

July 12, 2016

The July 12, 2016 Council meeting was called to order at 7:30 p.m., Mayor James White presiding.

Mayor White asked for a moment of silence for the families of the five slain Dallas police officers and the wounded police officer in Ballwin.

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, seconded by Councilmember Cerven, which motion received the approval of the Council.

PUBLIC FORUM: John Hendel, 7508 Ellis, voiced his concerns about the Raising Canes project, specifically, the variances that were granted regarding parking setbacks.

Stephanie Scott, 2009 Alameda, concurred with Mr. Hendel's comments. She stated people want to live in a walkable community and she envisions Maplewood continuing its walkability. She also asked if the city has a strategic plan or vision that would be available to the public.

ANNOUNCEMENTS: None.

APPROVAL OF THE JUNE 28, 2016 CITY COUNCIL MEETING MINUTES: Councilmember Wood motioned to approve, duly seconded by Councilmember Cerven, which motion received the majority approval, by voice vote, of the Council.

R16-48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPOINTING BOB HARSH TO THE CIVIL SERVICE COMMISSION AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2019 was introduced. It was moved by Councilmember Wood, 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.

R16-49, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPOINTING ERIC HOFFMAN AS AN ALTERNATE TO THE BOARD OF ADJUSTMENT AND HOUSING BOARD OF APPEALS AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2021 was introduced. It was moved by Councilmember Wood, 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 6023, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO RE-ADOPT AND TO ESTABLISH AND MAKE PUBLIC A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6023 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. 6023 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY OF MAPLEWOOD TO CREATE A SPECIAL TAX LIEN TO RECOVER COSTS INCURRED BY CITY STAFF TO ABATE A PROLIFERATION OF TRASH AND DEBRIS AT 2542 S. BIG BEND BOULEVARD was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6024 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. 6024 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6025, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO KARA SULLIVAN OF FLAVOR 360 D/B/A SOMETHING ELEGANT CATERING TO OPERATE A CATERING FACILITY AT 2200 YALE AVENUE was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6025 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. 6025 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6026, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO RAISING CANES TO OPERATE A RESTAURANT FACILITY AT 2707 S. BIG BEND BOULEVARD was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6026 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council. Councilmember Faulkingham motioned to table the bill for further review, which motion failed to do lack of a second.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Cerven, that Bill No. 6026 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6027, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SEC. 56-206, CONDITIONAL USES AND SEC. 56-207 PROHIBITED USES TO ALLOW CRAFT BEER STORES THAT MEET VARIOUS REQUIREMENTS WITHIN THE CB COMMUNITY BUSINESS DISTRICT AS A CONDITIONAL USE was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6027 be moved to its second reading. Discussion was held regarding what constitutes a craft beer and could another similar business which could be a typical package liquor store locate in Maplewood Mayor White asked for a roll call vote which was as follows: Ayes: member Greenberg. Nays, members Cerven, Faulkingham, Mayor White, Wolf and Wood. **BILL 6027 FAILS.**

BILL 6028, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO ABBIE BOLYARD TO OPERATE A SANDWICH SHOP (RESTAURANT) AT 2810 SUTTON BOULEVARD was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6028 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. 6028 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6021, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO DANA HUTH AND BEN TRIOLA OF MAUHAUS CAT CAFÉ AND LOUNGE TO OPERATE A CAFÉ/RESTAURANT FACILITY AT 3101 SUTTON BOULEVARD was given its third and final reading. A motion was made by Councilmember Wood that Bill No. 6021 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 a café/restaurant at 3101 Sutton Blvd.:

- 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, Mayor White, Wolf and Wood. Nays, none. Abstain, member Greenberg.

Councilmember Wood motioned to bring Bill No. 6021 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. 6021 be approved which motion received the following roll call vote: Ayes, members Cerven, Faulkingham, Mayor White, Wolf and Wood. Nays, none. Abstain, member Greenberg.

BILL NO. 6021 was approved by the City Council on this 12th day of July, 2016 as **Ordinance number 5818**.

DISCUSSION OF CHANGING THE LIMIT ON USED CAR LICENSES: After discussion, the Council had no interest in changing the limit on used car licenses.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT: Mayor White stated the Let Them Eat Art event was a success and thanked city staff. He also recognized the great coverage of Maplewood on Channel 4's Great Day St. Louis show.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT: Mr. Corcoran stated the dedication ceremony for the Ryan Hummert Memorial will take place on July 21, 2016 at 6:30 p.m.

Mr. Corcoran asked that all three bids received for the Zephyr properties be rejected and that he be allowed to negotiate with the two highest bidders. Councilmember Wood motioned to reject all three bids for the Zephyr properties and allow the City Manager to negotiate with the two highest bidders, seconded by Councilmember Cerven, which motion received the majority approval of the Council.

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.