

PUBLIC NOTICE

CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI SPECIAL MEETING OF THE BOARD OF ALDERPERSONS VIA VIDEO/TELECONFERENCE THURSDAY, SEPTEMBER 30, 2021 7:30 P.M.

Notice is hereby given that the City of Bellefontaine Neighbors (“City”) will hold a special Board of Alderpersons meeting on Thursday, September 30, 2021, 7:30 p.m. via video/teleconference.

In view of the COVID-19 pandemic, and the Federal, State, County, and City Emergency Declarations, and in accordance with the provisions of Sec. 610.020, RSMo., the City acknowledges that it would be dangerous and impractical, if not impossible, for this meeting to be physically accessible to the public. The City also recognizes the need for the public's business to be attended to in order to protect the public health, safety, and welfare. In order to balance the need for both continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Alderpersons will not be open to public attendance in person. **THE MEETING WILL BE ACCESSIBLE BY THE PUBLIC IN REAL TIME ONLY BY A VIDEO/TELEPHONE CONFERENCE CALL VIA ZOOM. THE INSTRUCTIONS TO JOIN ARE BELOW:**

To Join the meeting by via website:

- (1) Go to Zoom at <https://zoom.us>
- (2) Select Join a Meeting
- (3) Enter Meeting ID: 825 620 8214
- (4) Enter Password: 4i85eK

To Join the meeting by phone call (audio):

- (1) Call 1 312 626 6799 US (Chicago)
1 646 558 8656 US (New York)
- (2) Enter Meeting ID: 825 620 8214
- (3) When prompted, enter the Pass Code 452739

THE AGENDA FOR THIS BOARD MEETING IS SET FORTH HEREIN.

Instruction for providing public comments: Persons interested in making their views known on any matter will be able to speak during the video/teleconference meeting under “Public Comments.” In addition, anyone may send an email with their comments to the City Clerk Pro Tem at jmantych@cityofbn.com by no later than Tuesday, September 28, 2021 by 12:00 p.m. All comments received by email will be entered into the public record and publicly read as time allows. All emailed comments will also be distributed to the entire Board at or before the meeting. Thank you for your understanding and patience as we all try to get through these unprecedented times.

POSTED: SEPTEMBER 24, 2021 5:00 P.M.
BY: CITY CLERK PRO TEM/
CHIEF JEREMY IHLER

SPECIAL BOARD MEETING
THURSDAY – SEPTEMBER 30, 2021 – 7:30 P.M.
BELLEFONTAINE BOARD OF ALDERPERSONS
WILL CONVENE FOR THE ABOVE
REFERENCED VIA ZOOM.

AGENDA

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. NEW BUSINESS**

- a. BILL NO. 2621 – AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAX LEVIED FOR THE YEAR 2021 FOR DEBT SERVICE AND GENERAL MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI – INTRODUCED BY ALDERMAN THOMAS.**
- b. BILL NO. 2022 - AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO RAPHAEL AND LATONYA LEWIS D/B/A YOUR KITCHEN LLC FOR OPERATION OF A SEASONAL CATERING GRILL/RESTAURANT AND FOOD DISTRIBUTION ESTABLISHMENT AT 9312 LEWIS & CLARK BOULEVARD – INTEODUCED BY ALDERMAN PERRY.**
- c. BILL NO. 2623 - AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO JOY HARGROVE D/B/A JOYFULL NOSH LLC FOR OPERATION OF A FOOD MARKET WITH DRIVE-THROUGH SERVICE AT 9266 LEWIS & CLARK BOULEVARD – INTRODUCED BY ALDERMAN WEST.**

V. ADJOURNMENT

THIS AGENDA WITH PUBLIC NOTICE OF THE BOARD OF ALDERMAN’S SPECIAL MEETING ON SEPTEMBER 24, 2021, WAS RE-POSTED ON SEPTEMBER 28, 2021, AT 5:30 P.M. AT BELLFONTAINE NEIGHBORS CITY HALL (FRONT DOOR) AND ON THE CITY’S WEBPAGE AT www.cityofbn.com. FOR A COPY, CONTACT THE CITY CLERK’S OFFICE.

Copies of this notice may be obtained by contacting:
Judy Mantych, City Clerk pro tem
City of Bellefontaine Neighbors
9641 Bellefontaine Road
St. Louis, MO 63137
(314) 867-0076

Presiding Officer

Attest:

Judy Mantych, City Clerk Pro Tem

APPROVED THIS ____ DAY OF SEPTEMBER 2021.

Tommy L. Pierson, Sr., Mayor

Attest:

Judy Mantych, City Clerk Pro Tem

Appendix A

REQUEST FOR SPECIAL MEETING OF THE BOARD OF ALDERPERSONS

The undersigned hereby call for an Emergency Special BOA Meeting. To discuss and approve Ad Valorem Tax Rate
for the Year 2021
Thursday September 30, 2021 – 700pm via Zoom

1. James W. Thomas
Signature Date 9/24/2021
2. Melvin Perry
Signature Date 9/24/21
3. Alease Dailes
Signature Date 9-24-21
4. Richard Best
Signature Date 9-24-21

INTRODUCED BY ALDERMAN THOMAS

BILL NO. 2621

ORDINANCE NO. 2597

**AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF
AD VALOREM TAX LEVIED FOR THE YEAR 2021 FOR
DEBT SERVICE AND GENERAL MUNICIPAL PURPOSES ON
ALL REAL AND PERSONAL PROPERTY IN THE CITY OF
BELLEFONTAINE NEIGHBORS, MISSOURI.**

WHEREAS, in April 2009, and again in August 2016, the voters of the City of Bellefontaine Neighbors approved the issuance of bonds for the purpose of certain road improvements and a portion of those bonds have been issued and there is a requirement to now levy property taxes for the purpose of paying that debt; and

WHEREAS, a public hearing on the establishment of the annual rate of *ad valorem* taxation was conducted on September 30, 2021, pursuant to notice as provided by law, at which hearing citizens were given an opportunity to be heard; and

WHEREAS, in accord with the provisions of Section 137.073.5(4), RSMo. Supp. 2010, the Board of Alderpersons hereby finds, declares and states, following a public hearing and at a public meeting, that the rates hereinafter established are justified by the necessity for maintaining the level of service Bellefontaine Neighbors residents are entitled to expect from the City and by the property investment and value support such services provide to property owners in the City;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:

Section One.

There is hereby levied on all real property, including railroad and utility, subject to *ad valorem* taxation by the City of Bellefontaine Neighbors, Missouri, for the year 2021, for debt service and general municipal purposes, an *ad valorem* tax at the following rates:

A. There is hereby levied upon all residential property subject to taxation in the City of Bellefontaine Neighbors, Missouri, an *ad valorem* tax levy for general municipal purposes a tax rate of \$0.2030, and for debt service a tax rate of \$1.1057, for a combined tax

rate of \$1.3087 per the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk.

B. There is hereby levied upon all commercial, industrial, utility, railroad and all other property not included in subsections (A) and (B) above, and subject to taxation in the City of Bellefontaine Neighbors, Missouri, an *ad valorem* tax levy of \$0.2330 for general purposes and one and \$1.1057 for debt service, for a combined rate of \$1.3387 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified by the County Clerk.

C. There is hereby levied upon all personal property subject to taxation in the City of Bellefontaine Neighbors, Missouri, an *ad valorem* tax levy of \$0.2350 for general purposes and (\$1.1057) for debt service, for a combined rate of \$1.3407 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk.

Section Two.

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS 30TH DAY OF SEPTEMBER, 2021.

Presiding Officer

Attest:

_____, City Clerk Pro Tem

APPROVED THIS 30TH DAY OF SEPTEMBER, 2021.

Tommie L. Pierson, Sr., Mayor

Attest:

_____, City Clerk Pro Tem

INTRODUCED BY ALDERMAN PERRY

BILL NO. 2622

ORDINANCE NO. 2598

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO RAPHAEL AND LATONYA LEWIS D/B/A YOUR KITCHEN LLC FOR OPERATION OF A SEASONAL CATERING GRILL/RESTAURANT AND FOOD DISTRIBUTION ESTABLISHMENT AT 9312 LEWIS & CLARK BOULEVARD.

WHEREAS, the Zoning Code of Bellefontaine Neighbors provides that the Board of Alderpersons may, by a conditional use permit issued under the provisions of Section 29.94 et seq., authorize the use of property in a C-1 Commercial Zoning District for “a seasonal catering, grill/restaurant and food distribution establishment”; and

WHEREAS, Raphael and Latonya Lewis doing business as Your Kitchen LLC (the “Applicants”) have requested that the property at 9312 Lewis & Clark Boulevard be allowed to be used as a seasonal catering, grill/restaurant and food distribution establishment; and

WHEREAS, the application was referred to the City Planning & Zoning Commission, which studied the application and the recommendation of city staff and recommended approval of the application by the Board of Alderpersons subject to certain conditions; and

WHEREAS, the Board of Alderpersons gave due notice and held a public hearing on the application via video teleconference, on Thursday, September 16, 2021 at 6:00 P.M., when the Board heard and considered comments and suggestions by those present; and

WHEREAS, the Board of Alderpersons has determined, in accordance with the provisions of Section 29.95(2) of the Zoning Code that the granting of a conditional use permit will:

- a. Comply with all provisions of the applicable district regulations.
- b. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
- c. The proposed conditional use will not have a deleterious impact on the value of other property in the neighborhood in which it is to be located.
- d. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. 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, lighting and fences on the site; and
 2. The nature and extent of proposed landscaping and screening on the site.
- e. Off-street parking and loading areas are provided in accordance with the standards set forth in these regulations.
- f. Adequate utility, drainage, and other such necessary facilities are provided.
- g. The proposed conditional use is consistent with good planning practice; can be operated in a manner that is not detrimental to permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Bellefontaine Neighbors.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:

Section 1. The Board of Alderpersons hereby approves a Conditional Use Permit (“CUP”) to Applicants to operate as a seasonal catering, grill/restaurant and food distribution establishment at 9312 Lewis & Clark Boulevard, subject to the following conditions:

1. All provisions of the City Code shall apply except where modified in this CUP Ordinance.
2. Operating a grill/restaurant is a conditional use in a C-1 Local Business District and a conditional use permit is required per Sec. 29-96(4)(c) of the City Code.
3. Screening for two (2) 30 ft. box trucks to be parked overnight shall be provided pursuant to their plans compliant with Sec. 29-89(a)(b) Parking and storage of certain commercial motor vehicles and Sec. 17-170(4)(a)(b) Parking of trucks, trailers, etc. in certain districts of the City.
4. Refrigerated trucks will not be parked overnight or on the weekends.
5. There will be no initial plans to sell alcohol on site.
6. Once the conditional use permit has been recorded with St. Louis County, the applicant will provide proof of registration.

7. This conditional use permit shall be personal to the Applicants, shall not run with the land and shall not be transferred without the appropriate approval from the Board of Alderpersons.

Section 2. This ordinance shall not be printed in the Code of Bellefontaine Neighbors.

Section 3. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS ___ DAY OF _____, 2021.

Presiding Officer

Attest:

_____, City Clerk Pro Tem

APPROVED THIS ___ DAY OF _____, 2021.

Tommie Pierson Sr., Mayor

Attest:

_____, City Clerk Pro Tem

INTRODUCED BY ALDERMAN WEST

BILL NO. 2623

ORDINANCE NO. 2599

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO JOY HARGROVE D/B/A JOYFULL NOSH LLC FOR OPERATION OF A FOOD MARKET WITH DRIVE-THROUGH SERVICE AT 9266 LEWIS & CLARK BOULEVARD.

WHEREAS, the Zoning Code Of Bellefontaine Neighbors provides that the Board of Alderpersons may, by a conditional use permit issued under the provisions of Section 29.94 et seq., authorize the use of property in a C-2 Commercial Zoning District for “food market with drive-through service business”; and

WHEREAS, Joy Hargrove doing business as Joyfull Nosh LLC (the “Applicant”) has requested that the property at 9266 Lewis & Clark Boulevard be allowed to be used as a food market with drive-through service business; and

WHEREAS, the application was referred to the City Planning & Zoning Commission, which studied the application and the recommendation of city staff and recommended approval of the application by the Board of Alderpersons subject to certain conditions; and

WHEREAS, the Board of Alderpersons gave due notice and held a public hearing on the application via video teleconference, on Thursday, September 16, 2021 at 6:00 P.M., when the Board heard and considered comments and suggestions by those present; and

WHEREAS, the Board of Alderpersons has determined, in accordance with the provisions of Section 29.95(2) of the Zoning Code that the granting of a conditional use permit will:

- a. Comply with all provisions of the applicable district regulations.
- b. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
- c. The proposed conditional use will not have a deleterious impact on the value of other property in the neighborhood in which it is to be located.
- d. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. 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, lighting and fences on the site; and
 2. The nature and extent of proposed landscaping and screening on the site.
- e. Off-street parking and loading areas are provided in accordance with the standards set forth in these regulations.
- f. Adequate utility, drainage, and other such necessary facilities are provided.
- g. The proposed conditional use is consistent with good planning practice; can be operated in a manner that is not detrimental to permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with permitted uses in the surrounding area; and is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Bellefontaine Neighbors.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:

Section 1. The Board of Alderpersons hereby approves a Conditional Use Permit (“CUP”) to Applicant to operate food market with drive-through service business at 9266 Lewis & Clark Boulevard, subject to the following conditions:

1. All provisions of the City Code shall apply except where modified in this CUP Ordinance.
2. The trash dumpster and used grease receptacle will be separated, allowing one to be dumped while not disturbing the other.
3. There will be no consumption of prepared food on site and no patio.
4. To shield adjacent residences, sound and light barriers must be designed and approved by the Building Department.
5. Once the conditional use permit has been recorded with St. Louis County, the applicant will provide proof of registration.
6. This conditional use permit shall be personal to the Applicant, shall not run with the land and shall not be transferred without the appropriate approval from the Board of Alderpersons.

Section 2. This ordinance shall not be printed in the Code of Bellefontaine Neighbors.

Section 3. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS ___ DAY OF _____, 2021.

Presiding Officer

Attest:

_____, City Clerk Pro Tem

APPROVED THIS ___ DAY OF _____, 2021.

Tommie Pierson Sr., Mayor

Attest:

_____, City Clerk Pro Tem