



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
AUGUST 10, 2020
7:00 PM**

As a precautionary measure to help prevent exposure and spread of COVID-19, the City Council meeting scheduled for Monday, August 10, 2020, at 7:00 p.m. will be livestreamed online.

The Council Chambers will be closed to the public; however, citizens are encouraged to participate and submit public comments in the following ways:

1. **Video Livestream** — Watch a live video broadcast of the City Council meeting here <https://us02web.zoom.us/j/83414931004>.
The public will be required to provide a name and email address to enter the meeting. The email address will not be saved or used to contact you. Citizens will have the opportunity to make public comments live during the meeting using the video livestream program ([How to Participate in Online Public Meetings](#)).
2. **Teleconference** — Call in to the meeting by dialing 1 646 876 9923/// Webinar ID: 834 1493 1004
3. **Email** — Public comment may also be emailed to the city clerk no later than 5:00 p.m. on the day of the meeting. Submit public comments to Deborah Ryan, City Clerk, at dryan@crevecoeurmo.gov.
4. **Live Audio** — Listen to a live audio broadcast of the City Council meeting by visiting the [Agendas & Minutes](#) page and clicking on the "Audio" link at the start of the meeting (audio only).

TO MAKE A PUBLIC COMMENT REGARDING QUIK TRIP -

[HTTPS://DOCS.GOOGLE.COM/FORMS/D/E/1FAIPQLSF9GIT85SDWK9KDKUEF8LGZKDPEXDSGBJMU5LT4V04Q5JKZ1Q/VIEWFORM?USP=SF_LINK](https://docs.google.com/forms/d/e/1FAIpQLSf9GiT85SDWK9KDKUEF8LGZKDPEXDSGBJMU5LT4V04Q5JKZ1Q/VIEWFORM?USP=SF_LINK)

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)
https://docs.google.com/forms/d/e/1FAIpQLSf9GiT85sdWK9KDKuef8LGZkDPEXdsqBJMu5lt4V04Q5jkZ1Q/viewform?usp=sf_link

ACCEPTANCE OF THE AGENDA

ANNOUNCEMENTS



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

CONSENT AGENDA

- 1. Approval of July 27, 2020 City Council Regular Meeting Minutes**

BILLS PAYABLE REPORT

For Information Only

Summary: For your information and transmittal to the City Council, attached is a list of paid invoices from July 23, 2020 through August 5, 2020 in the amount of \$574,107.14.

UNFINISHED BUSINESS

- 2. Bill No. 5831 - an Ordinance Authorizing a New Conditional Use Permit with Boundary Adjustment and Site Development Plan Approval for a Quiktrip Gas Station with Convenience Store at 11004, 11026, and 11032 Olive Boulevard and 825 and 827 Graeser Road, and the Redevelopment of the Adjacent Retail Center at 11032 and 11056 Olive Boulevard. Final Reading and Passage**
Summary: Gwen Keen, Real Estate Project Manager, QuikTrip Corporation, has submitted an application for a Conditional Use Permit and Site Development Plan at 11004, 11026, 11032 and 11056 Olive Boulevard and 825-827 Graeser Road, for a new gas station with convenience store, that includes the redevelopment of the adjacent retail center at 11032 and 11056 Olive Boulevard. Gasoline Stations with Convenience Stores (NAICS 447110) require a conditional use permit in the GC-General Commercial District subject to a public hearing and recommendation of the Planning and Zoning Commission with final approval by the City Council. The Planning and Zoning Commission completed the public hearing at it's special meeting on June 3, 2020, and continued the discussion to the June 15 and July 6, 2020 meetings. The Planning and Zoning Commission recommended denial of the conditional use permit and site development plan, and approval of the boundary adjustment at its meeting on July 6, 2020.
- 3. Bill No. 5834 - an Ordinance Amending Table A: Permitted and Conditional Uses and Provisions in Section 405.470 Conditional Uses, of Article VI Standards for Permitted, Accessory and Conditional Uses, of the Zoning Code of the City of Creve Coeur, Missouri to Allow for Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a Conditional Use in the GC-General Commercial District. Final Reading and Passage**



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Summary: Paul Martin, attorney on behalf of Larry Malashock, owner of LARPAT LLC at 10880 Baur Boulevard, has submitted an application for a text amendment to the zoning code to allow Drug and Druggists' Sundries Merchant Wholesalers (NAICS 424210) as a conditional use in the GC-General Commercial District. Currently, the aforementioned use is not permitted in the GC District. If the text amendment is approved, the applicant intends to file for a conditional use permit to allow Baur Distributing to operate within a portion of the Baur Executive Suites building at 10880 Baur Boulevard. Text Amendments to the Zoning Ordinance requires review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.

4. Bill No. 5835 - an Ordinance Repealing Ordinance 2159 and Issuing a New Conditional Use Permit for a 919 Square-Foot Eating and Drinking Establishment, for Vitality Bowls, Located at 741 N. New Ballas Road, Within the Plaza Shops Shopping Center. Final Reading and Passage

Summary: Mark Matiszik, of G, Section, Inc. (DBA Vitality Bowls #069), has submitted for a conditional use permit for a new fast casual, 919 square foot restaurant, Vitality Bowls Superfood Café, with a maximum number of 16 seats, at 741 N. New Ballas Road, within the Plaza Shops Shopping Center, Creve Coeur MO, 63141. The subject property is zoned CB, Core Business District. All limited-service restaurants (NAICS 722513) are permitted as a conditional use 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 July 20, 2020

5. Bill No. 5836 - an Ordinance Authorizing a New Conditional Use Permit for Application for an 88-Bed, 25,017 Square Foot Medical Drug Testing and Research Facility for BioPharma at 10330 Old Olive Street Road, Zoned GC-General Commercial. Final Reading and Passage

Summary: Andrew Janis, of BioPharma Services USA, Inc., has submitted a conditional use permit application for an 88-bed, 25,017 square foot Medical Drug Testing and Research Facility at 10330 Old Olive Street Road, Creve Coeur, MO 63141, and where patients/subjects usually stay a day or two, but sometimes can be longer. All Other Miscellaneous Ambulatory Health Care Services, NAICS 621999, are conditional uses in the GC-General Commercial District with review at the Planning and Zoning Commission and approval by the City Council. The Planning and Zoning Commission recommended approval at its meeting on July 20, 2020.



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6. Bill No. 5837 - an Ordinance Amending Deer Hunting Regulations, Section 205.305, by Adding a New Subsection 4.F Authorizing Hunting in Certain City Parks on a Limited Basis. Final Reading and Passage

Summary: As a component of the city's deer mitigation efforts, city staff and Council have discussed allowing a controlled hunt in one or more city parks to further control the deer population in the community. The proposed ordinance will allow for such activity in Millennium, Conway and Malcolm Terrace Parks, with approval of the Chief of Police.

NEW BUSINESS

7. Bill No. 5838 - an Ordinance Authorizing a New Conditional Use Permit for a Solar Panel Contractor, EFS Energy, at 1283 Research Boulevard in the LI-Light Industrial District. First Reading

Summary: Paul McKnight, of EFS Energy Inc., has submitted an application for a conditional use permit as a solar panel contractor at 1283 Research Boulevard, Creve Coeur, MO 63141. All Other Specialty Trade Contractors (NAICS 238990) in the LI-Light Industrial District requires a conditional use permit with review by the Planning and Zoning Commission and approval of an ordinance by the City Council. The Planning and Zoning Commission recommended approval at its meeting on August 3rd, 2020.

8. Resolution No. 1499 - a Resolution Approving a Site Development Plan for a 15,000 Square Foot, 36 Space Parking Lot Addition at 633 Emerson Road

Summary: Jennifer Gross, of Altus Properties, on behalf of DOC-633 Emerson Road MOB, LLC, property owners of 633 Emerson Road, has submitted an application for a 15,000 square foot parking lot expansion to provide an additional 36 parking spaces to the site, with new parking lot lighting. Section 405.1080 requires site plan review by the Planning and Zoning Commission for any proposed alteration that would significantly affect the exterior of a building. Section 405.370(G)(1)(b) requires Council review and approval of all development or redevelopment plans, other than minor site plans under 5,000 square feet of new site coverage, for the properties within the area bounded by Olive Boulevard on the north, Old Ballas Road on the south and east and I-270 on the west. The Planning and Zoning Commission recommended approval at its meeting on August 3, 2020.

9. Resolution No. 1500 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of the Necessary Documents for Submitting the Project Proposal Application and Later for Executing an Agreement with the Missouri Highway and Transportation Commission for a Grant-In-Aid through the Federal Transportation Alternatives Program (Tap) Grant for the North New Ballas Phase 3 Sidewalk Project.



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Summary: Public Works staff recommends that the City pursue federal funding to assist with the construction cost to extend the sidewalk along the west side of North New Ballas Road between the U. S. Post Office and Rocky Drive. The City's share of the project cost is included in the five-year Capital Improvement Program.

10. Resolution No. 1501 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the City Administrator to Execute the Necessary Documents for Forwarding the Project Proposal Application and to Later Execute an Agreement for a Grant-In-Aid from the Municipal Park Grant Commission.

Summary: Public Works staff, with the support of the Parks and Historic Preservation Committee, recommends that the City pursue a Municipal Park Grant to assist with the cost to improve the paths at Conway Park and at Malcolm Terrace Park.

11. Resolution No. 1502 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Approving the Use of a Contract Established by the County of Greene, Missouri, as a Cooperative Purchasing Agreement for the Procurement of Microsurfacing Services for the 2020 Construction Season.

Summary: Public Works staff recommends that the City enter into a cooperative agreement to use Donelson Construction Company for the FY2021 microsurfacing program. Through this agreement, the City would secure microsurfacing at the same cost as in 2019.

12. Resolution No. 1503 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Spencer Contracting Company for Asphalt Pavement Repairs as Part of the 2021 Fiscal Year Pavement Maintenance Program for the Not-To-Exceed Contract Sum of \$43,942.90.

Summary: Public Works staff recommends that the City enter into a contract with Spencer Contracting Company to complete asphalt pavement repairs on several streets as part of the City's FY2021 pavement maintenance program.

13. Resolution No. 1504 - a Resolution Approving the Final Change Order and Close Out and Settlement Agreement Regarding the Construction of the New Police Facility Between United Construction Ent. Co. of St. Louis, Inc., and the City.

Summary: Resolution approving Final Change Order #57 and Project Close-out Settlement with United Construction for the construction of the new Police Building.



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14. Resolution No. 1505 - a Resolution Authorizing the City Administrator to Enter into Agreements with Azavar Audit Solutions, Inc. (D.B.A. Azavar Government Solutions) and Cozen O'Connor for Professional Computer, Data Audit, Compliance Management and Management Consulting Services and Related Collection of Past Due Obligations

Summary: Agreements with Azavar Audit Solutions and Cozen O'Connor. Azavar will audit past, present and future taxes, franchise fees, service fees or any other recoveries, refunds, monies or revenue owed to the City. The City shall compensate Azavar on a contingency basis. Azavar will receive 37% of future revenues recovered for 18 months following when funds begin to be remitted to the City. In the event Azavar or Cozen are able to recover Past Underpayments, the City will pay the appropriate party 40%.

BUSINESS FROM MAYOR AND CITY COUNCIL

15. Council Liaison Reports

16. Juneteenth as a Potential City Holiday

Summary: Council Member D'Alfonso has requested discussion of this matter.

BUSINESS FROM CITY ADMINISTRATOR

17. Communications Plan - Parks and Stormwater Sales Tax

Summary: Staff will present a plan for informing the public about Proposition C, the proposal for a Creve Coeur parks and storm water sales tax. Proposition C will appear on the November 3 ballot.

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 08/6/2020

Deborah Ryan, MPCC
City Clerk