



**REGULAR MEETING
AGENDA
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
FEBRUARY 12, 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 READING

a. Bill No. 5691 - an Ordinance Amending the Personnel Policy and Procedures Manual of the City of Creve Coeur. Final Reading

Summary: City staff is proposing changes to the Personnel Policy and Procedures Manual regarding pay in lieu of vacation.

2. CONSENT AGENDA

a. Council Minutes Dated January 22, 2018

b. Document Destruction

Summary: The list of records from the Police and Administrative Departments have met the Records Retention requirements for destruction.

c. Resolution No. 1337 - 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 for a Grant-In-Aid from the Federal Recreational Trails Program Grant Commission for the Malcolm Terrace Park Improvements Project.

Summary: The Department of Public Works recommends that the City pursue a federal Recreational Trails Program grant for improvements to some of the asphalt



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paths and the parking lot at Malcolm Terrace Park. This is the second attempt to obtain a grant for this project. The City's application for a Recreational Trails Program grant for this project in 2017 was not successful.

d. Resolution No. 1338 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Supplemental Agreement with Intuition & Logic for Engineering Design Services Related to the Middlebrook Culvert Replacement Project for the Not-To-Exceed Amount of \$6,132.50.

Summary: Staff recommends a supplemental agreement with Intuition & Logic to complete the design and permitting required for the Middlebrook Culvert Replacement Project. This project has been postponed for years due to a sanitary project that began in the same location. The sanitary project is now complete, and staff recommends proceeding with the culvert project in FY2019.

e. Resolution No. 1339 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract Increase with Spencer Contracting Company for Asphalt Improvements to the Creve Coeur Golf Course for the Amount of \$6,566.62.

Summary: Staff recommends a second and final change order to the contract with Spencer Contracting Company for improvements to the cart paths at the Creve Coeur Golf Course. This change order accounts for the final quantities of all items involved with the project.

f. Bill No. 5691 - an Ordinance Amending the Personnel Policy and Procedures Manual of the City of Creve Coeur. Final Passage

Summary: City staff is proposing changes to the Personnel Policy and Procedures Manual regarding pay in lieu of vacation.

BILLS PAYABLE REPORT

For Information Only

Summary: Provided for your information is a listing of invoices paid January 18, 2018 through February 7, 2018 in the amount of \$1,006,824.83. No vote is required.

UNFINISHED BUSINESS

- 3. Bill No. 5688 - an Ordinance Authorizing the Exercise of the Power of Eminent Domain to Obtain Right of Way, Permanent Easements for Sidewalks and Retaining Walls, and Temporary Construction Easements Necessary for the North New Ballas Sidewalk Improvement Project. Final Reading and Passage**



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Summary: The City is in the design phase of the North New Ballas Sidewalk Improvement Project, which will be substantially subsidized by a federal grant. One condition of this grant is that, by April 27, 2018, the City must acquire all of the easements necessary for the project, or file suit to condemn any easements that could not be acquired, or forfeit the grant for the project. Property rights are required from seven properties along the path of the project: right of way is required from one property, permanent easements are required from six properties, and temporary easements are required from seven properties. Although the City plans to acquire these property rights through negotiation, the City must be prepared to file for condemnation if negotiations fail. Pursuant to Chapter 150 of the Municipal Code, the City must authorize the use of the power of eminent domain through the passage of an ordinance to that effect.

- 4. Substitute Bill No. 5689 - an Ordinance Authorizing the Rezoning of 11127-11141 Olive Boulevard from C Single Family Residential to Gc-General Commercial and Issuance of a New Conditional Use Permit with Boundary Adjustment, and Site Development Plan Approval for a Mobil on the Run Convenience Store with Gas Pumps and Briteworx Car Wash Facility Located at 11109-11135 Olive Boulevard and 11100-11114 Oak Lake Court. Final Reading and Passage**

Summary: Kevin Kamp, of Civil & Environmental Consultants, Inc. has submitted revised drawings and information on behalf of Wallis Companies (Arch Energy, LLC), for the rezoning of 11127, 11135 & 11141 Olive Boulevard, from C-Single Family Residential District to GC-General Commercial District for the portions of these properties located within the city limits of Creve Coeur. A revised Conditional Use Permit and Site Development Plan application for a new Mobil-on-the-Run convenience store with gas pumps and BriteWorx Car Wash facility has been submitted encompassing 11109-11135 Olive Boulevard and portions of 11100, 11108, 11114 Oak Lake Court located within the city limits of Creve Coeur. The original proposal was reviewed by the Planning and Zoning Commission on December 5, 2016. The City Council reviewed the proposal and referred it back to the Planning and Zoning Commission at its meeting on April 24, 2017. P and Z recommended approval on January 16, 2018.

- 5. Substitute Bill No. 5690 - an Ordinance Amending the Official Zoning Map of the City of Creve Coeur to Rezone 4.257 Acres of Land from "A" Single-Family Residential District to "B" Single-Family Residential District and Authorizing a Residential Designed Development (RDD) with Accompanying Preliminary Subdivision Plat and Site Development Plan for the Proposed Santino Court Subdivision, for the Property Currently Addressed as 105 and 157 N. New Ballas Road, 1 Santino Court, and 11921 Ladue Road. Final Reading and Passage**

Summary: Brent Crittenden, of Urban Improvement Company, LLC, has submitted a request for the rezoning and preliminary plat approval of 4.732 acres at 105 and 157 N.



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New Ballas Road, 1 Santino Court, and 11921 Ladue Road, Creve Coeur, MO from A Single Family Residential to B Single Family Residential with RDD-Residential Design Development designation to allow for the development of a 9-home single family subdivision with an average lot size of 19,817.67 square feet. Planning and Zoning Commission recommended against the rezoning and RDD Designation at its meeting on January 16, 2018.

NEW BUSINESS

- 6. One Year Extension of Ordinance No. 5519 Authorized the Issuance of a New Conditional Use Permit for a 1,845 Square-Foot Eating and Drinking Establishment, Symbowl, Located at 11623 Olive Boulevard, Unit 1 Within the Cityplace Mixed-Use/Retail Development. Applicant is Seeking a One Year Extension to the Ordinance for a New Tenant.**

Summary: The ordinance authorizing the restaurant use was approved on February 27, 2017. However, the original applicant did not pursue a building permit. Nick Cowlen, of Orzo Mediterranean Grill, LLC is seeking to utilize the prior approved conditional use permit for Symbowl Restaurant, with a one year extension to allow for the building renovation of the space, as provided under Section 2(11) of the ordinance. All other conditions within the original Ordinance will remain the same.

- 7. Bill No. 5693 - an Ordinance Approving a New Conditional Use Permit for an Automotive Dealership Pursuant to Section 405.360(C) of the City of Creve Coeur's Code of Ordinances for the Lou Fusz Mazda Located Within the "Gc" General Commercial Business District at 925 N. Lindbergh Boulevard. First Reading**

Summary: Stephen Hollander, of SJ Hollander Architects, on behalf of Lou Fusz Automotive Network, has submitted a request for a conditional use permit to modify the exterior of the building of the former Nissan Dealership located at 925 N. Lindbergh Boulevard for the Lou Fusz Mazda Dealership and add a 4,700 square foot addition to the building. New Car Dealers (NAICS 441110) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Commission recommended approval on February 5, 2018.

- 8. Bill No. 5694 - an Ordinance Approving an Amendment to the Conditional Use Permit for an Automotive Dealership Pursuant to Section 405.360(C)Of the City of Creve Coeur's Code of Ordinances for the Lou Fusz Kia Located Within the "GC" General Commercial Business District at 1025 N. Lindbergh Boulevard to Allow Used Car Sales at 10329 Old Olive Street Road. First Reading**

Summary: Stephen Hollander, of SJ Hollander Architects, on behalf of Lou Fusz Automotive Network, has submitted a request for an amendment to the conditional use permit for the Lou Fusz Kia Dealership located at 1025 N. Lindbergh Boulevard to allow for used car sales in association with the Lou Fusz Automotive Network in the former



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Subaru location at 10329 Old Olive Street Rd. Used car sales are only permitted in association with a New Car Dealer. New Car Dealers (NAICS 441110) are permitted as conditional uses with review and approval by the City Council upon the recommendation of the Planning and Zoning Commission. The Commission recommended approval on Feb 5, 2018.

9. Bill No. 5695 - an Ordinance Approving a Site Concept Plan for Mercy Hospital Campus and Site Development Plan for a 260,100 Square Foot Outpatient Center on the South Campus. First Reading

Summary: George Stock, Stock and Associates Consulting Engineers, Inc, on behalf of Mercy Health East Communities at 615 S. New Ballas Road, has submitted a request for a new site concept plan for the Mercy Campus and site development plan for a new 260,100 sq. ft. Outpatient center located at 12120, 12130 Conway Road & 3011 Ballas Road. Site concept and site development plan approval by the Planning and Zoning Commission and the City Council is required for the total area comprised by the PH-Planned Hospital District for all proposed developments or revisions to existing site concept or site development plans within the District, as provided for in Section 405.1080. Planning and Zoning Commission recommended approval on Feb 5, 2018 subject to conditions.

10. Bill No. 5696 - an Ordinance Amending the Adopted 2018 General Fund and Capital Fund Budgets and Creating the Public Safety Fund Budget of the City of Creve Coeur by Authorizing Additional Appropriations and Unappropriations from Operating Departments. First Reading

Summary: An ordinance amending the adopted 2018 General Fund and Capital Fund and adding the Public Safety Fund by authorizing additional appropriations and unappropriations from operating departments.

11. Resolution No. 1335 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of an Agreement with Fence & Deck Depot Inc. for the Purchase and Installation of an Automated Gate at the Maintenance Facility for an Amount of \$22,469.30.

Summary: PW Staff recommends the replacement of the damaged entry gate at the shop with an automatic gate to improve security, access for PW Staff and Police, and to meet the DNR recommendation to secure the perimeter of the Maintenance Facility Property.

12. Resolution No. 1336 - a Resolution of the City Council of the City of Creve Coeur, Missouri Authorizing the Execution of a Contract with Gateway Design and Construction Services, LLC for the Warson Road Improvement Project for the Amount of \$658,797.30.

Summary: Staff recommends that the City enter into a contract with Gateway Design and Construction Services for the construction of the Warson Road Improvement Project. This project is partially funded through a federal grant.



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APPOINTMENTS

13. Olive Blvd TDD Appointment

BUSINESS FROM MAYOR AND CITY COUNCIL

14. Council Liaison Reports

BUSINESS FROM CITY ADMINISTRATOR

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 02/8/2018
Deborah Ryan, MPCC
City Clerk