



CITY OF ST. PETERS BOARD OF ALDERMEN

TENTATIVE AGENDA FOR REGULAR MEETING
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DRIVE, ST. PETERS, MO 63376

March 24, 2016 - 7:00 P.M.

- A. Call to Order, Mayor Len Pagano
- B. Roll Call
- C. Opening Ceremonies
 - 1. Invocation
 - 2. Pledge of Allegiance
 - 3. Proclamation: Arbor Day, April 2, 2016
 - 4. Audit Awards From the Government Finance Officers Association
 - 5. Missouri State High School Activities Association State Distinguished Service Award
- D. Approval of Minutes: The [Board of Aldermen Work Session meeting of March 10, 2016](#); and the [Regular Board of Aldermen meeting of March 10, 2016](#).
- E. Reports of Officers, Boards and Commissions
 - 1. Mayoral Report of Appointments to Boards and Commissions
 - 2. City Administrator's Report:
 - a. Jr. Citizen Police Academy Presentation – Officer Doss
 - 3. Report of Director, Planning, Community and Economic Development:
 - a. [Petition 16-03, Special Use Permit](#) – Golden Lab, L.L.C. – Powers
 - b. [Petition 16-04, Change of Zoning](#) – The Sunshine Group L.L.C. – Powers
 - c. [Petition 16-05, Change of Zoning](#) – Schneider Family Trust, et al. – Powers
 - d. [Petition 16-06, Amended PUD Agreement](#) – Castle Group Series II L.L.C. – Powers
 - 4. St. Peters Business Spotlight: None

F. Open Forum

1. Citizens Petitions and Comments
2. Communications from the Elected Officials
3. Announcements

G. Public Hearings: None

H. Unfinished (Old) Business Items: None

I. New Business Items:

1. [Bill No. 16-39: Bill](#) approving a Special Use Permit in the I-1 Light Industrial District to permit a crematorium, in response to Petition 16-03 (The Golden Lab, L.L.C.) and adopting the Findings of Fact and Conclusions of Law with respect thereto
2. [Bill No. 16-40: Bill](#) amending certain sections of the Municipal Code of the City of St. Peters, Title IV: Land Use pertaining to zoning property within said City in response to Rezoning Petition Number 16-04, The Sunshine Group, L.L.C., by making certain changes in the designated districts in certain sections of said City
3. [Bill No. 16-41: Bill](#) amending certain sections of the Municipal Code of the City of St. Peters, Title IV: Land Use pertaining to zoning property within said City in response to Rezoning Petition number 16-05, Schneider Family Trust, et al, by making certain changes in the designated districts in certain sections of said City
4. [Bill No. 16-42: Bill](#) authorizing and directing the City Administrator of the City of St. Peters, Missouri, to execute an Amended Planned Urban Development Agreement with Castle Group Series II, L.L.C., for development of the Carleton Apartments
5. [Bill No. 16-43: Bill](#) of the City of St. Peters, Missouri, Amending Section 210.450.A of the St. Peters City Code by Deleting it in its Entirety and Enacting, in lieu thereof, a New Section 210.450.A; Requiring Sellers of Residential Property to make Disclosure of Certain Information to Purchasers of Real Property within the City of St. Peters, Missouri [Sponsor: Bateman]
6. [Bill No. 16-44: Bill](#) Directing the City Administrator of the City of St. Peters, Missouri, to enter into a Contract with Joe Machens Ford Lincoln for the Purchase of Eight Police Interceptor Utility SUV Vehicles

J. Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

K. Adjournment

AGENDA Posted at City Hall: March 21, 2016 at 9:00 a.m.
By: P. Smith, City Clerk

Next Regular Board of Aldermen Meeting: April 14, 2016



CITY OF ST. PETERS BOARD OF ALDERMEN
WORK SESSION MINUTES
March 10, 2016

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

The Work Session was called to order at approximately 5:01 p.m. on Thursday, March 10, 2016 at the St. Peters Justice Center located at 1020 Grand Teton Drive. Scott Baumgartner, Deputy City Clerk, called the roll. The following were present: Mayor Pagano; Alderman Aytes; Alderman Barclay; Alderman Bateman; Alderman Reitmeyer; Alderman Shea; Alderman Violet; Bill Charnisky, City Administrator; Russ Batzel, Transportation and Development Services Manager; Bill Malach, Water Environment Services Manager; Rick Oloteo, Director of Recreation Services; Dave Kuppler, Health and Environmental Services Manager; Jeff Finkelstein, Chief of Police; Randy Weber, Special Counsel; Scott Baumgartner, Deputy City Clerk. Board President Hollingsworth, Alderman Thomas, and City Clerk Patty Smith were absent. Alderman Bateman was presiding Board President during Alderman Hollingsworth's absence.

COMMITTEE REPORTS FROM ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

BOARD OF ALDERMEN ITEMS FOR DISCUSSION

NEW BUSINESS ITEMS

Alderman Shea moved and Alderman Reitmeyer seconded the motion to remove City Code Amendment Sec. 210.450.A, Sellers Disclosure from the agenda for discussion. The motion was approved.

CITY CODE AMENDMENT SEC. 210.450.A SELLERS DISCLOSURE - BATEMAN

Mayor Pagano discussed the City's Sellers Disclosure Code Sec. 210.450.A, the requirement for this disclosure statement to be recorded with the St. Charles County Recorder of Deeds office by such owner/seller, and the fee associated with the recording of this statement. Alderman Bateman further explained the history and origination of the Disclosure Statement requirement and \$35 fee involved to record the statement. Alderman Bateman would like the seller disclosure statement requirement to remain; however, requested discussion on a code amendment to eliminate the recording requirement by such owner/seller in the office of the St. Charles County Recorder of Deeds within 30 days after the closing on the sale of such real property. Alderman Bateman added St. Peters is the only City in St. Charles County that requires the sellers' disclosure statement. With no questions from the Board of Aldermen, Alderman Violet moved and Alderman Reitmeyer

seconded the motion to place this item on the March 24, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the March 24, 2016 Board of Aldermen meeting agenda for consideration.**

MAYOR/CITY ADMINISTRATOR ITEMS FOR DISCUSSION

NEW BUSINESS ITEMS

Alderman Shea moved and Alderman Barclay seconded the motion to remove Purchase of 8 Replacement Vehicles for Police Department from the agenda for discussion. The motion was approved.

PURCHASE OF 8 REPLACEMENT VEHICLES FOR POLICE DEPARTMENT - KUPPLER

Mr. Kuppler advised that eight (8) City police patrol cars need to be replaced during the 2016 fiscal year with 4-door SUV, All-wheel drive, SUV style vehicle; and \$256,000 was budgeted for this purchase. The statewide contract was reviewed and their low bidder, Lou Fusz Ford has added a procurement fee of \$995 per vehicle this year and is unable to reduce the fee. The City also received quotes from area St. Charles County dealers and from Joe Machens Ford Lincoln of Columbia, Missouri. Joe Machens Ford Lincoln was not awarded the statewide contract this year, but notified the City that it would provide the vehicles at a lower cost than vendors listed on the Statewide Contract and save the City \$4,288 for the Ford Interceptor. Mr. Kuppler recommended awarding the bid to Joe Machens Ford Lincoln in the amount of \$219,520. Alderman Reitmeyer moved and Alderman Shea seconded the motion to place this item on the March 24, 2016 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the March 24, 2016 Board of Aldermen meeting agenda for consideration.**

Alderman Shea moved and Alderman Violet seconded the motion to remove Secretary of State/Records Retention Schedules from the agenda for discussion. The motion was approved.

SECRETARY OF STATE/RECORDS RETENTION SCHEDULES - BAUMGARTNER

Deputy City Clerk Baumgartner stated that the Destruction of Records forms provided in this evening's meeting packet necessitate being entered and made a part of the minutes of the Board of Aldermen for March 10, 2016. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to accept the Deputy City Clerk's report regarding the Destruction of Record forms that are provided in the Work Session packet and to be entered into the March 10, 2016 minutes of the Board of Aldermen. The motion was approved. **No further Board of Aldermen action is required on this item.**

MISCELLANEOUS UPDATES – CHARNISKY

Mr. Russ Batzel gave an update on the Sutters Mill Bridge Replacement project in Ward 3. This Federal Aid Project needs specifications to be reviewed by MODOT before it goes out

for bid and meets the requirements. They expect to have approval for it to go out for bid next week. This time schedule makes it unavailable for the next Board of Aldermen meeting; however, Mr. Batzel requested to place this item on both the April 14, 2016 Work Session and Board of Aldermen meeting agendas for consideration. Alderman Violet moved and Alderman Bateman seconded the motion to place this item on both the April 14, 2016 Work Session and Board of Aldermen meeting agendas. The motion was approved. **This item will be placed on the April 14, 2016 Board of Aldermen meeting agenda for consideration.**

BOARD MEETING AGENDA ITEM REVISIONS – CHARNISKY

None

EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

Alderman Barclay moved and Alderman Reitmeyer moved and Alderman Shea seconded the motion to enter Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021(1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6) and then adjourn the Work Session meeting from the Executive Session. With the motion approved, the Board of Aldermen entered Executive Session at approximately 5:25 p.m. Roll Call was taken as follows: President of the Board of Aldermen, Alderman Hollingsworth: Absent; Alderman Reitmeyer: yes; Alderman Thomas: Absent; Alderman Bateman: yes; Alderman Violet: yes; Alderman Shea: yes; Alderman Barclay: yes; Alderman Aytes: yes.

ADJOURNMENT OF THE EXECUTIVE SESSION AND THE WORK SESSION

Alderman Shea moved and Alderman Violet seconded the motion to adjourn the Executive Session and the Work Session meetings. The motion carried and the Executive Session and the Work Session was adjourned at approximately 6:21 p.m. with roll call shown as follows: President of the Board of Aldermen, Alderman Hollingsworth, Absent; Alderman Bateman, yes; Alderman Reitmeyer, yes; Alderman Thomas, Absent; Alderman Barclay, yes; Alderman Violet, yes; Alderman Shea, yes; Alderman Aytes, yes.

Submitted by,

Scott Baumgartner
Deputy City Clerk



CITY OF ST. PETERS CITY HALL
BOARD OF ALDERMEN MINUTES
MARCH 10, 2016

CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 7:00 p.m. on March 10, 2016, at the St. Peters Justice Center located at 1020 Grand Teton Drive. Scott Baumgartner, Deputy City Clerk, called the roll. Present were: Mayor Pagano; Alderman Aytes; Alderman Barclay; Alderman Bateman; Alderman Reitmeyer; Alderman Shea; Alderman Violet; Bill Charnisky, City Administrator; Randy Weber, Special Counsel; Jeff Finkelstein, Chief of Police; Scott Baumgartner, Deputy City Clerk. Board President Hollingsworth, Alderman Thomas, and City Clerk Patty Smith were absent. Invocation was given by Pastor Steve Koeneman. The Pledge of Allegiance was led by a local Boy Scout.

VETERANS COMMISSION REPORT

Laura Roodhouse from the City of St. Peters Veteran's Memorial Commission gave a Veterans Report on an update for Pennies for Patriots and Hall of Honor. Ms. Roodhouse reported that to date they have collected 3,425 pounds of aluminum cans so far, which would equate to a total of \$1,370 for the USO. There are 17 plaques that have been installed on the Hall of Honor and three (3) that are currently pending.

ST. PETERS BUSINESS RECOGNITION PROGRAM

Daniel's Farm & Greenhouses, 352 Jungermann Road (Ward 1), was recognized by the Mayor and Board of Aldermen for being an established business in the City of St. Peters for over 25 years. They were presented with a plaque and a variety of City related coupons for owners and employee use.

PROCLAMATION: NATIONAL VOLUNTEER WEEK - APRIL 10-16, 2016

Mayor Pagano presented and Alderman Reitmeyer read the Proclamation on the National Volunteer Week to Jessica Heslin, Volunteer Specialist with the City of St. Peters. Ms. Heslin introduced her father, Frank Heslin, and thanked the City and accepted the Proclamation on behalf of over 800 volunteers for the City of St. Peters. She advised they will be recognized with a couple events during the week and will end the week with a clean stream event on April 16.

RECOGNITION: ANGELINA HUANG-U.S. SKATING CHAMPIONSHIP

Alderman Bateman read and presented the Certificate of Recognition to Angelina Huang, U.S. Skating Champion. Ms. Huang started skating at the age of six at the St. Peters Rec-Plex. At the age of thirteen, she has won the silver medal at the 2015 Upper Great Lakes Regional Championship and the bronze medal at the U.S. Figure Skating Midwestern Sectionals in Illinois. Ms. Huang was present with her parents and thanked the City of St. Peters for the recognition.

APPROVAL OF MINUTES: WORK SESSION MEETING OF FEBRUARY 25, 2016 AND THE REGULAR BOARD OF ALDERMEN MEETING OF FEBRUARY 25, 2016

Alderman Bateman moved and Alderman Violet seconded the motion to approve the Board of Aldermen Work Session meeting minutes of February 25, 2016, and the Regular Board of Aldermen meeting minutes of February 25, 2016. The motion carried and the minutes were approved.

REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

MAYORAL REPORT OF APPOINTMENTS TO BOARDS AND COMMISSIONS

None

CITY ADMINISTRATOR'S REPORT:

2015 CUSTOMER SERVICE REPORT – PRATT

Ms. Cathy Pratt, Director of Human Resources and Community Services, spoke about the City's 2015 Customer Service results and presented a slideshow. She explained how the report is compiled and stated that the City received an overall score of 96% satisfaction from residents. This is the 12th consecutive year the City has achieved this outstanding level of service rating. Ms. Pratt advised that 57 City departments and programs were surveyed and 63% of those received a rating of 98% or higher. Only 10% of all departments and programs surveyed had a service rating below 90%, those areas will be required to complete a service improvement action plan in order to bring those scores up.

2015 VOLUNTEER REPORT – HESLIN

Ms. Jessica Heslin, Volunteer Coordinator, gave a slideshow presentation on the 2015 Volunteer Report. Ms. Heslin advised that in 2015 they engaged in over 800 volunteers. The volunteers assisted in over 20 special events throughout the year. She advised that 59 people applied for "official" City volunteers, which they complete a formal application and interview process. In 2015 volunteers donated 9,631 hours; which is an increase of 2,557 hours from 2014 and the most volunteer hours since the Olympic Diving Trials in 2004. This donated time has saved the City almost \$70,000; if equated to minimum wage paid time. The St. Peters Volunteer Program satisfaction survey result was 98%.

REPORT OF DIRECTOR OF PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT

None

ST. PETERS BUSINESS SPOTLIGHT

None

OPEN FORUM

CITIZENS PETITIONS AND COMMENTS

None

COMMUNICATIONS FROM THE ELECTED OFFICIALS

Elected Officials made comments during this time.

ANNOUNCEMENTS

PUBLIC HEARINGS

None

UNFINISHED (OLD) BUSINESS ITEMS:

None

NEW BUSINESS ITEMS:

MOTION/APPROVED: BILL NO. 16-30: ORDINANCE NO. 6496: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ISSUE A PURCHASE ORDER FOR THE PROCUREMENT OF ASPHALTIC CONCRETE MATERIALS FOR CITY PROJECTS

Alderman Reitmeyer moved and Alderman Shea seconded the motion to introduce the Bill. The motion carried. Alderman Reitmeyer moved and Alderman Shea seconded the motion to read Bill No. 16-30 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Shea moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Shea read the Bill. Alderman Bateman moved and Alderman Reitmeyer seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-30 was passed becoming Ordinance No. 6496.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-31: ORDINANCE NO. 6497: AN ORDINANCE ACCEPTING FOR MAINTENANCE THE DEDICATION OF CERTAIN STORM SEWER LINES IN AND CONNECTED WITH SUGARWOOD

Alderman Bateman moved and Alderman Aytes seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Aytes seconded the motion to read Bill No. 16-31 for the first time. The motion carried and Alderman Barclay read the Bill. Alderman Aytes moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Bateman read the Bill. Alderman Aytes moved and Alderman Bateman seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-31 was passed becoming Ordinance No. 6497.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-32: ORDINANCE NO. 6498: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO AN AGREEMENT FOR A TEMPORARY CONSTRUCTION EASEMENT AND A PERMANENT DRAINAGE EASEMENT WITH AZO-C L.P. FOR THE HS-1 STORMWATER IMPROVEMENT PROJECT

Alderman Bateman moved and Alderman Shea seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Shea seconded the motion to read Bill No. 16-32 for the first time. The motion carried and Alderman Violet read the Bill. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to read the Bill for the second time. The motion carried and Alderman Aytes read the Bill. Alderman Shea moved and Alderman Bateman seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-32 was passed becoming Ordinance No. 6498.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-33: ORDINANCE NO. 6499: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH M & H CONCRETE CONTRACTORS, INCORPORATED FOR THE 2016 CONCRETE SLAB REPLACEMENT PROGRAM

Alderman Bateman moved and Alderman Reitmeyer seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Reitmeyer seconded the motion to read Bill No. 16-33 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Shea moved and Alderman Aytes seconded the motion to read the Bill for the second time. The motion carried and Alderman Shea read the Bill. Alderman Violet moved and Alderman Reitmeyer seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-33 was passed becoming Ordinance No. 6499.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-34: ORDINANCE NO. 6500: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH AMERICA'S PARKING REMARKING, INCORPORATED FOR THE 2016 LONG LINE PAVEMENT MARKING INSTALLATION PROGRAM

Alderman Bateman moved and Alderman Barclay seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Barclay seconded the motion to read Bill No. 16-34 for the first time. The motion carried and Alderman Barclay read the Bill. Alderman Reitmeyer moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Barclay read the Bill. Alderman Reitmeyer moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-34 was passed becoming Ordinance No. 6500.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-35: ORDINANCE NO. 6501: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE JUNGERMANN ROAD STREAM & TRAIL IMPROVEMENT PROJECT P-28

Alderman Aytes moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Aytes moved and Alderman Bateman seconded the motion to read Bill No. 16-35 for the first time. The motion carried and Alderman Bateman read the Bill. Alderman Reitmeyer moved and Alderman Shea seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Aytes moved and Alderman Shea seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-35 was passed becoming Ordinance No. 6501.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-36: ORDINANCE NO. 6502: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH CATHY MCDANIEL TRUCKING, LLC, FOR 2016 GENERAL HAULING SERVICES FOR THE CITY OF ST. PETERS ON AN AS-NEEDED BASIS

Alderman Barclay moved and Alderman Bateman seconded the motion to introduce the Bill. The motion carried. Alderman Barclay moved and Alderman Bateman seconded the motion to read Bill No. 16-36 for the first time. The motion carried and Alderman Aytes read the Bill. Alderman Barclay moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Shea moved and Alderman Violet seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-36 was passed becoming Ordinance No. 6502.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-37: ORDINANCE NO. 6503: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION STP-URBAN PROGRAM SUPPLEMENTAL AGREEMENT FOR THE MEXICO ROAD RESURFACING PROJECT, PHASE II (FEDERAL PROJECT NO. STP-5655(611))

Alderman Shea moved and Alderman Aytes seconded the motion to introduce the Bill. The motion carried. Alderman Shea moved and Alderman Aytes seconded the motion to read Bill No. 16-37 for the first time. The motion carried and Alderman Shea read the Bill. Alderman Reitmeyer moved and Alderman Violet seconded the motion to read the Bill for the second time. The motion carried and Alderman Barclay read the Bill. Alderman Violet moved and Alderman Barclay

seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-37 was passed becoming Ordinance No. 6503.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

MOTION/APPROVED: BILL NO. 16-38: ORDINANCE NO. 6504: AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH RUDD EQUIPMENT COMPANY FOR THE PURCHASE OF A 2016 VOLVO L90H WHEEL LOADER WITH A 7 CUBIC YARD BUCKET

Alderman Bateman moved and Alderman Barclay seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Barclay seconded the motion to read Bill No. 16-38 for the first time. The motion carried and Alderman Bateman read the Bill. Alderman Reitmeyer moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Shea moved and Alderman Aytes seconded the motion to put the Bill to a final vote. The motion was approved and Bill No. 16-38 was passed becoming Ordinance No. 6504.

Reitmeyer: Yes Thomas: Absent Bateman: Yes Hollingsworth: Absent
Shea: Yes Violet: Yes Aytes: Yes Barclay: Yes
AYES: 6 NAYS: 0 ABSTENTIONS: 0 ABSENT: 2 MAYOR:

EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

No Executive Session was called at this time.

ADJOURNMENT

Alderman Violet moved and Alderman Bateman seconded the motion to adjourn the Regular Board of Aldermen meeting. The motion was approved and the Regular Board of Aldermen meeting was adjourned at approximately 7:47 p.m.

Respectfully submitted,

Scott Baumgartner
Deputy City Clerk

NOTICE OF PUBLIC HEARING

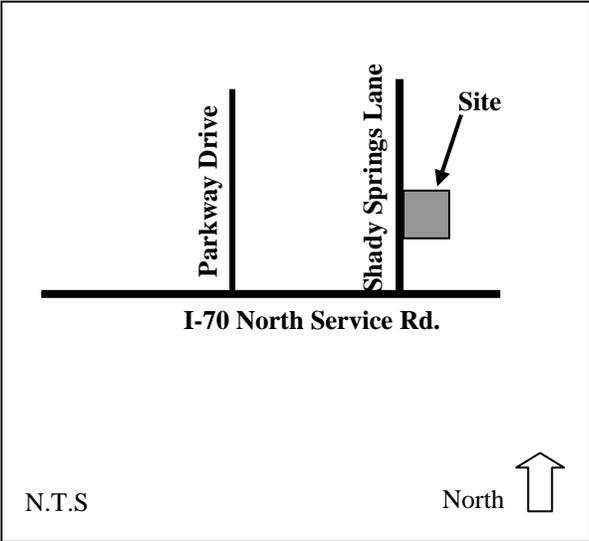
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, March 2, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the special use described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-03

Golden Lab, LLC. is requesting a special use permit in the I-1 Light Industrial District to permit a crematorium on a 3.24 +/- acre parcel. The property is located on the north side of I-70 North Service Road, east side of Ehlmann Road (4175 Shady Springs Lane).

Location Map



Legal Description

Ehlmann North Service Road Commercial Lot 2 as recorded in book 35 page 261 at the St. Charles County Recorder’s Office.

NOTICE OF PUBLIC HEARING

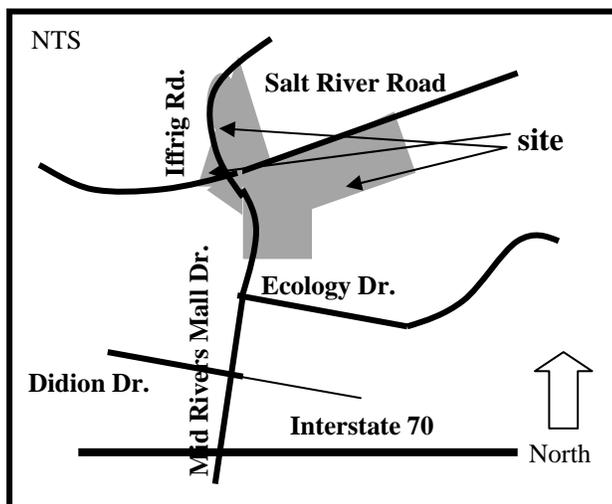
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, March 2, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Road and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the proposed zoning district described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-04

The Sunshine Group LLC requests a change of zoning from A-1 Agricultural District and I-1 Light Industrial District to I-2 Heavy Industrial District for 70 +/- acre parcel. The subject site is located on the north and south sides of Salt River Road and east and west sides of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the City of St. Peters Planning Department.

NOTICE OF PUBLIC HEARING

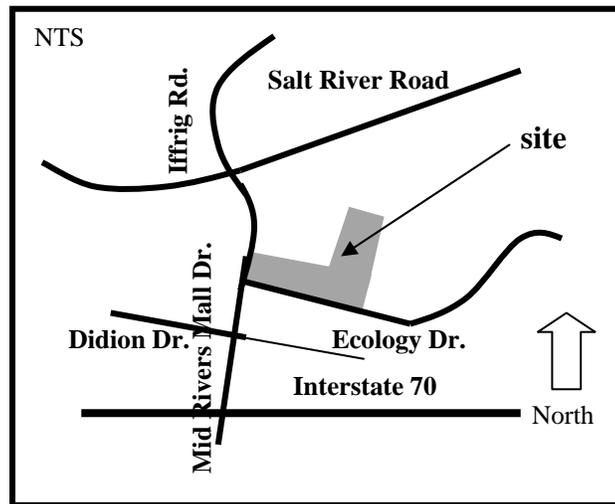
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All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-05

Schneider Family Trust, etal. requests a change of zoning from A-1 Agricultural District and I-1 Light Industrial District I to I-2 Heavy Industrial District for a 22+/- acre parcel. The subject site is located on the north side of Ecology Drive, east of Mid Rivers Mall Drive.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the City of St. Peters Planning Department.

NOTICE OF PUBLIC HEARING

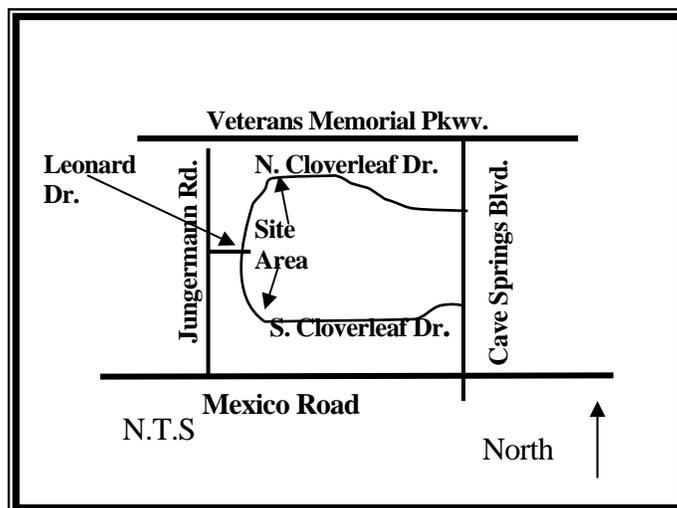
The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday, March 2, 2016 at the St. Peters Justice Center. The St. Peters Justice Center is located at the intersection of Suemandy Road and Grand Teton Drive (1020 Grand Teton Drive). The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the proposed zoning district described below.

All interested citizens will have the opportunity to give written and oral comment. Persons with disabilities needing assistance should contact the City before the meeting by calling or writing to the City Administrator at P.O. Box 9, St. Peters, MO, 63376, 477-6600 or 278-2244.

Petition 16-06

Castle Group Series II requests an amended R-3 Planned Urban Development (PUD) for a 5.98 +/- acre parcel. The subject site is located on the south side of North Cloverleaf Drive and north side of South Cloverleaf Drive, at Leonard Drive. Proposed use: multiple-family units.

LOCATION MAP



LEGAL DESCRIPTION

A legal description of the subject property is on file at the City of St. Peters Planning Department

ORDINANCE NO.

AN ORDINANCE APPROVING A SPECIAL USE PERMIT IN THE I-1 LIGHT INDUSTRIAL DISTRICT TO PERMIT A CREMATORIUM, IN RESPONSE TO PETITION 16-03 (THE GOLDEN LAB, L.L.C.) AND ADOPTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WITH RESPECT THERETO

WHEREAS, by Petition to the Board of Aldermen, a special use permit was requested in the I-1 Light Industrial District to permit a crematorium; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed special use; and

WHEREAS, the said Planning and Zoning Commission of the City did consider this Petition and did recommend approval of this petition to the Board of Aldermen; and

WHEREAS, at the Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed special use.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION 1. The Board of Aldermen of the City of St. Peters, Missouri, does hereby approve the Special Use Permit, attached herewith and marked as Exhibit "A", for The Golden Lab, L.L.C. to permit a crematorium.

LEGAL DESCRIPTION

Ehlmann North Service Road Commercial Lot 2 as recorded in book 35 page 261 at the St. Charles County Recorder's Office.

and states it will not adversely affect the character or the traffic conditions of the surrounding area, nor adversely affect the public utility facilities, that this Special Use

complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents.

SECTION 2. The Board of Aldermen of the City of St. Peters, Missouri, does hereby authorize the requested special use by The Golden Lab, L.L.C., in the I-1 Light Industrial District to permit a crematorium at the subject site.

SECTION 3. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 4. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of St. Peters, Missouri.

Read two times, passed, and approved this 24th day of March, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this _____ day of March, 2016.

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

DRAFT

BEFORE THE BOARD OF ALDERMEN
OF THE CITY OF ST. PETERS, MISSOURI

)	
)	
)	
In re: Application for Special Use)	
Permit --)	
)	Application No. 16-03
The Golden Lab, L.L.C.)	
Applicant)	
)	

FINDINGS OF FACT AND CONCLUSION OF LAW

INTRODUCTION

On February 4, 2016, pursuant to the requirements of Section 405.780 of the Code of the City of St. Peters, Missouri (the “City Code”), The Golden Lab, L.L.C. (the “Applicant”) submitted to the City of St. Peters, Missouri (the “City”), Application No. 16-03 for a Special Use Permit requesting a permit to use certain property within I-1 Light Industrial District for a crematorium (the “Application”), which property is more particularly described in the legal description attached hereto as **Exhibit A** (“the Property”). Specifically, the Applicants requested the following use:

“Human cremation/funerals/embalming/pet cremation/cemetery shop”

Pursuant to the Application and the requirements of the Section 405.780.C.4 of the City Code, a hearing was conducted before the Board of Alderman on March 24, 2016 a copy of the video recording of which is available in the office of the City Clerk and is incorporated by reference herein (the “Hearing”). At such Hearing all persons-in-interest and other citizens were given an opportunity to be heard regarding the proposed Special Use Permit. The Board of Aldermen makes its findings based upon the following:

- A. The Application submitted by the Applicants on February 4, 2016, a copy of which is attached hereto as **Exhibit F** and incorporated by reference herein;
- B. The sworn testimony of _____ provided at the Hearing;
- C. The Site Plan, a copy of which is attached hereto as **Exhibit B** and incorporated by reference herein;
- D. The Architectural Elevations, a copy of which is attached hereto as **Exhibit C** and incorporated by reference herein;

- E. The City Code, a copy of which is on file in the office of the City Clerk, and incorporated as though fully set forth herein;
- F. The City's Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;
- G. The Zoning Map of the City, a copy of which is available in the office of the City Clerk and incorporated by reference herein;
- H. The Report of the Director of Planning, Community and Economic Development, a copy of which is attached hereto as **Exhibit D** and incorporated by reference herein; and
- I. The Recommendation of Planning and Zoning Commission, a copy of which is attached hereto as **Exhibit E** and incorporated by reference herein.

FINDINGS OF FACT

- A. The Property is owned by The Golden Lab, L.L.C. (The "Owner").
- B. The Property is located in the I-1 Light Industrial District.
- C. Section 405.230(D)(15) of the City Code provides that Special Uses within the I-1 Light Industrial District include "crematoriums".

CONCLUSIONS OF LAW

At a public meeting held on March 24, 2015, the Board of Aldermen of the City of St. Peters, Missouri, reviewed and discussed the Application, the sworn testimony and the additional information presented by all interested parties. Following discussion of the foregoing, and after each Board Member had been provided the opportunity to express their respective thoughts concerning the Application, a motion was made to approve the Application, with details of the motion, seconding of the motion, and vote of the Board members set forth in the approved minutes of the Board of Aldermen from the meeting. The vote of the Board was _____ () in the affirmative, _____ () in the negative, and _____ () member(s) absent. The motion passed and the Application was approved.

Pursuant to the foregoing vote, the Board of Aldermen makes the following conclusions of law:

- A. The proposed Special Use complies with all applicable provisions of the St. Peters City Code, including intensity of use regulations, setback regulations and use limitations.
- B. The proposed Special Use of the Property will contribute to and promote the general, welfare, health, safety and convenience of the public.

- C. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the Property with respect to streets giving access to it are such that the Special Use will not adversely affect the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.
- D. Off-street parking and loading areas will be provided in accordance with the standards set forth in the City Code.
- E. Adequate utility, drainage and other such necessary facilities have been or will be provided on the Property.
- F. Adequate access roads, entrances and exit drives are being provided and are so designed to prevent traffic hazards and to minimize traffic congestion on public streets and alleys.

Based on all of the circumstances, including the Application and the evidence presented to the Board of Aldermen, the Special Use Permit requested pursuant to the Application shall be, and hereby is GRANTED subject to the following terms and conditions:

A. Uses:

This Special Use Permit shall authorize the use of the Property for a crematorium. Any modifications to the Site Plan shall be subject to approval by the Planning and Zoning Commission, with minor modifications to be approved by the City's Planning Department.

B. General Requirements:

1. The Property shall be operated in compliance with all requirements of the City Code.
 2. The Applicants, Owners, and their successors in interest shall be in compliance with all local, State, and Federal laws and regulations related to human and pet cremation at the Property.
 3. The design of the existing building shall be as substantially shown on **Exhibit C**. Any minor modifications to the building shall be as approved by the Planning Department. Any substantive changes to the approved building shall first be approved by the Planning and Zoning Commission.
 4. All fencing shown on the Site Plan shall be approved by the Planning Department.
- C. If any provision of this Permit shall to any extent be invalid or unenforceable, the remainder of the permit shall not be affected thereby, and each such provision of the Permit shall be valid and enforceable to the fullest extent permitted by law.
 - D. The Special Use Permit shall only be valid for a period of one (1) year from the date of its approval by the Board of Alderman, unless within such period:

- a. a building permit is obtained and the erection or alteration of the Property and related structures, if any, is commenced; or
 - b. the Board of Aldermen, upon written request of the Applicants or Owners may grants an extension not exceeding one year, without notice of hearing.
- E. The terms and conditions herein set forth shall be deemed to be covenants running with the Property.
- F. The Owners and Applicants, and their successors in interest, shall comply with all other requirements of the City's Zoning and Subdivision Regulations, including but not limited to parking and signage requirements, and any other city, state, or federal regulations that are applicable unless otherwise stated herein.

Draft

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the _____ day of _____, 2016.

CITY OF ST. PETERS, MISSOURI SEAL

By _____
Len Pagano, Mayor

Attest:

Patricia E. Smith, City Clerk

STATE OF MISSOURI)
) SS
COUNTY OF ST. CHARLES)

On this _____ day of _____, 2016, before me appeared LEN PAGANO, to me personally known, who, being by me duly sworn, did say the he is the Mayor of the CITY OF ST. PETERS, MISSOURI, a municipal corporation, that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed in behalf of said City, by authority of its Board of Aldermen; and, said LEN PAGANO acknowledged said instrument to be free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.

Notary Public

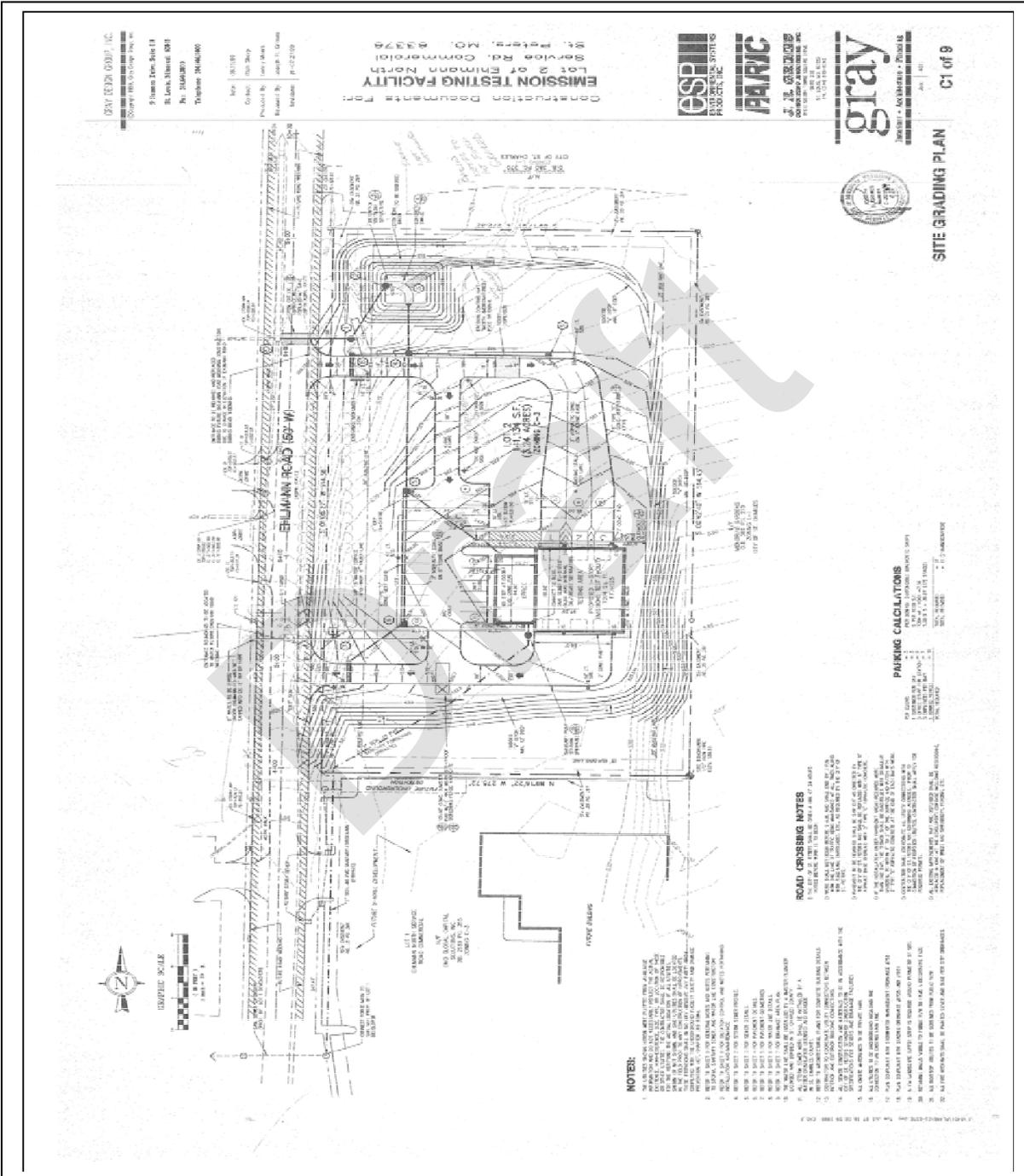
My Commission Expires:

EXHIBIT A

Ehlmann North Service Road Commercial Lot 2 as recorded in book 35 page 261 at the St. Charles County Recorder's Office.

Draft

EXHIBIT B Site Plan Golden Lab L.L.C. –Baue (formerly known as Emission Testing Facility)



A full size copy is on file with the Planning Department

Site Plan



EXHIBIT C

Architectural Design



EXHIBIT D

Report of the Director of Planning, Community and Economic Development

Name/Location of Development:

- b. Petition 16-03 Golden Lab, L.L.C.: A request for a special use permit in the I-1 Light Industrial District to permit a crematorium on a 3.24 +/- acre parcel. The property is located on the north side of I-70 North Service Road, east side of Ehlmann Road (4175 Shady Springs Lane).

Staff Evaluation:

The site is located on the east side of Shady Springs Lane, north of I-70 North Service Road at 4175 Shady Springs Lane. A special use permit is required by code for the proposed use, as a crematorium.

The property was developed in 1999 as a State of Missouri vehicle emission testing facility. The facility remained open till 2007, after which the building was vacant. In December 2008 Golden Lab L.L.C., more commonly known as Baue Funeral Homes, purchased and rezoned the property from C-3 General Commercial to I-1 Light Industrial via Ordinance 5120. The applicant indicated they wanted to use the property for a crematorium and to expand into pet burial services which would also require a special use permit. Although a special use for cremation was not pursued at that time, the building has been used as an accessory facility to the nearby Baue Funeral Home.

The applicant is now requesting a special use permit to allow for the installation of a crematorium. The applicant has indicated the facility will be for both human and pet cremation. The facility will primarily be used for preparation and cremation. The applicant indicated there will be limited clients coming to the facility. The main Baue facility around the corner will continue to be used for viewings, services, and other front office activities.

The site is fully developed and in good condition. The site contains a masonry building with paved parking, lighting, stormwater detention, and a substantial amount of mature landscaping including trees. It is noted that a small cooler addition has been proposed to the rear of the building. The cooler will be finished to match/complement the existing building.

The applicant has indicated that the State of Missouri has very strict standards related to cremation. The applicant has indicated the new cremation technology does not emit smoke, fumes, or odors of any kind.

Staff is of the opinion the facility can operate without detriment to the area. The business will be located along Shady Springs Lane which is a commercial/light industrial corridor. In addition, the property contains plenty of off-street parking to accommodate clients.

Per the City of St. Peters Zoning Code, the review of any proposed special use must include consideration of certain standards; these are addressed below:

- a. *Character of the surrounding area:* The facility is planned for an existing light industrial office space which is near major roadways and adjacent to other non-residential uses. The proposed use would be consistent with the nature of the area.
- b. *Traffic conditions in the surrounding area:* The site is served by Shady Springs Lane which connects to Interstate 70 North Service Road and Interstate 70 – all of these have been adequately improved to serve the land uses in the area and are designed to accommodate substantial traffic levels.
- c. *Public Utility facilities:* The existing building is currently served with all utilities. Utility services are readily available in this area.
- d. *The Comprehensive Plan:* The City's Comprehensive Plan, as amended in 2008, indicates the site area is appropriate for commercial/light industrial oriented uses. The proposed use of the building for cremation would be consistent with the plan.
- e. *Other matters pertaining to general welfare:* The site is located along a commercial/light industrial roadway; this location is appropriate for continued commercial/light industrial development including the proposed use.

Staff Recommendation:

Based on the above review, staff recommends approval of the proposed special use subject to the attached special use permit.

EXHIBIT E

Planning and Zoning Commission Recommendation

- a. Petition 16-03 – The Golden Lab, L.L.C.: A request for a special use permit in the I-1 Light Industrial District to permit a crematorium on a 3.24 +/- acre parcel. The property is located on the north side of I-70 North Service Road, east side of Ehlmann Road. (4175 Shady Springs Lane)

Mr. Colby Hitchcock and Mr. Brad Vickers, presented this to the Commission for approval. Mr. Hitchcock explained that the site is on the east side of Shady Springs Lane, north of I-70 North Service Road at 4175 Shady Springs Lane. The property was developed in 1999 as a State of Missouri vehicle emission testing facility. The facility remained open until 2007, after which the building was vacant. In December 2008 Golden Lab L.L.C., more commonly known as Baue Funeral Homes, purchased and rezoned the property from C-3 General Commercial District to I-1 Light Industrial District. At that time, the building was going to be used for a crematorium and to expand into pet burial services which would also require a special use permit. Although a special use for cremation was not pursued at that time, the building has been used as an accessory facility to Baue Funeral Home. At this time, The Golden Lab, L.L.C. is requesting a special use permit to allow for the installation of a crematorium facility to be primarily used for preparation, embalming and cremation. There will be limited clients coming to the facility. The main Baue facility will continue to be used for viewings, services and other office activities. The site is fully developed and contains a masonry building with paved parking, lighting, storm water detention, and a substantial amount of mature landscaping. Chairman McNames opened the public hearing at 6:52 p.m. and asked anyone wishing to speak on this petition to please come forward. Seeing no one present to comment, Chairman McNames closed the public hearing at 6:52 p.m. Mr. Winslow made a motion and Mr. Yoffie seconded to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried unanimously. Mr. Winslow made a motion and Ms. O'Mara seconded to recommend approval of this Special Use Permit to the Board of Aldermen. The motion carried unanimously.

**EXHIBIT F
Application**

2



**APPLICATION FOR A SPECIAL USE PERMIT
STATE OF MISSOURI
COUNTY OF ST. CHARLES
CITY OF ST. PETERS**



INSTRUCTIONS TO APPLICANT:

APPLICATION NUMBER: 16-03

Submit the following to an Administrative Officer:

- The petition forms completely filled out typed or printed.
- The petition fee.
 - THE BASE FEE IS \$250.00 WHICH SHOULD BE SUBMITTED WITH THIS PETITION.
 - THE APPLICANT WILL BE BILLED \$2.00 PER EACH SET OF 3 LETTERS FOR THE ADDITIONAL COST OF THE MAILINGS.
- A typed and electronic version of the legal description of the property being petitioned.
- Provide items required by Section 405.780 (D)(2)

NAME OF APPLICANT: ~~BAWE FEDERAL HOMES (BRAD VICKERS)~~ Golden Lab LLC
IF APPLICANT IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 608 Jefferson St
SAINT CHARLES, MO ZIP CODE: 63301

TELEPHONE NUMBER: (314)960-4503 FAX: 636-946-7896 E-MAIL: BRADVICKERS@BAWE.COM

NAME OF LEGAL OWNER: THE GOLDEN LAB, LLC
IF OWNER IS A LIMITED LIABILITY CORPORATION OR INCORPORATION, A COPY OF THE CURRENT OPERATION AGREEMENT OR ARTICLES OF INCORPORATION, WHICHEVER IS APPLICABLE, SHALL BE PROVIDED.

ADDRESS: 608 Jefferson St
SAINT CHARLES, MO ZIP CODE: 63301

TELEPHONE NUMBER: 636-946-7822 FAX: 636-946-7896 E-MAIL: BRADASO@BAWE.COM

CHECK ONE: OWNER OWNER BY OPTION AGENT OTHER (SPECIFY): _____

IF OWNER BY OPTION, INDICATE: DATE OF CONTRACT: _____
EXPIRATION DATE: _____

LOCATION OF PROPERTY 4175 SHADY SPRINGS LANE ST. PETERS, MO

ACREAGE TO THE NEAREST ¹/₁₀ OF AN ACRE OF THE PROPERTY BEING PETITIONED: 3.24

PRESENT ZONING CLASSIFICATION: I-1

PRESENT USE: HUMAN CREMATIONS ARRANGEMENTS / PET CREMATIONS AND ARRANGEMENTS

PROPOSED USE: HUMAN CREMATIONS / FUNERALS / EMBALMING / PET CREMATIONS / ~~FLORAL STORAGE~~ CEMETERY SHOP

DESCRIBE IN DETAIL THE SPECIAL USE PROPOSED AND JUSTIFICATION FOR THE REQUEST (MAY BE ATTACHED):

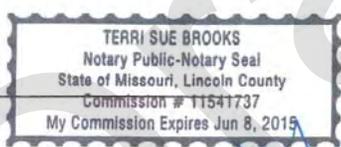
SIGNATURE OF APPLICANT (MUST BE NOTARIZED): Bradley T. Vickers LISA

DATE: January 30, 2015

STATE OF MISSOURI }
COUNTY OF ST. CHARLES } SS

On this 30th day of January, 2015, before me personally appeared
number date month year

Bradley T. Vickers LISA To me known, who, being by me
duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. In Testimony
Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first
above written.



Terri Sue Brooks
Notary Public

My Commission Expires: _____

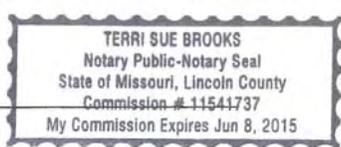
SIGNATURE OF LEGAL OWNER (MUST BE NOTARIZED): Lisa A. Baue

DATE: January 30, 2015

STATE OF MISSOURI }
COUNTY OF ST. CHARLES } SS

On this 30th day of January, 2015, before me personally appeared
number date month year

Lisa A. Baue To me known, who, being by me
duly sworn, did say that they have signed the foregoing instrument of their own free will and deed. In Testimony
Whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first
above written.



Terri Sue Brooks
Notary Public

My Commission Expires: _____

TO BE COMPLETED BY ADMINISTRATIVE OFFICE	
DATE FILED: <u>February 4</u> , <u>2015</u>	FEE PAID: \$ <input checked="" type="checkbox"/> (\$250.00)
month day year	\$ _____ (Mailing)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, TITLE IV: LAND USE PERTAINING TO ZONING PROPERTY WITHIN SAID CITY IN RESPONSE TO REZONING PETITION NUMBER 16-04 THE SUNSHINE GROUP, L.L.C., BY MAKING CERTAIN CHANGES IN THE DESIGNATED DISTRICTS IN CERTAIN SECTIONS OF SAID CITY

WHEREAS, by Petition Number 16-04 to the Board of Aldermen, a certain change was requested in the Zoning Law of the City; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed change; and

WHEREAS, at this Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed change; and

WHEREAS, said Planning and Zoning Commission did consider this Petition and did recommend approval of this item to the Board of Aldermen.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION 1. That certain sections of the Municipal Code of the City of St. Peters, Missouri, Title IV: Land Use be amended by making the following changes in the Zoning District Map, which map is on file in the Office of the City Clerk, to rezone to I-2 Heavy Industrial District for a 70 +/- acre parcel from A-1 Agricultural District and I-1 Light Industrial District, more particularly described as follows:

Land Description

PARCEL A

A TRACT OF LAND BEING PART OF U.S. SURVEY 1786, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

No.

BEGINNING AT THE NORTHWEST CORNER OF LOT 2 OF "SCHNEIDER FARM ESTATES", A SUBDIVISION RECORDED IN PLAT BOOK 43 PAGE 343 OF THE ST. CHARLES COUNTY RECORDS, SAID POINT BEING IN THE SOUTHEAST RIGHT OF WAY LINE OF MID RIVERS MALL DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 573.00 FEET AND WHOSE CHORD BEARS NORTH 3 DEGREES 12 MINUTES 16 SECONDS EAST, A DISTANCE OF 442.36 FEET, AN ARC LENGTH OF 454.16 FEET; THENCE NORTH 19 DEGREES 30 MINUTES 07 SECONDS WEST, A DISTANCE OF 91.09 FEET AND NORTH 20 DEGREES 56 MINUTES 36 SECONDS EAST, A DISTANCE OF 37.18 FEET TO A POINT IN THE SOUTHEAST RIGHT OF WAY LINE OF SALT RIVER ROAD (VARIABLE WIDTH); THENCE ALONG SAID SOUTHEAST RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES; NORTH 61 DEGREES 23 MINUTES 20 SECONDS EAST, A DISTANCE OF 307.51 FEET; NORTH 58 DEGREES 44 MINUTES 11 SECONDS EAST, A DISTANCE OF 118.75 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 6469.00 FEET AND WHOSE CHORD BEARS NORTH 64 DEGREES 27 MINUTES 39 SECONDS EAST, A DISTANCE OF 693.34 FEET, AN ARC LENGTH OF 693.67 FEET AND NORTH 67 DEGREES 31 MINUTES 58 SECOND EAST, 1224.79 FEET TO A POINT IN THE SOUTHWESTERN LINE OF PROPERTY CONVEYED TO THE CITY OF ST. PETERS; THENCE ALONG SAID SOUTHWEST LINE SOUTH 62 DEGREES 09 MINUTES 50 SECONDS EAST, A DISTANCE OF 524.89 FEET TO THE NORTHERNMOST CORNER OF "ST PETERS ENVIRONMENTAL PARK PLAT 2", A SUBDIVISION RECORDED IN PLAT BOOK 37, PAGE 182 OF SAID COUNTY RECORDS; THENCE ALONG THE WESTERN LINE OF SAID ST. PETERS ENVIRONMENTAL PARK PLAT 2 SOUTH 37 DEGREES 59 MINUTES 10 SECONDS WEST, A DISTANCE OF 1485.60 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION, SAID POINT BEING IN THE NORTHERN LINE OF PROPERTY CONVEYED TO THE CITY OF ST. PETERS IN BOOK 1769 PAGE 324 OF SAID COUNTY RECORDS; THENCE ALONG THE NORTHERN LINE OF SAID ST. PETERS PROPERTY NORTH 62 DEGREES 09 MINUTES 50 SECONDS WEST, A DISTANCE OF 212.54 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 OF SCHNEIDER FARM ESTATES; THENCE ALONG THE NORTHERN AND WESTERN LINES OF SAID LOT 2 THE FOLLOWING COURSES AND DISTANCES; NORTH 62 DEGREES 09 MINUTES 50 SECONDS WEST, A DISTANCE OF 474.25 FEET; SOUTH 27 DEGREES 37 MINUTES 23 SECONDS WEST, A DISTANCE OF 891.47 FEET AND NORTH 62 DEGREES 27 MINUTES 57 SECONDS WEST, A DISTANCE OF 750.70 FEET TO THE POINT OF BEGINNING CONTAINING 51.011 ACRES, MORE OR LESS. THIS DESCRIPTION WAS PREPARED FROM AVAILABLE RECORDS AND IS SUBJECT TO ANY DISCREPANCIES THAT A PROPERTY BOUNDARY SURVEY MIGHT DISCLOSE.

PARCEL B

A TRACT OF LAND BEING PART OF U.S. SURVEY 1786, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

No.

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF "SCHNEIDER FARM ESTATES", A SUBDIVISION RECORDED IN PLAT BOOK 43 PAGE 343 OF THE ST. CHARLES COUNTY RECORDS, SAID POINT BEING IN THE NORTHWEST RIGHT OF WAY LINE OF MID RIVERS MALL DRIVE; THENCE ALONG THE NORTHERN LINE OF SAID LOT 1 NORTH 62 DEGREES 27 MINUTES 57 SECONDS WEST, A DISTANCE OF 505.78 FEET TO A POINT IN THE SOUTHEAST RIGHT OF WAY LINE OF SALT RIVER ROAD; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 61 DEGREES 23 MINUTES 20 SECONDS EAST, A DISTANCE OF 466.27 FEET AND SOUTH 69 DEGREES 03 MINUTES 24 SECONDS EAST, A DISTANCE OF 38.95 FEET TO A POINT IN THE AFOREMENTIONED RIGHT OF WAY LINE OF MID RIVERS MALL DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 19 DEGREES 30 MINUTES 07 SECONDS EAST, A DISTANCE OF 69.15 FEET TO A POINT OF CURVE TO THE RIGHT WITH A RADIUS OF 493.00 FEET AND WHOSE CHORD BEARS SOUTH 3 DEGREES 04 MINUTES 21 SECONDS WEST, A DISTANCE OF 378.52 FEET, AN ARC LENGTH OF 388.49 FEET TO THE POINT OF BEGINNING CONTAINING 2.768 ACRES MORE OR LESS. THIS DESCRIPTION WAS PREPARED FROM AVAILABLE RECORDS AND IS SUBJECT TO ANY DISCREPANCIES THAT A PROPERTY BOUNDARY SURVEY MIGHT DISCLOSE.

PARCEL C

A TRACT OF LAND BEING PART OF U.S. SURVEY 290 AND U.S. SURVEY 1786, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF U.S. SURVEY 290, THENCE NORTH 23 DEGREES 54 MINUTES 03 SECONDS WEST, A DISTANCE OF 3.97 FEET TO A POINT IN THE SOUTHEAST RIGHT OF WAY LINE OF OLD IFFRIG ROAD (50 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE NORTH 28 DEGREES 25 MINUTES 03 SECONDS EAST, A DISTANCE OF 25.95 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AND WHOSE CHORD BEARS NORTH 18 DEGREES 08 MINUTES 04 SECONDS EAST, A DISTANCE OF 214.26 FEET, AN ARC LENGTH OF 215.41 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AND WHOSE CHORD BEARS NORTH 5 DEGREES 03 MINUTES 47 SECONDS EAST, A DISTANCE OF 58.33 FEET, AN ARC LENGTH OF 58.35 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 550.00 FEET AND WHOSE CHORD BEARS NORTH 18 DEGREES 18 MINUTES 03 SECONDS EAST, A DISTANCE OF 303.65 FEET, AN ARC LENGTH OF 307.64 FEET TO A POINT OF TANGENCY; THENCE NORTH 34 DEGREES 19 MINUTES 31 SECONDS EAST, A DISTANCE OF 952.71 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY LINE NORTH 67 DEGREES 40 MINUTES 50 SECONDS EAST, A DISTANCE OF 14.40 FEET TO A POINT IN THE SOUTHWEST LINE OF PROPERTY CONVEYED TO ROBERT

No.

R. AND MARIE WEHRMAN IN BOOK 346 PAGE 180 OF SAID COUNTY RECORDS; THENCE ALONG SAID SOUTHWESTERN LINE SOUTH 22 DEGREES 22 MINUTES 47 SECONDS EAST, A DISTANCE OF 965.04 FEET TO A POINT IN THE NORTHWESTERN RIGHT OF WAY LINE OF SALT RIVER ROAD (WIDTH VARIES); THENCE ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 6549.00 FEET AND WHOSE CHORD BEARS SOUTH 64 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 614.76 FEET, AN ARC LENGTH OF 614.99 FEET TO A POINT OF TANGENCY; THENCE SOUTH 61 DEGREES 23 MINUTES 20 SECONDS WEST, A DISTANCE OF 406.87 FEET TO A POINT; THENCE NORTH 69 DEGREES 03 MINUTES 24 SECONDS WEST, A DISTANCE OF 38.92 FEET TO A POINT IN THE EASTERN RIGHT OF WAY LINE OF IFFRIG ROAD-RELOCATED (80 FEET WIDE); THENCE ALONG SAID RIGHT OF WAY LINE NORTH 19 DEGREES 30 MINUTES 07 SECONDS WEST, A DISTANCE OF 215.73 FEET TO THE POINT OF BEGINNING CONTAINING 15.695 ACRES, MORE OR LESS. THIS DESCRIPTION WAS PREPARED FROM AVAILABLE RECORDS AND IS SUBJECT TO ANY DISCREPANCIES THAT A PROPERTY BOUNDARY SURVEY MIGHT DISCLOSE.

PARCEL D

A TRACT OF LAND BEING PART OF U.S. SURVEY 290 AND U.S. SURVEY 1786, TOWNSHIP 47 NORTH, RANGE 4 EAST, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF U.S. SURVEY 290, THENCE NORTH 23 DEGREES 54 MINUTES 03 SECONDS WEST, A DISTANCE OF 3.97 FEET TO A POINT IN THE SOUTHEAST RIGHT OF WAY LINE OF OLD IFFRIG ROAD (50 FEET WIDE) TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 28 DEGREES 24 MINUTES 42 SECONDS EAST, A DISTANCE OF 25.96 FEET TO A POINT OF CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AND WHOSE CHORD BEARS NORTH 24 DEGREES 57 MINUTES 06 SECONDS EAST, A DISTANCE OF 72.59 FEET, AN ARC LENGTH OF 72.63 FEET TO A POINT IN THE SOUTHWESTERN RIGHT OF WAY OF IFFRIG ROAD-RELOCATED (80.00 FEET WIDE); THENCE ALONG SAID SOUTHWESTERN RIGHT OF WAY LINE SOUTH 19 DEGREES 30 MINUTES 07 SECONDS EAST, A DISTANCE OF 119.80 FEET AND SOUTH 20 DEGREES 56 MINUTES 36 SECONDS WEST, A DISTANCE OF 45.66 FEET TO A POINT IN THE NORTHWEST RIGHT OF WAY LINE OF SALT RIVER ROAD (WIDTH VARIES); THENCE ALONG SAID NORTHWEST RIGHT OF WAY LINE SOUTH 61 DEGREES 23 MINUTES 17 SECONDS WEST, A DISTANCE OF 197.29 FEET TO THE INTERSECTION OF SAID OLD IFFRIG ROAD SOUTHEAST RIGHT OF WAY LINE AND SALT RIVER ROAD NORTHWEST RIGHT OF WAY LINE; THENCE ALONG SAID SOUTHEAST RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AND WHOSE CHORD BEARS NORTH 35 DEGREES 14 MINUTES 35 SECONDS EAST, A DISTANCE OF 142.56 FEET, AN ARC LENGTH OF 142.77 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE NORTH 28 DEGREES 24

No.

MINUTES 42 SECONDS EAST, A DISTANCE OF 51.23 FEET TO THE POINT OF BEGINNING CONTAINING 14,162 SQUARE FEET OR 0.325 ACRES, MORE OR LESS. THIS DESCRIPTION WAS PREPARED FROM AVAILABLE RECORDS AND IS SUBJECT TO ANY DISCREPANCIES THAT A PROPERTY BOUNDARY SURVEY MIGHT DISCLOSE.

SECTION 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 4. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 5. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed, and approved this 24th day of March, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

No.

Approved this _____ day of _____, 2016.

Len Pagano, Mayor of St Peters

Attest: _____
Patricia E. Smith, City Clerk

DRAFT

No.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF ST. PETERS, TITLE IV: LAND USE PERTAINING TO ZONING PROPERTY WITHIN SAID CITY IN RESPONSE TO REZONING PETITION NUMBER 16-05 SCHNEIDER FAMILY TRUST, ET AL, BY MAKING CERTAIN CHANGES IN THE DESIGNATED DISTRICTS IN CERTAIN SECTIONS OF SAID CITY

WHEREAS, by Petition Number 16-05 to the Board of Aldermen, a certain change was requested in the Zoning Law of the City; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, did refer this Petition to the City's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission did hold a Public Hearing on this proposed change; and

WHEREAS, at this Public Hearing persons in interest and citizens were given an opportunity to be heard on this proposed change; and

WHEREAS, said Planning and Zoning Commission did consider this Petition and did recommend approval of this item to the Board of Aldermen.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION 1. That certain sections of the Municipal Code of the City of St. Peters, Missouri, Title IV: Land Use be amended by making the following changes in the Zoning District Map, which map is on file in the Office of the City Clerk, to rezone to I-2 Heavy Industrial District for a 22 +/- acre parcel from A-1 Agricultural District and I-1 Light Industrial District, more particularly described as follows:

LAND DESCRIPTION

PARCEL E

A TRACT OF LAND BEING ALL OF LOT 2, "SCHNEIDER FARM ESTATES", A SUBDIVISION RECORDED IN PLAT BOOK 43, PAGE 343 OF THE ST. CHARLES COUNTY RECORDS, CONTAINING 21.83 ACRES, MORE OR LESS.

No.

SECTION 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 3. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 4. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 5. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed, and approved this 24th day of March, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

No.

Approved this _____ day of _____, 2016.

Len Pagano, Mayor of St Peters

Attest: _____
Patricia E. Smith, City Clerk

DRAFT

No.

BILL NO. 16-42

I-04

ORDINANCE NO.

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE AN AMENDED PLANNED URBAN DEVELOPMENT AGREEMENT WITH CASTLE GROUP SERIES II, L.L.C. FOR DEVELOPMENT OF THE CARLETON APARTMENTS

WHEREAS, Castle Group Series II, L.L.C., owner under contract (hereinafter “property owner under contract”), of a tract of land containing 5.95 +/- acre parcel known as the Carleton Apartments; and

WHEREAS, the property has been designated a Planned Urban Development (R-3 PUD) District as approved by the Board of Aldermen via Ordinance 5971; and

WHEREAS, the PUD agreement has been amended via Ordinance 6392 which allowed an extension of time to construct public improvements; and

WHEREAS, all parties believe it to be in their mutual best interests to amend the terms and conditions as set forth in the Amended Planned Urban Development Agreement, in substantially the form attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Administrator of the City of St. Peters, Missouri be and is hereby authorized to execute on behalf of the City of St. Peters, Missouri, an amended PUD Agreement with Castle Group Series II, L.L.C. for redevelopment of a tract of land known as Carleton Apartments in substantially the form attached hereto and marked as Exhibit A.

No.

SECTION 2. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 3. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 4. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of St. Peters, Missouri.

Read two times, passed, and approved this 24th day of March, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this _____ day of March, 2016

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

No.

Exhibit A

**SECOND AMENDMENT TO
PLANNED URBAN DEVELOPMENT AGREEMENT
CARLETON APARTMENTS (FORMERLY VANGUARD APARTMENTS)**

THIS SECOND AMENDMENT TO PLANNED URBAN DEVELOPMENT AGREEMENT (the “the Agreement”) is made and entered into as of the ____ day of _____, 2016, by and between the CITY OF ST. PETERS, MISSOURI, a Fourth Class City in the County of St. Charles, Missouri, and a municipal corporation organized and existing under the laws of the State of Missouri (hereinafter referred to as “City”), Robert Kaplan Trust (hereinafter referred to as “Owner”), and Castle Group Series II, L.L.C. (hereinafter referred to as “Owner Under Contract”).

WITNESSETH:

WHEREAS, Owner is the fee owner of a tract of land containing 5.98 +/- acres legally described on Exhibit A to Attachment I, attached hereto and incorporated herein by this reference (hereinafter referred to as the “Property”); and

WHEREAS, Owner Under Contract is the owner under contract of the Property;
and

WHEREAS, Owner, Cave Spring Apartments, LLC (a prior owner under contract, hereinafter the “First Prior Owner Under Contract”), and the City, pursuant to Ordinance No. 5971, entered into the Planned Urban Development Agreement dated as of August 23, 2013 (the “PUD Agreement”), for development of said Property; and

WHEREAS, Owner, John D. Fudenberg (the owner under contract of the Property subsequent to the First Prior Owner Under Contract and prior to the Owner Under Contract, hereinafter the “Second Prior Owner Under Contract”), and the City, pursuant to Ordinance No. 6392, entered into the First Amendment to Planned Urban Development Agreement dated as of August 28, 2015 (the “First Amended PUD Agreement”); and

WHEREAS, neither the First Owner Under Contract or the Second Owner Under Contract closed on the purchase of the Property, and their respective interests in the Property have terminated; and

WHEREAS, Owner Under Contract has a contract with the Owner to purchase and develop the Property; and

WHEREAS, the Property was designated as a R-3 Planned Urban Development (PUD) District, as recommended by the Planning and Zoning Commission of the City, and as approved by the Board of Aldermen; and

WHEREAS, Owner and Owner Under Contract are desirous of construction of a residential development consisting of multiple-family units on the Property to be known as Carleton Apartments; and

WHEREAS, all parties desire to further amend the PUD Agreement including modification to the Site Development Plan and architectural elevations as shown in Exhibit B and Exhibit C of the original agreement and amended herein.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Section 10 of the PUD Agreement is hereby amended by deleting it in its entirety, and substituting therefor, the following new Section 10:

10. Building setbacks shall comply with the setback requirements in the R-3(A) Multiple Family Residential District as set forth in the St. Peters City Code, as may be amended from time to time, unless otherwise granted a variance from the City of St. Peters Board of Adjustment pursuant to Sections 89.080 to 89.110, RSMo, and the St. Peters City Code.

2. Section 12 of the PUD Agreement is hereby amended by deleting it in its entirety, and substituting therefor, the following new Section 12:

12. The Property shall adhere to the R-3(A) Residential District density requirements and unit size requirements as set forth in the St. Peters City Code, as may be amended from time to time, unless otherwise granted a variance from the City of St. Peters Board of Adjustment pursuant to Sections 89.080 to 89.110, RSMo, and the St. Peters City Code and/or Density Bonuses per Section 405.250 E of the City of St. Peters Municipal Code.

3. Exhibits A, B and C to the PUD Agreement are hereby amended by deleting them in their entirety and substituting therefor new Exhibits A, B and C set forth and attached hereto in Attachment I, and incorporated by reference herein.

All other terms, provisions and conditions of the PUD Agreement as amended, except as expressly modified hereby, shall remain in full force and effect, and the parties hereto do hereby ratify, confirm and re-adopt the terms and provisions of the PUD Agreement as modified by this Amendment.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE TO FOLLOW.]

Draft

OWNER:

ROBERT KAPLAN TRUST

By: _____
Christine L. Murray-Kaplan,
Co-Trustee

STATE OF MISSOURI)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2016, before me, _____, a Notary Public in and for said state, personally appeared CHRISTINE L. Murray-Kaplan, who, being by me duly sworn, did say that she is the Co-Trustee of ROBERT KAPLAN TRUST (the "Trust") known to me to be the person who executed the within Planned Urban Development Agreement in behalf of the Trust, and acknowledged to me that she executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State the day and year first above written.

Notary Public

My Commission Expires:

ATTACHMENT I

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

PARCEL NO. 1:

Lot "B" of Cloverleaf Park West Plat 12, as per plat thereof recorded in Plat Book 21, Page 110 of the St. Charles County, Missouri real estate records.

PARCEL NO. 2:

A tract of land being part of U.S. Survey 979, Township 47 North, Range 4 East, St. Charles County, Missouri, and being more particularly described as follows:

Beginning at the Southwest corner of Cloverleaf Park West, Plat 17; thence along the North right-of-way of Cloverleaf Drive, South 89 degrees 58 minutes 10 seconds West, a distance of 152.0 feet to a point of curvature; thence along a curve to the right having a radius of 76.70 feet, an arc distance of 112.92 feet to a point of reverse curvature; thence along a curve to the left, having a radius of 253.44 feet, an arc distance of 126.04 feet to a point of reverse curvature; thence along a curve to the right in a Northerly direction, having a radius of 240.0 feet, an arc distance of 15.94 feet to a point; thence leaving said right-of-way line, North 89 degrees 58 minutes 10 seconds East, a distance of 279.25 feet to a point; thence South 0 degrees 01 minutes 50 seconds East, a distance of 200.0 feet to the point of beginning.

EXCEPTING THEREFROM that part as dedicated to the City of St. Peters by South Cloverleaf Drive Street Dedication and Easement Plat recorded in Plat Book 30 page 349.

EXHIBIT B

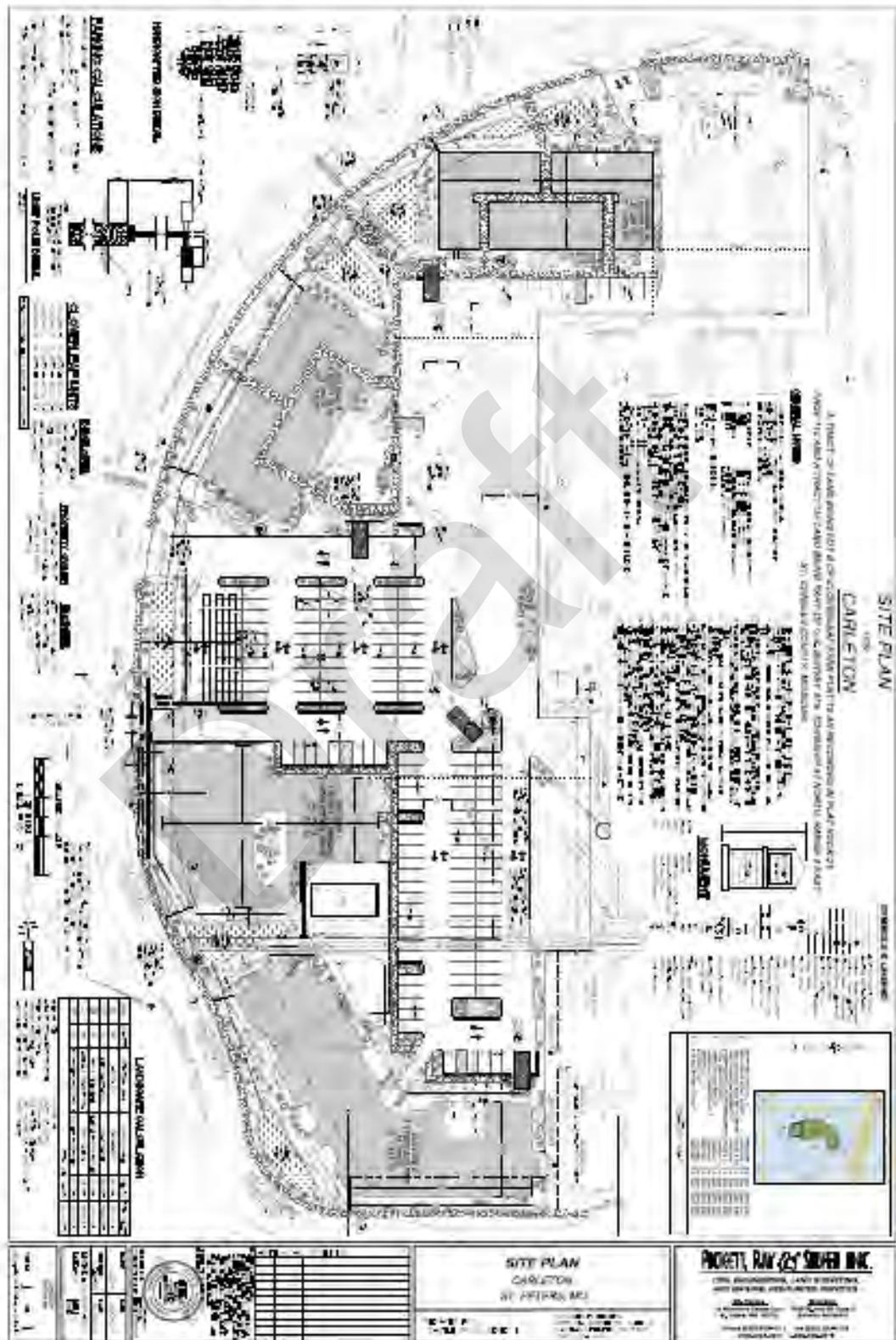


EXHIBIT C



FRONT VIEW

CARLETON APARTMENTS
CASTLE GROUP SERIES II DEVELOPER



END VIEW

CARLETON APARTMENTS
CASTLE GROUP SERIES II DEVELOPER

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING SECTION 210.450.A OF THE ST. PETERS CITY CODE BY DELETING IT IN ITS ENTIRETY AND ENACTING, IN LIEU THEREOF, A NEW SECTION 210.450.A; REQUIRING SELLERS OF RESIDENTIAL PROPERTY TO MAKE DISCLOSURE OF CERTAIN INFORMATION TO PURCHASERS OF REAL PROPERTY WITHIN THE CITY OF ST. PETERS, MISSOURI

WHEREAS, the City of St. Peters is committed to the preservation of private property rights and attempts to help the owners become aware of the effects of local regulations in order to maintain a quality building environment; and

WHEREAS, in order to protect the character and stability of all real property within the City and preserve the property values of land and buildings the Board of Aldermen of the City of St. Peters has determined that sellers of residential property be required to disclose certain information materially affecting the value or desirability of the property which are known or accessible to the seller.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION NO. 1. That Section 210.450, Subsection A of the St. Peters City Code shall be and hereby is deleted in its entirety and there is enacted, in lieu thereof, a new Section 210.450, Subsection A to read as follows:

A. It shall be unlawful for the owner of any real property, within the corporate limits of the City of St. Peters, to sell, transfer, convey or otherwise dispose of any real property zoned R-1, R-1(A), R-2, R-3, and developments designated Planned Urban Developments (PUD) which contain residential units, within the City without providing the purchaser, prior to or at the time of execution of the purchase agreement, a copy of a disclosure statement, signed by the owner/seller and the purchaser of the real property, containing the information described in Subsection (B) below regarding such real property within the City.

SECTION NO. 2. Effective Date. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 3. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

No.

SECTION NO. 4. Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two times, passed, and approved this 24th day of March, 2016.

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest:

Patricia E. Smith, City Clerk

Approved this _____ day of _____, 2016.

Len Pagano, Mayor

Attest:

Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO ENTER INTO A CONTRACT WITH JOE MACHENS FORD LINCOLN FOR THE PURCHASE OF EIGHT POLICE INTERCEPTOR UTILITY SUV VEHICLES

WHEREAS, the City of St. Peters desires to procure adequate equipment for the operation of its Police Department in order to provide continued, quality service to its residents; and

WHEREAS, funds have been appropriated by the Board of Aldermen for the procurement of eight (8) replacement police patrol vehicles; and

WHEREAS, it is recommended that the purchase be awarded to Joe Machens Ford Lincoln who is providing a purchase price lower than the current Statewide Procurement Contract.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION NO. 1. The City Administrator of the City of St. Peters, Missouri, be and he is hereby authorized to execute a contract with Joe Machens Ford Lincoln in Columbia Missouri, as the dealer providing the lowest cost for the purchase of eight (8) 2016 Ford Police Interceptor Utility SUV vehicles with related equipment in the amount of \$219,520.00.

SECTION NO. 2. That the City Administrator be and he is hereby authorized to negotiate, execute and administer said contract on behalf of the City of St. Peters.

SECTION NO. 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

SECTION NO. 4. Savings.

Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

No.

SECTION NO. 5. Severability.

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two times, passed, and approved this 24th day of March, 2016

As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

Approved this 24th day of March, 2016

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

No.