

AGENDA

PUBLIC WORKS COMMITTEE

Thursday, June 2, 2016

6:00 P.M.

The Sunset Hills Public Works Committee will hold a meeting on Thursday, June 2, 2016 at 6:00 P.M. in the Public Works Conference Room located at 3939 S. Lindbergh Blvd.

1. Approval of Minutes from April 7, 2016
2. Citizen Comments (10 Minutes Set Aside For Comments)
(Comments Only – No Questions – 2 Minutes Per Citizen)
3. Forest Path – Sanitary Sewer Issues
4. Application for Sunset Hills to Accept Private Street for Public Maintenance
(Gary Player Drive, Caddyshack Circle, Pagada Parkway, Flagstick Court, Fringe Court, Collar Court, Break Court, Sunny Dawn Court, Kahlia Way, and Marchem Circle)
5. Solid Waste Ordinance 1764
6. City Hall – Automatic Locks/Other Lobby Enhancements
7. Stop Sign Request – Hilltop and Leebur – Alderman Krueger
8. Request to Purchase City Property – 118 Monica
9. Flood Information – Update
10. Board of Alderman Work Session – Overview of Public Works Committee
11. Project Updates:
 - West Watson
 - Eddie and Park Sidewalk
 - East Watson Sidewalk
 - Lindbergh Sidewalk
12. Other Matters Deemed Appropriate

CITY OF SUNSET HILLS, MISSOURI

MEMORANDUM

To: Public Works Committee:
Alderman Dr. Thomas Musich, Chairman
Alderman Richard Gau
Alderman Kurt Krueger
Alderman Thomas Price

From: Bryson E. Baker, P.E.
City Engineer/Public Works Director

Date: May 31, 2016

Subject: June 3, 2016 Public Works Committee (PWC) Meeting

The following will provide information for the various items on the agenda for the June 3, 2016 meeting of the Public Works Committee that will be held at 6:00 PM.

1) Meeting Minute Approval

Approval of the meeting minutes from the April 7, 2016 meeting of the Public Works Committee.

2) Citizen Comments

3) Forest Path – Sanitary Sewer Issues

- Kim Rumpsa has provided the included memo regarding the issues on Forest Path.
- Steve Hausner of 10728 Forest Path has been communicating with MSD regarding the issues. Other Forest Path residents have also contacted MSD to discuss the issues.
- Staff is working to find out additional information.

4) Application for Sunset Hills to Accept Private Street for Public Maintenance (Gary Player Drive, Caddyshack Circle, Pagada Parkway, Flagstick Court, Fringe Court, Collar Court, Break Court, Sunny Dawn Court, Kahlia Way, and Marchem Circle)

- Per Ordinance #2000, John King, on behalf of the residents of Tapawingo on the Green, Manors at Tapawingo, and the Tapawingo Golf Course request that the City accept the streets of these subdivisions for maintenance.
- Once the City has received written authorization that Mr. King is the authorized representative of the listed subdivisions and received subdivision plats for the listed subdivisions then the City will move forward with the request.
- Staff will review the condition of the streets and document condition as well as consulting with the City attorney in regards to any legal issues and ownership issues.
- Staff will also prepare a non-compliance report of deficiencies and a report of anticipated annual maintenance costs.

5) Solid Waste Ordinance 1764

- Staff was requested to place the Solid Waste Ordinance on the agenda for discussion by Alderman Musich.

6) City Hall – Automatic Locks/Other Lobby Enhancements

- City staff requested preliminary cost information from a local security company regarding the securing of the doors entering the Administration and Public Works offices at City Hall.
- The preliminary cost estimate is \$8,117.91. The budgeted amount is \$10,000.
- Staff would like to discuss further security enhancement for the lobby area of City Hall, including the addition of transaction windows on both sides of the lobby in lieu of open door access for all visitors.
- The City currently has funds budgeted for the design of improvements to the Robert C. Jones Auditorium (\$10,000). We also have funds budgeted for the design/construction of the Public Works Offices (\$20,000) and to improve the audio in the Auditorium (\$10,000).
- The City should consider hiring the same architect/engineer to design all of the improvements in order to be cost effective and consistent.
- Staff is working with Alderman Krueger regarding a plan for the improvements.
- This topic is an ongoing discussion of the committee.

7) Stop Sign Request – Hilltop and Leebur

- A resident at 9905 Benbury Court contacted Alderman Krueger regarding the addition of stop signs on Hilltop at Leebur.
- This intersection is currently a two (2) way stop with traffic stopping on Leebur and Hilltop being a through street.
- In 2004 the City received a request to make this intersection a four (4) way stop. The request was rejected based on the City engineer's opinion at that time that the intersection did not meet warrants for a four (4) way stop.
- Staff was then requested to move the stop signs to Hilltop and allow Leebur as a through street. This was a sixty (60) day trial. At the end of the 60 day trial the signs were placed back in their original locations due to the feedback of the residents.
- Staff performed a traffic study to determine if the intersection meets warrants for the addition of stop signs on Hilltop. The traffic study is included in the packet.
- According to the Manual on Uniform Traffic Control Devices (MUTCD) STOP signs should NOT be used for speed control and the street carrying the lowest amount of traffic should be stopped.
- The traffic study results showed a lower than required vehicular volume to warrant a multi-way stop intersection.
- Other items that may be considered for the construction of a multi-way stop at this intersection include (1) the need to control left-turn conflicts (2) an intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

8) Request to Purchase City Property – 118 Monica

- The City has received a letter of interest to purchase the City owned property at 118 Monica.
- A letter to that effect is included in the packet.

9) Flood Information – Update

- The approximate cost from the City's Public Works budget at this time is \$35,000.00, which includes sand, bags, dumping fees and other related expenses.
- City staff has submitted application forms for one (1) property that meets the requirements for a Severe Repetitive Loss (SRL) program. Staff is working with SEMA regarding the application.
- Staff has submitted an NOI for the Hazard Mitigation Grant Program (HMGP) that now includes 3 properties. This program requires a twenty-five (25) percent match, which can be a local match or a match by the affected property owners.
- Staff has submitted an NOI for public properties which includes damages to park properties and possible reimbursement for sandbags, sand and other flood clean-up. Staff is currently working with FEMA in regards to this submittal for reimbursement.
- City staff is continuing to work with affected residents and SEMA.

10) Board of Alderman Work Session – Overview of Public Works Committee

- Attorney Jones will be addressing the various City committees at upcoming Board of Alderman Work sessions.
- At the June Board of Alderman Work session Attorney Jones will give an overview of the Public Works Committee, its composition and codified functions.

11) Project Updates

- **West Watson**
 - The final Plans, Specifications and Estimates (PS&E) have been submitted to MoDOT. MoDOT has performed their initial review and returned comments to the consultant. The consultant has addressed the comments and re-submitted to MoDOT.
 - MoDOT should be issuing the Authority to Advertise shortly.
- **Eddie and Park Sidewalk Contract**
 - A pre-construction meeting will be held at 1:00 pm on Wednesday, June 1, 2016.
 - Construction should begin sometime later in June. A better estimate will be available following the Wednesday meeting.
- **East Watson Sidewalk**
 - Staff is working with Oates Associates on the final plans for the project.
 - The area just east of Lindbergh is a difficult area due to the trees and slope to the south of the proposed sidewalk.

- **Lindbergh Sidewalk Project**
 - The consultant is preparing preliminary plans for the project.

12) Other Matters Deemed Appropriate

MINUTES OF
PUBLIC WORKS COMMITTEE

Thursday, April 7, 2016

6:00 P.M.

NOTE: A Liberty Meeting Recorder Operator was not available for this meeting. The City maintains an MP3 file of this meeting on their computer network. Those desiring a copy of same can file an FOI request for this media. We apologize for any inconvenience.

The Sunset Hills Public Works Committee will hold a meeting on Thursday, April 7, 2016 at 6:00 P.M. in the Public Works Conference Room located at 3939 S. Lindbergh Blvd.

Chairman Musich brought the meeting to order at 6:09pm.

Roll Call.

Present: Rich Gau, Tom Musich, Kurt Krueger.

Absent: Pat Fribis

Alderman Ernst
Frank Hardy – 421 Rayburn
Casey Wong – 10296 E. Watson
Steve Hauser – 10728 Forest Path
Mr. & Mrs. Yanker – 10800 Forest Path
Donald Parker – 10760 Forest Path
Several other unidentified residents of Forest Path Drive

1. Approval of Minutes from March 3, 2016

Motion: Approval of Minutes

Action: Approve,

Moved by Kurt Krueger,

Seconded by Rich Gau.

Motion passed unanimously.

2. Citizen Comments

Chairman Musich deferred immediately to those in attendance representing the next agenda item.

3. Forest Path – Sanitary Sewer Issue – Alderman Ernst

Chairman Musich recognized Alderman Ernst and several residents from Forest Path regarding sewer back-ups into basements. Chairman Musich asked for a spokesman for the group. Steve Hauser of 10728 Forest Path spoke of four major events that have overcharged the main lines

according to MSD. He said the residents are organizing and expect to get results now. Mr. Hauser said we are looking for a coordinated effort with the City of Sunset Hills.

Chairman Musich asked Mr. Baker to cover the City's response in this matter. Mr. Baker said the City has been in contact with MSD on this issue. He said that after three calls, MSD will respond to the matter. Mr. Baker asked if members of the Yanker family were present. There was a response and they identified their address at 10800 Forest Path. Mr. Baker said that MSD claims there is a pump stage problem versus an overcharge issue. Mr. Hauser responded that he has documentation on the history of the problem and he asserted that it will show MSD indicated it was an overcharged main issue.

Mr. Baker summarized that the City does not have technically have jurisdiction in the matter, but can assist with coordination of contact for residents who require help in communicating with MSD.

There were several anecdotal examples of the issues here from unidentified residents on Forest Path.

Chairman Musich asked Mr. Hauser if he could help summarize the issues that have been incurred for proper presentation to MSD by the City. Mr. Hauser pointed out that another problem is the storm water discharge off of Mentz Hill Rd. He asked the City to look into improvements in this area first. Chairman Musich asked Mr. Baker if he could look into such an improvement with MSD. Mr. Baker responded that he is working with two MSD engineers and would like to exhaust that effort in getting that answer before moving onto another issue.

Mr. Hauser stated that 2 homes have back-flow preventers and felt that this was needed on the other affected homes first. Mr. Baker pointed out that has to be agreed to by the individual homeowners. Mr. Hauser summarized that he agreed with Mr. Baker's tact at this point.

Alderman Ernst asked if the holding tank could be reviewed for design capacitance as well as the sanitary sewer design of the area. She also expressed that she's heard of design flaws in the subdivision and asked if they MSD was the responsible jurisdiction. Mr. Hauser responded that the likelihood of that tact would be remote at best and reiterated he supported Mr. Baker's tact on the matter. Chairman Musich summarized his agreement with this methodology.

Mr. Baker asked if Mr. Hauser would agree to be his contact on the matter. Mr. Hauser agreed and shared contact information with Mr. Baker.

Donald Parker of 10760 Forest Path asked how much the City could get involved with quick remediation efforts. Mr. Baker said we could look at the area. Mr. Parker expressed his lack of confidence in resolving such matters with MSD and felt the City could be quite effective in some small mitigation of siltation of existing facilities.

Mr. Hauser, Mr. Parker, and Alderman Ernst expressed concern over MSD response they've received on this matter so far.

Alderman Krueger asked Mr. Baker if the sanitary and storm sewers are indeed separate systems. Mr. Baker said that they are separate systems. He explained that he understood the matter to be infiltration of storm water into a sanitary system that needs maintenance. Mr. Parker explained that part of an insufficient design was likely caused by other development in the area like Alswell Pointe.

Chairman Musich again asked if Mr. Baker could follow up on this matter. Mr. Baker responded affirmatively. Chairman Musich reiterated that communication would happen in this scenario between Mr. Baker and Mr. Hauser. The Forest Path residents in attendance left the meeting at this time.

4. City Hall – Automatic Locks/Other Lobby Enhancements

Mr. Baker reported that he spoke to Alderman Krueger on the details of this matter. Alderman Krueger said he toured several other municipal city halls. He added that in the case of Kirkwood, not much in the way of facility changes have occurred, but they are manning their facility with police officers.

Mr. Baker said that in several cases, there are no considerations for security. He said he envisions something in between nothing and a heavily secured area. Mr. Baker stated that a large transaction area with secure windows is the concept.

Mr. Baker said he needs to solve the lone receptionist in the Public Works office who is by herself from 4-5pm each day and would be happy to make things consistent for both sides of City Hall if that is desired by all involved.

The Committee discussed several options and reasons for the discussion of City Hall security. It was determined that Mr. Baker and Alderman Krueger would continue to develop the methodology on how to approach this matter and then bring this back to the Committee for consideration.

5. Lindbergh Sidewalk Project – Contract - \$59,200.00

Mr. Baker reported that with the Oates approval from last meeting, a contract was developed and is ready for approval by the Committee for the amount toward design.

Motion: Recommendation of Board approval of the Lindbergh Sidewalk Design Project with Oates & Associates for \$59,200.00,

Action: Approve,

Moved by Rich Gau,

Seconded by Kurt Krueger.

Motion passed unanimously.

6. Hadley Hill road Improvements – Scope & Contract – Not to exceed \$30,000.00

Mr. Baker updated the committee on negotiations with HR Green. He stated they are a little concerned about the definition of the scope. Mr. Baker said they would like to put together a concept plan after some geotechnical study, and re-approach the residents in the area with that plan. The Committee discussed what the residents desired in the first public input meeting and how that would interface with the development of a concept design for \$30,000. Chairman Musich described his interpretation of this approach as being a diagnostic of a proper course of action on this matter. Mr. Baker defined this with the desire to relocate the road to within rights of way, improvement of utility placement in the area, with a much needed and desired improvement by everyone of the storm water capability of the street.

Motion: Recommendation of Board approval of the Design Contract for Hadley Hill Road Improvements with HR Green in the amount of not to exceed \$30,000.00,

Action: Approve,

Moved by Kurt Krueger,

Seconded by Rich Gau.

Motion passed unanimously.

7. Concrete Slab Replacement Project - \$223,850.00

Mr. Baker reported that this project was bid out. He said that bids are 5-10% higher than last year. Alderman Gau asked about attempting to try to work with a contractor under a longer term than each year. Alderman Krueger expressed concern over the amount of construction in the area and the addition of this project.

Motion: Recommendation of Board approval of M&H Concrete for the Selected Concrete Slab Replacement Project in the amount of \$223,850.00,

Action: Approve,

Moved by Rich Gau,

Seconded by Kurt Krueger.

Motion passed unanimously.

8. Stop Sign Request – Hilltop and Leebur – Alderman Krueger

Alderman Krueger asked if we could gather information to answer this question from the residents. Mr. Baker responded that Wes Searcy will perform a traffic count to define what is required for the Committee.

Alderman Krueger expressed concern he's heard with regard to the relocation of some "Dead End" signs in this area.

9. Flood Information – Update

Mr. Baker updated the committee on the status of flood follow-up. He said we are still at about \$35,000 of City expenditures. He said the he and Gerald Brown will be meeting Monday with FEMA with regard to the Public Assistance in support of some documentation required for that to move forward.

Mr. Baker indicated that a Notice of Interest (NOI) was filed for the one property that incurred the Severe and Repetitive Loss. He added that the NOI has also been filed for the HMGP for the seven other properties. No response on that is expected until this fall for the City to respond to in kind. Alderman Gau asked about a house that was sold. Mr. Baker responded that he found about this when contacting this resident to check their participation in the NOI for the HMGP and they refused to participate, stating the home was under contract for sale.

10. Project Updates:

- West Watson – Mr. Baker said that MODOT is reviewing the property acquisition files and we should soon get approval on those. He reported that MODOT has the final plans back

from Horner & Shifrin with requested revisions and we expect to get approval to bid the project within the next 30 days.

- Eddie and Park Sidewalk – Mr. Baker sought approval of the Eddie & Park Sidewalk Project for the low bid submitted by Spencer Contracting in the amount of \$123,646.23,

Motion: Recommendation of Board approval of Spencer Contracting in the amount of \$123,646.23,

Action: Approve,

Moved by Kurt Krueger,

Seconded by Rich Gau.

Motion passed unanimously.

- East Watson Sidewalk – Mr. Baker stated that we had the Public Input Meeting on March 17, 2016. He said that comments from residents were discussed with the designer. Mr. Baker added that we are looking at the feasibility of narrowing the sidewalk from 6' to 5' and adding a 2' grass strip. He commented that this should work in most locations other than 8803 Woodfox due to some tree conflicts. Mr. Baker said the other main issue was the Econo-Lodge property and the possible loss of the existing trees. He said that he and the designer feel that the curb could be widened, narrowing the width of the street in an effort to save those trees per concerns expressed by the residents toward the project. Mr. Wong was complimentary of the way the Public Works Department worked with the residents on this project at the Public Input Meeting.
- Lindbergh Sidewalks – Mr. Baker stated this matter was covered earlier in the meeting.

11. Other Matters Deemed Appropriate

There were no other matters for discussion.

Motion: To Adjourn,

Action: Adjourn,

Moved by Rich Gau,

Seconded by Kurt Krueger.

Motion passed unanimously at 7:28pm.

Respectfully,

Bryson Baker, PE
City Engineer / Director of Public Works

5-9-16

To whom it may concern:

We are investigating the pump station and connecting sanitary lines (reaches) for Forest Path. I spoke with Mark Bright at approximately 8 AM on Tuesday, 5-3-16, about this system. He was going to further investigate the possibility of adding more intervals to the pumping, checking on the floats, and confirming some correction on the alarms. His group is also looking into some other possible trouble spots. I will be viewing the TV work on the sanitary reaches in the immediate subject area, completed about a week ago. I have been in touch with a couple home owners on Forest Path on a consistent basis.

At this time we are working toward solving these problems, rather than installing check valves at all homes involved.

Richview Drive has several addresses that have qualified for the sewer separation Program, and check valves have been installed on many. Address 10250 is currently waiting for the contractor to install a check valve, while 10238 and 10258 have recently had check valves installed. Address 10244 qualifies, and we are waiting for them to get their lateral corrected before a check valve will be installed. There is a current Oracle Project 11740, East Watson separate sewer I/I removal, for this subject area.

Respectfully submitted,

Kim Rumpsa

Bryson E. Baker

From: Higginbotham, Margie (LG) <MHigginbotham@LATHROPGAGE.COM>
Sent: Wednesday, March 16, 2016 1:56 PM
To: bbaker@sunset-hills.com
Cc: Sanders, Jeff (jsanders@naidesco.com); rgflynn@sterlingpharma.com
Subject: Tapawingo on the Green Sunset Hills

Sending on behalf of John P. King.

As per Ordinance 2000 this e-mail will serve as an application to the City of Sunset Hills filed on behalf of the residents of Tapawingo on the Green, Manors at Tapawingo and the Tapawingo Golf Course and Clubhouse requesting that the City accept the streets of these residents and the Golf Club for maintenance. I am sending under separate cover all of the documents that we were able to find in the City records. After you have had time to review these documents please let me know what ones are missing and we will try to locate them. I will try to have the documents to you in the next five (5) to ten (10) days.

If you desire to have the Trustees accompany your inspection of the streets, please let me know.

If you need any further information, please let me know. Thank you.

LATHROP & GAGE LLP
Margie Higginbotham
Legal Administrative Assistant
Pierre Laclède Center, 7701 Forsyth Boulevard, Suite 500 | Clayton, MO 63105
P: 314.613.2564 | F: 314.613.2801 | MHigginbotham@LATHROPGAGE.COM
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LATHROP & GAGE_{LLP}

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PIERRE LACLEDE CENTER
7701 FORSYTH BOULEVARD, SUITE 500
CLAYTON, MISSOURI 63105
PHONE: 314.613.2800
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April 4, 2016

Bryson E. Baker, P.E.
Director of Public Works
City of Sunset Hills
3939 South Lindbergh Boulevard
Sunset Hills, Missouri 63127

RECEIVED
APR 05 2016
CITY OF SUNSET HILLS

Dear Bryson:

As you know I represent Tapawingo On The Green and The Manors At Tapawingo on their application requesting that the City of Sunset Hills take over the streets of "On The Green" and "Manors" for the repair, maintenance and replacement of the streets of the two (2) subdivisions.

I am providing you with the following information on the streets in the Manor and On The Green subdivisions:

- A. A color coded map designating those streets that are to be the property of the City. I believe the map is self-explanatory but if you need any help let me know.
- B. The other Subdivision's, Tapawingo Place, streets are to remain private streets.
- C. I am submitting the Indentures and Amendments to the Indentures and the plats for "The Manors" and "On The Green" to you as a part of our submittal.
- D. I am also sending you pictures of our streets to indicate the thickness of the concrete and the base. We will also send additional pictures as they become available.
- E. I am also providing a Paser Rating on the private streets done by the City a few years ago.

Bryson Baker
April 4, 2016
Page 2

As additional information becomes available I will forward to you.

Very truly yours,

LATHROP & GAGE LLP

By: 
John P. King

JPK/mh
Enclosures

LATHROP & GAGE_{LLP}

RECEIVED

APR 13 2016

JOHN P. KING
DIRECT LINE: 314.613.2809
EMAIL: JPKING@LATHROPGAGE.COM
WWW.LATHROPGAGE.COM

PIERRE LACLEDE CENTER
7701 FORSYTH BOULEVARD, SUITE 500
CLAYTON, MISSOURI 63105
PHONE: 314.613.2800
FAX: 314.613.2801

CITY OF SUNSET HILLS

April 14, 2016

Bryson E. Baker, P.E.
Director of Public Works
City of Sunset Hills
3939 South Lindbergh Boulevard
Sunset Hills, Missouri 63127

Dear Bryson:

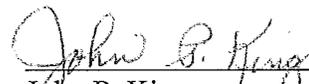
Enclosed please find additional photos of the pavement replacement work on Caddyshack Circle in the Manors of Tapawingo. These replacement concrete pads cover the length of Caddyshack Circle from 9200 to the 9400. These photos, plus the ones provided earlier, provide a good insight into the pad thickness for Caddyshack Circle. Clearly all are greater than 7 inch thickness.

As additional information becomes available I will forward to you.

Very truly yours,

LATHROP & GAGE LLP

By:


John P. King

JPK/mh
Enclosures

ORDINANCE NO. 2000

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES WITH RESPECT TO
ACCEPTANCE OF PRIVATE STREETS FOR CITY MAINTENANCE**

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Appendix A, Section 2 of the Code of Ordinances of the City of Sunset Hills shall be amended by adding the following as a new subsection 2.4 thereto:

2.4 Procedure for acceptance of private streets for public maintenance: The following procedures shall be followed in order to present an application to the Board of Aldermen for acceptance of private streets for maintenance by the City of Sunset Hills, Missouri ("City"):

(a) The adjacent property owners or their representative ("applicant") shall submit an application to the Department of Public Works ("Department") requesting that the City consider accepting a private street for maintenance by the City. If the subject street is within a subdivision that has a homeowners' or property owners' association, the application shall be joined or written by an authorized representative of the association board, and the application shall include any subdivision plat, indentures, declarations, bylaws, and any other governing documents applicable to the subdivision.

(b) The Director of Public Works shall present the application to the Public Works Committee. The Department shall review the condition of the subject street and document all of the Department's concerns including but not limited to street condition, legal issues and ownership issues. The Department shall also prepare a non-compliance report of any deficiencies that do not comply with Sunset Hills street standards and codes. The Department shall further prepare a report regarding the annual maintenance costs to the City if the private street is accepted for public maintenance. The Department's reports will be presented to the Public Works Committee and provided to the applicant.

(c) If the subject street is not fully compliant with all Sunset Hills street standards and codes, then the applicant shall submit detailed engineering plans which specify all necessary improvements required to cure any deficiency and bring the street into full compliance with City standards and codes. The proposed construction plan shall include a complete and accurate cost estimate for all proposed improvements and shall be certified by a licensed and registered design

professional. Thereafter, the construction plans shall be reviewed by the Department to determine whether the application and plans are complete and will cure the deficiencies.

(d) The application, construction plans, and Department reports shall be submitted to the Public Works Committee, then to the Planning and Zoning Commission for review, evaluation, and a recommendation for approval. The applicant shall meet with the Public Works Committee and Planning and Zoning Commission and jointly collaborate in an attempt to resolve all outstanding issues relating to street standards. The Public Works Committee shall provide a recommendation to the Planning and Zoning Commission in favor of or against approval of the application. The Planning and Zoning Commission shall provide a recommendation to the Board of Aldermen in favor of or against approval of the application.

(e) The recommendations of the Public Works Committee and the Planning and Zoning Commission together with the application, construction plans, and all Department reports shall be presented to the Board of Aldermen for consideration. The Board shall consider, among other factors, who benefits from accepting the private street for public maintenance, the annual costs to the City, and any compelling public interest in accepting the private street. The City shall not accept any private street that does not allow public access.

(f) The Board of Aldermen shall vote on whether to accept the private street(s) for public maintenance and the Board's acceptance is conditional upon the timely construction of improvements to raise the street(s) to City street standards and code. The recommendations of the Public Works Committee and the Planning and Zoning Commission shall not be binding upon the Board of Aldermen. Construction shall begin within three months of conditional Board acceptance and shall be completed within one year without penalty unless expressly approved otherwise. The applicant is responsible for ensuring that construction is timely and properly completed, as agreed, in order to raise the street to City standards and codes. The applicant is responsible for all costs including but not limited to the costs of inspection, construction plans, and construction.

(g) Upon the Director of Public Works certifying that the subject street is fully compliant with City standards and codes, the Director will so inform the Board of Aldermen. Thereafter, the Board's acceptance will no longer be conditional and the private street shall be deemed accepted by the City for public maintenance.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED THIS 23rd DAY OF February, 2016.

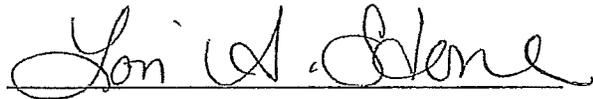


MAYOR

APPROVED THIS 23rd DAY OF February, 2016.



MAYOR

ATTEST: 
DEPUTY CITY CLERK

BILL NO. 18

ORDINANCE NO. 1764

AN ORDINANCE REPEALING CHAPTER 12 SOLID WASTE OF THE CODE OF ORDINANCES AND ENACTING IN LIEU THEREOF A NEW CHAPTER 12 WITH THE SAME SUBJECT MATTER.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section 1: Chapter 12 of the Code of Ordinances is hereby repealed.

Section 2: Enacted in lieu thereof is a new Chapter 12 which reads in its entirety as follows:

Chapter 12 SOLID WASTE

Sec. 12-1. Definitions.

Sec. 12-2. Violations.

Sec. 12-3. Storage.

Sec. 12-4. Collection.

Sec. 12-5. Disposal.

Sec. 12-6. Insurance and bonds.

Sec. 12-7. Business, commercial and industrial establishment containers.

Sec. 12-8. Prohibited acts.

Sec. 12-9. Service charges.

Sec. 12-10. Complaints and reports.

Sec. 12-11. Penalties.

Sec. 12-12. Composting.

Sec. 12-13. Demolition and construction waste.

Sec. 12-1. Definitions.

For the purpose of this Chapter, the following terms shall be deemed to have the meaning indicated below:

Bulky Items or Large Household Items: Items other than normal household trash including, but not limited to: furniture, and any other items which cannot be safely and conveniently loaded into a solid waste transportation vehicle. Specifically excluded are white goods, concrete and bricks, vehicle parts, tires, abandoned cars and car parts, whole trees, and construction materials.

Collection: Removal and transportation of any waste from its place of storage to its place of processing or disposal.

Commercial waste: Solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than one (1) dwelling unit.

Containers: Any receptacle for storage, transportation and/or disposal of any waste materials as set forth herein, including household service carts and dumpsters. Containers shall be of such material, design, strength, size, capacity and weight as established by the Director of Public Works.

Contractor: The privately operated firm contracted with by the City to provide the collection of waste materials as set forth in this Chapter.

Curbside recycling: Collection and disposal of recyclable materials.

Demolition and construction waste: Waste materials from the construction or destruction of residential, industrial or commercial structures.

Demolition and construction waste containers: Containers exceeding a capacity of one hundred (100) gallons used primarily for storage, transportation and/or disposal of demolition and construction waste.

Director of Public Works: The Director of Public Works of the solid waste program of the City shall mean the Director of Public Works or his/her designee.

Disabled pickup: Residential disposal service for persons with disabilities.

Dwelling unit: Any room or group of rooms located within a structure, and forming a habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating. Dwelling units include single family homes, two family units, and condominiums.

Garbage: Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, servicing or consumption of food.

Hazardous wastes: Includes but is not limited to pathological wastes, explosive wastes, pesticides, pesticide containers and toxic or radioactive materials.

Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property, either as the owner or as a tenant.

Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, political subdivision or organization of any kind, or its legal representative, agent or assigns.

Processing: Incinerating, composting, baling, shredding, salvaging, compacting and other processes whereby solid waste characteristics are modified or solid waste quantity is reduced.

Recyclables: Those materials that are accepted as a renewable resource and are able to be collected for such purpose. Recyclable materials include the following:

Containers:

- Glass bottles and jars - (clear, brown, green) does not include window glass, dinnerware or ceramics
- Aluminum and metal food cans
- Aluminum trays and foil
- Aseptic packaging and gable top containers (milk and juice cartons)
- Steel cans and tins

Plastics:

- PET soda, milk, water, and flavored beverage bottles (#1 clear and green plastic resin)
- HDPE detergent and fabric softener containers (#2 colored plastic resin)
- PVC narrow neck containers only (#3 plastic resin); examples include health and beauty aid products, household cleaners
- LDPE grocery containers (#4 plastic resin); examples include margarine tubs, frozen dessert cups, six and twelve pack rings)
- PP grocery containers (#5 plastic resin); examples include yogurt cups, narrow neck syrup and ketchup bottles
- #7 plastic resin grocery - narrow neck containers only

Paper:

- Newspaper, including inserts (remove plastic sleeve)
- Magazines, catalogues and telephone books
- Kraft (brown paper) bags
- Office, computer, notebook and gift wrap paper
- Chipboard (cereal, cake and food mix boxes, gift boxes, etc.)
- Carrier stock (soda and beer can carrying cases)
- Junk mail and envelopes
- Paper back books (does not include hard cover books)
- Cardboard (no waxed cardboard)

Recycling containers: A durable container provided by the Contractor suitable for curbside recycling pickup.

Residential waste: Solid waste resulting from domestic activities and the maintenance and operation of dwelling units

Solid waste: All semi-solid and solid waste derived from and during the procurement, storage, processing, cooking, and consumption of food materials of animal, vegetable or synthetic origin, which are intended for and are used by residents, for the refreshment or sustenance of human beings or animals. Solid waste shall not include dead animals, animal parts, and household hazardous waste such as wet paint, pesticides, strong clean air agents, tires, auto batteries, and combustibles of all kinds. Solid waste shall not include ashes stored in ash pits, parts of trees, bushes, and soil, mortar, plaster, concrete, bricks, stone, gravel, sand and all waste or leftover materials resulting from grading, excavation, construction, alteration, repair or wrecking of buildings, structures, walls, roofs, roads, streets, walks or other facilities and such items of rubbish whose weight, size, dimension, and shape require more than one man for removal.

Solid waste disposal: The process of discarding or getting rid of unwanted waste materials.

Storage: Keeping, maintaining or storing solid waste from the time of its production until the time of its collection.

Tires and lead-acid batteries: Automobile and vehicle tires and batteries.

White goods: Household metal goods such as appliances and water heaters, stoves and dishwashers.

Yard waste: Grass clippings, leaves, vines, hedges and shrub trimmings, tree trimmings, and tree limbs. Yard waste does not include dirt or rocks.

Sec. 12-2. Violations.

Any person violating any of the provisions of this Chapter, or any lawful rules or regulations promulgated pursuant hereto, shall be guilty of an offense and shall be fined not to exceed one thousand dollars (\$1,000.00). ~~Every day that this section is violated shall constitute a separate offense.~~

Sec. 12-3. Storage.

(a) The occupant of every dwelling unit and of every institutional, commercial or business, industrial or agricultural establishment producing solid waste within the corporate limits of the City, shall provide sufficient and adequate containers for the storage of all solid waste, except bulky waste and demolition and construction waste, to serve each such dwelling unit and/or establishment, and to maintain such solid waste containers at all times in good repair.

(b) The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain the area surrounding the containers in a clean, neat and sanitary condition at all times.

(c) All containers shall be leak proof, waterproof, and fitted with a fly-tight lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails or other suitable lifting devices or features. Except while permitted to be located at the curb for collection by the Contractor as described in Section 12-4(f) of this Chapter, all containers shall be located only behind all street frontages of the main building on the parcel or in a manner in which such containers are not visible from the street.

(d) Commercial solid waste shall be stored in solid waste dumpsters as approved by the Director of Public Works.

(e) Yard wastes, with the exception of "limbs" as referenced in subsection (f) below, shall be stored in containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises or upon adjacent public rights-of-way.

(f) Tree limbs less than four (4) inches in diameter and brush shall be securely tied in bundles not larger than forty-eight (48) inches long and eighteen (18) inches in diameter when not placed in containers.

Sec. 12-4. Collection.

The City will provide for the collection of solid waste, in accordance with the regulations, terms and conditions as established by the City, approved by the Board of Aldermen and implemented by the Director of Public Works. The following regulations, terms and conditions apply to collection of solid waste in the City:

(a) *Residential solid waste, bulky waste and recyclables.* The City will provide for the collection of all residential solid waste, bulky waste and recyclables in the City, and provide the collection service by contracting with a privately operated firm. There shall be one (1) solid waste collector for all waste areas. Solid waste service is mandatory for all residential properties. Payment of any fees associated with this service as provided under the City's solid waste collection contract shall be the sole responsibility of the property owner. Residential solid waste and recyclables shall be collected at least once per week, on the same day at the front curb line. Recyclables are to be picked up in

Contractor supplied wheeled containers, sixty-five (65) gallons in size. Solid waste is to be picked up in trash containers supplied by the resident that are left unmarked or in containers rented from the Contractor that have a capacity up to ninety-five (95) gallons. Bulky items shall be collected at least twice per year on a designated date and advertised to residents by Contractor. Unlimited items can be set out on the designated pick up day for bulky items. Collection of the City's residential solid waste, bulky waste, yard waste, and recyclables shall be accomplished any day, excluding Sunday. There shall be no limit to the amount of residential solid waste or recyclables set out for collection on a weekly basis. Materials collected for recycling at the curb shall include those materials as established by the Director of Public Works for inclusion in the collection service contract. All spillage of waste at any stage of the collection and transportation operation shall be immediately and completely removed by the Contractor.

(b) *Yard waste.* Collection of yard waste, at a maximum of ten biodegradable paper bags or ten marked lidded trash containers supplied by residents, will be made at the front curb line on the same day as the solid waste and recycle pick up for that particular residential property. The frequency of yard waste collection shall be weekly for those residents that elect to receive this service. All yard waste, with the exception of bundled brush and tree limbs, is to be collected in approved containers. Brush and tree limbs are to be tied into bundles no longer than four (4) feet in length and having a diameter no greater than eighteen (18) inches. Limbs and bundles must be of a weight to be carried easily and safely by one man. Other yard waste materials must be placed in a lidded trash can or biodegradable paper bag.

(c) *Special pickup.* This collection and disposal, on request, includes large household items, bulky waste in addition to the required two annual pick-ups, and white goods as indicated in the definitions. Automobile tires and lead acid batteries are not to be picked up as a part of the solid waste services provided under the contracted services.

(d) *Senior citizen program.* Residents sixty-five (65) years of age or older are eligible for this program. Persons participating in the program shall receive residential waste pickup at the rates in accordance with the contract between the City and the Contractor. Collection is limited to once per week solid waste pick up (up to one 65 gallon container) and once per week recycle pick up (in 65 gallon container provided by Contractor).

(e) *Limitations.* All solid waste collected shall, upon being loaded into collection equipment, become the property of the collecting agency.

(f) *Location of containers, bundles.* Tree limbs and yard waste, as described in subsection 12-3(e) and (f) respectively, shall be placed at the curb for collection. Containers as required by this Chapter for the storage of other solid waste shall be placed at the curb for collection. No containers or waste of any type shall be placed on the roadway or roadway shoulder for pick up. Any containers, tree limbs, yard waste, bulky items, white goods or other solid waste permitted by this Chapter to be placed at the curb for collection shall not be left at the curb any time other than from 4:30 p.m. the evening before the scheduled pickup to 11:00 p.m. the evening of the scheduled pickup. Collectors shall return to the curb the emptied containers with lids firmly in place on the containers.

(g) *Entry upon private property.* Collection vehicles shall not enter upon private property, except private streets, nor shall driveway aprons or sidewalks be used to facilitate a turn around. Facilities damaged by the Collector shall be replaced promptly

with like facilities by the Contractor at his sole expense. Solid waste collectors shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon the written request of the owner and approval by the Director of Public Works.

(h) *Schedule for pickups.* No collection shall occur on the six annual legal holidays. Each pick-up day of the holiday week after the holiday will be serviced one day late. All collections shall occur between the hours of 7:00 a.m. and 5:00 p.m. Variations from the published collection schedule shall receive prior approval by the Director of Public Works. Upon receiving prior City approval, the Contractor shall be responsible for direct mailing to each residential unit notifying them of any changes in collection days due to a holiday at least one (1) week prior to the affected collection day. The collectors and truck operators shall exercise care to keep noise at a minimum, particularly during early morning hours. No waste shall be transported in the loading hoppers of trucks. The Contractor shall establish regular routes and a schedule of collection days for each collection point. Solid waste, yard waste, and recyclables must be collected on the same day for each individual property. Said schedules and routing and any changes thereto shall be approved by the Director of Public Works. It will be the Contractor's responsibility to provide notification to all affected residences of any approved changes to currently scheduled pickup days.

(i) *Commercial container access.* Commercial solid waste containers shall be stored upon private property, unless the owners shall have been granted written permission from the City to use public property for such purposes. The storage site shall be well drained and fully accessible to collection equipment, public health personnel and fire inspection personnel.

(j) *Non-approved containers.* Containers that are not approved will be collected together with their contents and disposed of.

(k) *Collection vehicles.* All collection vehicles shall be maintained in a safe, clean and sanitary condition and shall be constructed, maintained and operated as to prevent any spillage of solid waste there from. All compactor type vehicles to be used for collection of solid waste shall be constructed with watertight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. Vehicles shall be kept covered or closed at all times except when being loaded or unloaded. No solid waste shall be transported in the loading hoppers. All collection vehicles shall carry evidence of a current State of Missouri safety inspection. The gross axle weight of the solid waste disposal vehicles shall not exceed fifteen (15) tons. The gross vehicle weight of the vehicles shall not exceed twenty (20) tons for single axle trucks and thirty (30) tons for tandem axle trucks. No loaded or unloaded trucks will be allowed to be parked in the City overnight.

(l) *Material from excavations.* Permits shall not be required for the hauling or disposal of earth and rock material from grading or excavation activities. However, all such material shall be conveyed in tight vehicles, trucks or receptacles, so constructed and

maintained that none of the material being transported shall spill upon the public rights-of-way.

Sec. 12-5. Disposal.

(a) Solid wastes shall be disposed of at a processing facility or disposal area approved by and complying with all requirements of the Missouri Department of Natural Resources, the Illinois Environmental Protection Agency, or other regulating agency with jurisdiction over disposal of solid waste.

(b) The Director of Public Works may classify certain wastes as hazardous wastes which will require special handling and shall be disposed of only in a manner acceptable to the Director of Public Works and which will meet all local, state and federal regulations.

Sec. 12-6. Insurance and bond requirements.

(a) *Performance bond.* The Contractor shall post and maintain during the term of any contract, at his own expense, a surety bond equal in amount to one-fourth (1/4) of the current year contract price. The performance bond shall remain in effect for the term of the contract and shall be delivered upon contract execution. A new performance bond shall be delivered to the City at least thirty (30) days prior to the expiration date of an existing bond. The form of bond and the bonding company shall be subject to approval of the City Attorney. Said bond shall indemnify the City against the Contractor's failure or inability to comply with the terms of the contract and the manner and method of said performance.

(b) *Liability and Worker's compensation insurance.*

The Contractor shall provide a certificate of insurance which shall indemnify and hold harmless the City from any liability, claim, damage, or cause of action which may be sustained by or asserted against the City, directly or indirectly, or in any manner arising out of the performance or failure of performance on the part of the Contractor, and shall cover each vehicle used in the work covered by this agreement. The amount of such liability insurance shall not be less than \$3,000,000 single limit coverage. In addition, the Contractor shall carry Worker's Compensation Insurance in such amount as is prescribed by the statutes of the State of Missouri. The insurance shall be maintained in force during the term of this contract. Said insurance shall be carried in a firm or corporation satisfactory to the City and duly licensed or permitted to carry on such business in the State of Missouri. Such insurance policy or policies shall be filed with the City together with the certificate of the insurer that the policy or policies are in full force and effect and that same will not be altered, amended, or terminated without sixty (60) days prior written notice having been given to the City. All certificates of insurance shall specifically list the City as an additional insured with respect to the policies related to the specifications and the Contract Agreement.

Sec. 12-7. Business, commercial and industrial establishment containers.

(a) For the purposes of this section the following definitions are hereby adopted: *Business, commercial and industrial establishments.* In addition to the usual and ordinary meaning, shall include the owners and managers of office buildings, medical

centers and other buildings where the refuse and waste of all or some occupants of the buildings is collected for deposit in a refuse and waste receptacle.

Dumpsters. Heavy gauge metal containers for the deposit of refuse and waste, so designed that they may be lifted by power-operated forks for emptying into a vehicle hauling refuse and waste from the premises.

Refuse and waste: All matter which is discarded and placed in waste receptacles by business, commercial and industrial establishments as herein defined, for removal from the premises.

(b) All business, commercial and industrial establishments, as herein defined, shall use dumpsters for the deposit of refuse and waste as well as recyclables, and they shall be of sufficient size and number to receive all the refuse and waste from the premises they serve.

(c) No other type of receptacle shall be used by business, commercial and industrial establishments for the deposit of refuse and waste without the approval of the Director of Public Works.

(d) The Director of Public Works shall give notice to all business, commercial and industrial establishments in the City not now using dumpsters to obtain and use them within thirty (30) days after such notice.

(e) The Director of Public Works shall adopt regulations governing maintenance and inspection of dumpsters to the end that the scattering and spilling of refuse and waste shall be eliminated as herein provided.

(f) All persons owning, using or servicing dumpsters in the City shall comply with all regulations of the Director of Public Works adopted pursuant hereto.

(g) All spillage from dumpsters shall be immediately gathered and put into the hauling trucks or back into the dumpsters.

(h) All dumpsters shall be kept in good condition and repair, with all door and lids closed except when opened for depositing refuse and waste or when being emptied.

(i) All collections shall occur between the hours of 7:00 a.m. and 5:00 p.m. The collectors and truck operators shall exercise care to keep noise to a minimum, particularly during early morning hours.

Sec. 12-8. Prohibited acts.

It shall be unlawful for any person to:

(a) Deposit solid waste as defined herein in any container other than his own, without the written consent of the owner of such container and/or with the intent of avoiding payment of the service charge provided in this Chapter for collection and disposal;

(b) Interfere in any manner with solid waste collection equipment or with solid waste collectors in the lawful performance of their duties as such, whether such equipment or collectors shall be those of the City or those of a Contractor operating under contract with the City;

(c) Burn solid waste unless an approved incinerator is provided or unless a permit has been obtained from the appropriate air pollution control agency;

(d) Dispose of solid waste at any facility or location which is not approved by MDNR, IEPA or other agency having jurisdiction over disposal of solid waste;

(e) Engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City without a contract from the City.

- (f) Dispose of any solid waste hereunder, in any manner other than by depositing it in approved containers for pickup by the collector or by placing approved materials in a compost pile on the property owned and occupied by the person disposing of same.
- (g) Dispose of solid waste generated offsite or at another property.
- (h) Fail to have solid waste collected as provided in this Chapter.

Sec. 12-9. Service charges.

(a) The Contractor is responsible for the billing and collection of fees for services rendered to each household to which it provides services in the City. All billing will be at the beginning of the quarter for services to be provided for that quarter. Billing shall be on a quarterly basis. The Contractor shall provide a list of all units being billed, as requested by the City.

(b) The service charge and fee for collection of solid waste shall be in accordance with the price quotation for services which is made part of the contract between the City and Contractor which is approved by the Board of Aldermen, and assessed accordingly.

Sec. 12-10. Complaints and reports.

All complaints received by the Contractor or City shall be resolved within 24 hours. The Contractor shall maintain a daily log of all complaints received and time that complaint was resolved. The Contractor shall provide a monthly report to the City, which will include copies of the daily reports for the prior month. The Contractor will operate and maintain a Customer Service Center with the following minimum standards: 1) open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, during such time, all calls must be answered by a Customer Service Representative; 2) during all other times, calls to the Customer Service Center will be received by an answering service or machine; 3) the Contractor should implement procedures approved by the City whereby complaints can be received via fax, e-mail and web site. The Contractor shall submit monthly reports to the City which state the number of households served, the number of households participating in the City's curbside recycling program (based on accurate counts by the Contractor), the total volume of refuse and yard waste collected, and certified monthly records of total net tons of mixed recyclables collected within the City by the fifth working day of the following month.

Sec. 12-11. Penalties.

In the event that the Contractor shall fail or refuse to perform his duties and obligations under the contract, or shall become insolvent or shall become the subject of a proceeding in bankruptcy (including any proceeding under Chapter 11 of the Bankruptcy Act), or shall become the subject of any proceeding for the appointment of a receiver, or in the event of an assignment of assets by the Contractor for the benefit of its creditors, or the taking of the Contractor's trucks, equipment vehicles or other facilities used in connection with the performance of the work hereunder or any execution against the Contractor, in such events, the City may, at its option, declare the Contractor to be in breach of its contract. The remedies available to the City hereunder shall include, but not be limited to, collection on the performance bond posted by the Contractor, as well as any other rights or remedies at law or as set forth in the contract.

Sec. 12-12. Composting.

(a) The term "composting" means a controlled biological reduction of organic wastes to humus.

(b) Any person maintaining a compost pile shall comply with the following regulations:

(1) All compost piles shall be maintained using approved composting procedures to comply with the following requirements:

a. It is desirable to contain compost piles in a free-standing bin. Each compost bin shall be no larger in volume than one hundred twenty-five (125) cubic feet for properties ten thousand (10,000) square feet and less in size, with an additional one hundred twenty-five (125) cubic feet permitted for each additional ten thousand (10,000) square feet of area. Compost bins shall be no taller than four (4) feet. Compost bins shall consist of new materials and shall be constructed and maintained in a good and workmanlike manner.

b. All compost piles shall be maintained so as to prevent the attraction or harborage of rodents and pests. The presence of rodents in or near a compost pile shall be cause for the City to issue a complaint for violation of this provision.

c. All compost piles shall be maintained so as to prevent unpleasant, rotten-egg like, putrefactive, sweet, sour or pungent odors.

d. Unless written permission has been granted by the then current adjoining property owner, no compost pile shall be located less than five (5) feet from the rear or side property line, or within twenty (20) feet of any home, patio, pool or similar structure on the adjacent property. All compost piles shall be at least five (5) feet behind the front building setback line.

e. No compost pile shall be located where it will impede the natural free flow of storm water drainage.

(2) [Reserved.]

(c) *Ingredients:*

(1) No compost pile shall contain any of the following:

a. Lake weeds.

b. Fish, fowl, meat or other animal products.

c. Animal carcasses.

d. Items not normally composted.

(2) Permitted ingredients may include:

a. Yard waste.

b. Commercial compost additives.

c. Wood chips.

(d) Compost piles are for private use only. There shall be no commercial provision of material to be composted or commercial use of the product of such composting.

Sec. 12-13. Demolition and construction waste.

(a) Demolition and construction waste containers are permitted in all zoning districts for a period not to exceed seven (7) days. Should a demolition and construction waste container be required for a period exceeding seven (7) days, a permit must be obtained from the Director of Public Works. Permits will be granted based upon the necessity of the demolition and construction waste container for a period not to exceed what would reasonably be expected to complete the work requiring the demolition and construction

waste container. The Director of Public Works reserves the right to specify the location of a demolition and construction waste container as part of the permit.

- (b) Demolition and construction waste containers must be located on an asphalt or concrete surface and may not be located in a public street or right-of-way.
- (c) Off-site waste may not be transported to any demolition and construction waste container located within the City.
- (d) The demolition and construction waste containers shall be leak proof, odor-free, and maintained in a manner satisfactory to the Director of Public Works.
- (e) Demolition and construction waste containers shall be emptied as necessary, or within seventy-two (72) hours of notification from the City, and the waste shall be deposited at an appropriate facility.
- (f) No person shall store in or place demolition or construction waste in a container which is full. A demolition and construction waste container is full if no more waste can be added to it without making it unsafe or illegal to transport, if additional waste could be dispersed from the container by wind or gravity, or if deemed full by the Director of Public Works.
- (g) A demolition and construction waste container shall not be stored in a flood plain.
- (h) Any person or entity violating any provision of this section is guilty of a public offense, and upon conviction thereof shall be fined in a sum not to exceed one thousand dollars (\$1,000.00). Every day that this section is violated shall constitute a separate offense. The violation of any provision of this section is hereby deemed to be grounds for revocation of the permit issued hereunder.

Section 3: This Ordinance shall take effect immediately upon its passage and approval.

PASSED THIS 8th DAY OF December, 2009.

APPROVED THIS 8th DAY OF December, 2009.



[Signature]
MAYOR

ATTEST
[Signature]
CITY CLERK

STANDARDS GOVERNING USE OF STOP SIGNS BY MUNICIPALITIES

SUMMARY

“STOP” signs and other types of signs, traffic lights, road markings, and any other device that is used to regulate, warn, or guide traffic are “traffic control devices.” Several decades ago, Congress determined that uniformity in the use and display of traffic control devices was an important federal interest and passed laws requiring the U.S. Department of Transportation to develop and adopt uniform standards for these devices. These standards currently exist in a document known as the *Manual on Uniform Traffic Control Devices (MUTCD)*. The U.S. transportation secretary has decreed under authority granted by the Highway Safety Act of 1966 that traffic control devices on all streets and highway open to public travel in each state must be in “substantial conformance” with the standards issued and endorsed in the manual.

The manual contains standards and guidance for both the form and use of the various types of traffic control devices. The criteria the MUTCD identifies that should be considered when a decision is being made to use a particular type of traffic control device are also known as “warrants.” The standards and guidance in the MUTCD are universally accepted by traffic engineers and authorities at all levels, including municipalities, and are indicative of sound engineering judgment.

The MUTCD contains both general guidance for when STOP signs should be considered and more quantitative guidance for consideration when traffic officials are determining if signs should be installed on more than one approach to an intersection, i.e., “multiway” stops. Typical of the general guidance are stipulations that STOP signs should not be used for speed control and that, in most cases, the street carrying the lowest volume of traffic should be stopped rather than the busier street. Typical of the quantitative guidance applicable to consideration of multiway stops are criteria accounting for accident history for certain types of accidents that are amenable to correction from STOP signs, average traffic volumes on the major street approaches, average combined volume (vehicles, pedestrians, and bicyclists) on the minor street approaches, and approach speed of traffic on the major street.

FEDERAL LAW

Pursuant to federal statutory and regulatory requirements, the federal highway administrator of the U.S. Department of Transportation adopted the *Manual On Uniform Traffic Control Devices* (23 USCA §§ 109(d), 114(a), 217, 315, and 402(a); 22 CFR 655; and 49 CFR 1.48 (b)(8), 1.48 (b)(33), and 1.48(c)(2)). The manual defines traffic control devices as all signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or bikeway by authority of a public agency

having jurisdiction. The manual is incorporated by reference in 23 CFR, Part 655, subpart f, and is recognized as the national standard for traffic control devices on all public roads open to travel in accordance with 23 USCA §§ 109(d) and 402(a).

In the MUTCD, the U.S. Secretary of Transportation, under authority granted by the Highway Safety Act of 1966, decreed that traffic control devices on all streets and highways open to public travel in each state must be in substantial conformance with the standards issued and endorsed by the Federal Highway Administration.

MUTCD GUIDANCE FOR STOP SIGN INSTALLATIONS

General Guidance for STOP Signs

In terms of general guidance, the MUTCD (§ 2B.05) states that STOP signs should be used if engineering judgment indicates that one or more of the following conditions exist:

- Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law
- Street entering a through highway or street
- Unsignalized intersection in a signalized area
- High speeds, restricted view, or crash records indicate a need for control by the STOP sign

The MUTCD also states that STOP signs should not be used for speed control. This principle appears to be based on the results of several studies that have shown that when STOP signs have been installed for the purpose of controlling the speed of vehicles rather than to reduce the likelihood of vehicle conflicts at intersecting roads, the vehicle speeds between the sign installations typically increase over what they were prior to the signs being erected.

In addition, the MUTCD states that:

- STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. At intersections where a full stop is not necessary at all times, consideration should be given to using less restrictive measures such as YIELD signs.
- Once a decision has been made to install two-way stop control, the decision regarding the appropriate street to stop should be made based on engineering

judgment. In most cases, the street carrying the lowest volume of traffic should be stopped.

- A STOP sign should not be installed on the major street unless justified by a traffic engineering study.

The MUTCD lists several considerations that might influence the decision regarding the appropriate street upon which to install a STOP sign where two streets with relatively equal traffic volumes and/or characteristics intersect. These include:

- Stopping the direction that conflicts the most with established pedestrian crossing activity or school walking routes
- Stopping the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds
- Stopping the direction that has the longest distance of uninterrupted flow approaching the intersection
- Stopping the direction that has the best sight distance to conflicting traffic

Specific Guidance for Multiway Stop Applications

In addition to the general guidance and restrictions provided in Section 2B.05 of the MUTCD, it provides additional guidance for situations where a multiway, rather than a single stop will be used. It states that multiway stop control can be useful as a safety measure at intersections if certain conditions exist. Safety concerns associated with multiway stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multiway stop control is used where the volume of traffic on the intersection roads is approximately equal (§ 2B.07).

The guidance for multiway stops states that the decision to install a multiway stop should be based on an engineering study. The criteria, also known as *warrants*, that should be considered in such an engineering study are:

1. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic where arrangements are being made for the installation of the traffic control signal.
2. A crash problem, as indicated by five or more reported crashes in a 12-month period that are susceptible to correction by a multiway stop installation. Such crashes include right- and left-turn collisions and right-angle collisions.

3. Minimum volumes— (a) The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any eight hours of an average day, **and** (b) the combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same eight hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, **but** (c) if the 85th percentile approach speed of the major-street traffic exceeds 65 kilometers or 40 miles per hour, the minimum vehicular volume warrants are 70% of the ones noted above.

Where no single criterion is satisfied, but where criteria 1, 2, 3(a), and 3(b) above are all satisfied to 80% of the minimum values, criterion 3(c) is excluded from the consideration. In traffic engineering, the 85th percentile speed is the speed at or below which 85% of the motor vehicles travel.

The engineering study may consider other criteria as well. These may include: (1) the need to control left-turn conflicts; (2) the need to control vehicle-pedestrian conflicts near locations that generate high pedestrian volumes; (3) locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and (4) an intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: City of Sunset Hills
Street: Hilltop (North of Leebur)**

A study of vehicle traffic was conducted with HI-STAR unit number 3626. The study was done in the NB lane on Hilltop (North of Leebur) in City of Sunset Hills, MO in St. Louis county. The study began on 04/19/2016 at 02:00 PM and concluded on 04/21/2016 at 02:00 PM, lasting a total of 48 hours. Data was recorded in 15 minute time periods. The total recorded volume of traffic showed 805 vehicles passed through the location with a peak volume of 18 on 04/20/2016 at 07:45 AM and a minimum volume of 0 on 04/19/2016 at 09:45 PM. The AADT Count for this study was 403.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin.

Chart 1

0 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 >
0	18	136	408	181	36	10	4	2	4	1	1	1	1	0

At least half of the vehicles were traveling in the 20 - 24 mph range or a lower speed. The average speed for all classified vehicles was 24 mph with 7.47 percent exceeding the posted speed of 25 mph. The HI-STAR found 0.37 percent of the total vehicles were traveling in excess of 55 mph. The mode speed for this traffic study was 20 mph and the 85th percentile was 28.33 mph.

CLASSIFICATION

Chart 2 lists the values of the eight classification bins and the total traffic volume accumulated for each bin.

Chart 2

0 to 20	21 to 27	28 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 >
761	25	14	2	0	0	1	0

Most of the vehicles classified during the study were Passenger Cars. The number of Passenger Cars in the study was 786 which represents 97.90 percent of the total classified vehicles. The number of Small Trucks in the study was 14 which represents 1.70 percent of the total classified vehicles. The number of Trucks/Buses in the study was 2 which represents 0.20 percent of the total classified vehicles. The number of Tractor Trailers in the study was 1 which represents 0.10 percent of the total classified vehicles.

HEADWAY

During the peak time period, on 04/20/2016 at 07:45 AM the average headway between the vehicles was 47.37 seconds. The slowest traffic period was on 04/19/2016 at 09:45 PM. During this slowest period, the average headway was 900.0 seconds.

WEATHER

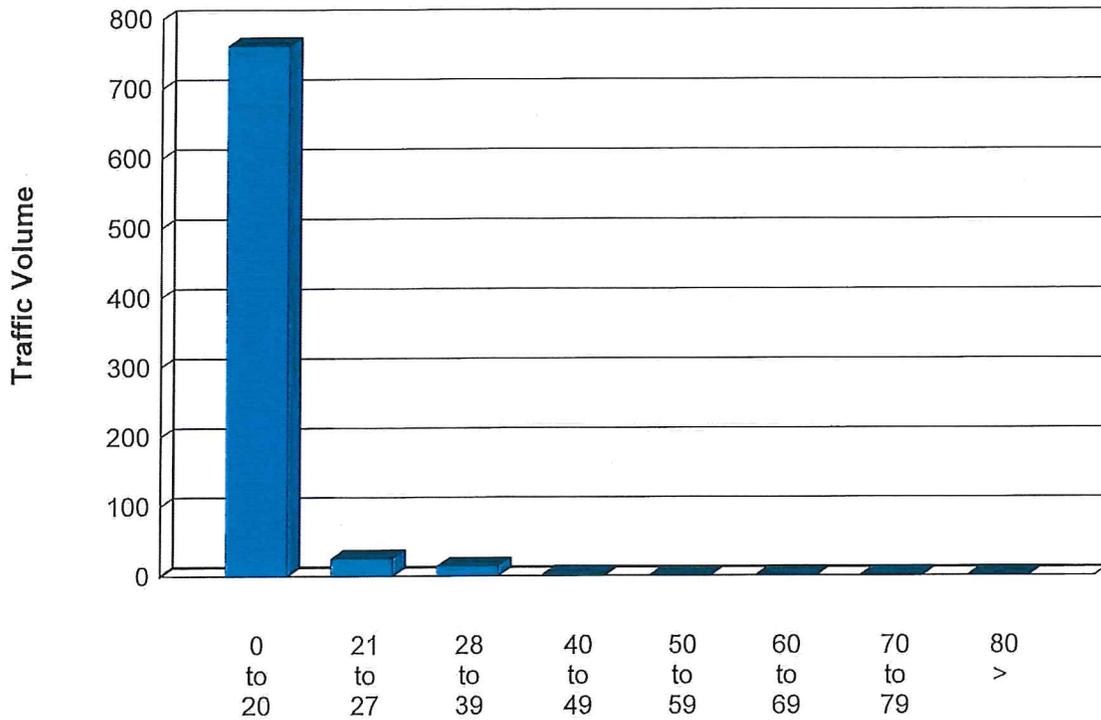
The roadway surface temperature over the period of the study varied between 64 and 93 degrees Fahrenheit. The HI-STAR determined that the roadway surface was Dry 83.85 percent of the time.

HI-Star ID: 3626
 Street: Hilltop (North of Leebur)
 State: MO
 County: St. Louis

Begin: 04/19/2016 02:00 PM
 Lane: NB
 Oper: WES
 Posted: 25
 AADT Factor: 1

End: 04/21/2016 02:00 PM
 Hours: 48:00
 Period: 15
 Raw Count: 805
 AADT Count: 403

Class/Volume Graph

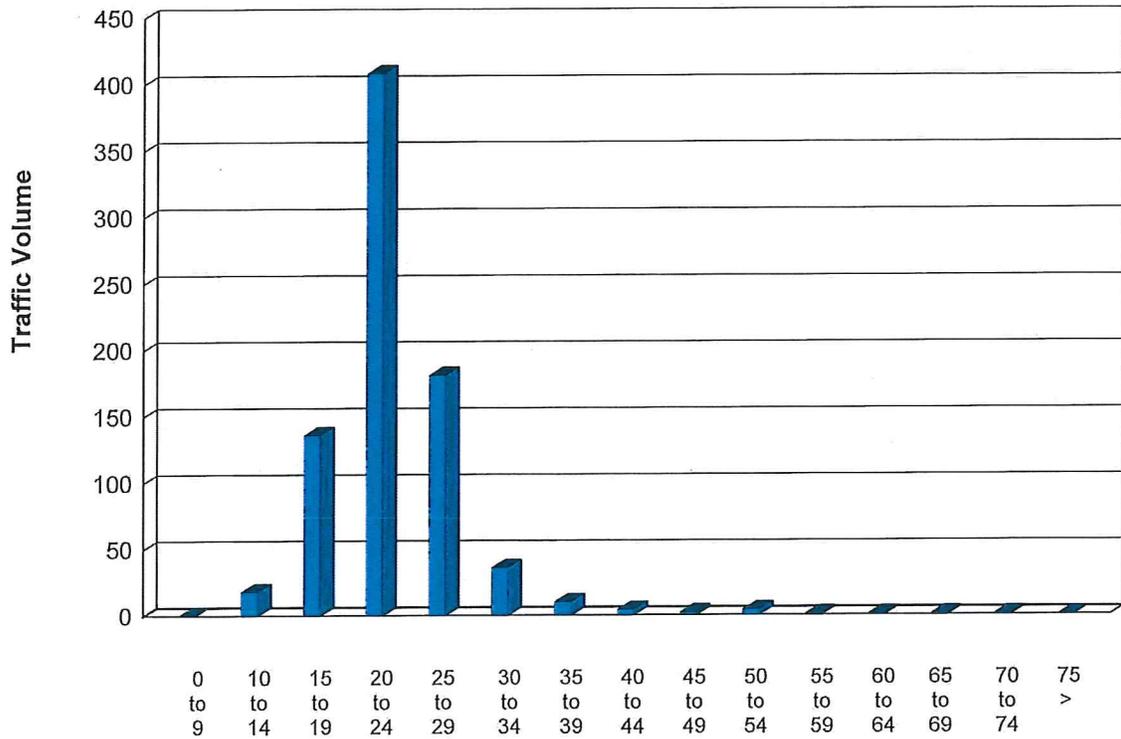


Total Counted:

761	25	14	2	0	0	1	0
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HI-Star ID: 3626	Begin: 04/19/2016 02:00 PM	End: 04/21/2016 02:00 PM
Street: Hilltop (North of Leebur)	Lane: NB	Hours: 48:00
State: MO	Oper: WES	Period: 15
	Posted: 25	Raw Count: 805
County: St. Louis	AADT Factor: 1	AADT Count: 403

Speed/Volume Graph



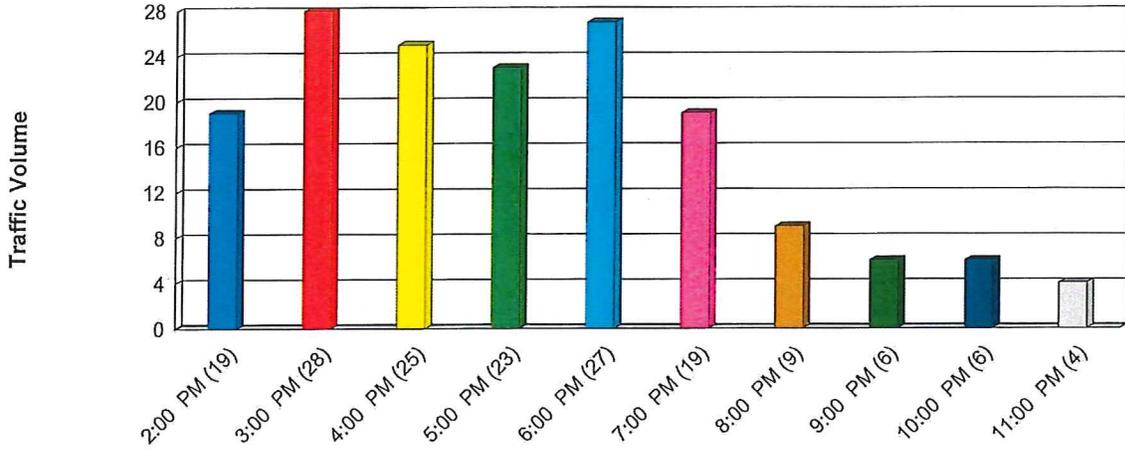
Report Totals:

0	18	136	181	36	10	4	2	4	1	1	1	0
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HI-Star ID: 3626	Begin: 04/19/2016 02:00 PM	End: 04/21/2016 02:00 PM
Street: Hilltop (North of Leebur)	Lane: NB	Hours: 48:00
State: MO	Oper: WES	Period: 15
	Posted: 25	Raw Count: 805
County: St. Louis	AADT Factor: 1	AADT Count: 403

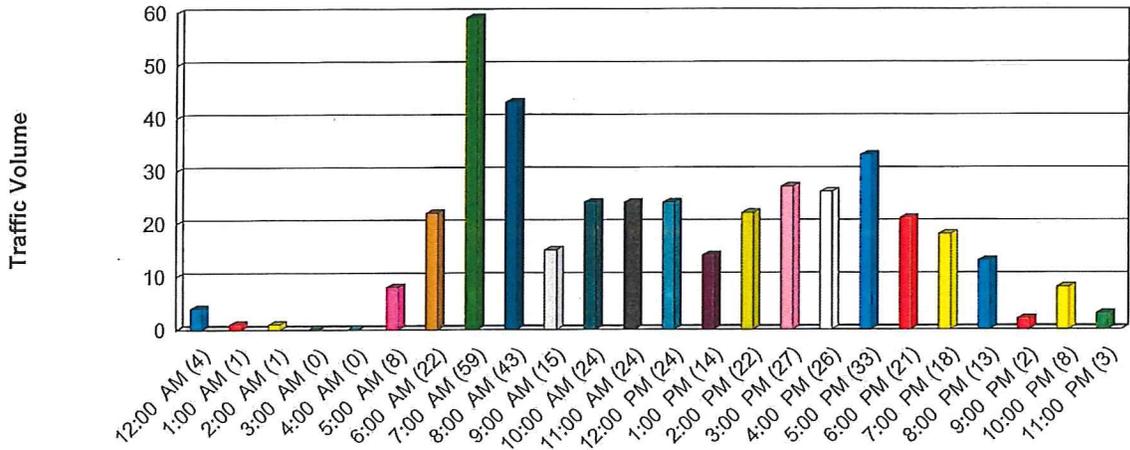
Time/Volume Graph

For 04/19/2016



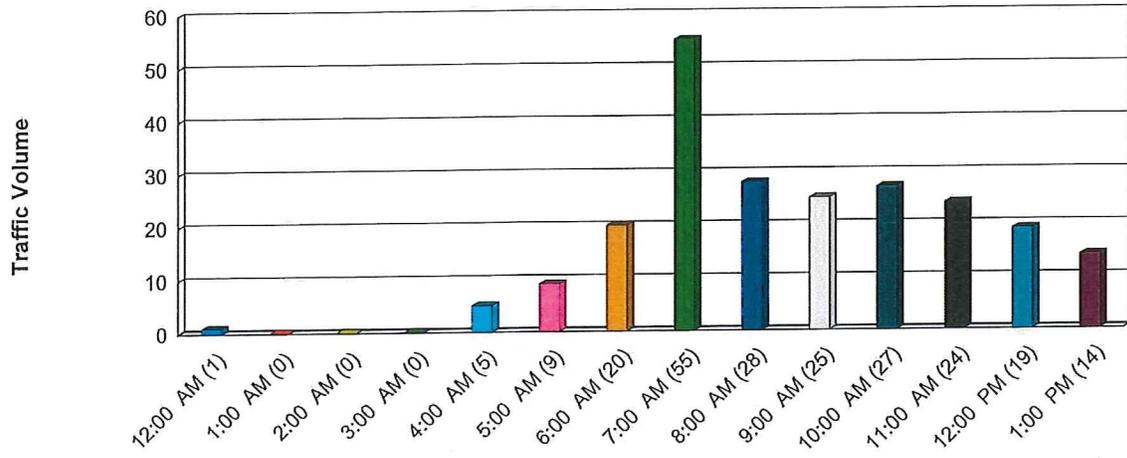
Time/Volume Graph

For 04/20/2016



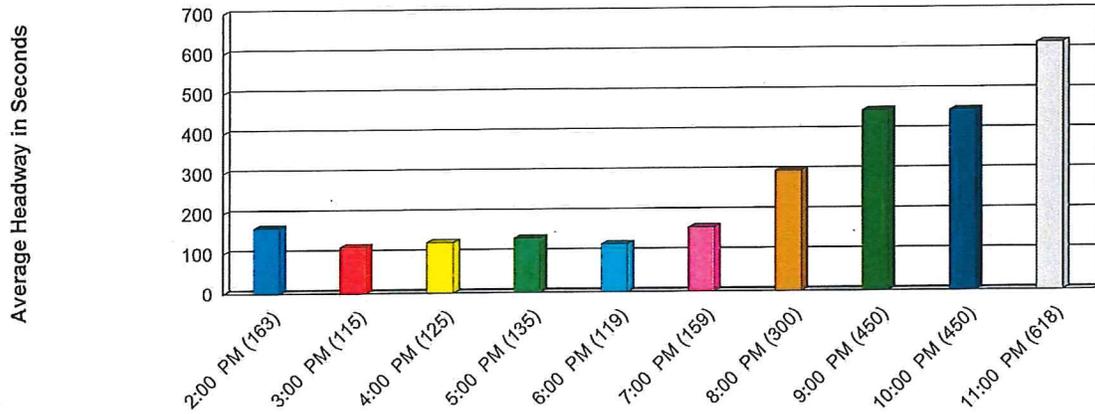
Time/Volume Graph

For 04/21/2016

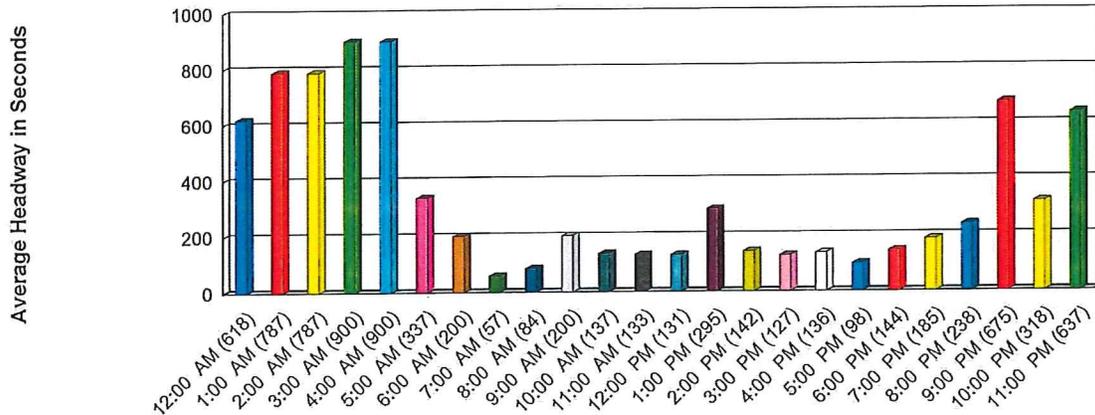


HI-Star ID: 3626	Begin: 04/19/2016 02:00 PM	End: 04/21/2016 02:00 PM
Street: Hilltop (North of Leebur)	Lane: NB	Hours: 48:00
State: MO	Oper: WES	Period: 15
	Posted: 25	Raw Count: 805
County: St. Louis	AADT Factor: 1	AADT Count: 403

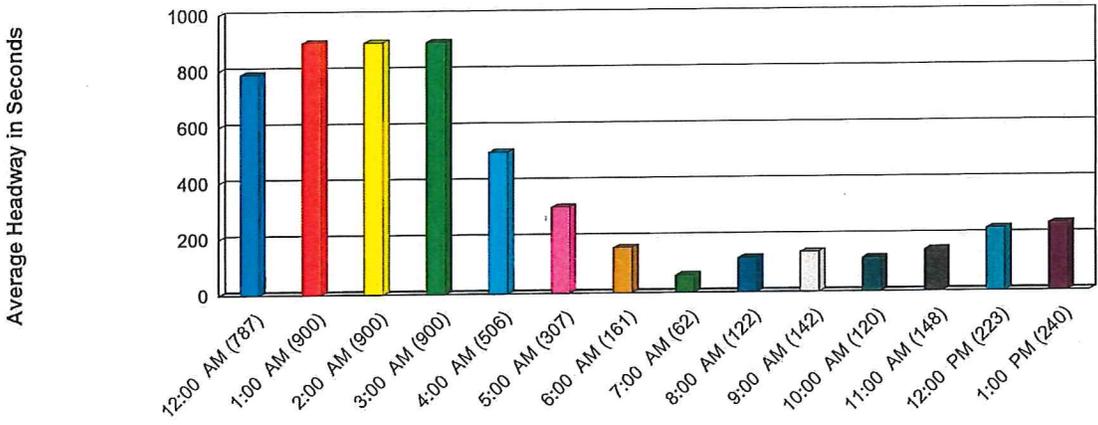
Gap/Time Graph



Gap/Time Graph

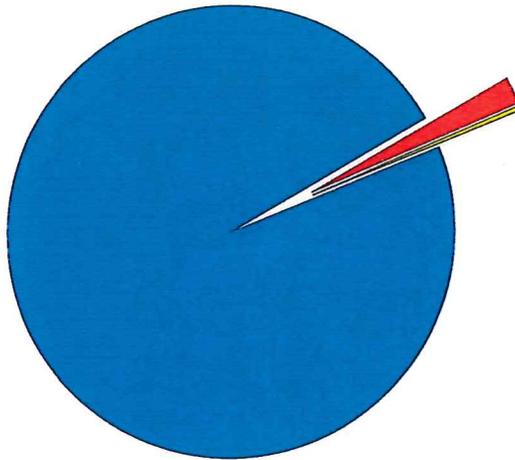


Gap/Time Graph



Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: City of Sunset Hills
Street: Hilltop (North of Leebur)

Vehicle Percentage Graph



■ Passenger Cars	97.88%	786
■ Small Trucks	1.74%	14
■ Trucks/Buses	0.25%	2
■ Tractor Trailers	0.12%	1

**Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: City of Sunset Hills
Street: Hilltop (North of Leebur)**

A study of vehicle traffic was conducted with HI-STAR unit number 3642. The study was done in the SB lane on Hilltop (North of Leebur) in City of Sunset Hills, MO in St. Louis county. The study began on 04/19/2016 at 02:00 PM and concluded on 04/21/2016 at 02:00 PM, lasting a total of 48 hours. Data was recorded in 15 minute time periods. The total recorded volume of traffic showed 735 vehicles passed through the location with a peak volume of 17 on 04/19/2016 at 04:15 PM and a minimum volume of 0 on 04/19/2016 at 11:00 PM. The AADT Count for this study was 368.

SPEED

Chart 1 lists the values of the speed bins and the total traffic volume for each bin.

Chart 1

0 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 >
0	12	62	333	258	55	5	3	2	1	1	1	0	0	0

At least half of the vehicles were traveling in the 20 - 24 mph range or a lower speed. The average speed for all classified vehicles was 25 mph with 9.28 percent exceeding the posted speed of 25 mph. The HI-STAR found 0.14 percent of the total vehicles were traveling in excess of 55 mph. The mode speed for this traffic study was 20 mph and the 85th percentile was 29.19 mph.

CLASSIFICATION

Chart 2 lists the values of the eight classification bins and the total traffic volume accumulated for each bin.

Chart 2

0 to 20	21 to 27	28 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 >
665	46	12	10	0	0	0	0

Most of the vehicles classified during the study were Passenger Cars. The number of Passenger Cars in the study was 711 which represents 97.00 percent of the total classified vehicles. The number of Small Trucks in the study was 12 which represents 1.60 percent of the total classified vehicles. The number of Trucks/Buses in the study was 10 which represents 1.40 percent of the total classified vehicles. The number of Tractor Trailers in the study was 0 which represents 0.00 percent of the total classified vehicles.

HEADWAY

During the peak time period, on 04/19/2016 at 04:15 PM the average headway between the vehicles was 50.0 seconds. The slowest traffic period was on 04/19/2016 at 11:00 PM. During this slowest period, the average headway was 900.0 seconds.

WEATHER

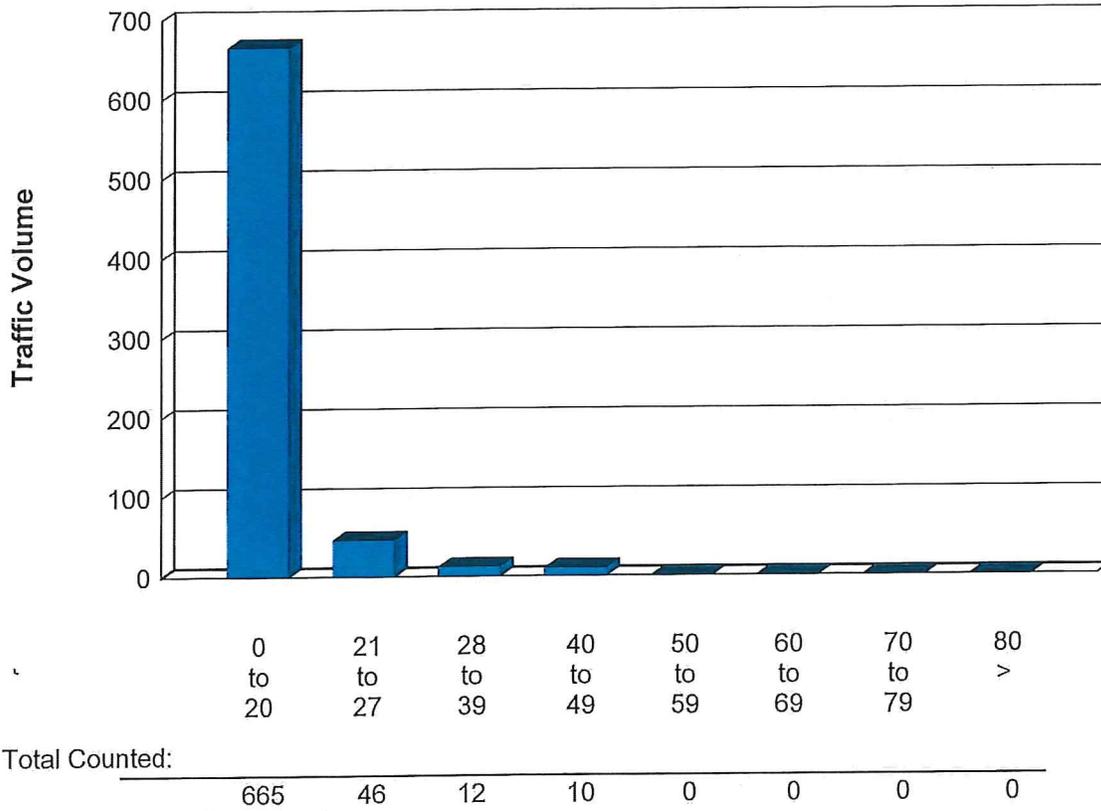
The roadway surface temperature over the period of the study varied between 62 and 97 degrees Fahrenheit. The HI-STAR determined that the roadway surface was Dry 95.31 percent of the time.

HI-Star ID: 3642
 Street: Hilltop (North of Leebur)
 State: MO
 County: St. Louis

Begin: 04/19/2016 02:00 PM
 Lane: SB
 Oper: WES
 Posted: 25
 AADT Factor: 1

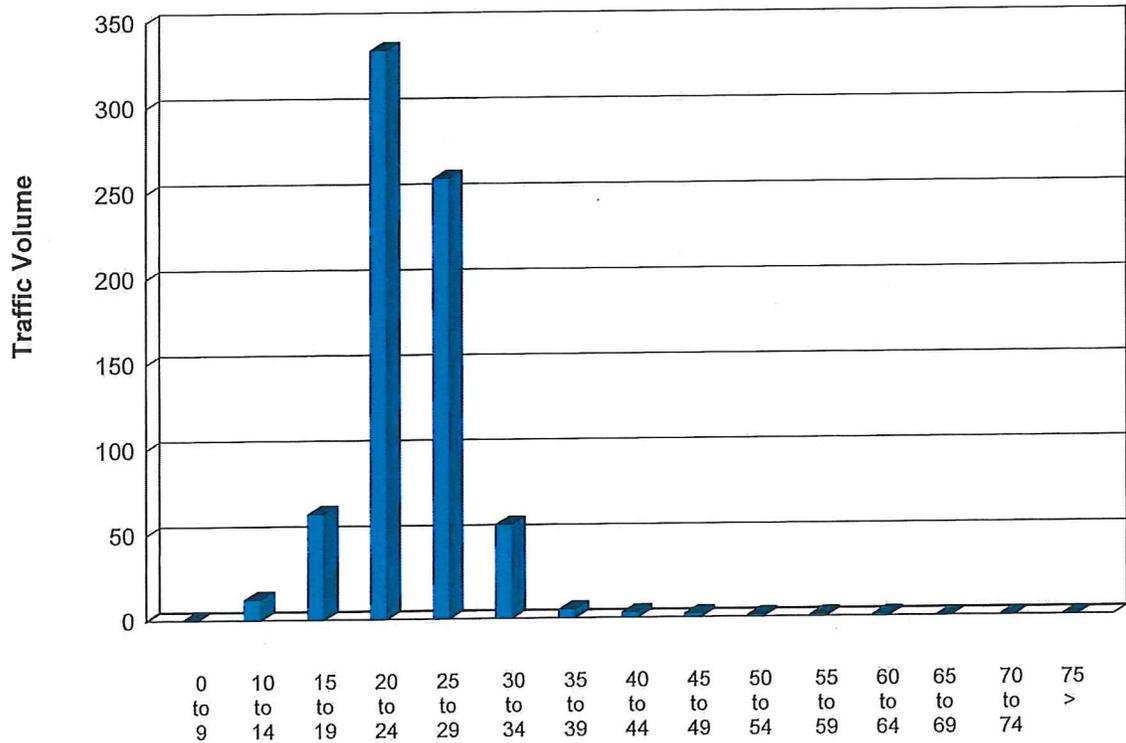
End: 04/21/2016 02:00 PM
 Hours: 48:00
 Period: 15
 Raw Count: 735
 AADT Count: 368

Class/Volume Graph



HI-Star ID: 3642	Begin: 04/19/2016 02:00 PM	End: 04/21/2016 02:00 PM
Street: Hilltop (North of Leebur)	Lane: SB	Hours: 48:00
State: MO	Oper: WES	Period: 15
	Posted: 25	Raw Count: 735
County: St. Louis	AADT Factor: 1	AADT Count: 368

Speed/Volume Graph



Report Totals:

0	12	62	258	55	5	3	2	1	1	0	0
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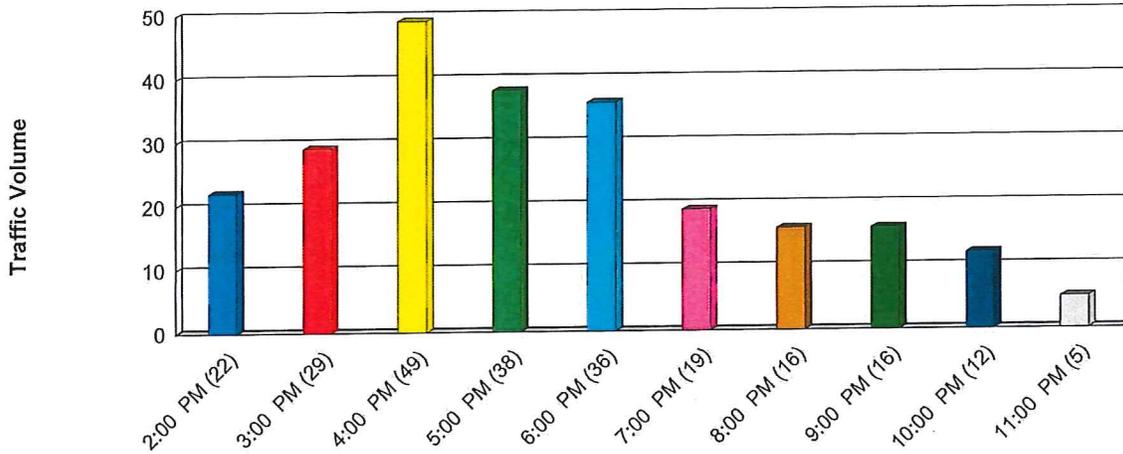
HI-Star ID: 3642
 Street: Hilltop (North of Leebur)
 State: MO
 County: St. Louis

Begin: 04/19/2016 02:00 PM
 Lane: SB
 Oper: WES
 Posted: 25
 AADT Factor: 1

End: 04/21/2016 02:00 PM
 Hours: 48:00
 Period: 15
 Raw Count: 735
 AADT Count: 368

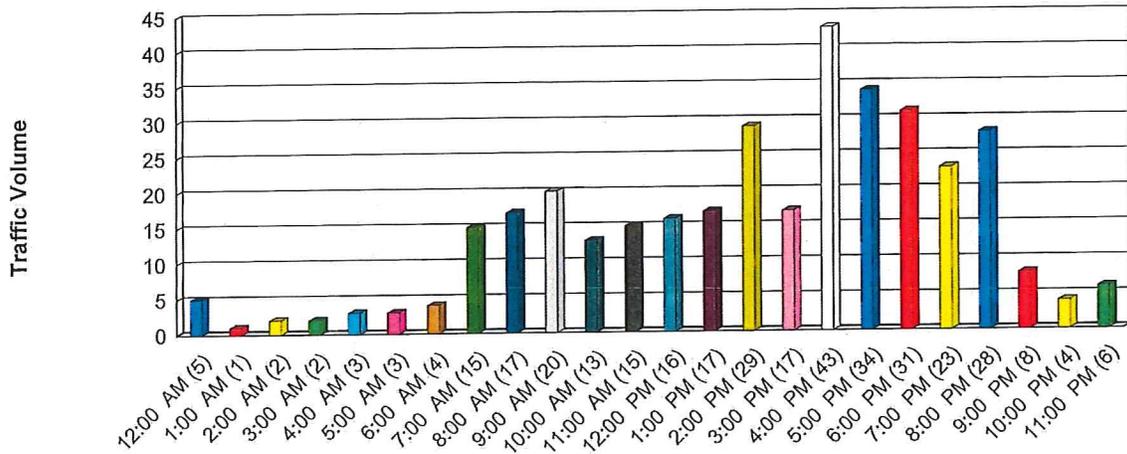
Time/Volume Graph

For 04/19/2016



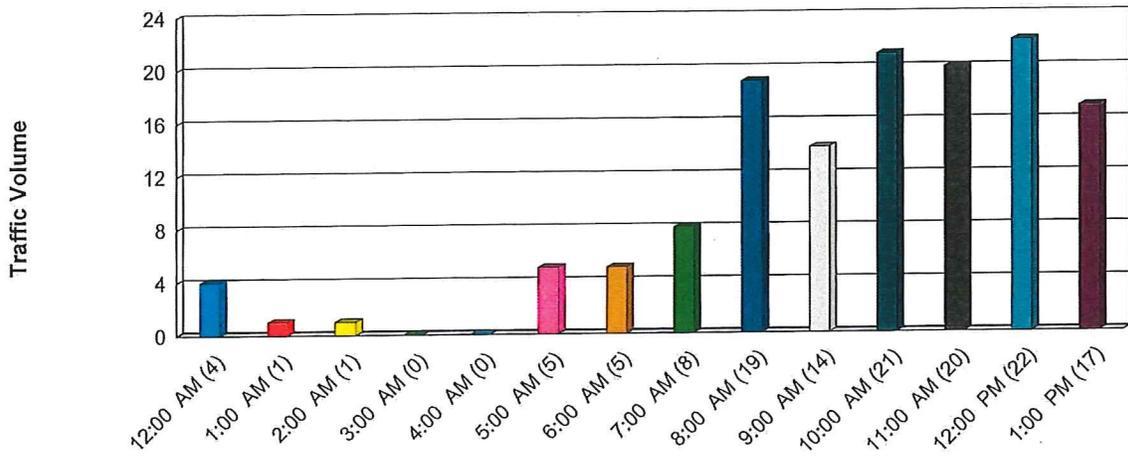
Time/Volume Graph

For 04/20/2016



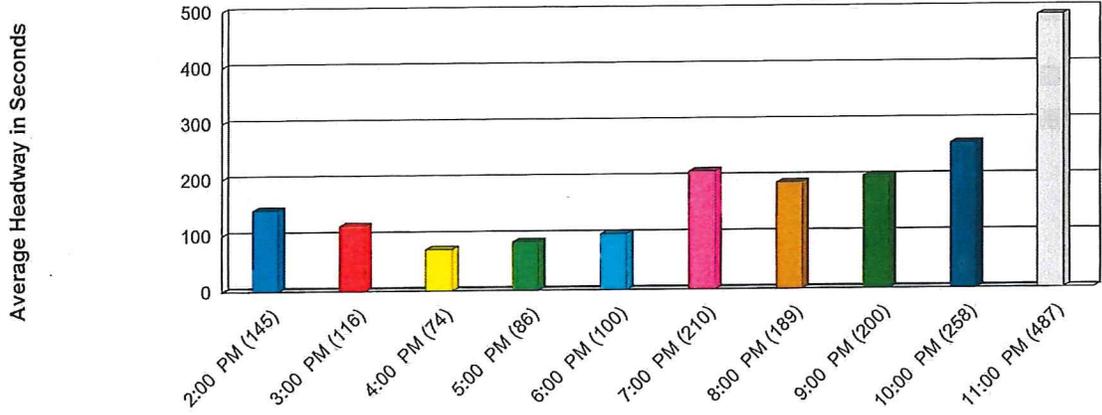
Time/Volume Graph

For 04/21/2016

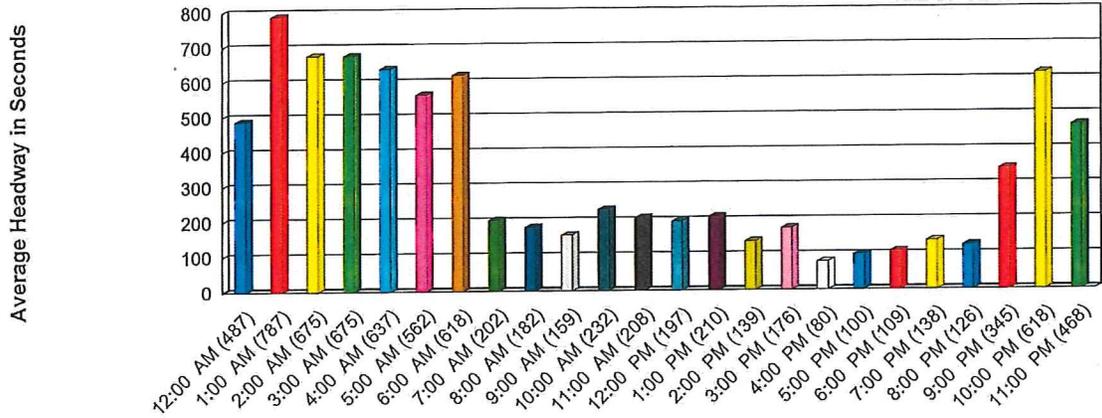


HI-Star ID: 3642	Begin: 04/19/2016 02:00 PM	End: 04/21/2016 02:00 PM
Street: Hilltop (North of Leebur)	Lane: SB	Hours: 48:00
State: MO	Oper: WES	Period: 15
	Posted: 25	Raw Count: 735
County: St. Louis	AADT Factor: 1	AADT Count: 368

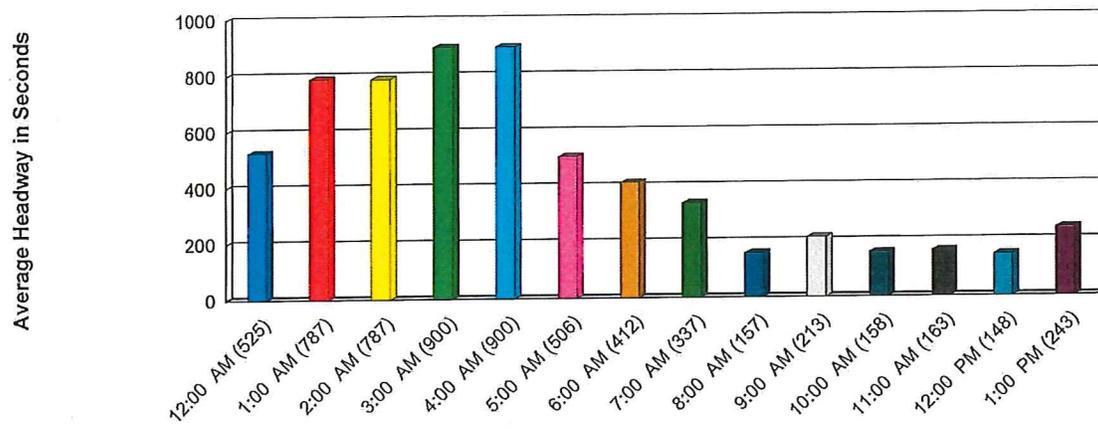
Gap/Time Graph



Gap/Time Graph

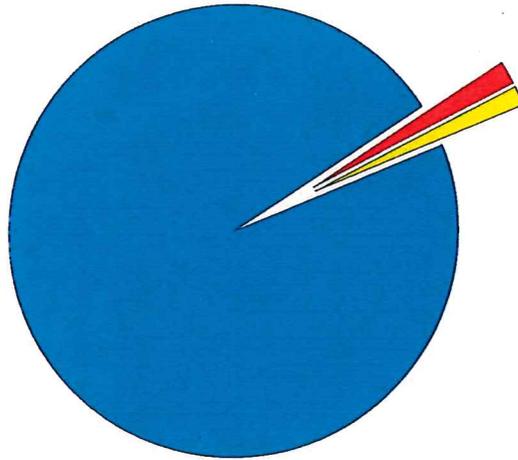


Gap/Time Graph



Nu-Metrics Traffic Analyzer Study
Computer Generated Summary Report
City: City of Sunset Hills
Street: Hilltop (North of Leebur)

Vehicle Percentage Graph



■ Passenger Cars	97.00%	711
■ Small Trucks	1.64%	12
■ Trucks/Buses	1.36%	10
■ Tractor Trailers	0.00%	0