



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
SEPTEMBER 16, 2015
7:00 PM**

CALL TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Council President Kreuter at the Creve Coeur Government Center, 300 N. New Ballas Road on Wednesday, September 16, 2015 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Council President Kreuter led the Pledge of Allegiance.

INVOCATION

Council President Kreuter gave an invocation.

ROLL CALL

Mr. Kreuter	Council Member Ward I
Ms. Kramer	Council Member Ward I
Mr. Wang	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mr. Kent	Council Member Ward IV
Mr. Saunders	Council Member Ward IV

* - Absent: Mayor Glantz and Council Member Lawrence, Ward II

COMMENTS FROM THE GENERAL PUBLIC

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

Jack Gronick resident of 12344 Woodline Drive stated sarcastically he would like to respond to the suggestion by Council Member Kent to sell the Creve Coeur Golf Course for residential development and that it costs more to maintain the course then the revenue it brings in. Mr. Gronick suggested that the city sell all of the city parks and build on them because they all cost money to maintain.

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

ACCEPTANCE OF THE AGENDA

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

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



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

ANNOUNCEMENTS

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

PUBLIC HEARING - 2015 TAX RATE

A presentation was made by Dan Smith, Finance Director regarding the setting of the 2015 Tax Rate. Mr. Smith distributed a recent change to the proposed legislation and explanation of why the change was necessary. (PH Exhibit A)

David Caldwell resident of 257 Brooktrail Court spoke regarding commercial tax during the hearing.

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

1. CONSENT AGENDA

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

a. Council Minutes Dated August 24, 2015

b. Records Destruction

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

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

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

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated September 9, 2015 in the amount of \$252,747.12 has been provided for Council review. No vote is required.



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UNFINISHED BUSINESS

- 2. Bill No. 5559 - an Ordinance Updating the Sign Regulations, Sections 405.910 to 405.970, and Some Related Definitions in Section 405.120, in Chapter 405, Zoning Ordinance, of the Code of Ordinances of the City of Creve Coeur. Final Reading and Passage**

City Clerk read Bill No. 5559 for the final time.

Council Member Saunders moved, seconded by Council Member Hoffman to approve Bill No. 5559, with the vote upon such motion as follows, to-wit:

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

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5559 becomes Ordinance No. 5437.

- 3. Substitute Bill No. 5560 - an Ordinance Revising Section 210.237, Public Disturbance Noises, of the Code of Ordinances of the City of Creve Coeur. Final Reading and Passage**

City Clerk read Substitute Bill No. 5560 for the final time.

Council Member Saunders moved, seconded by Council Member Kramer to approve Substitute Bill No. 5560.

Council Member D'Alfonso stated why would there be a difference between weekdays from 8 am to 9 pm and weekends are listed as 8 am to 8 pm.

Mark Perkins stated staff does not have a strong feeling and have no issues with keeping the times the same for both weekday and weekend.

Council Member D'Alfonso moved, seconded by Council Member Hoffman to amend Substitute Bill No. 5560, Item 8, Section 210.237.A.8 to change the weekend time from 8 pm to 9 pm, with the vote upon such motion as follows, to-wit:

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



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Council Member Kreuter – Aye

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

Council President Kreuter called the question to approve Substitute Bill No. 5560 as amended, with the vote upon such motion as follows, to-wit:

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

The vote on the motion being 7 ayes and 0 nays, motion carried. Amended Substitute Bill No. 5560 becomes Ordinance No. 5438.

NEW BUSINESS

- 4. Bill No. 5561 - an Ordinance Authorizing the Issuance of a New Conditional Use Permit for a 2,734 Square-Foot Eating and Drinking Establishment Located at 11601-11615 Olive Boulevard, Unit 9D Within The CityPlace Mixed-Use/Retail Development. First Reading**

City Clerk read Bill No. 5561 for the first time.

Jason Jaggi, Community Development Director made a presentation regarding this application.

Council Member D'Alfonso stated she appreciates that 5Star is recognized/certified for their recycling and green dining.

Council Member Kent asked if the issue with the signage had been addressed and if the Master Sign Plan for CityPlace had been reviewed, as the applicant had wished for the signage to face south.

Jason Jaggi stated staff is working with the landlord.

- 5. Bill No. 5562 - an Ordinance Ordering the Levy and Establishment of the Rates of Annual Real Property Taxes for Municipal Purposes in the City of Creve Coeur for the Year 2015. First Reading**

City Clerk read Bill No. 5562 for the first time.

Council Member Saunders moved, seconded by Council Member Hoffman to substitute Bill No. 5562 with the version that was distributed at the public hearing this evening, with the vote upon such motion as follows, to-wit:

Council Member Kramer – Aye



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

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

6. Bill No. 5563 - an Ordinance Authorizing the Installation of One (1) Fire Hydrant at 243 N. Lindbergh, Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5563.

7. Resolution No. 1178 - Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of an Agreement with Missouri American Water and a Contract Change Order with Spencer Contracting Company for the Restoration of Williamsburg Road for \$83,434.49.

City Clerk read Resolution No. 1178.

Council Member Saunders moved, seconded by Council Member Hoffman to approve Resolution No. 1178.

Matt Wohlberg presented a two-part resolution for a change order to the City's contract with Spencer Contracting for the 2015 Roadway Resurfacing Project. The first part of the resolution would add to the City's contract the restoration of the pavement and right of way in the Williamsburg subdivision made necessary by the recent water main replacement there. The resolution made the acceptance of this change order contingent upon an agreement between the City of Creve Coeur and Missouri American Water, whereby Missouri American Water would provide an up-front payment for the work. City staff felt that this arrangement would accelerate the restoration of the subdivision, reducing the duration of the inconvenience to the residents and allowing the City's resurfacing project to be completed this fall. According to staff, the up-front payment from Missouri American Water would completely offset the cost of the work, resulting in no net cost to the City.

Councilman Kent asked whether staff was confident in the amount of work represented in the change order and who would be responsible for the restoration work if it fails.

Matt Wohlberg stated that the amount of the restoration was measured and agreed to by staff from both the City and Missouri American Water and includes more than just the water line trench. All of the pavement restoration work would be full-depth replacement of the street, minimizing the possibility of failure or need for additional work. Matt Wohlberg stated that the work would be added to the contract between the City and Spencer Contracting, so Spencer Contracting would be responsible for any failures of the restoration work.

Council Member Kent asked if the streets were a combination of materials.

Matt Wohlberg stated the streets are all asphalt.



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Council President Kreuter call to question to approve Resolution No. 1178, with the vote upon such motion as follows, to-wit:

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

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

8. Resolution No. 1179 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract Change Order with Spencer Contracting Company to Add Pavement Repair Locations to the 2015 Asphalt Pavement Resurfacing Project for \$64,361.16.

City Clerk read Resolution No. 1179.

Council Member Saunders moved, seconded by Council Member Kramer to approve Resolution No. 1179.

Matt Wohlberg stated City staff introduced a second change order for the City's contract with Spencer Contracting for the 2015 Roadway Resurfacing Project. This change order would add four locations to the project, namely: resurfacing of North Walling Drive, localized resurfacing along Villa Hill Drive, paving around two reduced islands in the Mason Forest subdivision, and new curbing for part of Sackston Woods Drive. This work was proposed to be added due to the needs at each location and in order to take advantage of lower-than-expected contract unit prices for the work.

Mel Klearman, a resident from 739 Bergerac Drive, questioned why this work was not competitively bid. Staff responded that the staff from other area municipalities have recently found it difficult to get any interest in larger roadway projects, making staff doubt that the City would get a better offer (if any) than the contract prices from Spencer Contracting through a separate bidding process for this work.

Council Member D'Alfonso asked how long will the repairs last.

Matt Wohlberg stated approximately ten years.

Council Member D'Alfonso asked if there was any recourse for construction/heavy equipment.

Matt Wohlberg stated staff does keep track of construction sites but, it would be hard to pinpoint which vehicle would be responsible if there were any damage.

Mark Perkins stated original bids came in lower than anticipated and staff was able to add additional street repairs to this year's budget.



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Council President Kreuter called to question the approval of Resolution No. 1179, with the vote upon such motion as follows, to-wit:

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

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

9. Resolution No. 1180 - a Resolution of the City Council of the City of Creve Coeur, Missouri Approving Cooperative Purchasing Agreements with the Missouri Department of Transportation and National Joint Powers Alliance.

City Clerk read Resolution No. 1180.

Council Member Saunders moved, seconded by Council Member Hoffman to approve Resolution No. 1180.

Mark Perkins stated this allows for two co-operative agreements to make available for items to purchase costing over \$20,000.

Council President Kreuter called the question for the approval of Resolution No. 1180, with the vote upon such motion as follows, to-wit:

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

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

BUSINESS FROM MAYOR AND CITY COUNCIL

10. Council Liaison Reports

Council Member Saunders stated September 17 the Arts Committee met and stated the Silverscreen series has one more showing this year and attendance has been up. The committee discussed the RFP for the artist designed street banners.

Council Member D'Alfonso stated the Finance Committee has requested that they receive the budget review items earlier so that they can have more time to review.



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Council Member Kent stated the E & E committee met and discussed reuse of products, appointment of members for the Comprehensive Plan review, Commercial energy savings and a CNG Grant to convert city vehicles to using CNG.

11. Update on Tappmeyer House

Council Member Kramer asked if there were any grants available for the Tappmeyer House and how future funding and donations were coming.

Mark Perkins stated staff is unaware of any funding to the Tappmeyer Foundation as they have not reported to the City.

Council Member Kent stated the plan of the Parks Committee, when he was still a member, is that Kevin Rejent intended to apply for historical status, Ruzicka and Levin were working on public/private funding. However, Ruzicka and Levin have both since resigned from the committee. Laura Dierberg-Ayres mentioned that she was going to get more events planned at the house. Ray Dobinsky was working with Finance Department to put out quarterly reports regarding the house and funding.

Council Member Kramer stated the last project out at the Tappmeyer House cost the city \$85,000.

Mark Perkins stated the painting actually ended up costing \$90,000.

BUSINESS FROM CITY ADMINISTRATOR

Council Member Hoffman moved, seconded by Council Member Wang to go into Executive Session pursuant to Section 610.022 to discuss real estate, personnel and attorney-client matters at 8:22 p.m., with the vote upon such motion being as follows:

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

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

Council Member Hoffman moved, seconded by Council Member Kent to adjourn Executive Session at 8:42 p.m., with the vote upon such motion being as follows:

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



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

Council Member Hoffman moved, seconded by Council Member Saunders to adjourn at 8:44 p.m., with the vote upon such motion begin as follows:

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

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

Submitted by:

Deborah Ryan
City Clerk

David Kreuter
Council President

Ryan, Deborah

From: mayor-council@ci.creve-coeur.mo.us on behalf of MELVIN KLEARMAN
<melklearman@att.net>
Sent: Wednesday, September 16, 2015 11:41 AM
To: Mayor-Council
Cc: Perkins, Mark C.
Subject: [mayor-council] 21 September {01}

Council Member D'Alfonso:
Council Member Hoffman:
Council Member Kent:
Council Member Kramer:
Council Member Kreuter:
Council Member Lawrence:
Council Member Saunders:
Council Member Wang:
City Administrator Perkins:

Respectfully:

First, I sincerely hope there will be a "Standing Room Only" turnout for each of the Comprehensive Plan workshops.

Questions:

1) Chapter 89 MO Revised Statutes govern.

Therefore, I infer there are **ministerial duties** for the members of P&Z Commission -- specifically.

Comprehensive Plan governs over Conditional Use Permits?

Have P&Z Members been briefed of their Ministerial Duties?

I was going to bring that up on the 8th (the Tuesday after Labor Day), but, as far as I could determine there was no P&Z meeting scheduled.

2) Will the Consultant have their attorney present at each workshop?

If not, I respectfully strongly urge Council have City Attorney Lumley attend every workshop and his fee be deducted from the \$120K

3) Has any member of the Consultant Group interviewed City Administrator Perkins and his staff ?

4) Has any member of the Consultant Group interviewed P&Z Members?

5) Has any member of P&Z interviewed City Administrator Perkins & his staff?

If I remember correctly, Chap 89 specifically states that P&Z has the authority to interview any member of City Government --- Is that a Ministerial Duty?

6) Is the answer to all the above questions "NO"?

Respectfully,
Mel Klearman
A very concerned citizen.