

**PUBLIC AGENDA NOTES**  
**MAPLEWOOD CITY COUNCIL MEETING**  
**TUESDAY, JUNE 25, 2019**  
**7:30 P.M.**

The following is a brief description of the agenda items for Tuesday, June 25, 2019:

ITEM NO. 6, is a public hearing hear citizenø comments on a request by Edward Neill of The Dubliner located at 2733 Sutton Blvd. (formerly The Muddled Pig) for a full liquor and Sunday liquor by the drink license.

ITEM NO. 7, is a public hearing to hear citizenø comments on a request by Verizon Wireless to install a 5G small cell antenna on existing utility poles at 7261 Gayola Place and 7402 Zephyr Place.

ITEM NO. 11, is a motion to approve a full license and Sunday liquor by the drink license for Edward Neill of The Dubliner located at 2733 Sutton Blvd. (formerly The Muddled Pig). Staff recommends approval of these liquor licenses with the stipulation that at least 51% of revenues must come from the sale of food sold on-site.

ITEM NO. 12, Bill 6117 is an ordinance granting a Conditional Use Permit to Verizon Wireless to install 5G small cell communication antennas in the public right-of-way - one at the southwest intersection of Sutton Boulevard and Zephyr Place at 7402 Zephyr Place and one in the public right-of-way at the northeast intersection of Roseland Terrace and Gayola Place at 7261 Gayola Place. The antennas will be installed on existing utility poles. The Plan and Zoning Commission voted 5 ayes, 0 nays, 2 absent to recommend approval. A public hearing has been held and the bill has been read two times and tabled and is now ready for final Council action.

ITEM NO. 13, Bill 6118 is an ordinance amending the Maplewood Zoning Code for Community Business District Conditional Uses ó Section 56-32 (41) and Arterial Business District Conditional Uses to allow medicinal marijuana facilities as conditional uses in the CB and AB zoning districts.  
**THIS BILL NEEDS TO BE TABLED UNTIL THE JULY 9, 2019 MEETING FOR A PUBLIC HEARING.**

**AGENDA**  
**MAPLEWOOD CITY COUNCIL MEETING**  
**TUESDAY, JUNE 25, 2019**  
**7:30 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Motion to Excuse Councilperson
5. Approval of the Council Agenda
6. Public hearing to hear citizen's comments on a request by Edward Neill of The Dubliner located at 2733 Sutton Blvd. for a full liquor and Sunday liquor by the drink license.
7. Public hearing to hear citizen's comments on a request by Verizon Wireless to install a 5G small cell antenna on existing utility poles at 7261 Gayola Place and 7402 Zephyr Place.
8. Public Forum
9. Announcements
10. Approval of the June 11, 2019 City Council meeting minutes
11. Motion to approve a request by Edward Neill of The Dubliner located at 2733 Sutton Blvd. (formerly Muddled Pig) for a full liquor and Sunday liquor by the drink license.
12. Bill 6117 an Ordinance of the City Council of the City of Maplewood, Missouri granting a Conditional Use Permit to Verizon Wireless to install one 5G small cell communications antenna in the public right-of-way at the southwest intersection of Sutton Boulevard and Zephyr Place at 7402 Zephyr Place and to install one 5G small cell communications antenna in the public right-of-way at the northeast intersection of Roseland Terrace and Gayola Place at 7261 Gayola Place.
13. **TABLED UNTIL THE JULY 9, 2019 MEETING FOR A PUBLIC HEARING** - Bill 6118 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5785, Section 56-206 Community Business District Conditional Uses and Section 56-232 (41) Arterial Business District Conditional Uses to allow medicinal marijuana dispensary facilities as conditional uses in the CB and AB zoning districts.
14. Council Communication
15. Mayor's Report
16. City Attorney's Report

17. City Manager's Report

18. Motion to hold a Closed Session, if needed, to discuss matters relating to litigation, legal actions and/or communication from the City Attorney as provided for in Section 610.021(1)RSMO. and/or specifications for competitive bidding under Section 610.021(11) and/or sealed bids and related documents and sealed proposals and related documents under Section 610.021(11) and/or personnel matters under Section 610.021(13)RSMO. and/or employee matters under Section 610.021(3)RSMO. and/or real estate matters under Section 610.021(2)RSMO. and/or documents related to a negotiated contract under Section 610.021(12)RSMO.

19. Adjournment

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*City  
of Maplewood*



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**PUBLIC HEARING NOTICE**

Maplewood City Council will hold a public hearing on 6/25/19 at 7:30 p.m. in the City Council Chambers, 7601 Manchester, Maplewood, MO 63143, to hear citizen's comments on a request by Edward Neill of The Dubliner located at 2733 Sutton Blvd. for a full liquor and Sunday liquor by the drink license.

Ad as appearing in the June 7, 2019 **St. Louis Post-Dispatch**.



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**PUBLIC HEARING NOTICE**

Maplewood City Council will hold a public hearing on 6/25/19 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on a request by Verizon Wireless to install a 5G small cell antenna on existing utility poles at 7261 Gayola Place and 7402 Zephyr Place.

Ad as appearing in the June 7, 2019 **St. Louis Post-Dispatch**.

June 11, 2019

The June 11, 2019 City Council meeting was called to order at 7:30 p.m., Mayor Barry Greenberg presiding.

ON ROLL CALL, the following members were present: Mayor Greenberg, Councilmember Crader, Councilmember Faulkingham, Councilmember Pardini, Councilmember Phillips, and Councilmember Wood.

MOTION TO EXCUSE COUNCILPERSON: Councilmember Wood motioned to excuse Councilmember Schmidt, duly seconded by Councilmember Phillips, which motion received the approval of the Council.

APPROVAL OF THE COUNCIL AGENDA: Councilmember Wood motioned to withdraw Item 13 from the agenda, seconded by Councilmember Phillips, which motion received the approval of the Council. Councilmember Wood motioned to approve the amended agenda, duly seconded by Councilmember Phillips, which motion received the approval of the Council.

PUBLIC FORUM: No one spoke.

ANNOUNCEMENTS: The Let Them Eat Art event will be Friday, July 12, 2019. The Concert in the Park will be Wednesday, June 26, 2019.

APPROVAL OF THE MAY 14, 2019 CITY COUNCIL MEETING MINUTES AND CLOSED SESSION MINUTES FROM MAY 11, MAY 13, MAY 14 AND MAY 21, 2019: Councilmember Wood motioned to approve, duly seconded by Councilmember Phillips, which motion received the approval of the Council.

**R19-21**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, REAPPOINTING PATRICK JUGO TO THE CIVIL SERVICE COMMISSION AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2023 was introduced. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, to approve the resolution which motion received the following roll call vote: Ayes, members Crader, Faulkingham, Mayor Greenberg, Pardini, Phillips and Wood. Nays, none.

**R19-22**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPOINTING JOHN SAUTER TO THE SPECIAL BUSINESS DISTRICT TAX ADVISORY COMMISSION AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2022 was introduced. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, to approve the resolution which motion received the following roll call vote: Ayes, members Crader, Faulkingham, Mayor Greenberg, Pardini, Phillips and Wood. Nays, none.

**R19-23**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPOINTING KATHLEEN NEVINS TO THE SUSTAINABILITY COMMISSION AND ESTABLISHING HER TERM OF OFFICE AS EXPIRING JUNE 30, 2020 was introduced. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, to approve the resolution

which motion received the following roll call vote: Ayes, members Crader, Faulkingham, Mayor Greenberg, Pardini, Phillips and Wood. Nays, none.

**R19-24**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, REAPPOINTING JONATHAN SPENCER TO THE SUSTAINABILITY COMMISSION AND ESTABLISHING HIS TERM OF OFFICE AS EXPIRING JUNE 30, 2022 was introduced. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, to approve the resolution which motion received the following roll call vote: Ayes, members Crader, Faulkingham, Mayor Greenberg, Pardini, Phillips and Wood. Nays, none.

**BILL 6117**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI GRANTING A CONDITIONAL USE PERMIT TO VERIZON WIRELESS TO INSTALL ONE 5G SMALL CELL COMMUNICATIONS ANTENNA IN THE PUBLIC RIGHT-OF-WAY AT THE SOUTHWEST INTERSECTION OF SUTTON BOULEVARD AND ZEPHYR PLACE AT 7402 ZEPHYR PLACE AND TO INSTALL ONE 5G SMALL CELL COMMUNICATIONS ANTENNA IN THE PUBLIC RIGHT-OF-WAY AT THE NORTHEAST INTERSECTION OF ROSELAND TERRACE AND GAYOLA PLACE AT 7261 GAYOLA PLACE was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, that Bill No. 6117 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Phillips, that Bill No. 6117 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**BILL 6118**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5785, SECTION 56-206 COMMUNITY BUSINESS DISTRICT CONDITIONAL USES AND SECTION 56-232 (41) ARTERIAL BUSINESS DISTRICT CONDITIONAL USES TO ALLOW MEDICINAL MARIJUANA DISPENSARY FACILITIES AS CONDITIONAL USES IN THE CB AND AB ZONING DISTRICTS was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Phillips, that Bill No. 6118 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Wood, duly seconded by Councilmember Phillips, that Bill No. 6118 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

**DISCUSSION OF CITIZEN AND BUSINESS SURVEY:** The Council asked that staff move forward with the Request for Proposal process.

**COUNCIL COMMUNICATION:** Councilmember Wood wished all the fathers a Happy Father's Day. Councilmember Pardini thanked the city for sending her to the Newly Elected Officials training hosted by the Missouri Municipal League. Councilmember Faulkingham said Go Blues!

**MAYOR'S REPORT:** Go Blues!

**CITY ATTORNEY'S REPORT:** Go Blues!

CITY MANAGER'S REPORT: Go Blues!

MOTION TO HOLD A CLOSED SESSION, IF NEEDED, TO DISCUSS MATTERS RELATING TO LITIGATION, LEGAL ACTIONS AND/OR COMMUNICATION FROM THE CITY ATTORNEY AS PROVIDED FOR IN SECTION 610.021(1)RSMO. AND/OR SPECIFICATIONS FOR COMPETITIVE BIDDING UNDER SECTION 610.021(11) AND/OR SEALED BIDS AND RELATED DOCUMENTS AND SEALED PROPOSALS AND RELATED DOCUMENTS UNDER SECTION 610.021(11) AND/OR PERSONNEL MATTERS UNDER SECTION 610.021(13)RSMO. AND/OR EMPLOYEE MATTERS UNDER SECTION 610.021(3)RSMO. AND/OR REAL ESTATE MATTERS UNDER SECTION 610.021(2)RSMO. AND/OR DOCUMENTS RELATED TO A NEGOTIATED CONTRACT UNDER SECTION 610.021(12)RSMO: No need.

There being no further business before the Council, the meeting adjourned at 8:00 p.m.



# INTEROFFICE MEMORANDUM

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TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: June 13, 2019

RE: Liquor License for The Dubliner

The Dubliner is occupying the space where Muddled Pig operated at 2733 Sutton. Edward Neill is requesting a full liquor license by the drink and Sunday license by the drink. Staff recommends approval with the stipulation that 51% of sales must be from food sold at retail.

If you have any questions, please contact me.

  
Martin J. Corcoran  
City Manager

Pub Hearing #315  
\$750  
1065

**PETITION FOR LIQUOR LICENSE  
CITY OF MAPLEWOOD  
7601 Manchester Road  
Maplewood, MO 63143  
(314) 645-3600**

**SECTION 1**

DATE: 5/28/2019

1. NAME OF ESTABLISHMENT: The Wood LLC dba The Dubliner
2. ADDRESS OF ESTABLISHMENT: 2733 Sutton Blvd.  
Maplewood Mo. 63143 314 781 4607  
(CITY) (STATE) (ZIP) (PHONE)

3. Is ownership a corporation or partnership? If so, list names and addresses of individuals and their title(s):  
LLC

Phillip Pfeiffer 720 Radcliffe 63130

4. NAME OF OWNER OR MANAGING OFFICER: Edward Nail

5. Type of license requested - separate license shall be obtained for each of the following classes of sales: (Please check each classification that applies)

<u>Indicate Type of License Applied For:</u>	<u>Fee</u>
A. <u>STORAGE OF NON-INTOXICATING BEER</u> ___ For beer depot or store room, handling, selling or storing non-intoxicating beer.	\$75.00
B. <u>FULL LIQUOR LICENSE</u> <input checked="" type="checkbox"/> To sell intoxicating liquor in excess of 5% by weight, by the drink at retail for consumption on the premises where sold.	\$450.00
C. <u>PACKAGED INTOXICATING LIQUOR</u> ___ To sell intoxicating liquor in the original package at retail only, and not for consumption on the premises where sold.	\$150.00
D. <u>SUNDAY PACKAGE LIQUOR LICENSE</u> ___ To sell intoxicating liquor in the original package at retail only, and not by the drink, not for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail in the original package) on Sundays between the hours of 9:00 a.m. and 12:00 midnight.	\$300.00

- E. MALT LIQUOR BY THE DRINK - 5% OR WINES NOT IN EXCESS OF 14% ALCOHOL BY WEIGHT  
 \_\_\_\_\_ To sell malt liquor containing alcohol over 3.2% but not more than 5% by weight at retail by the drink for consumption on the premises, where sold (includes light wines. \$ 52.50
- F. PACKAGED MALT LIQUOR OR LIGHT WINES (5% MALT LIQUOR)  
 \_\_\_\_\_ To sell malt liquor containing over 3.2% but not more than 5% by weight in the original package at retail only, and not for consumption on the premises, where sold. \$ 22.50
- G. SUNDAY LIQUOR BY THE DRINK  
 \_\_\_\_\_ To sell intoxicating liquor in excess of 5% percent by weight by the drink at retail for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail by the drink for consumption on the premises) on Sundays between the hours of 9:00 a.m. and 12:00 midnight provided all requirements of state law are complied with. \$300.00
- H. MANUFACTURER SOLICITOR'S LICENSE  
 \_\_\_\_\_ To sell intoxicating liquor containing not in excess of twenty-two percent (22%) of alcohol by weight and the privilege of selling to duly licensed wholesalers and soliciting orders for sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler on the premises where sold. \$250.00
- I. ORIGINAL PACKAGE TASTING  
 \_\_\_\_\_ To conduct wine, malt beverage and distilled spirit tasting on the licensed premises upon receipt of a special permit. \$ 25.00

Applicant hereby agrees that if a license is granted upon this petition, that applicant or any officer, agent, employee, or servant of applicant will not violate any provision of said Ordinance No. 4121 or of any amendments hereafter made to said ordinance, or any law of the State of Missouri or other ordinance of the City of Maplewood while in and upon the premises of the applicant herein described or knowingly allow any other person so to do.

Edward Nall  
 Printed Name of Applicant

[Signature]  
 Signature

5/28/19  
 Date

RECORD OF ARREST

A. Have you ever been arrested or indicted for the violation of any Federal, State, or City Laws?

No

If so, give details: \_\_\_\_\_

B. Have you ever been convicted for the violation of any city ordinance, State or Federal Laws relating to liquor, gambling, immorality, peace disturbance?

No

If so, give details: \_\_\_\_\_

I, Seward Allen, hereby authorize the City of Maplewood Police Department to perform a police check on the information I have submitted. And I am willing to submit to fingerprinting and photographing, if requested.

Date: 5/28 Signature of Applicant: SA

Results of Police Check:

NO RECORD

Chief Stephen M. Kruse

Signature Chief of Police 5-29-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI GRANTING A CONDITIONAL USE PERMIT TO VERIZON WIRELESS TO INSTALL ONE 5G SMALL CELL COMMUNICATIONS ANTENNA IN THE PUBLIC RIGHT-OF-WAY AT THE SOUTHWEST INTERSECTION OF SUTTON BOULEVARD AND ZEPHYR PLACE AT 7402 ZEPHYR PLACE AND TO INSTALL ONE 5G SMALL CELL COMMUNICATIONS ANTENNA IN THE PUBLIC RIGHT-OF-WAY AT THE NORTHEAST INTERSECTION OF ROSELAND TERRACE AND GAYOLA PLACE AT 7261 GAYOLA PLACE

WHEREAS, Verizon wireless has applied to the City Council of the City of Maplewood, Missouri for a conditional use permit as per Section 56-877 of the city code to install a 5G small cell communications antennae in the public right-of-way at the southwest intersection of Sutton Boulevard and Zephyr Place and to install a 5G small cell communications antennae in the public right-of-way at the northeast intersection of Roseland Terrace and Gayola Place; and

WHEREAS, the antennas will be installed on existing utility poles; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their June 3, 2019 meeting by a vote of 5 ayes, 0 nays, 2 absent; and

WHEREAS, the City Council will hold a public hearing on this conditional use permit petition at their June 25, 2019 Council meeting.

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

Section I. Verizon wireless is hereby granted a Conditional Use Permit to install one 5G small cell communications antennae in the public right-of-way at the southwest intersection of Sutton Boulevard and Zephyr Place and to install one 5G small cell communications antennae in the public right-of-way at the northeast intersection of Roseland Terrace and Gayola Place.

Section II. This ordinance shall be in full force and effect fifteen (15) days after it's passage and approval.

Passed this      day of      2019.

\_\_\_\_\_  
Barry Greenberg, Mayor

Attest:

\_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this    day of    2019.

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Barry Greenberg, Mayor

Attest:

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Karen Scheidt, Deputy City Clerk

## **FINDINGS OF FACT**

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit to install a 5G small cell communications antenna on a utility pole in the public right-of-way at 7402 Zephyr Place and 7261 Gayola Place:

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5785, SECTION 56-206 COMMUNITY BUSINESS DISTRICT CONDITIONAL USES AND SECTION 56-232 (41) ARTERIAL BUSINESS DISTRICT CONDITIONAL USES TO ALLOW MEDICINAL MARIJUANA DISPENSARY FACILITIES AS CONDITIONAL USES IN THE CB AND AB ZONING DISTRICTS

WHEREAS, the Plan and Zoning Commission recommended approval by a vote of 4 ayes, 0 nays of the amendment to the CB Community Business District and the AB Arterial Business District at their April 1, 2019 meeting; and

WHEREAS, the City Council held a public hearing on July 9, 2019 regarding the proposed amendment.

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

Section I. Ordinance #5785, Section 56-206 CB District Conditional Uses is hereby amended by adding the following text:

- (21) Medicinal Marijuana Dispensary Facilities as defined by Missouri State Statues that meet the following requirements:
  - a. Medicinal marijuana dispensary facilities must be located a minimum of 500 feet from each other.
  - b. Medicinal marijuana dispensary facilities cannot be located within 300 of any then-existing elementary or secondary school, child day-care center or church unless said school, day-care center or church approve the location of the dispensary facility.
  - c. The total number of medicinal marijuana dispensary facilities shall not exceed one (1) medicinal marijuana dispensary facility for every 3,000 inhabitants of the city or any fractional part thereof.

Section II. Ordinance #5785, Section 56-232 (41) AB District Conditional Uses is hereby amended by adding the following text:

- n. Medicinal Marijuana Dispensary Facilities as defined by Missouri State Statues that meet the following requirements
  - a. Medicinal marijuana dispensary facilities must be located a minimum of 500 feet from each other.
  - d. Medicinal marijuana dispensary facilities cannot be located within 300 of any then-existing elementary or secondary school, child day-care center or church unless said school, day-center or church approve the location of the dispensary facility.
  - b. The total number of medicinal marijuana dispensary facilities shall not exceed one (1) medicinal marijuana dispensary facility for every 3,000 inhabitants of the city or any fractional part thereof.



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

Passed this <sup>th</sup> day of, 2019

\_\_\_\_\_  
Barry Greenberg, Mayor

Attest: \_\_\_\_\_  
Karen Scheidt, Deputy City Clerk

Approved this <sup>th</sup> day of , 2019

\_\_\_\_\_  
Barry Greenberg, Mayor

Attest: \_\_\_\_\_  
Karen Scheidt, Deputy City Clerk