

**CITY COUNCIL
CITY OF RICHMOND HEIGHTS,
MISSOURI**

REGULAR MEETING, August 18, 2008

A regular meeting of the City Council of the City of Richmond Heights, Missouri was held on Monday, August 18, 2008 at 7:30 P.M. at the City Hall Council Chambers, 1330 S. Big Bend Boulevard. Present were Mayor James J. Beck, Council Members Ed Notter, Mike Jones, Tim Gallagher, Paul Lore (7:40 p.m.), Camille Greenwald, Connie Williams, Jim Thomson and Gina Mitten. Also present was Bola Akande, Assistant City Manager and City Attorney, Ken Heinz.

ANNOUNCEMENTS

Mayor Beck reminded everyone of the PACT Golf Tournament which will be held on Friday, August 22, 2008.

Mayor Beck announced the City's CELEBRATE Richmond Heights Festival to be held on September 27, with the parade beginning at 1:00 p.m. with games, food and music on the grounds of THE HEIGHTS.

Mr. Jones stated the Police Department would be holding a public hearing on August 25 in the Council Chambers at 5:00 p.m. as they qualify for the CALEA accreditations.

Mr. Thomson reported that District 2 had their monthly meeting on August 16 and the residents discussed traffic problems with truck traffic on West Bruno. Mr. Thomson stated that some of the attendees were Maplewood residents who also voiced their concerns on these truck violations. Mr. Thomson asked for some sort of forum with Maplewood staff to discuss the problem.

CITIZEN COMMENTS NO. 1

Ernest Brooks-1612 & 1614 Booker Place-thanked the Council for following up on the grass cutting at Dale and Hanley corner. Mr. Brooks asked if there was any word on the progress of the Hadley project.

Mayor Beck stated he understood the developer was working to further the process and will most likely be to the last minute.

Mr. Brooks asked what the City had planned if the project does not take place, i.e., another developer?

Mayor Beck stated the Council had not discussed or entertained anything at the moment as they are supporting the current project and are hopeful that the current plan follows through.

Mr. Gallagher stated that the Council has spent their time making this project work and have not talked beyond that.

APPROVAL OF MINUTES

Regular Meeting

August 4, 2008

Mr. Gallagher moved, Ms. Mitten seconded, a motion for approval of the minutes of the Regular Meeting of August 4, 2008. Carried unanimously with one abstention, Paul Lore. He did not attend the meeting.

CITY MANAGER'S REPORT

Assistant City Manager Bola Akande reported to the Council as Ms. Hamilton was out of town.

Ms. Akande asked the Council if they wished Staff to pursue working with Crown Castle, lease holders of the cell tower on the City Hall property. Ms. Akande explained that when Crown Castle purchased the rights to lease the land from GTE, the original lessee, the City executed a new lease with them which called for ten five year incremental renewals at a prescribed rate of lease payments annually.

Ms. Akande explained Crown Castle had recently asked for an extension and offered a lump sum amount which the City Manager rejected. Ms. Akande stated they are now offering a lump sum payment of \$625,000 and also requested leasing some additional square footage on the grounds. Ms. Akande stated this request has not been fully reviewed as there isn't much space to give on the City's lot.

Ms. Akande asked if the Council wished Staff to look further into the negotiations with Crown Castle, noting the current leasing situation actually expires in 2049. Ms. Akande reminded the Council that the future of cell towers is unknown; new technology could make the need for a cell tower obsolete and the lease payments would disappear to the City, whereas a lump sum payment would be an opportunity for the City to invest those funds now.

Mr. Jones asked the City to consider the proposal for space and the cell tower in separate negotiations. Mr. Jones asked if it was possible to include in the

lease agreement the City's right to terminate the lease, knowing it would have to pay back some of the lump sum payment.

Mr. Heinz stated that the current lease contracts calls that the lease can be reviewed every five years with a clause that it could be terminated by them if they wished.

Mr. Lore asked if the City decided to accept the lump sum payment, that could the funds be invested rather than put toward City expenses.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for Staff to move forward with discussions with Crown Castle on these proposals.

CITY ATTORNEY'S REPORT

Mr. Heinz stated that regarding Old Business, Bills No. 5215 and 5216, asked that for technical legal reasons, these bills be tabled and under New Business, under new business agenda, read Bills 5221 and 5222 both as emergency measures. Mr. Heinz stated that as required by our Charter, .an emergency measure requires one reading by title only, and one reading in entirety and a vote taken at the same meeting.

Mr. Heinz stated that the way the City Charter currently reads regarding the issue of an emergency measure, it actually gives less time for the item to be before the public and stated that if there is any other Charter amendment to be made sometime in the future, that this Section could be amended at the same time.

Mr. Heinz noted that these two current Bills have been on the agenda at least two times so the public has had ample time to view them.

Mr. Lore asked if the contract for the billboard on Highway 64 would expire soon.

Mr. Heinz stated he believed the expiration time would be 2010.

BILLS PREVIOUSLY INTRODUCED

**Bill No. 5215 (Emergency Measure); second reading
Authorizes the execution of a Third Amendment
to the Redevelopment Agreement with
Michelson-Hadley Heights Development, LLC.**

Mr. Gallagher moved, Ms. Mitten seconded, a motion to table Bill No. 5215. Carried unanimously. Mayor Beck declared Bill No. 5215, tabled.

**Bill No. 5216 (Emergency Measure); second reading
Proposed Rezoning of Chapter 405,
Zoning Regulations, changing the zoning classification
of property generally located south of Highway 40/64, East to
Hampton Creek, South along Laclede Station Road, to West
Bruno Avenue, West to Hanley Road and North to Highway 40/64,
Excluding Block Two of Lincoln Terrace Subdivision; from areas
Zoned C-2 General Business, R-4 Two Family Residential, R-3 Single
Family Residential and a portion of the site zoned Planned Development
Commercial to Planned Development Mixed-Use (PD-MXD) and seeks
Approval of a Preliminary Development Plan for Site Development in
same area. (Hadley Center-Hadley Heights Development)**

Mr. Gallagher moved, Ms. Mitten seconded, a motion to table Bill No. 5216.
Carried unanimously. Mayor Beck declared Bill No. 5216, tabled.

**Bill No. 5217; second reading
Levies & establishes the rate of annual
taxes for municipal purposes to be collected
in the year 2008.**

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the first reading of
Bill No. 5217. Carried unanimously. Bill No. 5217 was presented and read.

AN ORDINANCE LEVYING AND ESTABLISHING THE RATE OF
ANNUAL TAXES FOR MUNICIPAL PURPOSES TO BE COLLECTED IN
THE CITY OF RICHMOND HEIGHTS, MISSOURI, FOR THE YEAR
2008.

Sara Fox, Finance Director, spoke to the Council regarding SB 711 and its
impact, as it could negatively impact next year's property tax revenues as the
rate set by the Council will also impact the 2009 tax rates levied and
subsequent revenues received.

Ms. Fox explained that with 2008 not being a reassessment year, the city's tax
rate ceiling is based on the maximum authorized rate as adopted by voter
approval during the 1980's, less reductions imposed on these rates over the
years. Ms. Fox explained the City has been taking an additional voluntary
reduction of these rates since 1998 and has a current levied rate of \$0.29 per
\$100 assessed value.

Ms. Fox explained that by setting the General Fund rate at \$0.29 in 2008, the maximum tax rate that can be levied in 2009 will be \$0.29. Without the legislation of SB 711, projections show there could be a possible increase in revenues of approximately \$51,000 for the two years based on overall growth in assessed value of 12.44%. Ms. Fox explained that SB711 is requiring political subdivisions in reassessment years to rollback property rates from the current rate, causing the maximum tax rate that can be assessed in 2009 to begin at the \$0.29 rate instead of the current ceilings which are considerably above that. Ms. Fox explained that this could show a decrease in the General Fund for the two years, approximately \$51,000. Ms. Fox explained that by amending Bill 5217 and set the tax rate for the General Fund at \$0.298, this additional \$0.008 would allow that \$51,000 to be received revenue.

Ms. Fox stated that this small increase would cost a resident \$1.52 for every \$100,000 of appraised value.

The Council noted that they could roll back the amount next year if they so decided, but noted that it could not be adjusted upward due to the new legislation.

Ms. Fox stated that the Library Fund was already at the ceiling in all of their rates; real estate, commercial and personal property and that the Pension Fund was at its maximum in residential only. Ms Fox stated that the Pension Fund could go up further for commercial and personal property but the Pension Board thought they did not need to increase their rate.

Mr. Gallagher moved, Ms. Mitten seconded, that Bill No. 5217 be amended to levy 2008 rate of annual taxes for municipal purposes to be TWENTY-NINE AND EIGHT TENTHS (\$0.298) per One Hundred Dollars (\$100.00) of assessed valuation for residential real estate, commercial real estate, and personal property. Carried unanimously.

**Bill No. 5217 (as amended); second reading
Levies & establishes the rate of annual
taxes for municipal purposes to be collected
in the year 2008.**

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the second reading of Bill 5217 (as amended). Bill 5217, as amended, was presented and read.

AN ORDINANCE LEVYING AND ESTABLISHING THE RATE OF ANNUAL TAXES FOR MUNICIPAL PURPOSES TO BE COLLECTED IN THE CITY OF RICHMOND HEIGHTS, MISSOURI, FOR THE YEAR 2008.

Mayor Beck asked for a vote of approval of Bill No. 5217 (as amended).
AYES: Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Ms. Mitten, Mr. Notter, Mr. Gallagher, Ms. Williams and Mayor Beck. NAYS: None.

Mayor Beck declared Bill No. 5217 (as amended), approved.

Bill No. 5218; second reading
Levies & establishes the rate of annual
taxes for library purposes to be collected
in the year 2008.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the second reading of Bill No. 5218. Carried unanimously. Bill No. 5218 was presented and read.

AN ORDINANCE LEVYING AND ESTABLISHING THE RATE OF ANNUAL TAXES FOR LIBRARY PURPOSES TO BE COLLECTED IN THE CITY OF RICHMOND HEIGHTS, MISSOURI FOR THE YEAR 2007.

Mayor Beck asked for a vote of approval of Bill No. 5218. AYES: Ms. Williams, Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Ms. Mitten, Mr. Notter, Mr. Gallagher, and Mayor Beck. NAYS: None.

Mayor Beck declared Bill No. 5218, approved.

Bill No. 5219; second reading
Levies & establishes the rate of annual
taxes for the Policemen and Firemen Pension
Fund to be collected in the year 2008.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the second reading of Bill No. 5219. Carried unanimously. Bill No. 5219 was presented and read.

AN ORDINANCE LEVYING AND ESTABLISHING THE RATE OF ANNUAL TAXES FOR THE POLICE AND FIREMEN RETIREMENT FUND TO BE COLLECTED IN THE CITY OF RICHMOND HEIGHTS, MISSOURI FOR THE YEAR 2008.

Mayor Beck asked for a vote of approval of Bill No. 5219. AYES: Ms. Williams, Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Ms. Mitten, Mr. Notter, Mr. Gallagher, and Mayor Beck. NAYS: None.

Mayor Beck declared Bill No. 5219, approved.

Bill No. 5220; second reading
Provides for a non-binding ballot proposition
regarding truck parking on the public streets of
the City, and calling for an election on such

Proposition to be held on November 4, 2008.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the second reading of Bill No. 5220. Carried unanimously. Bill No. 5220 was presented and read.

AN ORDINANCE PROVIDING A NON-BINDING BALLOT PROPOSITION REGARDING TRUCK PARKING ON THE PUBLIC STREETS OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AND CALLING FOR AN ELECTION ON SUCH PROPOSITION TO BE HELD ON NOVEMBER 4, 2008.

Mr. Thomson asked if there will be a public forum on the ballot issue other than the City newsletter. Mr. Thomson stated he wasn't able to get the "straw vote" of 16-17 year-old drivers.

Mayor Beck stated that he would be willing to make sure citizens were aware this issue was coming before them in November.

Ms. Greenwald suggested an information booth at CELEBRATE Richmond Heights.

Mayor Beck asked for a vote of approval of Bill No. 5220. AYES: Ms. Williams, Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Ms. Mitten, Mr. Notter, Mr. Gallagher, and Mayor Beck. NAYS: None.

Mayor Beck declared Bill No. 5220.

INTRODUCTION OF NEW BILLS

**Bill No. 5221 Emergency Measure
Authorizes the execution of a Third Amendment
to the Redevelopment Agreement with
Michelson-Hadley Heights Development, LLC.**

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the reading of Bill No. 5221 as an Emergency Measure. Carried unanimously. Bill No. 5221 was presented and read as an Emergency Measure.

AN ORDINANCE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI APPROVING A THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN MICHELSON-HADLEY HEIGHTS DEVELOPMENT, L.L.C. AND THE CITY OF RICHMOND HEIGHTS,

MISSOURI, FOR THE HADLEY TOWNSHIP REDEVELOPMENT AREA AS AN EMERGENCY MEASURE.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the reading of Bill No. 5221 in its entirety as an Emergency Measure. Carried unanimously. Bill No. 5221 was presented and read as an Emergency Measure.

AN ORDINANCE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI APPROVING A THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN MICHELSON-HADLEY HEIGHTS DEVELOPMENT, L.L.C. AND THE CITY OF RICHMOND HEIGHTS, MISSOURI, FOR THE HADLEY TOWNSHIP REDEVELOPMENT AREA AS AN EMERGENCY MEASURE.

WHEREAS, the City Council has previously approved a plan for redevelopment known as the Hadley Township Redevelopment Plan (the “Redevelopment Plan”), for an area containing approximately 63 acres and consisting of two redevelopment project areas, which collectively are generally bounded by a portion of the Highway 40/Interstate 64 right-of-way and Dale Avenue on the north; Laclede Station Road on the east; West Bruno Avenue on the south; and Hanley Road on the west (collectively, the “Redevelopment Area”), as depicted in Appendix A of the Redevelopment Plan and legally described in Appendix B of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan envisions (1) a mixed-use development within Redevelopment Project Area 1, which could include retail, service, restaurant, office, hotel and single-family and multi-family residential development, and (2) primarily residential infill on individual lots, coupled with associated infrastructure improvements, within Redevelopment Project Area 2; and

WHEREAS, the City and Michelson Commercial Realty and Development, L.L.C., a Missouri limited liability company (“MCRD”), entered into a Redevelopment Agreement for the Hadley Township Redevelopment Area dated as of November 17, 2006 (the “Original Agreement”), wherein MCRD agreed to redevelop Redevelopment Project Area 1, and the City authorized such redevelopment, upon the terms and conditions contained in the Original Agreement; and

WHEREAS, MCRD assigned its rights under the Original Agreement to Michelson-Hadley Heights Development, LLC (the “Developer”) by the Assignment of Redevelopment Agreement dated March 1, 2007; and

WHEREAS, to further facilitate the redevelopment of Redevelopment Project Area 1, the City and the Developer agreed to amend the Original Agreement and entered into the First Amendment to Redevelopment

Agreement dated as of April 16, 2007 and the Second Amendment to Redevelopment Agreement dated as of August 4, 2008, (collectively with the Original Agreement, the "Agreement"),

WHEREAS, that since the date that the Redevelopment Plan was initially approved by the City and the date on which the Redevelopment Agreement was executed, some changes have occurred and the Michelson Hadley Heights Development, L.L.C. and the City have agreed to further amend the Agreement as provided in this Third Amendment as set forth in Exhibit "A".

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

SECTION 1. The Third Amendment to Redevelopment Agreement attached hereto as Exhibit "A" is approved and the Mayor and Clerk of the City of Richmond Heights, Missouri are hereby authorized and directed to sign and attest to same on behalf of the City of Richmond Heights.

SECTION 2. The Amendment authorized for execution and attestation shall be in substantially the form and contain the words and figures as per Exhibit "A" which is attached hereto and made a part of this Ordinance as if fully set out herein.

SECTION 3. This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law. This ordinance is deemed an emergency measure necessary for the immediate preservation of the public peace, health or safety of its residents because it is needed to allow purchase of residences from property owners who desire to move elsewhere and have commitments for other properties.

PASSED and SIGNED this 18th day of August, 2008.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ

Exhibit A

THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT

THIS THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT (this “Third Amendment”) is entered into as of the ____ day of August, 2008 (the “Effective Date”), by and between the CITY OF RICHMOND HEIGHTS, MISSOURI, an incorporated political subdivision of the State of Missouri (the “City”), and MICHELSON-HADLEY HEIGHTS DEVELOPMENT, LLC, a Missouri limited liability company (the “Developer”). (*Words and phrases having a defined meaning in the herein-defined Agreement shall have the same respective meanings when used herein unless otherwise expressly stated herein.*)

RECITALS:

1. The City and Michelson Commercial Realty and Development, L.L.C., a Missouri limited liability company (“MCRD”), entered into a Redevelopment Agreement for the Hadley Township Redevelopment Area dated as of November 17, 2006 (the “Original Agreement”), wherein MCRD agreed to redevelop RPA 1 of the Redevelopment Area (as defined in the Original Agreement), and the City authorized such redevelopment, upon the terms and conditions contained in the Original Agreement.
2. MCRD assigned its rights under the Original Agreement to the Developer by the Assignment of Redevelopment Agreement dated March 1, 2007.
3. To further facilitate the redevelopment of RPA 1, the City and the Developer agreed to amend the Original Agreement and entered into the First Amendment to Redevelopment Agreement dated as of April 16, 2007 and the Second Amendment to Redevelopment Agreement dated as of August 4, 2008 (collectively with the Original Agreement, the “Agreement”).
4. The City and the Developer wish to further amend the Agreement as provided in this Third Amendment.

THEREFORE, in consideration of the premises and mutual agreements of the parties set forth herein, the parties hereto agree as follows:

Subsection (1) of the definition of “Redevelopment Project” in Section 1.1 of the Agreement is hereby deleted and replaced with the following new subsection (1):

- (1) the portion of the Redevelopment Project south of Dale Avenue that is intended for residential development (single-family attached and detached homes and other residential uses approved by the City) as shown on the Concept Site Plan (the “Residential Phase”).

The following is added as new Section 3.2(c) of the Agreement:

Notwithstanding anything in this Article III or elsewhere in this Agreement to the contrary, with respect to any contract entered into by the Developer and the owner of real property for the sale of any real property located within the boundaries of the Redevelopment Project where there has been a claim of breach by any party related to such contract, in such event, Developer is authorized to ask the City to commence a condemnation action against such real property without any additional offers, notices, mediations, or other requirements of this Agreement except for those required by state law.

Section 3.2.2 is hereby amended by deleting the first sentence of paragraph (c) and replacing it with the following two new sentences:

For all commissioners' awards filed on or before August 1, 2008, the Developer shall, on or before September 30, 2008, either (1) notify the City that it is terminating this Agreement pursuant to Section 7.1 hereof, (2) settle the condemnation proceeding, (3) pay the amount of any commissioners' award issued in conjunction with any such condemnation proceeding either directly to the Clerk of the Circuit Court or to the City for payment of such commissioners' award by the City to the Clerk of the Circuit Court, which payment the City agrees to immediately make to the Clerk, or (4) advise the City that the Developer will indemnify the City for all liabilities and costs associated with any condemnation proceedings and secure such indemnity by an irrevocable letter of credit or other form of collateral reasonably acceptable to the City Attorney. For all commissioners' awards filed after August 1, 2008, the Developer shall, within 60 days after the filing of such award, either (1) notify the City that it is terminating this Agreement pursuant to Section 7.1 hereof, (2) settle the condemnation proceeding, (3) pay the amount of any commissioners' award issued in conjunction with any such condemnation proceeding either directly to the Clerk of the Circuit Court or to the City for payment of such commissioners' award by the City to the Clerk of the Circuit Court, which payment the City agrees to immediately make to the Clerk, or (4) advise the City that the Developer will indemnify the City for all liabilities and costs associated with any condemnation proceedings and secure such indemnity by an irrevocable letter of credit or other form of collateral reasonably acceptable to the City Attorney.

Exhibit B to the Original Agreement is hereby deleted and replaced with the following new Exhibit B attached to this Third Amendment as Exhibit B. All references to the Concept Site Plan or Exhibit B under the Agreement shall be deemed to refer to Exhibit B attached to this Third Amendment and incorporated herein. There is no Exhibit A to this Third Amendment. Except as previously modified hereby, all other terms and conditions of the Agreement shall remain in full force and effect.

This Third Amendment may be executed in counterparts, each of which shall constitute an original. The parties may sign this Third Amendment by facsimile copies, and any such facsimile copy shall be deemed to be an original, and no objections shall be made to the introduction into evidence of any telefaxed copy on grounds related to the telefaxed copy not being an original.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment as of the day and year first above written.

**CITY OF RICHMOND HEIGHTS,
MISSOURI**

By:

James J. Beck, Mayor

(SEAL)
Attest:

Patricia S. Villmer, Deputy City
Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Third
Amendment as of the day and year first above written.

**MICHELSON-HADLEY HEIGHTS
DEVELOPMENT, LLC**

By: **Michelson Commercial Realty and
Development, L.L.C., its manager**

By: _____
Timothy L. Berry, Executive Vice President

Mayor Beck asked for a vote of approval of Bill No. 5221 EM. AYES: Ms. Williams, Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Mr. Notter, Mr. Gallagher and Mayor Beck. NAYS: Ms. Mitten.

Mayor Beck declared Bill No. 5221 EM, approved 8-1.

Ms. Mitten stated she cast her Nay vote to indicate her feelings regarding the 25% reduction in housing stock within the project.

Bill No. 5222; Emergency Measure Amends Chapter 405, Zoning Regulations, by amending the District Map and changing the zoning classification of property generally located South of Highway 40/64, East to Hampton Creek, South along Laclede Station Road, to West Bruno Avenue, West to Hanley Road and North to Highway 40/64, excluding Block Two of Lincoln Terrace Subdivision; from areas zoned C-2 General Business, R-4 Two Family Residential, R-3 Single Family Residential and a portion of the site zoned Planned Development Commercial to Planned Development Mixed-Use (PD-MXD) and seeks approval of a Preliminary Development Plan for Site Development for same area as an Emergency Measure.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the reading of Bill 5222 as an Emergency Measure. Carried unanimously. Bill No. 5222 was presented and read.

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 405, ZONING REGULATIONS, BY AMENDING THE DISTRICT MAP ADOPTED AS PART OF SAID ORDINANCE NO. 4788, WITH AMENDMENTS THERETO, BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF PROPERTY, GENERALLY LOCATED SOUTH OF HIGHWAY 40/64, EAST TO HAMPTON CREEK, SOUTH ALONG LACLEDE STATION ROAD, TO WEST BRUNO AVENUE, WEST TO HANLEY ROAD AND NORTH TO HIGHWAY 40/64-EXCLUDING BLOCK TWO OF LINCOLN TERRACE SUBDIVISION; FROM AREAS ZONED C-2 GENERAL BUSINESS, R-4 TWO FAMILY RESIDENTIAL, R-3 SINGLE FAMILY RESIDENTIAL AND A PORTION OF THE SITE ZONED PLANNED DEVELOPMENT COMMERCIAL TO PLANNED DEVELOPMENT MIXED USE (PD-MXD), AND APPROVES PRELIMINARY DEVELOPMENT PLAN FOR THE HADLEY CENTER-HADLEY HEIGHTS DEVELOPMENT AS AN EMERGENCY MEASURE.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the reading of Bill 5223 in its entirety as an Emergency Measure. Carried unanimously. Bill No. 5222 was presented and read.

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 405, ZONING REGULATIONS, BY AMENDING THE DISTRICT MAP ADOPTED AS PART OF SAID ORDINANCE NO. 4788, WITH AMENDMENTS THERETO, BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF PROPERTY, GENERALLY LOCATED SOUTH OF HIGHWAY 40/64, EAST TO HAMPTON CREEK, SOUTH ALONG LACLEDE STATION ROAD, TO WEST BRUNO AVENUE, WEST TO HANLEY ROAD AND NORTH TO HIGHWAY 40/64-EXCLUDING BLOCK TWO OF LINCOLN TERRACE SUBDIVISION; FROM AREAS ZONED C-2 GENERAL BUSINESS, R-4 TWO FAMILY RESIDENTIAL, R-3 SINGLE FAMILY RESIDENTIAL AND A PORTION OF THE SITE ZONED PLANNED DEVELOPMENT COMMERCIAL TO PLANNED DEVELOPMENT MIXED USE (PD-MXD), AND APPROVES PRELIMINARY DEVELOPMENT PLAN FOR THE HADLEY CENTER-HADLEY HEIGHTS DEVELOPMENT AS AN EMERGENCY MEASURE.

WHEREAS, Michelson Commercial Realty and Development LLC petitioned for approval to rezone the Hadley Township Redevelopment area, generally located south of Highway 40/64, east to Hampton Creek, south along Laclede Station Road, to West Bruno Avenue, west to Hanley Road and north to Highway 40/64, excluding Block 2 or Lincoln Terrace Subdivision; and Petitioner further seeks approval of a preliminary plan for the site development of the entire project, known as Hadley Center and Hadley Heights, and described below in Section 1; and

WHEREAS, said petition was referred to the Plan and Zoning Commission, and due notice of a public hearing was published according to law and ordinance; and

WHEREAS, said Petition was referred to the Plan and Zoning Commission which, at its meeting of July 17, 2008, heard and recommended granting the petition for the rezoning of that property described below in Section 1 and further unanimously approved the proposed Preliminary Development Plan; and

WHEREAS, due notice of a public hearing before the City Council upon said petition was published according to law and ordinance; and

WHEREAS, a Public Hearing was held before the Council of the City of Richmond Heights on August 4, 2008, upon said Petition for rezoning and approval of Preliminary Development Plan; and

WHEREAS, the City Council believes it desirable that all property described as presented in as Hadley Center-Hadley Heights Preliminary Development Plan (Sheets #PD 1 through 88) dated June 23, 2008 by Wind Engineering Company "Exhibit A", be rezoned Planned Development-Mixed Use (PD-MXD), and finds that such rezoning will not adversely affect the surrounding property and will be in the best interest of the property owners and citizens of Richmond Heights

WHEREAS, the Council of the City of Richmond Heights believes it desirable that the Preliminary Plan for the site development of the properties described below in Section 1 be approved, and finds that such Preliminary Plan and the site development pursuant to such final development plan will achieve the objectives in Section 405.260 (A) of the Richmond Heights Municipal Code (providing a cohesive and high-quality design of land and promoting a desirable community environment), will not result in excessive densities or incompatible land uses, and will be in the best interest of the property owners and citizens of the City of Richmond Heights,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. Ordinance No. 4788, the Municipal Code of the City of Richmond Heights, Missouri, Chapter 405, Zoning Regulations and the District Map adopted as part of said Ordinance, is hereby amended by changing the classification of property legally described herein from C-2 General Business, R-4 Two-Family Residential, R-3 Single Family Residential, as well as a portion at the northwest corner of the site which is zoned Planned Development Commercial to now be zoned Planned Development Mixed Use (PD-MXD).

The property to which this Re-Zoning and Preliminary Development Plan approval relates is legally described as follows:

PROPERTY DESCRIPTION

A tract of land being part, City of Richmond Heights, St. Louis County, Missouri and being more particularly described as follows:

A TRACT OF LAND BEING PART OF LOTS 45, 46, 55, 56, 57, 58, 67, 68, 69 AND 70 OF RANNELL'S SUBDIVISION OF THE HOME FARM, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 30 OF THE CITY OF ST. LOUIS (FORMER COUNTY) RECORDER'S OFFICE, LOCATED IN TOWNSHIP 45 NORTH, RANGE 6 EAST, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF LACLEDE STATION ROAD (60 FEET WIDE) AND THE NORTH LINE OF WEST BRUNO AVENUE (60 FEET WIDE); THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 1157.23 FEET TO THE EAST LINE OF HANLEY ROAD (VARIABLE WIDTH); THENCE ALONG SAID EAST LINE OF HANLEY ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 26 DEGREES 46 MINUTES 10 SECONDS WEST, A DISTANCE OF 155.65 FEET; NORTH 27 DEGREES 07 MINUTES 23 SECONDS WEST, A DISTANCE OF 83.99 FEET TO A NON-TANGENT CURVE; ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 353.25 FEET AND A CENTRAL ANGLE OF 20 DEGREES 39 MINUTES 31 SECONDS (CHORD BEARING NORTH 14 DEGREES 21 MINUTES 44 SECONDS WEST, 126.68 FEET), AN ARC DISTANCE OF 127.37 FEET TO A NON-TANGENT LINE; NORTH 00 DEGREES 56 MINUTES 00 SECONDS WEST, A DISTANCE OF 21.69 FEET; NORTH 11 DEGREES 38 MINUTES 32 SECONDS WEST, A DISTANCE OF 50.88 FEET; SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 28.82 FEET; NORTH 30 DEGREES 11 MINUTES 25 SECONDS WEST, A DISTANCE OF 80.31 FEET TO A POINT OF CURVATURE; ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 301.46 FEET AND A CENTRAL ANGLE OF 29 DEGREES 16 MINUTES 45 SECONDS (CHORD BEARING NORTH 15 DEGREES 33 MINUTES 03 SECONDS WEST, 152.38 FEET), AN ARC DISTANCE OF 154.05 FEET TO A POINT OF TANGENCY; NORTH 00 DEGREES 54 MINUTES 41 SECONDS WEST, A DISTANCE OF 254.03 FEET; NORTH 10 DEGREES 23 MINUTES 39 SECONDS EAST, A DISTANCE OF 51.01 FEET; NORTH 45 DEGREES 58 MINUTES 58 SECONDS WEST, A DISTANCE OF 14.12 FEET; NORTH 00 DEGREES 54 MINUTES 41 SECONDS WEST, A DISTANCE OF 159.38 FEET; NORTH 02 DEGREES 49 MINUTES 44 SECONDS EAST, A DISTANCE OF 137.88 FEET; NORTH 00 DEGREES 56 MINUTES 48 SECONDS EAST, A DISTANCE OF

122.25 FEET TO A POINT OF CURVATURE; ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 29.00 FEET AND A CENTRAL ANGLE OF 47 DEGREES 02 MINUTES 28 SECONDS (CHORD BEARING NORTH 24 DEGREES 28 MINUTES 02 SECONDS EAST, 23.15 FEET), AN ARC DISTANCE OF 23.81 FEET TO A NON-TANGENT LINE; NORTH 07 DEGREES 05 MINUTES 52 SECONDS EAST, A DISTANCE OF 50.50 FEET TO A NON-TANGENT CURVE; ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 26.00 FEET AND A CENTRAL ANGLE OF 53 DEGREES 45 MINUTES 47 SECONDS (CHORD BEARING NORTH 25 DEGREES 58 MINUTES 36 SECONDS WEST, 23.51 FEET), AN ARC DISTANCE OF 24.40 FEET TO A POINT OF TANGENCY; NORTH 00 DEGREES 54 MINUTES 17 SECONDS EAST, A DISTANCE OF 29.60 FEET; SOUTH 88 DEGREES 52 MINUTES 13 SECONDS WEST, A DISTANCE OF 6.50 FEET; NORTH 00 DEGREES 57 MINUTES 24 SECONDS EAST, A DISTANCE OF 214.60 FEET TO A POINT OF CURVATURE; AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF 23 DEGREES 44 MINUTES 39 SECONDS (CHORD BEARING NORTH 12 DEGREES 49 MINUTES 44 SECONDS EAST, 16.46 FEET), AN ARC DISTANCE OF 16.58 FEET TO A NON-TANGENT LINE BEING THE SOUTH LINE OF DALE AVENUE (100 FEET WIDE); THENCE ALONG SAID SOUTH LINE OF DALE AVENUE, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 715.97 FEET TO THE WEST LINE OF HAMPTON CREEK STORM CHANNEL (40 FEET WIDE); THENCE ALONG SAID WEST LINE OF HAMPTON CREEK STORM CHANNEL THE FOLLOWING COURSES AND DISTANCES: SOUTH 08 DEGREES 56 MINUTES 30 SECONDS WEST, A DISTANCE OF 0.10 FEET TO A POINT OF CURVATURE; ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET AND A CENTRAL ANGLE OF 41 DEGREES 16 MINUTES 40 SECONDS (CHORD BEARING SOUTH 11 DEGREES 41 MINUTES 50 SECONDS EAST, 119.84 FEET), AN ARC DISTANCE OF 122.47 FEET TO A POINT OF TANGENCY; SOUTH 32 DEGREES 20 MINUTES 10 SECONDS EAST, A DISTANCE OF 17.91 FEET; AND SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 2.93 FEET TO THE WEST LINE OF HAMPTON CREEK STORM CHANNEL (45 FEET WIDE); THENCE ALONG SAID WEST LINE OF HAMPTON CREEK STORM CHANNEL, SOUTH 32 DEGREES 20 MINUTES 10 SECONDS EAST, A DISTANCE OF 594.78 FEET TO THE NORTH LINE OF ELINOR PLACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 26, PAGE 8 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE, ALSO BEING THE NORTH LINE OF THE AFOREMENTIONED LOT 58; THENCE ALONG SAID NORTH LINE OF ELINOR PLACE, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 327.16 FEET TO THE AFOREMENTIONED WEST LINE OF LACLEDE STATION ROAD; THENCE ALONG SAID WEST LINE OF LACLEDE STATION ROAD, SOUTH 00 DEGREES 56 MINUTES 00 SECONDS EAST, A DISTANCE OF 470.48 FEET TO THE NORTH LINE OF JONES AVENUE (50 FEET WIDE); THENCE ALONG SAID NORTH LINE OF JONES AVENUE, SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 594.18 FEET; THENCE LEAVING SAID NORTH LINE OF JONES AVENUE, SOUTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE SOUTH LINE OF SAID JONES AVENUE; THENCE ALONG SAID SOUTH LINE OF JONES AVENUE, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 70.23 FEET TO THE WEST LINE OF BERKLEY AVENUE (50 FEET WIDE); THENCE ALONG SAID WEST LINE OF BERKLEY AVENUE, SOUTH 00 DEGREES 56 MINUTES 00 SECONDS EAST, A DISTANCE OF 311.59 FEET TO THE WESTERLY PROLONGATION OF THE SOUTH LINE OF THOMAS AVENUE (50 FEET WIDE); THENCE ALONG SAID WESTERLY PROLONGATION AND SAID SOUTH LINE OF THOMAS AVENUE, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 523.90 FEET TO SAID WEST LINE OF LACLEDE STATION ROAD; THENCE ALONG SAID WEST LINE OF LACLEDE STATION ROAD, SOUTH 00 DEGREES 56 MINUTES 00 SECONDS EAST, A DISTANCE OF 240.26 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 41.40 ACRES IS BASED UPON A BOUNDARY SURVEY BY WIND ENGINEERING COMPANY AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD, IF ANY.

ALSO

A TRACT OF LAND BEING PART OF LOTS 85 AND 86 OF RANNELL'S SUBDIVISION OF THE HOME FARM, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 30 OF THE CITY OF ST. LOUIS (FORMER COUNTY) RECORDER'S OFFICE, LOCATED IN TOWNSHIP 45 NORTH, RANGE 6 EAST, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF HANLEY ROAD (VARIABLE WIDTH) AND THE NORTH LINE OF DALE AVENUE (100 FEET WIDE), SAID POINT BEING THE SOUTHWEST CORNER OF ADJUSTED LOT 1 OF WEST HEIGHTS BOUNDARY ADJUSTMENT PLAT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 349, PAGE 608 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE; THENCE ALONG SAID EAST LINE OF HANLEY ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 01 DEGREES 05 MINUTES 49 SECONDS WEST, A DISTANCE OF 143.73 FEET TO A NON-TANGENT CURVE; AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 354.00 FEET AND A CENTRAL ANGLE OF 14 DEGREES 57 MINUTES 01 SECONDS (CHORD BEARING NORTH 15 DEGREES 09 MINUTES 12 SECONDS EAST, 92.11 FEET), AN ARC DISTANCE OF 92.37 FEET TO THE SOUTH LINE OF DUMAS STREET (50 FEET WIDE); THENCE ALONG SAID SOUTH LINE OF DUMAS STREET, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 370.46 FEET TO THE WEST LINE OF BANNEKER AVENUE (50 FEET WIDE); THENCE ALONG THE NORTHERLY PROLONGATION OF SAID WEST LINE OF BANNEKER AVENUE, NORTH 00 DEGREES 56 MINUTES 00 SECONDS WEST, A DISTANCE OF 67.80 FEET TO THE SOUTH LINE OF MISSOURI STATE ROUTE 40 (INTERSTATE 64 – VARIABLE WIDTH); THENCE ALONG SAID SOUTH LINE OF MISSOURI STATE ROUTE 40, NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 227.22 FEET TO THE CENTERLINE OF HAMPTON CREEK STORM CHANNEL; THENCE ALONG SAID CENTERLINE OF HAMPTON CREEK STORM CHANNEL THE FOLLOWING COURSES AND DISTANCES: SOUTH 37 DEGREES 10 MINUTES 00 SECONDS EAST, A DISTANCE OF 135.86 FEET TO A POINT OF CURVATURE; AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 36 DEGREES 14 MINUTES 00 SECONDS (CHORD BEARING SOUTH 19 DEGREES 03 MINUTES 00 SECONDS EAST, 124.38 FEET), AN ARC DISTANCE OF 126.48 FEET TO A POINT OF TANGENCY ON THE EAST LINE OF THE AFOREMENTIONED LOT 85; THENCE ALONG SAID EAST LINE OF LOT 85, SOUTH 00 DEGREES 56 MINUTES 00 SECONDS EAST, A DISTANCE OF 72.06 FEET TO THE AFOREMENTIONED NORTH LINE OF DALE AVENUE; THENCE ALONG SAID NORTH LINE OF DALE AVENUE, SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 741.77 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 4.24 ACRES IS BASED UPON A BOUNDARY SURVEY BY WIND ENGINEERING COMPANY AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS OF RECORD, IF ANY.

SECTION 2. The preliminary development plan for the property described above, appended hereto and made a part thereof, and known as Hadley Center and Hadley Heights is set forth in the plats and plans appended hereto and made a part hereof as Hadley Center-Hadley Heights Preliminary Development Plan (Sheets #PD 1 through 88) (Exhibit A), dated June 23, 2008 by Wind Engineering Company, and such Preliminary Development Plan is hereby approved as such under Section 405.260 of the Richmond Heights Zoning Ordinance subject to the following conditions:

1. All signage shall conform to Chapter 3 of the Richmond Heights Municipal Code (including, where applicable, necessary sight triangles).
2. All landscaped areas shall be continually maintained, nourished and trimmed as needed. All plants shall be replaced as necessary.
3. An underground water sprinkler system shall be provided for all lawn and landscaped areas.
4. Dumpster enclosures shall be kept properly maintained and in a sanitary condition. No debris shall be allowed to accumulate.
5. All parking spaces, aisle widths, striping, parking lot and driveway construction, including driveway aprons, will meet all the ordinance requirements and standards found in the Richmond Heights Municipal Code.
6. The Petitioner shall keep all roads, drives and parking areas sealed and repaired, and maintained free of debris. The property owner shall remove snow, ice, sleet, dirt and trash from all parking/drive areas and sidewalks, including the adjacent public sidewalk. Snow shall not be pushed onto public rights-of-way.
7. Parking lot lighting will be at least 1½ foot candles average on the pavement. No light spillage will emit nor may any glare be cast, onto any neighboring properties.
8. All service utilities shall be underground.
9. All street curbs shall be of concrete, stone or other approved materials.
10. Fire hydrants shall be installed as directed by the Fire Department.
11. During construction, Hanley Road will be maintained unobstructed except as required to perform the necessary improvement to the roadways and utilities.
12. A performance guarantee of at least one hundred thousand dollars shall be made by the developer in a form approved by the City Attorney, to ensure necessary improvements are made to the streets, sidewalks, landscaping, etc. The funds may also be used by the City should it be necessary to restore the site if the project is abandoned.
13. Public sidewalks along West Bruno, Dale Ave. and the contiguous portion of Laclede Sta. Rd. shall be rebuilt to Richmond Heights paving standards.
14. For safety and security at least four wireless cameras, as approved by the Richmond Heights Police Department, capable of pan, tilt and zoom shall be installed to monitor the main drive and pedestrian areas. A transmitter shall be installed to allow the cameras images to be received by the

Richmond Heights Police Department. Camera locations shall be decided through consultation with the Police Department.

15. The Petitioner shall, within thirty (30) days of this meeting, notify the Zoning Administrator, in writing that all the conditions as provided herein, are acceptable and that such conditions are understood and shall be observed.
16. The Petitioner, their assignees and lessees, if any, as well as their agents, servants, and employees shall faithfully observe the provisions, regulations and conditions set forth in the Preliminary Development Plan, Zoning Ordinance and the City's Municipal Code.
17. Permittee shall cause a copy of the Preliminary Development Plan to be filed for the record in the office of the Recorder of Deeds for St. Louis County at the expense of the Petitioner, provide proof of such recording to the Zoning Administrator and provide a Mylar copy of such plan to the Zoning Administrator as well.
18. Alley "B" shall not access Dale Ave. unless the right turn lane on Dale Ave. is extended to the alley.

SECTION 3. The uses permitted on the property described above in Section 1 shall be those uses as are set forth in Appendix "A" to the Richmond Heights Zoning Ordinances for a "PD-MXD" Planned Development District.

SECTION 4. The area regulations and performance standards applicable to the properties described above in Section 1 shall be those described in Section 405.260 of the Richmond Heights Zoning Ordinances except as modified by the site development preliminary approval by the Plan and Zoning Commission at their hearing on July 17, 2008.

SECTION 5. The Mayor and other appropriate officers of the City of Richmond Heights, Missouri are hereby authorized to execute such documents and agreements as are necessary to complete the intents and purposes of this Ordinance.

SECTION 6. The sections of this Ordinance shall be severable. In the event that any of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds that the valid sections of this Ordinance are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has enacted the valid sections without the void ones, or unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 7. This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law. This ordinance is deemed an emergency measure necessary for the immediate

preservation of the public peace, health or safety of its residents because it is needed to allow purchase of residences from property owners who desire to move elsewhere and have commitments for other properties.

PASSED AND APPROVED this 18th day of August, 2008.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

Mayor Beck asked for a vote of approval of Bill No. 5222 EM. AYES: Mr. Lore, Mr. Thomson, Ms. Greenwald, Mr. Jones, Ms. Mitten, Mr. Notter, Mr. Gallagher, Ms. Williams, and Mayor Beck. NAYS: None.

Mayor Beck declared Bill No. 5222 EM, approved.

Bill No. 5223; first reading
Amends Ord. No. 4788, the Municipal Code,
Chapter 215: Offense, Article VI, Offenses Concerning
Property, by adding new Section 215.640; Possession of
Prohibited Theft Devices.

Mr. Gallagher moved, Ms. Mitten seconded, a motion for the first reading of Bill No. 5223. Carried unanimously. Bill No. 5223 was presented and read.

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 215: OFFENSES, ARTICLE VI., OFFENSES CONCERNING PROPERTY, BY ADDING NEW SECTION 215.640; POSSESSION OF PROHIBITED THEFT DEVICES.

Police Chief Vilcek presented some "theft devices" as confiscated in apprehending those suspects removing security tags, altering tickets, etc.

Mr. Jones stated he noted an Internet article which explained what tools were necessary to remove the security tags and how to make them and was amazed at the ease one could get this information so easily.

Mr. Thomson stated he hope this Ordinance will assist the police in reducing the reports of theft and shoplifting.

Mayor Beck stated these problems were everywhere, not only Richmond Heights and stated he felt sure these additional regulations would be of assistance to the police department.

RESOLUTIONS

None.

CITIZEN COMMENTS NO. 2

Ruth Thompkins-7948 Lavington-asked for a copy of Bill No. 5221 as there were none left on the table outside the Chambers.

At approximately 9:05 p.m., with no further business to come before the meeting, Mr. Gallagher moved, Ms. Mitten seconded, a motion to adjourn the meeting. Carried unanimously.

Mayor Beck declared the meeting to be adjourned.

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED