

PUBLIC NOTES
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, FEBRUARY 26, 2019
7:30 P.M.

The following is a brief description of the agenda items for Tuesday, February 26, 2019:

ITEM NO. 10, is a resolution supporting the formation of a board of freeholders/electors as authorized by Article VI; Section 30(a) and 30(b) of the Missouri Constitution to study ways in which the City of St. Louis and St. Louis County can engage in more collaborative and efficient efforts to improve the St. Louis metropolitan region, while maintaining and protecting the identities of individual municipalities. This item was tabled at the last Council meeting.

ITEM NO. 11, is a resolution appointing Chris Miltenberger as interim director to the Sunnen Station Community Improvement District (CID).

ITEM NO. 12, is an ordinance appropriating/transferring \$8,935.22 in Local Law Enforcement Block Grant funds from the unappropriated fund balance of the General Fund to account 11-0400-70010 Capital Outlay.

ITEM NO. 13, Amended Bill 6107 is an ordinance that provides a valet parking area for Elmwood Restaurant and the east side of the 2700 block of Sutton, Monday through Saturday, 5:00 p.m. to 1:00 a.m. This item was tabled at the last Council meeting.

ITEM NO. 14, Bill 6108 is an ordinance granting a Conditional Use Permit to Deborah and Matt Chase to allow a two-family duplex in the SR Single Family Residential District at 3636-3638 Commonwealth Avenue. A public hearing has been held and the bill has been read two times and tabled and is now ready for final Council.

AGENDA
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, FEBRUARY 26, 2019
7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Motion to Excuse Councilperson
5. Approval of the Council Agenda
6. Public hearing to hear citizen's comments on a request for a conditional use permit by Deborah Chase to allow a duplex at 3636 & 3638 Commonwealth Ave.
7. Public Forum
8. Announcements
9. Approval of the February 12, 2019 City Council meeting minutes
10. A Resolution of the City Council of the City of Maplewood, Missouri supporting the formation of a board of freeholders/electors as authorized by Article VI; Section 30(a) and 30(b) of the Missouri Constitution to study ways in which the City of St. Louis and St. Louis County can engage in more collaborative and efficient efforts to improve the St. Louis metropolitan region, while maintaining and protecting the identities of individual municipalities.
11. A Resolution of the City Council of the City of Maplewood, Missouri appointing Chris Miltenberger as interim director to the Sunnen Station Community Improvement District and establishing his term of office as expiring September 26, 2022.
12. An Ordinance of the City Council of the City of Maplewood, Missouri appropriating/transferring eight thousand nine hundred thirty-five dollars & twenty-two cents (\$8,935.22) in Local Law Enforcement Block Grant funds from the unappropriated fund balance of the General Fund to account 11-0400-70010 Capital Outlay.
13. Amended Bill 6107 an Ordinance of the City Council of the City of Maplewood, Missouri, to amend Ordinance 5573, as amended, the Maplewood Code of Ordinances, by amending Chapter 50, Motor vehicles and traffic, Section 50-243, Other prohibitions on parking, by amending No parking, Sutton Boulevard, 2700 block, east side two hour parking 1:00 a.m. to 5:00 p.m. and valet

parking only Monday through Saturday, 5:00 p.m. to 1:00 a.m. from 90 feet south of Manchester to 130 feet south of Manchester and No parking, Sutton Boulevard, 2700 block, west side 6:00 a.m. to 5:00 p.m. Loading zone and valet parking only Monday through Saturday, 5:00 p.m. to 1:00 a.m. from 68 feet south of Manchester to 108 feet south of Manchester.

14. Bill 6108 an Ordinance of the City Council of the City of Maplewood, Missouri granting a Conditional Use Permit to Deborah and Matt Chase to allow a two-family duplex in the SR Single Family Residential District at 3636-3638 Commonwealth Avenue.
15. Council Communication
16. Mayor's Report
17. City Attorney's Report
18. City Manager's Report
19. Motion to hold a Closed Session, if needed, to discuss matters relating to litigation, legal actions and/or communication from the City Attorney as provided for in Section 610.021(1)RSMO. and/or specifications for competitive bidding under Section 610.021(11) and/or sealed bids and related documents and sealed proposals and related documents under Section 610.021(11) 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)RSMO. and/or documents related to a negotiated contract under Section 610.021(12)RSMO.
20. Adjournment

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*City
of Maplewood*



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PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 2/26/19 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on a request for a conditional use permit by Deborah Chase to allow a duplex at 3636 & 3638 Commonwealth Ave.

Ad as appearing in the February 11, 2019 **St. Louis Post-Dispatch**.

The February 12, 2019 City Council meeting was called to order at 7:30 p.m., Deputy Mayor Karen Wood presiding.

ON ROLL CALL, the following members were present: Deputy Mayor Wood, Councilmember Crader, Councilmember Dunn, Councilmember Faulkingham, Councilmember Phillips and Councilmember Schmidt.

MOTION TO EXCUSE COUNCILPERSON: Councilmember Phillips motioned to excuse Mayor Greenberg, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

APPROVAL OF THE COUNCIL AGENDA: Councilmember Phillips motioned to approve the agenda, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

PUBLIC FORUM: Christine Kleinschmidt, business owner at 2716 Sutton, is opposed to the valet parking on Sutton Blvd.

ANNOUNCEMENTS: Coffee Crawl tickets are now on sale for the March 23, 2019 event. The Maplewood Richmond Heights School District's Soul Food Supper is on February 26, 2019.

APPROVAL OF THE JANUARY 22, 2019 CITY COUNCIL MEETING MINUTES AND CLOSED SESSION MINUTES AND THE FEBRUARY 5, 2019 WORK SESSION MINUTES: Councilmember Phillips motioned to approve, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI SUPPORTING THE FORMATION OF A BOARD OF FREEHOLDERS/ELECTORS AS AUTHORIZED BY ARTICLE VI: SECTION 30(A) AND 30(B) OF THE MISSOURI CONSTITUTION TO STUDY WAYS IN WHICH THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY CAN ENGAGE IN MORE COLLABORATIVE AND EFFICIENT EFFORTS TO IMPROVE THE ST. LOUIS METROPOLITAN REGION, WHILE MAINTAINING AND PROTECTING THE IDENTITIES OF INDIVIDUAL MUNICIPALITIES was introduced. It was moved by Councilmember Phillips, duly seconded by Councilmember Dunn, to approve the resolution. Discussion was held. Councilmember Dunn motioned to table the resolution, seconded by Councilmember Phillips which motion received the approval of the Council.

R19-5, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) MOTOROLA APX6000 MODEL 2.5 PORTABLE RADIOS FOR SIX THOUSAND THREE HUNDRED ELEVEN DOLLARS & FOURTEEN CENTS (\$6,311.14) BY MEANS OF THE ST. LOUIS COUNTY, MISSOURI EMERGENCY COMMUNICATIONS COMMISSION COOPERATIVE PURCHASING AGREEMENT was introduced. It was moved by Councilmember Phillips, duly seconded by Councilmember Dunn, to approve the resolution which motion received the following roll call vote: Ayes, members Crader, Dunn, Faulkingham, Phillips, Schmidt and Deputy Mayor Wood. Nays, none.

BILL 6108, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI GRANTING A CONDITIONAL USE PERMIT TO DEBORAH AND MATT CHASE TO ALLOW A TWO-FAMILY DUPLEX IN THE SR SINGLE FAMILY RESIDENTIAL DISTRICT AT 3636-3638 COMMONWEALTH AVENUE was given its first reading. It was moved by Councilmember Phillips, duly seconded by Councilmember Dunn that Bill 6108 be moved to its second reading, which motion received the approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Phillips, duly seconded by Councilmember Dunn that Bill No. 6108 be passed to its third and final reading, which motion received the majority approval of the Council.

BILL 6106, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING PLANNED UNIT DEVELOPMENT ORDINANCE NUMBERS 5724 AND 5846 TO REMOVE LOT 6, CONSOLIDATE LOTS 2 AND 3 AND ESTABLISH SETBACKS FOR PROPOSED STRUCTURES FOR LOTS 2 AND 3 was given its third and final reading. It was moved by Councilmember Phillips, duly seconded by Councilmember Dunn that Bill 6106 be approved which motion received the following roll call vote: Ayes, members Crader, Dunn, Faulkingham, Phillips, Schmidt and Deputy Mayor Wood. Nays, none.

BILL NO. 6106 was approved by the City Council of this 12th day of February, 2019 as **Ordinance number 5901**.

AMENDED BILL 6107, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO AMEND ORDINANCE 5573, AS AMENDED, THE MAPLEWOOD CODE OF ORDINANCES, BY AMENDING CHAPTER 50, MOTOR VEHICLES AND TRAFFIC, SECTION 50-243, OTHER PROHIBITIONS ON PARKING, BY AMENDING NO PARKING, SUTTON BOULEVERD, 2700 BLOCK, EAST SIDE TWO HOUR PARKING 1:00 A.M. TO 5:00 P.M. AND VALET PARKING ONLY MONDAY THROUGH SATURDAY, 5:00 P.M. TO 1:00 A.M. FROM 90 FEET SOUTH OF MANCHESTER TO 130 FEET SOUTH OF MANCHESTER AND NO PARKING, SUTTON BOULEVARD, 2700 BLOCK, WEST SIDE 6:00 A.M. TO 5:00 P.M. LOADING ZONE AND VALET PARKING ONLY MONDAY THROUGH SATURDAY, 5:00 P.M. TO 1:00 A.M. FROM 68 FEET SOUTH OF MANCHESTER TO 108 FEET SOUTH OF MANCHESTER was given its third and final reading. It was moved by Councilmember Phillips, duly seconded by Councilmember Dunn that Bill 6107 be approved. Discussion was held. Councilmember Faulkingham motioned to table, seconded by Councilmember Phillips which motion received the approval of the Council.

COUNCIL COMMUNICATION: Councilmember Phillips will be attending the UMSL Fundamentals of Economic Development program beginning in March.

MAYOR'S REPORT: No report.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT: The city manager resume mailbox is being created.

MOTION TO HOLD A CLOSED SESSION, IF NEEDED, TO DISCUSS MATTERS RELATING TO LITIGATION, LEGAL ACTIONS AND/OR COMMUNICATION FROM THE CITY ATTORNEY AS PROVIDED FOR IN SECTION 610.021(1)RSMO. AND/OR SPECIFICATIONS FOR COMPETITIVE BIDDING UNDER SECTION 610.021(11) AND/OR SEALED BIDS AND RELATED DOCUMENTS AND SEALED PROPOSALS AND RELATED DOCUMENTS UNDER SECTION 610.021(11) 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)RSMO. AND/OR DOCUMENTS RELATED TO A NEGOTIATED CONTRACT UNDER SECTION 610.021(12)RSMO: No need.

There being no further business before the Council, the meeting adjourned at 8:00 p.m.

RESOLUTION

R19-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, SUPPORTING THE FORMATION OF A BOARD OF FREEHOLDERS/ELECTORS AS AUTHORIZED BY ARTICLE VI; SECTION 30(A) AND 30(B) OF THE MISSOURI CONSTITUTION TO STUDY WAYS IN WHICH THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY CAN ENGAGE IN MORE COLLABORATIVE AND EFFICIENT EFFORTS TO IMPROVE THE ST. LOUIS METROPOLITAN REGION, WHILE MAINTAINING AND PROTECTING THE IDENTITIES OF INDIVIDUAL MUNICIPALITIES.

WHEREAS, the elected officials of the City of Maplewood reject the notion that the fate of the city of St. Louis and St. Louis county's future government structure should be decided by a constitutional amendment to be placed on the ballot for statewide vote in 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS: That we the elected officials of the City of Maplewood support the formation of a board of freeholders/electors as authorized by Article VI; Section 30(a) and 30(b) of the Missouri Constitution to study ways in which the city of St. Louis and St. Louis county can engage in more collaborative and efficient efforts to improve the St. Louis metropolitan region, while maintaining and protecting the identities of individual municipalities.

Passed this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

February 1, 2019

**VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED**

Mayor Barry Greenberg
City of Maplewood
7601 Manchester Road
Maplewood, Missouri 63143

Re: Sunnen Station Community Improvement District (the "District")

Dear Mayor Greenberg:

Please be advised that this firm represents the above-defined District. On the District's behalf, I respectfully request the following appointment be made by you in your capacity as Mayor to be approved by the City Council of the City of Maplewood at the meeting to be held February 12, 2019.

- Chris Miltenberger, as interim director to the District's Board of Directors to the term expiring September 26, 2022, previously held by Matthew Kreider who has resigned.

If you have any questions, please call me at (314) 552-6634.

Sincerely,



Linda K. AuBuchon
Paralegal

LKA

cc: Martin Corcoran (via email)
Angela Odum (via email)

RESOLUTION

R19-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPOINTING CHRIS MILTENBERGER AS INTERIM DIRECTOR TO THE SUNNEN STATION COMMUNITY IMPROVEMENT DISTRICT AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING SEPTEMBER 26, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS: Chris Miltenberger is hereby appointed to the Sunnen Station Community Improvement District Board of Directors with the term expiring September 26, 2022.

Passed this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPROPRIATING/TRANSFERRING EIGHT THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS & TWENTY-TWO CENTS (\$8,935.22) IN LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND TO ACCOUNT 11-0400-70010 CAPITAL OUTLAY.

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

Section I. Eight thousand nine hundred thirty-five dollars and twenty-two cents (\$8,935.22) in Local Law Enforcement Block Grant (LLEBG) funds are hereby appropriated/transferred from the unappropriated fund balance of the General Fund to account 11-0400-70010 Capital Outlay.

Section II. These funds are allocated for the purchase of two (2) portable radios and thirty-two (32) pairs of needle/puncture resistant protective gloves for police officers

Section III. The City Manager hereby certifies that eight thousand nine hundred thirty-five dollars and twenty-two cents (\$8,935.22) is available for appropriation in the General Fund unappropriated fund balance by means of LLEBG Application Award #96778 & Subaward Number: 2018-LLEBG-053.

Section IV. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this day of , 2019

Barry Greenberg, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

BILL NO. 6108

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI GRANTING A CONDITIONAL USE PERMIT TO DEBORAH AND MATT CHASE TO ALLOW A TWO-FAMILY DUPLEX IN THE SR SINGLE FAMILY RESIDENTIAL DISTRICT AT 3636-3638 COMMONWEALTH AVENUE.

WHEREAS, Deborah and Matt Chase have applied to the City Council of the City of Maplewood, Missouri for a Conditional Use Permit as provided in Section 56-1063 (l) of the Maplewood Code of Ordinances to allow a two-family duplex in the SR Single Family Residential District at 3636-3638 Commonwealth Avenue; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their February 4, 2019 meeting by a vote of 6 ayes, 0 nays, 1 absent; and

WHEREAS, the City Council will hold a public hearing on this conditional use permit petition at their February 26, 2019 Council meeting.

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

Section I. Deborah and Matt Chase are hereby granted a Conditional Use Permit to allow a two-family duplex in the SR Single Family Residential District at 3636-3638 Commonwealth Avenue.

Section II. The Conditional Use Permit is granted subject to all rules and regulations and conditions set forth for the property described in Section I as follows:

- (A) Permitted and Conditional Uses: The uses permitted in this Conditional Use Permit shall be as follows:
 - 1) All permitted land uses in the SR Single Family Residential Zoning District.
 - 2) A two family duplex structure not to exceed 2,000 square feet.
- (B) Architectural Standards/Sign Requirements: Any exterior changes to the building must be approved by the Design and Review Board prior to the issuance of a building permit.
- (C) Exterior Storage of Materials: No outside storage of materials will be permitted.
- (D) The City Manager may grant an extension of time for renovations should the renovations require the two-family duplex to be vacant for a period of time not to exceed one (1) calendar year.

- (E) The City Manager may grant an extension of time for renovations if time between the leasing of different tenants require the two-family duplex to be vacant for a period of time not to exceed one (1) calendar year. In deciding whether or not to grant an extension, the City Manager will consider whether or not the property owner is making a good faith attempt to lease the vacant unit(s).

Section III. Any expansion or alteration of use, structure or site must be approved by the Plan & Zoning Commission prior to the issuance of a building permit.

Section IV. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this 26th day of February, 2019.

Barry Greenberg, Mayor

Attest:

Karen Scheidt, Deputy City Clerk

Approved this 26th day of February, 2019.

Barry Greenberg, Mayor

Attest:

Karen Scheidt, Deputy City Clerk

FINDINGS OF FACT

The Mayor and City Council make the following findings of fact for the petition for a conditional use permit to operate a duplex in the SR District at 3636-3638 Commonwealth Avenue:

- a. The proposed use complies with all applicable provisions of the Zoning Code.
- b. The proposed use will contribute to and promote the community welfare and convenience.
- c. The proposed use will not cause substantial injury to the value of neighboring property.
- d. The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- e. The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- f. The proposed use will not substantially increase traffic hazards.
- g. The proposed use will not substantially increase fire hazards.
- h. The proposed use will not overtax public utilities.
- i. The proposed use will not place an undue burden on municipal services.
- j. The proposed use is consistent with the design, construction and original intended use of the structure.
- k. The proposed use serves a community need, and no detrimental effect will be made upon the character of the zoning district in which the conditional use is proposed.