**CITY OF DARDENNE PRAIRIE**
**2032 HANLEY ROAD**
**DARDENNE PRAIRIE, MO 63368**

**BOARD OF ALDERMEN**
**WORKSHOP AGENDA**
**JULY 20, 2016**
**5:30 p.m.**

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## CALL MEETING TO ORDER

## PLEDGE OF ALLEGIANCE

## ITEMS FOR DISCUSSION AND CONSIDERATION

1. Applicant for Appointment – Planning & Zoning - Dale Bailey
2. Field Policy (DeWinters)
3. Stump Rd. Sidewalk (L. Kehoe)
4. Short Term Goals (0 – 3 year projects)
5. Long Term Goals (3 – 10 year projects)
6. Review of Board of Aldermen Meeting Agenda (07-20-16)

## STAFF COMMUNICATIONS

1. City Attorney
2. City Engineer
3. Staff
4. Aldermen
5. Mayor

## CLOSED SESSION

Roll call vote to hold closed session pursuant to RSMo 610.021 section _____

Litigation and Privileged Communications (1)
Real Estate (2)
Personnel (3)
Labor (9)
Bid Specs (11)
Audit (17)

## RETURN TO REGULAR MEETING AGENDA

## ADJOURNMENT

DARDENNE PRAIRIE

# Boards and Commissions Application for Appointment

- o Board of Adjustment
- ● Planning & Zoning
- o Other _____

*Please use Dardenne Prairie Volunteer Corp Application for general volunteer service*

Please print or type Name DALE BAILEY Title: ___ Mr. X Ms. ___ Mrs.

Home Address 1045 DARDENNE WDS. DR.

Length of time at this residence: 12YRS Ward: 1

Home Phone 636.561.1945 Cell Phone 636.385.2313 E-Mail debaile448@gmail.com

## Education and General Qualifications

Occupation and Place of Employment:
RETIRED - POLICE & SECURITY MANAGER

Educational Background:
BS - CRIMINAL JUSTICE

Licenses held (If Applicable):
NA

Special Skills and Qualifications:

Community Activities/Organizational Affiliations (Current):
MEMBER FBINAA \ MEMBER RESPONDER RESCUE CHARITY

Are you registered to vote in the City of Dardenne Prairie? ✓ Yes ____ No
Are you willing to attend meetings on a regular basis? ✓ Yes ____ No
Are you a citizen of the United States? ✓ Yes ____ No
Have you ever been convicted of, or pleaded guilty to a crime? ____ Yes ✓ No
(If yes, provide written details)
Are you a Permanent Resident of the United States? ✓ Yes ____ No
Have you ever had a professional/occupational license revoked or suspended, as a result of disciplinary action? ____ Yes ✓ No
Is there anything in your background that might become an embarrassment to you if it were to become public? ____ Yes ✓ No
Are you a current employee of the City of Dardenne Prairie? ____ Yes ✓ No
Are you a current employee of the U.S. Government? ____ Yes ✓ No

Revised 08-06-15

RECEIVED
JUN 22 2016
City of Dardenne Prairie

Are you or a family member currently serving on a board? ____Yes ✓ No
If yes, please list the board(s) or commission(s)

Have you ever served on a city, county or state board or commission? ✓ Yes ____No
If yes, please list the board(s) or commission(s) STATE OF MISSOURI PRIVATE SECTOR EARTHQUAKE CONSORTIUM COORDINATOR 2010-2012

Reasons you feel you are qualified to serve on the above Board/Commission/Committee (related background, interests, special skills or education, etc.):
HAVE EXPERIENCE IN REVIEWING ROADWAY DEVELOP AND TRAFFIC FLOW AS POLICE OFFICAL

AS SECURITY MANAGER WITH MONSANTO COMPANY, REVIEWED NEW BUILDING AND RENOVATIONS FOR SAFETY AND SECURITY OF DESIGNED PROPOSALS.

I certify that the facts and declarations contained in this application are true and correct to the best of my knowledge. I further authorize the investigation of all statements contained herein. I understand any personal references provided may be contacted to obtain any and all pertinent information. I hereby authorize the Missouri State Highway Patrol to conduct a criminal record check which will be released to the Mayor and Board of Aldermen to evaluate my application if deemed necessary. I understand that providing false responses may be cause to remove me from service on a board or commission, if appointed.

Signature _____ Date 06 / 17 / 2016

Please return this completed application to:

City Clerk Kim Clark
2032 Hanley Road
Dardenne Prairie, MO 63368

e-mail: cityclerk@dardenneprairie.org

fax 636-625-0077

EXHIBIT A

**RBA FORM (OFFICE USE ONLY)**
MEETING DATE: **July 20th , 2016**
Regular ( ) Work Session ( X )
ATTACHMENT: YES ( X ) NO ( )
Contract ( ) Ordinance ( X ) Other ( )

Request for Board Action
By: Mathew DeWinters

**Ward ALL**

- **Description: Advise the BOA of the cancellation policies of other surrounding cities compared to the City of Dardenne Prairie field policy. Information below will show that we need to change the policy to be more comparable to surrounding cities.**

- **Recommendation: Staff – Approve ( X ) Disapprove ( )**
    - **I would change our policy to state that if the City cancels the reservation due to inclement weather a credit will be given.**
    - **"Credits will be given for rain-outs issued by the City Staff, no refunds. Credit must be used by November 30 of the credit year."**

- **Summary/Explanation:**

- **Dardenne Prairie:** (Attachment 1)
    - There are no refunds for rainouts or unused scheduled time
    - If fields are cancelled at least 48 hours in advance, a credit will be applied to the permit holder/organization's account. Refunds are not given for cancellations due to weather or for time scheduled but not used.

- **St. Peters:** (Attachment 2)
    - Once a permit is issued, changes must be made in person by the permit holder at least 48 hours in advance. Changes due to rain-outs will be accepted by email or in person up to 30 minutes prior to the start of the scheduled practice. Emails due to inclement weather must be sent to rec-connect@stpetersmo.net. Credits will be given for rain-outs, no refunds. Credit must be used by November 30, 2016.
    - There are no refunds for rainouts or time that was scheduled but not used.

- **City of Fenton:** (Attachment 3)
    - When a scheduled rental is rained out, the representative must contact the Field Coordinator the next business day to receive a refund for field usage. The rental may be rescheduled if fields are available.
    - Field cancellations must be made two weeks before the scheduled rental to receive a refund.

- **City of Warrenton**: (Attachment 4)
    - If the activity is cancelled from the beginning (you never get to the field or start set up) due to inclement weather, the reservation fee will be refunded in full.
    - If your rental commences and then is shortened by weather, you will be charged

for the time used in ½ hour increments and will be issued a credit for the unused portion of time.
    - Refunds will not be granted within 2 (two) weeks of the reservation. Refunds requested in writing outside of 2 (two) weeks will be granted a refund minus a $10 administrative fee.

- **City of Wentzville:** (Attachment 5)
    - If the activity is halted before it begins (you never get to the field or start setup), the reservation fee will be refunded or credited in full.
    - If the activity commences (set up and/or play begins) before being halted by weather conditions, the Field Use Permit Holder will receive a prorated refund/credit.

- **City of O'Fallon:** (Attachment 6)
    - If the activity is halted from the beginning (you never get to the field or start setup), the reservation fee will be refunded in full.
    - If your rental commences, and then is shortened by weather, you will be charged for the time used and will be issued a credit for the unused portion of time.

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- **Budget Impact:** (revenue generated, estimated cost, CIP item, etc.)
    - **Changing the policy will not affect the set budget.**

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RBA requested by: Matthew DeWitte Date: 7-5-16

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DARDENNE PRAIRIE

**City of Dardenne Prairie**
**2032 Hanley Road**
**Dardenne Prairie, MO 63368**

# Parks & Recreation Services Athletic Field Reservations-2016

1

APPLICANT NAME:_____ TEAM NAME:_____ # of PARTICIPANTS:_____

APPLICANT ADDRESS: _____ CITY/STATE/ZIP: _____

APPLICANT PHONE (CELL): _____ (CELL PROVIDER): _____

ALTERNATE PHONE: _____ EMAIL: _____

SPONSORING ORGANIZATION (if applicable): _____ TEAM NAME: _____

## Scheduling Guidelines

Registration for athletic fields will begin on January 11, 2016, at 9am at the Dardenne Prairie City Hall. Completed applications will be left with City staff and processed in the order received. Applicants will be notified when their application is processed. Completed permits must then be picked up within **two weeks** or the permit will be cancelled and the dates will be made available to other applicants.

1. Each team is allowed to reserve 1 practice session per field per week.
2. Practice sessions are reserved for 2 hour sessions.
3. Each team is allowed to reserve 12 practice sessions (12 weeks) per permit.
4. **A resident reservation fee of $20.00/hr will be collected prior to issuance of permit. Non-resident fee is $30.00/hr.**
5. **A field light usage fee of $10.00 per hour will also be collected if the lights are needed. (DAA fields only)**
6. Reservations for athletic fields must be made in person, Phone calls to check *field availability* will be accepted.
7. Changes to reservations must be made in advance and in person at City Hall.
8. Changes will not be made unless the original permit is surrendered.
9. There are no refunds for rainouts or unused scheduled time.
10. A current certificate of insurance naming the City of Dardenne Prairie as "ADDITIONALLY INSURED" is required. Minimum coverage required is one million dollars liability and two million dollars general aggregate. It shall be the responsibility of the permit holder/organization to insure coverage is not interrupted throughout usage. Failure to provide the required insurance will result in revocation of usage.

☐ **Barathaven Athletic Fields** ☐ **Bluebird Meadows** ☐ **Dardenne Athletic Fields****
☐ Soccer ☐ Football ☐ Lacrosse ☐ Softball ☐ Baseball

| Date | Start Time/Finish Time | Lights Needed? (Dardenne Athletic Fields) | Estimated # of Attendees |
|---|---|---|---|
| 1) | | | |
| 2) | | | |
| 3) | | | |
| 4) | | | |
| 5) | | | |
| 6) | | | |

**General Park Rules (violation of park rules may result in revocation of permit)**

- All recreational facilities shall be used in compliance with the Municipal Code of the City of Dardenne Prairie, Missouri, and the rules and regulations promulgated pursuant thereto.
- Parks and athletic fields are open from sunrise to sunset unless otherwise specified on usage permit.
- Use of wet athletic fields is prohibited.
- Applicants and their officers, agents, guests and invitees are expected to use sportsman like conduct at all times.
- Equipment such as goals, goal posts, balls, etc. and field lining are not supplied by the City.
- Permit holder is responsible for leaving the assigned area(s) clean and in order.
- Permit holder is responsible for reparation of any damages arising from their use of City recreational facilities.
- For the safety of all guests, glass containers are prohibited.
- Consumption of alcoholic beverages on City owned parking lots or within vehicles while parked on the parking lots is strictly prohibited.
- Guests must park in designated parking spaces only.
- The permit holder/organization shall be responsible for the preparation and maintenance of the facilities outlined on the Facility Use Permit. This includes but is not limited to; lining of fields, field dressing with rake, ground inspection prior to use to ensure holes are filled and free of debris, etc.
- The permit holder/organization shall be responsible for providing all equipment needed for use of City recreational facilities. Such equipment includes but is not limited to; goals, goal posts, balls and nets, etc.
- The permit holder/organization shall be responsible for determining if field conditions are suitable for play or if games should be cancelled. The permit holder/organization is responsible for repairing damaged fields. Future reservations may be revoked due to damaged fields.
- If fields are cancelled at least 48 hours in advance, a credit will be applied to the permit holder/organization's account. Refunds are not given for cancellations due to weather or for time scheduled but not used.
- The permit holder/organization shall be responsible for the proper operation and cleanup of all recreational facilities during the period of time such recreational facilities are reserved for use (i.e., check for holes, pick up glass, pick up trash following athletic function or other event).

*I (we), for myself, my employees, agents, participants and invitees, hereby expressly release and discharge the City from any and all liability of every kind or nature, including, but not limited to, bodily injury (including death), damage to the property, and all claims, suits demands, losses, costs and expenses (including attorneys' fees) arising from or alleged to arise from the use of City recreational facilities pursuant to this Agreement, that may be sustained by myself, my employees, agents, participants or invitees while on City property during the term of this Agreement. I (we) further agree to indemnify and hold harmless the City from any and all liability arising from or alleged to arise from the use of City recreational facilities, including, but not limited to, bodily injury (including death), damage to property, and all claims, suits, demands, losses, costs and expenses (including attorneys' fees). I (we) am covered by my (our) own personal, or my groups own insurance for accidents and incidents that might arise during activities in the City Park, which coverage shall be effective on or before the date my (our) use of City recreational facilities shall have begun.*

*Facility Use Permits are issued in accordance with the Municipal Code of the City of Dardenne Prairie, Missouri, and departmental rules and regulations concerning park usage.*

Signature _____ Date _____

# Parks & Recreation Services
# 2016 Athletic Field Reservations

## Scheduling Rules & Regulations

- Permits are issued for practice from April 1st through November 30th (restroom facilities may be closed after November 1st).
- Reservations for athletic fields must be made in person at the St. Peters Rec-Plex, 5200 Mexico Road.
- Phone inquiries concerning availability of fields will not be accepted. Availability may be viewed online at: www.stpetersmo.net/rec-connect (select facilities).
- Designated times have been established for practice permits to allow the most efficient use of the fields.
- Each team is allowed to reserve one practice session per weekday (practice sessions are 1½ hours each). Weekend practices are not limited but must be scheduled within the designated times.
- Once a permit is issued, changes must be made in person by the permit holder at least 48 hours in advance. Changes due to rain-outs will be accepted by email or in person up to 30 minutes prior to the start of the scheduled practice. Emails due to inclement weather must be sent to rec-connect@stpetersmo.net. Credits will be given for rain-outs, no refunds. Credit must be used by November 30, 2016.
- Fields that change from baseball to soccer are changed between August 1st and 15th.
- City Centre Diamond 18 & Woodlands Sports Park Field 5 are reserved for games only; no practices. A permit is required for usage.
- City Centre Diamonds 19 & 20 and Woodlands Diamonds 21, 22, 23 & 24 require a permit for usage at all times. Woodlands Soccer Fields 1, 2, 3, 4, 5, & 6 require a permit for usage Monday-Friday after 5:00 p.m.
- An authorized permit serves as an official reservation and MUST be on site during all scheduled practices.

## Fees for Practices

- A reservation fee of $12.00 per practice (1 ½ hours) will be collected for St. Peters residents and $24.00 per practice (1 ½ hrs) for non-residents. *Current Resident Privilege Cards are required to receive resident benefits.*
- A field light usage fee of $10.00 per hour will also be collected if lights are needed.
- There are no refunds for rainouts or time that was scheduled but not used.
- All fees must be paid by the permit holder at the time the permit is issued.

## Additional Park Rules

- Parks are open from sunrise to sunset unless otherwise specified on usage permit.
- Use of wet fields is prohibited.
- Participants and guests are expected to use sportsman like conduct at all times.
- Equipment such as bases, balls, bats, etc. and field lining are not supplied by the City.
- Hitting, kicking or throwing balls at fencing, backstops, bleachers or buildings is strictly prohibited.
- Permit holder is responsible for leaving the assigned area(s) clean and in order.
- Permit holder is responsible for reparation of any damages arising from their use of St. Peters' facilities.
- The City of St. Peters exercises a Hold Harmless Policy during all facility use/rentals, releasing the City from any and all accident or injury claims that may arise out of use of St. Peters' facilities.
- For the safety of all guests, glass containers are prohibited.
- Consumption of alcoholic beverages on City owned parking lots or within vehicles while parked on the parking lots is strictly prohibited.
- Guests must park in designated parking spaces only.

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# City of Fenton
# Field Permit Guidelines

1) Field Availability
   a. Soccer field availability
      i. Spring Season – January 1 thru April 1 = Fields 1 – 8
         - April 1 thru Memorial Day = Fields 2/6/7/8 Only
      ii. Fall Season – August (date tbd) thru October 1 = Fields 2/6/7/8 Only
         - October 1 – December 31= Fields 1 – 8
   b. Softball/baseball field availability –
      i. Spring/Summer – April 1 – October 1 = Diamonds 1 – 7

2) Field Permit Request Schedule
   a. Soccer Permits (field request form available at www.fentonmo.org)
      i. Spring Season
         - Returning Resident requests accepted Oct. 17 – Oct. 24
         - Returning Non-res. requests accepted Oct. 24 – Oct. 31
         - New Resident requests accepted beginning Oct. 31
         - All other requests accepted after Nov. 7
      ii. Fall Season –
         - Returning Resident requests accepted May 15 – May 21
         - Returning Non-res. requests accepted May 21 – May 28
         - New Resident requests accepted beginning May 28
         - All other requests accepted after June 4

   b. Softball/Baseball Permits (field request form available at www.fentonmo.org)
         - Returning Resident requests accepted Feb. 1 – Feb. 7
         - Returning Non-res. requests accepted Feb. 7 – Feb. 14
         - New Resident requests accepted beginning Feb. 14
         - All other requests accepted after Feb. 21

3) Individual teams are restricted to 1.5 hours per week for practices or games. Requests submitted by organizations for multiple teams will be limited to no more than 1.5 hours per week per team. Groups should only request dates/times they are sure they will use.

4) Residents/Returning teams will have first option on securing the same field assignments as the previous year. A returning team or organization **must still submit** a request form.

5) Field permit fees are as follows (prices subject to change w/o notice):
   a. City of Fenton resident/resident group - $18/hr. Non-Fenton resident/group - $23.50/hr.
   b. Light fee (softball fields only – no lighted soccer fields) - $20/hr resident $25/hr non-resident

6) All organizations and teams must provide the City of Fenton with a certificate of insurance Naming the "City of Fenton" as additional insured for the amount of $2,600.000. The certificate must be on file before any permit can be issued.

6) City of Fenton leagues, programs and activities have priority over field rental availability. The City of Fenton Parks and Recreation Department reserves the right to allocate field time based on best overall facility use.

7) When a scheduled rental is rained out, the representative must contact the Field Coordinator the next business day to receive a refund for field usage. The rental may be rescheduled if fields are available. If the City of Fenton uses the fields, refunds will not be issued, as they are deemed playable.

8) Field cancellations must be made two weeks before the scheduled rental to receive a refund.

City of Warrenton
200 West Booneslick
Warrenton, MO 63383
Phone: 636-456-3535 Fax: 636-456-8135
www.warrenton-mo.org

4

# Field Rental Reservation Form

(Does not include Athletic Complex Facilities)

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

| Facility | | Date | Days of Week | | Time |
|---|---|---|---|---|---|
| Khoury Park 1 | | | Monday | | |
| Khoury Park 2 | | | Tuesday | | |
| Lakeview Park 1 | | | Wednesday | | |
| Lakeview Park 2 | | | Thursday | | |
| | | | Friday | | |
| | | | Saturday | | |
| | | | Sunday | | |

**Event Details:**

**Fees:**

| City Residents | Non City Residents |
|---|---|
| $10 per hour without lights | $15 per hour without lights |
| $15 per hour with lights | $20 per hour with lights |

**Hourly charges begin at the time the field is made available for permit holder use and ends when field is vacated.**

**Use Regulations:**

- The permit and the responsible party (21 years of age or older, who officially rented the field) must be on-site when the field is being used.
- The permit holder will leave the field in a clean, neat condition. If it is necessary for the City to provide cleaning services following the reserved activity, the permit holder may be charged an additional fee **and the City will review whether to permit future use by the permit holder.**
- No apparatus or equipment may be located on the fields unless the use and location of said equipment has been approved by the City of Warrenton.
- Private Vehicles may NOT be driven or parked on turf surfaces, sidewalks, service driveways, or emergency zones. Only parking lots may be used for loading and unloading.

- In case of inclement weather, permit holders are responsible for determining if the event/activity is going to be held. The City of Warrenton may deem it necessary to close fields in extenuating circumstances.
- Permit holders whose permits allow for the use of the lights are responsible for turning sports field lights on and off. **Additional fees may be added for any extended use of lights other than what was agreed upon prior to approval.**
- Unless specifically stated on the permit, it is understood that the gathering to be held is not a fundraiser, no admission fees are being charged, and no tickets will be sold or collections taken and that no items or services will be sold without approval of the City of Warrenton.
- Users agree to indemnify, defend, and hold harmless the City, its agents, and employees from and against any accident, injury, including death, and/or loss of property or damage to neighboring property.
- No teams, coaches, etc. are permitted to use athletic field fencing as a backdrop or toll for game warm up or aid, with an exception to pitching warm ups provided there is a catcher. Example: soft toss.

**Refund Policy**

- If the activity is cancelled from the beginning (you never get to the field or start set up) due to inclement weather, the reservation fee will be refunded in full.
- If your rental commences and then is shortened by weather, you will be charged for the time used in ½ hour increments and will be issued a credit for the unused portion of time.
- Refunds will not be granted within 2 (two) weeks of the reservation. Refunds requested in writing outside of 2 (two) weeks will be granted a refund minus a $10 administrative fee.
- The City reserves the right to postpone, cancel, or delay any activity on City property. The decision on whether to start or continue a program rests fully with the permit holder.
- Any damage caused to the fields will be the sole responsibility of the rental party.
- All policies of the field use permit program are subject to the discretion of the City of Warrenton. The City reserves the right to modify or waive any policy as it deems necessary and in the best interest of the City.

Print Name: _____ Date: _____

Signature: _____ Date: _____

FOR CITY USE ONLY

Office Initial: _____ Fee: _____

(PRKFIE)

Date Paid: _____

Wentzville Parks and Recreation

Heartland Park

# Guidelines/Policies/Procedures/Fees

## Article I. Intent

The purpose of this policy is to:

1. Create a standardized approach to fee assessment and space allocation for users.
2. Provide equitable and efficient access to facilities and services.
3. Educate the public on the value of our public parks, facilities, and services.
4. Create equitable facility distribution, aid in discipline control, promote respect, and value of the facility and services.
5. Recover taxpayer costs incurred by users who have exclusive use of public property.
6. Develop and maintain a fee structure based on a fair market value.
7. Ensure that the allocation and fee schedule outweighs any negative or detrimental impact.
8. Use the allocation process and fees to provide an equitable system to balance facility and service usage.

## Article II. General Reservation Guidelines

1. Park hours are Dawn until 11PM.
    a. Failure to vacate property on time will result in a $50 fine every fifteen minutes after 11:00PM.
2. Renters are responsible for picking up trash at the conclusion of their event and ensuring the trash is placed in trash receptacles.
    a. If the facility is left in an unsatisfactory condition, renter will be billed an additional **$40** per hour for cleanup.
    b. Any damage determined to have occurred during the term of the rental agreement will be the responsibility of the group or the organization using the facility.
3. The City of Wentzville reserves the right to block field time each year as necessary to complete required maintenance.
4. The City of Wentzville reserves the right to cancel all practices and rentals without additional cost to the City when fields are deemed, in the sole discretion of the City, NOT PLAYABLE. *If this occurs the reservation fees will be refunded or credited for all time not used.*
5. The City of Wentzville reserves the right to refuse rental to individuals or organizations who, at the sole discretion of the City, do not represent the City's Mission or best interests of the City.
6. Reservation Policies and Procedures
    a. All rental fees must be paid in full at the time a reservation is made.
    b. Organizations/Individuals seeking to utilize City facilities to host leagues and tournaments shall:
        i. Fully complete both a Field Rental Application and a Special Events Permit Request.
        ii. Both the Field Rental Applications and the Special Events Permit shall be submitted to the City of Wentzville in accordance with Article III, Priority of Field Use.
        iii. Provide the City with a certificate of insurance listing the City as additionally insured in the amount of 3 million dollars aggregate.
    c. Fields reservations may be made over the phone by calling Wentzville Parks and Recreation (636) 332-9236 or in person at Progress Park, 968 Meyer Rd. Wentzville, MO 63385.
    d. The organization/individual making a reservation request is solely responsible for the accuracy and completeness of any document associated with the reservation process.

e. Incomplete request forms may result in delays for processing, reviewing, and approving a reservation request.
f. To reserve field space after February 1st there must be 14 days' notice.
g. Once a completed Field Rental Application and a Special Events Permit Request has been submitted and it has been determined that the request can be accommodated, the Recreation Superintendent, or their designee, will tentatively approve the issuance of a Field Use Permit and the Organization/Individual will be notified by phone or by email unless the transaction is conducted in person. Upon notification, the Organization/Individual will be instructed that they have ten (10) business days to provide complete payment and the required certificate of insurance.
h. If the Organization/Individual does not provide complete payment and the required certificate of insurance within the required ten (10) business days, the Field Use Permit will become null and void and the field space will be available to rent by another party.
i. A Field Use Permit must be approved and returned by the City of Wentzville in order for the reservation to be complete.
j. Field Use Permits are not transferable under any circumstances.
k. Any organization that violates any of these rules and regulations will be denied the future use of Park facilities.

## Article III. Priority of Field Use

Athletic fields are available at a first come first serve basis and the following priorities have been established to ensure the fairest distribution of facilities.

1. Wentzville Parks and Recreation
2. Wentzville School District – A complete list of requested dates must be provided to the Parks Department by December 31st for the following year.
3. Returning Local Users/Organizations – These groups must be in good standing[1] and may submit their requests beginning January 1st for that year. The deadline for groups in this category to submit their requests is February 1st.
4. Returning Non-Local Users/Organizations – These groups must be in good standing[1] and may submit their requests beginning January 1st for that year. The deadline for groups in this category to submit their requests is February 1st.
5. Practice groups renting field space for at least 10 weeks at a time.
6. All other users can submit requests beginning February 1st for that year.

**NOTE:**

1. **To be in good standing a group must have provided payment on time, managed their previous activity to the highest standards, and cooperated with City Staff in all aspects of reserving, managing and cleaning their prior event(s). Any individual/organization that violates any of these rules and regulations should not consider themselves in good standing and may denied future use of City Park facilities.**

## Article IV. Tournament Guidelines

1. These rules are in addition to the General Rules and in the event that there are conflicts between the Tournament Rules and the General Rules, the Tournament Rules shall take precedence.
2. Individuals, groups, or organizations interested in utilizing field space for tournament use must submit their name, mailing address, and phone number to the Recreation Superintendent, or their designee. Tournament requests shall include all of the following information:
   a. Tournament Start Date(s), and Time(s)

b. Number of fields being requested (include make ups as well as regular games)
c. Anticipated number of teams to participate
d. Tournament Director
e. Complete list of proposed sponsors, co-sponsors, or other vested interest in the event
f. Age group(s) of teams participating
g. Special Accommodation (i.e. field dimensions)

3. Incomplete requests could result in the request being denied.

4. In the event that two or more Tournament Hosts request a specific date(s), time(s), or field(s) the City representative will determine the assignment based on what is in the best interest of the City. However, a preference will be given to that Tournament Hosts who have demonstrated to the City acceptable administrative practices in preparing for previous tournaments; acceptable on-site tournament management; and that Tournament Hosts who have not cancelled previous tournaments or had any negative occurrences at previous tournaments.

5. The City reserves the right to cancel tournament reservations.

6. The City reserves the right to schedule more than one (1) tournament or event at a time, subject to field availability.

7. Selected Tournament Host shall designate to the City one (1) individual as Tournament Director (21 years of age or older), who at all times shall have the authority to act on the behalf of the Tournament Host. If the Tournament Director is not at the site for any reason, he/she must appoint a Co-Tournament Director (21 years of age or older) and this information must be on file with the City. This individual shall work with the designated City representative on all activities associated with the tournament (Permits, fees, schedules, vendors, rosters, insurance etc.).

8. The Tournament Director shall meet with the City representative thirty (30) days, fourteen (14) days, and seven (7) days prior to the scheduled tournament to communicate any updates associated with the coordination of the tournament. The final schedule is due to the City seven (7) days prior to the start of the event.

9. All outside vendors and vendor locations must be approved by the City. In the event the City approves the use of outside vendors, each vendor must provide their own supplies (i.e. tables, chairs, portable pop-up tents, extensions cord, and off-site storage) to operate their booth(s).

10. Should the tournament have sponsorship agreements, such sponsorships may be acceptable unless they are directly competitive with City sponsorship agreements. In such event, the City sponsor(s) shall take precedence.

11. Tournament Host is responsible for providing a copy of all marketing/promotional materials or information regarding their activity. Use of the City's logo and/or other trademarked materials my not be used without expressed written consent of the City.

12. Tournament Host at no charge to the City, shall provide mailing information (i.e. names, addresses, zip codes etc.) for each team entered into the tournament no later than two (2) weeks prior to the scheduled tournament.

13. Tournament Host will be charged for all games/activities or portion thereof played in the Tournament(s). However, in the event that scheduled games/activities are canceled due to inclement weather (as determined by the City) the City will provide make up dates and times as outlined in the Original Tournament Schedule.

In the event that the tournament would have to be cancelled in its <u>entirety</u> due to inclement weather (as determined by the City), the following method would be used to refund the Tournament Host for field rental fees:

a) 100% refund of all rental fees if the tournament is canceled by the City prior to the start of the tournament.

b) Once the Tournament(s) have started, the Tournament Host shall pay in full for <u>all</u> games/activities or portions thereof played. The City shall only refund for the amount of those games/activities not played.

c) City will provide make-up date(s) and time(s) as outlined in the Original Tournament Rain Date Schedule. However, if the Renter decides not to make up all or any portion of the Tournament games on the rain dates, the Renter shall be charged in full for all scheduled games as outlined in the Original Rain Date Tournament Schedule.

1. Tournaments shall comply with **all** insurance requirements as specified in the General Guidelines.

2. In the event that the Tournament Host shall cancel any scheduled date(s) or time(s), for any reason other than inclement weather (as determined by the City), the Tournament Host shall pay the City a penalty fee in addition to their tournament fees at a rate of $2,000 per day.

3. Rental of Soccer fields for games shall include the marking of fields, goals, and corner flags. However, teams may not use the goal areas during warm ups or in practices.

4. Rental of Baseball/Softball fields for games shall include the initial marking of fields, bases, and pitching rubbers. However, teams may not use fence areas for soft toss.

5. Rental of Football fields for games shall include the initial marking of fields and goal posts. It shall be the sole responsibility of the Renter to provide yard markers, chains, scoreboards, etc.

6. In all cases, games/activities shall end no later than 11:00 PM

## Article V. Use Regulations

1. **Reservations/ Field Use:** Reservations are for the designated field(s) only. Use of the field/facility is limited to the activity specified on the Field Use Permit. If the field(s) is utilized for a purpose not designated on the approved permit, additional charges will be assessed.
2. **Field Use Time:** Field use begins and ends at the times stated on the Field Use Permit, including inspections, set-up and clean-up. Groups are not allowed on the fields prior to the start time stated on the permit and are required to exit the fields and have adjacent areas cleaned up at the ending time indicated on the Field Use Permit.
3. **Pre/Post Use Inspections:** Groups shall inspect the fields/facility prior to and subsequent to each use to determine whether conditions are safe and/or appropriate for any intended use. Groups shall promptly advise The City of Wentzville Parks and Recreation Department of any unsafe/dangerous condition.
4. **Admission/Gate Fees:** Unless specifically stated on the Field Use Permit, it is understood that the rental is not for fundraising purposes, and that no admission/parking/gate fee is to be charged.
5. **Vendors:** Outside vendors of any nature are not allowed to conduct business on the premises unless approved in writing, in advance, by the City of Wentzville. A Vendor Agreement must be in place.
6. **Training Equipment:** No apparatus or equipment may be located on or near the field unless the use and location of equipment has received prior written approval. The Field Use Permit must contain that approval.
7. **Shade Structures:** All tents, awnings, canopies and temporary structures must have prior written approval. The Field Use Permit must contain that approval.
8. **Responsible Party:** The Field Use Permit and the responsible party (person, 21 years of age or older, who officially rented the field) must be on-site when the field is being used. If this is not possible, prior approval from Wentzville Parks and Recreation must be granted and the name of the responsible party documented on Field Use Permit.
9. **Vehicles:** Private vehicles may not be driven or parked on turf surfaces, sidewalks, service driveways, or emergency zones.

10. **Lights:** Field Use Permit holders whose permits allow for the use of the lights are responsible for turning sports field lights on and off. Permit holders are subject to penalty charge of $200 per field for failing to turn off lights.
11. **PA System/Scoreboard:** Only City staff will be allowed to set up the sound system/scoreboard. The Field Use Permit holder shall provide an operator, over the age of 16, to receive instruction on the use of this equipment. Permit holders are subject to penalty charge of $200 per field for failing to turn off PA system or Scoreboard.
12. **Noise/Sound Systems:** Amplified sounds of any sort are not allowed on any field without City of Wentzville approval.
13. **Goals & Goal Placement:** No climbing on or moving of goals is allowed. Goal placement will be indicated on the Field Use Permit. Portable goals and/or markers are allowed, but must be removed daily.
14. **Animals:** Animals of any sort are NOT ALLOWED on any field/turf area. The only exception is certified service animals.
15. **Cooking Equipment:** Grills or other open cooking equipment are prohibited from all athletic fields.
16. **Glass Containers:** Glass containers of any kind are prohibited on all park properties.
17. **REGULATIONS RELATED, SPECIFICALLY, TO FIELDS WITH SYNTHETIC TURF**
    A. Tables, chairs tents, or other shade structures will not be allowed on the synthetic turf surfaces.
    B. Golfing of other non-authorized use is prohibited on the synthetic turf surfaces.
    C. Wheeled devices, including but not limited to motorized vehicles, bikes, wagons, inline skates, scooters and skateboards are not allowed on the synthetic turf. Exceptions, emergency personnel and ADA accommodations.
    D. Animals are NOT ALLOWED on the synthetic turf area.
    E. **Paint/Marking:** No painting or marking of any sort is permitted on the synthetic turf. This includes powders and tape of any kind.
    F. **Field Markers:** Only free standing field markers and sports equipment may be used on the synthetic turf surfaces. NO stakes, posts, poles, or markers of any kind may be driven into the synthetic turf surfaces.
    G. **Food:** No food (including sunflower seeds), gum, or chewing tobacco is allowed on the synthetic turf surfaces.
    H. **Beverages:** No alcoholic, carbonated, energy or juices are allowed on the synthetic turf surfaces.
    I. **Water:** No flavored waters of any sort will be allowed on the synthetic turf surfaces. Plain water bottles and water coolers are permitted.
    J. **Shoes:** Clean athletic shoes (free of mud) and plastic (soft) spikes are permissible, metal spikes are not allowed.
    K. **Spectators:** During athletic competitions, all spectators shall remain off the synthetic turf areas.

## Article VI. Inclement Weather

During game play, it is the responsibility of the Field Use Permit Holder to determine if threatening weather warrants postponing or canceling play in the best interest of safety for the players and spectators. When City staff are present at an event, they will work with the Permit Holder and Officials to determine the appropriate course of action when inclement weather is encountered. However, the City of Wentzville reserves the right to postpone, cancel or delay any activity within the Parks due to inclement weather. If an activity becomes disrupted by weather, the following policies will be enforced:

1. If the activity is halted before it begins (you never get to the field or start setup), the reservation fee will be refunded or credited in full.

2. If the activity commences (set up and/or play begins) before being halted by weather conditions, the Field Use Permit Holder will receive a prorated refund/credit.

## Article VII. Field Rental Rates

1. All field rental rates are listed below.
2. During non-prime hours, fields are available for reservation and use for a minimum of one (1) hour. During Prime hours, fields may only be reserved in two (2) hour increments. Prime hours are defined as 3:00PM to 11:00PM, Monday through Friday and 8:00AM to 11:00PM on Saturdays, Sundays and Holidays.

## Article VIII. Other Charges

1. **Concessions:** The City shall retain sole and exclusive right to sell concessions at all athletic fields and facilities. Should the City choose to not provide concessions for an event, sponsors may be permitted to sell concessions with the understanding the City shall receive 15% of gross receipts.
2. **Gate Admission:** Charging an admission to any event or activity conducted on athletic fields or other recreational facilities is strictly prohibited unless prior approval has been granted in writing by the Director of Parks and Recreation. If granted a negotiated percentage shall be established in the Field Use Permit.
3. **Novelty Sales:** Sale of T-shirts, hats, and other novelties shall have the prior approval of the Director of Parks and Recreation. The City shall receive 15% of gross receipts from all such sales.

## Article IX. Refunds

The Field Use Permit Holder must cancel reservations no less than 10 days prior to reserved date in order to receive a refund (in the case of Tournaments it shall be 30 days in advance of the event). Standard departmental processing fees of 25% shall apply in any cancellation situation. (Non-use due to inclement weather conditions will be taken into consideration and permit holder may be credited for all time not used.)

## Article X. Maintenance Activities

Athletic fields will be closed periodically throughout the year for maintenance. While these dates are subject to change due to uncontrollable variables such as weather, the City of Wentzville will be blocking the fields for maintenance and provided a schedule of thus dates. Should the fields become available during these dates they will be made available on a first-come, first-served basis.

Heartland Park Field Rental Rates

| ARTIFICIAL TURF | Resident | | Non-Resident | |
|---|---|---|---|---|
| Full Field (1 hour) | $ 125.00 | | $ 175.00 | |
| 1/2 Field (1 hour) | $ 75.00 | | $ 100.00 | |
| 1/4 Field (1 hour) | $ 45.00 | | $ 60.00 | |
| Full Day (Open to Close) | $ 800.00 | | $ 1,000.00 | |
| | | | | |
| Field Manager (per hour) | $ 40.00 | | $ 40.00 | |
| Field Marking (alternate field setup) | $ 125.00 | | $ 125.00 | |
| Sound System/Score Board (per hour) | $ 15.00 | | $ 15.00 | |
| Lights (per hour) | $ 20.00 | | $ 20.00 | |
| Custodial (per hour) | $ 40.00 | | $ 40.00 | |
| Outside Vendors Fee | $ 100.00 | | $ 100.00 | |
| | | | | |
| **GRASS** | **Resident** | | **Non-Resident** | |
| Full Field (1 hour) | $ 50.00 | | $ 75.00 | |
| 1/2 Field (1 hour) | $ 25.00 | | $ 45.00 | |
| 1/4 Field (1 hour) | $ 15.00 | | $ 30.00 | |
| Full Day (Open to Close) | $ 500.00 | | $ 700.00 | |
| | | | | |
| Other Fees | | | | |
| Field Manager (per hour) | $ 40.00 | | $ 40.00 | |
| Game Setup Football | $ 200.00 | | $ 200.00 | |
| Game Setup Soccer | $ 100.00 | | $ 100.00 | |
| Sound System/Score Board (per hour) | $ 15.00 | | $ 15.00 | |
| Lights (per hour) | $ 20.00 | | $ 20.00 | |
| Custodial (per hour) | $ 40.00 | | $ 40.00 | |
| Outside Vendor Fee | $ 100.00 | | $ 100.00 | |

6

# ATHLETIC FIELD ALLOCATION POLICY

The intent of this policy is to establish the administrative procedures for the reservation of park athletic fields owned by the City of O'Fallon. This policy will provide direction to individuals, groups, or organizations in the process to receive a permit for the exclusive use of a designated field during a reserved period of time. .

## General Reservation Guidelines

A. Athletic fields are available in four of the City of O'Fallon Parks.
   a. Westhoff Park Softball/Baseball Fields
   b. Ozzie Smith Softball/Baseball Complex
   c. Sports Park Soccer Fields
   d. Dames Park Football Fields
B. Athletic fields are to be used for the sport they were designed for.
C. Athletic Fields are available for rental March through November.
D. Due to the volume of requests, practices are limited to 2 hours at Ozzie, Westhoff, and Dames Park
E. Due to the volume of requests at Sports Park, renters are limited to a half field for no more than 3 hours per week. Those 3 hours may be split up throughout different days of the week in no less than 1 hour increments.
F. Athletic Field curfew is 11 p.m.
G. Summer maintenance at Dames and Sports Parks will reduce the fields available for use.
H. The Heritage and Freedom Fest will require no play at Westhoff Parks and the Ozzie Smith Complex.
   a. Westhoff Park
      i. No games 2 days before and after the festival dates.
      ii. No tournaments the weekend after the festival.
   b. Ozzie Smith Complex
      i. No games 4 days before and 2 days after the festival dates.
      ii. No tournaments the weekend after the festival.
I. All practices and rentals are cancelled when fields are posted NOT PLAYABLE. To check on field conditions call 636-333-9900.
J. Users agree to indemnify, defend, and hold harmless the City, its agents, and employees from and against any accident, injury, including death, and/or loss of property or damage to neighboring property.

## A. Reservation Priorities

The following priorities have been established to ensure the fairest distribution of facilities. Priorities will be given for the following user groups at Ozzie Smith Sports Complex, Westhoff Park, and Dames Park:

1. City of O'Fallon Programs
2. Returning Organizations
3. All other users can request fields beginning Jan. 1 for that year.

Priorities will be given for the following user groups at Sports Park:

1. City of O'Fallon Programs
2. All other users can reserve field January 1 for March through July; and June 1 for August through November.

## B. Reservation Procedures

- The Recreation Coordinator or the Recreation Manager must approve all reservations for sports fields.
- To reserve a field, submit your request in writing (standard or email) with 10 days notice. Sometimes it is possible to accommodate individuals or groups in less time but the best results will be with reservations requested a minimum of 10 days prior to the desired date and time. Reservations for field use on the upcoming weekend (Friday evening, Saturday, and Sunday) must be made ***no later*** than Thursday by 4:00 p.m. of the prior week.
- Only a single field may be reserved for the reservation date, unless you are an established league.
- Payment for the reservation must be received at the time the reservation is made.
- The time of use and the type of group determine the rental fee.
- The Parks and Recreation Department reserves the right to cancel reservations. If this occurs the rental group will be refunded or credited for all time not used.

**D. Use Regulations**

- Sports fields rentals are available for reservation and use for a minimum of one hour and a maximum of four hours.
- The permit and the responsible party (person, 21 years of age or older, who officially rented the field) must be on-site when the field is being used.
- The permit holder will leave the field in a clean, neat condition. If it is necessary for the City to provide cleaning services following the reserved activity, the permit holder may be charged an additional fee and the City will review whether to permit future use by the permit holder.
- No apparatus or equipment may be located on the sport fields unless the use and location of equipment has received prior approval and the facility permit contains that approval.
- Private vehicles may ***not*** be driven or parked on turf surfaces, sidewalks, service driveways, or emergency zones. Only parking lots may be used for loading and unloading.
- Permit holders whose permits allow for use of the lights are responsible for turning sports field lights *on and off*.
- Unless specifically stated on the permit, it is understood that the gathering to be held is not a fundraiser, that no admission is to be charged, that no tickets will be sold or collections taken, and that no items or services will be sold. Groups conducting fundraising activities must possess non-profit status, obtain a sales tax license, and have liability insurance in the amount of coverage required by the City. Copies of all documents must be filed with the Parks and Recreation Department before such an activity can take place. If this does not occur, the permit holder may be charged an additional fee and the City will review whether to permit future use by the permit holder.

**E. Inclement Weather Policy**

- The City of O'Fallon Parks and Recreation Staff will determine field playability unless the inclement weather occurs after 4 p.m., then the permit holders are responsible for determining if the practice/event/activity is going to be held. However, the City of O'Fallon Parks and Recreation Department staff maintains the responsibility for any final decision as to whether a field is too wet to be played on.
- If an activity becomes disrupted by weather, the following policies will be enforced:
  1. If the activity is halted from the beginning (you never get to the field or start setup), the reservation fee will be refunded in full.
  2. If your rental commences, and then is shortened by weather, you will be charged for the time used and will be issued a credit for the unused portion of time.

The City reserves the right to postpone, cancel, or delay any activity on City parkland. The decision on whether to start or continue a program rests with the field supervisor on site. Any damage caused to the fields will be the sole responsibility of the rental party.

In case of inclement weather, the permit holder may contact the City's inclement weather number (636-333-9900), during normal business hours, for an update on the conditions.

**F. Modification**

All policies of the Field Use Permit Program are subject to the discretion of the City of O'Fallon Parks and Recreation Department. The Department reserves the right to modify or waive any policy as it deems necessary and in the best interest of the City.

**G. Other Charges**

- **Concessions** - The City shall retain sole and exclusive right to sell concessions at all athletic fields and facilities. Should the City choose to not provide concessions for an event, sponsors may be permitted to sell concessions with the understanding the City shall receive 10% of gross receipts.
- **Gate Admission** - Charging an admission to any event or activity conducted on athletic fields and facilities shall have the prior approval of the Managing Director of Parks and Recreation.
- **Novelty Sales** - Sale of T-shirts, hats, and other novelties shall have the prior approval of the Managing Director of Parks and Recreation. The City shall receive 10% of gross receipts from all such sales.

**I. Refunds**

The permit holder must cancel reservations no less than 10 days prior to reserved date in order to receive a refund. Standard departmental processing fees still apply in any cancellation situation. (Non-use due to inclement weather conditions will be taken into consideration and permit holder may be credited for all time not used.)

**I. Security Deposits**

- It is solely in the opinion of the Park and Recreation Department as to whether there has been any damage or misuse of the City property.
- Any damage deemed by the O'Fallon Parks and Recreation Staff to be due in part by the party reserving the field will be charged solely to this party.
- If the facility was used for a purpose other than that specified on the permit, the responsible party or group will be assessed for the cost of repairs (as determined by the Park and Recreation Department) and the loss of the use of any City facilities for one full year from the date of the permit.
- Damage can be turned in on parties' insurance as a claim. If there is no payment by the insurance company the party is still responsible.

**J. Maintenance Activities**

Athletic fields will be closed periodically throughout the year for maintenance. While these dates are subject to change due to uncontrollable variables such as weather, the City of O'Fallon Parks Department will be tentatively reserving the following dates for maintenance thus making them unavailable for rent. Should the fields become available during these dates they will be made available on a first-come, first-served basis.

- Sports Park Phase 1: The months of July to mid-August (one field will remain open, and December - February
- Sports Park Phase 2: The months of July to mid-August (one field will remain open, and December - February
- Ozzie Smith Sports Complex and Westhoff Park: The months of December - February
- Dames Park: All fields closed the months of June-July, December – February

# *ATHLETIC FIELD FEES*

1. **Westhoff Park and Ozzie Smith Softball/Baseball Fields**

   - **Residents:** $10 per field per hour without lights
   - **Residents:** $ 25 per field per hour for fields with lights
   - **Non-Residents:** $15 per field per hour without lights
   - **Non-Residents:** $30 per field per hour for fields with lights

   ***Plus***

   - $ 35 per field lined with bases (one time set up fee if customer wants this option)

2. **Dames Park Football Field**

   **Resident Practice Field Rates:**
   - $35/field per hour without lights
   - $50 per field per hour with lights

   **Non-Resident Practice Field Rates:**
   - $50/field per hour without lights
   - $65 per field per hour with lights

   **Resident Game Only Field Rates:**
   - $50 per field per hour without lights
   - $75 per field per hour with lights

   **Non-Resident Game Only Field Rates:**
   - $70 per field per hour without lights
   - $95 per field per hour with lights

   ***Plus***

   - $ 350 per game field lined full with numbers and hash marks
   - $280 per practice field lined with hash marks
   - $ 230 per practice field lined without hash marks

3. **O'Fallon Sports Park Soccer Fields**

   - **Resident Rate:**$25 per half-field per hour without lights
   - **Non-Resident Rate:**$35 per half-field per hour without lights
   - **Lining of the Field:** There is a $150 fee for lining a soccer field
   - All O'Fallon League soccer coaches will receive a permit card for the field they play on to practice during the program's season.

| SEASON | DEADLINE | LATE FEE DEADLINE |
|---|---|---|
| March 1 – August 30 | January 1 | February 1 |
| September 1 – December 1 | June 1 | July 1 |

- **O'Fallon Athletic Organizations reserving more than 400 field hours per season are eligible for a discount. Contact the Recreation Manger if this applies to your organization.**

# *Tournament /Commercial/Private Fund Raising*
# *Athletic Field Procedures*

- The Recreation Superintendent and the Recreation Manager must approve all reservations for tournaments.
- Tournament requests must be in writing and may be mailed or faxed to the O'Fallon Parks and Recreation Department, Attention Recreation Manager.
- Individuals, groups, or organizations interested in requesting tournament dates for exclusive use must submit their name and mailing address to Recreation Manager by October 1 for the following calendar year.
- Should two or more Tournament Directors request a specific date, the Recreation Manager will determine the assignment. Preference will be given to those Tournament Directors who have demonstrated to the O'Fallon Parks and Recreation Department acceptable administrative practices in preparing for previous tournaments; acceptable on-site tournament management; and those Tournament Directors who have not cancelled previous tournaments or had any negative occurrences at previous tournaments held at O'Fallon facilities.
- Tournament requests are to include all of the following information:
  1. Tournament Start Date and Time
  2. Number of Fields being requested (include make ups as well as regular games)
  3. Anticipated number of teams to participate
  4. Anticipated makeup times
  5. Tournament Site Director
  6. Sample Copy of Team Registration Form
  7. Complete List of Sponsors, Co-sponsors, or others with a vested interest in the event
  8. Tournament Costs and Team Guarantees
  9. Age Group(s) of Teams Participating
  10. Pitching Rubber, Base Line, and Fence Distances/Dimensions
- Final Tournament schedules are due 5 days in advance of start date.
- A certificate of insurance **($2,000,000 single limit coverage)** naming the City of O'Fallon as additional insured must be provided at the time a permit is issued.
- The Parks and Recreation Department reserves the right to cancel tournament reservations. If this occurs the rental rate will be refunded or credited for all time not used.

**Tournament/Fund Raiser/Commercial Athletic Field Allocation Fees:**

- Any organization, regardless of status or age served, will be required to provide the following fees:
  1. **Softball/Baseball Rental ($150 per field per day)** Sixty (60%) percent of total field reservation fees are due at time that permit is issued. All permits must be picked up in person and deposits paid with a cashier's check. The remaining balance is due thirty (30) days in advance of the tournament. Complete payment in the form of a Cashiers Check for tournament reservations must be submitted along with a certificate of insurance no less than thirty (30) days prior to the first scheduled day of the tournament.
  2. **Football Rental ($550 per field per day)** Sixty (60%) percent of total field reservation fees are due at time that permit is issued. All permits must be picked up in person and deposits paid with a cashier's check. The remaining balance is due thirty (30) days in advance of the tournament. Complete payment in the form of a Cashiers Check for tournament reservations must be submitted along with a certificate of insurance no less than thirty (30) days prior to the first scheduled day of the tournament.
  3. **Soccer Rental ($400 per field per day)** Sixty (60%) percent of total reservation fees are due at time that permit is issued. All permits must be picked up in person and deposits paid with a cashier's check.

The remaining balance is due thirty (30) days in advance of the tournament. Complete payment in the form of a Cashiers Check for tournament reservations must be submitted along with a certificate of insurance no less than thirty (30) days prior to the first scheduled day of the tournament.

4. **Holiday Tournament Fees: (20% increase)** All tournaments that fall on holiday weekends will be subject to an increase of 20% the normal rental rate to cover added expenses the City incurs. Additionally less services may be provided on holidays including, but not limited to, field dragging, installing or moving mounds, applying drying agents, or lining fields.
5. **Clean Up Deposit:** Tournament Directors are required to make a deposit in the amount of $100 per field ($500 maximum per weekend). This is due with final payment.

- Any organization, regardless of status or age served, will be required to maintain the highest level of organizational skills when conducting a tournament at O'Fallon facilities. If the Tournament Director missed key deadlines or does not submit all required information prior to the deadlines their organization will be responsible for the following penalties/fees:

  1. **Schedule Late Fee**: **($200)** Tournament field schedules (detailing age group field assignments, start times, makeup dates and times) are to be submitted to the Recreation Manager no less than five (5) days prior to the first scheduled day of the tournament. Schedules submitted late are subject to a $200 fine.
  2. **Curfew Penalty**: **(up to $500)** This fee will be assessed for each night that tournament games go past 11:00 p.m. and may result in cancellation of tournament.
  3. **Rescheduling Fee**: **($500)** This fee will be assessed to any organization for moving any other organization's games at the last minute to complete a tournament..

- **Al-a-Carte Fees**: Standard tournament rental fees for baseball/softball include (one-time original fields setup with Mounds & Bases). It also includes basic dragging, lining, and dropping the bases each morning of the tournament. The basic fee for all sports includes having the lights on from 6:30 p.m. to 11:00 p.m. each day of the tournament. This does not include maintenance staff person being at the tournament all day. If an organization chooses to deviate from this base package the following is a list of additional services and the corresponding fees:

  1. **Staff/Field Maintenance Fee - $** 30.00per hour per staff person with a maximum of three staff members. Each staff person that an organization chooses to have on hand is guaranteed a minimum shift of four (4) hours. This is to be paid by Tournament Director immediately upon completion of each shift of work.
  2. **Drying Agent Deposit ($500)** - Tournament Directors have the option to make a $500 deposit at the time of the final payment to secure drying agents at the rate of $10 per bag. Additional bags will be billed at the same rate. However, if a $500 deposit is not made and drying agents are required, the billing rate will be $20 per bag and the balance is due within ten (10) days to avoid cancellation of future rental tournament times.
  3. **Park Cleanup Staff ($ 30 per hour)** - Additional City Park personnel may be hired to help with trash and general facility cleaning at a rate of $25 per hour.
  4. **Lining of Football fields ($380 per field for length of Tournament)** – Should the tournament director request field being lined each day of the tournament, an additional fee will be established. Fees may lessen based upon fewer details needed for the lining of the field.

**CITY OF DARDENNE PRAIRIE**
**2032 HANLEY ROAD**
**DARDENNE PRAIRIE, MO 63368**

**BOARD OF ALDERMEN**
**MEETING AGENDA**
**JULY 20, 2016**
**7:00 p.m.**

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CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL
- Mayor Zucker
- Alderman Klingerman
- Alderman Nay
- Alderman Gotway
- Alderman Koch
- Alderman Wandling
- Alderman Santos

OPEN FORUM

CONSENT AGENDA
1. Board of Aldermen Minutes 6-15-16, 7-6-16 and Special Meeting 7-6-16
2. Workshop Summary 6-15-16 and 7-6-16
3. Expenditures for Approval 7-20-16
4. Cash Performance Bond Release – Winghaven Country Club - $500.00

ITEMS REMOVED FROM CONSENT AGENDA

PUBLIC HEARING

1. A Conditional Use Permit Application for an approximate 6.25 acres of land more or less of the approximate 15.79 acres of land commonly known as 1575 Bryan Road bounded by Feise Road on the south by Bryan Road on the east and by the "West Branch Tributary B" creek on the north and west, and more particularly described in the Conditional Use Permit Application received by the City on March 7, 2016 from Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.

NEW BUSINESS

1. **Bill #16-21**
   AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT FOR PROPERTY ZONED C-2, P.U.D., GENERAL COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT, AND GENERALLY LOCATED AT THE NORTHWEST OF THE INTERSECTION OF BRYAN ROAD AND FEISE ROAD

2. **Bill #16-22**
   AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF THE FINAL PLAN FOR APPROXIMATELY 10.25 ACRES OF THE CORA MARIE'S MARKETPLACE P.U.D. IN THE CITY OF DARDENNE PRAIRIE, MISSOURI

STAFF COMMUNICATIONS

1. City Attorney
2. City Engineer
3. Staff
4. Aldermen
5. Mayor

CLOSED SESSION

Roll call vote to hold closed session pursuant to RSMo 610.021 section _____

Litigation and Privileged Communications (1)
Real Estate (2)
Personnel (3)
Labor (9)
Bid Specs (11)
Audit (17)

RETURN TO REGULAR MEETING AGENDA

ADJOURNMENT

**BOARD OF ALDERMEN MINUTES** **JUNE 15, 2016**

The City of Dardenne Prairie Board of Aldermen meeting was called to order at 7:25 p.m. The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance followed by the invocation by Alderman Kevin Klingerman.

Present at roll call were Mayor Zucker, Aldermen Santos, Klingerman, Gotway, Wandling and Nay(via video). Alderman Koch was absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney John Young. Staff member Jeff Amelong was also in attendance.

OPEN FORUM – No one present to speak.

CONSENT AGENDA

1. Board of Aldermen Minutes 6-1-16
2. Workshop Summary 6-1-16
3. Expenditures for Approval 6-15-16 - $83,408.85
4. Temporary Use Permit – Fireworks – Hale Fireworks – 88 Hubble Drive
5. Temporary Use Permit – Fireworks – Fireworks Universe – 2534 Technology Drive
6. Independent Auditor's Report & Financial Statements for the period ended December 31, 2015
7. Construction Deposit Release – Consort Homes – Avalon Lots 10,11 & 43 - $3,300.00
8. Liquor License Annual Renewals:
    - Everything Wine & Cigars – 1001 Rondale Court - Intoxicating Liquor (All Kinds) by Drink & Sunday
    - Shop N Save – 7909 Highway N – Intoxicating Liquor (all kinds) Original Package & Sunday and Tasting
    - Town Square Pub & Grub – 7843 Highway N – Intoxicating Liquor (All Kinds) by Drink & Sunday
    - WMH Sports Services, LLC – 2032 Hanley Road – Malt Liquor & Light Wines by Drink

With no objections, the consent agenda is approved.

PUBLIC HEARING

1. A P.U.D. Request – Area Plan for the approximate 15.790 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road known as "Cora Marie's Marketplace, P.U.D. Area Plan" from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property
   Owner/Applicant Cora Bopp Family Limited Partnership.

2. A Conditional Use Permit Application for an approximate 6.25 acres of land more or less of the approximate 15.79 acres of land commonly known as 1575 Bryan Road bounded by Feise Road on the south by Bryan Road on the east and by the "West Branch Tributary B" creek on the north and west, and more particularly described in the Conditional Use Permit Application received by the City on March 7, 2016 from

Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.

A motion was made by Alderman Wandling, Seconded by Alderman Gotway to continue the Public Hearing. Motion passed unanimously.

OLD BUSINESS

1. **Bill #16-10**
   AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A PUD AREA PLAN FOR THE APPROXIMATE 15.79 ACRES OF LAND KNOW AS "CORA MARIE'S MARKETPLACE, PUD AREA PLAN

A motion was made by Alderman Gotway, Seconded by Alderman Santos to postpone Bill #16-10. Motion passed unanimously.

STAFF COMMUNICATIONS
City Engineer Luke Kehoe mentioned the upcoming pavement repairs in Dardenne Meadows, Dardenne Acres and Quail Hollow.

ADJOURNMENT

A motion was made by Alderman Gotway, Seconded by Alderman Wandling to adjourn the meeting at 7:39 p.m. Motion passed unanimously.

Respectfully submitted,

_____
Kim Clark, City Clerk

The City of Dardenne Prairie Board of Aldermen meeting was called to order at 7:09 p.m. The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance followed by the invocation by Alderman Blake Nay.

Present at roll call were Mayor Zucker, Aldermen Santos, Klingerman, Gotway, Wandling, Koch and Nay. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney's David Hamilton and John Young.

OPEN FORUM – No one present to speak.

CONSENT AGENDA

1. Expenditures for Approval 7-6-16
2. Pedestrian and Drainage Facilities Improvements Project Change Order No. 3
3. Liquor License Renewal – Signature India – 1613-1617 Bryan Road – Intoxicating Liquor (All Kinds) by Drink & Sunday

With no objections, the consent agenda is approved.

PUBLIC HEARING

1. A P.U.D. Request – Area Plan for the approximate 15.790 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road known as "Cora Marie's Marketplace, P.U.D. Area Plan" from Applicant Gary H. Feder, Husch Blackwell LLP, Attorney for Property Owner/Applicant Cora Bopp Family Limited Partnership.

Mr. Gary Feder was in attendance to present the plan.

A motion was made by Alderman Santos, Seconded by Alderman Gotway to close the Public Hearing. Motion passed unanimously.

2. A Conditional Use Permit Application for an approximate 6.25 acres of land more or less of the approximate 15.79 acres of land commonly known as 1575 Bryan Road bounded by Feise Road on the south by Bryan Road on the east and by the "West Branch Tributary B" creek on the north and west, and more particularly described in the Conditional Use Permit Application received by the City on March 7, 2016 from Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.

A motion was made by Alderman Nay, Seconded by Alderman Klingerman to continue the Public Hearing until 07/20/16. Motion passed unanimously.

OLD BUSINESS

A motion was made by Alderman Gotway, Seconded by Alderman Wandling to read Bill #16-10 for the first time by short title only. Motion passed unanimously.

**Bill #16-10**
AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A PUD AREA PLAN FOR THE APPROXIMATE 15.79 ACRES OF LAND KNOWN AS "CORA MARIE'S MARKETPLACE, PUD AREA PLAN" AND AUTHORIZING THE MAYOR TO ENTER INTO A RIGHT-OF-WAY ACCESS IMPROVEMENT AND DEPOSIT AGREEMENT

A motion was made by Alderman Koch, Seconded by Alderman Wandling to read Bill #16-10 for the second time by short title only. Motion passed unanimously.

A motion was made by Alderman Gotway, Seconded by Alderman Nay to put Bill #16-10 to final vote. Motion passed unanimously.

| | | |
|---|---|---|
| Roll call was as follows: | Alderman Koch – Aye | Alderman Klingerman- Aye |
| | Alderman Santos - Aye | Alderman Gotway - Aye |
| | Alderman Nay – Aye | Alderman Wandling - Aye |

Mayor Zucker declared Bill #16-10 passed and designated it to be Ordinance #1807.

NEW BUSINESS

A motion was made by Alderman Gotway, Seconded by Alderman Santos to read Bill #16-19 for the first time by short title only. Motion passed unanimously.

**Bill #16-19**
AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, SELECTING FIRST BANK AS THE DEPOSITORY FOR THE FUNDS OF THE CITY OF DARDENNE PRAIRIE, MISSOURI

A motion was made by Alderman Santos, Seconded by Alderman Gotway to read Bill #16-19 for the second time by short title only. Motion passed unanimously.

A motion was made by Alderman Klingerman, Seconded by Alderman Wandling to put Bill #16-19 to final vote. Motion passed unanimously.

| | | |
|---|---|---|
| Roll call was as follows: | Alderman Koch – Aye | Alderman Klingerman- Aye |
| | Alderman Santos - Aye | Alderman Gotway - Aye |
| | Alderman Nay – Aye | Alderman Wandling - Aye |

Mayor Zucker declared Bill #16-19 passed and designated it to be Ordinance #1808.

A motion was made by Alderman Gotway, Seconded by Alderman Wandling to read Bill #16-20 for the first time by short title only. Motion passed unanimously.

**Bill #16-20**
AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING SECTIONS 240.010 AND 240.080 OF THE MUNICIPAL CODE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, BY DELETING THEM IN THEIR ENTIRETY, AND ENACTING, IN LIEU THEREOF, NEW SECTIONS 240.010 AND 240.080; AND PROVIDING REGULATIONS PERTAINING TO THE OPERATION AND USE OF VEHICLES IN PARKS IN THE CITY

A motion was made by Alderman Santos, Seconded by Alderman Koch to read Bill #16-20 for the second time by short title only. Motion passed unanimously.

A motion was made by Alderman Klingerman, Seconded by Alderman Gotway to put Bill #16-20 to final vote. Motion passed unanimously.

| | | |
|---|---|---|
| Roll call was as follows: | Alderman Koch – Aye | Alderman Klingerman- Aye |
| | Alderman Santos - Aye | Alderman Gotway - Aye |
| | Alderman Nay – Aye | Alderman Wandling - Aye |

Mayor Zucker declared Bill #16-20 passed and designated it to be Ordinance #1809.

STAFF COMMUNICATIONS
Alderman Klingerman requested the status of the position of Business Promotion Specialist. Mayor Zucker mentioned he has received 18 resumes.

ADJOURNMENT

A motion was made by Alderman Wandling, Seconded by Alderman Gotway to adjourn the meeting at approximately 7:41 p.m. Motion passed unanimously.

Respectfully submitted,

_____
Kim Clark, City Clerk

**SPECIAL BOARD OF ALDERMEN MINUTES** **JULY 6, 2016**

The City of Dardenne Prairie Board of Aldermen toured the new Town Square Apartments located on Town Square Drive in Dardenne Prairie from 4:15 to 4:55.

Those in attendance included Mayor Zucker, Aldermen Klingerman, Koch, Wandling and Nay. Also present was City Clerk Kim Clark.

Respectfully submitted,

_____

Kim Clark, City Clerk

**WORKSHOP SUMMARY** **JUNE 15, 2016**

The City of Dardenne Prairie workshop session was called to order at 5:36 p.m.
The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

The following were in attendance: Mayor Zucker, Aldermen Wandling, Klingerman, Santos and Gotway. Alderman Nay and Koch were absent. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney John Young. Staff member Jeff Amelong was also in attendance.

**ITEMS FOR DISCUSSION AND CONSIDERATION**

1. Presentation of the Independent Auditor's Report & Financial Statements by Botz, Deal & Company, P.C.
2. City's Depository for City Funds
3. Short Term Goals (0 – 3 year projects)
4. Long Term Goals (3 – 10 year projects)
5. Review of Board of Aldermen Meeting Agenda (06-15-16)

**STAFF COMMUNICATIONS**

City Engineer Luke Kehoe provided an update on the road project applications and the trail relocation project.
Alderman Klingerman mentioned he will be meeting with the Wentzville Fire Protection District regarding firework tents distance to gas stations. He also requested an estimate for the construction of a sidewalk on Stump Road.
Alderman Gotway mentioned illegal activity in BaratHaven Park. He also mentioned the status of the overlook repair.
Mayor Zucker mentioned the following:

Additional patrols have been requested for BaratHaven Park
Basement leak update
CERT surplus equipment sales including trailer and radios
Walmart Update

A motion was made by Alderman Klingerman, Seconded by Alderman Gotway to hold a closed session pursuant to RSMo 610.021 section (1) Litigation and Privileged Communications, (2) Real Estate and (3) Personnel. Motion passed unanimously.
Roll call was as follows:

| | |
|---|---|
| Alderman Koch – Absent | Alderman Klingerman – Aye |
| Alderman Wandling – Aye | Alderman Nay – Absent |
| Alderman Santos - Aye | Alderman Gotway – Aye |

CLOSED SESSION

A motion was made by Alderman Gotway, Seconded by Alderman Klingerman to adjourn the meeting at 7:25 p.m. Motion passed unanimously.

Respectfully submitted,

_____
Kim Clark, City Clerk

**WORKSHOP SUMMARY** **JULY 6, 2016**

The City of Dardenne Prairie workshop session was called to order at 5:30 p.m.
The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

The following were in attendance: Mayor Zucker, Aldermen Wandling, Klingerman, Santos, Nay, Koch and Gotway. Also present were City Clerk Kim Clark, City Engineer Luke Kehoe and City Attorney John Young.

**ITEMS FOR DISCUSSION AND CONSIDERATION**

1. Briefing from Michael Williams (Gardner Capital) – Town Square Apartments
2. Briefing by Tom Dempsey – Missouri Clean Energy District
3. Pedestrian and Drainage Facilities Improvements Project Change Order No. 3 (Kehoe)
4. Prohibit Golf Carts in Parks (Mayor)
5. Short Term Goals (0 – 3 year projects)
6. Long Term Goals (3 – 10 year projects)
7. Review of Board of Aldermen Meeting Agenda (07-06-16)

**STAFF COMMUNICATIONS**

City Engineer Luke Kehoe provided an update on the trail relocation project.
City Clerk Kim Clark mentioned the Missouri Municipal League conference being held in St. Louis in September.
Alderman Nay requested the status of the Cricket demonstration.
Alderman Santos requested the status of the Lindenwood property.
Alderman Klingerman requested the status of the estimate for the construction of a sidewalk on Stump Road.
Alderman Koch requested the status of the Weldon Spring Road sidewalk.
Mayor Zucker mentioned the following:

Basement leak update
Tree removal at the ballfields
Feedback on fireworks
Speed monitor signs
Old Newsboys Day

A motion was made by Alderman Gotway, Seconded by Alderman Wandling to adjourn the meeting at 6:58 p.m. Motion passed unanimously.

Respectfully submitted,

_____

Kim Clark, City Clerk

## EXPENDITURES FOR APPROVAL
**7/20/2016**

| | | | |
|---|---|---|---|
| 1 | Ameren | Street Lights to 7/7 | 106.88 |
| 2 | Ameren | Street Lights to 7/4 | 48.42 |
| 3 | AT & T | Building Dept. Software Monthly Data | 42.91 |
| 4 | Botz, Deal & Company | Annual Audit | 12,250.00 |
| 5 | Classic Sign Services | Street Sign | 176.20 |
| 6 | DJN Ecological Services, Inc | BaratHaven Spraying | 1,400.00 |
| 7 | GFI Digital | Computer Maintenance thru 8/12/16 & copies | 1,726.50 |
| 8 | Hamilton Weber LLC | June, 2016 Legal Fees | 9,866.21 |
| 9 | Hansen's Tree Service | Tree Removal | 2,350.00 |
| 10 | Insurance: Anthem Blue Cross/Blue Shield | Health: August, 2016 | 3,730.81 |
| 11 | Insurance: FCL Dental | Dental: August, 2016 | 403.74 |
| 12 | Kehoe Engineering | Engineering: June, 2016 | 15,415.10 |
| 13 | Kehoe Engineering | Reimbursable Engineering: June, 2016 (85%) | 151.64 |
| 14 | LAGERS | June, 2016 | 2,516.98 |
| 15 | Missouri Machinery | Annual Fountain Startup | 2,588.95 |
| 16 | Office Essentials | Office & Maintenance Supplies | 123.96 |
| 17 | Parks: R&R Contracting Service, Inc. | Porta Potties for Concert on 7/9/16 | 180.00 |
| 18 | Pizzo's Driveway Sealing | City Hall Caulking | 200.00 |
| 19 | PNC | Credit Card Charges | 693.87 |
| 20 | Professional Irrigation Systems | Irrigation System Repair | 621.66 |
| 21 | PWSD #2 | City Hall Fountain to 6-17-16 | 481.94 |
| 22 | PWSD #2 | City Hall to 6-17-16 | 49.86 |
| 23 | Sprint | Amelong Cell Phone | 67.32 |
| 24 | St. Charles County Health Department | Mosquito Control Services thru June | 423.91 |
| 25 | Tamie Smith | Conference Reimbursement (Gas & Meals) | 155.08 |
| 26 | Thoele | Gasoline Charges to 6/30/16 | 614.50 |
| 27 | Tracker Designs | Monthly Website Search Engine | 65.00 |
| 28 | UMB Bank, NA | July, 2016 TDD Sales Tax Payment | 38,960.24 |
| 29 | Windstream | Phone Service | 626.76 |
| 30 | Winghaven Country Club | Cash Performance Bond Refund | 500.00 |
| | | | **96,538.44** |

Approved by Board of Aldermen 7-20-16

_____
Mayor David C. Zucker

DARDENNE
PRAIRIE
www.DardennePrairie.org

City Hall
2032 Hanley Road
Dardenne Prairie, MO 63368
Phone 636.561.1718
Fax 636.625.0077

City Engineer
Phone 636.978.6008
Fax 636.898.0923
Engineer@DardennePrairie.org

July 15, 2016

Mayor David Zucker
City of Dardenne Prairie
2032 Hanley Rd.
Dardenne Prairie, Missouri 63368

**Subject:** Cash Performance Bond – Golf Course Access Revegetation in Public Rights-of-Way
Bates Road
Dardenne Prairie Project No. 971200

Dear Mayor Zucker:

Per the request of Brent Rockwell, Superintendent, and our inspection, we recommend a full refund of the $500.00 cash bond posted by WingHaven Country Club and held by the City for the guaranteed faithful performance of the subject project.

If you have any questions, please feel free to contact me.

Sincerely,
KEHOE ENGINEERING COMPANY INC.

Luke R. Kehoe, P.E., CFM, LEED AP
City Engineer

cc: Board of Aldermen
Kim Clark, City Clerk
Brent Rockwell, WingHaven Country Club

**BILL NO. 16-21**

**ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT FOR PROPERTY ZONED C-2, P.U.D., GENERAL COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT, AND GENERALLY LOCATED AT THE NORTHWEST OF THE INTERSECTION OF BRYAN ROAD AND FEISE ROAD**

**WHEREAS**, a Conditional Use Permit Application was submitted to the Board of Aldermen, a copy of which is attached hereto as **Exhibit A** and incorporated by reference herein (the "Application"), by BFA, Inc. (the "Applicant"), to allow certain uses described herein on certain real property within the City of Dardenne Prairie more particularly described in **Exhibit B**, a copy of which is attached hereto and incorporated by reference herein, (the "Property"), and owned by Cora Bopp Family Limited Partnership, L.P., a Missouri limited partnership (the "Owner"); and

**WHEREAS**, the property is zoned C-2, P.U.D., General Commercial District, Planned Unit Development and subject to an Area Plan approved pursuant to Ordinance No. 1807; and

**WHEREAS**, the uses described in Section 2 of this Ordinance are permitted conditional uses under the Municipal Code of the City of Dardenne Prairie, Missouri, §§ 405.180 and 405.190; and

**WHEREAS**, the Board of Aldermen of the City of Dardenne Prairie, Missouri, referred the Application to the City's Planning and Zoning Commission; and

**WHEREAS**, said Planning and Zoning Commission of the City considered the Application and recommended that the Board of Aldermen approve the Application; and

**WHEREAS**, the Board of Aldermen and the Planning and Zoning Commission held hearings on the proposed conditional uses at which interested persons and residents of the City were given an opportunity to be heard on the proposed conditional uses; and

**WHEREAS**, the Planning and Zoning Commission and the Board of Aldermen considered the following:

1. The character of the surrounding area;
2. The traffic conditions of the surrounding area;
3. The public utility facilities;
4. The Comprehensive Plan, a copy of which is available in the office of the City Clerk and incorporated by reference herein;
5. The Application;
6. The City Code, a copy of which is available in the office of the City Clerk and

incorporated by reference herein;

7. Ordinance No. 1807 of the City of Dardenne Prairie, Missouri, a copy of which is on file in the office of the City Clerk and incorporated by reference herein ("Ordinance No. 1807");
8. The Area Plan approved pursuant to Ordinance No. 1807, a copy of which is on file in the office of the City Clerk and incorporated by reference herein (the "Area Plan");
9. The Memo from the City Engineer to the Planning and Zoning Commission dated April 5, 2016, updated on July 5, 2016, a copy of which is attached hereto as **Exhibit C** and incorporated by reference herein;
10. The Site Plan submitted with the Application, prepared by BFA, Inc., dated 6/21/16, referencing JOB No. 4024, which plan is on file in the office of the City Clerk and incorporated by reference herein;
11. The Proposed Elevations attached hereto as **Exhibit D** and incorporated by reference herein (the "Proposed Elevations");
12. The recommendation of the Planning and Zoning Commission;
13. Testimony presented at the hearing before the Planning and Zoning Commission on July 13, 2016, recorded audio of which is on file in the office of the City Clerk and incorporated by reference herein; and
14. Testimony presented at the hearing before the Board of Aldermen on July 20, 2016, recorded audio of which is on file in the office of the City Clerk and incorporated by reference herein;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** Based upon the evidence presented to it, and subject to the conditions stated herein, the Board of Aldermen of the City of Dardenne Prairie, Missouri, does hereby find and determine that the use of the Property for the purposes described in Section 2 of this Ordinance:

a. Will not adversely affect the character or the traffic conditions of the surrounding area;
b. Will not adversely affect public utility facilities;
c. Complies with the Comprehensive Plan of the City and with other matters pertaining to the general welfare of its residents; and
d. Meets all of the criteria set forth in § 405.475.B of the City Code.

**SECTION 2.** The Board of Aldermen of the City of Dardenne Prairie, Missouri, does hereby authorize the following uses of the Property, subject to the Applicant's and Owner's compliance with all conditions set forth in Section 3 of this Ordinance:

a. Business office;
b. Chiropractors and optometrists;
c. Bank or financial institutions;
d. Automobile service station;

e. Bakery with sale of bakery products on the premises;
f. Nursery sales office, building or greenhouse;
g. Personal service uses, including barbershop, beauty parlor, photographic or art studio, or dry cleaning;
h. Retail store, including antique, art, book, candy, camera, cigar, clothing, department, drug, pharmacy drive through and grocery pick-up, dry goods, furniture, gift, glass, hardware, jewelry, leather, liquor, luggage, music, notions, novelty, pastry, pet, pottery, radio, sporting goods, stationery and toy shops. This "retail store" list of included products is by way of example rather than limitation.
i. Health and wellness services; and
j. Accessory uses customarily incident to the uses listed above.

**SECTION 3.** Conditions of Issuance:

1. Applicant and Owner, having to the best of their knowledge provided the City with all information required by the appropriate sections of the Zoning Ordinance pertaining to C-2, General Commercial Districts, and P.U.D., Planned Unit Development Districts, agree that any information inadvertently omitted will be provided upon request, as soon as it may reasonably be obtained.

2. Applicant and Owner (or their successors in interest) agree that all improvements shall be constructed to meet all applicable federal, state and local codes and shall comply with all of the City's applicable ordinances and construction standards.

3. Applicant and Owner (or their successors in interest) agree that the Property shall be used in compliance with all requirements of the Municipal Code.

4. Applicant and Owner (or their successors in interest) agree that all structures built on the Property shall be constructed in conformance with the Proposed Elevations.

5. The Conditional Use Permit granted by this Ordinance is subject to the Applicant's and Owner's (or their successors in interest) compliance with the conditions reflected on the Site Plan prepared by BFA, Inc., dated 6/21/16, referencing JOB No. 4024, which Site Plan is on file in the office of the City Clerk and incorporated by reference herein; *provided however*, nothing contained in this subsection shall prohibit the Applicant, the Owner or their respective successors in interest from requesting and receiving approval for a site plan or amendment to the Site Plan pursuant to Article XIII of Chapter 405 of the Municipal Code for purposes of developing a grocery pick-up drive lane and related improvements on Lot A of the Property.

6. The Conditional Use Permit granted by this Ordinance is subject to the Applicant's and Owner's (or their successors in interest) compliance with Ordinance No. 1807 and the Area Plan approved pursuant thereto.

7. Any violation of a requirement, term, condition or safeguard contained herein shall be considered a violation of Chapter 405 of the Municipal Code, subject to the applicable penalties contained therein and grounds for the Board of Aldermen to take all such actions as may be

necessary to terminate and cancel the conditional use permit approved pursuant to this ordinance.

**SECTION 4**. Effective Date: This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of Dardenne Prairie, Missouri.

**SECTION 5**. Savings Clause: Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**SECTION 6**. Severability Clause: If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two (2) times, passed, and approved this _____ day of _____, 2016.

_____
As Presiding Officer and as Mayor

Attest:

_____
City Clerk

Approved this _____ day of _____, 2016.

_____
Mayor

Attest:

_____
City Clerk

**EXHIBIT A**
**[ATTACH APPLICATION]**

DARDENNE PRAIRIE

City Hall
2032 Hanley Road
Dardenne Prairie, MO 63368
Phone 636.561.1718
Fax 636.625.0077

# CONDITIONAL USE PERMIT APPLICATION

CITY OF DARDENNE PRAIRIE, MISSOURI
www.DardennePrairie.org

APPLICANT:

BFA, Inc.
Company Name

Rick Rohlfing, PE
Printed Name, Title

103 Elm Street
Street Address

Washington, MO 63090
City/State/Zip Code

636-231-4325 855-206-6246
Telephone Facsimile

rrohlfing@bfaeng.com
Email Address

STREET ADDRESS OF CONDITIONAL USE: 1575 Bryan Road

OWNER (attach additional):
Cora Bopp Family Limited Partnership
Printed Name

Printed Name
12715 Irene Marie Way
Street Address

Creve Coeur, MO 63141
City/State/Zip Code

Telephone Facsimile

Email Address

Contract Purchaser/Developer:
Wal-Mart Stores, Inc.
Company Name

Printed Name, Title
2001 S.E. 10th Street, SWDC
Street Address

Bentonville, Arkansas 72716-0550
City/State/Zip Code

479-273-4000
Telephone Facsimile

Email Address

LEGAL DESCRIPTION OF PROPERTY (other than address) Refer to Exhibit "A" attached
Refer also to Exhibit "A-1" attached

EXISTING ZONING: C-2 PROPOSED ZONING: C-2 / PUD

PROPOSED USE: Commercial Uses as described by type in Exhibit "B" attached

NO. UNITS: N/A CUP APPLICATION FEE SUBMITTED: $920

SITE PLAN REVIEW FEE SUBMITTED: Paid as part of the PUD Final Plan

CONDITIONAL USE PERMIT APPLICATION

The decision to recommend approval or denial of the proposed conditional use shall be based on the following criteria.

A. The use complies with all applicable provisions of the zoning ordinance.

***The proposed uses comply with the applicable density, setbacks and C-2 use categories allowed with an approved conditional use permit.***

B. The use at the specified location will contribute to and promote the welfare and convenience of the public.

***The proposed use will be located on a commercial corner located in the northwest quadrant of the intersection of Bryan and Feise Roads. It is a signalized intersection which supports the proposed commercial use and existing commercial development in the area.***

C. The use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

***The proposed use is located on a commercial corner and any residential is buffered by roadway, other commercial development, and a natural drainageway.***

D. The use shall not dominate the immediate neighborhood. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:

1. The location, nature and height of buildings, structures, walls and fences on the site; and

2. The nature and extent of proposed landscaping and screening on the site.

***The location and size of the conditional use and the nature and intensity of the operation and construction and site design are consistent with the neighboring commercial developments of a CVS store on the northeast corner of the intersection of Bryan and Feise Roads, and the Quik Trip development on the southeast corner of that same intersection.***

E. Off-street parking and loading areas shall be provided in accordance with the standards set forth in the zoning ordinance.

***The off-street parking and loading areas are designed in compliance with the City's parking regulations.***

F. Adequate utility, drainage and other such necessary facilities must be provided.

***The site design provides for adequate utilities, and the stormwater detention complies with the City's storm water regulations. The site design also includes vegetated swales for water quality.***

G. Adequate access roads or entrance and exit drives must be provided. (Minimum 25' for 2-way and 14' for 1-way traffic.)

*The entrance and exit access design has some enhanced features to move traffic efficiently and effectively in, through and out of the site.*

H. In consideration of requests for any conditional use permits, the Planning and Zoning Commission / Board of Aldermen shall require such conditions of use as it deems necessary to protect the best interests of the City and the surrounding property and to achieve the objectives of the zoning ordinance.

*The site design achieves several key planning objectives. The traffic management has dedicated truck & delivery points, appropriate provision of vehicle stacking in lanes and unconstrained traffic flow. The commercial conditional uses are located in close proximity of similar uses, and appropriately buffered with hard and soft scape from lesser intense uses.*

I. A time limitation may be required.

*The Applicant is requesting no time limitation for the conditional use permit, acknowledging that the ordinance by which the conditional use permit would be approved will contain information regarding enforcement of the conditional use permit.*

*Please Note:*

- Prior to approval of a Building Permit, a Construction Site Plan must be reviewed and approved by the City Engineer. In addition, the appropriate Fire Protection District will need to review and approve the development.
- Any signage to be placed on the subject property requires a separate Sign Permit or Master Sign Plan.
- Any business occupying the site requires approval of a Business License.
- All plans, architectural drawings, renderings or other materials or visual aids either submitted to the Commission and/or Board of Aldermen or presented at their meeting shall become the property of the City and part of the permanent record of any approval.

[√] CHECKLIST TO COMPLETE THIS APPLICATION

[ ] Two (2) folded copies of a plot survey/sketch/site plan are provided. This plan shall be drawn to scale and prepared on sheet(s) not to exceed twenty-four (24) inches by thirty-six (36) inches and shall show the lot or lots included in the application; show all structures; give appropriate dimensions, utility easements and other information listed on this application.
*Additional copies for distribution to Planning and Zoning Commission (P&Z) and Board of Aldermen members will be requested upon review by the City Engineer.*

[√] Electronic and paper copy of legal description of the property are provided. Electronic files may be sent via email to the City Engineer (engineer@dardenneprairie.org).

[√] Provide a list of the names and mailing addresses of property owners with property within an area determined by lines drawn parallel to and three hundred (300) feet distant from the boundaries of the subject property. Electronic files may be sent via email to the City Engineer (engineer@dardenneprairie.org).

[√] A good faith effort shall be made by the petitioner to notify by mail all property owners known to the petitioner whose property is within an area determined by lines drawn parallel to and three hundred (300) feet distant from the subject property of the time and place of the public hearings. Such notices shall be postmarked at least fifteen (15) days prior to the date of the hearings.

Date of 1st Public Hearing: April 13, 2016 Postmark Deadline: March 29, 2016

[√] The applicant is required to appear before the Planning and Zoning Commission and Board of Aldermen.

***Before signing this application, make sure all items above are completed***

Rick Robertson 3/7/16
Applicant's Signature Date

Gary H. Feder 3/7/16
Owner's Signature Date
(additional below)

GARY H. FEDER ESQ., HUSCH BLACKWELL LLP, Attorneys at Law
Attorney, Cora Bopp Family Limited Partnership

***NOTE: By affixing signatures to this application form, the Applicant and Owner hereby verify that: they have reviewed the applicable zoning regulations; they are familiar with the specific requirements relative to this application; and they take full responsibility for this application. The above signatures further indicate that the information provided on this form and on any additional data attached hereto is true, complete, and accurate.***

# *Example of Notice of Public Hearings to be Sent to Adjacent Property Owners*

Date: _____

Re: Notice of Public Hearings
Dardenne Prairie, Missouri

Dear Property Owner:

Please be advised that the city of Dardenne Prairie, Missouri, will conduct a Public Hearing regarding a Conditional Use Permit application for a tract of land near your property before the Planning and Zoning Commission on Wednesday, [month] [day], [year], at 7:00 p.m., or as soon thereafter as same may be heard, at the city of Dardenne Prairie City Hall located at 2032 Hanley Road in Dardenne Prairie, Missouri, and before the Board of Aldermen on Wednesday, [month] [day], [year], at 7:00 p.m., or as soon thereafter as same may be heard, at the city of Dardenne Prairie City Hall located at 2032 Hanley Road in Dardenne Prairie, Missouri, concerning the following:

Name of Applicant: _____

Name of Owner: _____

Present Zoning Classification: _____

Proposed Zoning Classification: _____

Proposed Use: _____

Property Location: _____

Please be advised that you have the right to be heard at the public hearings. If you have any questions, feel free to contact me at (____) ____ - _____ or the city of Dardenne Prairie at the telephone numbers listed below.

Sincerely,

_____
Petitioner

cc: Kimberlie Clark, Dardenne Prairie City Clerk (636) 561-1718
Luke R. Kehoe, P.E., CFM, Dardenne Prairie City Engineer (636) 978-6008

Rev 04/08

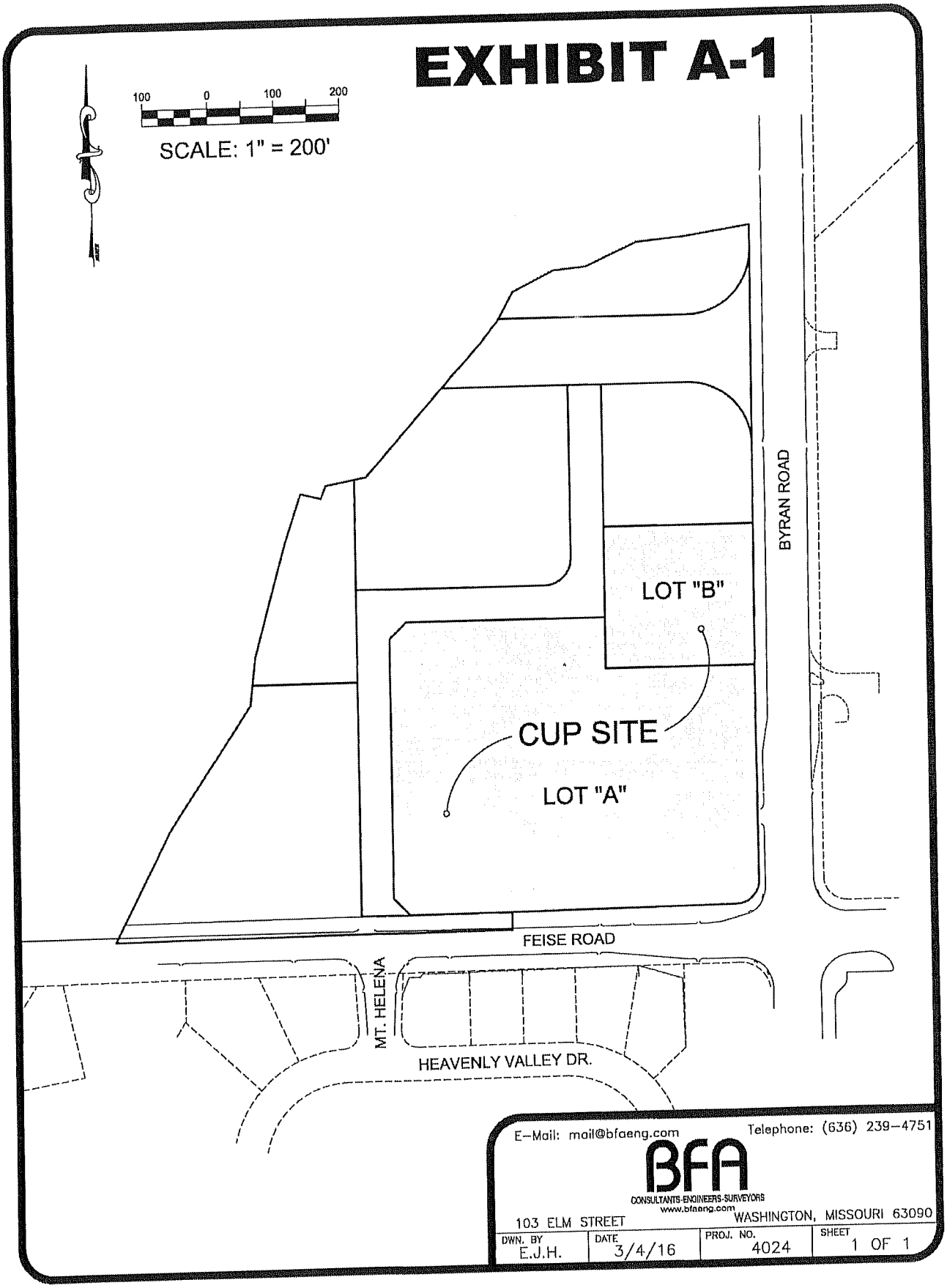
# EXHIBIT "A"

DESCRIPTION:

A tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 1, Township 46 North, Range 2 East of the 5th P.M., City of Dardenne Prairie, St. Charles County, Missouri to wit;

Commencing at the intersection of the South line of Bryan Meadows Subdivision recorded in Plat Book 9, Page 19 of the St. Charles County Recorder of Deeds and the west Right of Way line of Bryan Road; thence along said west right of way line S01°-43'-19"W 1397.22 ft. to set iron rod at the point of beginning; continue thence along said west right of way line S01°-43'-19"W 289.79 ft. to a found iron rod, thence S01°-15'-41"W 247.69 ft. to a found iron rod, thence along a curve deflecting to the right having a radius of 35.00 ft., an arc length of 54.75 ft., a chord bearing of S46°-04'-20"W, a chord distance of 49.34 ft. to a found iron rod on the north right of way line of Feise Road; thence leaving said west right of way line along said north right of way line N89°-15'-49"W 339.56 ft. to a found iron rod, thence N88°-56'-36"W 152.78 ft. to a set iron rod; thence leaving said north right of way line N43°-30'-00" 35.91 ft. to a set iron rod; thence N01°-30'-00"E 391.38 ft. to a set iron rod; thence N46°-30'-00"E 35.36 ft. to a set iron rod; thence S88°-30'-00"E 300.98 ft. to a set iron rod; thence N01°-30'-00"E 136.56 ft. to a set iron rod; thence S88°-30'-00"E 226.43 ft. to the point of beginning, containing 6.25 acres. Subject to any and all easements, restrictions, conditions, etc. of record. Subject to final survey.

# EXHIBIT A-1


100
0
100
200
SCALE: 1" = 200'
LOT "B"
CUP SITE
LOT "A"
BYRAN ROAD
FEISE ROAD
MT. HELENA
HEAVENLY VALLEY DR.
E-Mail: mail@bfaeng.com
Telephone: (636) 239-4751
BFA
CONSULTANTS-ENGINEERS-SURVEYORS
www.bfaeng.com
103 ELM STREET
WASHINGTON, MISSOURI 63090
DWN. BY
E.J.H.
DATE
3/4/16
PROJ. NO.
4024
SHEET
1 OF 1

## EXHIBIT B

## PERMITTED CONDITIONAL USES

UNDER THE MUNICIPAL CODE OF DARDENNE PRAIRIE, MISSOURI

Applicant requests approval of the following Conditional Uses available under Section 405.190 (C-2, General Commercial District):

The C-2 Permitted uses of:

Business Office

Chiropractors and optometrists

Bank or Financial Institutions

The C-1 (Local Commerical District) conditional uses of:

Automobile Service Station

Bakery with sale of bakery products on the premises

Nursery sales office, building or greenhouse

Personal Service uses including barbershop, beauty parlor photographic studio, or dry cleaning

Retail store, including antique, art, book, candy, camera, cigar, clothing, department, drug, dry goods, furniture, gift, glass, hardware, jewelry, leather liquor, luggage, music notions, novelty, pastry, pet, pottery radio, sporting goods, stationery and toy shops. This "retail store" list of included products is by way of example rather than limitation.

Health and wellness services

Accessory uses customarily incident to the uses listed above

RECORDS OF PROPERTY OWNERS WITHIN 300':

4-0033-7097-00-0054.0000000
BRYNER CHARLES*BRYNER HELEN LIVING TRUST
23 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0057.0000000
CLINE AARON
17 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7282-00-000A.0000000
PINNACLE POINT PLAT 2 TRUSTEES
PINNACLE POINTE DR
10 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7282-00-0084.0000000
KREITNER JAMES CLARENCE*KREITNER GAIL LYNN
1261 PINNACLE POINTE DR, DARDENNE PRAIRIE MO, 63368

4-0033-7282-00-0085.0000000
SCHABER ROBYN
1265 PINNACLE POINTE DR
1301 FEISE RD, DARDENNE PRAIRIE MO, 63368

4-0033-7282-00-0086.0000000
LISTON MICHELLE E
1269 PINNACLE POINTE DR, DARDENNE PRAIRIE MO, 63368

2-0067-S006-00-0009.5000000
SCHNUCK MARKETS INC
BRYAN RD
11420 LACKLAND RD, ST LOUIS MO, 63146-3559

4-0033-7097-00-000B.00
PINNACLE POINTE HOMEOWNERS ASSOCIATION
10 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0056.00
BADALAMENTI VINCENT A
BADALAMENTI PATRICIA A
19 HEAVENLY VALLEY DR
DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0055.00
BENSON ROBERT R
21 HEAVENLY VALLEY DR,
DARDENNE PRAIRIE
MO, 63368

4-0033-7097-00-0058.0000000
PROPP BLAKE A
15 HEAVENLY VALLEY DR,
DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0059.0000000
GREEN DAVID
11 HEAVENLY VALLEY DR, OFALLON MO, 63368

4-0033-7097-00-0060.0000000
BEESE SARAH L
9 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0053.0000000
KUMPULA HANNAH
27 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0070.0000000
SMITH RAYMOND C*SMITH RUTH M
22 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0069.0000000
MITCHELL GENEVA ODESSA
18 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0068.0000000
PRINCE KELLY*PRINCE STEFANIE R
16 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0067.0000000
WINKLER ERIC*WINKLER TIFFANY
4-17 FOREST GLEN CIRCLE, MIDDLETOWN CT, 06457

4-0033-7097-00-0066.0000000
MAUS GERALD T II*MAUS CARRIE E
12 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0065.0000000
HUNTER MARK A*HUNTER CHERYL L
10 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0064.0000000
SKINNER JERRY L*SKINNER SHERYL J
6 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0061.0000000
WILLIAMS DIANE
7 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7097-00-0062.0000000
MCDERMOTT MATTHEW*MCDERMOTT CATHERINE
5 HEAVENLY VALLEY DR, DARDENNE PRAIRIE MO, 63368

4-0033-7282-00-0083.0000000
ROGLES DENNIS*ROGLES DONNA
1257 PINNACLE POINTE DR, DARDENNE PRAIRIE MO, 63368-6750

4-0033-7282-00-0033.0000000

| |
|---|
| ARNET ROBERT J*ARNET BARBARA K<br>1268 PINNACLE POINTE DR, OFALLON MO, 63368 |
| 2-0067-C270-00-0002.0000000<br>OLYMPUS OFALLON REALTY LLC<br>54-18 BROADWAY, WOODSIDE NY, 11377 |
| |
| 4-0033-S001-00-0001.2000000<br>BOPP CORA FAMILY LMTD PTNSHP*BUSCH WARREN G*BUSCH GRACE L*ALDRICH WILLIAM R*ALDRICH IRENE M*<br>12715 IRENE MARIE WAY, ST LOUIS MO, 63141 |
| |
| 4-0033-S001-00-0001.2300000<br>BOPP CORA FAMILY LMTD PTNSHP*BUSCH WARREN G*BUSCH GRACE L*ALDRICH WILLIAM R*ALDRICH IRENE M*<br>12715 IRENE MARIE WAY, ST LOUIS MO, 63141 |
| |
| 4-0034-9945-00-0001.0000000<br>SFG LL 2011-1 LLC<br>3414 PEACHTREE RD NE STE 250, ATLANTA GA, 30326 |
| |
| |
| |

# EXHIBIT B

[ATTACH PROPERTY DESCRIPTION]

CONDITIONAL USE LEGAL DESCRIPTION:

(Bearing are referenced to Grid North of the Missouri Coordinate System 1983, East Zone per GPS observations utilizing the MoDot VRS RTK Network.)

A tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 1, Township 46 North, Range 2 East of the 5th P.M., City of Dardenne Prairie, St. Charles County, Missouri to wit;

Commencing at the intersection of the South line of Bryan Meadows Subdivision recorded in Plat Book 9, Page 19 of the St. Charles County Recorder of Deeds and the west Right of Way line of Bryan Road; thence along said west right of way line S01°-43'-19"W 1397.22 ft. to set iron rod at the point of beginning; continue thence along said west right of way line S01°-43'-19"W 289.79 ft. to a found iron rod, thence S01°-15'-41"W 247.69 ft. to a found iron rod, thence along a curve deflecting to the right having a radius of 35.00 ft., an arc length of 54.75 ft., a chord bearing of S46°-04'-20"W, a chord distance of 49.34 ft. to a found iron rod on the north right of way line of Feise Road; thence leaving said west right of way line along said north right of way line N89°-15'-49"W 339.56 ft. to a found iron rod, thence N88°-56'-36"W 152.78 ft. to a set iron rod; thence leaving said north right of way line N43°-30'-00" 35.91 ft. to a set iron rod; thence N01°-30'-00"E 391.38 ft. to a set iron rod; thence N46°-30'-00"E 35.36 ft. to a set iron rod; thence S88°-30'-00"E 300.98 ft. to a set iron rod; thence N01°-30'-00"E 136.56 ft. to a set iron rod; thence S88°-30'-00"E 226.43 ft. to the point of beginning, containing 6.25 acres. Subject to any and all easements, restrictions, conditions, etc. of record. Subject to final survey.

**EXHIBIT C**

**[ATTACH CITY ENGINEER MEMO DATED APRIL 5, 2016, UPDATED ON JULY 5, 2016]**

**MEMO**

TO: Dardenne Prairie Planning and Zoning Commission

FROM: Luke R. Kehoe, P.E., CFM, LEED AP
Kehoe Engineering Company, Inc. (KEC)

DATE: April 5, 2016 ***[Updated July 5, 2016]***

SUBJECT: Planning and Zoning Commission Meeting Scheduled for April 13, 2016

Items for consideration at this meeting include:

**PUBLIC HEARINGS:**

1. **A Conditional Use Permit Application for an approximate 6.25 acres of land more or less of the approximate 15.79 acres of land commonly known as 1575 Bryan Road bounded by Feise Road on the south by Bryan Road on the east and by the "West Branch Tributary B" creek on the north and west, and more particularly described in the Conditional Use Permit Application received by the City on March 7, 2016 from Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.** The enclosed Conditional Use Permit Application was received by the City on March 7, 2016. The present zoning classification of this land is "C-2" General Commercial. This application has been made to allow the various uses listed in Exhibit B of the enclosed Conditional Use Permit Application at this approximate 6.25 acres (Lot A and Lot B of the proposed "Cora Marie's Marketplace" Planned Unit Development). The Planning and Zoning Commission voted at their meeting on March 9, 2016, with conditions to recommend approval of the proposed "Cora Marie's Marketplace" PUD Area Plan. This PUD Area Plan is still under consideration by the Board of Aldermen.

   Upon review of the Conditional Use Permit Application and the P.U.D., Final Plan, the enclosed 1st Review comment letter was sent to the Applicant on March 18, 2016. On March 25, 2016, the City received the enclosed response letter and Sheet PUD-FP2 of the PUD Final Plan dated 03/25/16. Additional copies of this Sheet PUD-FP2 were received by the City on April 5, 2016. Upon review, the enclosed 2nd Review comment letter was sent to the Applicant on April 5, 2016. Email correspondence, from/to the Applicant and City Engineer is also enclosed for your reference. In this correspondence the Applicant indicates their intent to present the applications at the Planning and Zoning Commission meeting on April 13, 2016, and to request that the public hearing for the Conditional Use Permit Application be continued to the Planning and Zoning Commission meeting on May 11, 2016.

   ***[The enclosed revised PUD Final Plan was received by the City on June 24, 2016, along with a response letter from the applicant and a copy of the notice letter sent by the applicant to adjacent property owners. The enclosed conceptual building elevation plans was received by the City on June 29, 2016. Upon review of these items, the enclosed 3rd Review comment letter was sent to the Applicant on July 5, 2016.***

   ***The proposed "Cora Marie's Marketplace" PUD Area Plan is still under consideration by the Board of Aldermen.]***

**NEW ITEMS:**

1. **None.**

EXISTING ITEMS:

1. **Conditional Use Permit Application for an approximate 6.25 acres of land more or less of the approximate 15.79 acres of land commonly known as 1575 Bryan Road bounded by Feise Road on the south by Bryan Road on the east and by the "West Branch Tributary B" creek on the north and west, and more particularly described in the Conditional Use Permit Application received by the City on March 7, 2016 from Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.** From Public Hearing Item 1 above.

2. **A P.U.D. Request – Final Plan for the approximate 10.25 acres of land at the northwest corner of the intersection of Bryan Road and Feise Road being a portion of the proposed "Cora Marie's Marketplace" Planned Unit Development from Applicant BFA, Inc., Engineer for Contractor Purchaser/Developer Wal-Mart Stores, Inc. and from the Property Owner Cora Bopp Family Limited Partnership.** The enclosed P.U.D. Request – Final Plan was received by the City on March 7, 2016. The present zoning classification of this land is "C-2" General Commercial. This application has been made to allow the development of the first phase of the proposed "Cora Marie's Marketplace" Planned Unit Development. The Planning and Zoning Commission voted at their meeting on March 9, 2016, with conditions to recommend approval of the proposed "Cora Marie's Marketplace" PUD Area Plan. This PUD Area Plan is still under consideration by the Board of Aldermen.

   Upon review of the P.U.D. Request - Final Plan, the enclosed 1st Review comment letter was sent to the Applicant on March 18, 2016. On March 25, 2016, the City received the enclosed response letter and Sheet PUD-FP2 of the PUD Final Plan dated 03/25/16. Additional copies of this Sheet PUD-FP2 were received by the City on April 5, 2016. Upon review, the enclosed 2nd Review comment letter was sent to the Applicant on April 5, 2016. Email correspondence, from/to the Applicant and City Engineer is also enclosed for your reference. In this correspondence the Applicant indicates their intent to present the applications at the Planning and Zoning Commission meeting on April 13, 2016, and to request that the public hearing for the Conditional Use Permit Application be continued to the Planning and Zoning Commission meeting on May 11, 2016.

   ***[The enclosed revised PUD Final Plan was received by the City on June 24, 2016, along with a response letter from the applicant and a copy of the notice letter sent by the applicant to adjacent property owners. The enclosed conceptual building elevation plans was received by the City on June 29, 2016. Upon review of these items, the enclosed 3rd Review comment letter was sent to the Applicant on July 5, 2016.***

   ***The proposed "Cora Marie's Marketplace" PUD Area Plan is still under consideration by the Board of Aldermen.]***

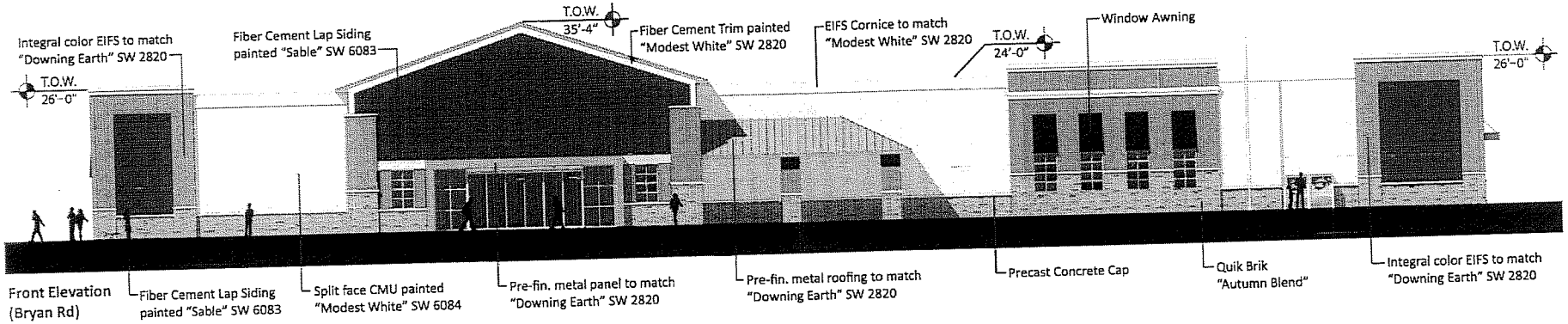
INFORMATION ONLY:

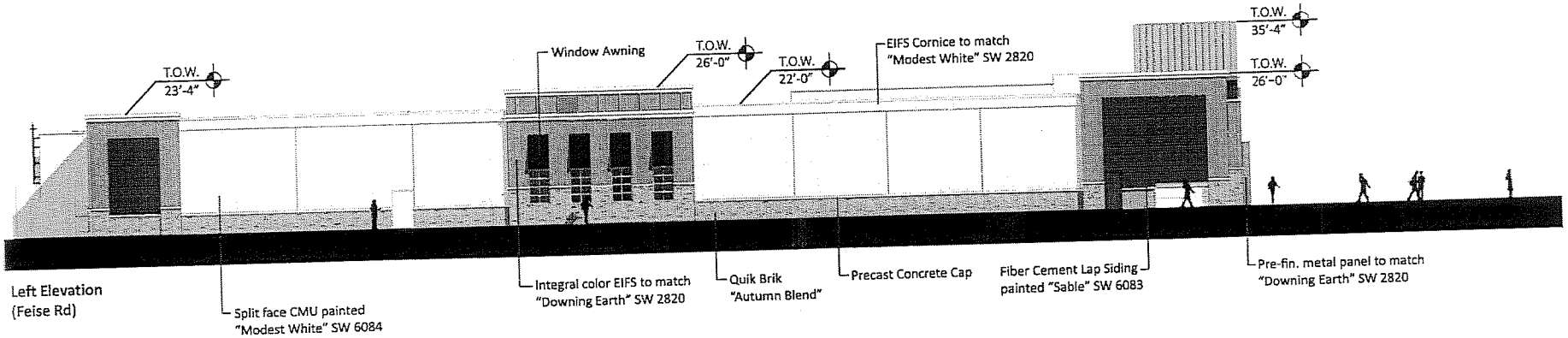
1. **None.**

Enclosures

cc: Board of Aldermen
Kim Clark, City Clerk
John Young, City Attorney

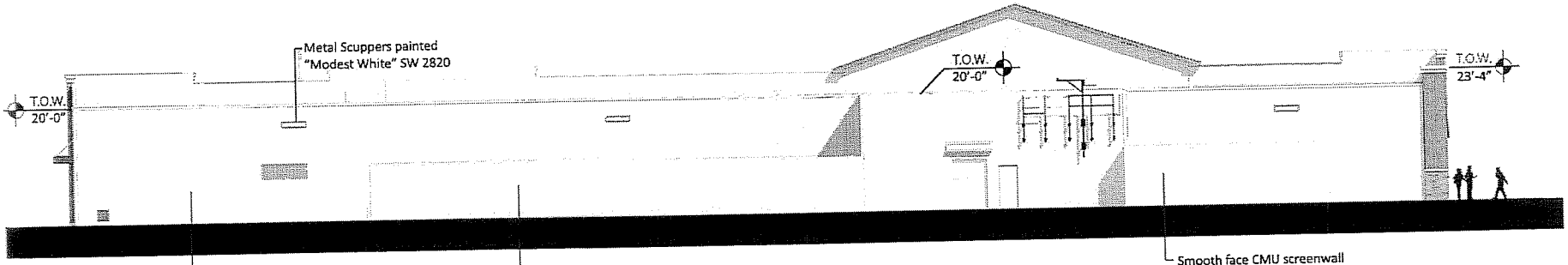
**EXHIBIT D**
**[ATTACH ELEVATIONS]**



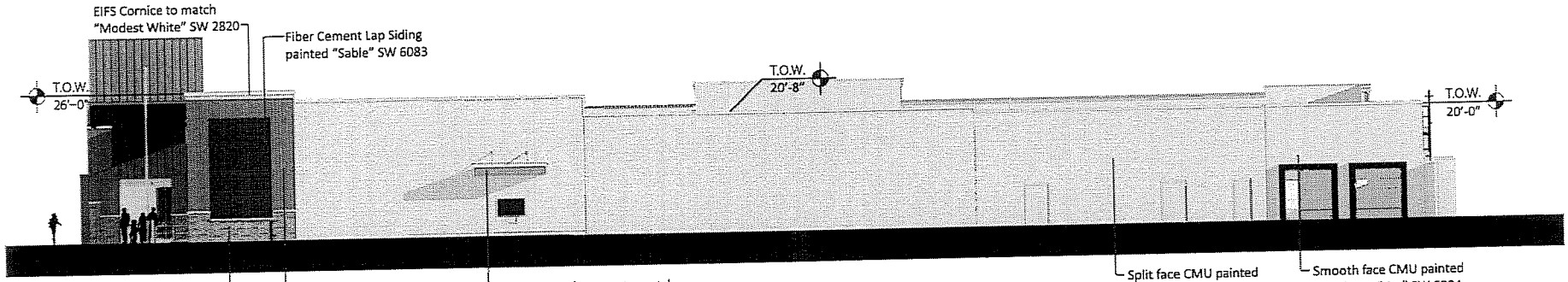




LK Architecture | June 28, 2016 | Walmart | 3318 – Dardenne Prairie, MO | Proposed Elevations | 1

RECEIVED JUN 28 2016 City of Dardenne Prairie

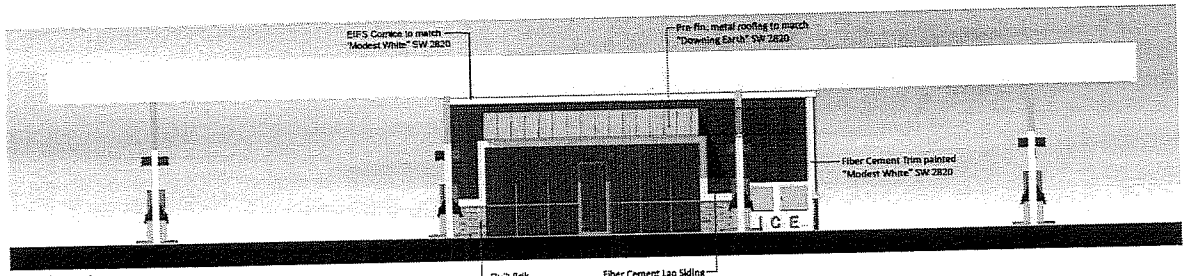



Rear Elevation

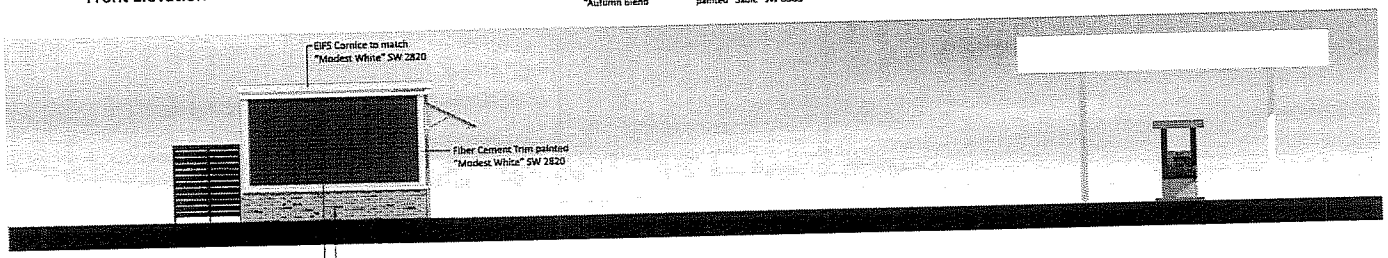



Right Elevation

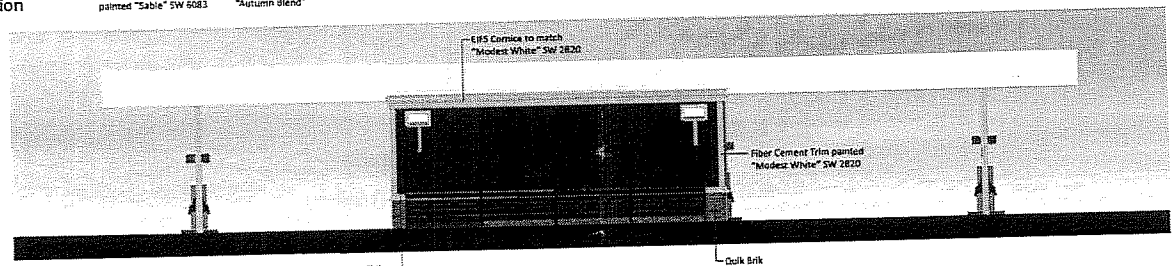
| | | | | |
|---|---|---|---|---|
| LK Architecture | June 28, 2016 | Walmart | 3318 – Dardenne Prairie, MO | Proposed Elevations 2 |



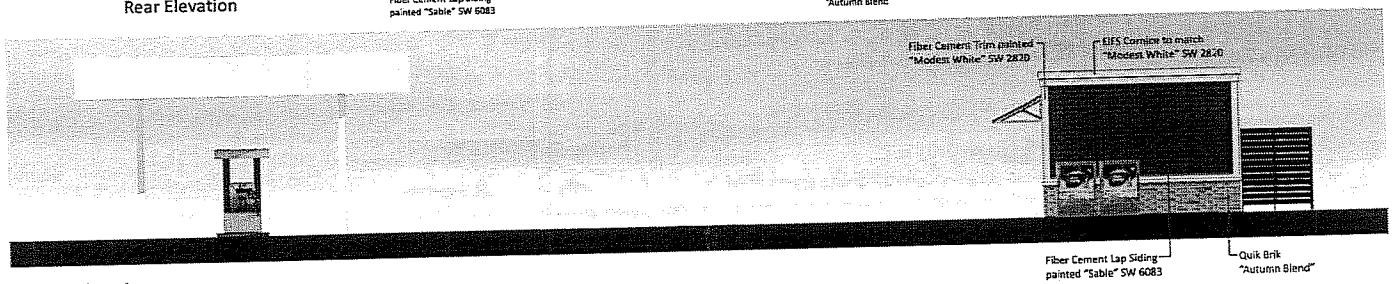

Front Elevation




Left Elevation

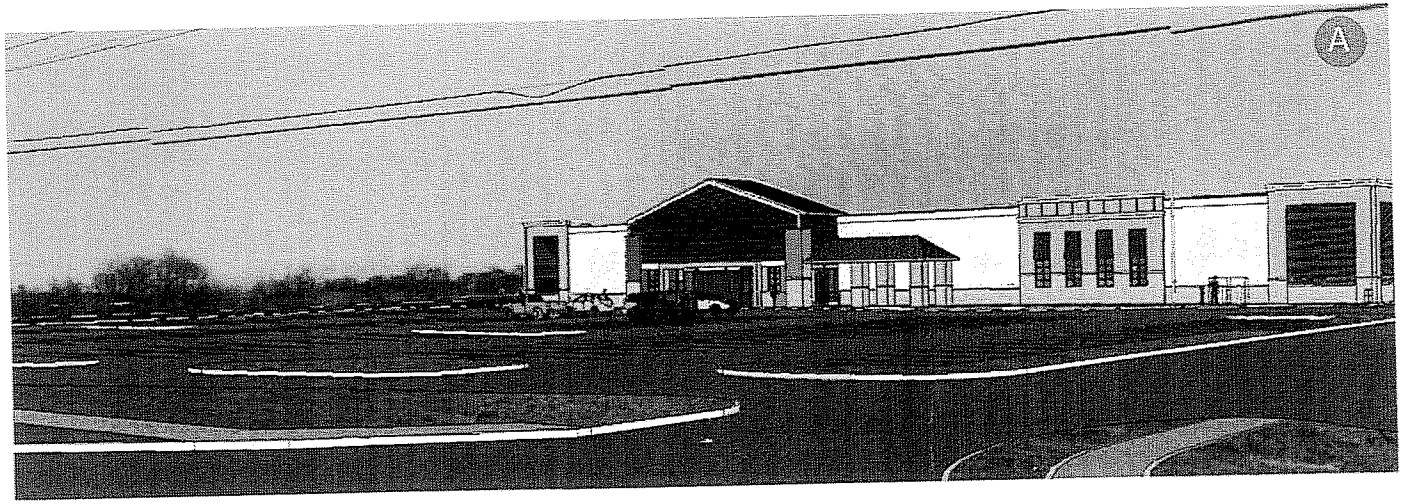



Rear Elevation




Right Elevation

LK Architecture | June 28, 2016 | Walmart | 3318 – Dardenne Prairie, MO | Fuel Elevations | 3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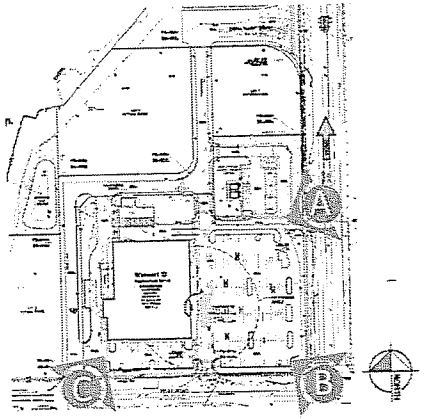
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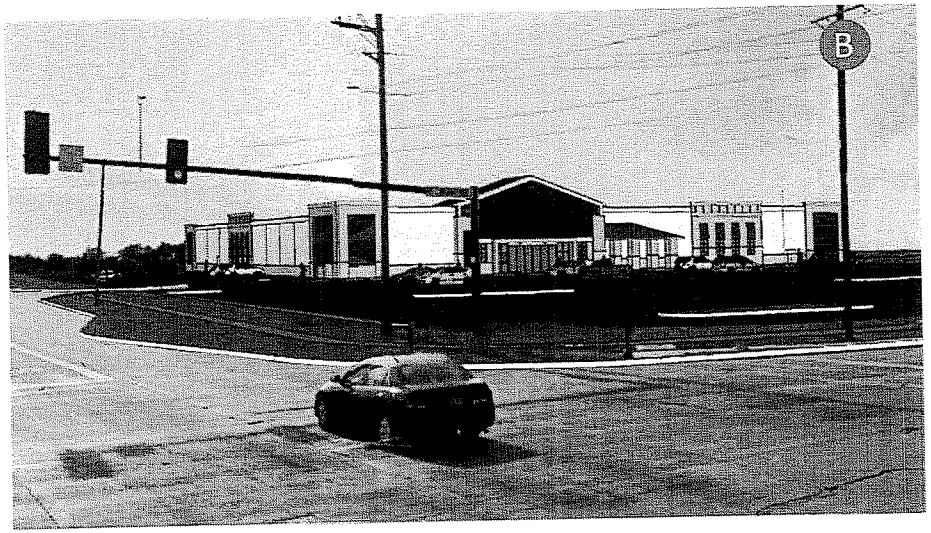
B
C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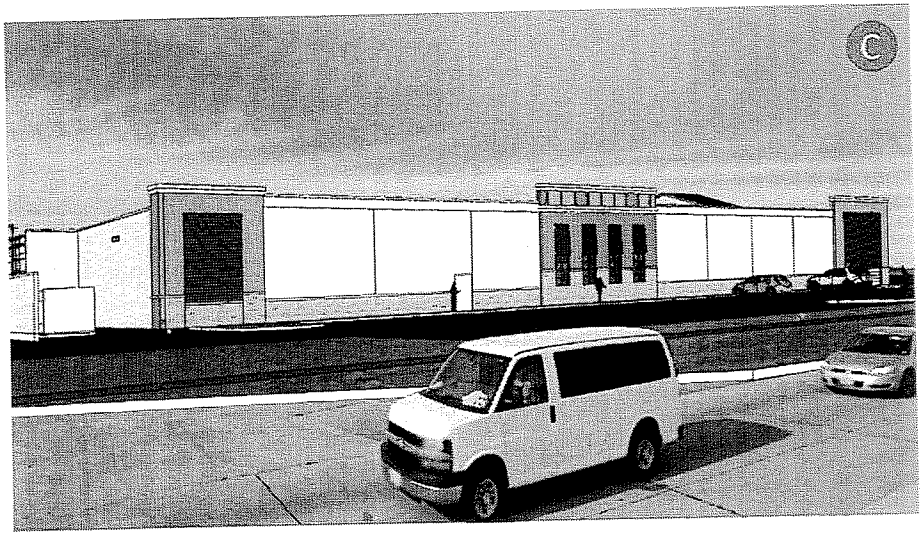
C

**BILL NO. 16-22**

**ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, PROVIDING FOR THE APPROVAL OF THE FINAL PLAN FOR APPROXIMATELY 10.25 ACRES OF THE CORA MARIE'S MARKETPLACE P.U.D. IN THE CITY OF DARDENNE PRAIRIE, MISSOURI**

**WHEREAS**, BFA, Inc. and the Cora Bopp Family Limited Partnership submitted to the Board of Aldermen of the City of Dardenne Prairie, Missouri, for approval, a Final Plan for the approximately 10.25 acres of the Cora Marie's Marketplace P.U.D. approved pursuant to Ordinance No. 1807 of the City of Dardenne Prairie, Missouri; and

**WHEREAS**, the Board of Aldermen of the City referred the Final Plan to the City's Planning and Zoning Commission; and

**WHEREAS**, said Planning and Zoning Commission of the City considered the Final Plan and recommended approval to the Board of Aldermen;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** Final Plan Approval. That upon review, first before the Planning and Zoning Commission and then the Board of Aldermen of the City of Dardenne Prairie, Missouri, the Board of Aldermen does hereby approve the Final Plan for approximately 10.25 acres of the Cora Marie's Marketplace P.U.D., prepared by BFA, Inc., dated 6/21/16, referencing JOB No. 4024, which Final Plan is on file in the office of the City Clerk and incorporated by reference herein.

**SECTION 2.** Effective Date: This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

**SECTION 3.** Savings: Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

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

Read two times, passed, and approved this _____ day of _____, 2016.

_____
As Presiding Officer and as Mayor

Attest:

_____
City Clerk

Approved this _____ day of _____, 2016.

_____
Mayor

Attest:

_____
City Clerk