

September 13, 2016

The September 13, 2016 Council meeting was called to order at 7:30 p.m., Deputy Mayor Karen Wood presiding.

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

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

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

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY CHRIST CHURCH TO AMEND THE PA ZONING DISTRICT TO ALLOW A COMMISSARY FOR FOOD TRUCKS AS A CONDITIONAL USE: Ron Gaus, 222 E. Argonne, Donna Ratkowski, 7320 Myrtle, Kara Sanders and Jay Hardy all spoke in favor of amending the zoning district to allow this use. City Manager Corcoran entered into the record a letter opposing the zoning amendment from James Devine at 2211 Yale Ave.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY RYAN REEL OF TAPPED TO BE LOCATED AT 7278 MANCHESTER (FORMERLY A PIZZA STORY) FOR A FULL AND SUNDAY LIQUOR LICENSE: No one spoke.

PUBLIC FORUM: Jeannine Beck, Chamber Director, spoke in favor of allowing Craft Beer Cellar and also thanked the Council for their support of the Chamber events.

Brian Phillips, 7322 Marietta, indicated his support for Craft Beer Cellar.

Deputy Mayor Wood announced that Jude Tanner of Troop 362 is in the audience tonight working on his citizenship in the community merit badge.

ANNOUNCEMENTS: Councilmember Greenberg stated he attended the Missouri Municipal League conference.

City Manager Corcoran announced the Shakespeare in the Streets event happening this weekend.

APPROVAL OF THE AUGUST 9, 2016 CITY COUNCIL MEETING MINUTES: Councilmember Cerven motioned to approve, duly seconded by Councilmember Dunn, which motion received the majority approval, by voice vote, of the Council.

MOTION TO APPROVE A REQUEST BY RYAN REEL OF TAPPED TO BE LOCATED AT 7278 MANCHESTER AVE. FOR A FULL AND SUNDAY LIQUOR LICENSE: Councilmember Cerven motioned to approve, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

MOTION TO REJECT ALL BIDS RECEIVED ON SEPTEMBER 1, 2016 FOR THE VETERAN'S MEMORIAL DUE TO THE HIGH COST: Councilmember Cerven motioned to approve, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

MOTION TO RENEW CONSIDERATION OF THE MOTION FOR A FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 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 (REQUESTED BY COUNCILMEMBER CERVEN): Councilmember Cerven motioned to approve, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

**R16-51**, A JOINT RESOLUTION OF THE MISSOURI CITIES OF BRENTWOOD, CLAYTON, MAPLEWOOD, RICHMOND HEIGHTS AND ROCK HILL AUTHORIZING THE CITY MANAGER/CITY ADMINISTRATOR AND FIRE CHIEF FROM EACH CITY TO MOVE FORWARD WITH THE DEVELOPMENT OF A JOINT FIRE COMMAND STAFF STRUCTURE FOR THE PARTICIPATING CITIES was introduced. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn to approve the resolution which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

**R16-52**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPROVING THE RE-APPOINTMENT OF CERTAIN DIRECTORS TO THE BOARD OF DIRECTORS OF THE DEER CREEK CENTER COMMUNITY IMPROVEMENT DISTRICT was introduced. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn to approve the resolution which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

**R16-53**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A GROUND SIGN PERMIT TO JIM BUTLER MASERATI/ALFA ROMEO AT 3050 S. HANLEY ROAD THAT EXCEEDS THE HEIGHT AND AREA REQUIREMENTS was introduced. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn to approve the resolution which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

**BILL 6031**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO JOSEPH DANIEL OF LITTLE CAESARS PIZZA TO OPERATE A RESTAURANT FACILITY AT 7325 MANCHESTER ROAD was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember

Dunn that Bill No. 6031 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6031 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6032**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO WALLIS PETROLEUM TO OPERATE A CONVENIENCE STORE WITH GAS PUMPS AT 3033 S. HANLEY ROAD was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6032 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6032 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6033**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO CHRIS RAYBURN OF THE BLUE DUCK TO OPERATE A RESTAURANT FACILITY AT 7401 MANCHESTER ROAD (FORMERLY MONARCH RESTAURANT) was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6033 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6033 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6034**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO DAWN MEDINA OF NEW DESTINY CHILDCARE TO OPERATE A DAYCARE FACILITY IN THE AB ARTERIAL BUSINESS DISTRICT AT 3732 CAMBRIDGE AVENUE was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6034 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6034 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6035**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE NO. 5573, THE MAPLEWOOD CODE OF ORDINANCES, AS AMENDED, BY AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, SECTION 12-92, ADOPTION OF BUILDING CODE, SECTION 12-93, ADOPTION OF RESIDENTIAL CODE AND SECTION 12-94, ADOPTION OF EXISTING BUILDING CODE, BY DELETING THE TEXT OF SAID SECTIONS AND INSERTING TEXT TO ADOPT THE 2015

INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE AND THE 2015 INTERNATIONAL EXISTING BUILDING CODE IN ITS STEAD was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6035 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6035 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6036**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITIES OF CLAYTON AND MAPLEWOOD, MISSOURI PROVIDING FOR THE SHARING OF A FIRE RESCUE PUMP TRUCK TO BE UTILIZED IN A RESERVE ROLE WHEN EITHER CITY'S FRONT LINE FIRE TRUCKS ARE UNAVAILABLE was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6036 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6036 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6037**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, ESTABLISHING THE TAX RATES FOR THE CITY OF MAPLEWOOD AND THE MAPLEWOOD SPECIAL BUSINESS DISTRICT ON ALL REAL, PERSONAL, TANGIBLE AND INTANGIBLE PROPERTY WITHIN THE CITY OF MAPLEWOOD, MISSOURI FOR 2016 was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6037 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6037 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, SECTION 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 Cerven, duly seconded by Councilmember Dunn that Bill No. 6027 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 Cerven, duly seconded by Councilmember Dunn, that Bill No. 6027 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

**BILL 6029**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 THROUGH JUNE 30, 2017 was given its third and final reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6029 be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

BILL NO. 6029 was approved by the City Council on this 13<sup>th</sup> day of September, 2016 as **Ordinance number 5824**.

**BILL 6030**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 56-359, (10), CONDITIONAL USES USE LIMITATION TO ALLOW COMMISSARIES FOR FOOD TRUCKS AS A CONDITIONAL USE IN THE PA PUBLIC ACTIVITY DISTRICT was given its third and final reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 6030 be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

BILL NO. 6030 was approved by the City Council on this 13<sup>th</sup> day of September, 2016 as **Ordinance number 5825**.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT: None.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT: The Council was in favor of participating in the legal support of the challenge to Senate Bill 5 lawsuit.

Mr. Corcoran reminded the Council that the city will not enforce the removal of outdoor dining furniture for a trial period this winter season.

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 Cerven motioned to hold a Closed Session to discuss several real estate matters, duly seconded by Councilmember Dunn, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg, Wolf and Deputy Mayor Wood. Nays, none.

The Council reconvened at 8:15p.m. and the Deputy Mayor stated no votes were taken.

There being no further business before the Council, the meeting adjourned at 8:15 p.m.