

December 8, 2015

The December 8, 2015 Council meeting was called to order at 7:30 p.m., Mayor James White presiding.

ON ROLL CALL, the following members were present: Councilmember Cerven, Councilmember Faulkingham, Councilmember Greenberg, Mayor White, Councilmember Wolf and Councilmember Wood.

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

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

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY BRIAN PELLETIER OF LARDER AND CUPBOARD LOCATED AT 7310 MANCHESTER AVE. FOR A PACKAGED AND SUNDAY PACKAGED LIQUOR LICENSE ALONG WITH AN ORIGINAL PACKAGE TASTING LICENSE: No one spoke.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT (GREAT HARVEST) AT 7360 MANCHESTER RD.: No one spoke.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY COZAD COMMERCIAL REAL ESTATE TO AMEND SEC. VI. 2 OF PUD ORDINANCE #5772 FOR THE SUNNEN STATION DEVELOPMENT BOUND ROUGHLY ON THE NORTH BY SUNNEN PRODUCTS, SUNNEN DR. TO THE SOUTH, METROLINK TO THE EAST AND HANLEY ROAD TO THE WEST: No one spoke.

PUBLIC FORUM: No one spoke.

ANNOUNCEMENTS: None.

APPROVAL OF THE NOVEMBER 24, 2015 CITY COUNCIL MEETING MINUTES: Councilmember Wood motioned to approve, duly seconded by Councilmember Cerven, which motion received the approval of the Council.

MOTION TO APPROVE A REQUEST BY BRIAN PELLETIER OF LARDER AND CUPBOARD LOCATED AT 7310 MANCHESTER AVE. FOR A PACKAGED AND SUNDAY PACKAGED LIQUOR LICENSE ALONG WITH AN ORIGINAL PACKAGE TASTING LICENSE: Councilmember Wood motioned to approve, duly seconded by Councilmember Cerven, which motion received the approval of the Council.

**R15-55**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO PURCHASE A 2015 HEAVY DUTY ¾ TON CHEVROLET SILVERADO EXTENDED CAB COMPRESSED NATURAL GAS TRUCK FOR \$37,814, A 2015 HEAVY DUTY ¾ TON CHEVROLET SILVERADO CREW CAB DIESEL TRUCK FOR \$39,884, AND A 2016 FORD ESCAPE WITH 1.6L ECO-BOOST ENGINE IN THE AMOUNT OF \$22,994 was introduced. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven to approve the resolution which motion received the following roll call vote: Ayes, members Cerven, Faulkingham, Greenberg, Mayor White, Wolf and Wood. Nays, none.

**BILL 6000**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING SUBMISSION TO THE VOTERS IN THE CITY OF MAPLEWOOD AT THE APRIL 5, 2016 ELECTION THE QUESTION OF WHETHER SECTION 3.2, PARAGRAPH 3C DEALING WITH ELECTION AND TERMS FOR CITY COUNCIL MEMBERS SHALL BE AMENDED was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6000 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6000 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6001**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING SUBMISSION TO THE VOTERS IN THE CITY OF MAPLEWOOD AT THE APRIL 5, 2016 ELECTION THE QUESTION OF WHETHER SECTION 4.1, ELECTION, TERM, QUALIFICATIONS, DEALING WITH TERMS FOR THE MAYOR SHALL BE AMENDED was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6001 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6001 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6002**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING SUBMISSION TO THE VOTERS IN THE CITY OF MAPLEWOOD AT THE APRIL 5, 2016 ELECTION THE QUESTION OF WHETHER SECTION 6.1, ADMINISTRATIVE ORGANIZATION SHALL BE AMENDED BY ELIMINATING THE POSITION OF CITY TREASURER was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6002 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6002 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6003**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING SUBMISSION TO THE VOTERS IN THE CITY OF MAPLEWOOD AT THE APRIL 5, 2016 ELECTION THE QUESTION OF WHETHER SECTION 11.4 PROCEDURE AFTER FILING, PARAGRAPH (A) SHALL BE AMENDED was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6003 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6003 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6004**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 6, ADVERTISING, SECTION 6-49, REGULATIONS, PARAGRAPH B(6), SUBPARAGRAPH B was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6004 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6004 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6005**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPROVING A REVISED PRELIMINARY PLAT AND A RECORD PLAT FOR THE SUNNEN STATION REDEVELOPMENT was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6005 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6005 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 5997**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO STEVE JAWOR OF GREAT HARVEST BREAD COMPANY TO OPERATE A RESTAURANT FACILITY AT 7360 MANCHESTER RD. was given its first reading. A motion was made by Councilmember Wood that Bill No. 5997 be tabled for the reading of the findings of fact, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit for an entertainment bar/restaurant facility at 7360 Manchester 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.

It was then moved by Councilmember Wood, duly seconded by Councilmember Cerven, that the findings of fact be approved, which motion received the following roll call vote: Ayes, members Cerven, Faulkingham, Greenberg, Mayor White, Wolf and Wood. Nays, none.

Councilmember Wood motioned to bring Bill No. 5997 back onto the table, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

A motion was made by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 5997 be approved which motion received the following roll call vote: Ayes, members Cerven, Faulkingham, Greenberg, Mayor White, Wolf and Wood. Nays, none.

**BILL NO. 5997** was approved by the City Council on this 8<sup>th</sup> day of December, 2015 as **Ordinance number 5793**.

**BILL 5998**, AN ORDINANCE AMENDING PLANNED UNIT DEVELOPMENT ORDINANCE 5572, SECTION VI. 2. TO MODIFY THE BUILDING MATERIAL REQUIREMENTS FOR LOT D was given its third and final reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 5998 be approved, which motion received the following roll call vote: Ayes, members Cerven, Faulkingham, Greenberg, Mayor White, Wolf and Wood. Nays, none.

Bill 5998 was approved by the City Council on this 8<sup>th</sup> day of December, 2015 as **Ordinance number 5794**.

**BILL 5999**, AN ORDINANCE DETERMINING THAT CERTAIN ADDITIONAL PARCELS ARE A BLIGHTED AREA AS DEFINED IN CHAPTER 353, REVISED STATUTES OF MISSOURI AND ARE TO BE INCLUDED IN THE SUNNEN STATION REDEVELOPMENT AREA; APPROVING THE SUNNEN STATION PHASE II URBAN DEVELOPMENT PLAN FOR THE AREA; AUTHORIZING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MAPLEWOOD AND SUNCO, LLC; AND AUTHORIZING TAX ABATEMENT FOR THE AREA: It was moved by Councilmember Wood, duly seconded by Councilmember Cerven to table Bill 5999, which motion received the majority approval; by voice vote, of the Council.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT: Mayor White said the Christmas Tree Walk event had unbelievable crowds and thanked city staff for their work in preparation of the event. He wished everyone Happy Holidays.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT: Mr. Corcoran stated the charter amendments discussed earlier, if approved by the Council, would go before the voters at the April 2016 election.

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.: Councilmember Wood motioned to hold a closed session to discuss a legal matter, seconded by Councilmember Cerven, which motion received the following roll call vote: Ayes members Cerven, Faulkingham, Greenberg, Mayor White, Wolf and Wood. Nays, none.

The Council reconvened at and the Mayor stated no votes were taken.

There being no further business before the Council, the meeting adjourned at 8:20 p.m.