

AGENDA
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, MARCH 12, 2024 @ 7:00 P.M.
CITY COUNCIL CHAMBERS
7601 MANCHESTER ROAD, MAPLEWOOD, MO 63143
OR VIA TELECONFERENCE

Zoom link: <https://us02web.zoom.us/j/89452395834?pwd=SytBUTE0WXBIQUIPQnU0WjhqaFRMZz09>
Passcode: 113226
Dial in: (312) 626-6799
Webinar ID: 894 5239 5834

1. Call to Order
2. Land Acknowledgement
3. Pledge of Allegiance
4. Roll Call
5. Motion to Excuse Councilmembers
6. Approval of the Council Agenda
7. Public Forum to hear citizen comments regarding a proposed resolution in support of affordable housing in the City of Maplewood, Missouri
8. Approval of the February 27, 2024 City Council meeting minutes
9. Announcements
10. Public Forum
11. Council Communication
12. Mayor's Report
13. City Attorney's Report
14. City Manager's Report
15. A Resolution of the City Council of the City of Maplewood, Missouri, in support of the development of affordable multifamily housing in the City of Maplewood, Missouri, by RCH Development, Inc.

16. A Resolution of the City Council of the City of Maplewood, Missouri, authorizing the City Manager to accept the bid and execute a contract with Hendel Lawncare, Inc for grass cutting services for the items on Bid List #1 (city parks, city hall, aquatic center, etc.) and Bid List #2 (alleys, medians, dead ends, etc.) for the period of April 2024 through November 2024.
17. An Ordinance of the City Council of the City of Maplewood, Missouri, amending the Maplewood Code of Ordinances, Chapter 56 Zoning, Section 56-73 – Use Regulations, Subsections (a) Lot Size Standards, (b) Front Yard Setback, (e) Height and Bulk Standards, (g) Parking, and Section 56-1061 Non-Conforming Lots of Record (a) Residential Districts, Subsection (1), to bring lot size and setback standards into alignment with existing averages and to preserve local neighborhood characteristics and housing affordability
18. An Ordinance of the City Council of the City of Maplewood, Missouri, temporarily suspending enforcement of Chapter 12, Section 12-117 – Adoption of Property Maintenance Code, Section 302.4 Weeds, and Chapter 54, Section 54-56 – Cutting Required of the Code of Ordinances relating to the growth of grass or weeds to promote “No Mow April” from April 1 – 30, 2024, in support of pollinators and wildlife habitat
19. An Ordinance of the City Council of the City of Maplewood, Missouri, ratifying Resolution R24-2 and authorizing the City Manager to execute an intergovernmental agreement on behalf of the City of Maplewood, Missouri, with the cities of Brentwood, Clayton, and Richmond Heights for the purpose of joining the Central Core Fire Training Center Commission
20. Old Business
21. 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
22. Adjournment



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD AT 7601 MANCHESTER ROAD

FEBRUARY 27, 2024

The meeting was called to order at 7:00 p.m., Mayor Knapper presiding.

LAND ACKNOWLEDGEMENT: Mayor Knapper acknowledged that this meeting is being held on traditional lands of the Kickapoo, Osage, Miami, Iroquois and Great Sioux Nation people.

ON ROLL CALL, the following members were **PRESENT:** Mayor Knapper, Councilmember Coriell, Councilmember Garcia, Councilmember Homa, Councilmember Mattox and Councilmember Page.

MOTION TO EXCUSE COUNCILMEMBER: Councilmember Homa motioned to excuse Councilmember Faulkingham, seconded by Councilmember Coriell, which motion received the approval of the Council.

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

APPROVAL OF THE FEBRUARY 13, 2024 CITY COUNCIL MEETING MINUTES: Councilmember Homa motioned to approve, seconded by Councilmember Coriell, which motion received the approval of the Council.

ANNOUNCEMENTS: Councilmember Garcia referenced upcoming city events including a Special Business District meeting, open house forums for Propositions S and J, electronic/shredding recycling event, amnesty day and openings for various boards and commissions. Councilmember Garcia also reference a couple of MRH School District events including a play and upcoming candidate forum.

PUBLIC FORUM: Resident Sandi Phillips asked if anyone from the City of Maplewood attended the 54th Missouri Municipal League Legislative Conference in Jefferson City and if so, could she be provided a recap of the meetings attended.

Jeannine Beck, Chamber of Commerce Director, asked what the process was for obtaining meeting minutes from various boards and commissions. She said some recent minutes were not available on the city's website.

Resident Elizabeth Nathanson asked who was running the Maplewood Growth Fund and wondered how much taxpayer money was being utilized by this fund.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT: Mayor Knapper referenced the upcoming Roller Boogie event on March 15th. Mayor Knapper also referenced exploratory efforts to consolidate various services with the City of Webster Groves and provided an update from the prior meeting about creating an MRH School District paid internship with the City of Maplewood.

CITY ATTORNEY'S REPORT: None.

CITY MANAGER'S REPORT: City Manager Withycombe discussed the St. Louis County Jail Housing Report she included in the City Council's packet and updated the Council on future actions to be taken.

HOUSING PRESENTATION BY CHAD HARTLE OF RCH DEVELOPMENT INC. A copy of the presentation is attached.

R24-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF K.I. INCORPORATED IN THE AMOUNT OF TWENTY-THREE THOUSAND SEVEN HUNDRED TEN DOLLARS (\$23,710) FOR REPLACEMENT OFFICE FURNITURE FOR THE PUBLIC WORKS GARAGE was introduced. It was moved by Councilmember Homa, duly seconded by Councilmember Coriell, to approve this resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

R24-5, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPOINTING AMBER WITHYCOMBE AS A CITY REPRESENTATIVE TO THE DEER CREEK COMMUNITY IMPROVEMENT DISTRICT AS INTERIM DIRECTOR REPLACING MICHAEL REESE WITH A TERM EXPIRING AUGUST 21, 2026 was introduced. It was moved by Councilmember Homa, duly seconded by Councilmember Coriell, to approve this resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

BILL 6241, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 2, ARTICLE VII. – BOARDS, COMMISSIONS AND AUTHORITIES TO ADD A NEW DIVISION 4. – CODE OF ETHICS, FOR THE PURPOSE OF ESTABLISHING A CODE OF ETHICS FOR APPOINTED MEMBERS OF THE BOARDS AND COMMISSIONS CREATED BY THE CODE OF ORDINANCES was given its third and final reading. It was moved by Councilmember Homa, duly seconded by Councilmember Coriell, that Bill No. 6241 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

Bill 6241 was approved by the City Council on this 27th day of February, 2024 as Ordinance Number 6036.

BILL 6242, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE AN STP-URBAN PROGRAM AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF MAPLEWOOD FOR PROJECT NUMBER STP/CMAQ-9901 (667) FOR GREENWOOD BOULEVARD was given its third and final reading. It was moved by Councilmember Homa, duly seconded by Councilmember Coriell, that Bill No. 6242 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

Bill 6242 was approved by the City Council on this 27th day of February, 2024 as Ordinance Number 6037.

BILL 6243, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO SIMPON LUSKY OF REVEL KITCHEN TO OPERATE A RESTAURANT WITH DRIVE THROUGH AT 7520 MANCHESTER ROAD was given its third and final reading. A motion was made by Councilmember Homa that Bill No. 6243 be tabled for the reading of the findings of fact, duly seconded by Councilmember Coriell, which motion received the approval, by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit to allow a restaurant with drive through at 7520 Manchester Road:

- The proposed use complies with all applicable provisions of the Zoning Code.
- The proposed use will contribute to and promote the community welfare and convenience.

- The proposed use will not cause substantial injury to the value of neighboring property.
- The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- The proposed use will not substantially increase traffic hazards.
- The proposed use will not substantially increase fire hazards.
- The proposed use will not overtax public utilities.
- The proposed use will not place an undue burden on municipal services.

It was then moved by Councilmember Homa, duly seconded by Councilmember Coriell, that the findings of fact be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

Councilmember Homa motioned to bring Bill 6243 back onto the table, duly seconded by Councilmember Coriell, which motion received approval, by voice vote, of the Council.

A motion was made by Councilmember Homa, duly seconded by Councilmember Coriell, that Bill No. 6243 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

BILL NO. 6243 was approved by the City Council on this 27th day of February, 2024 as Ordinance No. 6038.

BILL 6244, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT VOLODYMYR RATAI OF VR WHOLESALE INTERNATIONAL LLC TO OPERATE AN AUTO SALES AND REPAIR FACILITY AT 2800-2804 S. BIG BEND BOULEVARD AND 7480 HAZEL AVENUE was given its third and final reading. A motion was made by Councilmember Homa that Bill No. 6244 be tabled for the reading of the findings of fact, duly seconded by Councilmember Coriell, which motion received the approval, by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit to allow used auto sales and auto repair at 2800-2804 S. Big Bend Boulevard and 7480 Hazel Avenue:

- The proposed use complies with all applicable provisions of the Zoning Code.
- The proposed use will contribute to and promote the community welfare and convenience.
- The proposed use will not cause substantial injury to the value of neighboring property.
- The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- The proposed use will not substantially increase traffic hazards.
- The proposed use will not substantially increase fire hazards.
- The proposed use will not overtax public utilities.
- The proposed use will not place an undue burden on municipal services.

It was then moved by Councilmember Homa, duly seconded by Councilmember Coriell, that the findings of fact be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell, Garcia, Homa, Mattox and Page. Nays, none.

Councilmember Homa motioned to bring Bill 6244 back onto the table, duly seconded by Councilmember Coriell, which motion received approval, by voice vote, of the Council.

A motion was made by Councilmember Homa, duly seconded by Councilmember Coriell, that Bill No. 6244 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmembers Coriell,

Garcia, Homa, Mattox and Page. Nays, none.

BILL NO. 6244 was approved by the City Council on this 27th day of February, 2024 as Ordinance No. 6039.

MOTION TO HOLD A CLOSED SESSION 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: None.

There being no further business before the Council, the meeting adjourned.

Approved this 12th day of March, 2024

Nikyln Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Maplewood Senior Lofts

- Chad Hartle
- Jackson, MO.
- Developed, Built, Owned, and Managed Affordable Housings
- Since February 1987
- Developed over 40 developments

© Chad Hartle 2/26/2024

LIMITED RESOURCES

- 100 to 130 applications will be submitted
- 22 to 28 approvals
- 1 out of 4 applications are approved

WHAT IS AFFORDABLE HOUSING?

- Lower than market rents to individuals that have incomes below certain thresholds.
- Thorough background checks
- Oversight
 - Missouri Housing Development Commission
 - Annual File Reviews
 - Annual Physical Inspections
 - And they require Annual CPA Audits
 - Sophisticated Investors
 - File Reviews
 - Physical Inspections
 - Quarterly Financial Statement Reviews

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TIME LINE

- Applications due in the Fall
- Awards are announced in December
- 9 months to closing
- 14 month construction period
- Opening late in 2026

WHAT MAKES THEM AFFORDABLE?

- Developers Apply for an allocation of tax credits
- Tax Credits are sold to investors
- Equity used to fund the development instead of loans
- Example
 - \$10,000,000 loan has monthly payments of \$76,000
 - \$1800/month/apartment for a 42 unit development

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Bluff View Senior Apartments, 2015



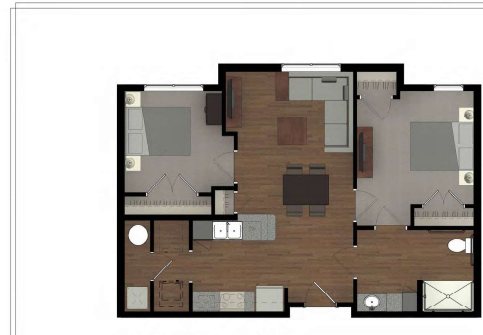
INCOME LIMITS

- 60% Area Median Income limit
 - \$42,240/year for 1 person
 - \$48,240/year for 2 person
- Special Needs Units 30% AMI
 - \$21,200/year for 1 person
 - \$23,120/year for 2 person
- Market Rate Units

Drone video of Bluff View



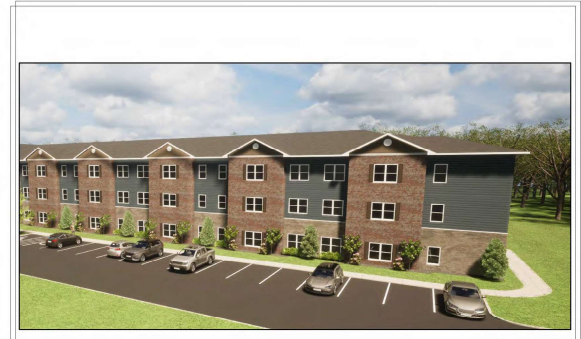
STAR Residences Senior, 2016



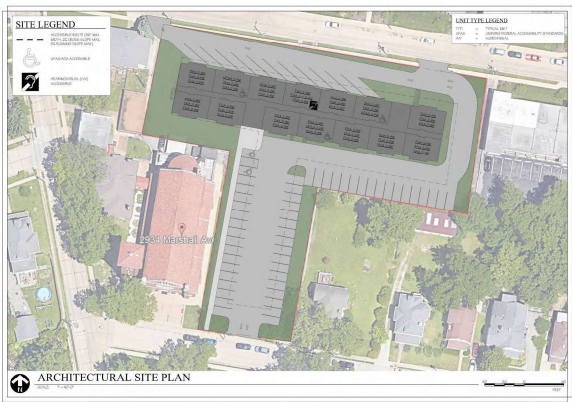
UFAS 2-BR UNIT FLOOR PLAN

PREPARED BY
Wallace
ARCHITECTS P.C.
MAPLEWOOD LOFTS
MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI
4857
APP 3
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Lindenwood Senior Apartments, 1984
Renovated in 2023



PREPARED BY
Wallace
ARCHITECTS P.C.
MAPLEWOOD LOFTS
MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI
4857
APP 4
20230813 1:04 PM



PREPARED BY
Wallace
ARCHITECTS P.C.
MAPLEWOOD LOFTS
MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI
4857
APP 1
20230813 1:04 PM



FHA 2-BR UNIT FLOOR PLAN

PREPARED BY
Wallace
ARCHITECTS P.C.
MAPLEWOOD LOFTS
MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI
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APP 2
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Memorandum



To: Mayor & City Council
From: Amber Withycombe, City Manager
Date: March 7, 2024
Re: City Manager's Report

Document Shredding and Electronics Recycling Event Results

The City's drive-through shredding and recycling event, hosted on March 2 in partnership with Richmond Heights and supported by a grant from the St. Louis County Department of Health utilizing County landfill surcharge funds, was hugely successful. Staff and volunteers welcomed 140 vehicles for shredding, 320 vehicles for electronics recycling, and 188 vehicles for both, totaling 648 vehicles in just three hours. The exciting growth in participation for this event has compelled staff to begin considering alternate drive-through venues for next year. Maplewood and Richmond Heights will pursue grant funding from the County for a 2025 event.

Maplewood Roller Boogie, Friday, March 15 from 6 to 10 pm

In partnership with Move with the Mayor and DJ Spicy Party Mix, the City is offering its popular roller boogie event for the second year. This free event will feature quad skate rentals from Skate Culture for \$10/adult and \$5/youth. Attendees are invited to bring their own skates, blades, skateboards, and scooters. Full event details are at https://www.cityofmaplewood.com/news_detail_T23_R126.php

Coffee Crawl, Saturday, March 23 from 8:30 am to 2:30 pm

This year's 15th Annual Maplewood Coffee Crawl is offering two tours: the Early Riser Tour runs from 8:30 am to 12:30 pm, and the Sleepin' In Tour will be from 10:30 am to 2:30 pm. Participating businesses include Living Room Coffee & Kitchen, Looking Meadow Café, Mystic Valley, Mauhaus Cat Café & Lounge, Side Project Brewing, La Cosecha Coffee Roasters, and The Blue Duck. Tickets are \$18 per person and are on sale through March 21. More information is available from https://www.cityofmaplewood.com/enjoy_maplewood

Updated Board & Commission 2024 Report Schedule

The following schedule has been revised to move the SBD report after the city's draft budget is assembled, and to add a report from the Maplewood Community Growth Fund in December:

Date	Board/Commission	Chair	Staff Liaison
April 9	Special Business District Tax Advisory Commission	August Schlafly	Laura Miller
May 14	Plan & Zoning Commission	Kevin Sullivan	Anthony Traxler
June 11	Design & Review Board/Historic Preservation Commission	Sean O'Gorman	Brian Herr

July 9	Human Services Commission	Amber Schanter	Amber Withycombe
August 13	Parks & Recreation Commission	Laine Schenkelberg	Tiffany Hyde
September 10	Sustainability Commission	Stefan Denson	Charles Moody
October 8	Library Board	Martin Brenner	Ashley Bryant
November 12	Board of Adjustment	Patrick Jugo	Brian Herr
December 10	Maplewood Community Growth Fund	Colleen Cunningham	n/a

Board and commission staff liaisons are meeting on March 13 to coordinate implementation of the code of ethics ordinance passed by Council on February 27. Additional discussion items will consist of the upcoming application and appointment cycle, legislative priorities and processes, and administrative process improvements.

Staff Milestones & Celebrations

De'Mon Givens, Public Works maintenance worker, celebrates his 15th anniversary with the City this month.

RESOLUTION

R24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, IN SUPPORT OF THE DEVELOPMENT OF AFFORDABLE HOUSING IN THE CITY OF MAPLEWOOD BY RCH DEVELOPMENT, INC.

WHEREAS, RCH Development, Inc., is proposing to develop affordable senior and family housing in the City of Maplewood; and

WHEREAS, RCH Development, Inc., wishes to apply for financing and tax credits available through the Missouri Housing Development Commission as part of its Multifamily Rental Production Program; and

WHEREAS, the financing and tax credits available through the Missouri Housing Development Commission will provide the financial resources to develop affordable housing; and

WHEREAS, the financing and tax credits available through the Missouri Housing Development Commission are limited and competitive resources; and

WHEREAS, the City of Maplewood, Missouri, recognizes the need for safe, affordable, quality housing for seniors and families and supports RCH Development, Inc. in pursuing financing and tax credits to develop affordable multifamily housing in the City of Maplewood.

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

The City Council hereby expresses its support for RCH Development, Inc., to develop affordable multifamily housing in the City of Maplewood, Missouri.

Passed this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Approved this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

INTEROFFICE MEMORANDUM



To: Mayor and City Council
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: March 8, 2024
Subject: Grass Cutting Bid

A request for bids was placed in the St. Louis Countian on February 7, 2024 for grass cutting services. Historically, previous contractors either did not fully understand the bid requirements and/or failed to meet our expectations. Therefore, for this year's bid process, we scheduled individual tours for interested contractors. We received four total bids. Hendel Lawncare, Lawn Groomers, and Nelson County Land attended the pre-bid tour. MACC Contracting did not attend the tour.

The grass cutting work is arranged into two bid lists. **List No. 1** consists of city parks and the City Hall and Aquatic Center grounds. **List No. 2** consists of alleys, medians and dead ends, railroad rights-of-way and vacant lots. We have two lists to open the process up to more bidders and hopefully save on overall costs. However, dealing with one contractor is preferred. The following bids were received on February 26:

Company Name	List #1	List #2	Total
Hendel Lawncare, Inc	\$2,247	\$1,438	\$3,685
Lawn Groomers, Inc	\$2,925	\$2,510	\$5,435
MACC Contracting	\$2,700	\$910	\$3,610
Nelson County Land LLC	\$2,270	\$1,335	\$3,605

Hendel Lawncare Inc was the low bid for List No. 1, which is the most critical because it involves all city parks. Their combined bid is \$80 above Nelson County Land LLC and MACC Contracting. Hendel Lawncare Inc. has previously cut grass for the City of Maplewood for approximately 10 years and they have always done an outstanding job. Most recently, when last year's grass cutting contractor notified us in late Spring 2023 that they were unable to fulfill their obligation to the City, Hendel Lawncare Inc stepped in to provide this service at the previously established low bid price from the contractor that dropped our contract. Based on the previous work performed by Hendel Lawncare Inc and the minimal difference in bid pricing, staff recommends awarding Hendel Lawncare Inc. the bid for List #1 and List #2.

Please see the attached resolution requesting City Council approval of the above requested grass cutting bids. Note the contracts are for one (1) year with a potential city approved two (2) year extension (with COLA price increases) possible. Please do not hesitate to contact me at (314) 646-3635 if you have any questions, comments or concerns regarding this matter.

RESOLUTION

R24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH HENDEL LAWCARE, INC FOR GRASS CUTTING SERVICES FOR THE ITEMS ON BID LIST #1 (CITY PARKS, CITY HALL, AQUATIC CENTER, ETC.) AND BID LIST #2 (ALLEYS, MEDIANS, DEAD ENDS, ETC.) FOR THE PERIOD OF APRIL 2024 THROUGH NOVEMBER 2024.

WHEREAS, bids were duly advertised and publicly opened on February 26, 2024 at 10:00 a.m. at Maplewood City Hall; and

WHEREAS, four (4) bids were received and all were considered responsive; and

WHEREAS, combined bids for List #1 and List #2 ranged from a high of \$5,435 to a low of \$3,605; and

WHEREAS, Hendel Lawncare, Inc submitted a combined bid of \$3,685, which based on prior work experience and the benefit of having one contractor perform grass cutting services for List #1 and List #2, is considered the best overall bid; and

WHEREAS, Hendel Lawncare, Inc has previously provided exceptional grass cutting services for the City of Maplewood and in 2023 agreed to fulfill the grass cutting obligations from a contractor that dropped the City's contract in early Spring 2023.

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

The City Manager is hereby authorized to accept the bid and execute a contract with Hendel Lawncare, Inc. grass cutting services for the items on Bid List #1 (city parks, city hall, aquatic center, etc.) and Bid List #2 (alleys, medians, dead ends, etc.) for the period of April 2024 through November 2024.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to renew said contracts for two (2) additional years, with optional increases in an amount not to exceed the Cost of Living Index as determined by the United States Department of Labor.

Passed this 12th day of March, 2024

Nikyln Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Approved this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: March 1, 2024
Subject: **Petition #2024-3 – Request to Amend Sec. 56-73 – Use Regulations, Subsections (a), (b), (e), (g) and Sec. 56-1061 Non-conforming Lots of Record, Subsection (a) (1) of the Zoning Ordinance**

BACKGROUND

The City of Maplewood Zoning Ordinance Review Committee and Councilmember Coriell recommended single-family zoning district requirements within the zoning ordinance be amended to bring existing lot size and setback standards into alignment with existing averages in the City of Maplewood. The amendments are also intended to preserve local neighborhood characteristics and housing affordability, and to limit the impact of oversized structures (new homes or additions to existing homes).

ZONING REQUEST

Petition #2024-3 requests amendments to sections 56-73 – Use Regulations, Subsections (a), (b), (e) and (g) and Section 56-1061, Subsection (a) (1) of the zoning ordinance to bring existing lot size and setback standards into alignment with existing averages, preserve local neighborhood characteristics and housing affordability, and to limit the impact of oversized structures.

PLAN & ZONING ISSUES

1. **Section 56-73 (a), Lot Size Standard:** The proposed amendment will reduce the minimum average dimension of a lot from 50 feet to 35 feet and reduce the minimum area required from 6,000 square feet to 3,500 square feet. This amendment should increase opportunities for smaller affordable housing and will bring lot size standards into alignment with existing lots in the City of Maplewood.
2. **Section 56-73 (b), Front Yard Setback:** The proposed amendment will allow for a reduction of the required 25-foot front yard setback if existing homes on the block are currently located closer than 25 feet. Because there are numerous blocks within the

City of Maplewood where existing homes are constructed closer than 25 feet from the public right-of-way, this amendment will eliminate the need for unnecessary variance requests.

3. **Section 56-73 (e), Height and Bulk Standards:** The proposed amendment will reduce subjectivity of whether or not a house or addition is in “substantial conformance” with surrounding single-family homes by putting specific limits on the size and height of a home. Specifically, this amendment will cap the height of a house to 35 feet and limit the size of new homes or alterations to existing homes by capping the square footage to no greater than ten percent above the average square footage of existing single-family detached dwellings within a 300-foot radius.

The intent of capping the height and square footage of new homes or alterations of single-family homes is to preserve local neighborhood characteristics by limiting the impact of oversized structures. Keeping a cap on oversized structures will also preserve housing affordability within the City of Maplewood.

4. **Section 56-73 (g), Parking:** The proposed amendment will eliminate the current off-street parking requirement of one off-street parking space if a home is located in an area (area defined as within 300 feet of the site in question) where on-street parking is adequate. If the area contains inadequate parking, the Plan and Zoning Commission may require off-street parking be provided.
5. **Section 56-1061, Non-conforming Lots of Record (a) (1) Residential Districts:** This amendment will reduce the minimum average dimension of an existing non-conforming lot of record from 40 feet to 35 feet. All other requirements to build on an existing non-conforming lot of record will remain. This amendment should help housing affordability within the City of Maplewood by allowing housing on lots that are currently too small to build a new home or alter an existing home.

FINDING

Below are staff’s findings for the petition to amend various sections to the zoning ordinance pertaining to the single-family use regulations.

1. The current zoning ordinance does not reflect current lot and setback standards that exist within the City of Maplewood. The proposed amendments would bring numerous non-conforming lots of record and non-conforming structures into conformance and eliminate the need for many variances.
2. The proposed amendments will help preserve neighborhood characteristics by limiting the impact of oversized structures.
3. The proposed amendments will allow for the construction or alteration of detached single-family dwellings that our existing code requirements currently prohibit. This

should reduce the negative impacts a lack of affordable housing can create, particularly for lower income and middle-income earners within the City of Maplewood.

4. The proposed amendments are in accordance with the City's Comprehensive Plan and are designed to promote the health and general welfare of the residents of the City in general and the SR Single-Family Residential District in particular.
5. The proposed amendments may limit residents' ability to expand a home to their desired extent.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING THE MAPLEWOOD CODE OF ORDINANCES, CHAPTER 56 ZONING, SECTION 56-73 – USE REGULATIONS, SUBSECTIONS (a) LOT SIZE STANDARDS, (b) FRONT YARD SETBACK, (e) HEIGHT AND BULK STANDARDS, (g) PARKING, AND SECTION 56-1061 NON-CONFORMING LOTS OF RECORD (a) RESIDENTIAL DISTRICTS, SUBSECTION (1), TO BRING LOT SIZE AND SETBACK STANDARDS INTO ALIGNMENT WITH EXISTING AVERAGES AND TO PRESERVE LOCAL NEIGHBORHOOD CHARACTERISTICS AND HOUSING AFFORDABILITY

WHEREAS, the Plan and Zoning Commission recommended approval by a vote of 5 ayes, 0 nays, 1 abstain of the amendments to the zoning ordinance at their March 4, 2024, meeting; and

WHEREAS, the City Council held a public hearing on March 26, 2024, regarding the proposed amendments to the zoning ordinance; and

WHEREAS, the City Council finds that the City’s housing stock lacks affordable housing options, with potential serious consequences for the well-being of residents, particularly lower-income and middle-income earners; and

WHEREAS, existing SR Single Family Residential District use regulations do not align with existing single-family lots and structures in the City of Maplewood; and

WHEREAS, oversized structures can impact existing local neighborhood characteristics and limit affordability and diversity of new and renovated single-family homes, particularly in a small municipality limited in area and available housing stock; and

WHEREAS, the City Council finds that the proposed revisions to the Maplewood Zoning Code are in accordance with the City’s Comprehensive Plan and are designed to promote the health and general welfare of the residents of the City in general and the SR Single-Family Residential District in particular.

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

Section I. Section 56-73 Use Regulations of the Maplewood Code of Ordinances subsection (a), Lot Size Standards, is hereby amended by deleting the existing text and replacing said text with the following text in its stead:

- (a) Lot size standards. Any proposal for the construction or alteration of a single-family detached dwelling shall have a lot with a minimum average dimension of 35 feet and a minimum area of 3,500 square feet.

Section II. Section 56-73 Use Regulations of the Maplewood Code of Ordinances subsection (b), Front Yard Setback, is hereby amended by deleting the existing text and replacing said text with the following text in its stead:

- (b) Front yard setback. Any proposal for the construction or alteration of a single-family

detached dwelling shall have a front yard setback from the public right-of-way or from a private roadway of not less than 25 feet or the average existing front yard setbacks of existing single-family homes of the block on which the dwelling is located.

Section III. Section 56-73 Use Regulations of the Maplewood Code of Ordinances subsection (e), Height and Bulk Standards, is hereby amended by deleting the existing text and replacing said text with the following text in its stead:

- (e) Height and bulk standards. Any proposal for the construction or alteration of a single-family detached dwelling (not including an attached accessory dwelling unit meeting the requirements of Sec. 65-74, Regulations for Accessory Dwelling Units of this chapter) shall have a square footage no greater than ten percent above the average square footage of existing single-family detached dwellings within a 300-foot radius and a height no greater than 35 feet.

Section IV. Section 56-73 Use Regulations of the Maplewood Code of Ordinances subsection (g), Parking, is hereby amended by deleting the existing text and replacing said text with the following text in its stead:

- (g) Parking. Off-street parking requirements in Sec. 56-500 Minimum Number of Parking Spaces, (2) Residential and Housing Uses, a. Attached or Detached Single-Family Dwellings, shall not be required for the construction of a new single-family detached dwelling or the alteration of an existing single-family detached dwelling unless the Plan and Zoning Commission determines that on-street parking in the area surrounding the property is inadequate to meet the needs of the residents in the area. For the purpose of this subsection, “area” is defined as within 300 feet of the site in question.

Section V. Section 56-1061 Nonconforming Lots of Record, (a) Residential Districts, subsection (1), is hereby amended by deleting the existing text and replacing said text with the following text in its stead:

- (1) In any residential district, notwithstanding any other provision of this chapter, a single-family detached dwelling which complies with the restrictions in subsection (a) (2) of this section may be erected on a lot that is not less than 35 feet fronting on a public right-of-way or private street and that consists entirely of a tract of land that:
 - a. Has less than the prescribed minimum lot area or minimum average dimension or both, for the district;
 - b. Is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size and width at such location would not have been prohibited by any zoning chapter; and
 - c. Has remained in separate and individual ownership from adjoining tracts of land continually during the entire time that creation of such lot has been prohibited by the applicable zoning chapter or chapters.

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

Passed this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Approved this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

INTEROFFICE MEMORANDUM



To: Amber Withycombe, City Manager
From: Charlie Moody, Sustainability Commission Staff Liaison
Date: March 7, 2024
Subject: Temporary suspension of enforcement of Code of Ordinances related to vegetation height for “No Mow April”

The Sustainability Commission has requested that the City of Maplewood’s vegetation height regulations be relaxed during the month of April 2024 to create a time known as “No Mow April.” The conservation initiative asks residents to not mow their lawns throughout the month to support pollinators and wildlife habitat.

The vegetation height regulations occur in two locations within the Code of Ordinances:

- The requirement to maintain premises and property free from weeds or plant growth in excess of 12 inches is the only portion of Chapter 12, Section 12-117, Sec. 302.4 to be relaxed. All other parts of Chapter 12 shall remain in effect during the proposed period.
- The requirement to maintain vegetation less than 12 inches in Sec. 54-56 is the only portion of Chapter 54, Section 54-56 to be relaxed. All other parts of Chapter 54 shall remain in effect during the proposed period.

Please review the attached ordinance, which amends the City’s vegetation height regulations for the month of April 2024. City staff are coordinating a promotional campaign for “No Mow April” that will allow participating residents to purchase a lawn sign demonstrating their commitment to allowing pollinators access to nutrient-rich wildflowers.

Please do not hesitate to contact me at (314) 449-4054 if you have any questions, comments or concerns on this matter.

Encl: Relevant Code of Ordinance excerpts

CODE OF ORDINANCES CITY OF MAPLEWOOD MISSOURI

Sec. 12-117. Adoption of property maintenance code.

Section 302.4 Weeds. Insert: 12 inches (304.8 mm).

Exception; During the month of April 2024 vegetation is allowed to exceed 12 inches.

(Code 1982, § 7-63; Ord. No. 4645, § 2, 5-10-1994; Ord. No. 4718, § 1, 2-27-1996; Ord. No. 4885, § I, 4-13-1999; Ord. No. 5035, § I, 1-8-2002; Ord. No. 5037, §§ I—V, 1-22-2002; Ord. No. 5468, § I, 4-8-2008)

INTERNATIONAL PROPERTY MAINTENANCE CODE 2015

Section 302. Exterior Property Areas

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (12 inches (304.8mm)). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

CODE OF ORDINANCES CITY OF MAPLEWOOD MISSOURI

Sec. 54-56. Cutting required.

- (a) The owner, lessee, renter, head of a household or person having control of any lot or tract of land, or any part thereof, shall not allow or maintain on any such lot or tract of land or any part thereof any growth of grass or weeds to a height of 12 inches or over; nor shall growth be allowed upon the street or right-of-way or sidewalk adjacent to and adjoining any such lot or tract of land; nor shall any such owner, lessee, renter, head of a household or person having control of any lot or tract of land allow the unbridled growth of any wild vines beyond the boundaries of such lot or tract of land in such manner that they interfere with and damage adjoining and adjacent lots or tracts of land or trees and shrubs therefor.

Exception; During the month of April 2024 vegetation is allowed to exceed 12 inches.

- (b) Weeds and vines, when cut, shall be removed from the lot or tract of land and disposed of in such manner as not to create any other nuisance defined in chapter 34, article VIII.

(Code 1982, § 15-61; Ord. No. 4118, § 1A, 7-13-1982)

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TEMPORARILY SUSPENDING ENFORCEMENT OF CHAPTER 12, SECTION 12-117 – ADOPTION OF PROPERTY MAINTENANCE CODE, SECTION 302.4 WEEDS AND CHAPTER 54, SECTION 54-56 – CUTTING REQUIRED OF THE CODE OF ORDINANCES RELATING TO THE GROWTH OF GRASS OR WEEDS TO PROMOTE “NO MOW APRIL” FROM APRIL 1 – 30, 2024, IN SUPPORT OF POLLINATORS AND WILDLIFE HABITAT

WHEREAS, the City of Maplewood recognizes that April is a critical month for emergent pollinator populations, which are supported by new growth and development of grasses, flowers, and trees; and mowing during this period has a negative impact on pollinator-friendly habitat; and

WHEREAS, the Maplewood Sustainability Commission is promoting “No Mow April” by requesting that residents limit mowing between April 1 and April 30, 2024, to preserve flowering capabilities for pollinators; and

WHEREAS, Chapter 12, Section 12-117, Section 302.4, and Chapter 54, Section 54-56, of the City of Maplewood Code of Ordinances limit the height of grass and weeds to no more than twelve (12) inches in height; and

WHEREAS, the City of Maplewood finds it in the public interest to demonstrate its commitment to a safe and sustainable healthy community environment through the implementation of initiatives to help increase the pollinator population by promoting a “No Mow April” in 2024 to encourage the growth of beneficial natural habitats for pollinators by allow all citizens to voluntarily postpone the mowing of emergent lawns;

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

Section I. City of Maplewood personnel are authorized to temporarily suspend enforcement of Chapter 12, Section 12-117, Section 302.4, and Chapter 54, Section 54-56, of the City of Maplewood Code of Ordinances relating to grass or weed growth in excess of twelve (12) inches from April 1 through April 30, 2024, for “No Mow April.”

Section II. The City’s Public Works Department is also authorized to limit mowing during the month of April to allow for the establishment and growth of natural habitats for pollinators, with the exception of active recreation spaces and playing fields.

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

Passed this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Approved this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest:

Anthony Traxler, Deputy City Clerk

Memorandum



To: Mayor & City Council
From: Amber Withycombe, City Manager
Date: March 7, 2024
Re: Ordinance Ratifying Resolution R24-2

To ensure the City's full participation in the Central Core Fire Training Center Commission, the partnering cities have asked that Maplewood pass an ordinance ratifying Resolution R24-2, which was approved by Council on February 13. The partnering cities are currently engaged in first, second, or third readings of their own ordinances approving Maplewood's addition to the commission. State statute requires an ordinance for an intergovernmental agreement.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, RATIFYING RESOLUTION R24-2 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY OF MAPLEWOOD, MISSOURI, WITH THE CITIES OF BRENTWOOD, CLAYTON, AND RICHMOND HEIGHTS FOR PURPOSE OF JOINING THE CENTRAL CORE FIRE TRAINING CENTER COMMISSION.

WHEREAS, the cities of Brentwood, Clayton, and Richmond Heights cooperate with one another to enhance the ability to provide public safety training services to member municipalities; and

WHEREAS, Section 70.220 RSMo authorizes cities to work in a cooperative manner; and

WHEREAS, cooperation between cities provides more efficient and enhanced services, and higher level of safety and preparedness for firefighting/emergency medical personnel for the provision of such services; and

WHEREAS, the City of Maplewood wishes to join Brentwood, Clayton, and Richmond Heights as an equal and full partner in the Central Core Fire Training Commission; and

WHEREAS, the City Council wishes to ratify and affirm Resolution No. 24-2, wherein it authorized the City Manager to execute an Intergovernmental Agreement on behalf of the City of Maplewood with the Cities of Brentwood, Clayton, and Richmond Heights for the purpose of joining the Central Core Fire Training Center Commission.

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

SECTION 1. Resolution R24-2 is hereby ratified and affirmed.

SECTION II. The Intergovernmental Agreement, as amended from time to time, attached hereto as **Exhibit A** is hereby approved, and the City Manager is authorized to execute same on behalf of the City and the City Clerk is authorized and directed to attest thereto. The documents as executed shall be in substantially the form of **Exhibit A**, with such changes therein as shall be approved by the City Manager, consistent with the provisions and intent of this Ordinance and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Manager and her designees are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Ordinance, the matters herein authorized, and the rights and duties of the City under the Agreement.

Section III. In the event that the Bylaws of Central Core Fire Training Commission are not amended to provide for the City of Maplewood to hold a seat on its Board of Directors, this ordinance and any and all actions taken pursuant hereto may be revoked.

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

Passed this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest: _____
Anthony Traxler, Deputy City Clerk

Approved this 12th day of March, 2024

Nikylan Knapper, Mayor

Attest: _____
Anthony Traxler, Deputy City Clerk

EXHIBIT A

Central Core Fire Training Center Commission Intergovernmental Agreement

This Agreement ("Agreement") is entered into as of the date last subscribed below by and between the Missouri cities of Brentwood, Clayton and Richmond Heights (the "Cities"), all of which are political subdivisions of the State of Missouri and are authorized to enter into this Agreement pursuant to Sections 70.220 and 70.260 of the Revised Statutes of Missouri.

Purpose

The purpose of this agreement by and between the Cities of is to create a Missouri statutory commission ("Commission") to enhance the ability of the Cities to provide fire department training services to member municipalities.

Commission activities may include, but are not limited to, the creation, construction and operation of public improvements and facilities and coordination of related activities to promote the ability of member municipalities to provide fire department training services.

Commission Powers:

Under no circumstances are the proposed powers of the Commission to be interpreted as permitting or authorizing any activity or endeavor by the Commission within the corporate limits of a Member Municipality that is within the scope of that municipality's authority as defined by Missouri statute unless such municipality has expressly authorized and/or permitted such activity or endeavor.

The Commission shall have powers, except to the extent any such power has been limited by any enabling legislation, necessary to carry out and effectuate the purposes and provisions of the Commission including, but not limited to, the following:

- (1) After ratification by motion of the respective Boards of Aldermen or City Council of the Cities, to adopt, amend, and repeal bylaws necessary or convenient to administer Commission affairs and responsibilities and carry out the purposes of the Commission; provided such bylaws are not inconsistent with the ordinances of the Cities in which the Commission is created.
- (2) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and achieve the purposes of the Commission. However, any such contracts that commit the Commission to expend an amount in excess of \$60,000.00 and/or bind the Commission to performance for a period of at least one year shall require ratification by motion of the respective Boards of Aldermen or City Council of the Cities.

- (3) To accept grants, guarantees and donations of real property, personal property, labor, services, or other things of value from any public or private source.
- (4) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting or other assistance as is deemed appropriate, advisable or necessary by the Board of Directors to carry out the purpose and intent of the Commission.
- (5) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property, personal property, or any interest in such property.
- (6) To buy, sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property within the boundaries of the Commission as is determined to be necessary by the Board of Directors to carry out the intent and purposes of the Commission.
- (7) To levy and collect Member Municipal assessments, and real and personal Property taxes and other revenues as provided in the enabling legislation. However, no taxes shall be levied on any property exempt from taxation pursuant to state statute. Nothing contained herein shall prevent any tax exempt property from voluntarily contributing its proportionate tax to the Commission.
- (8) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
 - (a) The Commission's real property;
 - (b) The Commission's personal property;
 - (c) Any of the Commission's interests in real or personal property, or any activity, service or endeavor of the Commission
- (9) To borrow money from any public or private source, issue bonds or other obligations, and provide security for the repayment of the same as provided in state statute.
- (10) To make expenditures, create reserve funds and use its revenues and reserves as necessary to carry out its powers or duties and the provisions and purposes of the Commission, The Commission shall reimburse or otherwise compensate a Member Municipality that provides legal, IT, financial and other such services for staff time and expenses performed for the Commission.
- (11) To carry out any other powers set forth in the Commission enabling legislation.
- (12) To sue and be sued.

Withdrawal:

Any Member Municipality may withdraw from the Commission upon giving one year's written notice to the Commission, evidenced by resolution of its governing body, and payment of all amounts in arrears for assessments; provided, that if the Commission, prior to the giving of such notice, shall have incurred indebtedness in conformity with the powers granted by this Agreement which matures after the effective date of the notice of withdrawal, the withdrawal shall not become effective until such indebtedness shall have been paid by the Commission, or until sufficient funds have been set aside irrevocably in trust to satisfy such indebtedness, or, in the alternative, until the withdrawing contracting party shall have paid to the Commission its pro rata portion thereof, or until sufficient funds have been set aside irrevocably in trust to satisfy such portion. Any Member Municipality that withdraws from the Commission shall thereby forfeit any ownership interest in any assets of the Commission and shall not be entitled to any property or assets of the Commission. Any contracting party that has given notice of withdrawal shall not be obligated for new indebtedness after giving such notice.

Miscellaneous General Terms:

- (1) Nothing in this agreement shall be construed to delegate to the Commission any sovereign right held by any Member Municipality to regulate the use and development of land, promote order, safety, health, morals, and general welfare of the public.
- (2) The Commission shall not have the power of eminent domain to acquire real property. The Commission may enter into joint agreements with the Member Municipalities to acquire real property through eminent domain, but such authority shall be retained by the member municipalities and shall only be used as is provided by Missouri statute.
- (3) This Agreement constitutes the entire agreement between the parties with regard to the subject matters contained herein, and all prior and contemporaneous negotiations and understandings between the parties shall be deemed merged into the Agreement. No waiver, modification or amendment of the terms of this Agreement shall be valid or binding unless in writing, signed by all parties, and then only to the extent set forth in such written waiver, modification or amendment, and subject to any required Court approval.
- (4) If any provision of this Agreement is held by a court of competent jurisdiction to be void, voidable, unlawful or unenforceable, the remaining portions of this Agreement will remain in full force and effect.
- (5) The parties may execute this Agreement in counterparts, and execution in one or more counterparts shall have the same force and effect as if all parties had signed the same instrument.
- (6) A copy of each City's execution, along with a resolution or ordinance authorizing same shall be forwarded to and maintained by the Board of Directors.

IN WITNESS WHEREOF, this Agreement has been executed by the Cities through their duly authorized representatives on the dates noted below.

CITY OF BRENTWOOD, MISSOURI

CITY OF RICHMOND HEIGHTS, MISSOURI

By [Signature]
Mayor

By [Signature]
Mayor

[Signature]
ATTEST:

[Signature]
ATTEST: City Clerk

City Clerk

Dated: July 12, 2023

Dated: 06/30/2023

CITY OF CLAYTON, MISSOURI

[Signature]
By Mayor

ATTEST: [Signature]
City Clerk

Dated: 6-16-2023