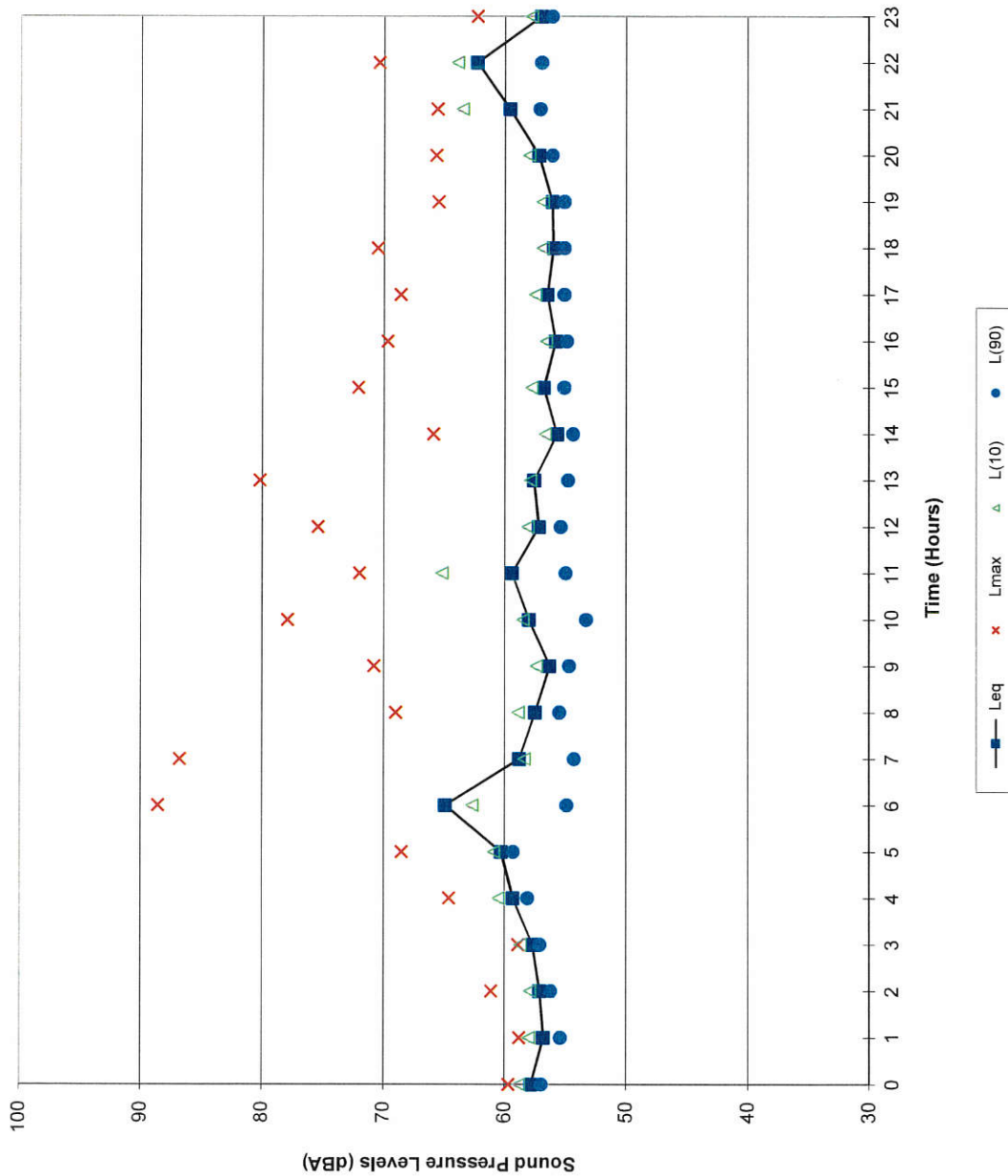
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 1 - at edge of barrier
wall nearest to speaker

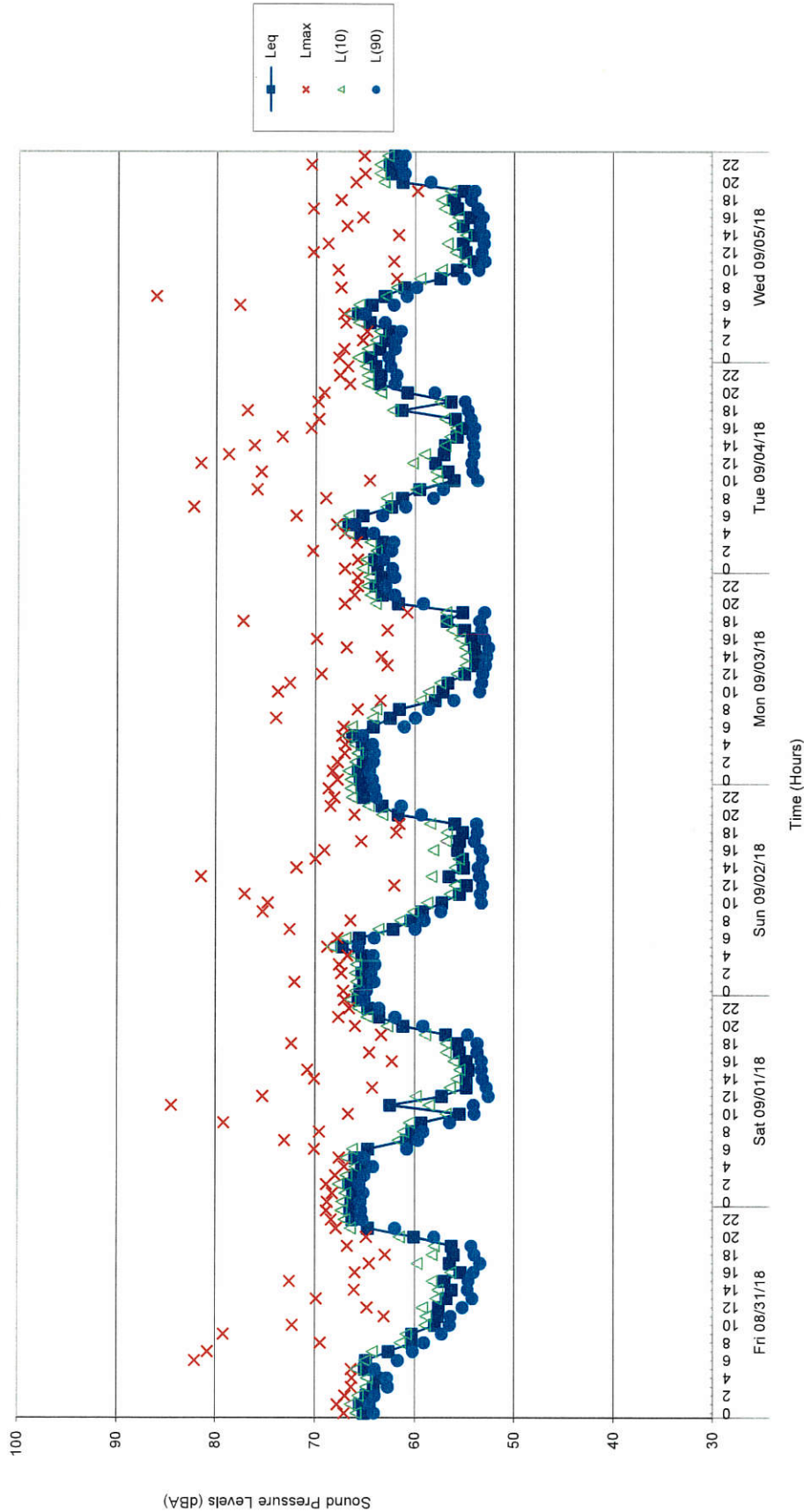
Wednesday September 05, 2018

Leq(n) 60.2 dBA
Leq(d) 57.4 dBA
Ldn(24) 66.3 dBA

McCLURE ENGINEERING
St. Louis, Missouri



Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018 - Location 2 - Property Line

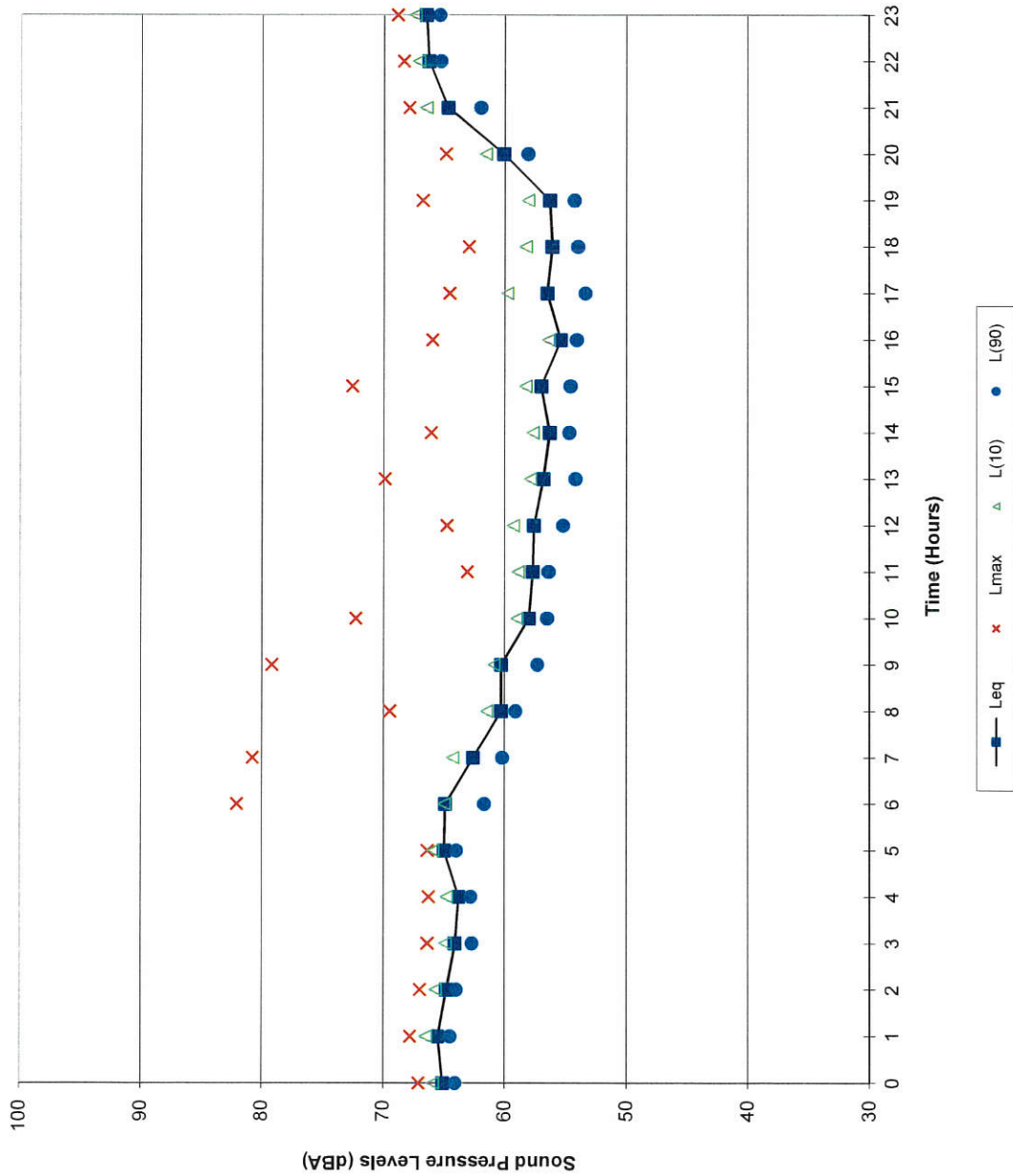


Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

Friday August 31, 2018
Leq(n) 65.2 dBA
Leq(d) 59.3 dBA
Ldn(24) 71.1 dBA

McCLURE ENGINEERING
St. Louis, Missouri



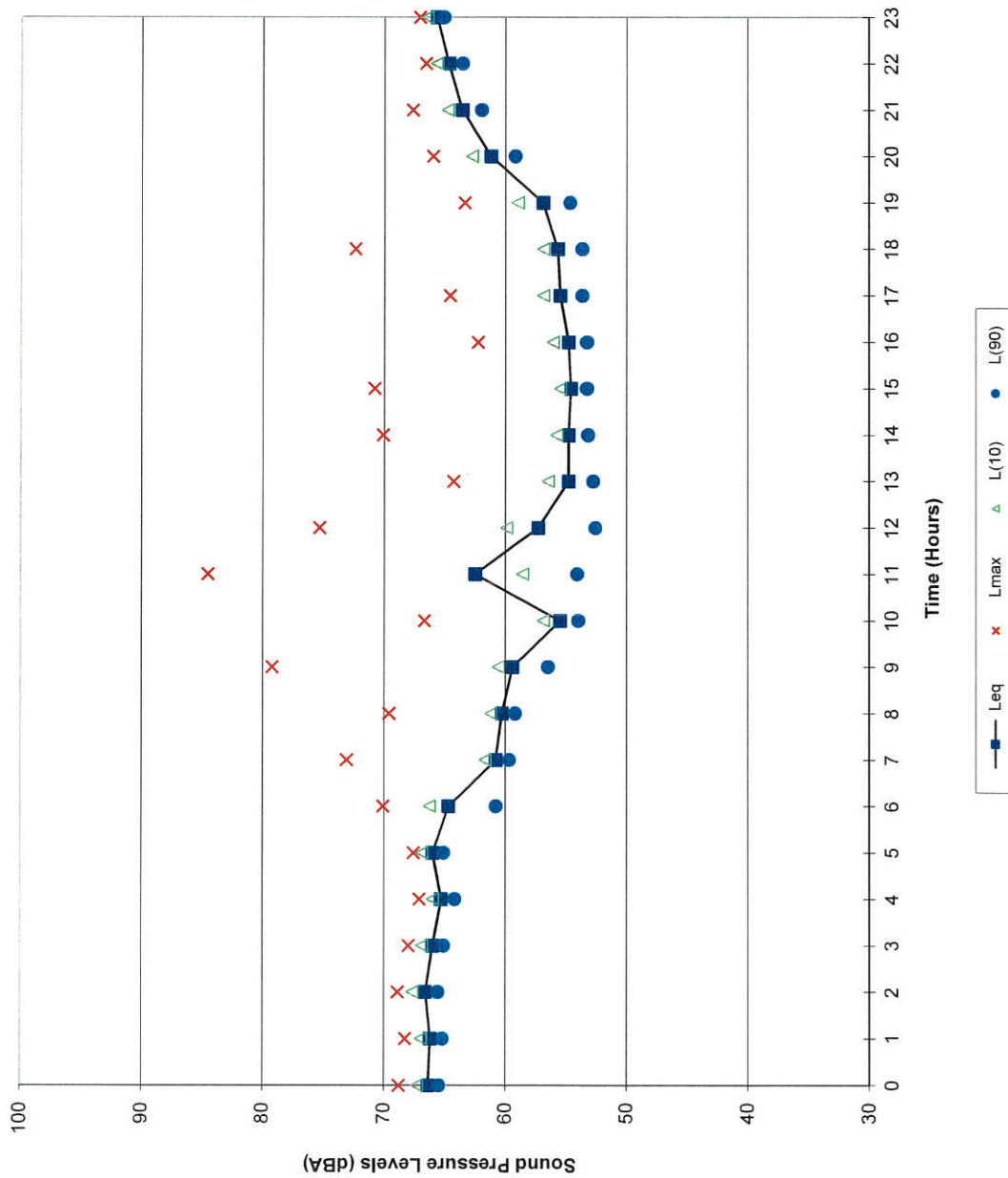
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

Saturday September 01, 2018

Leq(n) 65.8 dBA
Leq(d) 59.0 dBA
Ldn(24) 71.7 dBA

McCLURE ENGINEERING
St. Louis, Missouri



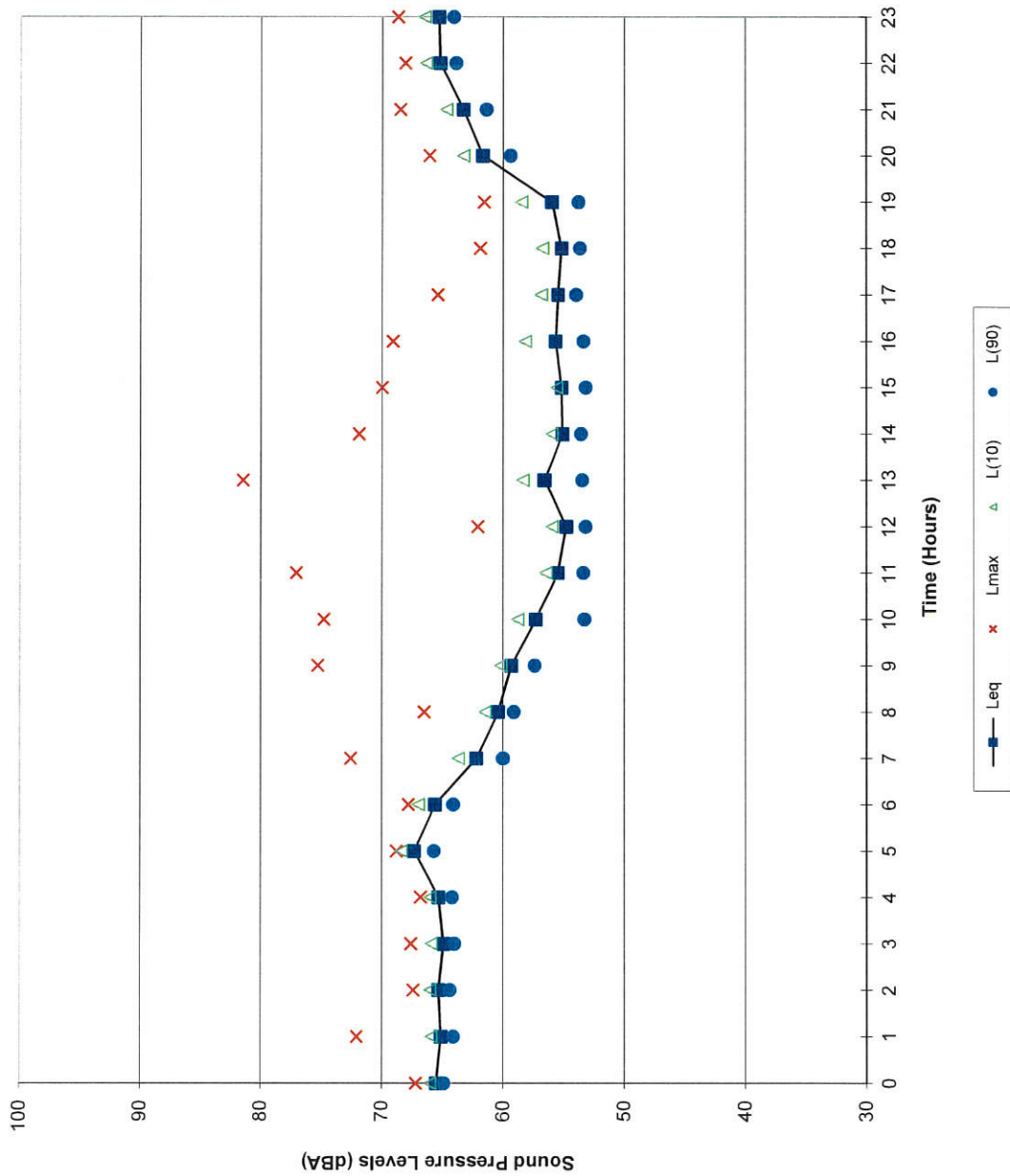
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

Sunday September 02, 2018

Leq(n) 65.6 dBA
Leq(d) 58.6 dBA
Ldn(24) 71.4 dBA

McCLURE ENGINEERING
St. Louis, Missouri



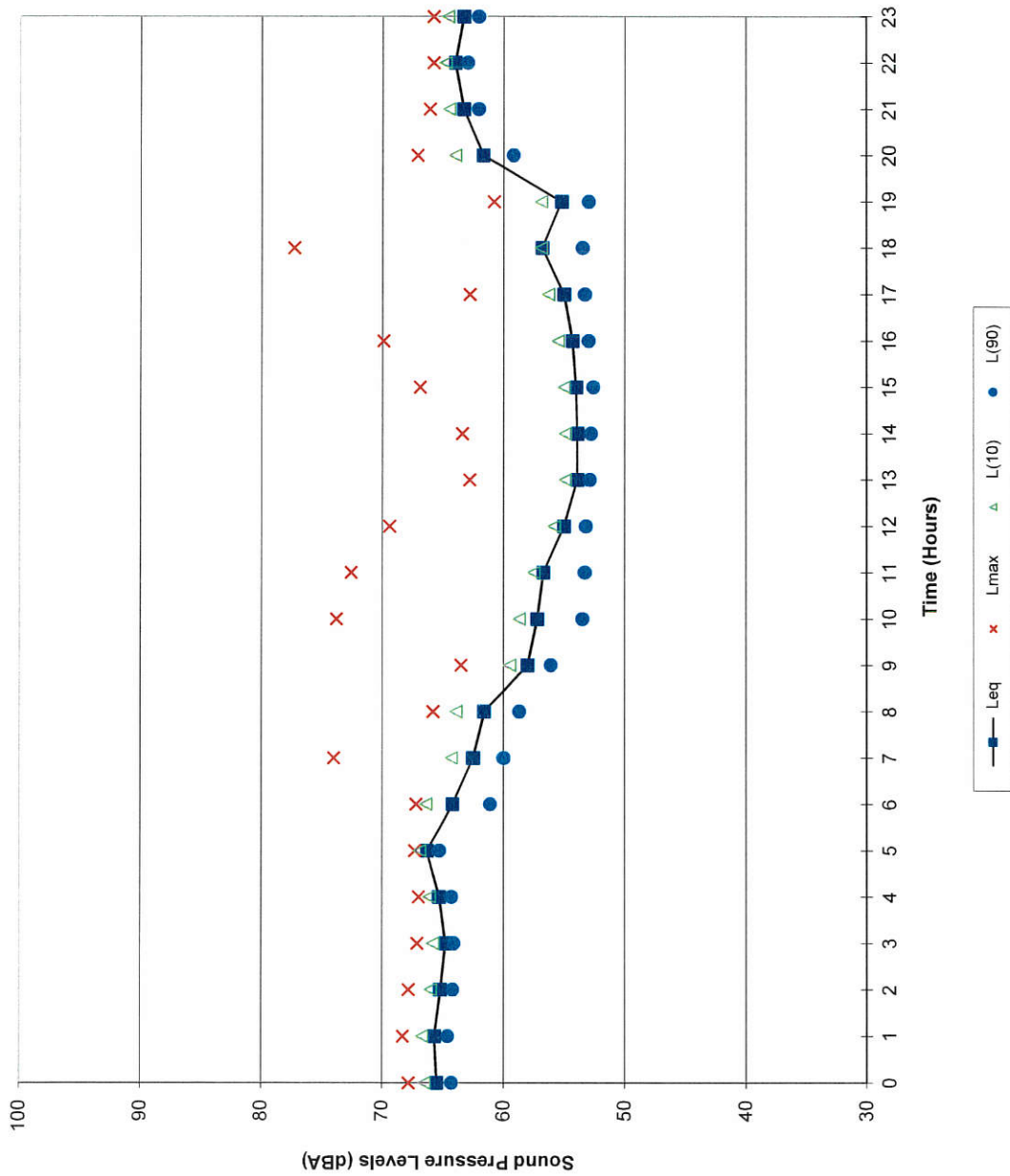
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

Monday September 03, 2018

Leq(n) 65.0 dBA
Leq(d) 58.6 dBA
Ldn(24) 70.9 dBA

McCLURE ENGINEERING
St. Louis, Missouri

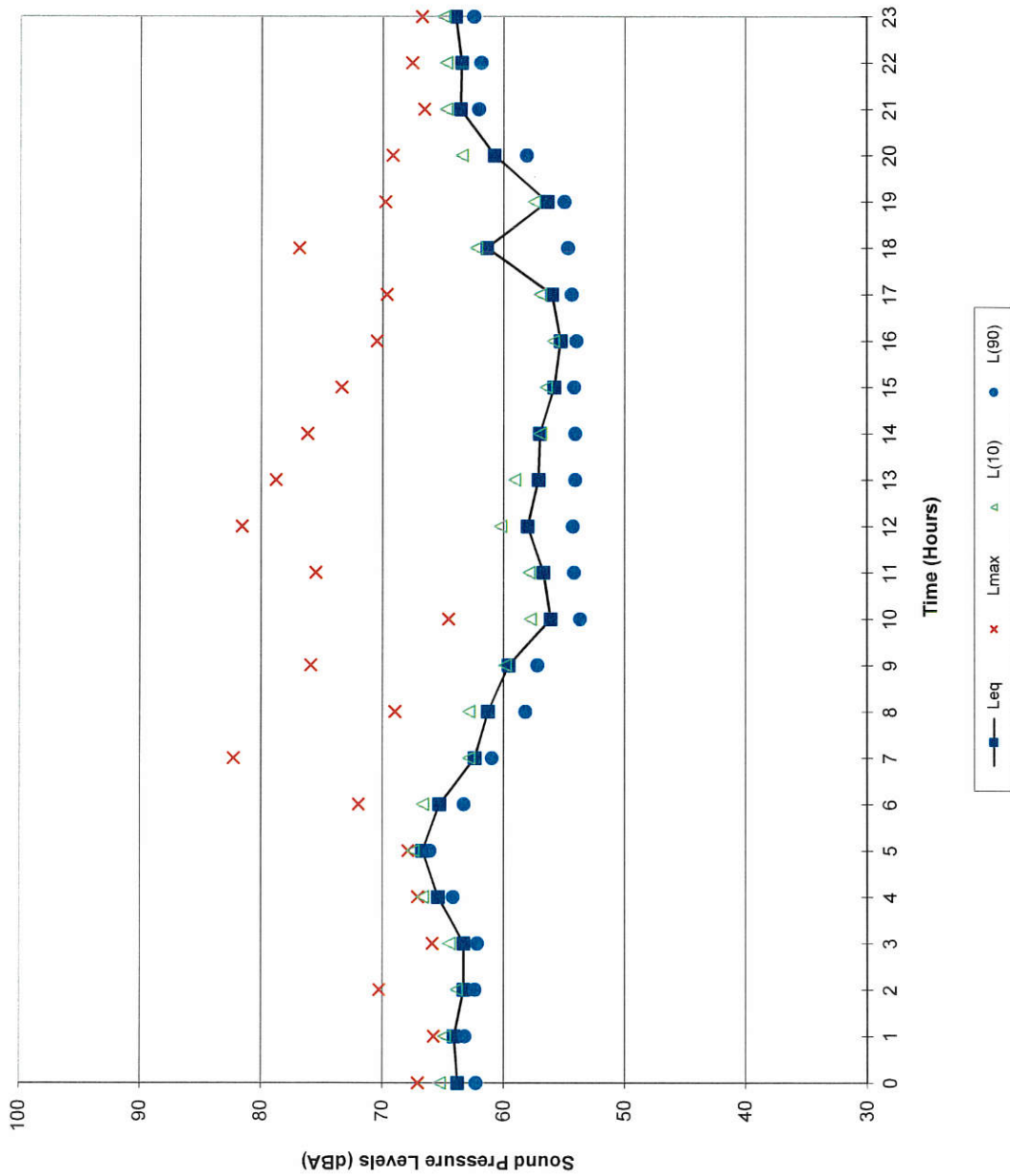


Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

Tuesday September 04, 2018

Leq(n) 64.5 dBA
Leq(d) 59.4 dBA
Ldn(24) 70.5 dBA



McCLURE ENGINEERING
St. Louis, Missouri

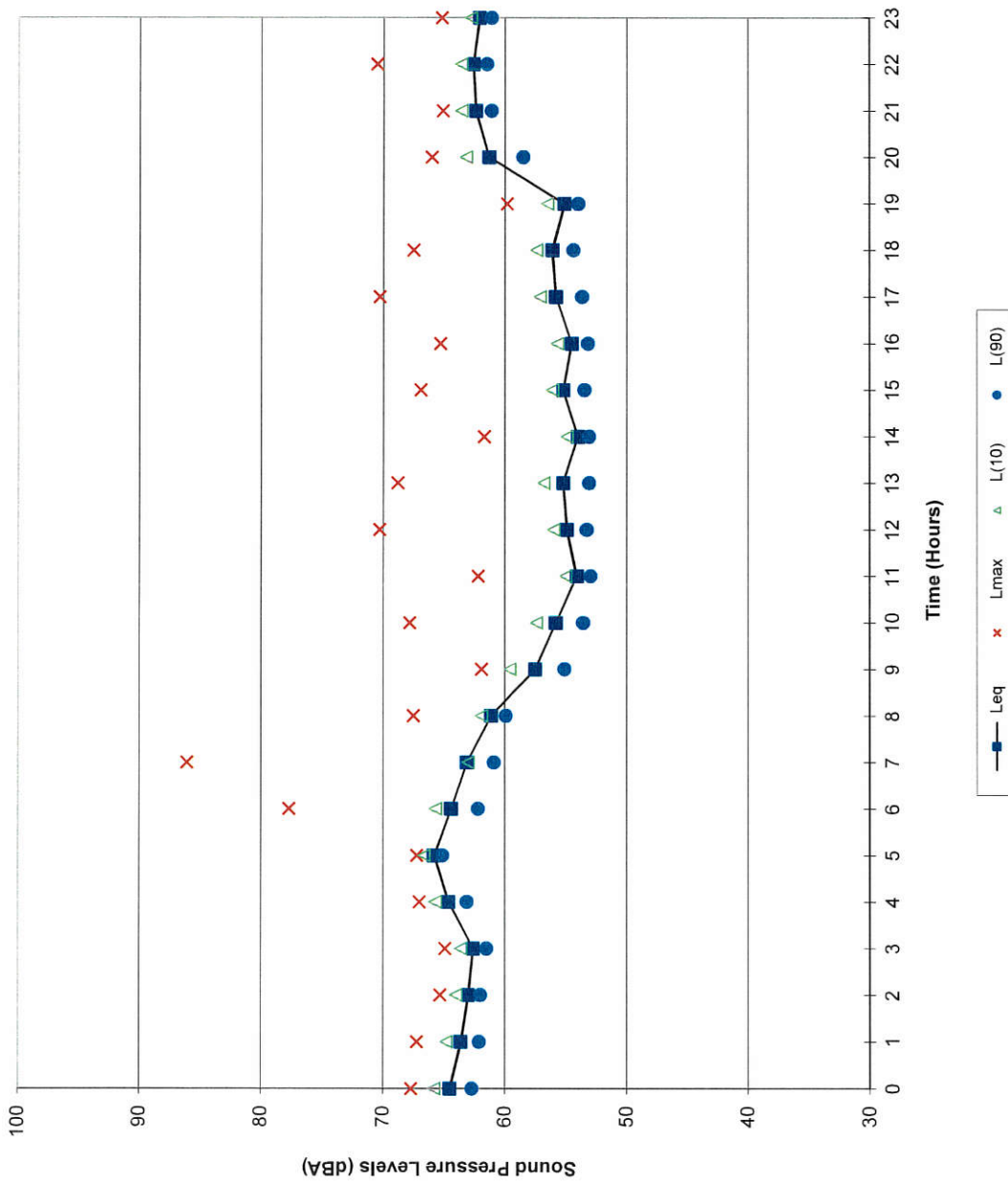
Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018

Location 2 - Property Line

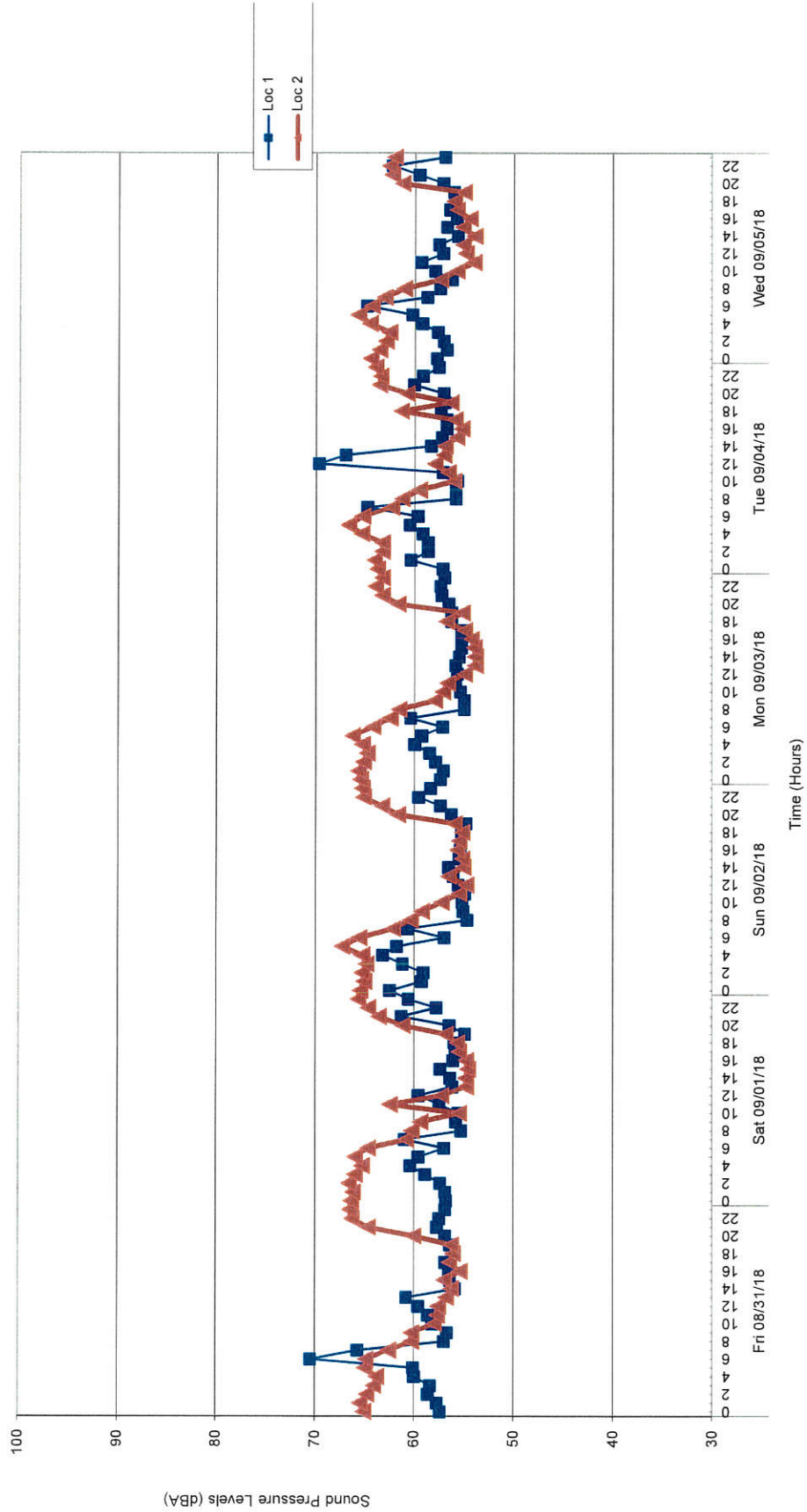
Wednesday September 05, 2018

Leq(n) 63.8 dBA
Leq(d) 58.3 dBA
Ldn(24) 69.8 dBA

MCCLURE ENGINEERING
St. Louis, Missouri



Panera Bread Co.
Creve Coeur Location
Aug 31 to Sept 5, 2018 - Leq Location 1 vs. Location 2



TAB 9

From: [David Hutkin](#)
To: [Michael Turnquist](#)
Cc: [Steve Kling](#)
Subject: RE: Panera Meeting with Jason Jaggi
Date: Tuesday, August 14, 2018 3:02:11 PM

Hello Michael,

I wanted to update my e-mail of a little over six (6) months ago (below) and report to you that we have not received any calls or reports from neighboring residents or the City about any noise stemming from the property during the "black-out" period specified in our CUP. Obviously, this speaks volumes about the priority store management has made to be a good neighbor.

Please thank them for us and keep up the great work.

Thank you.

David

David S. Hutkin

Hutkin Properties Group, LLC
10829 Olive Boulevard, Suite 200, St. Louis, Missouri 63141
Telephone: 314-872-9140
Website: www.hutkin.com

Melissa K. Edwards

From: Debi Michels <dmichels@crevecoeurmo.gov>
Sent: Thursday, August 16, 2018 7:38 AM
To: Abby Schaberg
Subject: Re: Noise Complaints for Bread Company located at 447 N. New Ballas Road
Attachments: image003.jpg; Call for Service.pdf

Good morning Ms. Schaberg;

On 8/15, per your request, I checked for any noise complaints dating back 5 years (checked 1/2013 - 8/15/2018) at the Bread Co. located at 447 N. New Ballas (Creve Coeur, MO). The only call for service located is shown as an Ordinance Violation in reference to a trash truck on 7/28/2018 at 05:00 hrs. (no report written, copy of call for service attached).

If you have any questions or need further assistance please contact me.

Thank you,

Debi Michels, Records Associate
Creve Coeur Police Department
300 N. New Ballas, Creve Coeur, MO 63141
314-442-2063 /// fax 314-442-2090
dmichels@crevecoeurmo.gov

*Please don't print this e-mail unless you really need to. **Be Green!***

On Wed, Aug 15, 2018 at 4:42 PM Abby Schaberg <aschaberg@jenkinskling.com> wrote:

Debbie,

Earlier today I called you requesting information relating to noise complaints for the past 5 years relating to the Bread Company located at 447 N. New Ballas Road. At your convenience, please confirm your search results by responding to this email.

I appreciate your assistance!

Thanks,

Abby

Abby E. Schaberg, Esq.

Associate

JENKINS & KLING, P.C.

150 North Meramec Avenue

Suite 400

Clayton, Missouri 63105

(314) 721-2525

(314) 721-5525 (fax)



www.jenkinsklings.com

This email contains confidential information protected by the attorney client and other privileges and is intended for this addressee only. If you are not the addressee of this email or you have otherwise received this email in error, please call JENKINS & KLING at the number shown above, and destroy this email, retaining no copies.

If you have received this message by mistake, please notify the City of Creve Coeur IT department (it@crevecoeurmo.gov) and delete this message from your system. All email to and from the City are checked for viruses. Although this e-mail and any attachment(s) are believed to be free of any virus, worm, or other digital illness or defect that might affect any computer system that receives and opens this message, it is the responsibility of the recipient to make sure that it is free from any virus or other defect. The City does not accept, and specifically disclaims, any responsibility or liability for any loss or damage arising from the receipt or use of this message, and any attachment(s) in any way.

CREVE COEUR POLICE DEPARTMENT

MO095

300 NORTH NEW BALLAS
CREVE COEUR, MO 63141

Calls For Service

Detail Page

Call# 2160607

Date & Time 07/28/2018 05:00:56	Day Saturday	Dispatcher ID W19	Agency CCPD
------------------------------------	-----------------	----------------------	----------------

Beat 243.1	Sector	District CCPD-E	Incident #
---------------	--------	--------------------	------------

Location ST LOUIS BREAD CO #607 CCPD 2/18 : 447 N NEW BALLAS RD CREVE COEUR MO -

Name	Phone U () -	Requests Contact N
------	------------------	-----------------------

Address

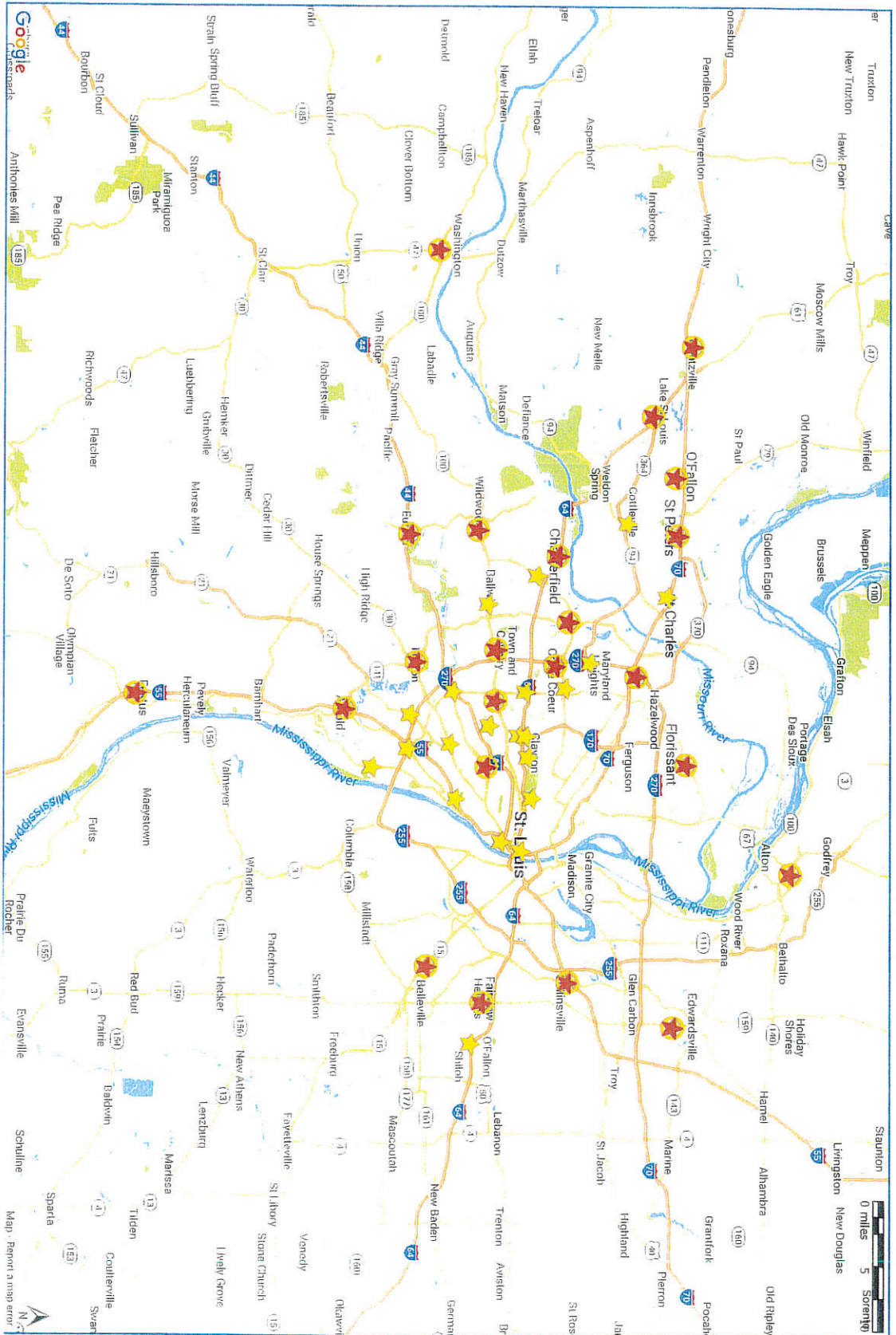
Call Type ORD VIOL - ORDINANCE VIOLATION	Priority 2
Description Notes: TRASH TRUCK HAS NOT PICKED UP TRASH ADVISED OF TIMES User Defined:	Total Consumed Minutes of all associated Units : Dispatch to Clear
Disposition NRN - NRN	
Comments	

Unit	Crew C767
Dispatched	07/28/2018 05:00:58
On Scene	07/28/2018 05:00:58
	07/28/2018 05:00:58
Clear/Available	07/28/2018 05:01:01
	447 N NEW BALLAS RD

TAB H

Current Panera Bread Locations (11/15/17)
 ★ Open Panera Cafe
 ★ Open Panera Cafe w/ drive-thru

Drive-Thru Locations in Red



TAB I

City of Creve Coeur, MO
Thursday, July 19, 2018

Chapter 405. Zoning Ordinance

Article IX. Administration

Section 405.1070. Conditional Use Permits.

[R.O. 2008 §26-114; Ord. No. 1903 §1, 11-24-1997; Ord. No. 2091 §2, 11-27-2000; Ord. No. 5123 Exh. A, 2-22-2010; Ord. No. 5165 §1, 12-13-2010]

A. *Generally.*

1. The purpose of conditional use permits is to provide the City with a procedure for determining the appropriateness of a proposed use not authorized as a matter of right by the regulations of the district in which the use is proposed to be located. The appropriateness of the use shall be determined in consideration of surrounding uses, activities and conditions of the site and of surrounding areas. Based upon this determination, the City may decide to permit, reject or permit conditionally the use for which the conditional use permit is sought.
2. The City Council may authorize by ordinance, under prescribed conditions, the construction or undertaking of any conditional use that is expressly permitted as a conditional use in a particular zoning district; however, the City reserves full authority to deny any request for a conditional use, to impose conditions on the use or to revoke approval at any time, upon a finding that the permitted conditional use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.
3. An application for a conditional use permit may be filed by the owner of the subject property or any person with a financial, contractual or proprietary interest in the subject property who also submits the owner's consent to the application.

B. *Application And Submission Requirements.* The application shall be filed in the office of the Zoning Administrator on a form provided by 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. The application shall be signed by the applicant and shall state the applicant's name, mailing address, telephone number, and (if available) e-mail address. The application shall contain such information as the Planning and Zoning Commission may prescribe, and shall include those items specified in Section 405.1080 regarding site concept and site development plan approval.

C. *Limitations Of Filing.* An application for conditional use permit shall not be accepted by the Zoning Administrator:

1. If the application does not comply with all the requirements of this Section and any regulation published pursuant thereto or if required fees and escrows have not been submitted.
2. If a previous application for the same conditional use for the same property was denied within twelve (12) months of this new application. The application shall be accepted, however, if the Zoning Administrator determines that substantial new facts warrant reapplication.

D. *Application Review Procedure.*

1. *Zoning Administrator.* 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) thereafter cause notice of the application to be publicly posted at the Government Center 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 Zoning Administrator's review and accompanying coordinated review of the site concept and site development plan 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.^[1]

[Ord. No. 5381 §6, 7-14-2014]

[1] *Note: The FCC has established that local governments must act on requests to collocate on a communications tower within ninety (90) days and on all other tower siting applications within one hundred fifty (150) days. See Declaratory Ruling, WT Docket No. 08-165, released November 18, 2009.*

2. *Planning and Zoning Commission.* The Planning and Zoning Commission shall consider the applications and decide whether to recommend approval.
 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. The City Clerk shall also send written notice to 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 conditional use permit is sought, stating the nature of the proposed use and advising of the date, time and location of the public hearing. No application for a conditional use permit may be approved until after such hearing is held.
 4. *City Council.* After receipt of a recommendation from the Commission, the City Council shall consider the application.
- E. *Standards.* The City Council shall not approve a conditional use unless it finds that the application and evidence presented clearly indicate that the proposed conditional use:
1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
 2. Will contribute to and promote the community welfare and convenience at the specific location.
 3. Will not cause substantial injury to the value of neighboring property.
 4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.
 5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
 6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.
- F. *Conditions And Restrictions.* In approving a conditional use permit application, the City Council may impose conditions and restrictions as necessary to assure that the standards of Section 405.1070(E) are complied with and the general intent of this Chapter is carried out. Exercise of the rights granted pursuant to the

issued permit shall constitute acceptance of all conditions and restrictions imposed by the City Council. Any future enlargement or alteration in the use of the structure or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the conditional use permit before a building permit for the enlargement or alteration may be issued. 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.

- G. *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.^[2]

[2] 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.

- H. *Expiration.*

[Ord. No. 5381 §6, 7-14-2014]

1. A conditional use permit granted by the City Council shall not be valid for a period longer than one (1) year from the date it is granted, unless within such period:
 - a. A building permit is obtained and substantial construction is begun; or
 - b. If a building permit is not required, an occupancy permit is obtained and the authorized use is commenced.
 - c. Notwithstanding the foregoing, a conditional use permit granted for a wireless communications facility or support structure shall not expire.
2. The City Council may grant extensions to the one-year period of not more than one hundred eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

City of Creve Coeur, MO
Thursday, July 19, 2018

Chapter 405. Zoning Ordinance

Article IV. Standards For Permitted, Accessory and Conditional Uses

Section 405.470. Conditional Uses.

[R.O. 2008 §26-52; Ord. No. 1903 §1, 11-24-1997; Ord. No. 1909 §2, 12-8-1997; Ord. No. 1957 §2, 10-12-1998; Ord. No. 1958 §52 — 3, 10-12-1998; Ord. No. 2051 §51 — 2, 2-28-2000; Ord. No. 2102 §1, 1-22-2001; Ord. No. 2202 §1, 12-9-2002; Ord. No. 2247 §1, 11-24-2003; Ord. No. 2289 §1, 6-28-2004; Ord. No. 4043 §1, 11-13-2006; Ord. No. 5007 §1, 10-22-2007; Ord. No. 5228 §2, 10-24-2011; Ord. No. 5236 §51, 3, 12-12-2011; Ord. No. 5295 §1, 2-11-2013; Ord. No. 5300 §19, 4-22-2013]

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

1. *Electric power distribution — (NAICS 221122) (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts). Shall provide a minimum six (6) foot high screen of evergreen plant material or wall between any structure exceeding three (3) feet in height, with the exception of utility poles and any adjacent residential or institutional use or any right-of-way or street.*
2. *Retreat houses — (NAICS 813110) operated by non-profit or religious, fraternal or community service organizations including overnight accommodations for guests or members (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).*
 - a. Shall be located on sites of at least three (3) acres.
 - b. Overnight accommodations shall be limited to guests or members.
 - c. The maximum capacity of such overnight guest facilities shall not exceed a ratio of four (4) overnight guests per acre of site occupied by the retreat house.
3. *Accessory retail sales — (NAICS 45299 all other general merchandise stores and NAICS 445120 convenience stores) (conditional use in the "PO" districts).*
 - a. The floor area of retail uses shall not exceed twenty percent (20%) of the gross leasable floor area of any building.
 - b. The combined floor area of all retail uses shall not exceed ten percent (10%) of the gross leasable floor area of a given planned development within the district.
 - c. No signage relating to the retail use shall be allowed except within a building and such signage shall not be visible off the premises.
4. *Roof-mounted communication equipment (CC-517929) (conditional use in the "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Districts).*
[Ord. No. 5381 §3, 7-14-2014]
 - a. Roof-mounted communication equipment shall not exceed fifteen (15) feet in height as measured from the roof of the building and shall meet the sky-exposure plane requirement in the applicable zoning district if applicable.

- b. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
 - c. In addition to the requirements of Section **405.1080**, the site plan for the roof-mounted communication equipment shall include the following information:
 - (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
 - (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
 - d. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
 - e. Roof-mounted communication equipment shall not be located within one hundred fifty (150) feet of any residential structure.
 - f. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
 - g. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.
 - h. Changes to existing facilities and/or structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[1]
 - [1] Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.
5. *Roof-mounted communication equipment (CC-517929) (conditional use in the "A" District).*
[Ord. No. 5381 §3, 7-14-2014]
- a. Roof-mounted communication equipment may be located in a residential parcel if the property is over twenty (20) acres and is primarily used as a public or private school or place of worship.
 - b. The location of the roof-mounted communication equipment shall be no less than three hundred (300) feet from any residential structure measured from the location of the proposed communication equipment.
 - c. Any equipment building, cabinet or similar elements serving the antenna must be located within the structure on which it is mounted or below grade level so as to minimize the visibility from the outside of said structure.
 - d. No antenna shall project above the existing height of the structure upon which it is mounted.
 - e. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.

- f. In addition to the requirements of Section 405.1080, the site plan for the roof-mounted communication equipment shall include the following information:
 - (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
 - (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
 - g. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
 - h. Signs and lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
 - i. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the communication equipment owner's expense. The owner shall provide the City with a copy of its notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.
 - j. Changes to existing facilities and/or structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[2]
 - [2] Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.
6. Communication towers — (NAICS 517210) (conditional use in the "A," "B," "C," "D," "AR," "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts).
[Ord. No. 5381 §3, 7-14-2014]
- a. A communication tower shall not exceed one hundred (100) feet in height except in the "LI" Light Industrial District.
 - b. A communication tower shall not be located on parcels of less than five (5) acres in size within the "A," "B," "C," "D," and "AR" District.
 - c. The communication tower shall be set back from the property line a minimum of one (1) foot for every foot of structure height or the distance required by the applicable zoning district, whichever is greater. No communication tower shall be located within two hundred (200) feet of any residential structure.
 - d. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment and otherwise reduce the visibility of it.
 - e. All accessory uses and any guy wire anchors or other supporting apparatus shall be subject to height and setback requirements generally applicable to principal uses in the zoning district in which they are located. All guy wire anchor locations, equipment shelter structures or buildings, fencing and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the communication tower.
 - f. In addition to the requirements of Section 405.1080, the site plan for the communication tower shall include the following information:

- (1) Exact location of the tower and guy wire anchors or other supporting apparatus;
 - (2) Proposed type, number and location of antennas or other transmission equipment to be located on the tower; and
 - (3) Location of any adjoining residential districts or structures used for residential purposes.
 - (4) Location and number of evergreen plantings or other methods of screening provided for ground-based equipment.
- g. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any communication tower, unless required by the FAA or other Federal or State authority.
- h. A communication tower shall not be located closer than fifty (50) feet from any street right-of-way.
- i. The provisions of Section 405.620 and Section 405.690 shall not apply to communication towers.
- j. Any communication tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the tower and accessory structures. In case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operations. Removal of existing equipment shall not be a condition of approval of any subsequent application.
- k. Changes to existing wireless facilities and/or support structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[3]
- [3] Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.
7. *Electromedical and electrotherapeutic apparatus manufacturing — (NAICS 334510), surgical appliance and supplies manufacturing — (NAICS 339113), dental equipment and supplies manufacturing — (NAICS 339114), and ophthalmic goods manufacturing — (NAICS 339115) (conditional use in the "PH" district).*
- a. Shall clearly be accessory to the medical specialty use.
 - b. Shall be located in the same building as the medical specialty use.
 - c. Shall occupy less than fifty percent (50%) of the floor area of the building devoted to the medical specialty, not to exceed ten thousand (10,000) square feet.
8. *All drive-through and drive-in sales of goods or services including freestanding drive-in banking facilities (not including restaurants) (CC-442100) (conditional use in the "PC", "GC" and "CB" districts). [Ord. No. 5400 §1, 11-10-2014]*
- a. Shall provide space for at least three (3) cars per drive-up window or station.
 - b. Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.
 - c. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.
9. *Water supply and irrigation systems — NAICS 221310 (conditional use in the "LI" district).*

- a. Shall be located on lots of at least three (3) acres.
 - b. Elevated structures shall be set back from property lines a minimum of one (1) foot for every foot in height of the structure.
10. *Sewage treatment facilities — NAICS 221320 (conditional use in the "LI" district).*
 - a. Shall be located on lots of at least three (3) acres.
 - b. Shall be allowed only as an accessory use to an industrial use.
 - c. Shall be limited to the treatment of industrial waste prior to transmittal to the sanitary sewer system.
 - d. Shall receive all necessary permits from the Metropolitan St. Louis Sewer District, St. Louis County, the State of Missouri and the Federal Government prior to initiating operation.
11. *New car dealers — NAICS 441110 (conditional use in the "GC" and "CB" districts).*
 - a. *Site size.* Shall be located on lots of not less than one (1) acre.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - d. *Motor vehicle dealers (new or new and used) (all uses NAICS 441110).* A motor vehicle dealer, whose new vehicle franchise has been terminated, may continue all other services performed by the dealer for a period of three (3) years from the later of the date of such termination or January 24, 2011, provided the dealer gives the City written notice of such termination within thirty (30) days of the effective date thereof and states in such notice an intent to seek a replacement franchise to sell new vehicles. Upon good cause shown, the City Council may extend the time period accordingly.
12. *New car dealers, used car dealers, motorcycle dealers, and boat dealers — NAICS 441110, 441120, 441221 and 441222 (conditional use in the "LI" District).*
 - a. *Indoor operations only.* All business operations (including, but not limited to, vehicle service, cleaning and storage) will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. This shall not be interpreted to require service bay doors to be closed except as may be required by an approved conditional use permit.
 - b. *Site size.* Shall be located on lots of not less than one (1) acre.
 - c. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right-of-way.
13. *Gasoline service stations — NAICS 447110 and 447190 (conditional use in the "PC", "GC" and "CB" districts).* The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section 405.1070, so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.
 - a. *Site size.* Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.

- b. *Setbacks.* All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.
 - c. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.
 - d. *Parking and access.* In addition to providing parking in accordance with Section 405.820(F), there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.
 - e. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - f. *Retail sales.* Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.
 - g. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - h. *Major repairs prohibited.* Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.
 - i. *Trailer and equipment rental prohibited.* Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.
 - j. *Gasoline deliveries.* No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
 - k. *Pump island location.* Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.
 - l. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
 - m. *Curb cuts and corner radius.* On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.
 - n. *Sight lines.* Landscaping provided along the street frontage in accordance with paragraph (13)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).
14. *Food services and drinking places — (NA/CS 722).* Shall be located on sites of not less than two (2) acres with the following exceptions and conditions:
[Ord. No. 5400 §2, 11-10-2014]

- a. The acreage requirement does not apply to restaurants without drive-thru services within the "GC" District;
- b. The acreage requirement does not apply to restaurants without drive-thru services in the "CB," "PO," "PC" and "LI" Districts that are located within a retail or office building, provided that such restaurants do not collectively occupy more than forty percent (40%) of the building square footage;
- c. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that abut residential uses are subject to the following:
 - (1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).
 - (2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved, and shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns.
 - (3) The drive-thru restaurant shall have no less than two thousand four hundred (2,400) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.
 - (4) The drive-thru order facility and service window shall be no less than fifty (50) feet from any property line of any residential use.
 - (5) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars] excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.
 - (6) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.
 - (7) The designated stacking lane shall not cross between the building and principal street frontage.
 - (8) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.
 - (9) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.
 - (10) An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.
- d. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that only abut non-residential uses are subject to the following:
 - (1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes in a coordinated

development located on one (1) or more lots totaling three (3) or more acres, with shared access and two (2) or more buildings, one (1) of which shall have a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides). All buildings shall be designed with similar use of materials and design elements such that the buildings are aesthetically complementary to each other.

- (2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved.
 - (3) The drive-thru restaurant shall have pedestrian-oriented landscape adjacent to the building equivalent in area to fifty percent (50%) of the gross floor area of the entire restaurant use (area under roof).
 - (4) If the drive-thru restaurant is freestanding, an eight-foot-wide planted landscape strip shall be adjacent to at least two (2) other sides of the building, exclusive of the pedestrian area.
 - (5) If the drive-thru restaurant is freestanding, it shall have no less than two thousand five hundred (2,500) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.
 - (6) Any service areas, including, but not limited to, trash receptacles, compactors, transformers, outdoor cooking or refrigeration equipment and utility connections, must be fully enclosed. Such enclosures shall appear as a part of the restaurant building to the maximum extent as found to be practicable by the City.
 - (7) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars], excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.
 - (8) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.
 - (9) The designated stacking lane shall not cross between the building and principal street frontage.
 - (10) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.
 - (11) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.
 - (12) An acoustical study shall be submitted demonstrating that the order facility and service windows will not increase ambient sound levels at the property lines above the average Monday to Friday midday level.
- e. "Drive-thru" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window.
15. *Hotels and motels — NAICS 721110 (conditional use in the "PC", "GC", "CB" and "LI" district).*
 - a. Shall be located on lots of not less than three (3) acres.
 16. *Hotels and motels, and rooming and boarding houses — NAICS 721110 and 721310 (conditional use in the "HE" district).*
 - a. Shall be located on lots of not less than twenty (20) acres.
 - b. Shall be accessory to a permitted principal use.

17. *Cemeteries and crematories* — NAICS 812220 (conditional use in the "A", "HE", and "PC" districts).
 - a. Shall be located on sites of at least forty (40) acres.
 - b. The use of the site shall be limited to cremation and final interment of bodies or ashes in the ground, in columbariums, in mausoleums or similar facilities and the customary accessory uses to support a cemetery.
18. *Funeral homes and funeral services* — NAICS 812210 (conditional use in the "A", "HE", "MX", "PC", and "GC" districts).
 - a. Shall be located on lots of not less than one (1) acre.
19. *Passenger car rental and leasing* — NAICS 53211 (conditional use in the "GC", "CB", and "LI" districts).
 - a. Reserved.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
20. *Tire dealers, general automotive repair, automotive transmission repair, other automotive mechanical and electrical repair and maintenance, oil change, automotive glass replacement shops, and all other automotive repair and maintenance* — NAICS 441320, 811111, 811113, 811118, 811122, 811191 and 811198 (conditional uses in the "GC", "CB" and "LI" districts).
 - a. *Site size.* Shall be located on lots of at least one (1) acre.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - d. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - e. *Body repairs prohibited.* No body and fender work, top and upholstery work shall be permitted on the premises.
 - f. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
21. *Motion picture theaters (except drive-ins)* — NAICS 512131 (conditional use in the "PC", "GC" and "CB" districts).
 - a. Shall be located on lots of not less than three (3) acres.
22. *Various membership organizations* — NAICS 713910, 713940, 713990, 813312, 813319, 813410, 813910, and 813990 (except bars and restaurants owned and operated for members or organizations only; conditional use in the "A", "B", "C", "D" and "AR" districts).
 - a. Shall be located on sites of at least three (3) acres.
 - b. Parking areas shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.

23. *Nursing care facilities, residential intellectual disability, mental health and substance abuse facilities, and community care facilities for the elderly — NAICS 623110, 623210, 623311 and 623990 (except boot camps and halfway group homes) (conditional use in the "HE", "PH", "PC", "GC" and "CB" districts).*
[Ord. No. 5431 §2, 7-27-2015]
- a. Shall be located on sites of at least three (3) acres.
 - b. The density of development (for apartment-type units) within a personal care facility shall not exceed twenty (20) dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
 - c. Personal care facilities shall be primarily residential in character; however, convalescent and nursing homes, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
 - d. No building shall be located within fifty (50) feet of any property line.
24. *Outpatient mental health and substance abuse center — NAICS 62142 (conditional use in the "GC" district).*
- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
 - b. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
 - c. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
25. *Elementary and secondary schools — NAICS 611110 (conditional use in the "A", "B", "C", "D", and "AR" districts).*
- a. Shall be located on lots of not less than three (3) acres; and
 - b. Athletic fields shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
 - c. Lights for major outdoor recreation and entertainment facilities shall require approval of a site development plan in accordance with Section **405.1080**.
26. *Adult day care centers (NAICS 624120) (conditional uses in the "HE" and "PO" districts).*
- a. Shall be located on lots of not less than three (3) acres.
 - b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
 - c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
27. *Child day care services — NAICS 624410 (conditional use in the "A", "B", "C", "D", "AR", "HE", "PO" and "RO" districts).*
- a. Shall be located on lots of not less than three (3) acres.
 - b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
 - c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
28. *Residential mental health and substance abuse facilities — NAICS 623220 (conditional use in the "PC" district).*

- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
 - b. Not more than twenty (20) persons shall reside in the building at one time.
 - c. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
 - d. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
29. Religious organizations — NAICS 813110 (conditional use in the "A," "B," "C," "D" and "AR" districts). [Ord. No. 5458 §1, 3-14-2016]
- a. Shall be located on lots of not less than three (3) acres.
 - b. *Maximum site coverage.* Fifty percent (50%).
30. *Multi-family dwellings (conditional use in the "AR" district).*
- a. Shall be located on sites of at least five (5) acres.
 - b. The minimum dwelling unit size shall not be less than nine hundred (900) square feet per unit.
 - c. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.
 - d. *Private usable open space.* Private usable open space shall be provided in accordance with the standards for all multi-family residential building or development described in Section 405.710.
 - e. *Visual environment enhancement.* In the site development plan for any building or structure or any tract or tracts in the "AR" District, there shall be set aside a sum of money equal to not less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special or extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such site development plan an itemized cost estimate of such items including the manner in which the sum of money is to be used for this visual environment enhancement.
31. *Multi-family dwellings (conditional use in the "CB" district).* [Ord. No. 5470 §1, 5-9-2016]
- a. Shall be located on sites of at least three (3) acres.
 - b. The average dwelling unit size shall not be less than eight hundred sixty (860) square feet per unit, and no unit shall be less than six hundred fifty (650) square feet.
 - c. At a minimum, seventy percent (70%) of the required vehicular parking shall be provided within a parking garage or structure that is aesthetically integrated into and incorporates architectural features of the principal structure.
32. *Building or structure exceeding a floor area ratio of one (1.0), but not exceeding one and one-fourth (1.25) (conditional use in the "CB" district).*
- a. All projects seeking a floor area ratio (FAR) exceeding one (1.0) shall be limited to a FAR of eight-tenths (0.8) for the office use portion of the building. The intent is to encourage projects that provide mixed-use developments and reduce peak hour vehicular congestion. All projects should incorporate uses that include, but not be limited to, restaurants, personal service providers and incidental retail and service establishments, that are oriented to both on- and off-site users.

TAB J

Justification for Request

- Panera would like the earlier opening hours to better accommodate customers, particularly those in the area medical buildings.
- Substantial and expensive state-of-the-art noise dampening equipment was installed, making this drive-thru the most expensive in Panera history.
- There have been no complaints about noise and the drive-thru has been operating for over two years.
- This location has the lowest number of cars on a weekly basis of all St. Louis Panera drive-thrus.
- Of the over 400 Panera drive-thrus throughout the US, this is the only one without 6am starting hours.
- The change in hours would match the existing hours for the interior restaurant, leading to less confusion on morning orders.
- A very minimal amendment.

TAB K



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966

www.creve-coeur.org

NOTICE OF PUBLIC HEARING

APPLICATION TO PLANNING AND ZONING COMMISSION

#18-033: APPLICATION TO AMEND THE CONDITIONAL USE PERMIT TO MODIFY THE HOURS OF OPERATION FOR THE DRIVE-THRU FACILITY FOR ST. LOUIS BREAD CO., AT 447 N. NEW BALLAS ROAD

FOR THE MEETING OF: **Monday, September 17, 2018, at 6:30 PM**

LOCATION: 447 N. New Ballas Road, within the Balmoral Plaza Shopping Center (See attached map).

REQUEST: Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5425) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM to 10:00 PM to correspond with the interior dining hours. All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Ordinance 5424 approved on April 27, 2015 authorized the drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM.

ADDITIONAL INFORMATION: The Planning and Zoning Commission is scheduled to review the proposal for this request on Monday, September 17, 2018, for recommendation to the City Council. All Planning and Zoning Commission meetings are held at 6:30 p.m., in the Council Chambers of the Creve Coeur Government Center located at 300 North New Ballas Road. All reports, plans, documents, and related materials may be viewed at the Creve Coeur Government Center and on the City's website at www.creve-coeur.org, under the Planning Projects page.

We encourage you to attend if you have any questions or wish to make a statement. In addition, you can submit written or e-mail comments in advance or at the meeting. For information about this proposal or to verify the meeting schedule, please call (314) 442-2087 or e-mail wkelly@crevecocourmo.gov.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Comp. Plan References

- Large Commercial Property
 - Mixed-Use District

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Uses

APPLICANT: Michael Turnquist
Panera, LLC
3630 South Geyer road, Suite 100
Sunset Hills, MO 63127

PROPERTY OWNER: Hutkin Development Co.
Balmoral Plaza Investors, LLC
10829 Olive Boulevard, Suite 200
Creve Coeur, MO 63141



STAFF CONTACT: Whitney Kelly, City Planner
CC: Ellen Lawrence and AJ Wang, Ward II

Aerial Photo

St. Louis Bread Co. at 447 N. New Ballas Road



City Limits

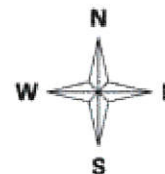


Parcels

Parcels Label

Roads Labels

September 4, 2018



Prepared By

HORN & SHIFFRIN

EXHIBIT "A"
CONDITIONAL USE PERMIT AMENDMENT REQUEST
OF PANERA, LLC
FOR PROPERTY AT
447 NORTH NEW BALLAS ROAD, CREVE COEUR, MISSOURI

Panera (and its predecessor St. Louis Bread Company) has operated a food services facility at 447 North New Ballas Road, Creve Coeur, Missouri 63141 since 1991. A conditional use permit was issued for this use in 1991 and has been amended a few times since its original issuance. The most recent amended conditional use permit was enacted on April 27, 2015 as Ordinance No. 5424.

The amended conditional use permit approved the addition of a 407 square foot drive-thru facility at the rear of the existing building. The addition was completed on April 18, 2016 and the drive-thru has been in full operation since such date.

The hours of operation for the drive-thru were limited to 7:00 a.m. to 10:00 p.m. The interior restaurant hours are 6:00 a.m. to 10:00 p.m. Monday through Saturday and 7:00 a.m. to 10:00 p.m. on Sundays. Panera is requesting that the drive-thru hours be the same as the interior restaurant hours. Essentially, this request is to change the starting hours of the drive-thru from 7:00 a.m. to 6:00 a.m. Monday through Saturday.

The drive-thru was constructed with state of the art noise dampening equipment, plus additional devices and equipment beyond what Panera normally is required to install. The drive-thru facility located at the property is the most expensive drive-thru ever constructed by Panera due to the extensive noise dampening equipment. Such equipment was utilized to allay any concerns of the city and nearby property owners.

Panera currently operates 938 facilities throughout the United States. Of these, 418 have drive-thru locations. The Creve Coeur facility is the only drive-thru location which does not open at 6:00 a.m. In St. Louis, Panera has 23 drive-thru facilities and all of them—other than the Creve Coeur location—open at 6:00 a.m.

The Creve Coeur Panera drive-thru facility has been open for over 2 years. In that time, there have been no noise complaints filed with respect to its operation which reflects the quiet operation of the drive-thru, especially considering the noise dampening equipment.

As reflected in the hours at all of Panera's other drive-thru facilities, Panera believes the 6:00 a.m. opening time would better serve its customers. Many employees in Creve Coeur—such as those in the medical industry—have to be at work at 6:30 or 7:00 a.m. and the earlier hours would cater to their needs. While there are few drive-thru restaurants in Creve Coeur, the McDonald's facility has earlier hours. Walgreens and CVS have 24 hour drive-thru service.

TAB L



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www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION

**#18-033: APPLICATION TO AMEND THE CONDITIONAL USE PERMIT
TO MODIFY THE HOURS OF OPERATION FOR THE DRIVE-THRU
FACILITY FOR ST. LOUIS BREAD CO., AT 447 N. NEW BALLAS ROAD
FOR THE MEETING OF: Monday, September 17, 2018**

LOCATION: 447 N. New Ballas Road, in the Balmoral Plaza Shopping Center.

REQUEST: Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5425) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM and end at 10:00 PM to correspond with the interior dining hours. All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Ordinance 5424 approved on April 27, 2015 authorized the drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM.

ADDITIONAL INFORMATION: The Balmoral Plaza Shopping Center was originally developed in 1975 on 2.456 acres, and zoned GC-General Commercial District. A restaurant at this location initially received a special use permit in 1976, Ordinance Number 761. The conditional use permit for St. Louis Bread Co., repealed and replaced that ordinance in 1991 (Ordinance Number 1454), and it was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively. Ordinance 5424 repealed the prior ordinances and replaced it with the addition of the drive-thru facility.

Key Issues:

- Integration with the surrounding uses.
- Implementation of the goals of the Comprehensive Plan.
- Consistency with the required findings for a conditional use permit.

Comp. Plan References

- Large Commercial Property
 - Mixed-Use District

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: GC General Commercial District
- Section 405.470 Conditional Uses

APPLICANT: Michael Turnquist
Panera, LLC
3630 South Geyer road, Suite 100
Sunset Hills, MO 63127

PROPERTY OWNER: Hutkin Development Co.
Balmoral Plaza Investors, LLC
10829 Olive Blvd. Suite 200
Creve Coeur, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 9/11/2018

ATTACHMENTS: Applicants materials submitted August 13, 2018
Draft Ordinance
Ordinance No. 5424

PROPOSAL

The review of the addition of the Drive-Thru restaurant for Panera/St. Louis Bread Co. at this location limited the hours of operation for the restaurant dining room to 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. The hours of operation for the drive-thru facilities were established from 7:00 a.m. to 10:00 pm, seven days a week. The Applicant is requesting that the ordinance be modified to allow for the drive-thru facility to have the same operating hours as the interior restaurant hours. All of the remaining conditions of the Ordinance No. 5424 would remain the same.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office Building	CB Core Business District	N/A
South	Office Building	GC General Commercial	Rocky Drive
East	Office Building	PO Planned Office	N. New Ballas Road
West	Residences	B Single Family Residential	NA

COMPREHENSIVE PLAN REVIEW

The subject property is not located within a focus area of discussion within the Comprehensive Plan. The allowance of drive-thru restaurants throughout the city, and adjacent to residential neighborhoods, has been significantly discussed before the City Council. Noise, particularly related to drive-thru restaurants, versus other types of drive-thru facilities, was a large component of these discussions, and it was addressed in the original ordinance that required a masonry wall, and noise dampening equipment. No changes are proposed to the exterior of the building or site, and all the other conditions in the Staff Report are to remain. The Comprehensive Plan does not address the individual hours of operation of a business.

ZONING REVIEW

Condition 12 of Ordinance 5424 required that the drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB. Section 405.550(A)(2) *Noise* of the Environmental Performance Standards regulates noise to comply with the St. Louis County Standards for which condition 12 was meant to address.

Staff has not received any complaints regarding noise at this location since the drive through opened. Staff also checked with the Police Department and no complaints resulting from the drive-thru activity were reported. Given the lack of complaints and the other site related conditions within the ordinance to minimize noise impacts, opening an hour earlier should not have a significant impact.

RECOMMENDATION AND MOTION

Should the Planning and Zoning Commission find the reason for opening the drive-thru facility an hour earlier sufficient, and consistent with the purposes and regulations of the Comprehensive Plan and Zoning Code, it may vote on a recommendation to the City Council. The Draft Ordinance only modifies the hours of operation as requested, all other conditions of Ordinance 5424 will remain.

Section 3, Condition No. 3 of Ordinance No. 5424 shall be revised to:

Hours of operation ~~for the restaurant dining room~~ shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. ~~The drive-through facilities shall only operate from 7:00 a.m. to 10:00 p.m., daily.~~ Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

MOTION

The following is an example of an appropriate motion for this application:

"I move to recommend approval of Application #18-033 to modify Ordinance No. 5425 for the Conditional Use Permit for the St. Louis Bread Company, with drive-thru facilities located at 447 N. New Ballas Road, to allow for the hours of operation of the Drive-Thru to correspond to that of the interior dining hours" (conditions may be added, eliminated, or modified by preceding motion).

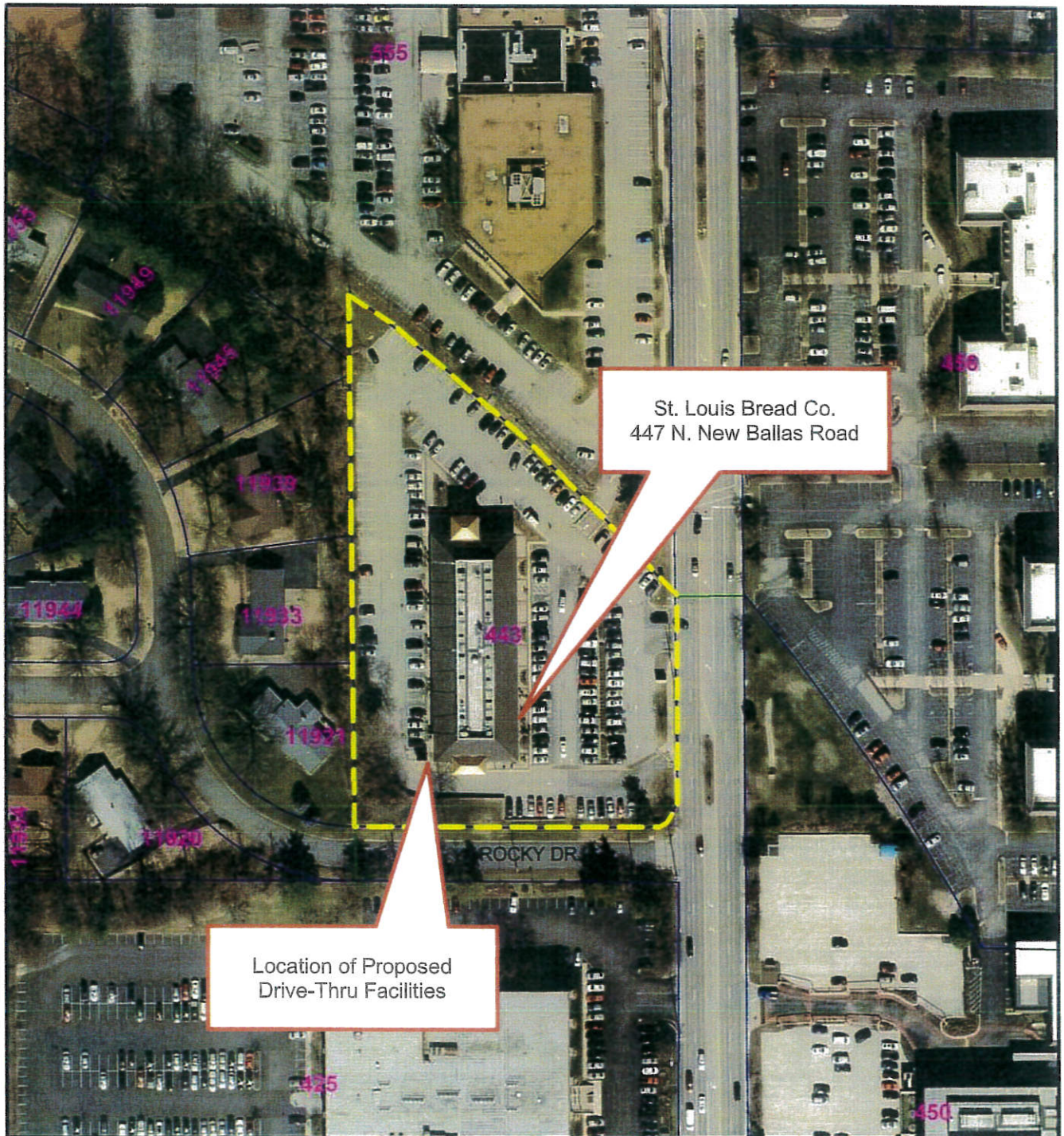
APPENDIX 1: COMPREHENSIVE PLAN, INCLUDING DESIGN GUIDELINES

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

APPENDIX 2: ZONING CODE

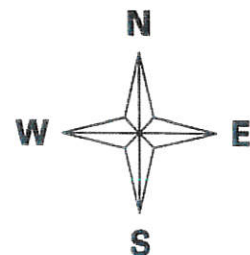
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



Attachment: 18-033.Staff Report.9-17-2018 (#18-033: StL Bread Co. Drive-Thru CUP Amendment)

- Property Lines
- Balmoral Plaza Shopping Center



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 9/12/2018



Description: View of the existing St. Louis Bread Co. space.



Description: View looking south at the rear of the building and drive-thru area with the vegetated screen between the order board, and the parking on the left and the sound wall on the right.



Description: Closer view of the existing sound wall



city



CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141

Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
Michael Turnquist <i>Name</i> Panera, LLC <i>Company (If Applicable)</i> 3630 South Geyer Road, Suite 100 <i>Address</i> Sunset Hills, Missouri 63127 <i>Address</i> Telephone # (314) 984-2642 Fax # (314) 909-3370 Email: Michael.Turnquist@panerabread.com <i>Applicant's Signature</i>	Stephen L. Kling, Jr. <i>Name</i> Jenkins & Kling, P.C. <i>Company (If Applicable)</i> 150 North Meramec Avenue, Suite 400 <i>Address</i> Clayton, Missouri 63105 <i>Address</i> Telephone # (314) 721-2525 Fax # (314) 721-5525 Email: skling@jenkinskling.com <i>Applicant's Representative's Signature</i>

Property Information:	Owner's Acknowledgement (if different from applicant):
447 North New Ballas Road <i>Address</i> Creve Coeur, Missouri 63141 <i>Address</i> Balmoral Plaza <i>Development Name (if any)</i> GC - General Commercial <i>Current Zoning</i> 4/27/15 - Ordinance <i>Prior CUP Approvals (if known)</i> No. 5424; prior Ordinance Numbers: 1454, 1487 and 2083	HUTKIN DEVELOPMENT COMPANY, AS MANAGING AGENT ON BEHALF OF <i>Name</i> Balmoral Plaza Investors, L.L.C. <i>Company (If Applicable)</i> 10829 Olive Boulevard, Suite 200 <i>Address</i> Creve Coeur, Missouri 63141 <i>Address</i> Telephone # (314) 872-9140 Fax # (314) 872-9001 Email: info@hutkin.com <i>Owner's Signature</i>

Attachment: CUP Application (fully executed) (#18-033: StL Bread Co. Drive-Thru CUP Amendment)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Food services with drive-thru service existing use; a CUP exists for the drive-thru; request is for a change in drive-thru hours from 7:00 a.m. to 10:00 p.m. to 6:00 a.m. to 10:00 p.m.; no other change is requested.

Gross Floor Area – Existing and Proposed: 4,760 sq. ft. interior; 402 sq. ft. drive-thru

Number of Seats (for restaurant only): 135 interior; 47 exterior

Number of Employees at the busiest shift: _____

Hours of Operation: Interior 6:00 a.m.-10:00 p.m. M-Sat., 7:00 a.m.-10:00 p.m. Sun.; drive-thru 7:00 a.m.-10:00 p.m.

Current or Most Recent Use of the Property: Food services

Will the applicant apply for a liquor license: Yes _____ No _____

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included. See attached Exhibit "A"

Submittal Checklist

- | | |
|---|---|
| ☐ Rationale | ☐ Building elevations for new construction |
| ☐ Site plan | ☐ Photographs of existing structures |
| ☐ Access and parking plan; (may be shown on site plan) | ☐ Materials samples |
| ☐ Landscape plan | ☐ Legal Description in Word format |
| ☐ Floor plan | ☐ Fees: \$250 (non-refundable) |
| ☐ Electronic copies of all materials | ☐ \$2000 (refundable deposit) |
| | ☐ Other items as requested by staff |

Preferred Public Hearing Date: Monday, _____, 20____.

****Confirm schedule and available meeting dates with Planning Division staff****

Office Use Only

☐ All Sections Complete	Received By: _____
☐ All Documents, incl. e-Copies	_____
☐ Fees Paid	Date: _____

Jason Jaggi, AICP, Director of Community Development

Whitney Kelly, AICP, City Planner

Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 1/17

EXHIBIT "A"

**CONDITIONAL USE PERMIT AMENDMENT REQUEST
OF PANERA, LLC
FOR PROPERTY AT
447 NORTH NEW BALLAS ROAD, CREVE COEUR, MISSOURI**

Panera (and its predecessor St. Louis Bread Company) has operated a food services facility at 447 North New Ballas Road, Creve Coeur, Missouri 63141 since 1991. A conditional use permit was issued for this use in 1991 and has been amended a few times since its original issuance. The most recent amended conditional use permit was enacted on April 27, 2015 as Ordinance No. 5424.

The amended conditional use permit approved the addition of a 407 square foot drive-thru facility at the rear of the existing building. The addition was completed on April 18, 2016 and the drive-thru has been in full operation since such date.

The hours of operation for the drive-thru were limited to 7:00 a.m. to 10:00 p.m. The interior restaurant hours are 6:00 a.m. to 10:00 p.m. Monday through Saturday and 7:00 a.m. to 10:00 p.m. on Sundays. Panera is requesting that the drive-thru hours be the same as the interior restaurant hours. Essentially, this request is to change the starting hours of the drive-thru from 7:00 a.m. to 6:00 a.m. Monday through Saturday.

The drive-thru was constructed with state of the art noise dampening equipment, plus additional devices and equipment beyond what Panera normally is required to install. The drive-thru facility located at the property is the most expensive drive-thru ever constructed by Panera due to the extensive noise dampening equipment. Such equipment was utilized to allay any concerns of the city and nearby property owners.

Panera currently operates 938 facilities throughout the United States. Of these, 418 have drive-thru locations. The Creve Coeur facility is the only drive-thru location which does not open at 6:00 a.m. In St. Louis, Panera has 23 drive-thru facilities and all of them—other than the Creve Coeur location—open at 6:00 a.m.

The Creve Coeur Panera drive-thru facility has been open for over 2 years. In that time, there have been no noise complaints filed with respect to its operation which reflects the quiet operation of the drive-thru, especially considering the noise dampening equipment.

As reflected in the hours at all of Panera's other drive-thru facilities, Panera believes the 6:00 a.m. opening time would better serve its customers. Many employees in Creve Coeur—such as those in the medical industry—have to be at work at 6:30 or 7:00 a.m. and the earlier hours would cater to their needs. While there are few drive-thru restaurants in Creve Coeur, the McDonald's facility has earlier hours. Walgreens and CVS have 24 hour drive-thru service.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NUMBER 5424 AUTHORIZING REVISED
HOURS OF OPERATION FOR THE DRIVE-THRU FACILITY FOR ST. LOUIS BREAD CO.
AT 447 N. NEW BALLAS ROAD**

WHEREAS, Michael Turnquist, of Panera, LLC, has submitted an application to amend the conditional use permit for The St. Louis Bread Company at 447 N. New Ballas Road (Ordinance 5424) to allow for the hours of operation for the drive-thru facility to start at 6:00 AM to 10:00 PM to correspond with the interior dining hours; and

WHEREAS, All limited service restaurant with drive-thru facilities (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission; and

WHEREAS, Ordinance 5424 approved on April 27, 2015 authorized the Conditional Use Permit for St. Louis Bread Co. drive-through facility addition, but limited the hours of operation to 7:00 AM to 10:00 PM, and the interior dining from 6:00 AM to 10:00 PM, Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday; 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 September 17, 2018, beginning at 6:30 p.m., or immediately following the close of the previous public hearing; 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

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard; and

WHEREAS, the Planning and Zoning Commission reviewed and, by _____ vote, recommended approval of the amended hours of operation, subject to the conditions contained herein, at its meeting on September 17, 2018; and

WHEREAS, the City Council being fully informed finds that approving the Plan, subject to certain conditions, would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and is in the public interest; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

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

SECTION 1: Section 3, condition no. 3 of Ordinance No. 5424 shall be amended as follows, all other conditions shall remain in full effect:

3. Hours of operation for the restaurant dining room shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. ~~The drive-~~

Attachment: 18-033.Draft Ordinance.9-17-2018 (#18-033: StL Bread Co. Drive-Thru CUP Amendment)

BILL NO. _____

ORDINANCE NO. _____

~~through facilities shall only operate from 7:00 a.m. to 10:00 p.m., daily.~~ Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

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

ADOPTED THIS _____ DAY OF _____, 2018

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 2018

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

Attachment: 18-033.Draft Ordinance.9-17-2018 (#18-033: StL Bread Co. Drive-Thru CUP Amendment)

BILL NO. 5546ORDINANCE NO. 5424

**AN ORDINANCE REPEALING ORDINANCE NOS. 1454, 1487 AND 2083 AND
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,162 SQUARE-FOOT EATING AND DRINKING ESTABLISHMENT WITH DRIVE-
THRU FACILITIES LOCATED AT 447 NORTH NEW BALLAS ROAD WITHIN
THE BALMORAL PLAZA SHOPPING CENTER**

WHEREAS, under Section 405.360(C), all food services and drinking placed in the "GC", General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, St. Louis Bread Company received a conditional use permit at its current location in 1991, by Ordinance Number 1454, which permit was subsequently amended by Ordinance Numbers 1487 and 2083, approved in 1991 and 2000, respectively; and

WHEREAS, an application was submitted by David Hutkin, on behalf of Panera Bread/St. Louis Bread Company, to amend the conditional use permit and site development plan for The St. Louis Bread Company to allow the exterior renovation of the current restaurant at 447 N. New Ballas Road within the Balmoral Plaza Shopping Center, including the addition of drive-thru facilities; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 6, 2015, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the amended conditional use permit as provided by Section 405.1070(D)(2); and

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

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the amended conditional use permit, subject to the conditions contained herein, at its meeting on April 6, 2015; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section **405.550**, the criteria in Section **405.470** and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the community welfare and convenience at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation there from.

Attachment: Ordinance No. 5424 (#18-033: StL Bread Co. Drive-Thru CUP Amendment)

BILL NO. 5546ORDINANCE NO. 5424

5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

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

Section 1: Ordinance Numbers 1454, 1487 and 2083 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a restaurant located at 447 N. New Ballas Road with Drive-Thru Facilities, in the "GC" General Commercial zoning district, within the Balmoral Plaza Shopping Center, whose legal description is as follows:

A tract of land being all of Lot A of Balmoral, a Subdivision according to the plat thereof recorded in Plat Book 94 page 9 of the St. Louis County Records and also part of Section 3, Township 45 North, Range 5 East, St. Louis County, Missouri, and described as follows:

Beginning at the Northeast corner of aforementioned Lot A, said point being in the West line of Ballas Road, 60 feet wide; thence along the West line of said Ballas Road South 0 degrees 06 minutes East, a distance of 104.55 feet to a point of curve; thence along the Western line of said Ballas Road and along the North line of Rocky Drive 50 feet wide, being on a curve to the right having a radius of 30 feet an arc distance of 47.47 feet to a point of tangency; thence along the North line of Rocky Drive 50 feet wide, North 89 degrees 26 minutes West, a distance of 269.65 feet to the Southwest corner of aforementioned Lot A; thence leaving the North line of aforesaid Rocky Drive and running along the West line of said Lot A; North 0 degrees 06 minutes West, a distance of 428.47 feet to the Northwest corner thereof; thence leaving said corner of Lot A and running North 38 degrees 06 minutes East, 50.00 feet to a point in the centerline of the former Missouri Pacific Railroad Right-of-Way (now abandoned); thence Southeastwardly along said Railroad Centerline and on a curve to the right having a radius of 1910 feet an arc distance of 373.40 feet to a point in the West line of aforementioned Ballas Road; thence along said road line South 0 degrees 06 minutes East 78.30 feet to the point of beginning according to survey executed by The Clayton Engineering Company dated October 10, 1989.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of 5,162 square foot eating and drinking establishment at 447 N. New Ballas Road, with drive-thru facilities as shown in the "Site Development Plan" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc. except as modified below.
2. Maximum seating permitted is limited to 135 indoor seats and 47 outdoor seats.
3. Hours of operation for the restaurant dining room shall be 6:00 a.m. to 10:00 p.m., Monday through Saturday, and 7:00 a.m. to 10:00 p.m. on Sunday. Hours of operation for the drive-thru facilities shall be 7:00 a.m. to 10:00 pm, seven days a week. Additional business hours may be permitted with the Zoning Administrator's approval including, but not limited to, the catering of special events.

BILL NO. 5546ORDINANCE NO. 5424

4. Deliveries to any rear door on the property shall be made only from 7:00 a.m. to 9:00 p.m., daily.
5. The Applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations shall be in substantial conformance with the "Exterior Elevations" submitted on March 13, 2015 as bound together and submitted in conjunction with Application #15-004 by Core States, Inc.
6. The Applicant is required to submit a Site Improvement Permit application to be approved by the Zoning Administrator, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code, and including the painted stop bar at the north-south drive aisle per the recommendations of the City's traffic engineer. The permit application shall include a final Landscape Plan that is in substantial conformance with the Landscape Plan revised April 23, 2015 in conjunction within Application #15-004.
7. The Applicant shall provide an easement for a future detached sidewalk with a minimum width of five feet and separated from the curb by a minimum of three feet consistent with the Pedestrian Plan along Rocky Road, and in-lieu of constructing such side walk, equivalent funds in the sum of \$9,200.00 will be provided to the trustees of the Balmoral Subdivision for improvements to the subdivision entrance including for the purpose of minimizing confusion between that entrance and the plaza entrance.
8. A clear pedestrian path, no less than four (4) feet wide shall be maintained between the outdoor furniture and the building at all times.
9. The Applicant shall submit a detail of the proposed six-foot high sound wall for the Zoning Administrator's approval that is consistent with the Design Guidelines.
10. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
11. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
12. The drive thru order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level. Other than the drive thru order facility, outdoor speakers may only be used in the patio area. Drive thru order facility and other outdoor speakers shall not produce any sound exceeding 60dB at a straight-line distance of 100 feet or greater, or at any property line abutting a residential use, up to a height of eight feet above the ground at such property line. Order facility and service windows shall not increase ambient sound levels at other property lines above the average Monday to Friday midday level of 54.5 dB.
13. All lighting shall be in conformance with Section 405.680, Lighting, of the Zoning Code, and Section 205.810 of the Parking Ordinance.
14. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
15. The kitchen facility shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
16. Employee parking, and delivery and company vehicles parking shall be behind the building and as far from the public right-of-way as possible.
17. Any mechanical equipment installed for the site shall be screened with materials, as approved by the Zoning Administrator.
18. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.

BILL NO. 5546ORDINANCE NO. 5424

19. Failure to comply with any one or more of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
20. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
21. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS 27th DAY OF April, 2015.


 CHARLOTTE D'ALFONSO
 PRESIDENT OF CITY COUNCIL

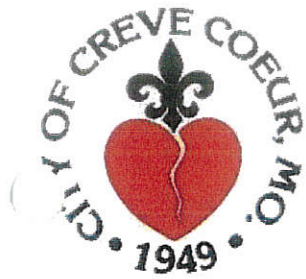
APPROVED THIS 27th DAY OF April, 2015.


 BARRY GLANTZ
 MAYOR

ATTEST:


 DEBORAH RYAN, MPCC
 CITY CLERK

Attachment: Ordinance No. 5424 (#18-033: StL Bread Co. Drive-Thru CUP Amendment)



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
 (314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION

#18-034: APPLICATION FOR A CONDITIONAL USE PERMIT FOR A NEW RESTAURANT, ST. LOUIS ROTISSERIE, AT 12414 OLIVE BOULEVARD, WITHIN THE SHOPPES AT WESTGATE

FOR THE MEETING OF: Monday, September 17, 2018.

LOCATION: 12414 Olive Boulevard, within the Shoppes at Westgate, at the southwest corner of Tempo Drive and Olive Boulevard.

REQUEST: Drew Sterling, of St. Louis Rotisserie, has submitted an application for a new conditional use permit for a 1,975 square foot with 24 seats, limited service restaurant at 12414 Olive Boulevard, within the Shoppes at Westgate. The Applicant is not pursuing any changes to the exterior of the building or site. The Restaurant will also serve as the base for their catering operation.

ADDITIONAL INFORMATION: All limited service restaurants (NAICS 722513) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. Staff has included a condition of approval that the addition of outdoor seating may be reviewed and approved at Staff level, with review of a site plan for Building Code compliance and all applicable Zoning Code review, without the need to amend the ordinance.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Comp. Plan References

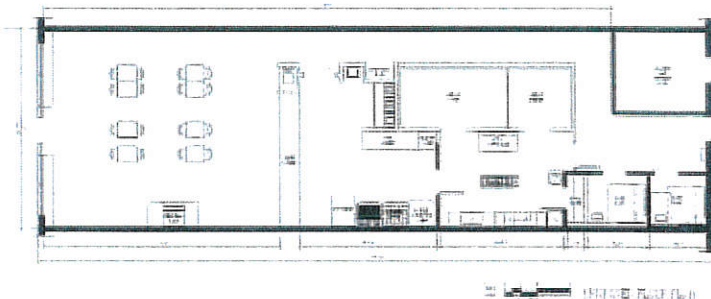
- West Olive Corridor
 - Mixed-Use (MU) District Place Type

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.340: MX-Mixed Use District
- Section 405.470: Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANTS: Drew Sterling
 St. Louis Rotisserie
 13029 Olive Boulevard
 St. Louis, MO 63141

PROPERTY OWNER'S REPRESENTATIVE: Jason Morgan
 Shoppes at Westgate LLC
 800 Maryland Ave., Suite 1120
 St. Louis, MO 63105



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 9/13/2018
ATTACHMENTS: Applicant's Materials received August 17, 2018
 Draft Ordinance

Attachment: 18-034.Staff Report.9-17-2018 (#18-034: STL Rotisserie CUP)



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

Meeting: 09/24/18 07:00 PM
Department: Legislative /City Clerk
Category: Ordinance
Prepared By: Debbie Ryan
Department Head: Debbie Ryan

SCHEDULED

ORDINANCE

**Bill No. 5736 - an Ordinance Revising Provisions of Chapter
160 of the Code of Ordinances of the City of Creve Coeur
Regarding Access to Public Records. First Reading**

This will update city code to be consistent with changes in the state public records law.

Ordinance

Meeting of September 24, 2018

Bill No. 5736

Ordinance No. _____

AN ORDINANCE REVISING PROVISIONS OF CHAPTER 160 OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR REGARDING ACCESS TO PUBLIC RECORDS.

WHEREAS, Chapter 160 of the City Code of Ordinances establishes provisions regarding access to public records, and

WHEREAS, the Missouri Legislature has enacted changes in related statutes (HB 1350 and 1355 (2018)), and

WHEREAS, the City Council has determined that the Code should be revised consistent with such changes in state law,

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

SECTION 1. Section 160.010 shall be revised by adding a new subsection A.23 reading as follows:

23. Pursuant to Section 590.1040 RSMo, notes, records or reports arising out of a peer support counseling session as defined in such statute are not public records.

SECTION 2. Section 160.170 is hereby revised to read as follows:

Section 160.170. Public Access to Closed Arrest Records.

[Ord. No. 5220 §3(Exh. A §§20 — 21), 9-8-2011; Ord. No. 5489 §2, 8-22-2016]

A.

Records required to be closed shall not be destroyed; they shall be inaccessible to the general public and to all persons other than the defendant except as provided in Section 610.120, RSMo., and ~~Chapter 43~~~~Section 43.507~~, RSMo. The closed records shall be available to: criminal justice agencies for the administration of criminal justice pursuant to Section 43.500, RSMo., criminal justice employment, screening persons with access to criminal justice facilities, procedures, and sensitive information; to law enforcement agencies for issuance or renewal of a license, permit, certification, or registration of authority from such agency, including but not limited to watchmen, security personnel, private investigators, and persons seeking permits to purchase or possess a firearm; those agencies authorized by ~~Chapter 43~~~~Section 43.543~~, RSMo. and applicable state law, to submit and when submitting fingerprints to the central repository; the Sentencing Advisory Commission created in Section 558.019, RSMo., for the purpose of studying sentencing practices in accordance with ~~Chapter 43~~~~Section 43.507~~, RSMo.; to qualified entities for the purpose of screening providers defined in ~~Chapter 43~~~~Section 43.540~~, RSMo.; the Department of Revenue for driver license administration; the Division of Workers' Compensation for the purposes of determining eligibility for crime victims' compensation pursuant to Sections 595.010 to 595.075, RSMo., Department of Health and Senior Services for the purpose of licensing and regulating facilities and regulating in-home services provider agencies and Federal agencies for purposes of criminal justice administration, criminal justice employment, child, elderly, or disabled care, and for such investigative purposes as authorized by law or presidential executive order.

B.

Bill No. 5736

Ordinance No. _____

These records shall be made available only for the purposes and to the entities listed in this Section. Upon receipt of a request for criminal history information under its control, the Police Department may require positive identification, to include fingerprints of the subject of the record search, prior to releasing closed record information. Dissemination of closed and open records from the Missouri criminal records repository shall be in accordance with Section 43.509, RSMo. All records which are closed records shall be removed from the records of the courts, administrative agencies, and law enforcement agencies which are available to the public and shall be kept in separate records which are to be held confidential and, where possible, pages of the public record shall be retyped or rewritten omitting those portions of the record which deal with the defendant's case. If retyping or rewriting is not feasible because of the permanent nature of the record books, such record entries shall be blacked out and recopied in a confidential book.

C.

All records ordered to be expunged pursuant to Section 610.123, RSMo., shall be destroyed, except that if destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged pursuant to Section 610.123, RSMo., shall be removed from all electronic files. All records ordered to be expunged pursuant to Section 610.140, RSMo., shall be closed in the manner established therein and in Section 610.120, RSMo.

[1]

State Law References — As to similar provisions, §§610.120, 610.124, RSMo.

SECTION 3. New Section 160.200 is hereby enacted, to read as follows:

Notwithstanding any other provisions of law to the contrary, information in law enforcement agency records that would enable the provision of health care to a person in contact with law enforcement may be released for the purpose of health care coordination to any health care provider, as defined in the Health Insurance Portability and Accountability Act of 1996 as amended, that is providing or may provide services to the person.

State Law Reference - Section 610.210 RSMo.

SECTION 4. This Ordinance shall become effective pursuant to the provisions of Section 3.11(g) of the Charter.

ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 2018.

Dr. Scott Saunders, President of The City Council

APPROVED THIS _____ DAY OF _____, 2018.

Barry Glantz, Mayor

ATTEST:

DEBORAH RYAN
CITY CLERK



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

Meeting: 09/24/18 07:00 PM
Department: Public Works Department
Category: Agreement
Prepared By: Jim Heines
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1383 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Djm Ecological Services, Inc., for the Purchase and Installation of Trees and Bushes for the 2018, 2019, and 2020 Calendar Years.

Award of the 2018-2020 Tree Planting contract will secure pricing for three years to supply and plant trees for the Shared Cost Tree Planting Program as well as planting in parks and other municipal properties.

Resolution

Meeting of September 24, 2018

RESOLUTION NO. 1383

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI, AUTHORIZING THE EXECUTION OF A CONTRACT WITH DJM ECOLOGICAL SERVICES, INC., FOR THE PURCHASE AND INSTALLATION OF TREES AND BUSHES FOR THE 2018, 2019, AND 2020 CALENDAR YEARS.

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

WHEREAS, the City recognizes that the “Street Tree Planting Program” provides an opportunity to the residents for funding assistance to procure and install trees along the City’s right of way; and

WHEREAS, the purchase and installation of trees and bushes along City streets and within the City’s parks will offer an opportunity to beautify the City; and

WHEREAS, these services have been competitively bid per the requirements outlined in the City of Creve Coeur Code of Ordinances, and

WHEREAS, DJM Ecological Services, Inc., submitted the lowest and best bid, which provides for a three-year term, during which the unit bid price for trees and bushes will remain constant,

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

Section 1. The Contract between DJM Ecological Services, Inc., and the City, attached hereto as “Exhibit A,” is hereby approved and the execution is hereby authorized. The Contract as executed shall be in substantially the form of “Exhibit A,” with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient, or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Contract.

Adopted this 24th day of September, 2018.

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk

“EXHIBIT A”



CITY-CONTRACTOR AGREEMENT

This is an Agreement made and entered into the ____ day of _____, 2018, by and between the City of Creve Coeur, Missouri (hereinafter called the "City") and, a _____ with offices at _____ (hereinafter called the "Contractor"). The project identified as **2018-2020 Tree Purchase and Planting Services** (hereinafter referred to as the "Project" or the "Work").

WITNESSETH:

The Contractor and the City for the consideration set forth herein agree as follows:

ARTICLE I

The Contract Documents

The Contract Documents which comprise the entire agreement between the City and the Contractor consist of the following:

- 1) This City-Contractor Agreement
- 2) General Conditions of City-Contractor Agreement
- 3) Job Special Provisions
- 4) State Wage Determination
- 5) Non-Collusion Affidavit
- 6) Technical Specifications
- 7) Construction Schedule

- 8) All Addenda and all Modifications issued after execution of this Contract
- 9) The Saint Louis County Standard Specifications for Highway Construction, dated August 1, 2017, including all supplemental revisions and updates, referred to herein as the “Standard Specifications” and applicable to the Work of this Contract by reference;
- 10) The latest version of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

The documents listed above, together with this Agreement, form the Contract and are all as fully a part of the Contract as if attached to this Agreement or repeated herein. All definitions set forth in the General Conditions of City-Contractor Agreement are applicable to this Agreement.

ARTICLE II

Scope of Work

The Contractor, acting as an independent contractor, shall do everything required by the Contract Documents. The Contractor represents and warrants that he has special skills which qualify him to perform the Work in accordance with the Contract and that he is free to perform all such Work and is not a party to any other agreement, written or oral, the performance of which would prevent or interfere with the performance, in whole or in part, of the Work.

ARTICLE III

Time of Completion

All time limits stated in the Contract Documents are of the essence. The Work to be performed under the Contract shall be conducted on an as-needed basis during the fall planting seasons of 2018, and 2019, 2020 as defined in the project Job Special Provisions.

ARTICLE IV

The Contract Sum and Payments

Based upon Applications for Payment submitted by the Contractor at the end of each planting season for work performed and accepted in accordance with the Contract Documents, except as otherwise required by Section 34.057 RSMo., the City shall pay the Contractor for the performance of the Work the “Seasonal Contract Sum” as follows:

- (1) “Planting seasons” shall be as defined in the Job Special Provisions;

- (2) The "Seasonal Contract Sum" shall constitute the full cost for the Contractor to perform all of the work described in the Contract Documents to install the trees and other plantings requested by the City of Creve Coeur for each planting season;
- (3) The Contract unit prices for the various plantings are listed in Table 1 on page C-11 of this Agreement. All payments for the Work shall be based upon the Contract unit prices listed in Table 1, and these prices shall remain constant throughout the term of the City-Contractor Agreement;
- (4) At the end of each planting season, ninety percent (90%) [95% if the Seasonal Contract Sum exceeds \$50,000] of the portion of the Seasonal Contract Sum properly allocable to labor, materials, and equipment incorporated into the Work completed and accepted during that planting season;
- (5) Ten percent (10%) [5% if the Seasonal Contract Sum exceeds \$50,000] of the portion of the Seasonal Contract Sum properly allocable to the Work completed during each planting season shall be withheld by the City for each portion of the Work until that portion of the work has satisfactorily completed the one-year guarantee period defined in the Project Technical Specifications, and such funds shall be released to the Contractor upon the City's determination that the one-year guarantee period has been satisfied;
- (6) Additional funding may be retained by the City on various grounds which are believed by the City to potentially incur additional cost or damages upon the City, including, but not limited to: unsatisfactory job progress, failure to remedy defective work, or citation of the Contractor for violation of the City-Contractor Agreement.
- (7) Final payment for each planting season shall be made within thirty (30) days after the Work is fully completed and accepted by the City and the Contract fully performed.

ARTICLE V

Performance of the Work

- a) Within seven (7) calendar days after being awarded the Contract, the Contractor shall prepare and submit for the City's approval:
 - (1) A Construction Schedule for the Work which shall indicate the target dates for starting and completing the various stages of the Work.
 - (2) A Traffic Control Plan indicating the location of all proposed signage, detours, and lane closures requested for the Work and which adequately address and maintain the pedestrian and vehicular traffic during the Work. All traffic control

shall be according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) developed by the Federal Highway Administration, as referenced in Article I of this Agreement.

(3) Proof of compliance with all insurance requirements, acceptable to the City.

(4) All required bonds.

(5) Any missing bid documents.

b) The Notice to Proceed shall be issued within fourteen (14) calendar days of the award of the contract or submittal to and approval by the City of the foregoing required documents, whichever is later. Undue delay in submitting such required documents shall be grounds for termination of the contract by the City upon three (3) days advance written notice.

c) The Contractor shall be required to substantially finish portions of the work as designated by the Director of Public Works prior to continuation of further work remaining on the project. This may include backfilling, restoration, or cleanup as designated by the Director of Public Works.

d) Completion of the Work in accordance with the time limits set forth in the Construction Schedule is an essential condition of the Contract. If the Contractor fails to complete the Work in accordance with the Construction Schedule, unless the delay is excusable under the provisions of Article VI hereof, the Contractor shall pay the City as liquidated damages, and not as a penalty, the sum of two hundred and fifty dollars (\$250.00) for each calendar day the Contractor fails to comply with the Construction Schedule. The total amount so payable to the City as liquidated damages may be deducted from any sums due or to become due to the Contractor from the City. Excessive delay, as determined by the Director of Public Works, may be grounds for termination of the City-Contractor Agreement, as discussed in Article VIII.

e) After Commencement of the Work, and until final completion of the Work, the Contractor shall report to the City, at such intervals as the City may reasonably direct, the actual progress of the work compared to the Construction Schedule. If the Contractor falls behind the Construction Schedule for any reason, he shall promptly take, and cause his Subcontractors to take, such action as is necessary to remedy the delay, and shall submit promptly to the City for approval a supplementary schedule or progress chart demonstrating the manner in which the delay will be remedied; provided, however, that if the delay is excusable under Article VI hereof, the Contractor will not be required to take, or cause his Subcontractors to take, any action which would increase the overall cost of the Work (whether through overtime premium pay or otherwise), unless the City shall have agreed in writing to reimburse the Contractor for such increase in cost.

Any increase in cost incurred in remedying a delay which is not excusable under Article VI hereof shall be borne by the Contractor.

ARTICLE VI

Delays Beyond Contractor's Control

(a) If the Contractor fails to complete the Work in accordance with the Construction Schedule solely as a result of the act or neglect of the City, or by strikes, lockouts, fire or other similar causes beyond the Contractor's control, the Contractor shall not be required to pay liquidated damages to the City pursuant to paragraph (c) of Article V hereof, provided the Contractor uses his best efforts to remedy the delay in the manner specified in paragraph (d) of Article V hereof. If, as a result of any such cause beyond the Contractor's control, the delay in completion of the Work in accordance with the Construction Schedule is so great that it cannot be remedied in the aforesaid manner, or if the backlog of Work is so great that it cannot be remedied without incurring additional cost which the City does not authorize, then the time of completion and the Construction Schedule shall be extended pursuant to a Change Order for the minimum period of delay occasioned by such cause. The period of delay and extension shall be determined by the City.

(b) Notwithstanding the foregoing paragraph (a), no extension of time shall be granted for any delay the cause of which occurs more than seven (7) days before claim therefore is made in writing by the Contractor to the City, and no extension of time shall be granted if the Contractor could have avoided the need for such extension by the exercise of reasonable care and foresight, as determined by the Director of Public Works. In the case of a continuing cause of delay, only one claim is necessary.

(c) Weather may constitute a cause for granting an extension of time, as determined and approved by the Director of Public Works.

(d) In the event a delay is caused by the City, the Contractor's sole remedy shall consist of his rights under this Article VI.

ARTICLE VII

Changes in the Work

(a) The City may make changes within the general scope of the contract by altering, adding to, or deducting from the Work, the Seasonal Contract Sum being adjusted accordingly. All such changes in the Work shall be executed under the conditions of the Contract. No extra work or change shall be made except pursuant to a Change Order from the City in accordance with the

General Conditions. Any claim for an increase in the Seasonal Contract Sum resulting from any such change in the Work shall be made by the Contractor in accordance with the General conditions.

(b) Any adjustment in the Seasonal Contract Sum for duly authorized extra work or change in the Work shall be determined based on the Contract unit prices listed in Table 1 of this Agreement, to the extent such unit prices are applicable. To the extent such unit prices are not applicable, the adjustment in the Seasonal Contract Sum shall, at the option of the City, be determined by an acceptable fee properly itemized and supported by sufficient substantiating data to permit evaluation, by an acceptable cost-plus-percentage fee, or by an acceptable fixed fee.

ARTICLE VIII

Termination by City or Contractor

(a) If the Contractor is adjudged a bankrupt; or if the Contractor makes a general assignment for the benefit of creditors; or if a receiver is appointed on account of the Contractor's insolvency; or if the Contractor persistently or repeatedly fails, except in cases for which extension of time is provided, to make progress in accordance with the Construction Schedule; or if the Contractor fails to make prompt payment to Subcontractors or for material or labor, or persistently disregards laws, ordinances or the instructions of the City, or otherwise breaches any provision of the Contract, the City may, without prejudice to any other right or remedy, by giving written notice to the Contractor and his surety, terminate the Contract, take possession of the Work and of all materials and equipment thereon, and finish the Work by whatever method the City may deem expedient. If the unpaid balance of the value of the Work completed to date shall exceed the expenses of finishing the Work, including additional professional, managerial, and administrative expenses, such excess shall be paid to the Contractor. If such expenses shall exceed the unpaid balance of the value of the Work completed to date, the Contractor shall pay the difference to the City promptly upon demand.

In the event of termination pursuant to this paragraph, the Contractor, upon the request of the City, shall promptly:

- (i) assign to the City in the manner and to the extent directed by the City all right, title, and interest of the Contractor under any subcontracts, purchase orders, and construction equipment leases to which the Contractor is a party and which relate to the Work or to construction equipment required therefore, and
- (ii) make available to the City, to the extent directed by the City, all construction equipment owned by the Contractor and employed in connection with the Work.

(b) Performance of the Work hereunder may be terminated by the City by giving three (3) days prior written notice to the Contractor if the City, in its sole discretion, decides to discontinue or suspend construction. In the event of such termination, as opposed to termination pursuant to paragraph (a) of this Article VIII, the Seasonal Contract Sum shall be reduced in an equitable manner by agreement between the parties.

ARTICLE IX
Contractor's Liability Insurance

The Contractor shall purchase and maintain in full force and effect the following insurance coverage with an insurance carrier acceptable to the City:

The policy shall be endorsed to cover the contractual liability of the Contractor under the General Conditions.

The Contractor and his Subcontractors shall procure and maintain during the life of this agreement insurance of the types and minimum amounts as follows:

- (a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of \$1,000,000.
- (b) Comprehensive General Liability and Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate
- (c) Comprehensive Automobile Liability, Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each accident
- (d) Owner's Protective Bodily Injury
 - Including Death: \$1,000,000 each person
\$1,000,000 each occurrence
 - Property Damage: \$1,000,000 each occurrence
\$1,000,000 aggregate

The Owner's Protective policy shall name the City as the Insured and other policies must cover the City as an additional primary insured. All policies must be endorsed to require at least thirty (30) days written advance notice to the City of any change or cancellation. Proof of compliance with these requirements shall be furnished to and approved by the City prior to the Contractor commencing the Work on this project. Certificates evidencing such insurance shall be furnished the City prior to Contractor commencing the work on this project.

ARTICLE X

Equal Opportunity and Non-Discrimination

The Contractor will comply with all provisions of federal, state, and local codes, ordinances, and regulations governing the regulation of Equal Employment Opportunity and Non-Discrimination.

In the event that any or all of the provision(s) of this Article conflict with federal, state, or other local laws, ordinances, or regulations, then the requirements of such federal, state, or local laws, ordinances, or regulations shall prevail. Compliance with the foregoing provisions shall not relieve the Contractor from adherence to any and all additional requirements regarding equal employment or non-discrimination set forth in such federal, state, or other local laws, ordinances, or regulations.

During the performance of this contract, the contractor, for itself, its assignees and successors, in interest (hereinafter referred to as the “contractor”) agrees, as follows:

1. **Compliance with Regulations:** The contractor shall comply with Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

Further, on any federal assisted contract, the Contractor and sub-contractor agree to comply with the Equal Employment Opportunity provisions cited in CFR 23, Subpart D – Construction Contract Equal Employment Opportunity Compliance Procedures, CFR 49 – Non-Discrimination in Federally-assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, E.E. 11246 and Title VII of the Civil Rights Act of 1964.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, income, limited English proficiency, sex, gender identity, sexual orientation, age or disability in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of

the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, income, limited English proficiency, sex, gender identity, sexual orientation, age or disability.

4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department of the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a) Withholding payments to the contractor under the contract until the contractor complies and/or
 - b) Cancellation, termination or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include provisions of paragraphs (1) through (5) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ARTICLE XI**Conflicts of Interest**

The parties agree to abide by all applicable federal, state, and local laws, ordinances, and regulations relating to conflicts of interest. A detailed discussion of conflicts of interest can be found in Section 5.6 of the General Conditions of City-Contractor Agreement.

ARTICLE XII**The Work**

The Contractor shall furnish all labor, materials, and equipment necessary to complete all activities within the project limits, as specified in the Contract Documents. The Scope of Work generally includes the procurement, supply, transport, and planting of select tree and bush species at locations specified along public right-of-way lands and within public parks within the City of Creve Coeur. The Scope of Work provides for items as more specifically described in the attached Technical Specifications.

All work shall be completed to the satisfaction of the Director of Public Works for the City of Creve Coeur.

City of Creve Coeur, Missouri

2018-2020 Tree Purchase and Planting Services

ITEMIZED BID FORM**Street Tree List**

	1"-1.5" Caliper In 15 Gal. Bucket Planted	2.5"-3" Caliper B & B Planted
Small Size Tree:		
1. Red Bud – Native	\$230.50 Ea.	\$435.00 Ea.
2. Snowdrift Crabapple	\$240.00 Ea.	\$435.00 Ea.
3. Star Magnolia	\$230.50 Ea.	\$425.00 Ea.
Medium Size Tree:		
1. Silver Linden	\$285.00 Ea.	\$440.00 Ea.
2. Hophornbeam	\$255.00 Ea.	\$435.00 Ea.
3. Flowering Dogwood	\$230.50 Ea.	\$440.00 Ea.
Large Size Tree:		
1. American Beach	\$250.00 Ea.	\$435.00 Ea.
2. London Planetree	\$250.00 Ea.	\$435.00 Ea.
3. Chinese Elm	\$250.00 Ea.	\$440.00 Ea.

Annually about 25 trees are planted in the ROW in front of Residential properties. In addition, approximately 50-60 trees are planted in the medians on BNew Ballas and Olive, or at the Olive/I-270 interchange.

Parks and City Facility Planting

	1"-1.5" Caliper In 15 Gal. Bucket Planted	2.5"-3" Caliper B & B Planted
1. Autumn Blaze Red Maple	\$215.00 Ea.	\$375.00 Ea.
2. Dawn Redwood	\$215.00 Ea.	\$375.00 Ea.
3. Weeping Willow	\$200.00 Ea.	\$360.00 Ea.
4. Golden Raintree	\$225.00 Ea.	\$370.00 Ea.
5. Celebration Maple	\$245.00 Ea.	\$385.00 Ea.
6. Tulip Poplar	\$215.00 Ea.	\$370.00 Ea.
7. Red Dogwood	\$215.00 Ea.	\$370.00 Ea.
8. Red Rocket Crape Myrtle	\$200.00 Ea.	\$345.00 Ea.
9. Butterfly Bush	\$90.00 Ea.	n/a Ea.
10. Winter Berry Holley	\$55.00 Ea.	n/a Ea.

DJM Ecological Services, Inc.

Contractor

Bucky McMahon

Bid Form

Completed By

Vice President

Title

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

CITY OF CREVE COEUR

By: _____
Mark C. Perkins, City Administrator

(SEAL) By: _____
James H. Heines, Director of Public Works

Attest: _____
City Clerk

Date: _____

CONTRACTOR

By: _____
Signature

Printed Name

Title

(SEAL)

Attest: _____

Date: _____



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: September 14, 2018

TO: Mark Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Recommendation of Award
2018-2020 Tree Purchase and Planting Services

Tree Planting Program Details

You may recall conversations with Council about a year and a half ago about placing two sizes of trees 1"-1.5" caliper trees in 15-gallon buckets, and 2.5"-3" trees ball and burlap in the next Tree Planting Bid. This was requested of staff to provide a lower cost solution for property owners to replace Ash trees removed from the ROW through the EAB Tree Removal Program. Staff included these two specimen sizes in the bid.

The purpose of the bid was to secure pricing to supply and plant specific varieties and sizes of trees in the public rights-of-way (ROW), city parks, and other municipal facilities, specifically for our Shared Cost Tree Planting Program where resident can purchase ROW trees including planting costs and the cost is shared 50/50 with the city.

The street tree list was developed by the HEB committee and city staff to maintain a diverse group of ROW trees that will survive in our existing ROW conditions. We have chosen three varieties of trees for the small, medium, and large tree category to cover the different site conditions we may run into when planting ROW trees in front resident's houses.

As an additional portion of the tree Purchasing and Planting Service bid, staff identified a number of replacement trees and bushes for City Parks, Olive/270 Interchange, and the Golf Course. We have also requested pricing for the two sizes of specimens to offer a more affordable alternative option to the city.

Bidding Process and Results

City Staff City staff prepared bid documents for a tree planting contract and made it available for public bid on August 25, 2018. The project bid was advertised in the St. Louis Countian and on the city's website. In addition, staff used Drexel, an online bidding service, as well as contacting vendors who have bid this project in the past.

Staff opened two sealed bids on Thursday, September 13, 2018. The bid tab is attached for your convenience. After evaluating the results DJM Ecological Services, Inc. provided the lowest and best prices for the work. Staff reviewed the cost of the two size specimens from the Street Tree List and found the tree prices for the trees in each category were very close. This being the case we have averaged the cost of the trees and the shared cost will be as follows:

<u>Size</u>	<u>Average Cost</u>	<u>Resident pays (50%)</u>	<u>City pays (50%)</u>
1"-1.5" caliper tree	\$245 each	\$122.50 each	\$122.50 each
2.5"-3" caliper tree	\$435 each	\$217.50 each	\$217.50 each

Recommendation

Public Works staff recommends entering into an agreement with DJM Ecological Services, Inc. for the purchase and planting of trees listed on the bid tab at the prices identified. Funding for the tree planting purchases is located in multiple accounts located in the Parks, Streets, and Golf Maintenance Divisions operating budgets.

Attachments: Bid Tab

2018-2020 STREET TREE BID LIST

Item	Size	DJM		Size	Size	Sur
		Unit Price				Unit
		1-1.5" Caliper	2.5-3 " Caliper			1-1.5" Caliper
Small Size Trees						
1 RED BUD	15 gal.	\$230.50	\$435.00	B&B	15 gal.	\$192.00
2 SNOWDRIFT CRABAPPLE	15 gal.	\$240.00	\$435.00	B&B	15 gal.	\$226.00
3 STAR MAGNOLIA	15 gal.	\$230.50	\$425.00	B&B	30 gal.	\$205.00
Medium Size Trees						
1 SILVER LINDEN	15 gal.	\$285.00	\$440.00	B&B	15 gal.	\$226.00
2 HOPHORNBEAM	15 gal.	\$255.00	\$435.00	B&B	15 gal.	\$232.00
3 FLOWERING DOGWOOD	15 gal.	\$230.50	\$440.00	B&B	15 gal.	\$232.00
Large Size Trees						
1 AMERICAN BEACH	15 gal.	\$250.00	\$435.00	B&B	15 gal.	\$322.00
2 LONDON PLANETREE	15 gal.	\$250.00	\$435.00	B&B	15 gal.	\$221.00
3 CHINESE ELM	15 gal.	\$250.00	\$440.00	B&B	15 gal.	\$237.00

PARKS AND CITY FACILITY PLANTING

		1-1.5"	2.5-3 "			1-1.5"
Trees& Bushes		Caliper	Caliper			Caliper
1	AUTUMN BLAZE RED MAPLE	15 gal.	\$ 215.00	\$ 375.00	B&B	\$ 221.00
2	DAWN REDWOOD	15 gal.	\$ 215.00	\$ 375.00	B&B	\$ 221.00
3	WEeping WILLOW	15 gal.	\$ 200.00	\$ 360.00	B&B	\$ 216.00
4	GOLDEN RAIN TREE	15 gal.	\$ 225.00	\$ 370.00	B&B	\$ 261.00
5	CELEBRATION MAPLE	15 gal.	\$ 245.00	\$ 385.00	B&B	\$ 226.00
6	TULIP POPLAR	15 gal.	\$ 215.00	\$ 370.00	B&B	\$ 226.00
7	RED DOGWOOD	15 gal.	\$ 215.00	\$ 370.00	B&B	\$ 232.00
8	REDROCKET CRAPE MYRTLE	15 gal.	\$ 200.00	\$ 345.00	B&B	15 gal. \$ 210.00
9	BUTTERFLY BUSH	15 gal.	\$ 90.00	N/A		2 gal. \$ 36.00
10	WINTER BERRY HOLLEY	15 gal.	\$ 55.00	N/A		7 gal. \$ 93.00

recut

: Price

Size

2.5-3 "

Caliper

\$487.00 B&B

\$487.00 B&B

\$402.00 B&B

\$492.00 B&B

\$498.00 B&B

\$492.00 B&B

\$647.00 B&B

\$498.00 B&B

\$503.00 B&B

2.5-3 "

Caliper

\$ 498.00 B&B

\$ 500.00 B&B

\$ 498.00 B&B

\$ 503.00 B&B

\$ 503.00 B&B

\$ 498.00 B&B

\$ 498.00 B&B

\$ 407.00 30 gal.

\$ 53.00 5 gal.

\$ 221.00 6-8' B&B



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

Meeting: 09/24/18 07:00 PM
Department: Public Works Department
Category: Purchase
Prepared By: Jim Heines
Department Head: Jim Heines

SCHEDULED

RESOLUTION

Resolution No. 1384 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing Execution of an Agreement with International Truck & Engine Corp. for the Purchase of a 2019 International Diesel Powered Two-Ton Dump Truck with a Stainless-Steel Salt Spreader with Calcium Chloride Saddle Tanks and a 10 Foot Snow Plow for an Amount of \$126,197.85.

The purchase of a new 2019 International 2-ton truck with plow and spreader will replace a 2008 GMC 2-ton truck with plow and spreader.

Resolution

Meeting of September 24, 2018

RESOLUTION NO. 1384

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING EXECUTION OF AN AGREEMENT WITH INTERNATIONAL TRUCK & ENGINE CORP. FOR THE PURCHASE OF A 2019 INTERNATIONAL DIESEL POWERED TWO-TON DUMP TRUCK WITH A STAINLESS-STEEL SALT SPREADER WITH CALCIUM CHLORIDE SADDLE TANKS AND A 10 FOOT SNOW PLOW FOR AN AMOUNT OF \$126,197.85.

WHEREAS, the City Council of the City of Creve Coeur recognizes a need to provide quality equipment for city employees to serve the public; and

WHEREAS, the purchase of a new 2019 International 7300 dump truck with plow and stainless-steel salt spreader is necessary to provide valuable city services; and

WHEREAS, the city will be taking advantage of lower prices by purchasing the truck through the Missouri Cooperative Bid Program; and

WHEREAS, these goods have been competitively bid as required by the City of Creve Coeur Code of Ordinances.

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

Section 1: The agreement between International Truck & Engine Corp. and the City for the purchase of a 2019 International 7300 diesel powered dump truck with a stainless-steel salt spreader and calcium chloride saddle tanks and a 10 ft. snow plow for \$126,197.85 is hereby approved. The agreement as executed shall be consistent with the provisions and intent of this Resolution with such changes as may be necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the agreement.

Adopted this 24th day of September, 2018.

Barry Glantz
Mayor

Attest:

Deborah Ryan, MPCC
City Clerk



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: September 17, 2018

TO: Mark Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Purchase of a 2019 International Two-ton Diesel Powered Dump Truck with Snow Plow and a Stainless-Steel Salt Spreader with Calcium Chloride Saddle Tanks

Over the past several years, Public Works has been reducing the number of trucks in our fleet to a more efficient size to provide service and reduce maintenance costs. Although funding for new two-ton plow/service trucks was placed in the FY 2016 and FY 2017 budgets, we opted not to purchase trucks and sent surplus trucks to auction. The funding budgeted for the truck purchases was returned to the Capital Fund for future purchases. As of 2017, the fleet was finally at its optimum level and we began purchasing replacement trucks again. Our fleet of two-tons is as follows:

<u>Truck Type</u>	<u>Quantity</u>
Plow/Leaf Collection/ Dump Trucks	9
Chipper Trucks	2
<u>Aerial Bucket Truck</u>	<u>1</u>
Total	12

One replacement two-ton dump truck with a 10-ft. snow plow, stainless-steel salt spreader and pre-wet calcium chloride saddle tank system was approved in the FY 2019 budget. As part of our normal truck replacement rotation we plan to purchase a 2019 diesel powered International dump truck with air brakes, and all of the previously mentioned snow and ice control equipment. Pricing for the purchase of this truck are directly from the Missouri Cooperative Purchase program. Typically, International Truck & Engine Corp. price increases begin on October 1 each year. A three percent (3%) increase is expected this year so ordering the truck in September will save approximately \$3,750.

This new two-ton truck will replace a 2008 GMC diesel powered two-ton truck. Although this replacement is a year earlier than our preferred 12-year rotation we are addressing a problem created in the early 2000s when we skipped years between truck purchases. This caused four GMC Diesel Powered trucks to be purchased in a 2-year period in FY2008 & FY2009. By the time we get through the replacement of those four trucks, we will be back on our 12-year rotation schedule. In addition to straightening out the replacement schedule, we have had more issues with the GMC trucks starting when they were new then we have experienced with the International trucks. The cost to operate the GMC trucks has been as high as \$0.53 per mile more than double the average cost to operate the International trucks (\$.20 per mile) during the same time period. By replacing the GMC truck with an International truck, we should experience a reduction in our operation and maintenance cost.

Public Works staff recently sold a GMC 2-ton truck with plow and spreader at auction for \$16,500. We would anticipate a similar return on the 2008 GMC that is being replaced.

The recommendation is to award the purchase of a 2019 International 7300 diesel powered truck with air brakes, upgraded 10 ft. snow plow, and a stainless-steel salt spreader with calcium chloride saddle tanks from International Truck & Engine Corp., located at 900 S. Highway Dr. Ste. 103, Fenton, MO 63026, TNO: 636-343-6800, with Viking-Cives Midwest, Inc. body type in the total amount of \$126,197.85. This purchase is being made through the State of Missouri Cooperative Bid Program.

There was \$129,574 was budgeted for this purchase in account # 02-61-71-9516 Capital Equipment of the approved FY2019 CIP. This will leave a surplus of \$3,376.15 in the Capital Equipment account.

INTERNATIONAL®

September 04, 2018

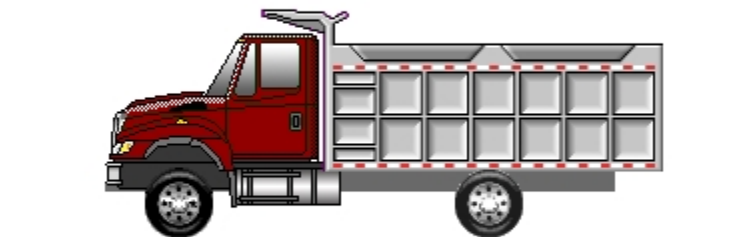
Prepared For:

City of Creve Coeur
 Mike Leady
 300 N New Ballas Rd.
 Saint Louis, MO 63141-7533
 (314)223 - 0209
 Reference ID: Proposal # 4890

Presented By:

INT'L TRK & ENGINE CORP
 Martin White
 900 S HIGHWAY DR STE 103
 FENTON MO 63026 -
 (636)343-6800

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.



Model Profile
2020 HV607 SBA (HV607)

AXLE CONFIG:	4X2
APPLICATION:	Construction Dump
MISSION:	Requested GVWR: 33000. Calc. GVWR: 33000 Calc. Start / Grade Ability: 24.11% / 2.07% @ 55 MPH Calc. Geared Speed: 83.4 MPH
DIMENSION:	Wheelbase: 152.00, CA: 84.90, Axle to Frame: 63.00
ENGINE, DIESEL:	{Cummins B6.7 250} EPA 2017, 250HP @ 2400 RPM, 660 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 250 Peak HP (Max)
TRANSMISSION, AUTOMATIC:	{Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, On/Off Highway
CLUTCH:	Omit Item (Clutch & Control)
AXLE, FRONT NON-DRIVING:	{Meritor MFS-12-143A} Wide Track, I-Beam Type, 12,000-lb Capacity
AXLE, REAR, SINGLE:	{Meritor MS-21-14X-4DFR} Single Reduction, 21,000-lb Capacity, R Wheel Ends Gear Ratio: 5.86
CAB:	Conventional
TIRE, FRONT:	(2) 11R22.5 Load Range G HSR2 (CONTINENTAL), 498 rev/mile, 75 MPH, All-Position
TIRE, REAR:	(4) 11R22.5 Load Range G HDR2 (CONTINENTAL), 491 rev/mile, 75 MPH, Drive
SUSPENSION, RR, SPRING, SINGLE:	Vari-Rate; 23,500-lb Capacity
PAINT:	Cab schematic 100WL Location 1: 2303, Red (Std) Chassis schematic N/A

INTERNATIONAL®**Vehicle Specifications**
2020 HV607 SBA (HV607)**September 04, 2018**

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
HV60700	Base Chassis, Model HV607 SBA with 152.00 Wheelbase, 84.90 CA, and 63.00 Axle to Frame.	\$86,329.00
1ANA	AXLE CONFIGURATION {Navistar} 4x2	\$0.00
	<u>Notes</u> : Pricing may change if axle configuration is changed.	
1CAJ	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.866" x 3.622" x 0.433" (276.0mm x 92.0mm x 11.1mm); 456.0" (11582mm) Maximum OAL	\$783.00
1LLK	BUMPER, FRONT Omit Item	(\$30.00)
1WDS	FRAME EXTENSION, FRONT Integral; 20" In Front of Grille	\$590.00
1WGR	WHEELBASE RANGE 138" (350cm) Through and Including 187" (475cm)	\$0.00
2ARW	AXLE, FRONT NON-DRIVING {Meritor MFS-12-143A} Wide Track, I-Beam Type, 12,000-lb Capacity	\$273.00
3770	SPRINGS, FRONT AUXILIARY Rubber	\$111.00
3ADC	SUSPENSION, FRONT, SPRING Parabolic, Taper Leaf; 12,000-lb Capacity; with Shock Absorbers	\$67.00
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications	\$0.00
4732	DRAIN VALVE {Berg} with Pull Chain, for Air Tank	\$0.00
4AZJ	AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel) with Automatic Traction Control	\$210.00
4EBT	AIR DRYER {Bendix AD-IP} with Heater	\$526.00
4EXP	BRAKE CHAMBERS, FRONT AXLE {Bendix} 20 SqIn	\$0.00
4EXU	BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Spring Brake	\$0.00
4JCJ	BRAKES, FRONT, AIR CAM S-Cam; 16.5" x 5.0"; Includes 20 Sq. In. Long Stroke Brake Chambers	\$265.00
4NDB	BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake	\$0.00
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM Capacity	\$0.00
4VKC	AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab	\$50.00
4VKK	AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Right Rail, Back of Cab, Perpendicular to Rail	\$50.00
4WBX	DUST SHIELDS, FRONT BRAKE for Air Brakes	\$35.00
4WDM	DUST SHIELDS, REAR BRAKE for Air Brakes	\$70.00
5708	STEERING COLUMN Tilting	\$125.00
5CAW	STEERING WHEEL 4-Spoke; 18" Dia., Black	\$0.00
5PSA	STEERING GEAR {Sheppard M100} Power	\$0.00
7BEV	AFTERTREATMENT COVER Steel, Black	\$0.00
7BKS	EXHAUST SYSTEM Single Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab; for Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab	\$2,128.00
7WDM	EXHAUST HEIGHT 10'	\$0.00

INTERNATIONAL®**Vehicle Specifications**
2020 HV607 SBA (HV607)**September 04, 2018**

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
7WDN	MUFFLER/TAIL PIPE GUARD (1) Non-Bright Aluminum	\$0.00
7WDT	TAIL PIPE (1) Straight Type, Non-Bright, for Single Exhaust	\$0.00
7WZX	SWITCH, FOR EXHAUST 3 Position, Momentary, Lighted Momentary, ON/CANCEL, Center Stable, INHIBIT REGEN, Mounted in IP Inhibits Diesel Particulate Filter Regeneration When Switch is Moved to ON While Engine is Running, Resets When Ignition is Turned OFF	\$56.00
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment	\$0.00
8518	CIGAR LIGHTER Includes Ash Cup	\$18.00
8GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount, with Remote Sense	\$0.00
8HAH	ELECTRIC TRAILER BRAKE/LIGHTS Accommodation Package to Rear of Frame; for Combined Trailer Stop, Tail, Turn, Marker Light Circuits; Includes Electric Trailer Brake Accommodation Package with Cab Connections for Mounting Customer Installed Electric Brake Unit, Less Trailer Socket	\$363.00
8MSG	BATTERY SYSTEM {Fleetrite} Maintenance-Free, (3) 12-Volt 1980CCA Total	\$103.00
8RGA	2-WAY RADIO Wiring Effects; Wiring with 20 Amp Fuse Protection, Includes Ignition Wire with 5 Amp Fuse, Wire Ends Heat Shrink and Routed to Center of Header Console in Cab	\$211.00
8RMP	RADIO AM/FM/WB/Clock/3.5MM Auxiliary Input	\$368.00
8RMY	SPEAKERS (2) 5.25" Dual Cone Mounted in Both B-Pillars	\$27.00
8THB	BACK-UP ALARM Electric, 102 dBA	\$120.00
8THJ	AUXILIARY HARNESS 3.0' for Auxiliary Front Head Lights and Turn Signals for Front Plow Applications	\$158.00
8TKK	TRAILER AUXILIARY FEED CIRCUIT for Electric Trailer Brake Accommodation/Air Trailer ABS; with 30 Amp Fuse and Relay, Controlled by Ignition Switch	\$79.00
8VAY	HORN, ELECTRIC Disc Style	\$0.00
8VUJ	BATTERY BOX Steel with Plastic Cover, 18" Wide, 2, 3, or 4 Battery Capacity, Mounted Right Side Back of Cab	\$101.00
8WBW	JUMP START STUD Remote Mounted	\$168.00
8WGD	SOLENOID, AIR for Customer Use; Provides (4) Normally Closed Pilot Air Source, Approx. 4 CFM, Includes Latched Switch in Cab; Air Available Only with Key in "Ignition" or "Accessory" Position; Air Will Exhaust with Key in "Off" Position	\$259.00
8WGL	WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time	\$26.00
8WMA	SWITCH, TOGGLE, FOR WORK LIGHT Lighted; on Instrument Panel and Wiring Effects for Customer Furnished Back of Cab Light	\$59.00
8WPH	CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade	\$0.00
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights	\$42.00
8WRB	HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn on if Windshield Wipers are turned on	\$22.00
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt; less Thermal Over-Crank Protection	\$0.00

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
8WWJ	INDICATOR, LOW COOLANT LEVEL with Audible Alarm	\$0.00
8WXD	ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened	\$42.00
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses	\$0.00
8XGT	TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender	\$0.00
8XHN	HORN, AIR Black, Single Trumpet, with Lanyard Pull Cord	\$94.00
9AAB	LOGOS EXTERIOR Model Badges	\$0.00
9AAE	LOGOS EXTERIOR, ENGINE Badges	\$0.00
9HBM	GRILLE Stationary, Chrome	\$0.00
9WAC	BUG SCREEN Mounted Behind Grille	\$131.00
9WBC	FRONT END Tilting, Fiberglass, with Three Piece Construction; for WorkStar/HV	\$0.00
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100	\$0.00
	<u>Includes</u> : PAINT SCHEMATIC ID LETTERS "WL"	
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone	\$0.00
10SLV	PROMOTIONAL PACKAGE Government Silver Package	\$0.00
11001	CLUTCH Omit Item (Clutch & Control)	\$0.00
12703	ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection	\$0.00
12849	BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines	\$98.00
12851	PTO EFFECTS, ENGINE FRONT Less PTO Unit, Includes Adapter Plate on Engine Front Mounted	\$353.00
12EJS	ENGINE, DIESEL {Cummins B6.7 250} EPA 2017, 250HP @ 2400 RPM, 660 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 250 Peak HP (Max)	\$2,530.00
12EMZ	VENDOR WARRANTY, ENGINE {Cummins} B6.7 Engine, 3-Year Unlimited Miles Standard Warranty	\$250.00
12THT	FAN DRIVE {Horton Drivemaster} Direct Drive Type, Two Speed with Residual Torque Device for Disengaged Fan Speed	\$0.00
12UWZ	RADIATOR Cross Flow, Series System; 1228 SqIn Aluminum Radiator Core with Internal Water to Oil Transmission Cooler and 1167 In Charge Air Cooler	\$0.00
12VBB	AIR CLEANER Dual Element	\$108.00
12VGM	FEDERAL EMISSIONS {Cummins B6.7} EPA, OBD and GHG Certified for Calendar Year 2018	\$0.00
12VXV	THROTTLE, HAND CONTROL Engine Speed Control for PTO; Electronic, Mobile, Variable Speed; (Range 2 to 20 MPH) Mounted on Steering Wheel	\$0.00
12VYL	ACCESSORY WIRING, SPECIAL for Road Speed Wire Coiled Under Instrument Panel for Customer Use	\$45.00
12VYP	ENGINE CONTROL, REMOTE MOUNTED No Provision Furnished for Remote Mounted Engine Control	\$0.00

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
12WZE	EMISSION COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations	\$0.00
13AVR	TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, On/Off Highway	\$10,133.00
13WET	TRANSMISSION SHIFT CONTROL for Column Mounted Stalk Shifter	\$50.00
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints	\$203.00
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction	\$0.00
13WYH	TRANSMISSION TCM LOCATION Located Inside Cab	\$141.00
13WYU	SHIFT CONTROL PARAMETERS Allison 3000 or 4000 Series Transmissions, 5th Generation Controls, Performance Programming	\$0.00
13XAM	PTO LOCATION Dual, Left and Right Side of Transmission	\$0.00
14ANV	AXLE, REAR, SINGLE {Meritor MS-21-14X-4DFR} Single Reduction, 21,000-lb Capacity, R Wheel Ends . Gear Ratio: 5.86	\$139.00
14SAN	SUSPENSION, RR, SPRING, SINGLE Vari-Rate; 23,500-lb Capacity	\$87.00
14SZB	SPRINGS, REAR AUXILIARY Multileaf; 4,500-lb Capacity	\$208.00
15LMS	FUEL/WATER SEPARATOR 12 VDC Electric Heater, Includes Pre-Heater, Includes Water-in-Fuel Sensor, Cummins Supplied on Engine	\$221.00
15SGJ	FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 16" Tank Depth, 50 US Gal (189L), with Quick Connect Outlet, Mounted Left Side, Under Cab	\$52.00
15WDG	DEF TANK 7 U.S. Gal. 26.5L Capacity, Frame Mounted Outside Left Rail, Under Cab	\$0.00
16030	CAB Conventional	\$0.00
16BAM	AIR CONDITIONER with Integral Heater & Defroster	\$923.00
16GDC	GAUGE CLUSTER Base Level; English with English Speedometer and Tachometer, for Air Brake Chassis, Includes Engine Coolant Temperature, Primary and Secondary Air Pressure, Fuel and DEF Gauges, Oil Pressure Gauge, Includes 3 Inch Monochromatic Text Display	\$0.00
16HGH	GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission	\$48.00
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster	\$0.00
16JNT	SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, with 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust	\$116.00
16SML	SEAT, TWO-MAN PASSENGER {National} Fixed Back, Integrated Headrest in Both Occupant Positions, Vinyl, Less Under Seat Storage Compartment	\$603.00
16SNR	MIRRORS (2) Power Adjust, Thermostatically Controlled Heated Heads, LED Clearance Lights, Bright Finish Heads and Arms, Black Brackets, 7.55" x 14.1" Flat Glass, 7.48" x 6.77" Convex Glass Both Sides	\$442.00
16VKB	CAB INTERIOR TRIM Classic, for Day Cab	\$0.00
	<u>Includes</u> : CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger	

INTERNATIONAL®**Vehicle Specifications
2020 HV607 SBA (HV607)****September 04, 2018**

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
	: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted : SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap	
16WBY	ARM REST, RIGHT, DRIVER SEAT	\$39.00
16WLS	FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood	\$76.00
16WSK	CAB REAR SUSPENSION Air Bag Type	\$0.00
16XCK	WINDOW, MANUAL (2) and Manual Door Locks, Left and Right Doors	\$0.00
16XJN	INSTRUMENT PANEL Flat Panel	\$0.00
16ZBT	ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps Per Door, for use with Regular and Extended Cabs	\$0.00
27DTH	WHEELS, FRONT {Maxion 10049} DISC; 22.5x8.25 Rims, Painted Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .490" Thick Increased Capacity Disc and Steel Hubs	\$90.00
28DTH	WHEELS, REAR {Maxion 10049} DUAL DISC; 22.5x8.25 Rims, Painted Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .490" Thick Increased Capacity Disc and Steel Hubs	\$198.00
29PAR	PAINT IDENTITY, FRONT WHEELS Disc Front Wheels; with Vendor Applied White Powder Coat Paint	\$24.00
29PAS	PAINT IDENTITY, REAR WHEELS Disc Rear Wheels; with Vendor Applied White Powder Coat Paint	\$48.00
29WAP	WHEEL GUARDS, FRONT {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts Mounted Between Hub and Wheel	\$24.00
29WAR	WHEEL GUARDS, REAR {Accuride} for Metric Hub Piloted Wheels with Flanged Mounting Nuts, Mounted Between Hub & Wheel and Between Dual Wheels	\$24.00
60AAG	BDY INTG, REMOTE POWER MODULE Mounted Inside Cab behind Driver Seat; Up to 6 Outputs & 6 Inputs, Max. 20 amp. per Channel, Max. 80 amp Total (Includes 1 Switch Pack with Latched Switches)	\$790.00
7372135415	(2) TIRE, FRONT 11R22.5 Load Range G HSR2 (CONTINENTAL), 498 rev/mile, 75 MPH, All-Position	\$0.00
7372135423	(4) TIRE, REAR 11R22.5 Load Range G HDR2 (CONTINENTAL), 491 rev/mile, 75 MPH, Drive	\$160.00
OBD001	MISCELLANEOUS WB incompatibility - orevious truck built in Feb 2018	\$0.00
Total of Product Features		\$112,252.00
Cab schematic 100WL		
Location 1: 2303, Red (Std)		
Chassis schematic N/A		
Services Section:		

INTERNATIONAL®

Vehicle Specifications
2020 HV607 SBA (HV607)

September 04, 2018

<u>Code</u>	<u>Description</u>	<u>List</u> (US DOLLAR)
40128	WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A	\$0.00
	Total of Service Features	\$0.00
	Total List Price Including Options:	\$112,252.00
1	Viking 10' Western Style Dump Body - proposal # 164545 - 08/21/18	\$63,233.25
	Total Body Allied:	\$63,233.25

INTERNATIONAL®**Financial Summary**
2020 HV607 SBA (HV607)**September 04, 2018**

<u>Description</u>	(US DOLLAR)	<u>Price</u>
Net Sales Price:		\$126,197.85
Memo Item(s):		
Total Federal Excise Tax	\$0.00	
Total Taxes:	\$0.00	
Warranty:	\$0.00	
Body/Allied Equipment:	\$63,233.25	
Note: Memo item(s) shown here are included in the above Net Sales Price.		

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

Approved by Seller:**Accepted by Purchaser:**_____
Official Title and Date_____
Firm or Business Name_____
Authorized Signature_____
Authorized Signature and Date

**This proposal is not binding upon the seller without
Seller's Authorized Signature**

Official Title and Date

The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.



22956 Hwy 61
PO Box 295
Morley, MO 63767
Phone: 573-262-3545
Fax: 573-262-3369

Quote

Quote #	Date
164545	08/21/18

Customer			
INTERNATIONAL TRUCK & ENGINE - NAVISTAR 900 S. HWY DRIVE SUITE 103			
FENTON	MO	63026	

Ship To			
CITY OF CREVE COEUR 300 N. NEW BALLAS ROAD			
CREVE COEUR	MO	63141	

Customer PO	Terms	Sales Rep	Lead Time	Ship Via	FOB	VIN
	NET 30	DAN	08/21/18			

Item	Description	Ordered	UOM	Price Per	Total Price
MO18BASESA	Viking-Cives Single Axle Equipment with 10' Stainless Steel Dump Body and Certified Power Hydraulics	1.00	EA	53,050.00	53,050.00
MO18OPT01	Corten Steel Dump Body for Single Axle (DEDUCT \$2,550.00)	1.00	EA	-2,550.00	-2,550.00
MO14OPT32	12" Dog house for Mailhot hoist	1.00	EA	746.43	746.43
MO14OPT36	Paint to match cab color (red) ILO MoDOT yellow	1.00	EA	1,500.00	1,500.00
MO14OPT37	Cab shield with 45 degree corners for Model 45 warning light	1.00	EA	142.86	142.86
MO14OPT38	Offset tailgate for sideboards - includes board pockets 26" sides, 34" gate	1.00	EA	314.29	314.29
MO14OPT40	Deduct hydraulic connection box for rear corner of body - hydraulic connections on driver side only and installed with 45 degree fittings	1.00	EA	-294.12	-294.12
MO14OPT51	Deduct air tension hoop	1.00	EA	-652.94	-652.94
ACCOUNT:5104-01 Direct Purchase	Whelen 400V warning system ILO MODOT includes a 3-light stainless box welded in to each rear post with a TIR-3 side flasher and an 1-light amber strobe welded in to each corner of the cab shield No extra charge	1.00	EA	0.00	0.00
MO14OPT125	VCM supplied 6 wire pigtail	1.00	EA	165.44	165.44
MO14OPT127	Electronic brake controller installed w/ truck wiring supplied	1.00	EA	273.90	273.90
MO14OPT130	PH 20 pintle hook w/ d-rings (Deduct)	1.00	EA	-157.14	-157.14
MO14OPT131	Remove gladhands (Deduct)	1.00	EA	-87.59	-87.59
ACCOUNT:5104-01	Install and paint (red) oak sideboards	1.00	EA	295.00	295.00



22956 Hwy 61
PO Box 295
Morley, MO 63767
Phone: 573-262-3545
Fax: 573-262-3369

Quote

Quote #	Date
164545	08/21/18

Customer		
INTERNATIONAL TRUCK & ENGINE - NAVISTAR 900 S. HWY DRIVE SUITE 103 FENTON MO 63026		

Ship To		
CITY OF CREVE COEUR 300 N. NEW BALLAS ROAD CREVE COEUR MO 63141		

Customer PO	Terms	Sales Rep	Lead Time	Ship Via	FOB	VIN
	NET 30	DAN	08/21/18			

Item	Description	Ordered	UOM	Price Per	Total Price
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Direct Purchase

ACCOUNT:5104-01 Direct Purchase	Crank drive 75CC load sense pump. 3 spool PVG32 load sense valve mounted in a valve/tank combination for the drivers side. Freedom 2.1 Spreader controller, Auger/Spinner/Pre-wet. 12VDC Electric Pre-wet system with plumbing (no tanks). Cable controls for body (DA) and plow (SA lift, DA reverse)	1.00	EA	-8,450.00	-8,450.00
ACCOUNT:5104-01 Direct Purchase	Swenson 10' Stainless Steel Conveyor Spreader	1.00	EA	10,107.00	10,107.00
MO14OPT06	UQH hitch w/ cheekplates, bumper, and lift cylinder	1.00	EA	586.41	586.41
S7200	MW power reverse push frame assembly with 3" x 9 1/4" DA reverse cylinders, standard hose kit with quick disconnect - no swivel	1.00	EA	2,365.00	2,365.00
S7205	MW compression arms - standard	1.00	EA	498.00	498.00
S7207	Cushion valve for reverse circuit	1.00	EA	95.00	95.00
S7220	MW36R10 10' Moldboard assy, corten steel	1.00	EA	2,480.00	2,480.00
S7300	UQH plow portion w/ hardware	1.00	EA	745.00	745.00
S7344	MW two chain lift	1.00	EA	75.00	75.00
S7350	12" Rubber deflector installed on a 10' plow	1.00	EA	150.00	150.00
S7355	36" plow markers, orange plastic	1.00	EA	25.00	25.00
MO14OPT182	Kueper GK5 3' sections	2.00	EA	445.71	891.42
MO14OPT183	Kueper GK5 4' sections	1.00	EA	594.29	594.29
ACCOUNT:5104-01 Direct Purchase	Deliver to Creve Coeur	1.00	EA	325.00	325.00
ACCOUNT:5104-01 Direct Purchase	OPTION Adder for all electronic controls ILO cable - add	1.00	EA	0.00	0.00



22956 Hwy 61
 PO Box 295
 Morley, MO 63767
 Phone: 573-262-3545
 Fax: 573-262-3369

Quote

Quote #	Date
164545	08/21/18

Customer		
INTERNATIONAL TRUCK & ENGINE - NAVISTAR 900 S. HWY DRIVE SUITE 103		
FENTON	MO	63026

Ship To		
CITY OF CREVE COEUR 300 N. NEW BALLAS ROAD		
CREVE COEUR	MO	63141

Customer PO	Terms	Sales Rep	Lead Time	Ship Via	FOB	VIN
	NET 30	DAN	08/21/18			

Item	Description	Ordered	UOM	Price Per	Total Price
	\$2,750				

Prepared By: dewheeler@vikingcivesmidwest.c

Memo:

Sub-Total	63,233.25
Shipping	0.000
Discount	0.00
Taxes	0.00
Total	63,233.25

Customer must fill out the information below before the order can be processed.

Accepted by: _____ Date: _____ P.O.#: _____

*Quoted price does not include any applicable taxes.

*Terms are Due Upon Receipt unless prior credit

*Terms for established accounts. NET 30 days

*Please note if chassis is furnished. it is as a convenience and terms are Net Due on Receipt of Chassis



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

SCHEDULED

Meeting: 09/24/18 07:00 PM
Department: Public Works Department
Category: Presentation
Prepared By: Jim Heines
Department Head: Jim Heines

STAFF REPORT

Olive Bridge Deck Planter Landscape Design Update

Staff plans to make a presentation on the status of the landscape design for the Olive/270 Bridge Deck planters.



DEPARTMENT OF PUBLIC WORKS OFFICE MEMO

DATE: September 17, 2018

TO: Mark Perkins, City Administrator

FROM: Jim Heines, Director of Public Works

SUBJECT: Project Update – Olive Bridge Deck Planter Landscape Design

At the request of the HEB committee in November, 2017 Council approved funding to contract with Acorn Landscapes to design a new landscape plan for the Olive/270 bridge deck planters.

Staff met with representatives from the HEB in February 2018 to draft a scope of services to be included in an RFQ to send out to landscape consulting firms. Once completed, the RFQ was sent out to five companies. However only two responses were received.

Through the spring and into the summer, staff and the HEB committee worked with the landscape consultant regarding plant choice and layout. The consultant presented two designs to the committee in June, where after much discussion on plant choice, layout, and future maintenance needs the committee agreed upon one of the two designs to be further developed. The budget for the plantings is \$9,000.

A final presentation to staff and the committee was made in mid-July at which time the committee was pleased with the final design and plant choice. Staff recommended to the HEB committee that we return to Council prior to ordering the recommended plants to provide an update on the project and share the drawings and renderings of the project designs. Removal of existing plants, irrigation modifications and the addition of more soil will take place this fall and through the winter by our crews in preparation for planting in spring of 2019.

Staff plans to make a short presentation and share slides from the landscape architect presentations with Council at the September 24, 2018 Council meeting.

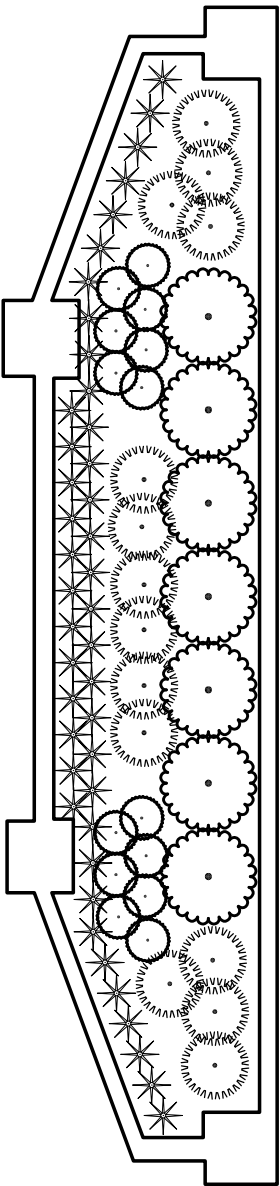


Mary Francois Dewese, RLA
13 Forrester Dr.
BALLWIN, MO 63011
(636) 394-0255
www.acornlandscapes.com

DRAWING TITLE:
PLANTING PLAN

DATE 7/12/2018
PROJ. 20182009
FILE: FINAL.dwg

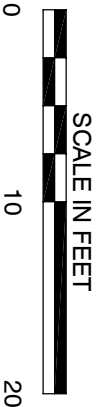
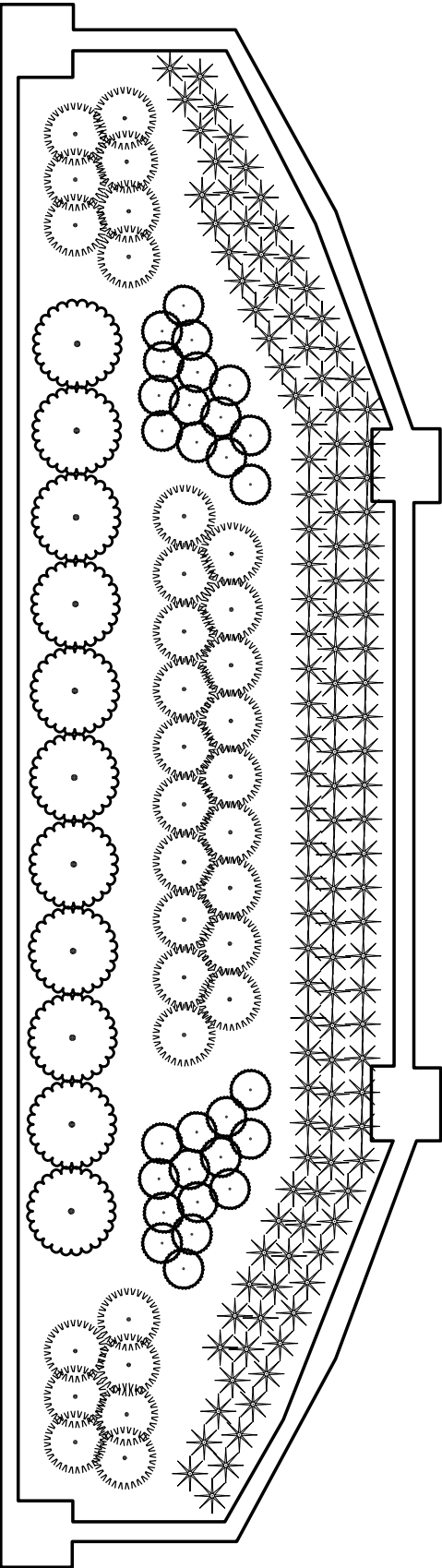
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Acorn Landscapes



PLANT SCHEDULE FINAL

SHRUBS	BOTANICAL NAME / COMMON NAME	CONT	QTY	UNIT COST	TOTAL	REMARKS
✱	Berberis thunbergii 'Koren' / 'Sunjoy Citrus' Japanese Barberry	2 gal	168	\$15	\$2,520	medium salt tolerance - priced from Home Nursery - should be maintained at approx 2' above edge of planter and as a continuous hedge once it reaches that size.
○	Berberis thunbergii 'Orange Rocket' / Orange Rocket Barberry	5 gal	42	\$33	\$1,386	Medium Salt Tolerance - priced from home nursery - allow to form one mass - prune only to remove deadwood or if width becomes an issue to adjacent plants, or if top is out of proportion with other plants after many years.
●	Hydrangea paniculata 'Limelight' TM / Limelight Hydrangea	5 gal	18	\$21	\$378	Moderate salt tolerance - priced from Home Nursery - This hydrangea can be heavily pruned in late winter or early spring, but no pruning should be done once the flower heads begin forming because it flowers on new wood.
●	Picea pungens 'Glabosa' low standard / Dwarf Globe Blue Spruce	18" B&B	47	\$90	\$4,230	moderately salt tolerant - low standard form- priced from Home Nursery
TOTAL:					\$8,514	

NOTE: ANNUAL PLANTER
BOWLS TO BE PLANTED WITH
'RED HEAD' COLEUS IN 6"
POTS @ 6" OC



CITY OF CREVE COEUR
300 N New Ballas Road
Creve Coeur, MO 63141
Phone: 314-432-6000

PROJECT LOCATION:
PLANTERS AT HWY 270
AND OLIVE BLVD.