MINUTES
CITY OF CREVE COEUR
CITY COUNCIL
300 NORTH NEW BALLAS RD
MAY 9, 2016
7:30 PM

CALL TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the Creve Coeur Government Center, 300 N. New Ballas Road on Monday, May 9, 2016 at 7:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation.

ROLL CALL

Mr. Glantz	Mayor
Mr. Kreuter	Council Member Ward I
Ms. Kramer	Council Member Ward I
Mr. Wang	Council Member Ward II
Mrs. Lawrence	Council Member Ward II
Mr. Hoffman	Council Member Ward III
Mr. Saunders	Council Member Ward IV
Mrs. Baseley	Council Member Ward IV

* Absent – Council Member D'Alfonso – Ward III

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

Council Member Saunders moved, seconded by Council Member Hoffman to add Item 10A, under New Business – Bill No. 5598, an Ordinance Amending Ordinance No. 5496 Regarding adoption of Restatements of City Defined Contribution Plans, moving Item 12 up to new Item 9A and Item 15 up to new Item 9B, with the vote upon such motion as follows, to-wit:

Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Baseley – Aye
Council Member Kramer – Aye
Council Member Saunders – Aye
Council Member Ruzicka – Aye

Council Member Faron – Aye

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

Mayor Glantz called the question to accept the agenda as amended, with the vote upon such motion as follows, to-wit:

Council Member Kramer – Aye
Council Member Baseley – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Saunders – Aye
Council Member Ruzicka - Aye
Council Member Faron – Aye

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

However, the May 26, 2016 Council Meeting will begin at 7:30 p.m. due to an extended work session.

1. CONSENT AGENDA

Council Member Saunders moved, seconded by Council Member Kramer to approve the consent agenda as presented, to-wit:

a. Council Minutes Dated April 25, 2016

b. Creve Coeur Arts Committee Request Regarding the 2016 Silver Screen Series Film Festival

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

Council Member Saunders – Aye
Council Member Ruzicka – Aye
Council Member Faron – Aye
Council Member Kramer – Aye
Council Member Baseley – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye

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

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BILLS PAYABLE REPORT

For Information Only

Summary: Attached is a bills payable listing dated May 4, 2016 in the amount of $272,431.23 for Council review. No vote is required.

UNFINISHED BUSINESS

2. **Bill No. 5592 - an Ordinance Amending Provisions in Section 405.470 Conditional Uses, of Article VI Standards for Permitted, Accessory and Conditional Uses of the Zoning Ordinance of the Code of Ordinances of the City of Creve Coeur, Missouri, Regarding Multi-Family Uses in the "CB" Core Business District, to Decrease the Minimum Dwelling Unit Size from Seven Hundred Fifty (750) Square Feet to Six Hundred Fifty (650) Square Feet; to Decrease the Average Dwelling Unit Size from Nine Hundred (900) Square Feet to Eight Hundred Sixty (860) Square Feet; and to Replace the Requirement that Vehicular Parking be Underground or in a Basement Garage with Alternative Design Requirements. Final Reading and Passage**

City Clerk read Bill No. 5592 for the final time.

Council Member Saunders moved, seconded by Council Member Kramer to approve Bill No. 5592.

Jason Jaggi made an updated presentation regarding this application and discussed changing constructed parking requirement from fifty percent to seventy percent.

Council Member Lawrence moved, seconded by Council Member Saunders to Amend Section 31(c) and replace a minimum of fifty (50) percent with a minimum of seventy (70) percent, with the vote upon such motion as follows, to-wit:

Council Member Kramer – Aye
Council Member Baseley – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Saunders – Aye
Council Member Ruzicka – Aye
Council Member Faron – Aye

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

Mel Klearman resident asked Council to not change the code to allow for smaller dwelling units.

Mayor Glantz called for the vote to approve Amended Bill No. 5592, with the vote upon such motion as follows, to-wit:

Council Member Saunders – Aye
Council Member Ruzicka – Aye

Council Member Faron – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Baseley – Aye
Council Member Kramer – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Amended Bill No. 5592 becomes Ordinance No. 5470.

3. **Bill No. 5593 - an Ordinance Amending Conditional Use Permit Approved by Ordinance Number 2240 to Authorize Renovation to the Building Located at 11858 Olive Boulevard Within the Plaza Motors Campus for the Plaza BMW Dealership. Final Reading and Passage**

City Clerk read Bill No. 5593 for the final time.

Council Member Saunders moved, seconded by Council Member Faron to approve Bill No. 5593, with the vote upon such motion as follows, to-wit:

Council Member Kramer – Aye
Council Member Baseley – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Saunders – Aye
Council Member Ruzicka – Aye
Council Member Faron – Aye

The vote on the motion being 7 ayes and 0 nays, motion carried. Bill No. 5593 becomes Ordinance No. 5471.

NEW BUSINESS

4. **Bill No. 5594 - an Ordinance Repealing Ordinance No. 4085 and 5207 and Authorizing the Issuance of a New Conditional Use Permit for Granite City Food and Brewery, a 11,625 Square-Foot Eating and Drinking Establishment Located at 11411 Olive Boulevard, Within the Dierbergs/West Oak Shopping Center. First Reading**

City Clerk read Bill No. 5594 for the first time.

Jason Jaggi made a presentation regarding this application.

Tim Campbell of Granite City Food and Brewery explained the project. Mr. Campbell stated many of the exterior signs will be removed from the building and new entrance awnings will be replacing the old.

Council Member Lawrence stated she is concerned with the EFIS and would like to know how much experience there is with painting that material and how it will appear over time.

Mr. Campbell stated a sample has been presented to the Community Development staff. There are a number of stores that have been updated and are pleased with the results.

Council Member Lawrence stated so you are pleased with the results and what happens in several years if the store is still here and needs to be updated.

Mr. Campbell stated it is an actual material that is placed on and shouldn't need to be refreshed.

Council Member Ruzkica stated previously GC came to the city requesting a patio and never completed the project, why come back now.

Mr. Campbell stated it was an economic decision.

5. **Bill No. 5595 - an Ordinance Confirming the Status of Bal Harbour Drive, Camfield Square Drive, Conway Wold Byway, Country View Drive, Hunter Pond Road, Langdon Way Court, Martin Grove Lane, Mosley Forest Drive, Park West Drive, Sackston Woods Lane, Sarah Lane, Spoede View Court, Tempo Drive, and Worthington Oaks Drive, as Publicly Maintained Streets. First Reading**

City Clerk read Bill No. 5595 for the first time.

Jim Heines made a presentation regarding this ordinance that clarifies and corrects any anomalies regarding ownership of the streets listed.

6. **Bill No. 5596 - an Ordinance Amending Provisions of Chapter 515 of the Creve Coeur Code of Ordinances Regarding Obstructions in Public Right of Way. First Reading**

City Clerk read Bill no. 5596 for the first time.

Jim Heines stated this is to clarify right-of-way usage ordinance in residential areas and specifying that no building can take place in the city's right-of-way.

Council Member Lawrence asked if all existing issues would be grandfathered.

Jim Heines stated.

Council Member Lawrence asked if there were any tree program issues with passing this ordinance.

Jim Heines stated no.

Carl Lumley stated to clarify, these changes are confirming the city's current position, which is anything that is currently in the right-of-way is there as a license that has to be removed on demand. So if the city is going to expand the street, things have to be removed to expand the street. Over the years, there have been some disputes driven by construction without permits of larger items and have had some lengthy discussions with attorneys, but have been able to sort these issues out without court actions and better to have more clear rules. The city cannot have private structures in the dedicated right-of-way that impair projects or safety.

7. Bill No. 5597 - an Ordinance Amending the Personnel Policy and Procedures Manual of the City of Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5597 for the first time.

Sharon Stott gave a presentation regarding the updates to the policy and procedures manual.

8. Resolution No. 1220 - a Resolution Approving an Amended Agreement for Legal Services of the City Attorney.

City Clerk read Resolution No. 1220.

Council Member Saunders moved, seconded by Council Member Kramer to approve Resolution No. 1220, with the vote upon such motion as follows, to-wit:

Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Baseley – Aye
Council Member Kramer – Aye
Council Member Faron – Aye
Council Member Ruzicka – Aye
Council Member Saunders – Aye

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

9. Resolution No. 1221 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a "School Resource Officer Program Agreement" with the Parkway School District.

City Clerk read Resolution No. 1221.

Council Member Hoffman moved, seconded by Council Member Baseley to approve Resolution No. 1221.

Mark Perkins stated the school district covers about seventy-five percent (75%) of the cost of a SRO and they are looking to extend for an additional three years.

Mayor Glantz called the question to approve Resolution No. 1221, with the vote upon such motion as follows, to-wit:

Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Baseley – Aye
Council Member Kramer – Aye
Council Member Faron – Aye
Council Member Ruzicka – Aye
Council Member Saunders – Aye

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

9A. FY2017 Pavement Maintenance Program Recommendations

Matt Wohlberg stated Staff provided an abbreviated version of the presentation from the April 11 City Council work session to remind the City Council of the types of work, estimated budget, and schedule for the four recommended pavement maintenance programs and for the two grant-funded projects that will be completed in 2016.

Matt Wohlberg also reviewed its recommendation to move the sidewalk and microsurfacing programs - and their associated budgets - from FY2016 into FY2017. The City did not receive adequate participation in the bids for these projects, and staff expected to get better participation in FY2017.

Carl Lumley announced all signatures were obtained by Mr. Wohlberg for the temporary construction easements needed for the Emerson Sidewalk project without litigation and staff will be moving forward with the project.

9B. Laduemont Drive Repair Review and Recommendation

Matt Wohlberg presented staff's recommendations for repairs to Laduemont Drive and discussed several investigations into the roadway that have been completed over the past year, including a City-wide pavement management study and ground-penetrating radar investigation along Laduemont Drive. Matt Wohlberg stated staff found that these studies supported their recommendations. Matt Wohlberg also discussed staff's review of an estimate provided by the Ladue Conway Estates subdivision for the reconstruction of Laduemont Drive. The subdivision had offered this estimate as an alternative to the staff recommendation to repair Laduemont Drive rather than to replace it. The staff review found that the staff estimate and the estimate provided by the subdivision generally agreed once assumptions were matched up and that the cost to reconstruct Laduemont Drive would be substantially more than to repair it.

Council Member Saunders asked if there is any concern that mudjacking costs are going to be higher than anticipated.

Matt Wohlberg stated staff would work through it, if costs exceeded expectation as the repairs need to be completed.

Council Member Hoffman asked if RB Warner was able to clarify the discrepancies between their bid and the city's replacement costs.

Matt Wohlberg stated yes, they received the city's bid specs for a project like Laduemont and they presented a new estimate which was close to staff's cost estimate.

Council Member Faron stated in regards to the roughness of Laduemont and asked if diamond grinding would be used to correct it.

Matt Wohlberg stated diamond grinding is typically used by contractors to correct construction issues.

Council Member Faron asked if the proposed drainage system would be used for only those slabs that have voids in the sublayer.

Matt Wohlberg stated under drains will be proposed on slabs where there are known water issues coming up from under pavements.

Council Member Baseley stated she would like to see a total reconstruction of this road and proposed initiating a Parks and Storm Water Sales Tax, per Missouri Revised Statute Section 644.032.1 for the purpose of freeing up moneys budgeted to storm water projects to be used for street repair. In 1995 the Missouri General Assembly enacted legislation to allow any city in the state to levy a sales tax of up to 1/2 of one percent for municipal parks and storm water control. Creve Coeur currently has a relatively low total sales tax rate of 7.8625%, Chesterfield is at 8.1125%, Frontenac, Olivette and U City are at 8.6125% and Maryland Heights is at 7.6125% but they have a casino. All these cities but Creve Coeur utilize the Parks and Storm Water Tax. The projected city sales tax for 2017 is $5,177,000 according to our Director of Finance, Dan Smith, so an increase of ½ of one percent through the Park and Stormwater Tax would yield approximately $2.1 million. Creve Coeur is currently proposing a budget of $460,000 for fiscal year 2017 for storm water projects. Council Member Baseley stated she is proposing that Creve Coeur initiate the sales tax to support Parks and Storm Water in Creve Coeur with the direct benefit of freeing up budgeted money to be used for street repair.

Mark Perkins stated Council has discussed the Parks and Storm Water Tax previously but never seriously, and it would be a good revenue source to cover those costs. Mark Perkins stated many adjoining/adjacent municipalities use this type of tax; however, it requires a vote of the people.

Council Member Ruzicka asked when the last time a new tax was on the ballot.

Mark Perkins stated five years ago when the ¼ cent sales tax was approved.

Council Member Saunders stated it is a reasonable idea.

Council Member Hoffman stated the city will be going to the voters soon for a bond issue for building upgrades and PD building.

Council Member Lawrence stated we are going to the voters for too much, too soon.

Michael Thomas resident of 154 Laduemont Drive stated the city has other budget priorities and stated the residents of Laduemont respect that; however, the residents disagree with staff's recommendation for repairs to the street and would prefer to have a complete reconstruction. Mr. Thomas presented an exhibit for the record. (Exhibit A)

Ben Fischer resident stated mudjacking is not a permanent solution and not all voids will be fixed. Mudjacking uses a slurry to fill the voids and water will just wash it away again.

George Andre resident of 12802 Oakstone Lane stated he has waited 26 years for the correct attention from the city for Laduemont instead of years of patch work. Mr. Andre requested Council to approve a complete reconstruction of the streets.

Mel Klearman resident of 739 Bergerac Drive recommended the city staff have utility locates completed before any road work is completed.

Tim Madden resident of 324 Laduemont Drive stated reconstruction is the only way that Laduemont issues will be corrected.

Arnold Troy resident of 357 Laduemont Drive and Trustee stated in the March 25, 2016 staff memo that was in the March 28, 2016 Council packets, states on page 3, "this comparison found a correlation between the deteriorated slabs and the slabs with voids beneath them." Mr. Troy stated despite this statement the rehab does not address more than thirty slabs with voids beneath them. Mr. Troy is requesting that all of the slabs that have voids beneath them to be replaced instead of taking a band-aid approach.

Tim Madden resident of 324 Laduemont stated mudjacking doesn't work and it is not a permanent solution. St. Louis County has the records showing the water issues in this area. The residents of this subdivision have been attending meetings for more than fourteen months asking for city to repair these streets.

Ryan Madden resident of 324 Laduemont stated the residents have been asking for a solution to this ongoing issue with the streets in this subdivision and for the city to do the right thing. The only correct solution is a full reconstruction of the streets.

Matt Wohlberg states staff has some voids being addressed and not others is due to the size of some. Staff has already scheduled utility locates and will coordinate with utilities prior to any work. Matt Wohlberg stated mudjacking is not a permanent solution but will help alleviate the problem until funding comes available to replace.

Jim Heines stated staff is not planning on raising any slabs with mudjacking but rather just fill the voids in the subsurface. The French drains will be necessary to ensure that the problem doesn't reoccur after replacement. There are several other streets in the city that have been identified with the same issue. Mr. Heines stated if a complete reconstruction project is completed in Laduemont then there will be no other construction projects for streets will be completed this year or next year. The IMS reports suggest that issues in Laduemont not be addressed until 2018 and 2020 with partial replacement.

Mark Perkins stated all reports for the area have been received and reviewed by staff. Whatever the Council decides on Laduemont should be applied to every other street in the city. Staff is not recommending a band-aid approach but rather a thoughtful solution.

Council Member Ruzicka stated he appreciates the residents coming to the meetings to voice their concerns and frustrations regarding their streets. Mr. Ruzicka stated he has received many calls as a new Council Member regarding Laduemont.

Council Member Lawrence stated the city doesn't have unlimited resources and being on the dais, Council Members have a fiduciary responsibility to the entire city and decisions are, unfortunately, data driven.

Council Member Lawrence moved, seconded by Council Member Hoffman to direct staff to move forward with staff's plan to repair Laduemont and other areas staff recommended for the FY17 Pavement Maintenance Program, with the vote upon such motion being as follows, to-wit:

Council Member Lawrence – Aye
Council Member Hoffman – Aye

Council Member Baseley – Nay
Council Member Kramer – Aye
Council Member Faron – Aye
Council Member Ruzicka – Aye
Council Member Saunders – Nay

The vote on the motion being 5 ayes and 2 nays, motion carried.

10. Resolution No. 1222 - a Resolution of the City Council of the City of Creve Coeur, Missouri, Authorizing the Execution of a Contract with Lift Rite, Inc. for the Adjustment of Sidewalks and for Filling Voids Beneath Roadway Pavement in Various Locations for $39,407.50.

City Clerk read Resolution No. 1222.

Council Member Hoffman moved, seconded by Council Member Kramer to approve Resolution No. 1222, with the vote upon such motion being as follows, to-wit:

Council Member Faron – Aye
Council Member Ruzicka – Aye
Council Member Saunders – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Baseley – Aye
Council Member Kramer – Aye

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

10A. Bill No. 5598 – An Ordinance Amending Ordinance No. 5469 Regarding Adoption of Restatements of City Defined Contribution Plans.

City Clerk read Bill No. 5598 for the first time.

Dan Smith stated at a prior meeting City Council approved Ordinance No. 5469 which amended 401 plans 106148, 107603 and 108026 in order to comply with IRS regulations. These plans were required to be amended by April 30, 2016. Initially staff was told that 401 plan 108027 did not require amendment because it has been closed since 2003 and has only one participant, since then ICMA requested this account be amended as well. Staff is now requesting approval of Bill No. 5598 which would amend Ordinance No. 5469 to include the 401 plan 108027.

APPOINTMENTS

Mayor Glantz state he would like to make the annual appointment of Council Members to the following boards/committees as Council liaisons:

Facility needs Task Force – Council Member Hoffman
Golf Course Task Force – Council Member Lawrence
Arts Committee – Council Member D'Alfonso
EDC – Council Member Kramer
Employee Pension – Council Member Lawrence

E & E – Council Member Saunders
Finance – Council Member Ruzicka
HEB – Council Member Hoffman
Parks and Historic – Council Member Lawrence
Police and Safety – Council Member Baseley
Storm Water – Council Member Faron

BUSINESS FROM MAYOR AND CITY COUNCIL

11. Council Liaison Reports

Council Member Lawrence stated Parks and Historic met and had a presentation with H3 which was a lively discussion. There was an event at Tappmeyer House called Mommy & Me which was very well attended. Our Town Magazine interviewed Laura Dierberg-Ayers about the Tappmeyer House and there is a really good article about the house.

BUSINESS FROM CITY ADMINISTRATOR

12. FY2017 Pavement Maintenance Program Recommendations

This item moved up on the agenda and discussed as new Item 9A.

13. Police and Government Center Facilities Public Engagement Plan

Mark Perkins stated he and staff had been working on a plan as to how the city is going to engage the public relative to the city facilities and in particular the Police Station. This issue has not been voted on yet by the City Council to place this on the ballot. Staff plans to bring the information forward to Council very soon and plan to look at the November ballot. Mark Perkins stated Bess McCoy has outlined a plan to utilize the newsletter and for developing other print materials such as flyers, using Neighborhood Watch, email list serve, press releases, social media, website, direct mailings, Town Hall meetings and attending neighborhood meetings. It would be important for staff and Council from those wards to attend those meetings to get the word out about the proposed building and bond issue. Staff wants to make sure that the public is well informed about the city's needs.

Council Member Hoffman suggested that Council use their own email list serves and social media to help in getting the information out to educate.

Council Member Faron stated this would be perfect to use Peach Jar through the School District to get the information out.

Council Member Lawrence suggested having the committee members on all boards/committees/commission on the list serve for information so they can also share the information and have information available at the Farmer's Market.

Mark Perkins stated we have great things happening in the Police Department and couldn't lay any better ground work for this ballot issue than what the Chief and the entire Department have accomplished over a long period of time. That is what is critical about getting the message out

of the need. Mr. Perkins stated the resident survey completed every three years indicates great support for our Police Department.

14. Cooperative Agreement for Mason Road Sidewalk

Mark Perkins stated staff is excited about the possibility of working with Town & Country and St. Louis County to create a continuous sidewalk on Mason Road. Mark Perkins stated he wanted to bring this to Council's attention because the city does not have the $10,000 budgeted and there will be a budget amendment coming forward.

15. Laduemont Drive Repair Review and Recommendation

This item moved up on the agenda and discussed as new Item 9B.

Council Member Baseley moved, seconded by Council Member Kramer to adjourn at 9:57 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Saunders – Aye
Council Member Baseley – Aye
Council Member Ruzicka – Aye
Council Member Kramer – Aye
Council Member Lawrence – Aye
Council Member Hoffman – Aye
Council Member Faron – Aye

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

Submitted by:

Deborah Ryan
City Clerk

Barry Glantz
Mayor