



**FLORISSANT CITY COUNCIL AGENDA**  
**City Hall**  
**955 rue St. Francois**  
**Monday, September 26th, 2022**  
**7:00 PM**  
**Karen Goodwin, MMC/MRCC**



**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL OF MEMBERS**

**III. APPROVAL OF MINUTES**

- City Council Meeting minutes of September 6th, 2022

**IV. PROCLAMATIONS**

- Roberto’s Italian Restaurant – 60 Years

**V. HEARING FROM CITIZENS**

**VI. COMMUNICATIONS**

**VII. PUBLIC HEARINGS**

22-09-022 (Ward6) Application Staff Rpt Plans	Request to amend Special Use Permit 8751 to allow for an outdoor cooking area for Kingston 10 located at 1157-1159 N. Highway 67. (Planning and Zoning recommended approval on 9/6/2022)	Dean Treston
22-09-023	Public Hearing to fix and establish the tax rate of real property taxes as approved by the voters at the Special Bond Election on August 2, 2022.	Finance Dept

**VIII. OLD BUSINESS**

**A. *BILLS FOR SECOND READING***

9793 Application	Ordinance authorizing a transfer of Special Use Permit no. 8603 from Shade Partners, LLC to Shade Restaurant & Bar, LLC for the location of a restaurant and bar located at 1752-1756 N. New Florissant Road. (Postponed to this day on August 22nd, 2022)	Siam
9815	Ordinance to authorize a Special Use Permit to Princeton Dew d/b/a 2.0 restaurant to allow for a sit-down, carry-out restaurant located at 462 N. Highway 67.	Mulcahy
9816	Ordinance to authorize a Special Use Permit to NGA International d/b/a African Naturals allow for a carry-out restaurant located at 2715 N. Hwy 67.	Siam

**IX. *NEW BUSINESS***

**A. *BOARD APPOINTMENTS***

**B. *RESOLUTIONS***

E1044 Memo	Resolution of support for a Land and Water Conservation grant for relocation of a new restroom at Duchesne park and expansion of the dog park with amenities.	Council as a Whole
E1045 Memo	Resolution of the City of Florissant adopting the 2020 – 2025 St. Louis Regional Hazard Mitigation Plan	Council as a Whole
E1046 Notice POS	Resolution authorizing the offering for sale of general obligation bonds of the city of Florissant, Missouri.	Council as a Whole

**C. *REQUESTS***

Liquor Application (Ward 9)	Request for a Full Package Liquor license for Big Daddy’s Liquor and Convenience Inc. located at 2726 N. Lindbergh.	Rasheed Ali
Liquor Application (Ward 4)	Request for a Full Package Liquor license for United Mart Inc. d/b/a Convenience One located at 22 Patterson Plaza.	Haithem Abdeljabbar

**D. *BILLS FOR FIRST READING***

E9820	Ordinance fixing and establishing the rate of taxation to be levied upon all real estate and tangible personal property in the city of Florissant, county of St. Louis, State of Missouri, for the year 2022, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August 2, 2022.	Council as a whole
9821 POS CDU	Ordinance authorizing and directing the issuance, sale and delivery of General Obligation Bonds, Series 2022, of the City of Florissant, Missouri; prescribing the form and details of said bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and authorizing certain other documents and actions in connection therewith.	Council as a whole
9822 Memo	Ordinance authorizing a transfer of \$20,000 from Budget Account No. 03-5-03-52000 "Street Contracts" to Budget Account No. 03-5-03-33000 "Materials and Supplies" for additional concrete slab replacement.	Eagan

**X. *COUNCIL ANNOUNCEMENTS***

**XI. *MESSAGE FROM THE MAYOR***

**XII. *ADJOURNMENT***

**THIS AGENDA WAS POSTED ON THE BULLETIN BOARD IN THE LOBBY AT CITY HALL AND ON THE CITY WEBSITE AT FLORISSANTMO.COM ON SEPTEMBER 23rd, 2022 BY 12:00 PM.**

**ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK BY NOON ON MONDAY, SEPTEMBER 26TH, 2022.**

# CITY OF FLORISSANT



## COUNCIL MINUTES

September 6, 2022

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Tuesday, September 6, 2022 at 7:00 p.m. with Council President Eagan presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Manganelli, Eagan, Caputa, Schildroth, Mulcahy, Pagano, Parson, Siam, and Harris. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, and City Attorney John Hessel. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Siam moved to approve City Council Minutes of August 22, 2022, seconded by Harris. Motion carried.

The Chair stated the next item on the agenda was *Hearing from Citizens*.

The Chair stated that the next item on the agenda was *Public Hearings*.

The City Clerk reported that Public Hearing 22-09-021 for the Request to authorize a Special Use Permit to allow for a carry-out restaurant located at 2715 N. Hwy 67. The Chair declared the Public Hearing open.

Nuka Anue, petitioner, noted he owns a supplement store and wants to add a smoothie bar inside the space to sell to customers who are shopping inside. Mr. Anue stated he is still selling his retail items along with his addition of the smoothie bar. He stated the hours of operation are Monday through Saturday 10am to 7pm and Sunday from 10am to 6pm.

Being no further comments, Councilman Siam moved to close the Public Hearing, seconded by Schildroth. Motion carried.

The Chair stated that the next item on the agenda was *Second Readings*.

Councilman Siam moved that Bill No. 9793 an Ordinance authorizing a transfer of Special Use Permit no. 8603 from Shade Partners, LLC to Shade Restaurant & Bar, LLC for the location of a restaurant and bar located at 1752-1756 N. New Florissant Road be read for the second time, seconded by Pagano. Motion carried and Bill No. 9809 was read for a second time.

Councilman Parson moved to suspend the rules to allow for discussion with the petitioner, seconded by Schildroth. Motion carried.

32 Jackie Young, Shade Restaurant legal counsel, stated she was asked to be at the meeting to  
33 represent the business. Mr. Hessel noted the transfer is continuing the old business with the current  
34 conditions and additional conditions added to the bill. He stated the petitioner has noted changes by  
35 adding a kitchen and the Council is wanting to clarify that the business must continue to operate as is  
36 without a new kitchen. He noted the business owner can go to Planning and Zoning later to have approval  
37 for the kitchen to be added. Mr. Hessel also noted the business must remove the tinting on the windows,  
38 create screening and a roof for the smoker in the rear of the business, and install security cameras per the  
39 Council's request. Councilman Caputa stated the request was previously postponed while waiting for the  
40 plans to be received from the petitioner. Dewayne Thompson, architect, noted plans were submitted to  
41 the building commissioner the week prior for the screening of the smoker.

42 Councilman Eagan made a motion to postpone Substitute Bill No. 9793 to the September 26,  
43 2022 meeting to allow for staff to review the plans, seconded by Caputa. Motion carried.

44 Councilman Schildroth moved that Bill No. 9809 an Ordinance to authorize a special use permit  
45 to Dalind J. Enterprises to allow for a car sales business located at 1735 S. New Florissant Road be read  
46 for the second time, seconded by Harris. Motion carried and Bill No. 9809 was read for a second time.

47 Councilman Schildroth moved that Bill No. 9809 be read for a third time, seconded by Pagano.  
48 Motion carried and Bill No. 9809 was ready for a third time and placed upon its passage. Before the final  
49 vote, all interested persons were given an opportunity to be heard.

50 Being no persons who wished to speak, on roll call the Council voted: Manganelli yes, Eagan yes,  
51 Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

52 Whereupon the Chair declared Bill No. 9809 to have been passed and become Ordinance No.  
53 8816.

54 Councilwoman Pagano moved that Bill No. 9810 an Ordinance to authorize a special use permit  
55 to Florissant IMG Pizza Inc. d/b/a Imo's Pizza for the operation of a carry-out, drive-thru restaurant  
56 located at 1725 Washington be read for the second time, seconded by Eagan. Motion carried and Bill No.  
57 9810 was read for a second time.

58 Councilwoman Pagano moved that Bill No. 9810 be read for a third time, seconded by Caputa.  
59 Motion carried and Bill No. 9810 was ready for a third time and placed upon its passage. Before the final  
60 vote, all interested persons were given an opportunity to be heard.

61 Marvin Tobias, 1826 Woodridge Ln, questioned if window film and window tinting was  
62 considered the same thing since the current location has a window film. Mr. Hessel noted these are  
63 conditions of the current legislation.

64 On roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy  
65 yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

66 Whereupon the Chair declared Bill No. 9810 to have been passed and become Ordinance No.  
67 8817.

68 Councilman Eagan moved that Bill No. 9811 an Ordinance amending ordinance no. 9739  
69 establishing a grade and step schedule for full time uniformed employees' positions within the City of  
70 Florissant and enacting in lieu thereof a new ordinance and containing an effective date clause be read  
71 for the second time, seconded by Schildroth. Motion carried and Bill No. 9811 was read for a second  
72 time.

73 Councilman Manganelli moved that Bill No. 9811 be read for a third time, seconded by Siam.  
74 Motion carried and Bill No. 9811 was ready for a third time and placed upon its passage. Before the final  
75 vote, all interested persons were given an opportunity to be heard.

76 Being no persons who wished to speak, on roll call the Council voted: Manganelli yes, Eagan yes,  
77 Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

78 Whereupon the Chair declared Bill No. 9811 to have been passed and become Ordinance No.  
79 8818.

80 Councilwoman Pagano moved that Bill No. 9812 an Ordinance authorizing a transfer of Special  
81 Use Permit no. 6853 from Zu Yang d/b/a Chin's Wok to Sarah Zhang Enterprises LLC d/b/a Chin's Wok  
82 for the operation of a dine-in, carry-out, delivery restaurant located at 70 A Grandview Plaza be read for  
83 the second time, seconded by Parson. Motion carried and Bill No. 9812 was read for a second time.

84 Councilwoman Pagano moved that Bill No. 9812 be read for a third time, seconded by Harris.  
85 Motion carried and Bill No. 9812 was ready for a third time and placed upon its passage. Before the final  
86 vote, all interested persons were given an opportunity to be heard.

87 Being no persons who wished to speak, on roll call the Council voted: Manganelli yes, Eagan yes,  
88 Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

89 Whereupon the Chair declared Bill No. 9812 to have been passed and become Ordinance No.  
90 8819.

91 Councilman Eagan moved to accept Substitute Bill No. 9813, seconded by Caputa. Motion  
92 carried. Councilman Eagan moved that Substitute Bill No. 9813 an Ordinance to establish salaries for the  
93 Mayor and City Council of the City of Florissant as of the official certification of the municipal election  
94 in 2023 for the Mayor and 2024 for the City Council be read for the second time, seconded by Manganelli.  
95 Motion carried and Substitute Bill No. 9813 was read for a second time.

96 Councilman Mulcahy moved that Substitute Bill No. 9813 be read for a third time, seconded by  
97 Manganelli. Motion carried and Bill No. 9813 was ready for a third time and placed upon its passage.  
98 Before the final vote, all interested persons were given an opportunity to be heard.

99 Marvin Tobias, 1826 Woodridge, wanted clarification on why the substitute bill date for the City  
100 Council changed to 2024. Councilman Eagan noted this would allow for the entire council to receive the  
101 same pay on the same date rather than the even wards to receive their increase a year prior to the odd  
102 wards.

103 On roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy  
104 yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

105 Whereupon the Chair declared Substitute Bill No. 9813 to have been passed and become  
106 Ordinance No. 8820.

107 The Chair stated that the next item on the agenda was *Board Appointments.*

108 Councilman Manganelli made a motion to appoint Jeff Plodzien, 17 Ronda Dr, to the Board of  
109 Adjustment as an alternate member from Ward 2 with a term expiring 9/6/2025.

110 Councilman Schildroth made a motion to accept the mayor's appointment of Rosemary Wall, 820  
111 North Lafayette, to the Senior Commission as a member from Ward 6 with a term expiring on 9/6/2025.  
112 Seconded by Mulcahy, motion carried.

113 The Chair stated the next item on the agenda was *Requests.*

114 Councilman Siam moved to accept the Request for a Full Package Liquor license for Big Daddy's  
115 Liquor and Convenience Inc. located at 2726 N. Lindbergh, seconded by Schildroth.

116 Councilman Siam noted the petitioner did not reach out to him regarding the request.  
117 Councilwoman Pagano stated her concern with the location and asked if the petitioner was present to  
118 answer her questions.

119 Seeing no petitioner, Councilman Caputa moved to postpone the request to September 26, 2022,  
120 seconded by Schildroth. Motion carried.

121 Councilman Caputa moved to accept the Request to accept an application for a transfer of an  
122 existing nonconforming Special Use from Convenience One Corporation to United Mart Inc. d/b/a  
123 Convenience One for the operation of a Package Liquor store located at 22 Patterson Plaza, seconded by  
124 Schildroth. Motion carried.

125 The Chair stated that the next item on the agenda was *Bills for First Reading.*

126 Councilman Mulcahy introduced Bill No. 9815 an Ordinance to authorize a Special Use Permit  
127 to Princeton Dew d/b/a 2.0 Restaurant to allow for a sit-down, carry-out restaurant located at 462 N.  
128 Highway 67 was read for the first time.

129 Councilman Siam introduced Bill No. 9816 an Ordinance to authorize a Special Use Permit to  
130 NGA International d/b/a African Naturals to allow for a carry-out restaurant located at 2715 N. Highway  
131 67 was read for the first time.

132 Councilman Caputa introduced Bill No. 9817 an Ordinance authorizing a transfer of an existing  
133 nonconforming Special Use from Convenience One Corporation to United Mart Inc. d/b/a Convenience  
134 One for the operation of a Package Liquor store located at 22 Patterson Plaza was read for the first time.  
135 Councilman Caputa moved that Bill No. 9817 be read for a second time, seconded by Manganelli. Motion  
136 carried and Bill No. 9817 was read for a second time.

137 Councilman Caputa moved that Bill No. 9817 be read for a third time, seconded by Mulcahy. On  
138 roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano  
139 yes, Parson yes, Siam yes, and Harris yes. Having received a unanimous vote of all members present Bill  
140 No. 9817 was read for a third and final time and placed upon its passage. Before the final vote all  
141 interested persons were given an opportunity to be heard.

142 Seeing none, on roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth  
143 yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

144 Whereupon the Chair declared Bill No. 9817 to have passed and become Ordinance No. 8821.

145 Councilman Eagan introduced Bill No. 9818 an Ordinance to amend Chapter 605 “Business  
146 Regulations” Article XII “Fees Generally” by deleting section 605.347, subsection B, in its entirety was  
147 read for the first time. Councilman Schildroth moved that Bill No. 9818 be read for a second time,  
148 seconded by Pagano. Motion carried and Bill No. 9818 was read for a second time.

149 Councilman Schildroth moved that Bill No. 9818 be read for a third time, seconded by  
150 Manganelli. On roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth yes,  
151 Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes. Having received a unanimous vote of  
152 all members present Bill No. 9818 was read for a third and final time and placed upon its passage. Before  
153 the final vote all interested persons were given an opportunity to be heard.

154 Seeing none, on roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth  
155 yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

156 Whereupon the Chair declared Bill No. 9818 to have passed and become Ordinance No. 8822.

157 Councilman Eagan introduced Bill No. 9819 an Ordinance authorizing a transfer of \$32,000 from  
158 Capital Improvement Fund account no. 03-5-03-53000 “Bridge Repair” to account no. 03-5-03-54000  
159 “Sidewalk Replacement” was read for the first time. Councilman Schildroth moved that Bill No. 9819  
160 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9819 was read for a second  
161 time.

162 Councilman Caputa moved that Bill No. 9819 be read for a third time, seconded by Eagan. On  
163 roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano  
164 yes, Parson yes, Siam yes, and Harris yes. Having received a unanimous vote of all members present Bill  
165 No. 9819 was read for a third and final time and placed upon its passage. Before the final vote all  
166 interested persons were given an opportunity to be heard.

167 Seeing none, on roll call the Council voted: Manganelli yes, Eagan yes, Caputa yes, Schildroth  
168 yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, and Harris yes.

169 Whereupon the Chair declared Bill No. 9819 to have passed and become Ordinance No. 8823.

170 The next item on the Agenda was *Council Announcements*.

171 Councilman Schildroth offered his condolences to the family of John Lutrell who was a longtime  
172 city employee and will be dearly missed. He offered his condolences to the family of Delphie Russel who  
173 owned BJ's Bar and Restaurant.

174 Councilman Caputa reminded residents to secure firearms in their home and not their vehicles.  
175 He stated keeping porch lights on help to deter theft.

176 Councilwoman Pagano thanked Kevin Claspille for his work on the Golf Cart races which  
177 benefited the Shrine.

178 Councilman Eagan reminded residents to watch Councilman Manganelli on Council Action on  
179 Wednesday, September 7.

180 The next item was *Mayor Announcements*.

181 Mayor Lowery noted on September 10<sup>th</sup>, the Suicide Prevention Softball Tournament would be  
182 held at St. Ferdinand Park from 9am to 6pm. Mayor Lowery stated the 9/11 Ceremony would take place  
183 at the VFW Post at 1pm on Sunday, September 11<sup>th</sup>. He noted the Mayor's Town Hall meeting would be  
184 held on Thursday, September 15<sup>th</sup> from 9am to 11am at the James J. Eagan Center. On Saturday,  
185 September 17, at St. Ferdinand Park the Light the Darkness Glow Run would begin at 5pm. He noted a  
186 plaque dedication would be held on Wednesday, September 28<sup>th</sup> for Cyril Neuhoff.

187 The Council President stated the next regular City Council Meeting will be Monday, September  
188 26, 2022 at 7:00 pm.

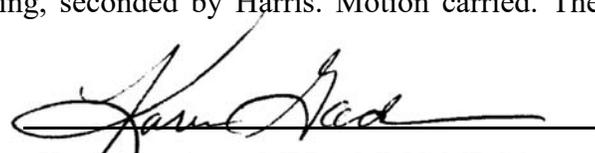
189 Councilman Parson moved to adjourn the meeting, seconded by Harris. Motion carried. The  
190 meeting was adjourned at 7:53 p.m.

191

192

193

194



Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

The following Bills were signed by the Mayor:

195	Bill No. 9809	Ord. No. 8816
196	Bill No. 9810	Ord. No. 8817
197	Bill No. 9811	Ord. No. 8818
198	Bill No. 9812	Ord. No. 8819
199	Bill No. 9814	Ord. No. 8820
200	Bill No. 9817	Ord. No. 8821
201	Bill No. 9818	Ord. No. 8822
202	Bill No. 9819	Ord. No. 8823

# Proclamation

- WHEREAS: *Robert and Margaret Camenzind opened Roberto's in September 1962 with just a couple booths and tables, and*
- WHEREAS: *after a few years of support, Robert and Margaret moved to a larger location with 17 table and strong carry out business, and*
- WHEREAS: *after 38 years of working with daughters Janice, Laurie, and Karen, Robert and Margaret retired in May 2000 and the second generation took over the business, and*
- WHEREAS: *in 2006, to answer the demand for more seating, the business remodeled and expanded to keep the family tradition while accommodating larger groups, and*
- WHEREAS: *Roberto's is a family restaurant which continues to use the same recipes Robert and Margaret cooked while adding new items to enhance the menu, and*
- WHEREAS: *Roberto's has provided countless job opportunities, hosted numerous dinners for families, clubs, and sports teams, and has been a dedicated business in Florissant for 6 decades.*

*NOW, THEREFORE, I Timothy J. Lowery, Mayor of the City of Florissant, MO and members of the Florissant City Council do hereby recognize the Roberto's and thank the Camenzind family for their dedication to the Florissant community.*

*In Witness Whereof I hereunto set my hand and cause to be affixed the seal of the City of Florissant, Missouri, this 26<sup>th</sup> day of September 2022*

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*Timothy J. Lowery, Mayor*

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with 405.125 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 rue St. Francois, on Monday, September 26, 2022 at 7:00 p.m. on the following proposition:**

**To amend Special Use Permit no. 8751 to allow for an outdoor cooking area located at 1157-1159 N. Highway 67 (Kingston 10). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**



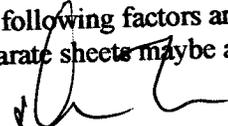
4) The petitioner(s) further state(s) that (he) (she) (they) shall comply with all of the requirements of the City of Florissant, including setback lines and off- street parking.

5) The petitioner (s) further (represent (s) and warrants (s) that they (he) (she) has (have) not made any arrangement to pay any commission gratuity or consideration, directly or indirectly to any official, employee or appointee of the City of Florissant, with respect to this application.

6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):

7) The petitioner (s) state (s) the following factors and reason to justify the permit:

(If more space is needed, separate sheets maybe attached)

Dean Treston  Detrest@aol.com  
PRINT NAME SIGNATURE email and phone

FOR Kingston 10 LLC  
(company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

8) I (we) hereby certify that, as applicant (circle one of the following):

1. I (we) have a legal interest in the herein above described property.
2. I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Permission granted by the Petitioner assigning an agent (i.e. Architect) to present this petition in their behalf, to the Commission and/or Council. The petitioner must sign below, and provide contact information:

PRESENTOR SIGNATURE 

ADDRESS 12521 Evening Shade pr Black Jack Mo, 63033  
STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL 314 458 6005 , Detrest@aol.com  
BUSINESS

I (we) the petitioner (s) do hereby appoint N/A as  
Print name of agent.  
my (our) duly authorized agent to represent me (us) in regard to this petition.

Signature of Petitioner authorizing an agent

**NOTE:** When the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and to make a presentation, the same individuals must also appear before the City Council at the Public Hearing to make the presentation and no one else will be permitted to make the presentation to the City Council without authorized approval.

IF DESCRIPTIONS, PLATS OR SURVEYS ARE INACCURATE, OR IF THE PETITION APPLICATION IS NOT CORRECT OR COMPLETE, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS.

## REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in applicable section (a), (b) or (c).  
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation:

Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation Kingston 10 LLC

(a) If an individual:

- (1) Name and Address \_\_\_\_\_
- (2) Telephone Number \_\_\_\_\_
- (3) Business Address \_\_\_\_\_
- (4) Date started in business \_\_\_\_\_
- (5) Name in which business is operated if different from (1) \_\_\_\_\_
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

- (1) Names & addresses of all partners \_\_\_\_\_
- (2) Telephone numbers \_\_\_\_\_
- (3) Business address \_\_\_\_\_
- (4) Name under which business is operated \_\_\_\_\_
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

- (1) Names & addresses of all partners Dean Treston
- (2) Telephone numbers 314 458 6005
- (3) Business address 1159 North Highway 67
- (4) State of Incorporation & a photocopy of incorporation papers Missouri
- (5) Date of Incorporation 7-28-21
- (6) Missouri Corporate Number \_\_\_\_\_
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. \_\_\_\_\_
- (8) Name in which business is operated Kingston 10
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping Information.

Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.

Name Dean Tresten

Address 1159 North Highway 67 Florissant Mo 63031

Property Owner Terry Tatum

Location of property \_\_\_\_\_

Dimensions of property \_\_\_\_\_

Property is presently zoned \_\_\_\_\_ Requests Rezoning To \_\_\_\_\_

Proposed Use of Property Restuarant / Bar

Type of Sign \_\_\_\_\_ Height \_\_\_\_\_

Type of Construction \_\_\_\_\_ Number Of Stories \_\_\_\_\_

Square Footage of Building 2100 Number of Curb Cuts \_\_\_\_\_

Number of Parking Spaces \_\_\_\_\_ Sidewalk Length \_\_\_\_\_

Landscaping: No. of Trees \_\_\_\_\_ Diameter \_\_\_\_\_

No. of Shrubs \_\_\_\_\_ Size \_\_\_\_\_

Fence: Type \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

**PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:**

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

**Provide a legal description of the property. If part of a shopping center, list address and show part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with metes and bounds bearings and dimensions.**

**PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION**

**Provide a drawing of a location map showing the nearest major intersection.**

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**OFFICE USE ONLY**

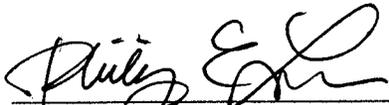
Date Application reviewed \_\_\_\_\_

STAFF REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

  
\_\_\_\_\_  
Building Commissioner or Staff Signature

41 the 'R-4' Single Family Dwelling District. The properties to the East are a car lot at 1285  
42 N. Highway 67 and a church at 1325 N. Highway 67 in the 'B-3' Extensive Business District.

43  
44 **IV. STAFF ANALYSIS:**

45 Plans received from the applicant include an engineer's key plan of existing location with  
46 no proposed changes of the interior and roof plan and elevations all shown on Drawing  
47 with this project name date of seal August 8, 2022 by Deru and Associates:

- 48
- 49 • Site Plan: A site plan was not included.
- 50 • Parking complies for this restaurant with 23 spaces min.
- 51 • Outdoor cooking area consists of a lean-to with asphalt shingles, wood structure  
52 which ranges from 6'-2" tall to 8'-0" at the existing building wall.
- 53 • Measured distance from the existing building to the nearest residentially zoned  
54 property line to the North is approximately 84 feet.
- 55 • A 6' screen, consisting of a 6' vinyl fence as required by the zoning code has been  
56 recently installed along the North Property line.
- 57 • There are about 24 parking spaces existing on the north side of the building for  
58 customers and/or staff for the 3 buildings that exist on the site.
- 59

60 **III. STAFF RECOMENDATIONS:**

61 **Suggested Motion:**

62 I move for **recommended approval** of a Special Use Permit, Ord. No. 8751 to allow for  
63 an outdoor cooking area for a Restaurant facility in a 'B-3' Extensive Business District  
64 as shown on drawing attached, subject to the conditions set forth below with these  
65 conditions being part of the record:

- 66
- 67 A. Increase minimum height of structure to 7'-0" minimum headroom clearance.
- 68 B. Paint structure of lean-to compatible with building.
- 69 C. Provide 6' ~~vinyl~~ <sup>cyclone</sup> fencing around cooking area to protect the public, gated as  
70 necessary for access.
- 71 D. Requirements to meet regulations of permits by St Louis County Health Dept. and  
72 the City of Florissant.
- 73 E. Changes in Ord. No. 8751 shall include changes to section 1, paragraphs:  
74 3. "Rear door to the premises shall be kept closed to prevent noises to be  
75 directed to residentially zoned properties, with the exception of access to  
76 and from the cooking area for such activities."  
77 4. All activities shall be conducted inside the premises, with the exception of  
78 access to and from the cooking area for and cooking activities."  
79
- 80
- 81
- 82
- 83

84 (End of report and suggested motion)



41 the 'R-4' Single Family Dwelling District. The properties to the East are a car lot at 1285  
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  - B. Paint structure of lean-to compatible with building.
  - 69 C. Provide 6' ~~vinyl~~ fencing around cooking area to protect the public, gated as  
70 necessary for access. *CYCLONE*
  - D. Requirements to meet regulations of permits by St Louis County Health Dept. and  
72 the City of Florissant.
  - E. Changes in Ord. No. 8751 shall include changes to section 1, paragraphs:  
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78 access to and from the cooking area for and cooking activities."

79

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81

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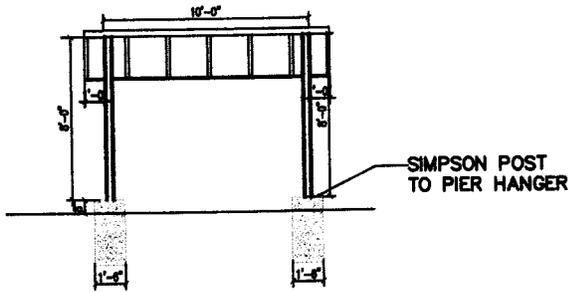
83

84

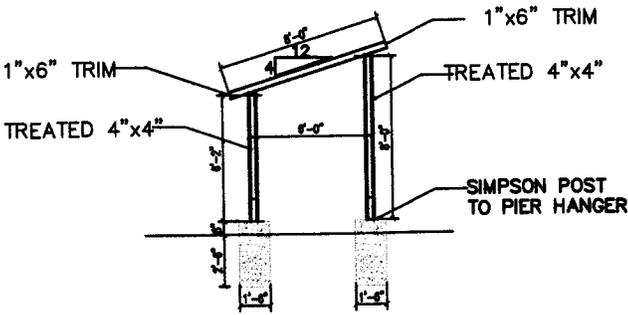
(End of report and suggested motion)

**GENERAL CONDITIONS:**

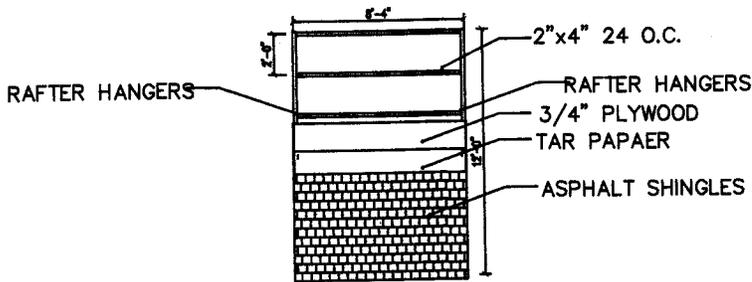
CONTRACTOR MUST VERIFY ALL SITE CONDITIONS PRIOR TO WORK STARTING.  
 ALL QUESTIONS MUST BE SUBMITTED IN WRITING IN ORDER TO RECEIVE A FORMAL ANSWER.  
 NEW GRILLING STRUCTURE SHALL BE CONSTRUCTED OF ALL NEW TREATED LUMBER.



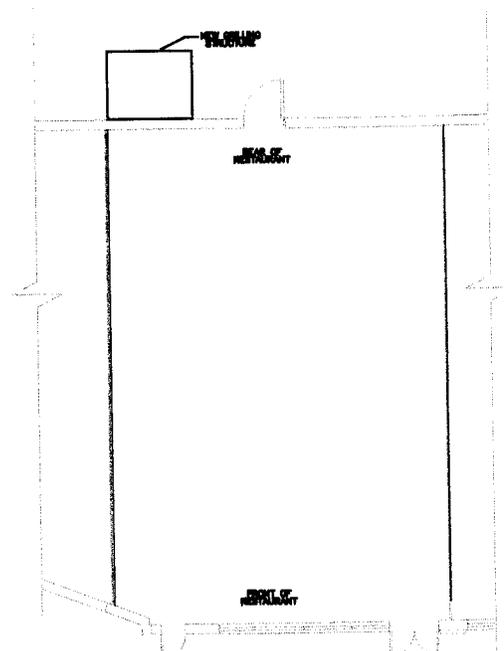
**FRONT ELEVATION:**



**SIDE ELEVATION:**



**ROOF STRUCTURE:**



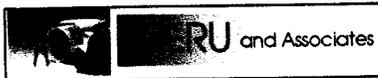
**KEYED PLAN:**

RECOMMENDED APPROVAL  
 PLANNING & ZONING  
 CHAIRMAN

SIGN. \_\_\_\_\_ DATE: \_\_\_\_\_

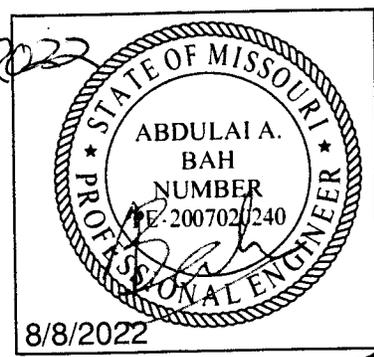
RECOMMENDED APPROVAL  
 PLANNING & ZONING  
 CHAIRMAN

X SIGN. *[Signature]* DATE: 9-8-2022



ARCHITECTURAL & ENGINEERING CONSULTANTS  
**DERU & ASSOCIATES, LLC**  
 801 RUE ST. FRANCOIS STREET, SUITE C  
 FLORISSANT, MO 63033  
 CONTACT: JEROME LOGAN  
 (314) 574-5770 CELL  
 jlogan@deruassociates.com

PROJECT NAME:  
 KINGSTON 10  
 1159 N HWY 67  
 FLORISSANT, MO 63033



THE SEAL(S) AND SIGNATURE(S) APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED, AND EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE ARCHITECTURAL OR ENGINEERING PROJECT.

1 INTRODUCED BY COUNCILMAN MULCAHY  
2 DECEMBER 13, 2021

3  
4 SUBSTITUTE BILL NO. 9730

ORDINANCE NO.

8751

5  
6 **ORDINANCE AUTHORIZING A SPECIAL USE PERMIT TO KINGSTON**  
7 **10, LLC TO ALLOW FOR THE OPERATION OF A RESTAURANT/BAR**  
8 **FOR THE PROPERTY LOCATED AT 1157-1159 N. HWY 67.**  
9

10 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of  
11 Florissant, by Special Permit, after public hearing thereon, to permit the location and operation  
12 of a restaurant in the City of Florissant; and

13 WHEREAS, an application has been filed by Kingston 10, LLC d/b/a Kingston 10 to  
14 allow for the operation of restaurant located at 1157-1159 N. Hwy 67, and

15 WHEREAS, the Planning and Zoning Commission at their meeting on October 18, 2021,  
16 recommended that a Special Permit be granted; and

17 WHEREAS, due notice of public hearing no. 21-11-030 on said application to be held on  
18 the 8<sup>th</sup> of November, 2021 at 7:00 P.M. by the Council of the City of Florissant was duly  
19 published, held and concluded; and

20 WHEREAS, the Council, following said public hearing, and after due and careful  
21 consideration, has concluded that the issuance of a Special Permit for a restaurant would be in  
22 the best interest of the City of Florissant.  
23

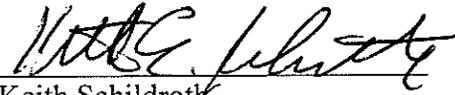
24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
25 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:  
26

27 Section 1: A Special Use Permit is hereby granted to Kingston 10, LLC d/b/a Kingston  
28 10 to allow for the operation of restaurant located 1157-1159 N. Hwy 67 with the following  
29 stipulation:  
30

- 31 1. Maximum Occupant load shall be 62 as shown on plans.
- 32 2. Replace existing fence along the North property line with a 6-foot heavy duty  
33 vinyl fence.
- 34 3. Rear door to the premises shall be kept closed to prevent noises to be directed  
35 to residentially zoned properties.
- 36 4. All activities shall be conducted inside the premises.
- 37 5. No customer parking in the rear of the building.  
38

39  
40 Section 2: This ordinance shall become in force and effect immediately upon its passage  
41 and approval.

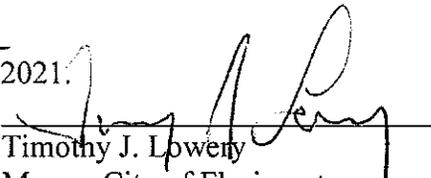
42 Adopted this 13 day of Dec, 2021.

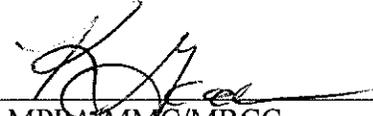
43  
44   
45 Keith Schildroth  
46 President of the Council

47  
48  
49  
50  
51  
52  
53  
54

Approved this 13 day of December, 2021.

8751

  
\_\_\_\_\_  
Timothy J. Lowery  
Mayor, City of Florissant

ATTEST:   
\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk



# CITY OF FLORISSANT

## Public Hearing



In accordance with Section 67.110 of the Revised Statutes of Missouri, a Public Hearing will be held by the City Council of the City of Florissant in the Council Chambers at 955 rue St. Francois on September 26<sup>th</sup>, 2022 at 7:00 pm to fix and establish the tax rate of real property taxes as approved by the voters at the Special Bond Election on August 2, 2022.

The tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. The proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

	<b>Previous</b>		<b>Current</b>
	<b>Year's Valuation</b>		<b>Year's Valuation</b>
<b>Assessed Valuation</b>	<b><u>2021</u></b>		<b><u>2022</u></b>
<b><u>City of Florissant</u></b>			
<b>Real Property</b>	<b>588,297,910</b>		<b>585,954,790</b>
<b>Personal Property</b>	<b>96,198,990</b>		<b>122,442,720</b>
<b>Other Tangible Property</b>	<b><u>13,847,661</u></b>		<b><u>14,017,340</u></b>
<b>Total</b>	<b>698,344,561</b>		<b>722,414,850</b>
<b>Proposed Property Tax Revenue</b>	<b>823,500</b>		
<b>Proposed Tax Rate</b>	<b>0.120</b>		

Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

1 INTRODUCED BY COUNCILMAN SIAM  
2 JUNE 27, 2022

3  
4 SUBSTITUTE BILL NO. 9793 ORDINANCE NO.

5

6 **ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE**  
7 **PERMIT NO. 8603 FROM SHADE PARTNERS, LLC TO SHADE**  
8 **RESTAURANT & BAR, LLC FOR THE LOCATION OF A**  
9 **RESTAURANT AND BAR LOCATED AT 1752-1756 N. NEW**  
10 **FLORISSANT ROAD.**

11

12 WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of  
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a  
14 restaurant; and

15 WHEREAS Five Aces Bar-v-que was issued Special Use Permit no. 8376 for the  
16 operation of a restaurant located at 1752-1754 N. New Florissant Road; and

17 WHEREAS ordinance no. 8376 was subsequently transferred by ordinance no. 8407 to  
18 CA44 LLC d/b/a Highway 67 BBQ for the operation of a restaurant; and

19 WHEREAS ordinance no. 8704 was transferred by ordinance no. 8603 to Shade Partners,  
20 LLC d/b/a Shade Restaurant and Bar; and

21 WHEREAS Shade Restaurant & Bar LLC has filed an application to transfer Special use  
22 Permit no. 8603 authorizing the location and operation of a restaurant located at 1752-1756 N.  
23 New Florissant Road to its name; and

24 WHEREAS, the City Council of the City of Florissant determined at its meeting on June  
25 27, 2022 that the business would be operated in substantially identical fashion as set out herein;  
26 and

27 WHEREAS, Shade Restaurant and Bar, LLC has accepted the terms and conditions as  
28 they apply to a special use permit for a restaurant.

29 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**  
30 **FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

31 Section 1: Special Use Permit no. 8603 is hereby transferred from Shade Partners, LLC  
32 to Shade Restaurant & Bar, LLC for the location of a restaurant and bar located at 1752-1756  
33 N. New Florissant Road subject to the following conditions:

- 34 a. Full compliance with any and all conditions set forth in Special Use Permit
- 35 8603; and
- 36 b. There shall be no tinting of the windows or obstruction preventing clear sight
- 37 into the business from the parking lot or sidewalk; and
- 38 c. A security camera shall be installed to record activities indoor and outdoor, and
- 39 the video footage shall be available to the police department within 24 hours of
- 40 the request and shall be retained for a minimum of 10 days; and
- 41 d. Screening and roof be provided for the smoker at the rear of the building; and
- 42 e. The business shall be closed no later than 10 pm.

43 Section 2: The Special Use Permit herein authorized shall terminate if the said business  
 44 ceases operation for a period of more than one hundred and eighty (180) days.

45 Section 3. The Special Use Permit authorized herein will be revoked if the applicant fails  
 46 to comply with the conditions set forth herein or violates any State Statutes or ordinances of the  
 47 City of Florissant.

48 Section 4: This ordinance shall become in force and effect immediately upon its passage  
 49 and approval.

50 .

51 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

52 \_\_\_\_\_  
 53 Joseph Eagan  
 54 Council President

56 Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

57 \_\_\_\_\_  
 58 Timothy J. Lowery  
 59 Mayor, City of Florissant

60 ATTEST:  
 61 \_\_\_\_\_  
 62 Karen Goodwin, MPPA/MMC/MRCC  
 63 City Clerk

1 INTRODUCED BY COUNCILMAN SIAM  
2 JUNE 27, 2022

3  
4 BILL NO. 9793

ORDINANCE NO.

5

6 **ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE**  
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- 35 8603; and
- 36 b. There shall be no tinting of the windows or obstruction preventing clear sight
- 37 into the business from the parking lot or sidewalk; and
- 38 c. A security camera shall be installed to record activities indoor and outdoor, and
- 39 the video footage shall be available to the police department within 24 hours of
- 40 the request and shall be retained for a minimum of 10 days; and
- 41 d. The business shall be closed no later than 10 pm.

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 48 and approval.

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50 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

51 \_\_\_\_\_  
 52 Joseph Eagan  
 53 Council President

55 Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

56 \_\_\_\_\_  
 57 Timothy J. Lowery  
 58 Mayor, City of Florissant

59 ATTEST:  
 60 \_\_\_\_\_  
 61 Karen Goodwin, MPPA/MMC/MRCC  
 62 City Clerk



# City of Florissant

*Honorable Timothy J. Lowery, Mayor*

## **TRANSFER OF SPECIAL USE PERMIT PROCEDURE**

After receiving completed Transfer of Special Use Permit application, the City Clerk places the Transfer request on the next City Council Agenda for acceptance of the application and 1<sup>st</sup> reading of the new bill.

Applicant is encouraged to contact the Councilperson of the ward prior to the City Council Meeting.

At the following meeting the bill is read for a second and third time and voted upon. With a majority of affirmative votes the bill is assigned an Ordinance number.

**The application for a Transfer of a Special Use requires the following for a complete application:**

1. Completed application form  
(with the signature from current owner to authorize the transfer of the ordinance in their name)
2. Complete acknowledgement form  
(Acknowledging that the new owner has received a copy of the current ordinance and accepts responsibility for the Special Use Permit as it is written)
3. Copy of the LLC or Corporation papers.
4. Copy of a lease or bill of sale (to show an interest in the property)
5. Copy of the Fictitious name certificate (if applicable)

**Return completed application and documentation to the City Clerk's office no later than 5 pm on Wednesday prior to a scheduled City Council meeting (2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month)**

Questions: Call the City Clerk at 314-839-7630 or 7631 or email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com)

**TRANSFER OF SPECIAL PERMIT**

AUTHORIZED BY ORDINANCE NUMBER (S) 8603

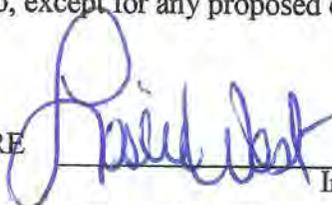
FROM Shade Parteners, LLC  
TO Shade Restaurant & Bar , LLC  
FOR A restaurant & bar  
ADDRESS 1752-1756 N. New Florissant, Florissant, MO 63033  
Ward 6 Zoning B3 Date Filed 6/8/2022 Accepted By \_\_\_\_\_

**TRANSFER OF SPECIAL USE PERMIT PETITION**

TO THE CITY COUNCIL OF THE CITY OF FLORISSANT:

1. Comes now Shade Restaurant & Bar, LLC and states to the City Council that he (she) (they) has (have) the following legal interest in the property located at 1752-1756 N. New Florissant, Florissant, MO 63034 in the City of Florissant, Missouri. Legal interest:  Lease or  Simple Title  
(Attach signed copy of lease or deed)
2. The petitioner(s) further state that he (she) (they) has (have) not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly to any official, employee, or appointee of the City of Florissant, with respect to this petition.
3. The applicant will operate the business in the same manner and under the same conditions as set out in the original ordinance granting the special permit or any amendments thereto, except for any proposed change in sign face of an authorized sign.

PETITIONER SIGNATURE



Individual's Name

FOR:

Shade Restaurant & Bar, LLC

Company, Corporation, Partnership

4. I (we) hereby certify that (indicate **one only**):



I (we) have a legal interest in the above described property.



I am (we are) the duly appointed agent (s) of the petitioner, and that all information given is true and a statement of fact.

SIGNATURE \_\_\_\_\_

ADDRESS

38 Jost Villa Dr. Florissant, MO 63034

Telephone No.

314-780-4890

Email address

Info@Shaderesturant.com

I (we) the petitioner(s) do hereby appoint Lisa West as my (our) duly authorized agent to represent me (us) in regard to this petition.



\_\_\_\_\_  
PETITIONER SIGNATURE

**Note:** Petitioner or his/her authorized agent will be the only person(s) permitted to make the presentation to the City Council.

5. Acknowledgement and consent of (**current**) owner to Transfer the Special Use Permit.



\_\_\_\_\_  
SIGNATURE OF OWNER

**Information sheet to be attached to all requests for Transfer of Special Permit**

Type of Operation: (Select One)

Individual       Partnership       Corporation       LLC

**INDIVIDUAL:**

Name & address \_\_\_\_\_

Telephone number & email address \_\_\_\_\_

Business name/address/phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**PARTNERSHIP:**

Name & address of partner (s) \_\_\_\_\_

Telephone number(s) and email address (s) \_\_\_\_\_

Business name/ address /phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**CORPORATION OR LLC:**

Name & address of all corporate officers Leslie West

Telephone numbers & email addresses 314-780-4890 Info@shaderesturant.com

Business name/address/phone Shade Resturant & Bar, LLC

Photocopy of Corporation/LLC Articles and Certificate \_\_\_\_\_

Date of incorporation/LLC 6/2/2022

Copy of fictitious name registration, if applicable

Copy of latest Missouri Anti-Trust affidavit (annual registration of corporate officers)

## TRANSFER OF SPECIAL USE PERMIT

The undersigned hereby acknowledges receipt of a copy of Ordinance  
Number 8603 which previously authorized a Special Use Permit:

TO: Shade Restuarant & Bar, LLC

FOR: A restaurant and bar

Located at: 1752-1756N.New Florissant, Florissant MO 63033

and agree to the terms and conditions listed in said ordinance and to any  
additional term and conditions that the City Council shall deem appropriate.

Leslie West

PRINT - NAME OF APPLICANT



SIGNATURE OF APPLICANT



**State of Missouri**  
**John R. Ashcroft, Secretary of State**  
 Corporations Division  
 PO Box 778 / 600 W. Main St., Rm. 322  
 Jefferson City, MO 65102

**LC014383013**  
**Date Filed: 6/2/2022**  
**John R. Ashcroft**  
**Missouri Secretary of State**

**Articles of Organization**

*(Submit with filing fee of \$105.00)*

1. The name of the limited liability company is  
Shade Restaurant & Bar LLC

*(Must include "Limited Liability Company," "Limited Company," "LC," "L.C.," "LLC," or "LLC")*

2. The purpose(s) for which the limited liability company is organized:

To operate a restaurant and bar as well as provide event space.

3. The name and address of the limited liability company's registered agent in Missouri is:

Aaron Lamont Reeves

<u>Jr</u>	<u>5920 Ridge Ave</u>	<u>Saint Louis, MO 63112-3510</u>
<i>Name</i>	<i>Street Address: May not use PO Box unless street address also provided</i>	<i>City/State/Zip</i>

4. The management of the limited liability company is vested in:     managers     members    *(check one)*

5. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual: 6/2/2097

*(The answer to this question could cause possible tax consequences, you may wish to consult with your attorney or accountant)*

6. The name(s) and street address(es) of each organizer *(PO box may only be used in addition to a physical street address):*

*(Organizer(s) are not required to be member(s), manager(s) or owner(s))*

<i>Name</i>	<i>Address</i>	<i>City/State/Zip</i>
<u>WEST, LESLIE</u>	<u>38 Jost Villa Dr</u>	<u>Florissant MO 63034-2270</u>

7.  Series LLC (OPTIONAL) Pursuant to Section 347.186, the limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company and are the following:

New Series:

The limited liability company gives notice that the series has limited liability.

New Series:

The limited liability company gives notice that the series has limited liability.

New Series:

The limited liability company gives notice that the series has limited liability.

*(Each separate series must also file an Attachment Form LLC 1A.)*

Name and address to return filed document:	
Name:	<u>Aaron Lamont Reeves</u>
Address:	<u>Email: aaronr1672@sbcglobal.net</u>
City, State, and Zip Code:	_____

# STATE OF MISSOURI



**John R. Ashcroft**  
**Secretary of State**

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*Shade Restaurant & Bar LLC*  
*LC014383013*

filed its Articles of Organization with this office on the 2nd day of June, 2022, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 2nd day of June, 2022, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this 2nd day of June, 2022.

  
Secretary of State



## ASSIGNMENT OF LEASE

This Assignment is entered on this \_\_\_\_\_ day of June, 2022 by and between Bella Marie Agency, L.L.C., a Missouri Limited Liability Company (referred to herein as "Assignor"), and Shade Restaurant & Bar, L.L.C., a Missouri Limited Liability Company (referred to herein as "Assignee") and LCRF, L.L.C., a Missouri Limited Liability Company, (hereinafter referred to as "Landlord").

### WHEREAS:

Assignor is the tenant under a certain written lease agreement dated January 17, 2022, for certain premises located at 1752, 1754 & 1756 New Florissant Road, Florissant, Missouri 63033 (the "Leased Premises"), the term of which is currently ending on December 31, 2025, (the "Lease").

### WHEREAS:

LCRF, L.L.C., a Missouri Limited Liability Company is the owner of the Leased premises and the Landlord of the Leased Premises under the said Lease, and

### WHEREAS:

Assignor desires to sell and assign all of its right, title and interest in all of the lease described above with the written consent of the Landlord;

### NOW THEREFORE:

In consideration of the premises, and of the assignments made, and of the mutual covenants and agreements set forth herein, the parties to this Assignment agree as follows:

1. Assignor assigns any and all of the right, title and interest of the Lease of the premises known as Flo-Lin I Shopping Center located at 1752, 1754 & 1756 New Florissant Road, Florissant, Missouri 63033 to Assignee effective on May 15, 2022, and Landlord expressly consents to the Assignment on the terms and conditions set forth herein.

2. In order to induce Landlord to consent to this Assignment, Assignor agrees to remain liable to said Landlord for the obligation to pay all rent through the date of this Assignment and for all other debts or obligations, including CAM, Tax and Insurance as well as 2022 year end reconciliation, through the effective date of this Assignment.

3. Except for those debts or obligations specifically noted in Paragraph 2 above, Assignor is released from all liability for the performance of all duties and obligations under the terms and conditions of the Lease described herein and/or under any oral or written modification to such Lease, which were not performed by Assignor prior to the effective date of this Assignment.

4. Assignee shall have no obligation or liability whatsoever for any debt or obligation which Assignor owes to the Landlord or to any predecessor at the time of this Assignment including, but not limited to, rent or other debts or obligations arising out of the Assignors' use and occupation of the premises prior to the effective date of this Assignment.

5. The laws of the State of Missouri shall govern this Assignment of Lease.

6. Assignor's forwarding address shall be 38 Jost Villa Drive, Florissant, MO 63033

7. Assignee's notice address shall be 38 Jost Villa Drive, Florissant, MO 63033

**EXHIBIT A  
ASSIGNEE INFORMATION**

**INDIVIDUAL**

A. Name: [Signature]  
 Home Phone: 314-980-4890  
 Home Address: 3805+ Villa Dr  
 \_\_\_\_\_  
 How long at this address? 12  
 Mortgage Co: First Comm Credit  
 Address: 8917 N. Lindbergh Blvd (6303)  
 Phone #: 636-728-3333

Date of Birth: 1-27-81  
 Social Security: \_\_\_\_\_  
 Driver's License: D02985029  
 Own: \_\_\_\_\_ Rent: \_\_\_\_\_  
 Landlord: Jenet Davis  
 Address: 1274 Woodpark Dr. Alexandria MD 22304  
 Phone #: 304-921-6714

B. Previous Address: \_\_\_\_\_  
 (less than 2 yrs.): \_\_\_\_\_

How long at this address? \_\_\_\_\_  
 Own: \_\_\_\_\_ Rent: \_\_\_\_\_

C. Employer Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Phone #: \_\_\_\_\_  
 How long? \_\_\_\_\_  
 Contact? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

D. Bus. Name: \_\_\_\_\_  
 Bus. Type: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Phone #: \_\_\_\_\_  
 How long in business? \_\_\_\_\_  
 How long at this address? \_\_\_\_\_  
 Own: \_\_\_\_\_ Rent: \_\_\_\_\_

**CORPORATION**

**(Attach copy of most recent audited financial statement)**

A. Corp. Name: \_\_\_\_\_  
 Bus. Type: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Mortgage Co: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_

Phone #: \_\_\_\_\_  
 How long in business? \_\_\_\_\_  
 How long at this address? \_\_\_\_\_  
 Own: \_\_\_\_\_ Rent: \_\_\_\_\_  
 Landlord: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone #: \_\_\_\_\_

B. Corporation Officers:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Social Security #: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Home Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

Social Security #: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Home Phone #: \_\_\_\_\_

**Address**

**REFERENCES**

A. Credit References:  
 Name of Reference

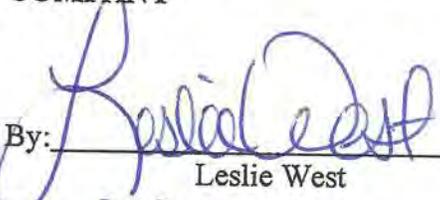
\_\_\_\_\_  
 \_\_\_\_\_

Acct. # and Type

This Assignment consisting of three (3) pages including the page on which these signatures appear, and Exhibit A attached hereto, entered into the \_\_\_\_\_ day of June, 2022.

"ASSIGNOR"

**BELLA MARIE AGENCY, LLC  
A MISSOURI LIMITED LIABILITY  
COMPANY**

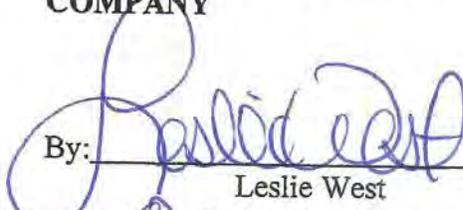
By:   
Leslie West

Title: owner

Date: 6-1-2022

"ASSIGNEE"

**SHADE RESTAURANT & BAR, LLC  
A MISSOURI LIMITED LIABILITY  
COMPANY**

By:   
Leslie West

Title: owner

Date: 6-1-2022

"LANDLORD"

**LCRF, L.L.C.,  
A MISSOURI LIMITED LIABILITY COMPANY**

By: LCRF Holdings, Inc., its managing members

By: \_\_\_\_\_  
Robert A. Walpert, President

Date: \_\_\_\_\_

1 INTRODUCED BY COUNCILMAN HENKE  
2 NOVEMBER 27, 2017

3  
4

5 BILL NO. 9334

ORDINANCE NO.

8376

6  
7  
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9  
10  
11

**ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO FIVE ACES  
BAR-B-QUE, LLC D/B/A FIVE ACES BAR-B-QUE TO ALLOW FOR THE  
OPERATION OF A RESTAURANT LOCATED AT 1752-1754 N. NEW  
FLORISSANT RD.**

12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of  
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a restaurant; and

14 WHEREAS, an application has been filed by Five Aces Bar-B-Que for the property located at  
15 1752-1754 N. New Florissant Rd for the location and operation of a restaurant; and

16 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting of  
17 November 6<sup>th</sup>, 2017 has recommended that the said Special Use Permit be granted; and

18 WHEREAS, due notice of a public hearing no. 17-11-028 said application to be held on the 27<sup>th</sup>  
19 day of November, 2017 at 7:30 P.M. by the Council of the City of Florissant was duly published, held  
20 and concluded; and

21 WHEREAS, the Council, following said public hearing, and after due and careful consideration,  
22 has concluded that the granting of the Special Use Permit as hereinafter provided would be in the best  
23 interest of the City of Florissant.

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
25 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

26  
27

Section I: A Special Use Permit is hereby granted to Five Aces Bar-B-Que, LLC d/b/a Five Aces  
28 Bar-B-Que to allow for the operation of a restaurant located at 1752-1754 N. New Florissant Rd for the  
29 location and operation of a restaurant with carry-out service and the following additional requirements:

30

- 31 1) Relocate smoker behind the south building.
- 32 2) Provide roof cover protection and screening of new smoker, as approved by the Building  
33 Commissioner.
- 34 3) Smoker enclosure colors to be complimentary in color to the existing structure, as approved by  
35 the Building Commissioner.

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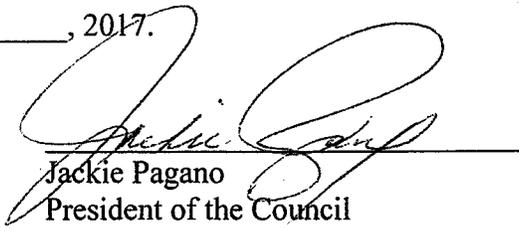
**2. PROJECT COMPLETION.**

Construction shall start within 30 days of the issuance of building permits and the structure shall be completed in accordance with the plans within 180 days of start of construction.

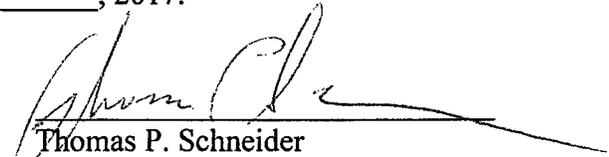
Section 2: When the named permittee discontinues the operation of said business, the Special Use Permit herein granted shall no longer be in force and effect.

Section 3: This ordinance shall become in force and effect immediately upon its passage and approval.

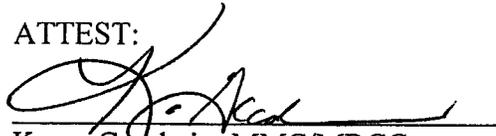
Adopted this 11 day of Dec, 2017.

  
Jackie Pagano  
President of the Council  
City of Florissant

Approved this 12 day of DEC, 2017.

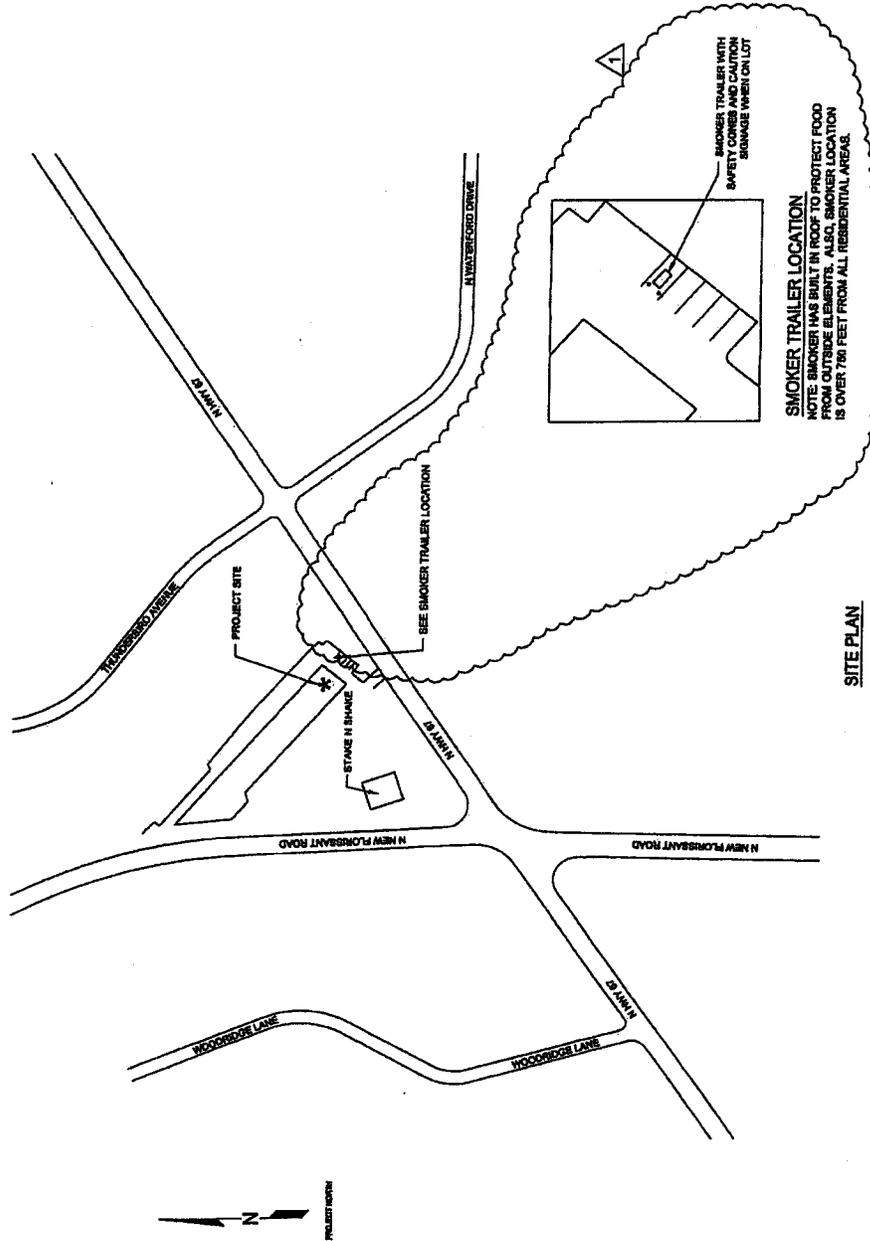
  
Thomas P. Schneider  
Mayor, City of Florissant

ATTEST:

  
Karen Godwin, MMC/MRCC  
City Clerk

# FACILITY UPDATES FOR RESTAURANT RENOVATION

1752-1754 NORTH NEW FLORISSANT ROAD  
FLORISSANT, MISSOURI 63033

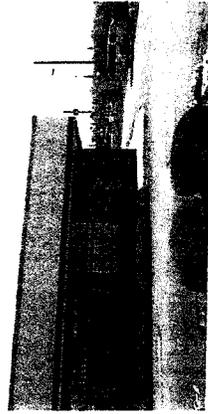
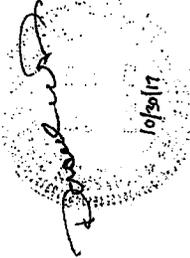


### SHEET INDEX:

- A-0 SITE PLAN AND SCOPE
- A-1 EXISTING/DEMOLITION PLAN
- A-2 PROPOSED PLAN
- A-3 ENLARGED PROPOSED FLOOR PLAN
- A-4 SPECIAL DETAILS
- A-5 METAL STUD WALL DETAILS
- A-6 METAL STUD WALL DETAILS

### SCOPE OF WORK:

1. PROJECT RENOVATION REQUIRE TO MODIFY AN EXISTING RESTROOM TO AN ADA RESTROOM, PROVIDE A KITCHEN (PREP AREA, HOT SINK AREA, COMMON WALL FIRE RATING INFORMATION, AND ADDITIONAL EMERGENCY RECOMMENDATION) AND FINISH. ALL DESIGN IS GOVERNED TO CURRENT CONSTRUCTION BUILDING CODES.
2. ALL PLUMBING AND ELECTRICAL WORK AND PERMITS, SHALL BE OBTAINED BY OWNER'S PLUMBING AND ELECTRICAL CONTRACTORS.
3. OWNER IS RESPONSIBLE FOR PROVIDING ALL SAFETY CONER SIGNS AND SAFETY PRECAUTION THAT WOULD ENSURE VISIBILITY AND SAFETY RELATES TO THEIR SMOKER TRAILER WHEN IT IS BROUGHT TO THE LOCATION FOR USE.



ALLEN DESIGNS, LLC  
P.O. BOX 728, 85 N.W. 10th Ave, Suite 100  
TALLAHASSEE, FL 32304-0728

DONALD W. DEAL, P.E.  
REG. NO. 63033  
PHONE: 904-243-0287  
LICENSE NO.: 22373

OWNER: \_\_\_\_\_  
DESIGNED BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
SCALE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
JOB NO.: \_\_\_\_\_  
SHEET: \_\_\_\_\_

SITE PLAN AND SCOPE  
RESTAURANT RENOVATION  
1752-1754 N. NEW FLORISSANT RD  
FLORISSANT, MISSOURI 63033

PROJECT NO. 2017-112  
DRAWING NO. A-0

NO.	DATE	DESCRIPTION
1	10/09/17	ISSUED FOR PERMIT
2	10/09/17	ISSUED FOR PERMIT
3		
4		
5		

# ALLEN DESIGNS, LLC

PROJECTS AT: 1752-1754 N. NEW FLORISSANT RD. FLOISSANT, MISSOURI 63033  
 TEL: 314-823-9007  
 WWW.ALLENDISIGNS.COM

PROJECT NO: 2017-112  
 DRAWING NO: A-2

PROPOSED FLOOR PLAN  
 RESTAURANT RENOVATION  
 1752-1754 N. NEW FLORISSANT RD.  
 FLOISSANT, MISSOURI 63033

DESIGNED BY: DONALD W. DEAL, P.E.  
 CHECKED BY: JAS. BROWN  
 SCALE: AS SHOWN  
 DATE: 08/11/17

### GENERAL NOTES:

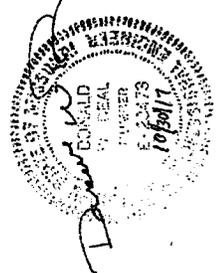
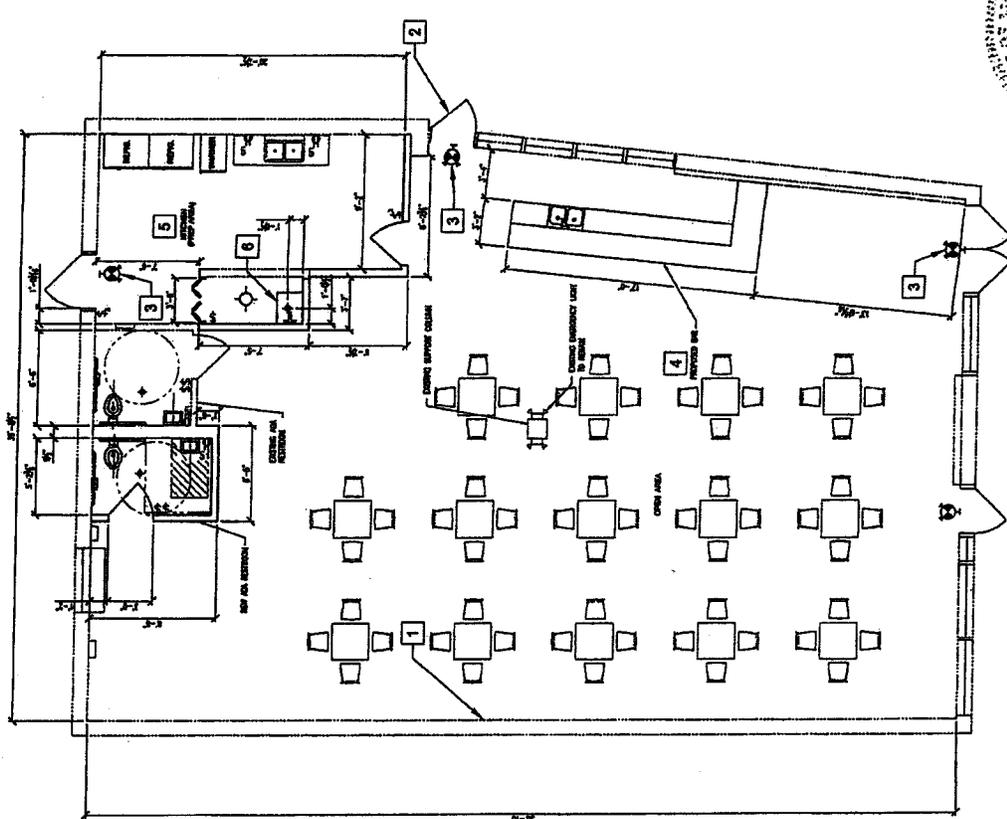
- CONSTRUCTION PER ALL GOVERNING CODES PER 2009 INTERNATIONAL BUILDING CODES.
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.
- ALL EXISTING REPAIR TO INTERIOR WALLS SHALL BE REPLACED WITH X TYPE GYPSUM BOARD.
- ALL NEW PARTITION WALLS SHALL BE METAL STUD WALLS FOR TYPICAL METAL STUD DETAILS, SEE DRAWING A-2 UNLESS NOTED OTHERWISE.

### KEYED NOTES:

- PROVIDING SEPARATION WALL IS VERIFIED TO BE DOUBLE LAYER 5/8" GYPSUM BOARD, AND A REPAIR IS NOTED CALLING ALONG THE TOP ALONG CEILING DESIGN AND JOINING THE GYPSUM BOARD, SEE DRAWING A-1 FOR SPECIAL DETAIL.
- ADD PANIC BAR WITH ALARM TO SIDE DOOR. PANIC BAR ALARM SHALL READ "EMERGENCY EXIT ONLY - ALARM WILL SOUND".
- NEW EXIT SIGNS WITH EMERGENCY LIGHTS (TYP.).
- PROPOSED BAR. BAR SUPPLIED BY OWNER.
- FINAL ORIENTATION OF APPLIANCES AND SINK ARE DETERMINED BY OWNER OR OWNER'S REPRESENTATIVE. NECESSARY RECEPTACLES FOR EACH APPLIANCE SHALL BE SUPPLIED BY QUALIFIED ELECTRICAL CONTRACTOR.
- FLOOR-SET MOP SINK. SEE DRAWING A-4 FOR DETAIL.

### LEGEND (ALL SYMBOLS MAY NOT BE USED):

- SMOKE DETECTOR - HARD WIRED WITH BATTERY BACKUP
- GROUND FAULT INDICATOR OUTLET
- RECEPTACLE OUTLET
- TRIPLE OUTLET
- PROPOSED LIGHT
- PROPOSED LIGHT/EXHAUST FAN
- NEW FLOOD LIGHT
- NEW WALL LIGHT
- NEW SWITCH
- NEW 3-WAY SWITCH
- EXIT SIGN
- EXIT SIGN WITH EMERGENCY LIGHTS

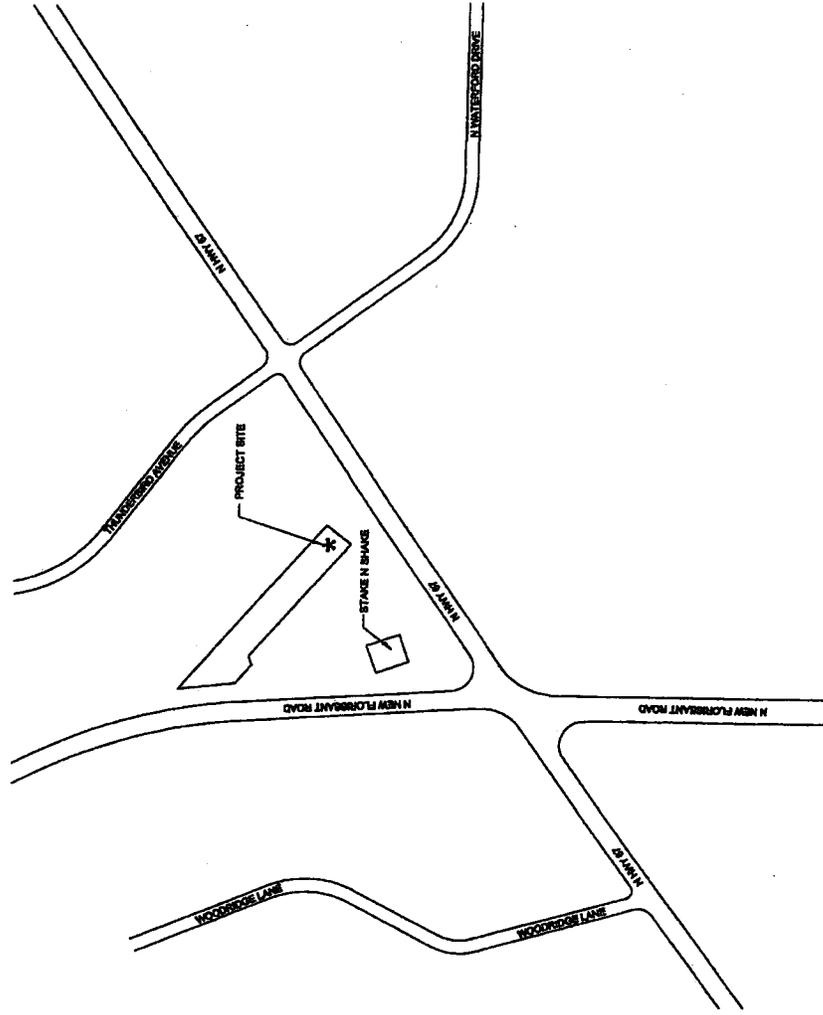


PROPOSED FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

NO.	DATE	DESCRIPTION	BY	APP'D
1	08/11/17	ISSUED FOR PERMIT-ADDED MECHANICAL		
0		ISSUED FOR PERMIT		

# FACILITY UPDATES FOR RESTAURANT RENOVATION

1752-1754 NORTH NEW FLORISSANT ROAD  
FLORISSANT, MISSOURI 63033



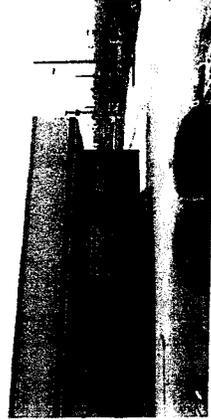
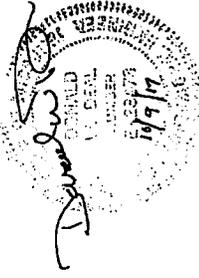
SITE PLAN

**SHEET INDEX:**

- A-0 SITE PLAN AND SCOPE
- A-1 EXISTING/DEMOLITION PLAN
- A-2 PROPOSED PLAN
- A-3 ENLARGED PROPOSED FLOOR PLAN
- A-4 SPECIAL DETAILS
- A-5 METAL STUD WALL DETAILS
- A-6 METAL STUD WALL DETAILS

**SCOPE OF WORK:**

1. PROJECT RENOVATION REQUIRE TO MODIFY AN EXISTING RESTROOM TO AN ADA RESTROOM, PROVIDE A KITCHEN (PREP AREA), AND PROVIDE A COMMON WALL FIRE RATING INFORMATION AND ALSO PROVIDE ALL DESIGN IS GOVERNED TO CURRENT CONSTRUCTION BUILDING CODES.
2. ALL PLUMBING AND ELECTRICAL WORK AND PERMITS SHALL BE OBTAINED BY OWNER'S PLUMBING AND ELECTRICAL CONTRACTORS.



NO.	REVISION	DATE	BY	CHKD	DATE
0	ISSUED FOR PERMIT				

**ALLEN DESIGNS, LLC**

P.O. BOX 722, EL. NW, MO 63021  
TEL: 314-622-1892  
WWW.ALLENDIGNS.COM

**DONALD W. DEAL, P.E.**

PROFESSIONAL ENGINEER  
LICENSE NO. 20070  
PHONE: 314-622-1892  
P.O. BOX 722, EL. NW, MO 63021

**SITE PLAN AND SCOPE**

RESTAURANT RENOVATION  
1752-1754 N. NEW FLORISSANT RD  
FLORISSANT, MISSOURI 63033

PROJECT NO.  
**2017-112**

DRAWING NO.  
**A-0**



# ALLEN DESIGNS, LLC

P.O. BOX 722 ST. LOUIS, MO 63101  
TEL: 314-423-1057  
WWW.ALLENDISIGN.COM

100% WORKSHEET  
ST. LOUIS, MO 63101  
PHONE: 314-423-1057  
LICENSE NO.: 024779

DRAWN BY: CJA  
CHECKED BY: DWD  
SCALE: AS SHOWN  
DATE: 08/21/17

PROPOSED FLOOR PLAN  
RESTAURANT RENOVATION  
1752-1764 N. NEW FLORISSANT RD  
FLORISSANT, MISSOURI 63033

PROJECT NO.: 2017-112  
DRAWING NO.: A-2

### GENERAL NOTES:

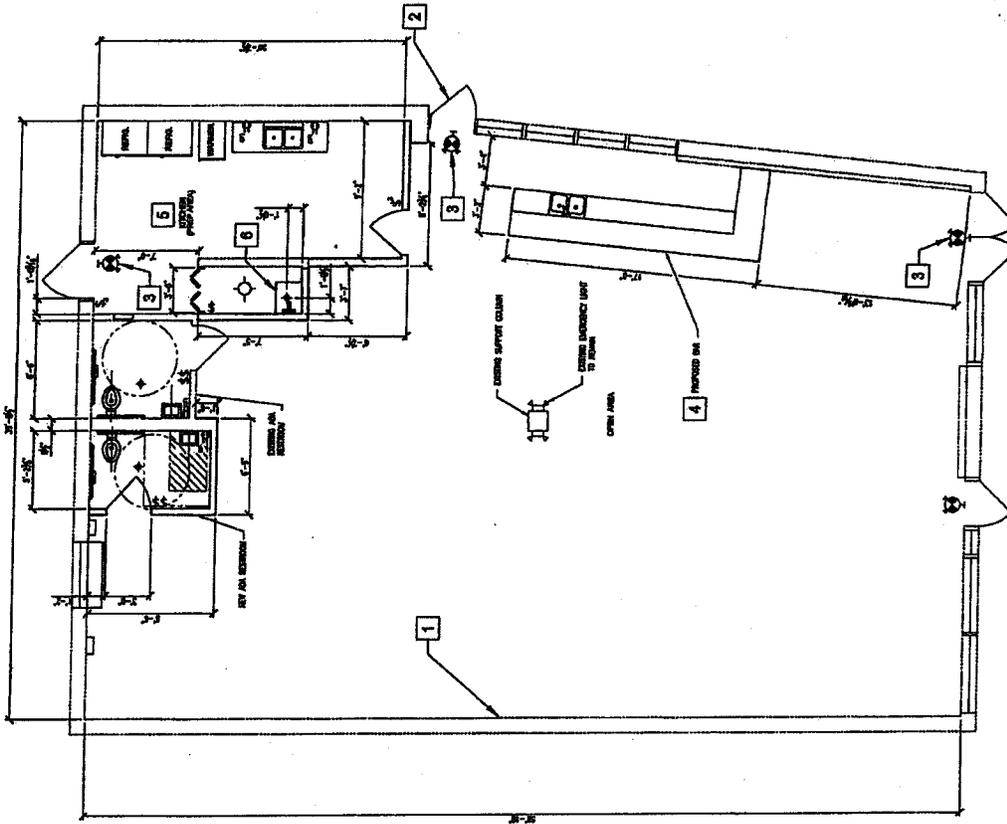
- CONSTRUCTION PER ALL GOVERNING CODES PER 2009 INTERNATIONAL BUILDING CODES.
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.
- ALL EXISTING REPAIR TO INTERIOR WALLS SHALL BE REPLACED WITH X-TYPE GYPSUM BOARD.
- ALL NEW PARTITION WALLS SHALL BE METAL STUD WALLS FOR TYPICAL METAL STUD DETAILS. SEE DRAWING A-4 UNLESS NOTED OTHERWISE.

### KEYED NOTES:

- PROVIDING SEPARATION WALL IS VERIFIED TO BE DOUBLE LAYER 5/8" GYPSUM BOARD, ADD A BEAD OF FIRE RATED CAULKING ALONG THE TOP ALONG CEILING JOINTS WHERE IT JOINS THE GYPSUM BOARD. SEE DRAWING A-4 FOR SPECIAL DETAILS.
- ADD PANIC BAR WITH ALARM TO SIDE DOOR. PANIC BAR ALARM SHALL READ "EMERGENCY EXIT ONLY - ALARM WILL SOUND".
- NEW EXIT SIGNS WITH EMERGENCY LIGHTS (TYP).
- PROPOSED BAR (BAR SUPPLIED BY OWNER).
- FINAL ORIENTATION OF APPLIANCES AND SINK ARE DETERMINED BY OWNER OR OWNER'S REPRESENTATIVE. NECESSARY RECEPTACLES FOR EACH APPLIANCE SHALL BE SUPPLIED BY QUALIFIED ELECTRICAL CONTRACTOR.
- FLOOR-SET HOP SINK. SEE DRAWING A-4 FOR DETAIL.

### LEGEND (ALL SYMBOLS MAY NOT BE USED):

- SMOKE DETECTOR - HARD WIRED WITH BATTERY BACKUP
- GROUND FAULT INDICATOR OUTLET
- RECEPTACLE OUTLET
- TRIPLE OUTLET
- PROPOSED LIGHT
- PROPOSED LIGHT/EXHAUST FAN
- NEW FLOOD LIGHT
- NEW WALL LIGHT
- NEW SWITCH
- NEW 3-WAY SWITCH
- EXIT SIGN
- EXIT SIGN WITH EMERGENCY LIGHTS



PROPOSED FLOOR PLAN  
SCALE: 1/4" = 1'-0"

*Allen Designs*  
10/9/17

NO.	DATE	DESCRIPTION	DWG.	APP'D.
0	08/21/17	ISSUED FOR PERMIT		

# ALLEN DESIGNS, LLC

P.O. BOX 724, ST. LOUIS, MO 63104  
 TEL: 314-622-1827  
 WWW.ALLENDISIGNS.COM

DONALD W. DEAL, P.E.  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 62273  
 PHONE: 314-622-1827  
 27, LOUIS, MO 63104

DESIGNED BY: DONALD W. DEAL  
 CHECKED BY: ASH BROWN  
 DATE: 02/17/17

ENLARGED PROP. FLOOR PLAN  
 RESTAURANT RENOVATION  
 1752-1754 N. NEW FLOISSANT RD  
 FLOISSANT, MISSOURI 63033

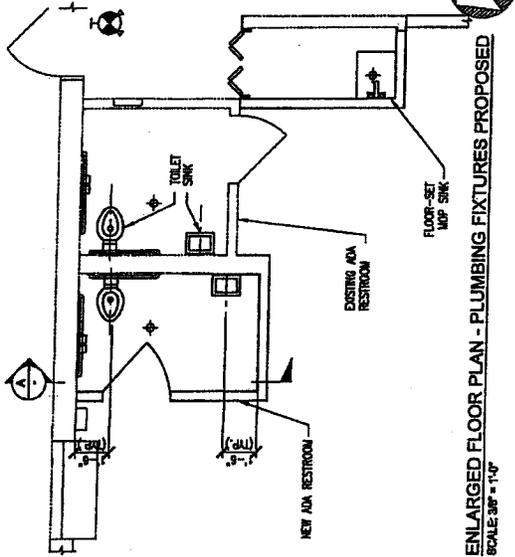
PROJECT NO.: 2017-112  
 DRAWING NO.: A-3

### GENERAL NOTES:

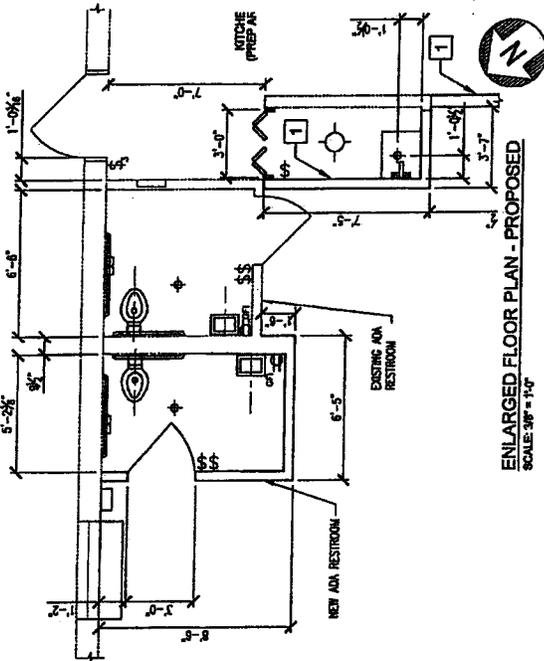
1. CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION.
2. RESTROOMS SHALL COMPLY WITH 2010 ADA STANDARDS FOR STATE AND LOCAL GOVERNMENT FACILITIES.
3. TOILET AND WATER CLOSET SHALL COMPLY WITH 603 AND 604.
4. CONTRACTOR SHALL INSTALL PROPER DRAINAGE AND WATER SUPPLY FOR NEW SINK BASED UPON MANUFACTURER'S SPECIFICATIONS.
5. FLOOR DRAINS WITHIN RESTROOMS ARE EXISTING. ADDITIONAL FLOOR DRAINS FOR BAR SHOULD BE FIELD LOCATED BY PLUMBING CONTRACTOR.

### KEYED NOTES:

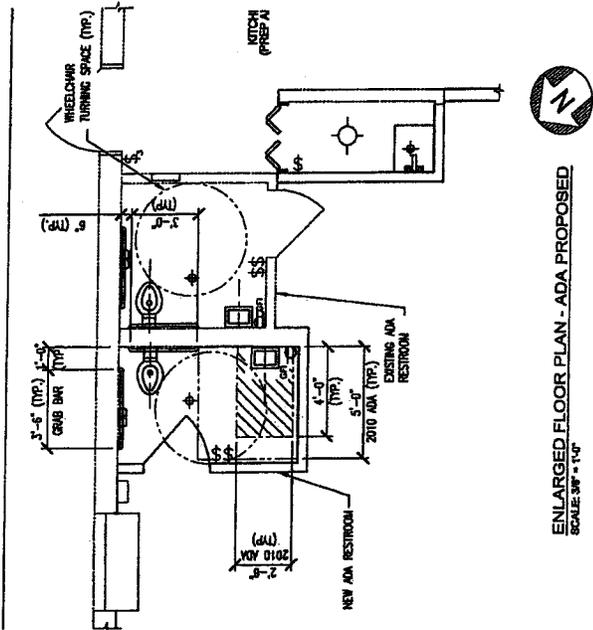
- 1 NEW WALL WIDTH TO MATCH EXISTING CONNECTED WALL.



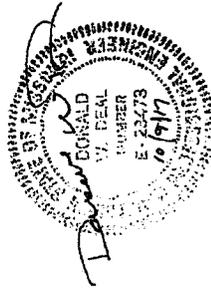
ENLARGED FLOOR PLAN - PLUMBING FIXTURES PROPOSED  
 SCALE: 3/8" = 1'-0"



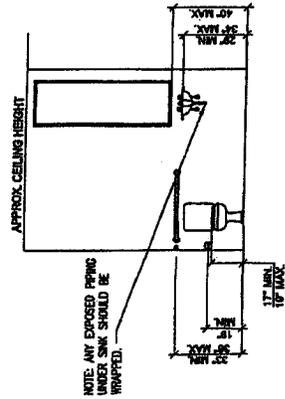
ENLARGED FLOOR PLAN - ADA PROPOSED  
 SCALE: 3/8" = 1'-0"



ENLARGED FLOOR PLAN - ADA PROPOSED  
 SCALE: 3/8" = 1'-0"



RESTROOM ELEVATION  
 SCALE: 3/8" = 1'-0"  
 NOTE: INDICATION ABOVE BROWN ONLY FOR PROPER FIXTURE ELEVATIONS.



NO.	DATE	DESCRIPTION	BY	CHKD.
0	02/20/17	ISSUED FOR PERMIT		

# ALLEN DESIGNS, LLC

P.O. BOX 172, ST. AVA, MO 65682  
TEL 314-832-1857  
WWW.ALLENDISIGNS.COM

DONALD W. DEAL, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
ST. LOUIS, MO 63102  
PHONE: 314-415-0000  
LICENSE NO.: 02973

DESIGNER  
CHECKED BY  
DATE  
SCALE  
PROJECT NO.

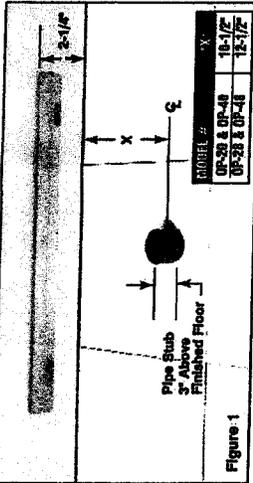
SPECIAL DETAILS  
RESTAURANT RENOVATION  
1752-1754 N. NEW FLORISSANT RD  
FLORISSANT, MISSOURI 63033

PROJECT NO. 2017-112  
DRAWING NO. A-4

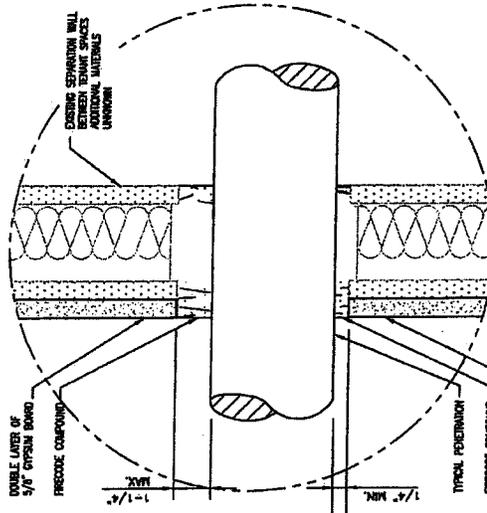
### GENERAL NOTES:

- FLOOR SET MOP SINK BASED UPON REGENCY SINKS MODEL #000SM1020S OR EQUIVALENT EQUIVALENT. INSTALLING CONTRACTOR SHALL FIELD VERIFY PROPER DRAIN LOCATION AND FIT TO ON MANUFACTURER'S SPECIFICATIONS. IMAGE SHOWN IS ONLY FOR DESIGN SPECIFICATIONS AND BASED UPON OWNER AND CONTRACTOR AGREEMENT.
- CONTRACTOR SHALL INSTALL PROPER PLUMBING ABOVE MOP SINK THAT IS ADEQUATE FOR THE USE OF VARIOUS JANITORIAL SUPPLIES.

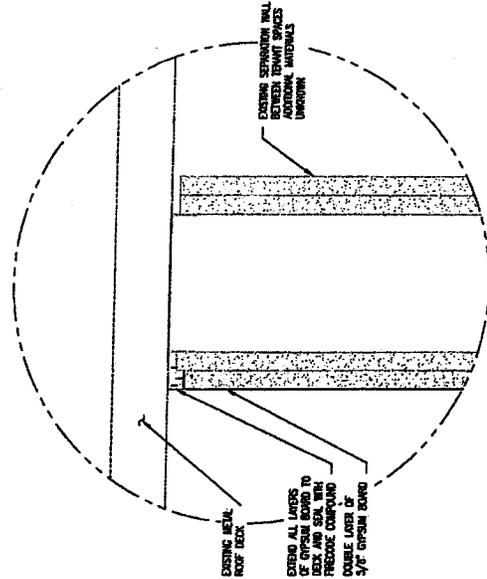
FLOOR SET MOP SINK  
TYPICAL OVERALL SIZE: 25"21"X10"



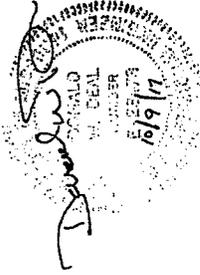
FLOOR MOUNTED MOP SINK DETAIL  
SCALE: NONE



TYPICAL WALL PENETRATION DETAIL  
SCALE: NONE



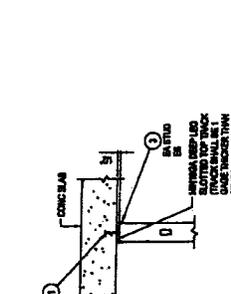
TYPICAL WALL TO ROOF DECK DETAIL  
SCALE: NONE



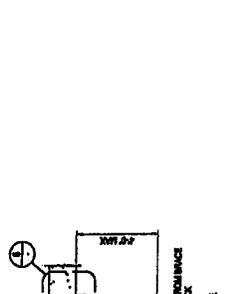
NO.	DATE	REVISION
0		ISSUED FOR PERMIT

**METAL STUD WALL GENERAL NOTES:**

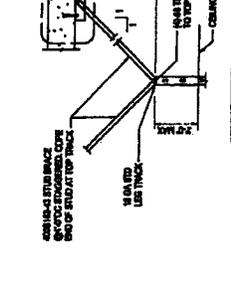
1. ALL NEW WALLS ARE 4" WIDE, UNLESS NOTED OTHERWISE.



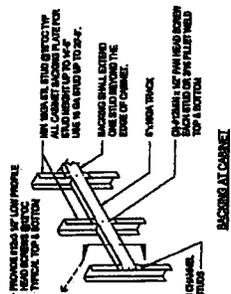
**CONNECTION TO CONCRETE SLAB DETAIL (E)**



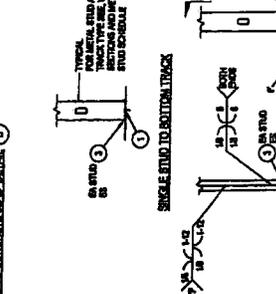
**CONNECTION TO CEILING DETAIL (F)**



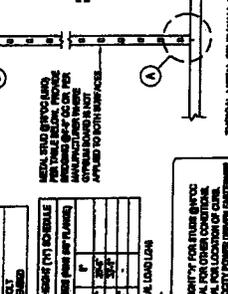
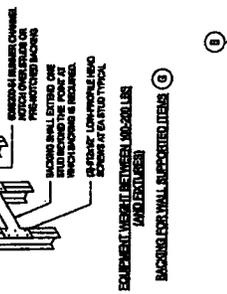
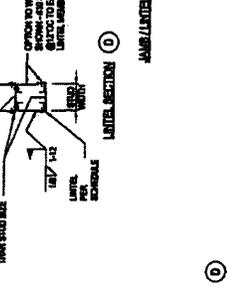
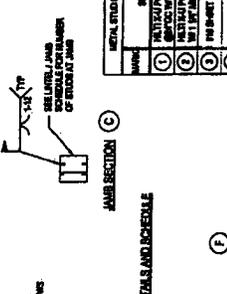
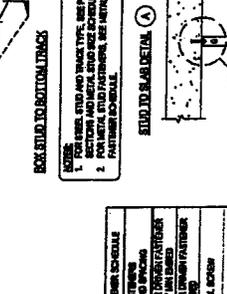
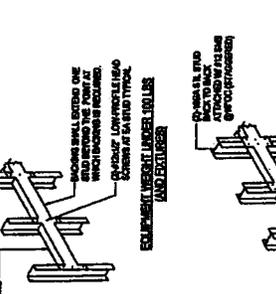
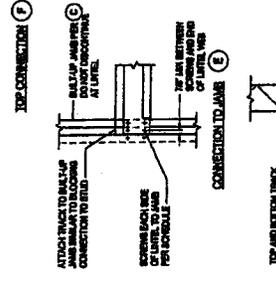
**JAMB DETAIL AND SCHEDULE (G)**



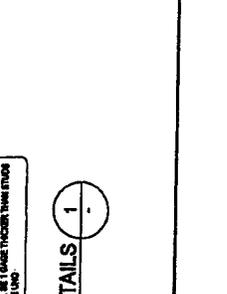
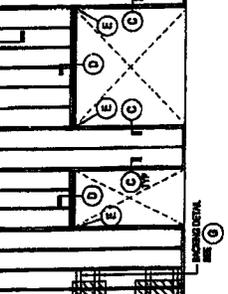
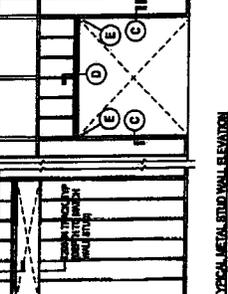
**WINDOW/DOOR DETAIL (H)**



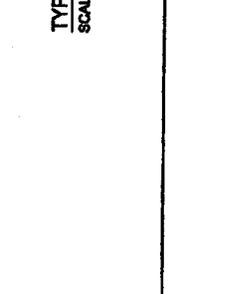
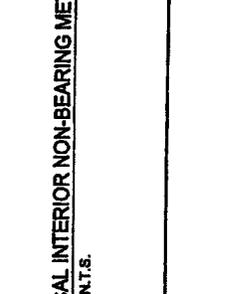
WALL HEIGHT	MIN. STUD SPACING	MAX. STUD SPACING	MIN. TRACK SPACING	MAX. TRACK SPACING
8'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
10'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
12'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
14'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
16'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
18'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
20'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.



WALL HEIGHT	MIN. STUD SPACING	MAX. STUD SPACING	MIN. TRACK SPACING	MAX. TRACK SPACING
8'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
10'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
12'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
14'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
16'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
18'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
20'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.



WALL HEIGHT	MIN. STUD SPACING	MAX. STUD SPACING	MIN. TRACK SPACING	MAX. TRACK SPACING
8'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
10'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
12'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
14'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
16'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
18'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.
20'0"	16" O.C.	24" O.C.	16" O.C.	24" O.C.



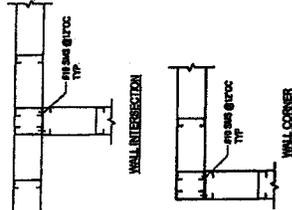
PROJECT NO. 2017-112  
 DRAWING NO. 01000117  
 SHEET NO. 01000117  
 DATE 10/9/17

ALLEN DESIGNS, LLC  
 1752-1764 N. NEW FLOISSANT RD.  
 FLOISSANT, MISSOURI 63033

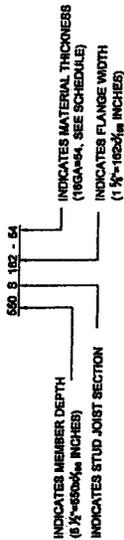
RESTAURANT RENOVATION  
 METAL STUD WALL DETAILS

**METAL STUD WALL GENERAL NOTES:**

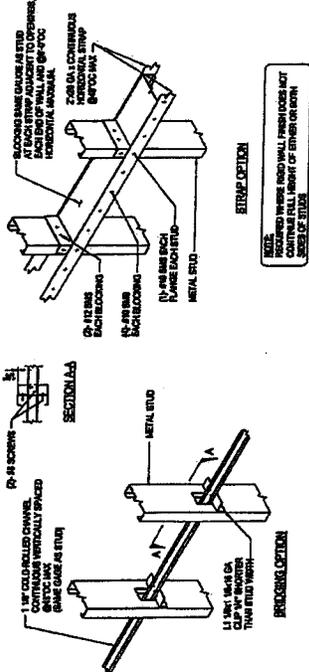
1. ALL NEW WALLS ARE 4" WIDE, UNLESS NOTED OTHERWISE.



**TYPICAL METAL STUD WALL DETAILS AT INTERSECTION DETAILS**  
SCALE: N.T.S.



**METAL STUD IDENTIFICATION**  
SCALE: N.T.S.



**TYPICAL LATERAL BRIDGING AT METAL STUDS**  
SCALE: N.T.S.



**ALLEN DESIGNS, LLC**  
WWW.ALLENDISIGNS.COM  
P.O. BOX 172, ST. LOUIS, MO 63101  
TEL: 314-423-1057

**DONALD W. DEAL, P.E.**  
1828 HANCOCK  
ST. LOUIS, MO 63103  
PHONE: 314-433-0887  
LICENSE NO.: 62173

DESIGNED BY: DONALD W. DEAL  
CHECKED BY: DONALD W. DEAL  
DATE: 12/19/17  
SCALE: AS SHOWN  
PROJECT NO.: 17-112  
SHEET NO.: 03/07

**METAL STUD WALL DETAILS**  
RESTAURANT RENOVATION  
1762-1764 N. NEW FLOIRISSANT RD  
FLOIRISSANT, MISSOURI 63033

PROJECT NO.: **2017-112**  
ISSUED NO.: **A-6**

REV	DATE	DESCRIPTION	BY	APP'D
0		ISSUED FOR PERMIT		

1 INTRODUCED BY COUNCILMAN HENKE  
2 APRIL 9, 2018

3  
4 BILL NO. 9380 ORDINANCE NO. 8407

5  
6 **ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE**  
7 **PERMIT NO. 8376 FROM 5 ACES BBQ TO CA44 LLC D/B/A HWY 67**  
8 **BBQ FOR THE OPERATION OF A RESTAURANT LOCATED AT**  
9 **1752-1754 N. NEW FLORISSANT ROAD.**

10  
11 WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of  
12 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and  
13 operation of a restaurant; and

14 WHEREAS, pursuant to Ordinance No. 8376, 5 Aces BBQ was granted a Special Use  
15 Permit for the location and operation of restaurant on the property known as 1752-1754 N. New  
16 Florissant Road; and

17 WHEREAS, an application has been filed by CA44 LLC d/b/a Hwy 67 BBQ to transfer  
18 the Special Use Permit authorized by Ordinance No. 8376 to its name; and

19 WHEREAS, the City Council of the City of Florissant determined at its meeting on  
20 April 9, 2018 that the business operated under Ordinance Nos. 8376 would be operated in a  
21 substantially identical fashion as set out herein; and

22 WHEREAS, CC44 LLC has accepted the terms and conditions set out in Ordinance No.  
23 8376.

24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
25 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

26  
27 Section 1: The Special Use Permit authorized by Ordinance No. 8376 originally issued 5  
28 Aces BBQ is hereby transferred to CC44 LLC d/b/a Hwy 67 BBQ for the location and operation  
29 of a restaurant on the property known as 1752-1754 N. New Florissant Road.

30 Section 2: The terms and conditions of said Special Permit authorized by Ordinance No.  
31 8376 shall remain in full force and effect.

32 Section 3: The Special Use Permit herein authorized shall terminate if the said business  
33 ceases operation for a period of more than ninety (90) days.

34 Section 4: This ordinance shall become in force and effect immediately upon its passage  
35 and approval.

36

37

Adopted this 23 day of April, 2018.

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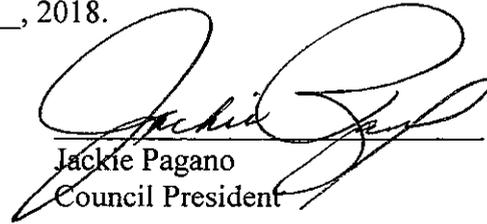
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Jackie Pagano  
Council President

46

Approved this 24 day of April, 2018.

47

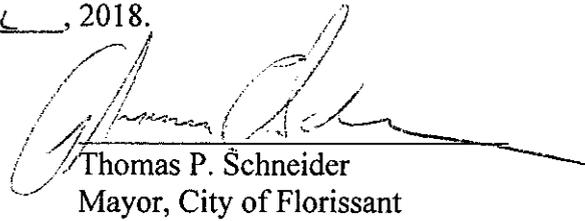
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Thomas P. Schneider  
Mayor, City of Florissant

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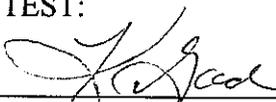
ATTEST:

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56

57



Karen Goodwin, MMC/MRCC  
City Clerk

1 INTRODUCED BY COUNCILMAN SIAM  
2 FEBRUARY 24, 2020

3  
4 BILL NO. 9587

ORDINANCE NO.

**8603**

5  
6 **ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE**  
7 **PERMIT NO. 8407 FROM HWY 67 BBQ TO SHADE PARTNERS, LLC**  
8 **D/B/A SHADE RESTAURANT AND BAR FOR THE PROPERTY**  
9 **LOCATED AT 1752-1754 N. NEW FLORISSANT ROAD.**

10  
11 WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of  
12 Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a  
13 restaurant; and

14 WHEREAS, 5 Aces BBQ was granted Special Use Permit no. 8376 for the location of a  
15 restaurant located at 1752-54 N. New Florissant Road, and

16 WHEREAS Special Use Permit no. 8376 was transferred to CA44 d/b/a Hwy 67 BBQ by  
17 Ordinance no. 8407; and

18 WHEREAS, an application has been filed by Shade Partners LLC to transfer the Special  
19 Use Permit authorized by Ordinance No. 8407 to its name; and

20 WHEREAS, the City Council of the City of Florissant determined at its meeting on  
21 February 10, 2020 that the business would be operated in substantially identical fashion as set  
22 out herein; and

23 WHEREAS, Shade Partners, LLC has accepted the terms and conditions set out in  
24 Ordinance No. 8407 as transferred from Ordinance no. 8376.

25  
26 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
27 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

28  
29  
30 Section 1: The Special Use Permit authorized by Ordinance No. 8407 is hereby  
31 transferred Hwy 67 BBQ to Shade Partners, LLC d/b/a Shade Restaurant and bar for the property  
32 located at 1752-1754 N. New Florissant Road.

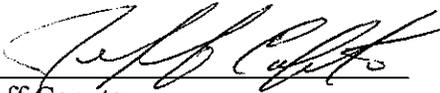
33 Section 2: The terms and conditions of said Special Permit authorized by Ordinance No.  
34 8407 as transferred from Ordinance no. 8376 shall remain in full force and effect.

35 Section 3: The Special Use Permit herein authorized shall terminate if the said business  
36 ceases operation for a period of more than ninety (90) days.

37 Section 4: This ordinance shall become in force and effect immediately upon its passage  
38 and approval.

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Adopted this 9 day of March, 2020.

  
Jeff Caputa  
Council President

Approved this 9 day of March, 2020.

  
Timothy J. Lowery  
Mayor, City of Florissant

ATTEST:

  
\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

1 INTRODUCED BY COUNCILMAN MULCAHY  
2 SEPTEMBER 6TH, 2022

3  
4 BILL NO. 9815

ORDINANCE NO.

5  
6 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO**  
7 **PRINCETON DEW D/B/A 2.0 RESTAURANT TO ALLOW FOR A SIT-**  
8 **DOWN, CARRY-OUT RESTAURANT LOCATED AT 462 N. HIGHWAY**  
9 **67.**

10  
11 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of  
12 Florissant, by Special Permit, after public hearing thereon, to permit the location and operation  
13 of a restaurant in the City of Florissant; and

14 WHEREAS, an application has been filed by Princeton Dew to allow for the operation of  
15 a sit-down, carry-out, restaurant located at 462 N. Highway 67, and

16 WHEREAS, the Planning and Zoning Commission at their meeting on August 1st, 2022,  
17 recommended that a Special Permit be granted; and

18 WHEREAS, due notice of public hearing no. 22-08-020 on said application to be held on  
19 the 22<sup>nd</sup> day of August, 2022 at 7:00 P.M. by the Council of the City of Florissant was duly  
20 published, held and concluded; and

21 WHEREAS, the Council, following said public hearing, and after due and careful  
22 consideration, has concluded that the issuance of a Special Permit for a sit-down, carry-out,  
23 restaurant would be in the best interest of the City of Florissant.

24  
25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
26 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

27  
28 Section I: A Special Use Permit is hereby granted to Princeton Dew d/b/a 2.0 Restaurant  
29 to allow for the operation of a sit-down, carry-out, restaurant located 462 N. Highway 67 as  
30 shown on plans attached: DWG.1 dated 6/30/2022 by Deru & Associates, subject to the  
31 conditions set forth below with these conditions being part of the record:

- 32 a. There shall be no tinting of the windows or obstruction preventing clear sight  
33 into the business from the parking lot or sidewalk; and  
34 b. A security camera shall be installed to record activities indoor and outdoor, and  
35 the video footage shall be available to the police department within 24 hours of  
36 the request and shall be retained for a minimum of 10 days; and

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41 Section 2: This ordinance shall become in force and effect immediately upon its passage  
42 and approval.

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45 Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

46  
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\_\_\_\_\_  
Joseph Eagan  
President of the Council

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51

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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\_\_\_\_\_  
Timothy J. Lowery  
Mayor, City of Florissant

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ATTEST: \_\_\_\_\_

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\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

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61

# **CITY OF FLORISSANT**

## **Public Hearing**



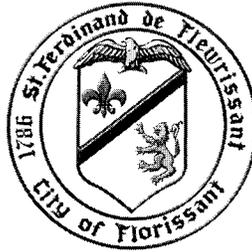
**In accordance with 405.125 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 rue St. Francois, on Monday, August 22, 2022 at 7:00 p.m. on the following proposition:**

**To authorize a Special Use Permit to allow for a sit-down, carry-out restaurant in a 'B-3' Extensive Business District located at 462 N Hwy 67 (2.0 Restaurant and Bar). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**

1

**MEMORANDUM**



2

**CITY OF FLORISSANT- Building Division**

3

*"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."*

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To: Planning and Zoning Commissioners Date: July 28, 2022

8

9

From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,  
Director Public Works  
Deputy City Clerk  
Applicant  
File

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Subject: **Request recommended approval** of a New Special Use to allow for a sit down, carry out restaurant 2.0 Restaurant and Bar located at (formerly Cannoli's) in a 'B-3' Extensive Business District at **462 N Highway 67**.

20

**STAFF REPORT**  
**CASE NUMBER PZ-080122-1**

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22

23

**I. PROJECT DESCRIPTION:**

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This is a **Request recommended approval** of a New Special Use to allow for a sit down, carry out restaurant 2.0 Restaurant and Bar located at (formerly Cannoli's) in a 'B-3' Extensive Business District at **462 N Highway 67**. On 7/18/22 there was a referral from Council to determine if a transfer of Special Use Permit no. 5580 from Delor Distributing, Inc d/b/a Cannoli's Sicilian Cuisine to 2.0 Restaurant. The Planning and Zoning Commission determined that a Special Use Permit was in order.

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**II. EXISTING SITE CONDITIONS:**

The existing property at **462 N Highway 67** is an inactive restaurant property which operated under a Special Use, Ord. No. 5580 in an existing 'B-3' Planned Commercial District. The property is zoned 'B-3'.

The subject property is an approximately a total of 5800 s.f.

38

39

The shopping center was constructed in 1961 per county record and is 93,165 s.f. The previous tenant that vacated was a long standing business of specific operation and

40 character, with a private dining/meeting room and village like décor applied onto the  
41 north and south walls of the interior.

42  
43 **III. SURROUNDING PROPERTIES:**

44 The properties adjacent are located in a 'B-3' Extensive Business District to the north  
45 (Florissant Meadows SC) and to the south (Church's Chicken) and adjacent to the creek  
46 along the East.

47  
48 **IV. STAFF ANALYSIS:**

49 Applicant has submitted application for Special Use application 7/6/22 indicating Jerome  
50 Logan from DERU & Associates as agent, ALTA Survey from 2013 and DWG.1 dated  
51 7/30/22 by DERU and Associates, sealed by Ramon Sarmiento, Architect, 7/25/22.

52  
53 Comments on submissions

54  
55 ALTA Survey Comments:

56 The survey shows 2013 conditions with last update of 12/30/2013 and a count of the  
57 parking spaces shown on the plan is 353. The petitioner reported existing spaces is 352  
58 from his personal count. The shopping center size is listed on the survey as 87,762 s.f.

59  
60 Drawing DWG.1 Comments:

61 Staff requested that the floor plan be shown with pertinent changes and that the s.f. of  
62 each tenant space be shown and parking calculations given to illustrate if there is  
63 compliance with the parking code with this petition for a restaurant.

64  
65 Parking Calculations

66 The chart was obtained by the petitioner from the landlord rent roll. These s.f numbers  
67 are used generally to establish lease agreements and are also approximate and total  
68 83,802 s.f. The number of Parking required for existing tenants is shown on the drawing  
69 440 as compared to parking spaces provided 352 counted by the petitioner, a shortage of  
70 88 spaces not including any spaces for the 3 vacant tenant spaces. The shortage of  
71 parking can result in denial of occupancy to the restaurant or the 3 vacant tenant spaces  
72 unless enough parking is created or recorded as shared for these spaces.

73  
74 Parking calculated for proposed restaurant: DWG.1 calls for 43 parking, but should be  
75 44. With the total number of chairs shown 122 this would represent 6 employees on the  
76 maximum shift. The plan also lists 181 occupants, which is not reflected on the plan, nor  
77 is it reflected in parking calculations, which would exacerbate the parking shortage.

78 Petitioner has indicated that no more than 6 staff on the maximum shift would be  
79 working. Therefore, the correct parking required should be 44, not 43 and that is based  
80 upon 122 chairs, not 181 occupants which likely comes from the building code chapter  
81 10, for max. occupant load determination during an emergency.

82  
83 Calculations confirmed: Oak St Health and they have a storage room of 4165 s.f. within  
84 a total s.f. of 14,387 s.f., so that is about right per the parking code. Parking and  
85 occupant load

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Photos- there are photos of recent conditions after interior wall décor was removed, reported to staff as all but a false balcony in the proposed game room.

The original room near the entry was formerly used as a Wine Room. This room is proposed to be a Photo Booth with cameras available for use by customers.

The petitioner has acquired existing furnishings including round tables 2'-4" round and 2'-8" square. The tables on the plan scale 2'-4" round and 2'-0"x 2'-4". The petitioner has arranged some of the tables to reflect the proposed plan of 3 rows x 9 rows of tables in the main dining area.

The previous restaurant had a private dining room which is now proposed to be a Game Room, described as a diversion for family members while dining. A pool table and dartboards are shown. Other descriptions of activities within this room were discussed earlier.

**VI. STAFF RECOMMENDATIONS:**

Since the parking lot is significantly short of required spaces, even with 3 vacancies, the Commission should consider a continuance until there is adequate off-street parking provided by way of a shared parking agreement approved by the City Attorney, per the zoning code. Reference parking calculations plan DWG.1 dated 7/30/22 by DERU and Associates. Recommended max. occupant load 130.

**Suggested Motion:**

I move to continue the petition to \_\_\_\_\_ giving opportunity to the petitioner to satisfy parking requirements.

(End of report and suggested motion)



- 4) The petitioner(s) further state(s) that (he) (she) (they) shall comply with all of the requirements of the City of Florissant, including setback lines and off- street parking.
- 5) The petitioner (s) further (represent (s) and warrants (s) that they (he) (she) has (have) not made any arrangement to pay any commission gratuity or consideration, directly or indirectly to any official, employee or appointee of the City of Florissant, with respect to this application.
- 6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):
- 7) The petitioner (s) state (s) the following factors and reason to justify the permit:  
(If more space is needed, separate sheets maybe attached)

Princeton Dew \_\_\_\_\_ / pdew03@yahoo.com  
 PRINT NAME SIGNATURE email and phone

FOR 2.0 Restaurant and Bar \_\_\_\_\_  
 (company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

- 8) I (we) hereby certify that, as applicant (circle one of the following):
  - 1. I (we) have a legal interest in the herein above described property.
  - 2. I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Permission granted by the Petitioner assigning an agent (i.e. Architect) to present this petition in their behalf, to the Commission and/or Council. The petitioner must sign below, and provide contact information:

PRESENTOR SIGNATURE \_\_\_\_\_  
 ADDRESS 801 Rue St Francois, Suite C, Florissant, MO 63031  
 STREET CITY STATE ZIP CODE  
 TELEPHONE / EMAIL Deru and Associates / 314-574-5770  
 BUSINESS

I (we) the petitioner (s) do hereby appoint Jerome Logan \_\_\_\_\_ as  
 my (our) duly authorized agent to represent me (us) in regard to this petition.  
 Print name of agent.

\_\_\_\_\_  
 Signature of Petitioner authorizing an agent

**NOTE:** When the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and to make a presentation, the same individuals must also appear before the City Council at the Public Hearing to make the presentation and no one else will be permitted to make the presentation to the City Council without authorized approval.

IF DESCRIPTIONS, PLATS OR SURVEYS ARE INACCURATE, OR IF THE PETITION APPLICATION IS NOT CORRECT OR COMPLETE, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS.

## REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in applicable section (a), (b) or (c).  
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation:  
Individual  Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

(a) If an individual:

(1) Name and Address Princeton Dew

(2) Telephone Number 3143565075

(3) Business Address 7817 Laurel Flats Drive, Caseyville, IL 62232

(4) Date started in business March 1, 2022

(5) Name in which business is operated if different from (1) N/A

(6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

(1) Names & addresses of all partners \_\_\_\_\_

(2) Telephone numbers \_\_\_\_\_

(3) Business address \_\_\_\_\_

(4) Name under which business is operated \_\_\_\_\_

(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

(1) Names & addresses of all partners \_\_\_\_\_

(2) Telephone numbers \_\_\_\_\_

(3) Business address \_\_\_\_\_

(4) State of Incorporation & a photocopy of incorporation papers \_\_\_\_\_

(5) Date of Incorporation \_\_\_\_\_

(6) Missouri Corporate Number \_\_\_\_\_

(7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. \_\_\_\_\_

(8) Name in which business is operated \_\_\_\_\_

(9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.

Name \_\_\_\_\_

Address \_\_\_\_\_

Property Owner \_\_\_\_\_

Location of property \_\_\_\_\_

Dimensions of property \_\_\_\_\_

Property is presently zoned \_\_\_\_\_ Requests Rezoning To \_\_\_\_\_

Proposed Use of Property \_\_\_\_\_

Type of Sign \_\_\_\_\_ Height \_\_\_\_\_

Type of Construction \_\_\_\_\_ Number Of Stories \_\_\_\_\_

Square Footage of Building \_\_\_\_\_ Number of Curb Cuts \_\_\_\_\_

Number of Parking Spaces \_\_\_\_\_ Sidewalk Length \_\_\_\_\_

Landscaping: No. of Trees \_\_\_\_\_ Diameter \_\_\_\_\_

No. of Shrubs \_\_\_\_\_ Size \_\_\_\_\_

Fence: Type \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

**PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:**

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center, list address and show part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with metes and bounds bearings and dimensions.

**PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION**

Provide a drawing of a location map showing the nearest major intersection.

---

---

**OFFICE USE ONLY**

Date Application reviewed \_\_\_\_\_

STAFF REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Building Commissioner or Staff Signature

**2.0 RESTAURANT AND BAR**

462 N HWY 87  
FLOESSANT, MO 63031

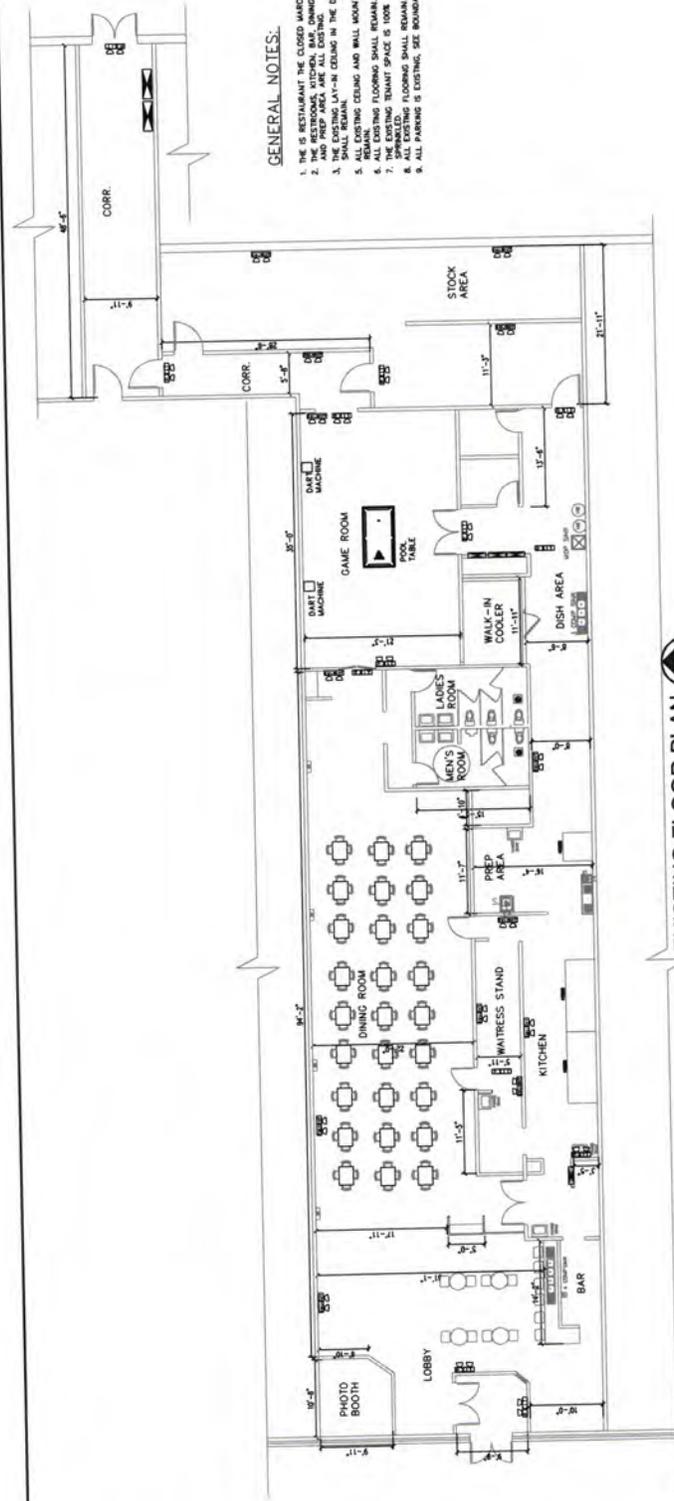
**CONSULTANT**  
 JAMES H. HANCOCK, LLC  
 1001 W. ST. FRANKLIN ST.  
 ST. LOUIS, MO 63101  
 TEL: 314-574-5710 CELL: 314-574-5710 FAX: 314-574-5710  
 jhancock@hancockllc.com

**DATE** JUNE 26, 2022  
**JOB NUMBER** 22060114  
**DRAWING TITLE** EXISTING FLOOR PLAN

**DESIGNED BY / CHECKED BY**  
**DRAWING NUMBER** A1.0  
**CONTRACT**  
**NO. SHEETS TOTAL** 10

FOR CONDITIONAL USE REVIEW

- GENERAL NOTES:**
1. THE RESTAURANT THE CLOSED MARCH OF THIS YEAR.
  2. THE RESTROOM, KITCHEN, BAR, DINING AREA, DISH AREA, AND PREP AREA ARE ALL EXISTING.
  3. SMALL REMOVALS IN THE DINING AND KITCHEN SHALL REMAIN. LAT-IN CEILING IN THE DINING AND KITCHEN SHALL REMAIN.
  4. ALL EXISTING CEILING AND WALL MOUNTED LIGHTING SHALL REMAIN.
  5. ALL EXISTING FLOORING SHALL REMAIN.
  6. THE EXISTING TENANT SPACE IS 100K.
  7. THE EXISTING FLOORING SHALL REMAIN.
  8. ALL EXISTING FLOORING SHALL REMAIN.
  9. ALL EXISTING FLOORING SHALL REMAIN.



**EXISTING FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"  
 NORTH

Item	Quantity	Unit	Cost
1.00	1.00	sq. ft.	25.00
2.00	1.00	sq. ft.	1.00
3.00	1.00	sq. ft.	1.00
4.00	1.00	sq. ft.	1.00
5.00	1.00	sq. ft.	1.00
6.00	1.00	sq. ft.	1.00
7.00	1.00	sq. ft.	1.00
8.00	1.00	sq. ft.	1.00
9.00	1.00	sq. ft.	1.00
10.00	1.00	sq. ft.	1.00
11.00	1.00	sq. ft.	1.00
12.00	1.00	sq. ft.	1.00
13.00	1.00	sq. ft.	1.00
14.00	1.00	sq. ft.	1.00
15.00	1.00	sq. ft.	1.00
16.00	1.00	sq. ft.	1.00
17.00	1.00	sq. ft.	1.00
18.00	1.00	sq. ft.	1.00
19.00	1.00	sq. ft.	1.00
20.00	1.00	sq. ft.	1.00
21.00	1.00	sq. ft.	1.00
22.00	1.00	sq. ft.	1.00
23.00	1.00	sq. ft.	1.00
24.00	1.00	sq. ft.	1.00
25.00	1.00	sq. ft.	1.00
26.00	1.00	sq. ft.	1.00
27.00	1.00	sq. ft.	1.00
28.00	1.00	sq. ft.	1.00
29.00	1.00	sq. ft.	1.00
30.00	1.00	sq. ft.	1.00



**SITE IMAGE**





1 INTRODUCED BY COUNCILMAN SIAM  
2 SEPTEMBER 6TH, 2022

3  
4 BILL NO. 9816

ORDINANCE NO.

5  
6 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO NGA**  
7 **INTERNATIONAL D/B/A AFRICAN NATURALS TO ALLOW FOR A CARRY-**  
8 **OUT RESTAURANT LOCATED AT 2715 N. HWY 67.**  
9

10 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of  
11 Florissant, by Special Permit, after public hearing thereon, to permit the location and operation of a  
12 restaurant in the City of Florissant; and

13 WHEREAS, an application has been filed by NGA International d/b/a African Naturals to add a  
14 smoothie and juice bar to the existing business, and

15 WHEREAS, the Planning and Zoning Commission at their meeting on August 15th, 2022,  
16 recommended that a Special Permit be granted; and

17 WHEREAS, due notice of public hearing no. 22-09-021 on said application to be held on the 6<sup>th</sup>  
18 day of September, 2022 at 7:00 P.M. by the Council of the City of Florissant was duly published, held  
19 and concluded; and

20 WHEREAS, the Council, following said public hearing, and after due and careful consideration,  
21 has concluded that the issuance of a Special Permit for a sit-down, carry-out, restaurant would be in the  
22 best interest of the City of Florissant.

23  
24 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
25 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:  
26

27 Section 1: A Special Use Permit is hereby granted to allow for a bar area, carry-out restaurant for  
28 serving of smoothies, juices, and salads in a 'B-3' Zoning District, subject to the following stipulations:

- 29 1. The project shall be as shown on plans submitted, A-1, A-2, and A-3 21 by Anthony Duncan,  
30 Architect, dated 7/22/22 attached with no additional furnishings.  
31

32 Section 2: This ordinance shall become in force and effect immediately upon its passage and  
33 approval.  
34

35 Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
36

37 \_\_\_\_\_  
38 Joseph Eagan  
39 President of the Council

40 Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
41

42 \_\_\_\_\_  
43 Timothy J. Lowery  
44 Mayor, City of Florissant

45 ATTEST: \_\_\_\_\_  
46

47 \_\_\_\_\_  
48 Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with 405.125 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 rue St. Francois, on Tuesday, September 6, 2022 at 7:00 p.m. on the following proposition:**

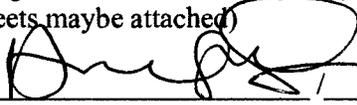
**To authorize a Special Use Permit to allow for a carry-out restaurant in a 'B-3' Extensive Business District located at 2715 N Highway 67 (African Naturals). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**



- 4) The petitioner(s) further state(s) that (he) (she) (they) shall comply with all of the requirements of the City of Florissant, including setback lines and off- street parking.
- 5) The petitioner (s) further (represent (s) and warrants (s) that they (he) (she) has (have) not made any arrangement to pay any commission gratuity or consideration, directly or indirectly to any official, employee or appointee of the City of Florissant, with respect to this application.
- 6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):

7) The petitioner (s) state (s) the following factors and reason to justify the permit:  
 (If more space is needed, separate sheets maybe attached)

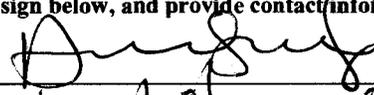
NICKA Anne  314-255-4258  
 PRINT NAME SIGNATURE email and phone

FOR NGA International dba: African Naturals  
 (company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

- 8) I (we) hereby certify that, as applicant (circle one of the following):
1. I (we) have a legal interest in the herein above described property.
  2. I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

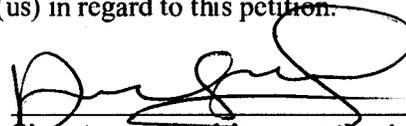
Permission granted by the Petitioner assigning an agent (i.e. Architect) to present this petition in their behalf, to the Commission and/or Council. The petitioner must sign below, and provide contact information:

PRESENTOR SIGNATURE 

ADDRESS 4511 S. Kingshighway, St. Louis, MO 63109  
 STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL 314-255-4258 / annenicka@gmail.com  
 BUSINESS

I (we) the petitioner (s) do hereby appoint Nicka Anne as  
 my (our) duly authorized agent to represent me (us) in regard to this petition.  
 Print name of agent.

  
 Signature of Petitioner authorizing an agent

**NOTE:** When the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and to make a presentation, the same individuals must also appear before the City Council at the Public Hearing to make the presentation and no one else will be permitted to make the presentation to the City Council without authorized approval.

IF DESCRIPTIONS, PLATS OR SURVEYS ARE INACCURATE, OR IF THE PETITION APPLICATION IS NOT CORRECT OR COMPLETE, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS.

## REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in applicable section (a), (b) or (c).  
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation:

Individual  Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

(a) If an individual:

- (1) Name and Address NUKA ANUE
- (2) Telephone Number 314-255-4258
- (3) Business Address 4511 S. KINGSHIGHWAY BLVD
- (4) Date started in business 1/29/2013
- (5) Name in which business is operated if different from (1) AFRICAN NATURALS
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

- (1) Names & addresses of all partners \_\_\_\_\_
- (2) Telephone numbers \_\_\_\_\_
- (3) Business address \_\_\_\_\_
- (4) Name under which business is operated \_\_\_\_\_
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

- (1) Names & addresses of all partners \_\_\_\_\_
- (2) Telephone numbers \_\_\_\_\_
- (3) Business address \_\_\_\_\_
- (4) State of Incorporation & a photocopy of incorporation papers \_\_\_\_\_
- (5) Date of Incorporation \_\_\_\_\_
- (6) Missouri Corporate Number \_\_\_\_\_
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. \_\_\_\_\_
- (8) Name in which business is operated \_\_\_\_\_
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

**Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.**

Name \_\_\_\_\_

Address \_\_\_\_\_

Property Owner The Redwing Company LLC

Location of property 2715 North Highway 67

Dimensions of property 4,000

Property is presently zoned \_\_\_\_\_ Requests Rezoning To \_\_\_\_\_

Proposed Use of Property \_\_\_\_\_

Type of Sign \_\_\_\_\_ Height \_\_\_\_\_

Type of Construction \_\_\_\_\_ Number Of Stories \_\_\_\_\_

Square Footage of Building \_\_\_\_\_ Number of Curb Cuts \_\_\_\_\_

Number of Parking Spaces \_\_\_\_\_ Sidewalk Length \_\_\_\_\_

Landscaping: No. of Trees \_\_\_\_\_ Diameter \_\_\_\_\_

No. of Shrubs \_\_\_\_\_ Size \_\_\_\_\_

Fence: Type \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

**PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:**

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center, list address and show part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with metes and bounds bearings and dimensions.

NO. 2715 N. Hwy 67 center  
Florissant, MO. 63033

**PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION**

Provide a drawing of a location map showing the nearest major intersection.

---

---

**OFFICE USE ONLY**

Date Application reviewed \_\_\_\_\_

STAFF REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**Building Commissioner or Staff Signature**

**Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.**

Name \_\_\_\_\_

Address \_\_\_\_\_

Property Owner \_\_\_\_\_

Location of property \_\_\_\_\_

Dimensions of property \_\_\_\_\_

Property is presently zoned \_\_\_\_\_ Requests Rezoning To \_\_\_\_\_

Proposed Use of Property \_\_\_\_\_

Type of Sign \_\_\_\_\_ Height \_\_\_\_\_

Type of Construction \_\_\_\_\_ Number Of Stories \_\_\_\_\_

Square Footage of Building \_\_\_\_\_ Number of Curb Cuts \_\_\_\_\_

Number of Parking Spaces \_\_\_\_\_ Sidewalk Length \_\_\_\_\_

Landscaping: No. of Trees \_\_\_\_\_ Diameter \_\_\_\_\_

No. of Shrubs \_\_\_\_\_ Size \_\_\_\_\_

Fence: Type \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

**PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:**

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.



**State of Missouri**  
 John R. Ashcroft, Secretary of State  
 Corporations Division  
 PO Box 778 / 600 W. Main St., Rm. 322  
 Jefferson City, MO 65102

**X001736241**  
**Date Filed: 7/27/2022**  
**Expiration Date: 7/27/2027**  
**John R. Ashcroft**  
**Missouri Secretary of State**

**Registration of Fictitious Name**

*(Submit with filing fee of \$7.00)*  
*(Must be typed or printed)*

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. The fictitious name registration expires 5 years from the filing date. (Chapter 417, RSMo)

Please check one box:

**New Registration**       **Renewal** \_\_\_\_\_ *Charter number*       **Amendment** \_\_\_\_\_ *Charter number*       **Correction** \_\_\_\_\_ *Charter number*

The undersigned is doing business under the following name and at the following address:

Business name to be registered: African Naturals

Business Address: 4511 S Kingshighway Blvd

*(PO Box may only be used in addition to a physical street address)*

City, State and Zip Code: Saint Louis, MO 63109-2459

**Owner Information:**

If a business entity is an owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed. Please attach a separate page for more than three owners. The parties having an interest in the business, and the percentage they own are:

Name of Owners, Individual or Business Entity	Charter # Required If Business Entity	Street and Number	City and State	Zip Code	If Listed, Percentage of Ownership Must Equal 100%
NGA INTERNATIONAL LLC	LC0549782	4511 S Kingshighway Blvd	Saint Louis, MO	63109 - 2459	

All owners must affirm by signing below

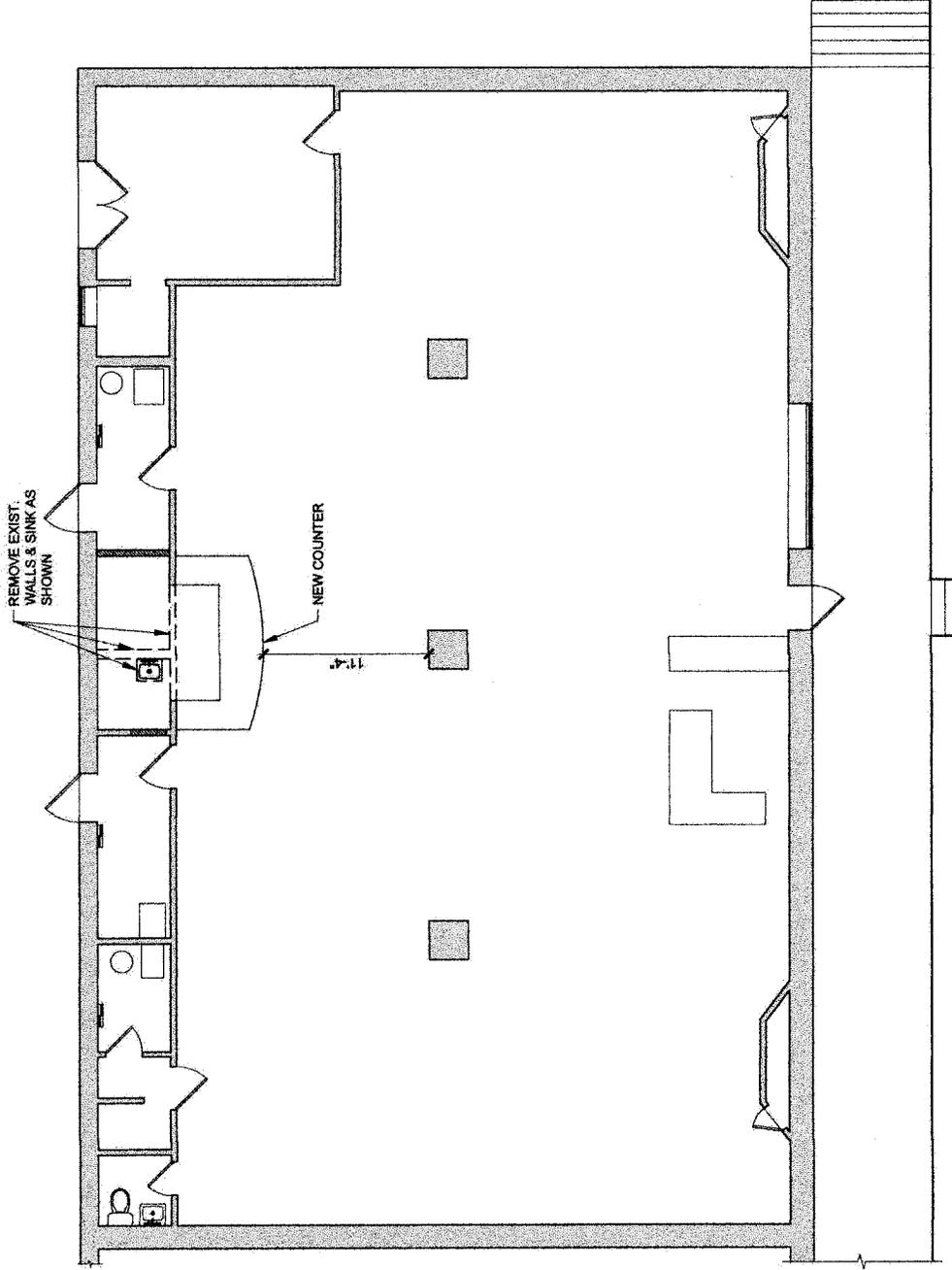
In Affirmation thereof, the facts stated above are true and correct:

*(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060 RSMo)*

NGA INTERNATIONAL LLC - NUKA G ANUE  
*Owner's Signature or Authorized Signature of Business Entity*

NGA INTERNATIONAL LLC - NUKA G ANUE  
*Printed Name*

07/27/2022  
*Date*



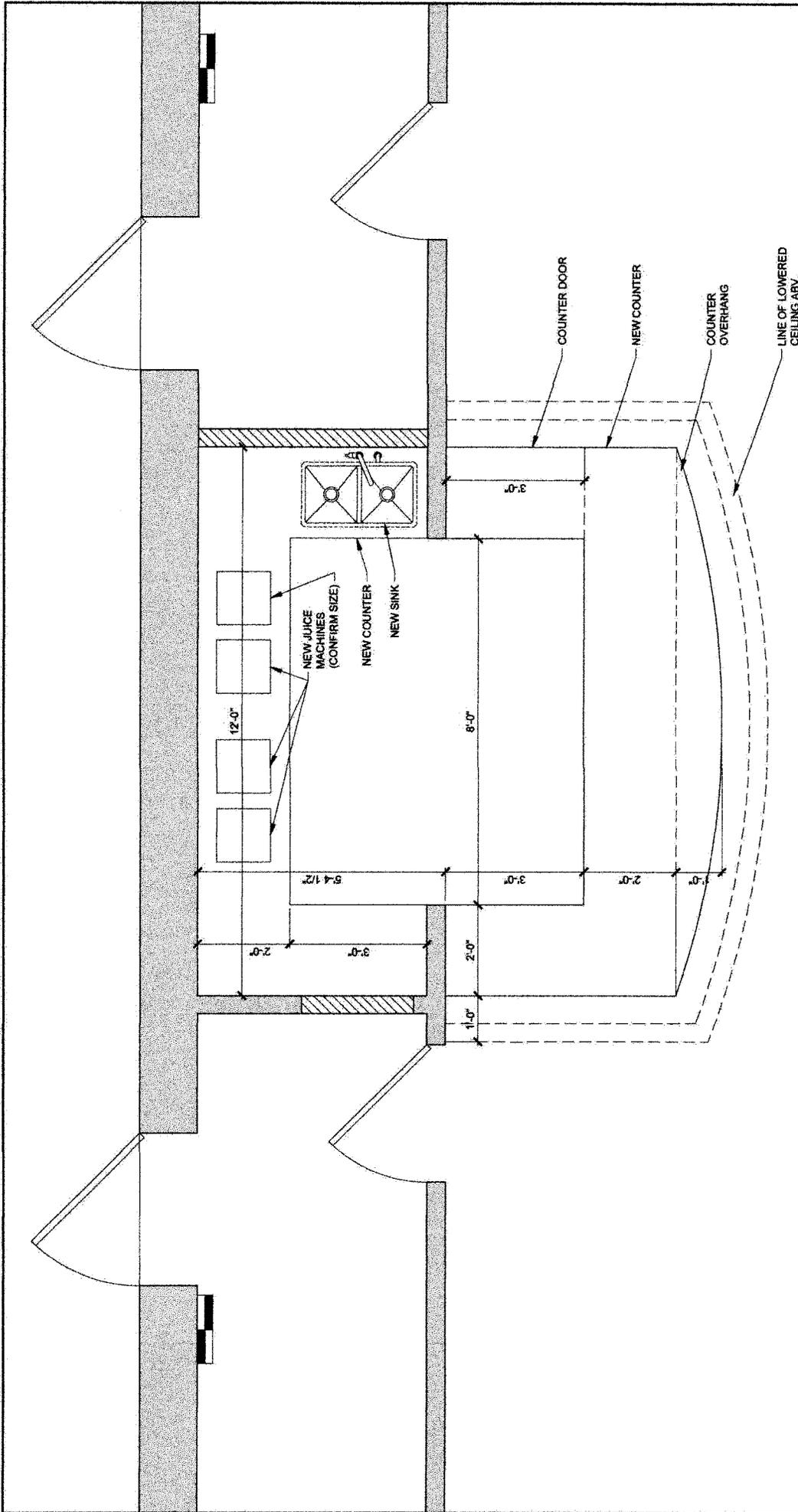
1 FLOOR PLAN  
SCALE: 1/8" = 1'-0"

SHEET: FLOOR PLAN  
SCALE: AS NOTED  
DATE: JUNE 9, 2022

SHEET #  
**A1**

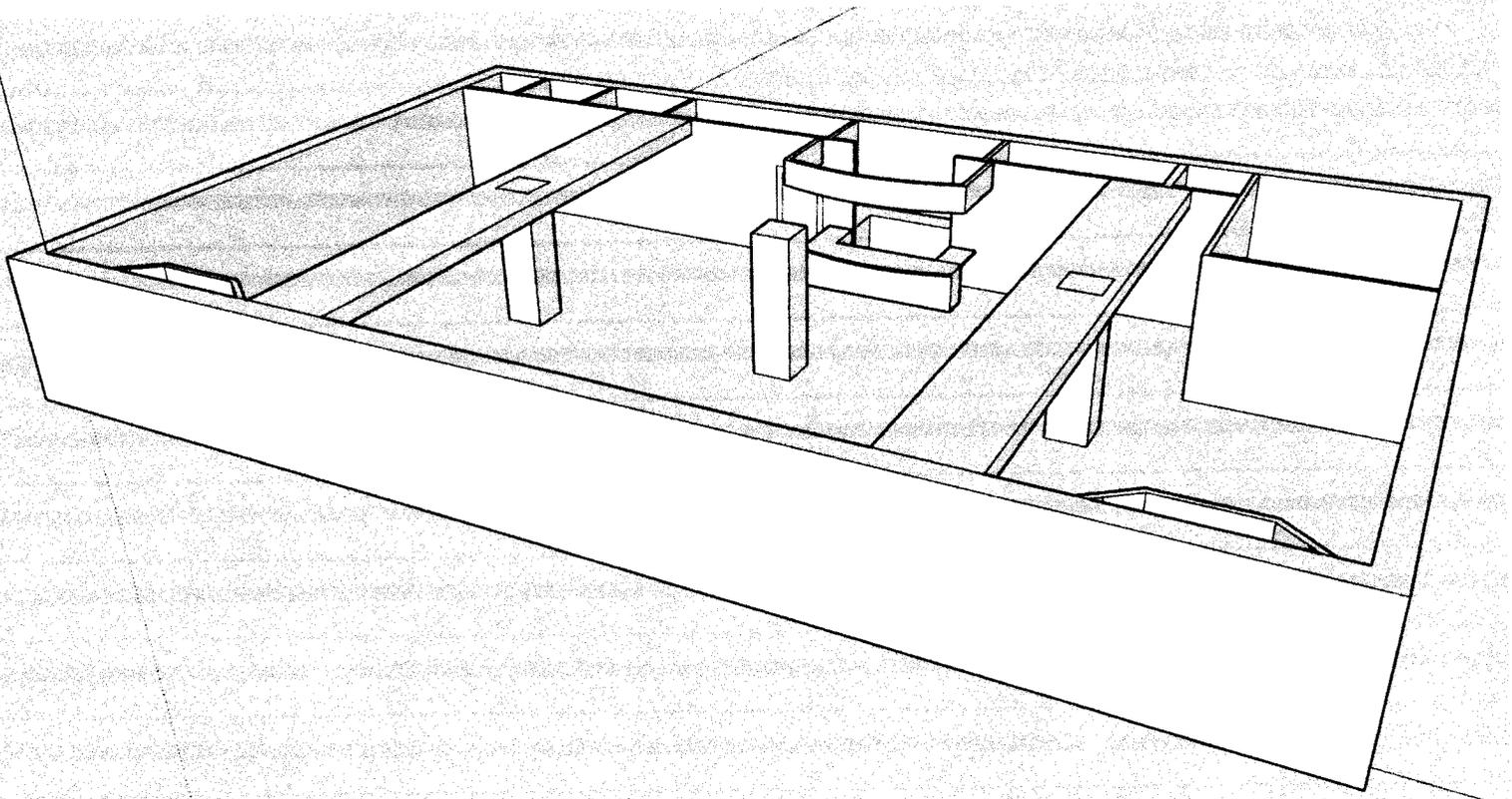
**INTERIOR RENOVATION**  
2715 N. HWY. 67  
FLORISSANT, MISSOURI 63033

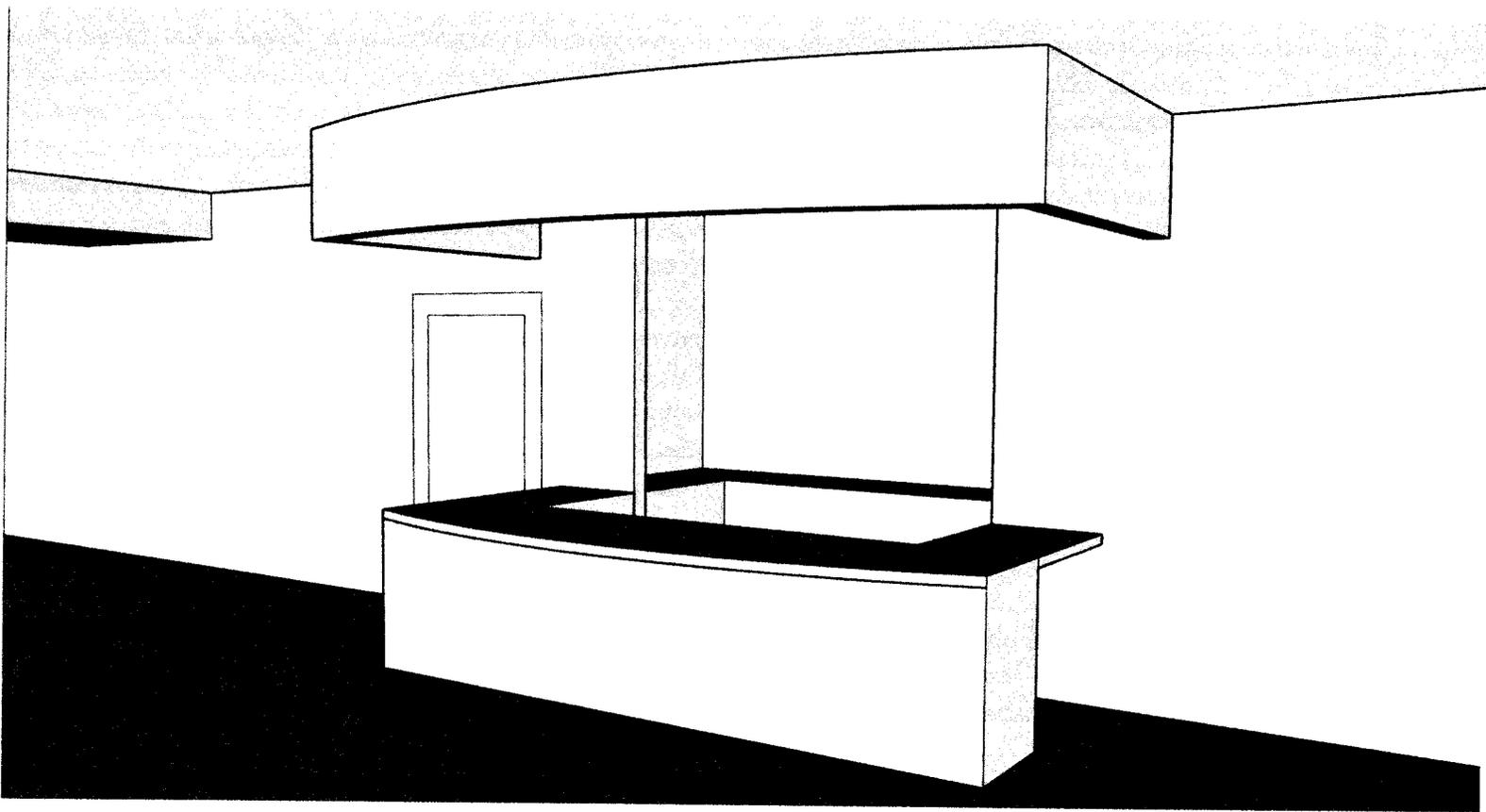
Anthony  
Duncan  
Architect  
4827 Virginia Avenue  
St. Louis, MO 63111



1 ENLARGED FLOOR PLAN  
SCALE: 1/2" = 1'-0"

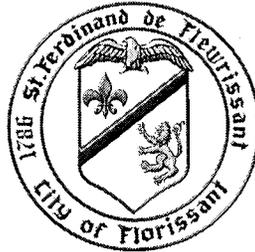
Anthony Durcan Architect 427 Virginia Avenue St. Louis, MO 63111	INTERIOR RENOVATION 2715 N. HWY. 67 FLOISSANT, MISSOURI 63033	SHEET # <b>A2</b>
	SCHEDULE: ENLARGED FLOOR PLAN SCALE: AS NOTED DATE: JUNE 9, 2022	





1

# MEMORANDUM



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## CITY OF FLORISSANT

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*"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."*

To: Planning and Zoning Commissioners Date: August 8, 2022

From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,  
Director Public Works  
Deputy City Clerk  
Applicant  
File

Subject: Request **recommended approval of a Special Use** for a restaurant (smoothie bar area) or carry-out at **2715 N Highway 67 (African Naturals)** in a 'B-3' Extensive Business District.

## STAFF REPORT

### CASE NUMBER PZ-081522-2

#### I. PROJECT DESCRIPTION:

This is a request for recommended approval of a restaurant (smoothie bar area) or carry-out at **2715 N Highway 67 (African Naturals)** in a 'B-3' Extensive Business District.

Refer to Plans submitted drawings A-1, A-2 and A-3 dated 3/20/21 by Anthony Duncan, Architect, dated 7/22/22 attached. The drawings include a site location map.

#### II. SITE CONDITIONS:

The existing property at **2715 N Highway 67** currently is occupied by African Naturals, a retail establishment.

#### III. SURROUNDING PROPERTIES:

The property to the west is 2685 N Highway 67 in a B-3 District, it is also bounded to the North by Cross Keys Middle School and by 2749 N Highway 67 (Title Max) to the East in a B-3 District. The property across N Highway 67 are also B-3 properties (Surrey Plaza 1 and 2).

#### IV. STAFF ANALYSIS:

Plans submitted include Construction Documents. The plans show an area altered in the rear of the store which sells merchandise. The prep area is about 13'-6" x 11'-8" with a customer smoothie bar large enough to accommodate 6 people. The plan does not show a furnishings plan

44 with chairs, however, the number of patrons max is determined by the width of the bar. The bar  
45 area has overhead partition with signage proposed.

46

47 The new plan does not include allowances for any assembly Use, so it is assumed that this  
48 proposal is for an ancillary Use.

49

50 **VI. STAFF RECOMMENDATIONS:**

51

52 **Suggested Motion for Recommended Approval** for a Special Use to allow for a bar area, carry  
53 out restaurant for serving of smoothies at **2715 N Highway 67** in a 'B-3' Zoning District.

54

55 I move to **Recommended Approval** for a Special Use Permit to allow for a for a bar area, carry  
56 out restaurant for serving of smoothies in a 'B-3' Zoning District, subject to the following  
57 stipulations:

58

59 1. The project shall be as shown on plans submitted, A-1, A-2 and A-3 21 by Anthony  
60 Duncan, Architect, dated 7/22/22 attached with no additional furnishings.

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64

(end of Suggested Motion and report)

**APPLICATION FOR LIQUOR LICENSE**

- |  |  |
|--|--|
| <input type="checkbox"/> Full Liquor by the Drink \$450          | <input type="checkbox"/> Malt Liquor & Wine by the Drink \$75.00 |
| <input checked="" type="checkbox"/> Full Package Liquor \$150    | <input type="checkbox"/> Malt Liquor & Wine Package \$75         |
| <input type="checkbox"/> Full Liquor by Drink (Non-Profit) \$300 | <input type="checkbox"/> Tasting \$37.50                         |

**To the City Clerk, City of Florissant, St. Louis County, Missouri:**

The undersigned hereby makes application for the renewal of liquor license issued under Chapter 600 of the Florissant Code of Ordinances.

Type of License Requested:

- |  |   |
|--|---|
| <input type="checkbox"/> Individual        | <input checked="" type="checkbox"/> Corporation (Attach list of Officers, Addresses, & Phone Numbers) |
| <input type="checkbox"/> Limited Liability | <input type="checkbox"/> Partnership (Attach list of partners)  |

Name of **Business**: Big DADDY'S liquor & CONU Phone: 618-975-8030

Business Address: 2726 N' Lindbergh Blvd Email: rasheed201176@yahoo.com

Names of **Applicant, Corp., or LLC**: Rasheed Ali

Address of Owner: 631 Foxtail DR Florissant MO 63034 Phone: 618-975-8030  
Street City State Zip

Name of **Managing Officer**: Rasheed Ali

Home Address: 631 Foxtail DR Florissant MO 63034 Years at Address: 20 years  
Street City State Zip

**Managing Officer**: Date of Birth: 03/20/1984 Cell Phone: 618-975-8030

Driver's License No.   
(Provide photo copy)

Social Security No.\*   
\*for identification in running record check

Email: rasheed201176@yahoo.com

**Managing Officer**: Personal Property Taxes 20\_\_ Paid?  Yes  No (Attached recent)

Registered Voter of Missouri?  Yes  No \*\*Attach Voter Registration Certificate

Have you ever been arrested? NO What Charge? \_\_\_\_\_

Where? \_\_\_\_\_ Disposition? \_\_\_\_\_

Citizen of U.S.A.?  Yes  No Naturalized?  Yes Date \_\_\_\_\_  No

If Naturalized, Give Number: \_\_\_\_\_ Dist. \_\_\_\_\_  
(Provide Documents)

Do you have an interest in any liquor license which is now in force?  Yes  No

Give details: \_\_\_\_\_

Have you prev. held a liquor license of this type?  Yes  No

If so, when & where? South county

Have you ever had a liquor license suspended or revoked?  Yes  No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of any federal or state law?  Yes  No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of a federal law, state statute, or local ordinance relating to intoxication?  Yes  No

Give details: \_\_\_\_\_

Has the location previously been occupied as a liquor establishment, liquor store, or tavern?  
 Yes  No

Provide name: \_\_\_\_\_

Is the location within 200 feet of property used for church, school, or public playground?  Yes  No

If Individual Applicant:  
Rasheed Ali  
RASheed Ali

If Partnership, Corp., or LLC, complete below:  
Big DADDY'S liquor & COOR  
Trade Name  
Rasheed Ali  
Signature of Managing Officer

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

Rasheed Ali of lawful age, being first duly sworn upon \_\_\_\_\_  
(Individual or Managing Officer)

Deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations, and rules adopted by the City relation to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

Rasheed Ali

Signature of Individual or Managing Officer

Subscribed and sworn to before me this 3rd day of Aug, 2022

[Signature]  
Notary Public

My Commission Expires: 12/02/2024

**APPLICATION MUST BE SWORN TO BEFORE A PUBLIC NOTARY.**

**SUPPLEMENT TO APPLICATION FOR LIQUOR LICENSE**

**CORPORATION & LIMITED LIABILITY COMPANY:**

Copy of Certification of Incorporation/Registration &  
Articles of Organization papers must be attached

To the Florissant City Council, Florissant, St. Louis County, Missouri \_\_\_\_\_

Date 07/18/2022

**TO BE COMPLETED BY ALL PARTNERS, OR IF CORPORATION OR LIMITED LIABILITY CORPORATION BY ALL OFFICERS OR MEMBERS:**

1. FULL NAME: Rasheed Ali  
SOC. SEC. NO. [REDACTED] SEX: male  
DATE OF BIRTH: 03/20/1984 PLACE OF BIRTH: KUWAIT  
PHONE NUMBER: 618-975-8030  
ADDRESS: 631 Foxtail DR Florissant mo 63034  
LAST PREV. ADDRESS: \_\_\_\_\_  
NO. OF YEARS AT ADDRESS: 20 years
  
2. FULL NAME: \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ SEX: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
LAST PREV. ADDRESS: \_\_\_\_\_  
NO. OF YEARS AT ADDRESS: \_\_\_\_\_
  
3. FULL NAME: \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ SEX: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
LAST PREV. ADDRESS: \_\_\_\_\_  
NO. OF YEARS AT ADDRESS: \_\_\_\_\_

**PLEASE FILL OUT THIS FORM AND RETURN WITH YOUR LICENSE APPLICATION**

In order for the Police Department to provide you with the best possible service, it is necessary for them to have certain information concerning your business:

**EMERGENCY CONTACT INFORMATION**

OWNER OF PROPERTY Bridle Development corp PHONE 314-567-9944  
ADDRESS 727 Craig Rd ste 100 St Louis MO 63141  
NAME OF BUSINESS Big daddy's liquor & con PHONE 618-975-8030  
ADDRESS 2726 N Lindbergh Florissant MO 63033  
BUSINESS HOURS 11:00 am to 12:00 am  
OWNER/MANAGER Rasheed Ali PHONE 618-975-8030  
HOME ADDRESS 631 Foxtail DR Florissant MO 63034

**PLEASE LIST PERSONS TO BE CONTACTED AFTER BUSINESS HOURS IN CASE OF AN EMERGENCY OR IF THERE IS A DOOR OR WINDOW FOUND INSECURE.**

CONTACT #1 HAS KEY  YES  NO  
NAME Rasheed Ali ADDRESS 631 Foxtail DR  
CITY & STATE Florissant, MO 63034 PHONE 618-975-8030

CONTACT #2 HAS KEY  YES  NO  
NAME Tiffany Jones ADDRESS 14353 Sawswept Park Court Apt 204  
CITY & STATE Florissant MO PHONE 314-442-9112

ARE THERE LIGHTS LEFT ON AFTER HOURS?  YES  NO  
IS ANYONE AUTHORIZED TO BE ON THE PREMISES AFTER BUSINESS HOURS?  YES  NO

IF YES, WHO? \_\_\_\_\_  
ARE ANY VEHICLES PARKED AT YOUR BUSINESS AFTER HOURS?  YES  NO

DESCRIBE: \_\_\_\_\_  
(YEAR) (MAKE/MODEL) (COLOR) (LICENSE NO.)

DO YOU HAVE A SAFE OF ANY KIND?  YES  NO  
WHERE IS IT LOCATED? office IN back of store  
CAN IT BE SEEN FROM THE OUTSIDE?  YES  NO

IS YOUR BUSINESS PROTECTED WITH AN ALARM SYSTEM?  YES  NO

**IF AT ANY TIME THERE IS A CHANGE IN THE ABOVE INFORMATION, PLEASE NOTIFY THE POLICE DEPARTMENT IMMEDIATELY, ESPECIALLY IN THE CASE OF THOSE PERSONS TO NOTIFY IN CASE OF AN EMERGENCY. THANK YOU.**

CITY OF FLORISSANT



FLORISSANT, MISSOURI

WAIVER

Authorization to complete record check

I, Rasheed Ali, RESIDING AT

631 Foxtail DR IN THE

CITY OF Florissant STATE OF

Missouri

I do hereby authorize the City Clerk of the City of Florissant, Missouri to make a full and complete check of my record in the Metropolitan St. Louis area, state of Missouri, all prior areas of residence, and through the National Criminal Information Center in Washington, D.C.

Rasheed Ali  
Witness

Rasheed Ali  
Signature

07/18/2022  
Date

03/20/1984  
Date of Birth

[REDACTED]  
Social Security Number\*\*

[REDACTED]  
Driver's License No. & State

\*\*Social Security Number and Driver's License Numbers will be used for the purpose of identification in completing record check.

**APPLICATION FOR SUNDAY LIQUOR LICENSE  
TO THE CITY CLERK, CITY OF FLORISSANT, SAINT LOUIS COUNTY, MISSOURI**

Authorizing the sale of retail liquor by the drink or package in the City of Florissant on **SUNDAY** from 9:00 am to midnight.

**TYPE OF OPERATION:**

Individual       Partnership       Corporation       Limited Liability Corp

**NAME OF BUSINESS** Big daddy's liquor & conv.

2726 N Lindbergh Blvd  
**LOCATION** Florissant mo 63033      **PHONE** 618-975-8030

**EXACT TRADE NAME, LLC, OR CORP** Big DADDY's liquor & convenience

The undersigned (Individual, Partnership, Corporation, LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a "By the Drink/Package Liquor License" authorizing the sale of retail liquor on Sundays from 9:00 am to midnight for the period beginning on \_\_\_\_\_ and expiring on June 30, 20\_\_\_\_, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the City of Florissant Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1. I/WE presently hold Florissant License Number \_\_\_\_\_ authorizing the sale of retail liquor by the drink or package in Florissant for premises described in this application.

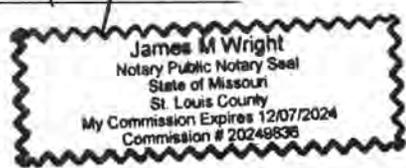
STATE OF MISSOURI      )SS  
COUNTY OF ST. LOUIS      )

I Rasheed Ali of lawful age, being first duly sworn upon my oath, depose and say that I (Print name of Managing Officer) have read this application and that I fully understand the same; that I know the contents thereof and the statements contained therein and that the same are true of my own knowledge.

Rasheed Ali  
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 8/3 day of 2022

My Commission Expires: 12/07/2024 [Signature]  
Notary Public



TO THE CITY CLERK, CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI  
**APPLICATION FOR SUNDAY LIQUOR LICENSE** (\$300/year)

Authorizing the sale of retail liquor by the drink or package in Florissant on **Sunday** from 9:00 a.m. to Midnight

**TYPE OF OPERATION:** Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation  LLC \_\_\_\_\_

**NAME OF BUSINESS:** Big DADDY'S liquor & convenience

**LOCATION:** 2726 N Lindbergh Blvd Telephone: 618-975-8030

**NAME OF APPLICANT** (partnership or corporation, give exact trade, LLC or corporate name):  
Rasheed Ali

**TRADE NAME IF DIFFERENT:** \_\_\_\_\_

The undersigned (Individual) (Partnership) (Corporation) (LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a By the drink/Package Liquor License authorizing the sale of retail liquor on Sundays from **9:00 a.m. to Midnight** for the period beginning July 1, 2021, and expiring June 30, 2022, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the Florissant City Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1) I/WE presently hold License No. \_\_\_\_\_ authorizing the sale of retail liquor by the drink/package in Florissant for premises described in this application.

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

Rasheed Ali, of lawful age, being first duly sworn upon \_\_\_\_\_  
(Individual or Managing Officer)

Deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations, and rules adopted by the City relation to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

Rasheed Ali  
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 3rd day of Aug, 2022

[Signature]  
Notary Public

My Commission Expires: 12/07/2024



**APPLICATION MUST BE SWORN TO BEFORE A PUBLIC NOTARY.**



No Match Notification

A statewide search of the identifiers below has revealed no criminal conviction or sex offender information on file. Fingerprints were not provided and thus the result of the search cannot be guaranteed.

Date of Search: 08/24/2022

Name (1): RASHEED ALI

Name (2):

Name (3):

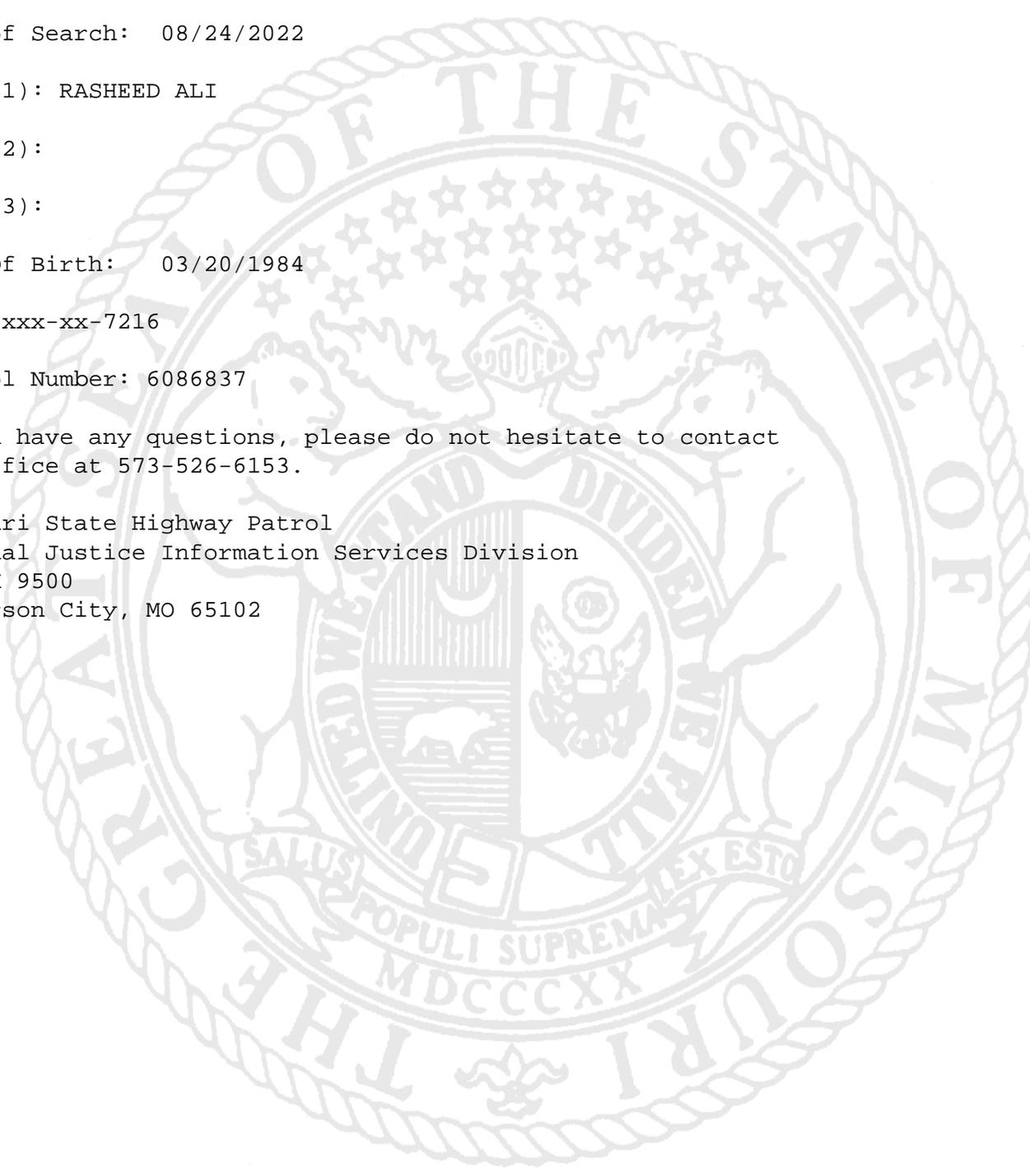
Date Of Birth: 03/20/1984

SSN: xxx-xx-7216

Control Number: 6086837

If you have any questions, please do not hesitate to contact our office at 573-526-6153.

Missouri State Highway Patrol  
Criminal Justice Information Services Division  
PO BOX 9500  
Jefferson City, MO 65102



**CIGARETTES  
FOR LESS**



COLLECTOR OF REVENUE  
41 S CENTRAL AVE  
ST LOUIS MO 63105  
(314) 616-5500

**ST LOUIS COUNTY, MISSOURI  
PERSONAL PROPERTY TAX BILL**

ADJUSTED  
07/18/2022

TAX YEAR  
**2015**

ACCOUNT NUMBER	<b>I00483583</b>	TAXING NAME	ALI RASHEED H	SCHOOL/SUB	139Z
		LOCATION	6813 CULPEPPER CT	PIN	

Taxes are based on ownership on January 1 of tax year, and become delinquent at 12:00 midnight December 31.  
A paid tax receipt for previous year(s) is needed to license or renew registration on any motor vehicle.

ALI RASHEED H  
631 FOXTAIL DR  
FLORISSANT MO 63034

TAX DISTRIBUTION	

ASSESSED VALUE	TYPE	TAX RATE	SPECIAL ASSESSMENTS
6.550	PERSONAL	10.9487	
TAX AMOUNTS			
TOTAL DUE		\$0.00	

MO law 139.100, 52.290 mandates the assessment of interest of 2% per month or any part thereof, plus a 2% penalty for all taxes unpaid by 12 midnight December 31 of tax year.  
In compliance with State statute 139.100 payments by mail require "postmark" by United States Postal Service on or before December 31.

Pay taxes online at: <https://stlouiscountymo.gov> by authorizing direct debit to your checking/savings account or by credit card. Credit card payments can also be made by calling 1-877-309-9306. A "convenience fee" may apply.

TEAR HERE. REMIT PAYMENT WITH LOWER PORTION OF THIS TAX BILL. NO TAPE, NO STAPLES.

ACCOUNT NUMBER	SCHOOL/SUB	CITY CODE	SITE CODE	REG	ADJUSTED	TAX YEAR
<b>I00483583</b>	139Z	000	0095	REG	07/18/2022	<b>2015</b>

VALUATION	TYPE	RATE PER \$100	CURRENT TAX	INTEREST	PENALTIES	TOTAL FEES	PIN
6.550	PERSONAL	10.9487	0.00	0.00	0.00	0.00	
							<b>PAY THIS AMOUNT</b>
							<b>\$0.00</b>

Make checks payable to: **COLLECTOR OF REVENUE**

	DESCRIPTION OF PROPERTY	VEHICLE FEE	VALUATION
039995	A 04 MERC GRAND MARQ		730
369572	A 12 CHEV IMPALA		2,910
389572	A 12 CHEV IMPALA		2,910

PRINT MAILING ADDRESS CHANGE \_\_\_\_\_

ALI RASHEED H  
631 FOXTAIL DR  
FLORISSANT MO 63034

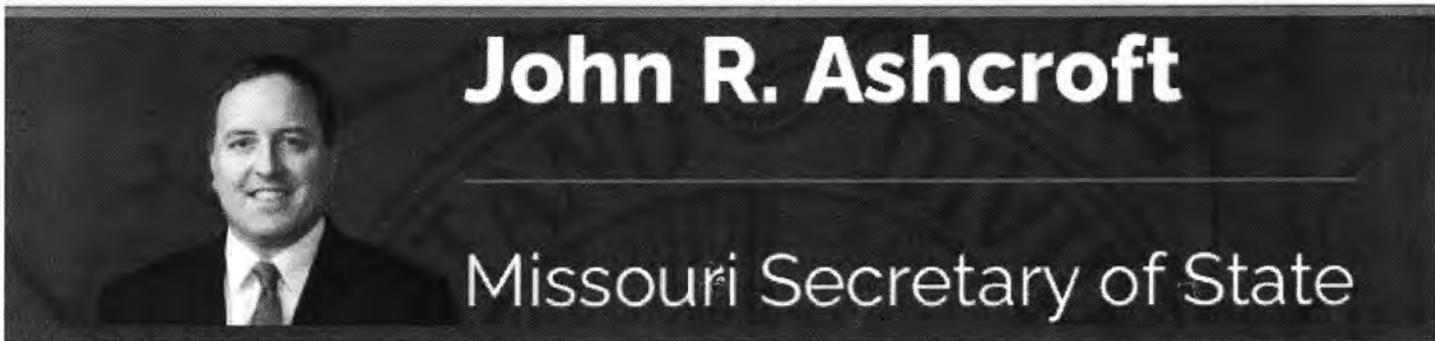
ALI RASHEED H  
6813 CULPEPPER CT

**NO TAXES DUE FOR CURRENT YEAR**



July 11  
6:46 PM

All Photos



# Check Your Voter Registration

Yes, Rasheed Ali is registered at 631 FOXTAIL DR FLORISSANT, 63034

Your precinct is LC.LC.025. To view your polling place and a listing of candidates and issues on the next ballot, please visit our Voter Outreach Portal

[sos.mo.gov](http://sos.mo.gov)  
[Internet Privacy Policy](#)  
[Bid Opportunities](#)  
[Proposed Rules](#)  
[Show It 2 Vote](#)  
[Missouri State Government](#)  
[Employment](#)  
[Directions](#)  
[Site Map](#)  
[Employee Access](#)

**Contact Us:**  
 600 West Main Street  
 Jefferson City, MO 65101  
 Main Office: (573) 751-4936  
[Info@sos.mo.gov](mailto:Info@sos.mo.gov)  
**Branch Offices**





**Article Five**

The date the corporation is to continue or perpetual: (Please select one)

Perpetual *(check box)* or State number of years \_\_\_\_\_

**Article Six**

The corporation is formed for the following lawful purpose(s):

Snacks sodas beer liquor juice cigarettes

**Article Seven**

The number of directors to constitute the board of directors: 1 (optional)

The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated:

*(Date may not be more than 90 days after the filing date in this office)*

In Affirmation thereof, the facts stated above are true and correct:

*(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)*

Sonia Becerra  
*Signature of Incorporator(s)*

SONIA BECERRA  
*Printed or Typed Name of Incorporator*

07/06/2022  
*Date of Signature*

# STATE OF MISSOURI



**John R. Ashcroft**  
**Secretary of State**

## CERTIFICATE OF INCORPORATION

WHEREAS, Articles of Incorporation of

***BIG DADDY'S LIQUOR & CONVENIENCE Inc***  
***001644134***

have been received and filed in the Office of the Secretary of State, which Articles, in all respects, comply with the requirements of General and Business Corporation Law.

NOW, THEREFORE, I, JOHN R. ASHCROFT, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do hereby certify and declare this entity a body corporate, duly organized this date and that it is entitled to all rights and privileges granted corporations organized under the General and Business Corporation Law.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 6th day of July, 2022.

  
Secretary of State



#14 + #15

**APPLICATION FOR LIQUOR LICENSE**

- Full Liquor by the Drink \$450
- Full Package Liquor \$150
- Full Liquor by Drink (Non-Profit) \$300
- Malt Liquor & Wine by the Drink \$75.00
- Malt Liquor & Wine Package \$75
- Tasting \$37.50

**To the City Clerk, City of Florissant, St. Louis County, Missouri:**

The undersigned hereby makes application for the renewal of liquor license issued under Chapter 600 of the Florissant Code of Ordinances.

Type of License Requested:

- Individual
- Limited Liability
- Corporation (Attach list of Officers, Addresses, & Phone Numbers)
- Partnership (Attach list of partners)

Name of **Business**: Convenience 1 Phone: 314-458-7958

Business Address: 22 Paterson Plaza Email: Njabbar133@aol.com

Names of **Applicant, Corp., or LLC**: United Mart INC

Address of Owner: 74 Berkshire Dr. Saint Louis MO 63117 Phone: 314-458-7958  
Street City State Zip

Name of **Managing Officer**: Haithem Abdeljabbar

Home Address: 74 Berkshire Dr. Saint Louis MO 63117 Years at Address: ~~7~~ 13 years  
Street City State Zip

**Managing Officer**: Date of Birth: 10/18/19 Cell Phone: 314-458-7958

Driver's License No. [REDACTED] Social Security No.\* [REDACTED]  
(Provide photo copy) \*for identification in running record check

Email: Njabbar133@aol.com

**Managing Officer**: Personal Property Taxes 20\_\_ Paid? Yes No (Attached recent)

Registered Voter of Missouri? Yes No \*\*Attach Voter Registration Certificate

Have you ever been arrested? no What Charge? X

Where? X Disposition? X

Citizen of U.S.A.?  Yes No Naturalized? Yes Date \_\_\_\_\_  No

If Naturalized, Give Number: \_\_\_\_\_ Dist. \_\_\_\_\_  
(Provide Documents)

Do you have an interest in any liquor license which is now in force?  Yes No

Give details: at 2020 Patterson

Have you prev. held a liquor license of this type?  Yes No

If so, when & where? at 2020 Patterson, since 2016

Have you ever had a liquor license suspended or revoked? Yes  No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of any federal or state law? Yes  No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of a federal law, state statute, or local ordinance relating to intoxication? Yes  No

Give details: \_\_\_\_\_

Has the location previously been occupied as a liquor establishment, liquor store, or tavern?  Yes No

Provide name: convenience 1

Is the location within 200 feet of property used for church, school, or public playground? Yes  No

If Individual Applicant:  
\_\_\_\_\_

If Partnership, Corp., or LLC, complete below:  
United Mart Inc.  
Trade Name

[Signature]  
Signature of Managing Officer

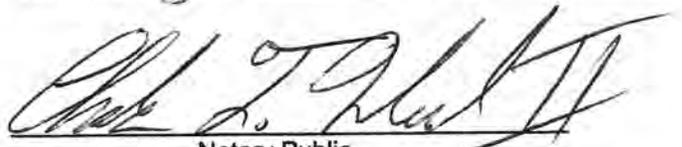
STATE OF Missouri )SS

COUNTY OF St. Louis )

Haithem M. Abdeljabbar, of lawful age, being first duly sworn upon my oath deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations, and rules adopted by the City relation to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

  
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 12<sup>th</sup> day of August, 2022

  
Notary Public

My Commission Expires: 11-24-2022

CHARLES F WEED II  
Notary Public, Notary Seal  
State of Missouri  
St. Louis County  
Commission # 14631316  
My Commission Expires 11-24-2022

**APPLICATION MUST BE SWORN TO BEFORE A PUBLIC NOTARY.**

**SUPPLEMENT TO APPLICATION FOR LIQUOR LICENSE  
CORPORATION & LIMITED LIABILITY COMPANY:**

Copy of Certification of Incorporation/Registration &  
Articles of Organization papers must be attached  
To the Florissant City Council, Florissant, St. Louis County, Missouri.

**TO BE COMPLETED BY ALL PARTNERS, OR IF CORPORATION OR LIMITED LIABILITY  
CORPORATION BY ALL OFFICERS OR MEMBERS:**

1. FULL NAME: Haitnem Abdeljabbar  
SOC. SEC. NO. [REDACTED] SEX: Male  
DATE OF BIRTH: 10/18/19 PLACE OF BIRTH: Albuquerque, New Mexico  
PHONE NUMBER: 314-458-1958  
ADDRESS: 14 Berkshire Dr. Saint Louis Mo. 63111  
LAST PREV. ADDRESS: 13 Berkshire  
NO. OF YEARS AT ADDRESS: 13 Years
  
2. FULL NAME: \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ SEX: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
LAST PREV. ADDRESS: \_\_\_\_\_  
NO. OF YEARS AT ADDRESS: \_\_\_\_\_
  
3. FULL NAME: \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ SEX: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
LAST PREV. ADDRESS: \_\_\_\_\_  
NO. OF YEARS AT ADDRESS: \_\_\_\_\_

**PLEASE FILL OUT THIS FORM AND RETURN WITH YOUR LICENSE APPLICATION**

In order for the Police Department to provide you with the best possible service, it is necessary for them to have certain information concerning your business:

**EMERGENCY CONTACT INFORMATION**

OWNER OF PROPERTY Chris Pezzementi PHONE 636-262-3262  
ADDRESS 22 Patterson plaza  
NAME OF BUSINESS gaz properties PHONE 636-262-3262  
ADDRESS \_\_\_\_\_  
BUSINESS HOURS 8am-12pm 7days  
OWNER/MANAGER Chris Pezzementi PHONE 636-262-3262  
HOME ADDRESS \_\_\_\_\_

**PLEASE LIST PERSONS TO BE CONTACTED AFTER BUSINESS HOURS IN CASE OF AN EMERGENCY OR IF THERE IS A DOOR OR WINDOW FOUND INSECURE.**

CONTACT #1 HAS KEY?  YES NO  
NAME Haithem Abdeljabbar ADDRESS 74 Berkshire Dr. Saint Louis MO  
CITY & STATE Saint Louis MO PHONE 314 458 7958

CONTACT #2 HAS KEY? YES  NO   
NAME MOE SARABA ADDRESS 2020 Patterson  
CITY & STATE Floissant, MO PHONE 314-201-0011

ARE THERE LIGHTS LEFT ON AFTER HOURS?  YES NO  
IS ANYONE AUTHORIZED TO BE ON THE PREMISES AFTER BUSINESS HOURS? YES  NO

IF YES, WHO? \_\_\_\_\_  
ARE ANY VEHICLES PARKED AT YOUR BUSINESS AFTER HOURS? YES  NO

DESCRIBE: \_\_\_\_\_  
(YEAR) (MAKE/MODEL) (COLOR) (LICENSE NO.)

DO YOU HAVE A SAFE OF ANY KIND?  YES NO  
WHERE IS IT LOCATED? under counter

CAN IT BE SEEN FROM THE OUTSIDE? YES  NO   
IS YOUR BUSINESS PROTECTED WITH AN ALARM SYSTEM?  YES NO

**IF AT ANY TIME THERE IS A CHANGE IN THE ABOVE INFORMATION, PLEASE NOTIFY THE POLICE DEPARTMENT IMMEDIATELY, ESPECIALLY IN THE CASE OF THOSE PERSONS TO NOTIFY IN CASE OF AN EMERGENCY. THANK YOU.**

**CITY OF FLORISSANT**



**FLORISSANT, MISSOURI**

**WAIVER**

**Authorization to complete record check**

I, Heithen Abdeljabbar, RESIDING AT IN THE

CITY OF St. Louis

STATE OF Missouri.

I do hereby authorize the City Clerk of the City of Florissant, Missouri to make a full and complete check of my record in the Metropolitan St. Louis area, state of Missouri, all prior areas of residence, and through the National Criminal Information Center in Washington, D.C.

[Signature]  
Witness

[Signature]  
Signature

8/12/22  
Date

10/18/79  
Date of Birth

[Redacted]  
Social Security Number\*\*

[Redacted]  
Driver's License No. & State

\*\*Social Security Number and Driver's License Numbers will be used for the purpose of identification in completing record check only.\*\*

**APPLICATION FOR SUNDAY LIQUOR LICENSE**

**TO THE CITY CLERK, CITY OF FLORISSANT, SAINT LOUIS COUNTY, MISSOURI**

Authorizing the sale of retail liquor by the drink or package in the City of Florissant on **SUNDAY** from 9:00 am to midnight. (\$300)

**TYPE OF OPERATION:**

Individual

Partnership

Corporation

Limited Liability Corp

**NAME OF BUSINESS** United Mart DBA - convenience 1

**LOCATION** 22 Patterson Plaza **PHONE** 314 456 7958

**EXACT TRADE NAME, LLC, OR CORP** United Mart INC

The undersigned (Individual, Partnership, Corporation, LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a "By the Drink/Package Liquor License" authorizing the sale of retail liquor on Sundays from 9:00 am to midnight for the period beginning on \_\_\_\_\_ and expiring on June 30, 20\_\_\_\_, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the City of Florissant Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1. I/WE presently hold Florissant License Number \_\_\_\_\_ authorizing the sale of retail liquor by the drink or package in Florissant for premises described in this application.

STATE OF Missouri )SS

COUNTY OF St. Louis )

Haithem M. Abdelgabbas, of lawful age, being first duly sworn upon my oath deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations, and rules adopted by the City relation to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

Subscribed and sworn to before me this Aug 12<sup>th</sup> day of 2022.

[Signature]  
Signature of Managing Officer

My Commission Expires: 11-24-2022

[Signature]  
Notary Public



**TO THE CITY CLERK, CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI**  
**APPLICATION FOR SUNDAY LIQUOR LICENSE (\$300/year)**

Authorizing the sale of retail liquor by the drink or package in Florissant on **Sunday** from 9:00 a.m. to Midnight

**TYPE OF OPERATION:** Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation  LLC \_\_\_\_\_

**NAME OF BUSINESS:** United Mart INC

**LOCATION:** 22 Patterson Plaza Telephone: 314 458 7958

**NAME OF APPLICANT** (partnership or corporation, give exact trade, LLC or corporate name):  
\_\_\_\_\_

**TRADE NAME IF DIFFERENT:** Convenience 1

The undersigned (Individual) (Partnership) (Corporation) (LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a By the drink/Package Liquor License authorizing the sale of retail liquor on Sundays from **9:00 a.m. to Midnight** for the period beginning July 1, 2021, and expiring June 30, 2022, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the Florissant City Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1) I/WE presently hold License No. \_\_\_\_\_ authorizing the sale of retail liquor by the drink/package in Florissant for premises described in this application.

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

Haitheem M. Abdeljabbar, of lawful age, being first duly sworn upon \_\_\_\_\_  
(Individual or Managing Officer)

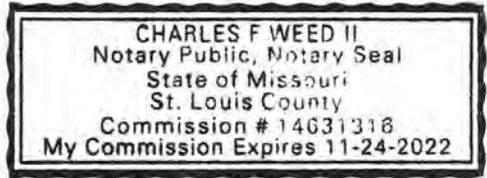
Deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation of said business and agrees that he will abide by all lawful ordinances, regulations, and rules adopted by the City relation to the conduct of said business, that he is in all respect qualified in law to receive such license, and that the answers and statements set out in the above application are true.

[Signature]  
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 12<sup>th</sup> day of August 2022

[Signature]  
Notary Public

My Commission Expires: 11-24-2022



**APPLICATION MUST BE SWORN TO BEFORE A PUBLIC NOTARY.**



## No Match Notification

A statewide search of the identifiers below has revealed no criminal conviction or sex offender information on file. Fingerprints were not provided and thus the result of the search cannot be guaranteed.

Date of Search: 08/16/2022

Name (1): HAITHEM ABDELJABBAR

Name (2):

Name (3):

Date Of Birth: 10/18/1979

SSN: xxx-xx-7672

Control Number: 6076001

If you have any questions, please do not hesitate to contact our office at 573-526-6153.

Missouri State Highway Patrol  
Criminal Justice Information Services Division  
PO BOX 9500  
Jefferson City, MO 65102

# CERTIFICATE OF REGISTRATION

STATE

OF

MISSOURI



COUNTY

OF

ST. LOUIS

This is to certify that **HAITHEM MAMDOUH ABELJABBAR**, is an active registered voter in Precinct **020** of **CLAYTON** Township of St. Louis County, having registered on **AUGUST 14, 2009**. We further certify that the following information was given, under oath, by the applicant:

Current Address:

**73 BERKSHIRE DRIVE**

**ST. LOUIS, MISSOURI 63117**

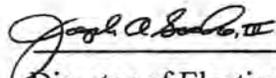
Age or Birth Date: **OCTOBER 18, 1979**

Birth Place: **NEW MEXICO**

U. S. Citizen: **Yes**

Prepared by the office of the  
Board of Election Commissioners of St. Louis County  
in Maplewood, Missouri, on this day **April 12, 2012**.

Attest:

  
\_\_\_\_\_  
Director of Elections

  
\_\_\_\_\_  
Director of Elections

118

File Number:  
01057831  
Date Filed: 05/13/2010  
Robin Carnahan  
Secretary of State

**ARTICLES OF INCORPORATION**

**SECRETARY OF STATE  
STATE OF MISSOURI  
P.O. BOX 778  
JEFFERSON CITY, MISSOURI 65102**

The undersigned natural person of the age of eighteen years or more, for the purpose of forming a corporation under the General and Business Corporation Law of Missouri, adopts the following Articles of Incorporation:

**ARTICLE ONE**

The name of the corporation is **United Mart, Inc.**

**ARTICLE TWO**

The name and address of the corporation's initial registered agent in Missouri is:

Rob A. Lutfiyya  
2726 South Brentwood Boulevard  
Brentwood, MO 63144

**ARTICLE THREE**

(A) The aggregate number, class and par value, if any, of shares which the corporation shall have authority to issue are as follows:

<u>Aggregate Number</u>	<u>Class</u>	<u>Par Value</u>
30,000	Common	\$1 Par

(B) The preferences, qualifications, limitations, restrictions and special or relative rights, including convertible rights, if any, in respect to the shares of each class are as follows: None. Corporation and/or shareholders may, from time to time, enter into an agreement to restrict the transferability of shares.

**ARTICLE FOUR**

The preemptive right of a shareholder to acquire additional shares is not limited or denied and shall include, in addition to new shares, authorized but unissued shares as well as treasury shares.

State of Missouri  
Creation - General Business - Domestic 2 Page(s)



T1013319001

**ARTICLE FIVE**

The name and place of residence of each incorporator is as follows:

Rob A. Lutfiyya  
2726 South Brentwood Boulevard  
Brentwood, MO 63144

**ARTICLE SIX**

The number of directors to constitute the board of directors is one. Thereafter the number of directors shall be fixed by, or in the manner provided by the bylaws.

**ARTICLE SEVEN**

The duration of the corporation is perpetual.

**ARTICLE EIGHT**

The corporation is formed for the following purposes:

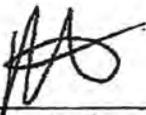
To operate motor fuel filling stations and convenience stores; and

To engage in any lawful business as provided by Section 351.386 of The General and Business Corporation Law of Missouri.

**ARTICLE NINE**

The power to alter, amend or repeal the bylaws of the corporation is vested in the corporation's board of directors.

IN WITNESS WHEREOF, these Articles of Incorporation have been signed on this 12<sup>th</sup> day of May, 2010.

  
\_\_\_\_\_  
Rob A. Lutfiyya, Incorporator

John R. Ashcroft Secretary of State  
 2022 ANNUAL REGISTRATION REPORT  
 BUSINESS

# 11

**00879073**  
**Date Filed: 7/25/2022**  
**John R. Ashcroft**  
**Missouri Secretary of State**

\* SECTION 1, 3 & 4 ARE REQUIRED

REPORT DUE BY: 6/30/2022

**00879073**  
 Convenience One Corporation  
 WASIF F. SUWELIM  
 4044 TERABERA DR.  
 FLORISSANT MO 63034

RENEWAL MONTH:  
**MARCH**

I OPT TO CHANGE THE CORPORATION'S RENEWAL MONTH TO FOR A \$25.00 FEE

---

PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS: \*

**22 Patterson Plz** (Required)

---

1

STREET  
**Florissant MO 63031-3007**

---

CITY / STATE ZIP

2 If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.

The new registered agent \_\_\_\_\_

IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.

The new registered office address \_\_\_\_\_

Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.

OFFICERS NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). <u>MUST LIST PRESIDENT AND SECRETARY BELOW</u>	A	BOARD OF DIRECTORS NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). <u>MUST LIST AT LEAST ONE DIRECTOR BELOW</u>	B
<b><u>PRESIDENT</u></b> suwelim, wasif STREET              4044 Tera Bera Dr CITY/STATE/ZIP <u>Florissant MO 63034</u>		<b><u>NAME</u></b> suwelim, wasif STREET              4044 tera bera dr CITY/STATE/ZIP <u>florissant MO 63034 USA</u>	
<b><u>SECRETARY</u></b> swilim, nilli STREET              4044 tera bera dr CITY/STATE/ZIP <u>Florissant MO 63034</u>		<b><u>NAME</u></b> _____ STREET _____ CITY/STATE/ZIP _____	
<b><u>VICE PRESIDENT</u></b> swilim, nilli STREET              4044 tera bera dr CITY/STATE/ZIP <u>Florissant MO 63034</u>		<b><u>NAME</u></b> _____ STREET _____ CITY/STATE/ZIP _____	
<b><u>CHAIRMAN</u></b> suwelim, wasif STREET              4044 Tera Bera Dr CITY/STATE/ZIP <u>Florissant MO 63034</u>		<b><u>NAME</u></b> _____ STREET _____ CITY/STATE/ZIP _____	

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

4 The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable. \*

Authorized party or officer sign here      Wasif Suwelim (Required)

Please print name and title of signer:      Wasif Suwelim / President  
 NAME TITLE

REGISTRATION REPORT FEE IS:  
 \_\_\_ \$20.00 If filed on or before 6/30/2022  
 \_\_\_ \$35.00 If filed on or before 7/31/2022  
 \_\_\_ \$50.00 If filed on or before 8/31/2022  
 \_\_\_ \$65.00 If filed on or before 9/30/2022  
**ADD AN ADDITIONAL \$25.00 FEE IF CHANGING THE RENEWAL MONTH.**

**WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE, BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE**

E-MAIL ADDRESS (OPTIONAL): \_\_\_\_\_

John R. Ashcroft Secretary of State  
 2022 ANNUAL REGISTRATION REPORT

BUSINESS

00879073

Convenience One Corporation  
 WASIF F. SUWELIM  
 4044 TERABERA DR.  
 FLORISSANT MO 63034

	<b>OFFICERS (Continued)</b> NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE).	<b>BOARD OF DIRECTORS (Continued)</b> NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE).
3	<p><u>OFFICER</u>      suwelim, wasif            STREET                    4044 Tera Bera Dr            CITY/STATE/ZIP            Florissant MO               63034</p> <p><u>OFFICER</u>      swilim, nilli            STREET                    4044 tera bera dr            CITY/STATE/ZIP            Florissant MO               63034</p>	<p><u>DIR.</u>            STREET            CITY/STATE/ZIP</p>

PKOP-TAX PAID

#12

HOUSE  
73 BERKSHIRE

✓ Your payment has been successfully processed. Please make a note of the confirmation number shown below or print this page for your records. A confirmation email has also been sent to the email address shown below. Please call us on 1-314-615-5500 if there is a problem with this payment.

**Confirmation Number**

ID879XBJGX

**Account Details**

Account Number:

20K440062

Name On Account:

HAITHAM M & QUAISI HELEN H/W ABDELJABBAR

Email Address:

NJABBAR733@AOL.COM

**Payment Details**

Payment Method:

Checking ending in 3406

Payment Date:

12/28/2021

Payment Amount:

\$5,413.98

**Additional Payment Details**

TAX YEAR:

2021

# RESOLUTION

WHEREAS, the City of Florissant is applying for federal assistance from the Land & Water Conservation Fund program for the purpose of construction of the Restroom at Duchesne Park.

NOW, THEREFORE, BE IT RESOLVED **BY THE CITY COUNCIL OF THE CITY OF FLORISSANT** that

1. Timothy J. Lowery, Mayor of the City of Florissant is authorized to sign the application for federal assistance and other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Missouri or the U.S. Department of the Interior, National Park Service.
2. The City of Florissant currently has the written commitment for the minimum 50% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.
3. In the event a grant is awarded, the City of Florissant will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access in perpetuity.
4. In the event a grant is awarded, the City of Florissant is prepared to complete the project within the time period identified on the signed project agreement.
5. In the event a grant is awarded, the City of Florissant will comply with all rules and regulations of the Land & Water Conservation Fund program, applicable Executive Orders, all federal and state laws that performance of the project, and stewardship requirements when the project is complete.

PASSED AND RESOLVED BY THE FLORISSANT CITY COUNCIL

The undersigned hereby certifies that he/she is the duly authorized Clerk and custodian of the books and records and seal of (agency)\_\_\_\_, duly formed pursuant to the laws of the State of Missouri, and that the foregoing is a true record of a resolution duly adopted at a meeting of the (governing board of agency)\_, that said meeting was held in accordance with state and local laws on\_(date)\_ and that the said resolution is now in full force and effect without modification or rescission.

IN WITNESS WHEREOF I have executed my name as Clerk and have affixed the seal of (agency) City of Florissant, this 26<sup>th</sup> day of September, 2022.

ATTEST: (Clerk)

B : \_\_\_\_\_ (printed name)  
\_\_\_\_\_  
(SEAL)

ACKNOWLEDGED:

By: \_\_\_\_\_  
\_\_\_\_\_  
(printed name)

# FLORISSANT CITY COUNCIL

## AGENDA REQUEST FORM

Date: September 6, 2022

**Mayor's Approval:**

Agenda Date Requested: | **September 26, 2022**

Approval of a Resolution to support a Land and Water Conservation Grant for relocation of a new restroom at Duchesne Park and expansion of the dog park with amenities.

Recommending Board or Commission:

**Type of request:**

<b>Ordinances</b>	<b>X</b>	<b>Other</b>	<b>X</b>
Appropriation		Liquor License	
Transfer		Hotel License	
Zoning Amendment		Special Presentations	
Amendment		Resolution	
Special Use Transfer		Proclamation	
Special Use		Subdivision	
Budget Amendment	X		

Public Hearing needed: **Yes / No**

No

3 readings? : **Yes / No**

No

**Back up materials attached:**

**Back up materials needed:**

Minutes		Minutes	
Maps		Maps	
Memo		Memo	
Draft Ord.		Draft Ord.	

**Note:** Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.

For City Clerk Use Only:  
 Introduced by: \_\_\_\_\_  
 PH Speaker: \_\_\_\_\_

**INTRODUCED BY COUNCIL AS A WHOLE  
SEPTEMBER 26<sup>TH</sup>, 2022**

**RESOLUTION NO. 1044**

**RESOLUTION OF SUPPORT FOR A LAND AND WATER  
CONSERVATION GRANT FOR RELOCATION OF A NEW  
RESTROOM AT DUCHESNE PARK AND EXPANSION OF THE DOG  
PARK WITH AMMENITIES.**

**WHEREAS**, the City of Florissant is applying for federal assistance from the Land & Water Conservation Fund program for the purpose of construction of the Restroom at Duchesne Park.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORISSANT** that

1. Timothy J. Lowery, Mayor of the City of Florissant is authorized to sign the application for federal assistance and other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Missouri or the U.S. Department of the Interior, National Park Service.
2. The City of Florissant currently has the written commitment for the minimum 50% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.
3. In the event a grant is awarded, the City of Florissant will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access in perpetuity.
4. In the event a grant is awarded, the City of Florissant is prepared to complete the project within the time period identified on the signed project agreement.
5. In the event a grant is awarded, the City of Florissant will comply with all rules and regulations of the Land & Water Conservation Fund program, applicable Executive Orders, all federal and state laws that performance of the project, and stewardship requirements when the project is complete.

**PASSED AND RESOLVED BY THE FLORISSANT CITY COUNCIL**

The undersigned hereby certifies that he/she is the duly authorized Clerk and custodian of the books and records and seal of the City of Florissant, duly formed pursuant to the laws of the State of Missouri, and that the foregoing is a true record of a resolution duly adopted at a meeting of the City Council, that said meeting was held in accordance with state and local laws on **September 26<sup>th</sup>, 2022** and that the said resolution is now in full force and effect without modification or rescission.

IN WITNESS WHEREOF I have executed my name as Clerk and have affixed the seal of the City of Florissant, this 26<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
Joseph Eagan, Council President

ATTEST:

\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

**INTRODUCED BY COUNCIL AS A WHOLE  
SEPTEMBER 26<sup>TH</sup>, 2022**

**RESOLUTION NO. 1045**

**A RESOLUTION OF THE CITY OF FLORISSANT ADOPTING THE  
2020 – 2025 ST. LOUIS REGIONAL HAZARD MITIGATION PLAN**

**WHEREAS** the City of Florissant the threat that natural hazards pose to people and property within the City of Florissant; and

**WHEREAS** the City of Florissant has participated in the preparation of a multi- hazard mitigation plan, hereby known as the St. Louis Regional Hazard Mitigation Plan, hereafter referred to as the *Plan*, in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS** the *Plan* identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Florissant from the impacts of future hazards and disasters; and

**WHEREAS** the City of Florissant recognizes that land use policies have a major impact on whether people and property are exposed to natural hazards, the City of Florissant will endeavor to integrate the *Plan* into the comprehensive planning process and

**WHEREAS** adoption by the City of Florissant demonstrates their commitment to hazard mitigation and achieving the goals outlined in the *Plan*

**NOW THEREFORE, BE IT RESOLVED BY** the City of Florissant in the State of Missouri, THAT:

In accordance with section 3.7 of the Charter of the City of Florissant adopts the final FEMA-*approved plan*.

PASSED AND RESOLVED BY THE FLORISSANT CITY COUNCIL THIS 26<sup>TH</sup> DAY OF SEPTEMBER, 2022.

\_\_\_\_\_  
Joseph Eagan, Council President

ATTEST:

\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

# FLORISSANT CITY COUNCIL AGENDA REQUEST FORM

9/21/2022	<b>Mayor's Approval:</b> 																																				
Agenda Date Requested:	9/26/2022																																				
Description of request:	Resolution adopting Hazzard Mitigation Plan																																				
Transfer of Funds from																																					
(See Attached Memo)																																					
Department:	Public Works																																				
Recommending Board or Commission:	N/A																																				
Type of request:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Ordinances</th> <th style="width: 5%;">X</th> <th style="width: 45%;">Other</th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td>Appropriation</td> <td></td> <td>Liquor License</td> <td></td> </tr> <tr> <td>Transfer</td> <td></td> <td>Hotel License</td> <td></td> </tr> <tr> <td>Zoning Amendment</td> <td></td> <td>Special Presentations</td> <td></td> </tr> <tr> <td>Amendment</td> <td></td> <td>Resolution</td> <td style="text-align: center;">X</td> </tr> <tr> <td>Special Use Transfer</td> <td></td> <td>Proclamation</td> <td></td> </tr> <tr> <td>Special Use</td> <td></td> <td>Subdivision</td> <td></td> </tr> <tr> <td>Budget Amendment</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">Y/N</td> <td></td> <td style="text-align: center;">Y/N</td> </tr> </tbody> </table>	Ordinances	X	Other		Appropriation		Liquor License		Transfer		Hotel License		Zoning Amendment		Special Presentations		Amendment		Resolution	X	Special Use Transfer		Proclamation		Special Use		Subdivision		Budget Amendment					Y/N		Y/N
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	Y/N		Y/N																																		
Public Hearing needed: Yes / No	N	3 readings? : Yes / No																																			
<b>Back up materials attached:</b>		<b>Back up materials needed:</b>																																			
Minutes		Minutes																																			
Maps		Maps																																			
Memo	X	Memo																																			
Draft Ord.		Draft Ord.																																			
<p><b>Note:</b> Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.</p>		<p>For City Clerk Use Only:</p> <p>Introduced by: _____</p> <p>PH Speaker: _____</p>																																			



Memo To: City Council

Date: September 22, 2022

Thru: Mayor Timothy J. Lowery

From: Todd M. Hughes, P.E.  
Director of Public Works and Health

Copy: Kimberlee Johnson

Subject: Hazzard Mitigation Plan Resolution

I am asking for this resolution to be adopted by the City. This will allow the City to apply for funds from the Federal government with a 75% Federal to 25% Local match. We could use these funds for flood damage mitigation (property buyouts or projects).

Thank you in advance.

Respectfully submitted,

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Todd M Hughes, P.E.

INTRODUCED BY COUNCIL AS A WHOLE  
SEPTEMBER 26, 2022

RESOLUTION NO. 1046

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF  
GENERAL OBLIGATION BONDS OF THE CITY OF  
FLORISSANT, MISSOURI**

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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORISSANT,  
MISSOURI, AS FOLLOWS:**

**Section 1.** The City of Florissant, Missouri (the “City”), is a municipal corporation and constitutional charter city operating under a home rule form of government, and is hereby authorized to offer at competitive public sale \$10,000,000 principal amount of General Obligation Bonds, Series 2022 (the “Bonds”), as described in the Notice of Bond Sale attached hereto as **Exhibit A**.

**Section 2.** The City’s Director of Finance is hereby authorized and directed to receive electronic bids via Parity for the purchase of the Bonds until 10:00 a.m., Central Time, on October 12, 2022, upon the terms and conditions set forth in the Notice of Bond Sale. The City Council hereby authorizes the Director of Finance, after consultation with Stifel, Nicolaus & Company, Incorporated, municipal advisor to the City (the “Municipal Advisor”), to cancel or postpone to a later time and/or date designated by the Director of Finance, the planned time and/or date for receiving electronic bids for the purchase of the Bonds if market conditions are expected to adversely impact the receipt of favorable bids for the purchase of the Bonds as originally scheduled. The Director of Finance is hereby authorized and directed to give notice of the public sale of the Bonds by publication pursuant to the requirements of the City’s Charter.

**Section 3.** The Notice of Bond Sale is hereby approved in substantially the form attached hereto as **Exhibit A**, and the Director of Finance is hereby authorized to execute such Notice of Bond Sale, with such changes and additions thereto as such official shall deem necessary or appropriate, and to use such document in connection with the public sale of the Bonds.

**Section 4.** The Preliminary Official Statement is hereby approved in substantially the form attached hereto as **Exhibit B**, with such changes and additions thereto as the Director of Finance shall deem necessary or appropriate, and the appropriate officers and representatives of the City are hereby authorized to use such document in connection with the public sale of the Bonds. The City hereby deems the Preliminary Official Statement to be “final” as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”). To enable the purchaser of the Bonds (the “Original Purchaser”) to comply with the requirements of the Rule, the appropriate officers of the City are hereby authorized, if requested, to provide the Original Purchaser a letter or certification to that effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary.

**Section 5.** The City authorizes the Municipal Advisor to proceed with the use and distribution of the Notice of Bond Sale and the Preliminary Official Statement in connection with the public sale of the Bonds. The City further authorizes Gilmore & Bell, P.C., Bond Counsel, to proceed with the preparation of all legal proceedings necessary for the sale and issuance of the Bonds.

**Section 6.** The City agrees to provide, or cause to be provided, to the Original Purchaser within seven business days of the date of sale of the Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Original Purchaser, whichever is earlier, an electronic copy

of the final Official Statement to enable the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and Rule G 32 of the Municipal Securities Rulemaking Board.

**Section 7.** The Mayor, the City Clerk, the Director of Finance and other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to carry out the public sale of the Bonds.

**Section 8.** This Resolution shall be in full force and effect from and after its passage by the City Council.

**PASSED** by the City Council this 26<sup>th</sup> day of September, 2022.

(SEAL)

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**NOTICE OF BOND SALE**

[On file in the office of the City Clerk]

**EXHIBIT B**

**PRELIMINARY OFFICIAL STATEMENT**

[On file in the office of the City Clerk]

**NOTICE OF BOND SALE**

**\$10,000,000  
CITY OF FLORISSANT, MISSOURI  
GENERAL OBLIGATION BONDS  
SERIES 2022**

**Request for Bids.** The City of Florissant, Missouri (the “City”) will receive bids electronically via **PARITY®** (as more fully described below) for the purchase of \$10,000,000 principal amount of General Obligation Bonds, Series 2022 (the “Bonds”) of the City, herein described, on an all-or-none basis, until 10:00 A.M., Central Time (the “Submittal Time”), on

Wednesday, October 12, 2022\*

All bids will be read and evaluated at said time, and the award of the Bonds will be made on the sale date.

**Terms of the Bonds.** The Bonds will consist of fully-registered bonds in the denomination of \$5,000 or any integral multiple thereof.

The Bonds will be dated the date of their initial issuance, which is expected to be October 25, 2022, and will become due in principal installments on March 1 in the years as follows\*:

<u>Stated Maturity (March 1)*</u>	<u>Principal Amount*</u>	<u>Stated Maturity (March 1)*</u>	<u>Principal Amount*</u>
2024	\$305,000	2034	\$530,000
2025	325,000	2035	560,000
2026	345,000	2036	595,000
2027	360,000	2037	625,000
2028	385,000	2038	665,000
2029	405,000	2039	700,000
2030	425,000	2040	740,000
2031	450,000	2041	780,000
2032	475,000	2042	825,000
2033	505,000		

Any bidder electing to designate one or more maturities of term bonds shall specify the current serial bonds by year of maturity which are to comprise the term bonds. The final year designated shall be deemed the year of maturity of the term bonds. Term bonds shall be subject to mandatory sinking fund redemption by lot in the amounts currently specified for the serial bonds, at a redemption price of 100% of the principal amount thereof. For purposes of computing the true interest cost (as hereinafter defined) and awarding the Bonds, the maturity of such term bonds shall be treated as if the amounts subject to mandatory sinking fund redemption are equal to the amounts and mature on the dates currently specified as serial bonds.

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\* Subject to change as provided under the captions “Pre-Bid Revisions,” “Post-Bid Revisions” and “Alternate Sale Date” herein.

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 2023.

When issued, the Bonds will be registered in the name of Cede & Co., as Bondowner and nominee for Depository Trust Company (“DTC”), New York, New York. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry only form in the denomination of \$5,000 or integral multiples thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. So long as Cede & Co. is the Bondowner, as nominee of DTC, references to the Bondowners or registered owners shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners (as defined in the Preliminary Official Statement) of the Bonds. See “**THE BONDS – Book-Entry Only System**” in the Preliminary Official Statement.

The successful bidder must furnish to DTC an underwriter’s questionnaire and must qualify the Bonds, if such qualification is necessary, in the jurisdictions in which it intends to reoffer the Bonds.

**Capitalized Terms.** Any capitalized terms not defined herein shall have the meanings ascribed for them in the Preliminary Official Statement, hereinafter described.

**Place of Payment.** BOKF, N.A., St. Louis, Missouri, has been designated as the Paying Agent for the Bonds. The principal of each Bond will be payable at maturity or upon earlier redemption to the registered owner upon presentation and surrender of such Bond at the payment office of the Paying Agent. Interest on each Bond will be paid to the Registered Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner or (b) by electronic transfer to such Registered Owner upon written notice given to the Paying Agent by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the name and address of the bank, the bank’s ABA routing number and account number to which such Registered Owner wishes to have such wire directed and an acknowledgment that an electronic transfer fee may be applicable.

**Optional Redemption of Bonds.** At the option of the City, the Bonds or portions thereof maturing on March 1, 2032 and thereafter may be subject to redemption and payment prior to maturity on March 1, 2031 and thereafter in whole or in part at any time in such order of maturity determined by the City (Bonds of less than a single maturity to be selected in multiples of \$5,000 principal amount), at the redemption price of 100% of the principal amount thereof, plus accrued interest thereon to the redemption date.

**Conditions of Bids.** Proposals will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. The interest rate on each maturity shall not exceed 5.50%. No supplemental interest payments will be authorized. No bid shall be for less than 108% or more than 112% of the principal amount of the Bonds. Each bid shall specify the total interest cost (expressed in dollars) during the life of the Bonds on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost (expressed in dollars) on the basis of such bid and the average annual net interest rate (expressed as a percentage) on the basis of such bid. Each bidder agrees that, if it is awarded the Bonds, it will (1) assist the City with establishing the issue price of the Bonds as described under the caption “Establishment of Issue Price,” (2) timely make the Deposit (as defined and described under the caption “Good Faith Deposit”) and (3) timely provide the initial offering prices of the Bonds described under the caption “Offering Prices.”

**Basis of Award.** The award of the Bonds will be made on the basis of the lowest true interest cost (“TIC”) as follows: the TIC is the discount rate (expressed as a per-annum percentage rate) which when used in computing the present value of all payments of principal and interest on the Bonds, from the payment dates to the date of the Bonds, produces an amount equal to the price bid, but excluding interest accrued to the date of delivery. Present value shall be computed on the basis of semiannual compounding and a 360-day year of twelve 30-day months. If two or more proper bids providing for identical amounts for the lowest true interest cost are received, the City in its sole discretion shall determine which bid, if any, shall be accepted, and its determination shall be final.

**Pre-Bid Revisions.** The City reserves the right to issue a Supplemental Notice of Bond Sale not later than 48 hours prior to the sale date via **PARITY**<sup>®</sup> and MuniHub (“Supplemental Notice”). If issued, the Supplemental Notice may modify (1) the maturity amounts and/or maturity dates of the Bonds and/or (2) such other terms of this Notice as the City determines. Any such modifications will supersede the maturities and such other terms as set forth herein.

**Post-Bid Revisions.** After bids are received on the sale date, the City may, in its discretion, revise the maturities of the Bonds; provided, that the principal amount of any maturity shall not be increased or decreased by an amount in excess of 20% and the aggregate principal amount of the Bonds shall not be increased. **The successful bidder may neither withdraw nor modify its proposal as a result of any post-bid revisions to the Bonds made by the City.**

**Alternative Sale Date.** The City reserves the right to cancel or postpone, from time to time, the date or time established for the receipt of bids. In such event, the cancellation or postponement will be announced via **PARITY**<sup>®</sup> and MuniHub at least 48 hours prior to the time established for the receipt of bids. Following a postponement, a new date and time of sale will be announced via **PARITY**<sup>®</sup> and MuniHub at least 48 hours prior to the time bids are to be submitted. On such alternative sale date, bidders shall submit bids for the purchase of the Bonds in conformity with the provisions of this Notice of Bond Sale, subject to any pre-bid revisions announced via **PARITY**<sup>®</sup> and MuniHub as provided under the caption “Pre-Bid Revisions” herein.

**Authority, Purpose and Security.** The Bonds are being issued pursuant to the Constitution and laws of the State of Missouri, and the City’s Charter, for the purpose of providing funds to construct and improve aquatic centers in the City and pay the costs of issuing the Bonds. The Bonds and the interest thereon will constitute general obligations of the City, payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property, real and personal, within the territorial limits of the City.

**Ratings.** Moody’s Investors Service, Inc., has assigned the Bonds the rating of “\_\_\_.” Any explanation as to the significance of such rating may only be obtained from such rating agency.

**Legal Opinion.** The Bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., St. Louis, Missouri, Bond Counsel, which opinion will be furnished and paid for by the City and delivered to the successful bidder when the Bonds are delivered. Said opinion will also include the opinion of Bond Counsel relating to the exclusion of the interest on the Bonds from gross income for federal and Missouri income tax purposes. Reference is made to the Preliminary Official Statement for further discussion of federal and Missouri income tax matters relating to the interest on the Bonds.

**Establishment of Issue Price (Bidders Should Expect that the Competitive Sale Requirements Will be Satisfied - Bids Cancelled if Hold-the-Offering-Price Rule to Apply Unless Bidder Confirms its Bid).**

(a) The winning bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at Closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as **Exhibit A**, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City’s municipal advisor identified herein and any notice or report to be provided to the City may be provided to the City’s municipal advisor.

(b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because:

- the City will disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- all bidders will have an equal opportunity to bid;
- the City expects to receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- the City expects to award the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

*Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. As described in more detail in the following paragraphs, if the competitive sale requirements are not satisfied AND the City determines to apply the Hold-The-Offering-Price Rule (as described in the following paragraph) to any maturity of the Bonds, all bids shall be cancelled and deemed withdrawn, UNLESS the prospective winning bidder affirmatively confirms its bid and agrees to comply with the Hold-The-Offering-Price Rule, in the manner described below.*

Bidders should prepare their bids on the assumption that the City will determine the issue price of the Bonds either based on the reasonably expected initial offering price to the public or by application of the 10% Test. No bidder will be required to comply with the Hold-The-Offering-Price Rule in connection with the initial sale of the Bonds to the public unless the bidder has confirmed its bid and agreed to comply with the Hold-The-Offering-Price Rule, as described below.

Paragraphs (c) through (g) below shall apply only if the competitive sale requirements are not satisfied.

(c) If the competitive sale requirements are not satisfied, the City shall so advise the prospective winning bidder prior to awarding the Bonds. The City may determine to treat (i) the price at which the first 10% of each maturity of the Bonds (the “10% Test”) is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the

Bonds as the issue price of that maturity (the “Hold-The-Offering-Price Rule”), in each case applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The prospective winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds. The City shall promptly advise the prospective winning bidder, at or before the time of award of the Bonds, which maturities (and if different interest rates apply within a maturity, which separate CUSIP number within that maturity) of the Bonds shall be subject to the 10% Test or shall be subject to the Hold-The-Offering-Price Rule.

(d) *If the City has determined to apply the Hold-The-Offering-Price Rule to any maturity of the Bonds, no award shall be made to the prospective winning bidder and all bids shall be cancelled and deemed withdrawn unless and until the prospective winning bidder has affirmatively confirmed its bid and agreed to comply with the Hold-The-Offering-Price Rule. The prospective winning bidder must provide that confirmation to the City no later than 90 (ninety) minutes after receiving notification that the City has determined to apply the Hold-The-Offering-Price Rule to any maturity of the Bonds. Such confirmation may be provided orally, but must be promptly confirmed in writing.*

If the prospective winning bidder does not provide its confirmation within the required time period, the prospective winning bidder’s bid shall be cancelled and deemed to be withdrawn. The City thereupon may award the Bonds to another bidder, provided that the new prospective winning bidder confirms its bid and agrees to comply with the Hold-The-Offering-Price Rule, or the City may cancel the sale of the Bonds, as set forth in this Notice of Sale. *If the City has determined to apply the 10% Test to all maturities of the Bonds, no bids shall be cancelled or deemed withdrawn and the City shall award the Bonds in accordance with this Notice of Sale.*

(e) If the City has determined to apply the Hold-The-Offering-Price Rule to any maturity of the Bonds and the winning bidder has confirmed its bid and its agreement to comply with the Hold-The-Offering-Price Rule, the winning bidder shall also confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder. The winning bidder further shall agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the Hold-The-Offering-Price Rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

- the close of the fifth (5th) business day after the sale date; or
- the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The winning bidder shall promptly advise the City when the underwriters have sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

(f) Until the 10% Test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. At or promptly after the award of the Bonds, the winning bidder shall report to the City the price at which it has sold to the public the Bonds of each maturity sufficient to satisfy the 10% Test. If as of the award of the Bonds the 10% Test has not been satisfied as to any maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which it subsequently sells Bonds of that maturity to the public until the 10% Test is satisfied. In either case, if Bonds constituting

the first 10% of a certain maturity are sold at different prices, the winning bidder shall report to the City the prices at which Bonds of such maturity are sold until the winning bidder sells 10% of the Bonds of such maturity at a single price. The winning bidder's reporting obligation shall continue as set forth above, whether or not the Closing Date has occurred.

(g) The City acknowledges that, in making the representation set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the Hold-The-Offering-Price Rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) if a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the Hold-The-Offering-Price Rule, as set forth in a selling group agreement and the related pricing wires, and (iii) if an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the Hold-The-Offering-Price Rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the Hold-The-Offering-Price Rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the Hold-The-Offering-Price Rule as applicable to the Bonds.

(h) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% Test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the Hold-The-Offering-Price Rule, if applicable, in each case if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% Test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the Hold-The-Offering-Price Rule, if applicable, in each case if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

(i) Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including

a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),

- (iii) a purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (iv) “sale date” means the date that the Bonds are awarded by the City to the winning bidder.

**Delivery and Payment.** The City will pay for printing the Bonds and will deliver the Bonds to DTC (or to the Paying Agent as DTC’s “FAST” agent), properly prepared, executed and registered, without cost to the successful bidder within 30 days after the date of sale. The successful bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement (including a statement that the City has not made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading). Payment for the Bonds shall be made in federal reserve funds, immediately available for use by the City. The City will deliver Bonds in the denomination of each maturity registered in the name of DTC or its agent.

**Good Faith Deposit.** The apparent winning bidder of the Bonds (the “Purchaser”) is required to submit a good faith deposit (the “Deposit”) in the form of an electronic transfer of federal reserve funds immediately available for use by the City, pursuant to wire instructions that will be provided to the winning bidder, in the amount of \$200,000, no later than two hours after the Submittal Time. If the electronic transfer is not received at the time indicated above, the City will abandon its plan to award to such Purchaser, and will contact the next lowest bidder received and offer said bidder the opportunity to become the Purchaser, on the terms as outlined in said bidder’s bid, so long as said bidder submits a good faith electronic transfer within two hours of the time offered. The City will not award the Bonds to the Purchaser absent receipt of the Deposit prior to action awarding the Bonds. No interest on the Deposit will accrue to the Purchaser. The Deposit will be applied to the purchase price of the Bonds. If the Purchaser fails to honor its bid, the Deposit will be retained by the City as full and complete liquidated damages.

**CUSIP Numbers.** CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of this Notice. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid by the City.

**Bids.** Each proposal must be submitted via **PARITY**<sup>®</sup> in accordance with this Notice of Bond Sale, until 10:00 a.m., Central Time, on October 12, 2022. To the extent any instructions or directions set forth in **PARITY**<sup>®</sup> conflict with this Notice of Bond Sale, the terms of this Notice of Bond Sale shall control. Electronic bids via **PARITY**<sup>®</sup> must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice of Bond Sale. Bids for the Bonds must be received prior to the Submittal Time. The City shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. Bids received after the Submittal Time will not be considered. The City reserves the right to waive irregularities and to reject any or all bids.

**PARITY**<sup>®</sup>. Information about the electronic bidding services of **PARITY**<sup>®</sup> may be obtained from i-Deal LLC at 1359 Broadway, 2nd Floor, New York, NY 10018 (tel: (800/850-7422) and from the following website: [www.newissuehome.i-deal.com](http://www.newissuehome.i-deal.com).

**Preliminary Official Statement and Official Statement.** The City has prepared a Preliminary Official Statement, electronic copies of which may be obtained from the Director of Finance or from the Municipal Advisor. The City has deemed the Preliminary Official Statement to be “final” as of its date for purposes of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, except for the omission of certain information as permitted by Rule 15c2-12(b)(1).

Upon the sale of the Bonds, the City will adopt the final Official Statement and will furnish the successful bidder with an electronic copy of such Official Statements within seven business days of the acceptance of the successful bidder’s proposal in order to comply with Rule 15c2-12(b)(4) of the Securities and Exchange Commission and Rule G-32 of the Municipal Securities Rulemaking Board. The City’s acceptance of the successful bidder’s proposal for the purchase of the Bonds shall constitute a contract between the City and such successful bidder for purposes of said Rules. Additional copies may be ordered by the successful bidder at its expense.

**Continuing Disclosure.** The City will agree in the ordinance authorizing the Bonds (the “Bond Ordinance”) to comply with and carry out all of the provisions of the Continuing Disclosure Undertaking, under which the City covenants to provide, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission (the “Rule”) and as described in greater detail in the Preliminary Official Statement under the caption “CONTINUING DISCLOSURE,” the following information with the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access system: (1) certain annual financial information and operating data, including audited financial statements for the prior fiscal year, and (2) notice of the occurrence of certain material events with respect to the City and/or the Bonds. Such information shall be made available not later than 180 days following the end of each fiscal year of the City, commencing with the fiscal year ending November 30, 2022. Such notice shall be given within 10 business days after the occurrence of any of the material events. The City’s prior compliance with its continuing disclosure obligations is described in the Preliminary Official Statement under the caption “CONTINUING DISCLOSURE – Prior Compliance.”

**Additional Information.** Additional information regarding the Bonds may be obtained from the Municipal Advisor, Lorenzo Boyd, Stifel, Nicolaus & Company, Inc., 501 North Broadway, 10<sup>th</sup> Floor, St. Louis, Missouri 63102 (314/342-8477).

DATED this 3rd day of October, 2022.

**CITY OF FLORISSANT, MISSOURI**

By: /s/ Kimberlee Johnson  
Director of Finance

## EXHIBIT A

### UNDERWRITER'S RECEIPT FOR BONDS AND CLOSING CERTIFICATE

§ \_\_\_\_\_  
**City of Florissant, Missouri**  
**General Obligation Bonds**  
**Series 2022**

The undersigned, on behalf of [\*Underwriter\*] (the “Original Purchaser”), as the original purchaser and underwriter of the above-referenced bonds (the “Bonds”), being issued on the date of this Certificate by the City of Florissant, Missouri (the “City”), hereby certifies and represents as follows:

**1. Receipt for Bonds.** The Original Purchaser acknowledges receipt on the date hereof of all of the Bonds, consisting of fully-registered Bonds in authorized denominations in a form acceptable to the Original Purchaser.

**2. Issue Price.**

(a) *Public Offering.* The Original Purchaser offered all of the Bonds to the Public in a bona fide initial offering.

(b) *Reasonably Expected Initial Offering Price.* As of the sale date of the Bonds (October 12, 2022), the reasonably expected initial offering prices of the Bonds to the Public by the Original Purchaser are the prices listed in **Schedule A** (the “Expected Offering Prices”). The Expected Offering Prices are the prices for the Maturities of the Bonds used by the Original Purchaser in formulating its bid to purchase the Bonds.

(c) *Defined Terms.*

(i) The term “Maturity” means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(ii) The term “Public” means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” is defined in U.S. Treasury Regulation § 1.150-1(b) which generally provides that the term related party means any two or more persons who have a greater than 50 percent common ownership, directly or indirectly.

(iii) The term “Underwriter” means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this Certificate represents the Original Purchaser’s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations

thereunder. The undersigned understands that the certifications contained herein will be relied upon by the City in executing and delivering the Federal Tax Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, by Stifel, Nicolaus & Company, Inc., Municipal Advisor to the City in executing the Certificate of Municipal Advisor relating to the Bonds, and by Gilmore & Bell, P.C., Bond Counsel, in rendering its opinion relating to the exclusion from federal gross income of the interest on the Bonds and other federal income tax advice that it may give to the City from time to time relating to the Bonds.

DATED: October 25, 2022.

**[\*UNDERWRITER\*]**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Schedule A**

**Expected Offering Prices**

[Attach Initial Offering Prices Used in Formulating Bid]

**PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER \_\_, 2022**

**NEW ISSUE  
BOOK-ENTRY ONLY**

**MOODY'S RATING: \_\_\_\_  
See "BOND RATING" herein.**

*In the opinion of Gilmore & Bell, P.C., Bond Counsel to the City, under existing law and assuming continued compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on the Bonds (including any original issue discount properly allocable to an owner thereof) (1) is excludable from gross income for federal income tax purposes, and is not an item of tax preference for purposes of the federal alternative minimum tax and (2) is exempt from income taxation by the State of Missouri. The Bonds have not been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. Bond Counsel notes that for tax years beginning after December 31, 2022, interest on the Bonds may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax. See "TAX MATTERS" in this Official Statement.*



**\$10,000,000\***  
**CITY OF FLORISSANT, MISSOURI**  
**GENERAL OBLIGATION BONDS**  
**SERIES 2022**

**Dated: Date of Issuance**

**Due: March 1, as shown on the inside cover**

The General Obligation Bonds, Series 2022 (the "Bonds"), will be issued by the City of Florissant, Missouri (the "City"), for the purpose of providing funds to pay (1) the costs of constructing and improving municipal aquatic centers, and (2) the costs of issuing the Bonds, as further described herein under the caption "PLAN OF FINANCING."

Principal of the Bonds is payable annually as set forth on the inside cover of this Official Statement, commencing on March 1, 2024. Interest on the Bonds is payable semiannually on each March 1 and September 1, commencing on September 1, 2023, by check, draft or electronic transfer (subject to the conditions described herein) to the persons who are the registered owners of the Bonds as of the close of business on the fifteenth day of the month preceding the applicable interest payment date.

The Bonds are subject to redemption prior to maturity as described herein. See the caption "THE BONDS – Redemption Provisions" herein.

THE BONDS AND INTEREST THEREON WILL CONSTITUTE GENERAL OBLIGATIONS OF THE CITY, PAYABLE FROM AD VALOREM TAXES THAT MAY BE LEVIED WITHOUT LIMITATION AS TO RATE OR AMOUNT UPON ALL OF THE TAXABLE TANGIBLE PROPERTY, REAL AND PERSONAL, WITHIN THE TERRITORIAL LIMITS OF THE CITY. See the caption "SECURITY FOR THE BONDS."

**See inside cover for maturities, principal amounts, interest rates, prices and CUSIP numbers.**

*The Bonds are offered when, as and if issued by the City and accepted by the Underwriter, subject to the approval of validity by Gilmore & Bell, P.C., St. Louis, Missouri, Bond Counsel to the City, and subject to certain other conditions. Bond Counsel will also pass on certain matters relating to this Official Statement. Stifel, Nicolaus & Company, Incorporated is serving as municipal advisor to the City in connection with the issuance of the Bonds. It is expected that the Bonds will be available for delivery through the facilities of The Depository Trust Company in New York, New York, on or about October 25, 2022.*

**STIFEL**

The date of this Official Statement is October \_\_, 2022.

\* Preliminary; subject to change.

This Preliminary Official Statement and the information contained herein are subject to completion and amendment. These securities may not be sold nor may they be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances may this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy, nor may there be any sale of these securities in any jurisdictions in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

**\$10,000,000\***  
**CITY OF FLORISSANT, MISSOURI**  
**GENERAL OBLIGATION BONDS**  
**SERIES 2022**

**MATURITY SCHEDULE\***

**Base CUSIP: \_\_\_\_\_**

**SERIAL BONDS**

<b><u>Maturity</u></b> <b><u>(March 1)</u></b>	<b><u>Principal</u></b> <b><u>Amount*</u></b>	<b><u>Interest</u></b> <b><u>Rate</u></b>	<b><u>Price</u></b>	<b><u>CUSIP</u></b>
2024	\$305,000	%	%	
2025	325,000			
2026	345,000			
2027	360,000			
2028	385,000			
2029	405,000			
2030	425,000			
2031	450,000			
2032	475,000			
2033	505,000			
2034	530,000			
2035	560,000			
2036	595,000			
2037	625,000			
2038	665,000			
2039	700,000			
2040	740,000			
2041	780,000			
2042	825,000			

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\* Preliminary; subject to change.

**CITY OF FLORISSANT, MISSOURI**

955 Rue St. Francois  
Florissant, Missouri 63031  
(314) 921-5700

**ELECTED OFFICIALS**

Timothy J. Lowery, *Mayor*  
Andrew Harris, *Council Member*  
Paul Manganelli, *Council Member*  
Joseph Eagan, *Council Member*  
Jeff Caputa, *Council Member*  
Keith Schildroth, *Council Member*  
Patrick Mulcahy, *Council Member*  
Jackie Pagano, *Council Member*  
Robert Parson, Jr., *Council Member*  
Tommy Siam, *Council Member*

**ADMINISTRATIVE OFFICIALS**

Travis Wilson, *Director of Economic Development*  
Kimberlee Johnson, *Director of Finance*  
Cheryl Thompson, *Director of Parks and Recreation*  
Todd Hughes, *Director of Public Works*  
Tim Fagan, *Chief of Police*  
Karen Goodwin, *City Clerk*

**CITY'S COUNSEL**

Lewis Rice LLC  
St. Louis, Missouri

**BOND AND DISCLOSURE COUNSEL**

Gilmore & Bell, P.C.  
St. Louis, Missouri

**MUNICIPAL ADVISOR**

Stifel, Nicolaus & Company, Incorporated  
St. Louis, Missouri

**PAYING AGENT**

BOKF, N.A.  
St. Louis, Missouri

## REGARDING USE OF THIS OFFICIAL STATEMENT

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**THE BONDS HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR UNDER ANY STATE SECURITIES OR "BLUE SKY" LAWS. THE BONDS ARE OFFERED PURSUANT TO AN EXEMPTION FROM REGISTRATION WITH THE SECURITIES AND EXCHANGE COMMISSION.**

The information set forth herein has been obtained from the City and other sources that are deemed to be reliable, but is not guaranteed as to accuracy or completeness by, and is not to be construed as a representation by, the City. The Underwriter has provided the following sentence for inclusion in this Official Statement. The Underwriter has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information

No dealer, broker, salesperson or any other person has been authorized by the City or the Underwriter to give any information or make any representations, other than those contained in this Official Statement, in connection with the offering of the Bonds, and if given or made, such other information or representations must not be relied upon as having been authorized by any of the foregoing. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any state in which it is unlawful for such person to make such offer, solicitation or sale. The information herein is subject to change without notice, and neither the delivery of this Official Statement nor the sale of any of the Bonds hereunder shall under any circumstances create any implication that there has been no change in the affairs of the City or the other matters described herein since the date hereof.

**IN CONNECTION WITH THE OFFERING OF THE BONDS, THE UNDERWRITER MAY OVER-ALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF THE BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.**

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This Preliminary Official Statement is in a form deemed final by the City for purposes of Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, except for certain information to be omitted pursuant to Rule 15c2-12(B)(1).

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**OFFICIAL STATEMENT**  
**CITY OF FLORISSANT, MISSOURI**

**\$10,000,000\***  
**GENERAL OBLIGATION BONDS**  
**SERIES 2022**

**INTRODUCTION**

*The following introductory information is subject in all respects to more complete information contained elsewhere in this Official Statement. The order and placement of materials in this Official Statement, including the appendices hereto, are not to be deemed to be a determination of relevance, materiality or relative importance, and this Official Statement, including the cover page and appendices, should be considered in its entirety. The offering of the Bonds to potential investors is made only by means of the entire Official Statement.*

**General**

This Official Statement, including the cover page and appendices hereto, is furnished to prospective purchasers in connection with the offering and sale of \$10,000,000\* aggregate principal amount of General Obligation Bonds, Series 2022 (the “**Bonds**”), by the City of Florissant, Missouri (the “**City**”). The issuance and sale of the Bonds are authorized by an ordinance of the City Council of the City expected to be adopted on October 10, 2022 (the “**Ordinance**”). *All capitalized terms used herein and not otherwise defined herein have the meanings assigned to those terms in the Ordinance.*

**Authorization and Purpose of the Bonds**

On August 2, 2022, the voters of the City approved the issuance of general obligation bonds in the amount of \$10,000,000. The Bonds are being issued for the purpose of providing funds to pay (1) the costs of constructing and improving municipal aquatic centers in the City (the “**Project**”) and (2) the costs of issuing the Bonds. See the section herein captioned “**PLAN OF FINANCING.**”

**Security for the Bonds**

The Bonds will constitute general obligations of the City and will be payable as to both principal and interest from ad valorem taxes, which may be levied without limitation as to rate or amount upon all taxable tangible property, real and personal, within the territorial limits of the City. See the section herein captioned “**SECURITY FOR THE BONDS.**”

**Continuing Disclosure**

The City has covenanted in a Continuing Disclosure Undertaking dated as of October 1, 2022 (the “**Continuing Disclosure Undertaking**”) to provide certain financial information and operating data relating to the City and to provide notices of the occurrence of certain enumerated events relating to the Bonds. The Continuing Disclosure Undertaking was entered into by the City to comply with Rule 15c2-12 promulgated by the Securities and Exchange Commission (the “**Rule**”). See the section herein captioned “**CONTINUING DISCLOSURE UNDERTAKING**” and the proposed form of the Continuing Disclosure Undertaking, which is included as *Appendix C*.

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\* Preliminary; subject to change.

## THE BONDS

### General

The Bonds are being issued in the aggregate principal amount of \$10,000,000\*. The Bonds are dated as of the date of original issuance and delivery thereof. Principal is payable on March 1 in the years and in the principal amounts set forth on the inside cover page hereof, subject to redemption and payment prior to maturity, upon the terms and conditions described under the section herein captioned “**THE BONDS – Redemption Provisions.**” Interest on the Bonds is calculated at the rates per annum set forth on the inside cover page, computed on the basis of a 360-day year of twelve 30-day months. The Bonds shall consist of fully-registered bonds in denominations of \$5,000 or any integral multiple thereof. Interest on the Bonds is payable from the date thereof or the most recent date to which interest has been paid and is payable semiannually on March 1 and September 1 in each year, beginning September 1, 2023.

The principal or Redemption Price (as defined herein) of the Bonds will be paid at maturity or upon earlier redemption to the person in whose name such Bond is registered on the registration books (the “**Bond Register**”) at the maturity or Redemption Date (as defined herein) thereof, upon presentation and surrender of such Bond at the principal payment office of BOKF, N.A., St. Louis, Missouri (the “**Paying Agent**”), or such other office designated by the Paying Agent. Payment of the interest on the Bonds will be made to the person in whose name such Bond is registered on the Bond Register at the close of business on the fifteenth day (whether or not a Business Day) of the calendar month preceding the interest payment date (the “**Record Date**”). The principal or Redemption Price of and interest on the Bonds will be made by check or draft mailed by the Paying Agent to the address of each Registered Owner shown on the Bond Register or such other address as is furnished to the Paying Agent in writing by such Registered Owner, or by electronic transfer to such Registered Owner upon written notice signed by such Registered Owner and given to the Paying Agent not less than 15 days prior to the Record Date for such payment, containing the electronic transfer instructions including the name and address of the bank, the bank’s ABA routing number and account number to which such Registered Owner wishes to have such transfer directed and an acknowledgment that an electronic transfer fee may be applicable.

### Redemption Provisions

**Optional Redemption.** At the option of the City, the Bonds or portions thereof maturing on and after March 1, 2032 may be called for redemption and payment prior to their Stated Maturity on and after March 1, 2031, in whole or in part, at any time, in such amounts for each Stated Maturity as shall be determined by the City, at the Redemption Price of 100% of the principal amount thereof, plus accrued interest thereon to the Redemption Date.

**Selection of Bonds to Be Redeemed.** Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the Outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such order of their Stated Maturities as determined by the City, and Bonds of less than a full Stated Maturity shall be selected by the Paying Agent in \$5,000 units of principal amount by lot or in such other equitable manner as the Paying Agent may determine.

In the case of a partial redemption of Bonds, when Bonds of denominations greater than \$5,000 are then-Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond are selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Registered Owner of such Bond or the Registered Owner’s duly authorized agent shall present and surrender such Bond to the Paying Agent (1) for payment of the price at which such Bond is to be redeemed (the “**Redemption Price**”) and interest to the date fixed for redemption (the “**Redemption Date**”) of such \$5,000 unit or units of face value called for redemption and (2) for

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\* Preliminary; subject to change.

exchange, without charge to the Registered Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Registered Owner of any such Bond shall fail to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the Redemption Date to the extent of the \$5,000 unit or units of face value called for redemption (and to that extent only).

**Notice of Redemption.** Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on the City's behalf, by mailing a copy of an official redemption notice by first-class mail at least 30 days and not more than 60 days prior to the Redemption Date to the State Auditor of Missouri and each Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register.

The failure of any Registered Owner to receive the foregoing notice or any defect therein shall not invalidate the effectiveness of the call for redemption.

So long as DTC (as defined herein) is effecting book-entry transfers of the Bonds, the Paying Agent shall provide the notices specified in the Ordinance to DTC. It is expected that DTC will, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners (as defined herein). Any failure on the part of DTC or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Paying Agent, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, will not affect the validity of the redemption of such Bond.

**Effect of Call for Redemption.** After an amount of money sufficient to pay the Redemption Price has been deposited with the Paying Agent and official notice of redemption has been given as aforesaid, (1) the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price specified in the notice, and (2) from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest.

All Bonds that have been surrendered for redemption shall be canceled and destroyed by the Paying Agent pursuant to the Ordinance and shall not be reissued.

### **Book-Entry Only System**

**General.** The Bonds are available in book-entry only form. Purchasers of the Bonds will not receive certificates representing their interests in the Bonds. Ownership interests in the Bonds will be available to purchasers only through a book-entry system (the "**Book-Entry System**") maintained by The Depository Trust Company ("**DTC**"), New York, New York.

**The following information concerning DTC and DTC's Book-Entry System has been obtained from DTC. The City takes no responsibility for the accuracy or completeness thereof and neither the Indirect Participants (as defined herein) nor the Beneficial Owners should rely on the following information with respect to such matters, but should instead confirm the same with DTC or the Direct Participants (as defined herein), as the case may be. There can be no assurance that DTC will abide by its procedures or that such procedures will not be changed from time to time.**

**DTC and its Participants.** DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("**Direct Participants**") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in

deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("**DTCC**"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("**Indirect Participants**"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

**Purchases of Ownership Interests.** Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("**Beneficial Owner**") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchases. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participants through which they entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the Book-Entry System for the Bonds is discontinued.

**Transfers.** To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

**Notices.** Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

Redemption notices will be sent to DTC. If less than all of the Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such maturity to be redeemed.

**Voting.** Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC's Money Market Instrument Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

***Payments of Principal, Redemption Price and Interest.*** Payment of the principal or Redemption Price of and interest on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or the Paying Agent, on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participants and not of DTC, the Paying Agent or the City, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of the principal or Redemption Price of and interest on the Bonds to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

***Discontinuation of Book-Entry System.*** DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the City or the Paying Agent. Under such circumstances, if a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The City may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to the Registered Owners.

#### **Registration, Transfer and Exchange of Bonds**

The City will cause the Bond Register to be kept at the principal payment office of the Paying Agent or such other office designated by the Paying Agent for the registration, transfer and exchange of the Bonds as provided in the Ordinance. Upon surrender of any Bond at the principal payment office of the Paying Agent, or at such other office designated by the Paying Agent, the Paying Agent shall transfer or exchange such Bond as provided in the Ordinance.

The Paying Agent shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange. Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Registered Owner thereof or by the Registered Owner's duly authorized agent. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Paying Agent, are the responsibility of the Registered Owners of the Bonds. If any Registered Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Registered Owner sufficient to pay any governmental charge required to be paid as a result of such failure. The City and the Paying Agent shall not be required (1) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent in accordance with the Ordinance and during the period of 15 days next preceding the date of mailing of such notice of redemption, or (2) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to the Ordinance.

## SECURITY FOR THE BONDS

***Pledge of Full Faith and Credit.*** The Bonds will constitute general obligations of the City and will be payable as to both principal and interest from ad valorem taxes, which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City.

***Levy and Collection of Annual Tax.*** Under the Ordinance, the City has authorized the imposition upon all of the taxable tangible property within the City of a direct annual tax sufficient to produce the amounts necessary for the payment of the principal of and interest on the Bonds as the same becomes due and payable in each year. Such taxes shall be extended upon the tax rolls in each year, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the City are levied and collected. The proceeds derived from said taxes shall be deposited in the Debt Service Fund, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal of and interest on the Bonds, as and when the same becomes due, and the fees and expenses of the Paying Agent.

## RISK FACTORS

The following is a discussion of certain risks that could affect the payments to be made by the City with respect to the Bonds. To identify risk factors and make an informed investment decision, potential investors should be thoroughly familiar with this entire Official Statement (including its appendices). Prospective purchasers of the Bonds should consider carefully all possible factors that may result in a default in the payment of the Bonds, the redemption of the Bonds prior to maturity, a determination that the interest on the Bonds might be deemed taxable for purposes of federal and Missouri income taxation, or that may affect the market price or liquidity of the Bonds. **This discussion of risk factors is not, and is not intended to be, comprehensive or exhaustive.**

### Ad Valorem Property Taxes

Under the Ordinance, the City has authorized the levy of a direct annual tax on all taxable tangible property within the City sufficient to produce amounts necessary for the payment of the principal of and interest on the Bonds each year. Declining property values in the City, whether caused by national or global financial crises, natural disasters, local economic downturns, or other reasons, may require higher levy rates, which may increase the burden on local taxpayers and affect certain taxpayers' willingness or ability to continue timely paying property taxes. See "**PROPERTY TAX INFORMATION – Property Valuations**" in *Appendix A* of this Official Statement. In addition, the issuance of additional general obligation bonds by the City or other indebtedness by other political subdivisions within the boundaries of the City would increase the tax burden on taxpayers within the boundaries of the City. See "**DEBT STRUCTURE OF THE CITY – General Obligation Indebtedness**" and "**– Overlapping General Obligation Indebtedness**" in *Appendix A* of this Official Statement. Missouri law limits the amount of general obligation debt issuable by the City to 20% of the assessed valuation of taxable tangible property within the boundaries of the City. Other political subdivisions within the boundaries of the City are subject to similar limitations on general obligation debt imposed by Missouri law, including school districts, counties and certain other political subdivisions, which are limited to general obligation debt of 15%, 10% and 5% of assessed valuation of taxable tangible property, respectively. However, the authorization of any general obligation bond issue requires a supermajority vote of the voters voting on the proposition.

Concentration of property ownership within the boundaries of the City would expose the City's ability to collect ad valorem property taxes to the financial strength, ability and willingness of major taxpayers to pay property taxes. See "**TAX INFORMATION CONCERNING THE CITY – Property Valuations**" and "**– Major Property Taxpayers**" in *Appendix A* of this Official Statement.

## Potential Risks Relating to COVID-19

COVID-19 has spread throughout the world and has been characterized by the World Health Organization as a pandemic. The impact of the COVID-19 pandemic on the U.S. economy has been broad based and has impacted national, state and local economies. On March 13, 2020, the President of the United States declared a “national emergency,” which, among other effects, allowed the executive branch to disburse disaster relief funds to address the COVID-19 pandemic and related economic dislocation.

On March 13, 2020, the Governor of Missouri (the “**Governor**”) signed an Executive Order declaring a state of emergency in the state in response to COVID-19. On August 27, 2021, the Governor terminated the Executive Order and signed Executive Order 21-09, which represented a more targeted state of emergency declaration that acknowledged the continued need of Missouri’s healthcare system. Executive Order 21-09 expired on December 31, 2021. On April 1, 2022, the Governor announced that the state is shifting to an endemic phase of the pandemic. Missouri is not currently under a statewide public health order.

The City experienced unforeseen revenue shortfalls in Fiscal Year 2020, primarily in sales tax, municipal court revenues and activities that require admission fees. To offset the reduced revenues the City reduced expenditures in all areas except public safety in Fiscal Year 2020. The City received approximately \$3.5 million of funds from St. Louis County through the Coronavirus Aid, Relief, and Economic Security (CARES) Act which offset the shortfall in revenue. Revenues rebounded in Fiscal Year 2021. Historical revenues and expenditures for the City’s General Fund for the fiscal years ended November 30, 2018 through 2021 are set forth under the caption “**FINANCIAL INFORMATION CONCERNING THE CITY – The General Fund**” in *Appendix A* of this Official Statement.

Nevertheless, the proliferation of COVID-19 throughout the City and the impact of executive orders and social distancing guidelines on businesses throughout the City could adversely affect the City’s revenues in the future. Developments regarding COVID-19 continue to occur on a regular basis and the extent to which COVID-19 will impact the City in the future is highly uncertain and cannot be predicted.

## Secondary Market Prices and Liquidity

The Underwriter will not be obligated to repurchase any of the Bonds, and no representation is made concerning the existence of any secondary market for the Bonds. No assurance is given that any secondary market will develop following the completion of the offering of the Bonds, and no assurance is given that the initial offering price for the Bonds will continue for any period of time.

Prices of municipal securities in the secondary market are subject to adjustment upward and downward in response to changes in the credit markets and changes in the operating performance or tax collection patterns of issuers. Particularly, prices of outstanding municipal securities should be expected to decline if prevailing market interest rates rise. Municipal securities are generally viewed as long-term investments, subject to material unforeseen changes in the investor’s or the issuer’s circumstances and may require commitment of the investor’s funds for an indefinite period of time, perhaps until maturity.

## Ratings

Moody’s Investors Service, Inc. (“**Moody’s**”) has assigned the Bonds the rating set forth under “**BOND RATING**” in this Official Statement. The rating reflects only the views of Moody’s, and an explanation of the significance of such rating may be obtained therefrom. There is no assurance that the rating will remain in effect for any given period of time or that it will not be revised, either downward or upward, or withdrawn entirely, by Moody’s if, in its judgment, circumstances warrant. Any such downward revision or withdrawal of the rating may have an adverse effect on the market price of the Bonds.

## **Bankruptcy**

In addition to the limitations on remedies contained in the Ordinance, the rights and remedies provided by the Bonds may be limited by and are subject to (1) bankruptcy, insolvency, reorganization, arrangement, fraudulent conveyance, moratorium and other laws affecting creditors' rights, (2) the application of equitable principles, and (3) the exercise of judicial discretion in appropriate cases and to limitations on legal remedies against political subdivisions in the State of Missouri. Section 108.180 of the Revised Statutes of Missouri requires that any interest and sinking fund moneys only be used to pay principal of and interest on the Bonds. The City, like all other Missouri political subdivisions, is specifically authorized by Missouri law to institute proceedings under Chapter 9 of the Federal Bankruptcy Code. Such proceedings, if commenced, are likely to have an adverse effect on the market price of the Bonds.

## **Amendment of the Ordinance**

Certain amendments, effected by ordinance of the City, to the Bonds and the Ordinance may be made with the written consent of the Registered Owners of not less than a majority in principal amount of the Bonds then-Outstanding. Such amendments may adversely affect the security of the owners of the Bonds; provided that, no amendments may (1) extend the maturity of any payment of principal or interest due upon any Bond, (2) alter the optional redemption provisions of any Bond, (3) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond, (4) permit preference or priority of any Bond over any other Bond, or (5) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of the Ordinance without the written consent of the Registered Owners of all of the Bonds at the time Outstanding. The City may also amend or supplement the Ordinance, without notice to or the consent of any Registered Owners, for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein that is not materially adverse to the security of the Registered Owners.

## **Loss of Premium from Redemption**

Any person who purchases the Bonds at a price in excess of their principal amount or who holds such Bonds trading at a price in excess of par should consider the fact that the Bonds are subject to redemption prior to maturity at the redemption prices described herein in the event such Bonds are redeemed prior to maturity. See **"THE BONDS – Redemption Provisions"** in this Official Statement.

## **Tax-Exempt Status and Risk of Audit**

The failure of the City to comply with certain covenants set forth in the Ordinance could cause the interest on the Bonds to become included in gross income for federal and Missouri income tax purposes retroactive to the date of issuance of the Bonds. The Ordinance does not provide for the payment of any additional interest, redemption premium or penalty if the interest on the Bonds becomes included in gross income for federal and Missouri income tax purposes. See **"TAX MATTERS"** in this Official Statement.

The Internal Revenue Service (the **"IRS"**) has established an ongoing program to audit tax-exempt obligations to determine whether interest on such obligations should be included in gross income for federal income tax purposes. Owners of the Bonds are advised that, if an audit of the Bonds were commenced, the IRS, in accordance with its current published procedures, is likely to treat the City as the taxpayer, and the owners of the Bonds may not have a right to participate in such audit. Public awareness of any audit could adversely affect the market value and liquidity of the Bonds during the pendency of the audit, regardless of the ultimate outcome of the audit.

## **Defeasance Risks**

When any or all of the Bonds or scheduled interest payments thereon are deemed paid and discharged as provided in the Ordinance, the requirements contained in the Ordinance and the pledge of the City's faith and credit thereunder and all other rights granted thereby will terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of the Ordinance if there has been deposited with the Paying Agent, or other commercial bank or trust company, moneys and/or Defeasance Obligations that, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of and redemption premium, if any, on the Bonds and/or interest accrued to the Stated Maturity or prior Redemption Date. There is no legal requirement in the Ordinance that Defeasance Obligations be rated in the highest rating category by any rating agency. Prices of municipal securities in the secondary market are subject to adjustment upward and downward in response to changes in the credit markets, and that could include the rating of Bonds defeased with Defeasance Obligations to the extent the Defeasance Obligations have a change or downgrade in rating.

## **Future Economic, Demographic and Market Conditions**

Adverse economic conditions or changes in demographics within the boundaries of the City, including increased unemployment and inability to control expenses in periods of inflation, could adversely impact payment of taxes by taxpayers within the boundaries of the City and, therefore, the City's financial condition.

## **Cybersecurity Risks**

The City relies on its information systems to provide security for processing, transmission and storage of confidential personal, health-related, credit and other information. It is possible that the City's security measures will not prevent improper or unauthorized access or disclosure of personally identifiable information resulting from cyber-attacks. Security breaches, including electronic break-ins, computer viruses, attacks by hackers and similar breaches can create disruptions or shutdowns of the City and the services it provides, or the unauthorized disclosure of confidential personal, health-related, credit and other information. If personal or otherwise protected information is improperly accessed, tampered with or distributed, the City may incur significant costs to remediate possible injury to the affected persons, and the City may be subject to sanctions and civil penalties if it is found to be in violation of federal or state laws or regulations. Any failure to maintain proper functionality and security of information systems could interrupt the City's operations, delay receipt of revenues, damage its reputation, subject it to liability claims or regulatory penalties and could have a material adverse effect on its operations, financial condition and results of operations. The City has not been the victim of any cybersecurity breaches or attacks. The City does have an insurance policy to help mitigate the costs of a cybersecurity event.

## **PLAN OF FINANCING**

### **Authorization of Bonds**

The Bonds are authorized pursuant to and in full compliance with the Constitution and statutes of the State of Missouri, including particularly Article VI, Section 26 of the Missouri Constitution and Section 95.115 et seq., of the Revised Statutes of Missouri. On August 2, 2022, the voters of the City approved, by a vote of 4,320 for and 2,773 against, the issuance of general obligation bonds in the amount of \$10,000,000 for the purpose of constructing and improving municipal aquatic centers. The Bonds are being issued pursuant to the Ordinance.

## The Project

Bond proceeds are expected to be used as follows:

- A new pool in Bangert Park: Approximately \$3,300,000 of Bond proceeds will be used to build a new competition-sized swimming pool in Bangert Park along with another area designed for recreational swimming.
- An aquatics center in Koch Park: Approximately \$6,200,000 of Bond proceeds will be used to construct an aquatics center focused on families, with amenities such as slides for children.
- Constructing improvements to the James J. Eagan Community Center: Approximately \$500,000 of Bond proceeds will be used to improve the City's indoor pool in the community center.

The total cost of the Project is estimated to be \$10,000,000. Construction is expected to begin in March 2023 and to be complete in January 2024.

## Sources and Uses of Funds

The following table summarizes the estimated sources of funds and the expected uses of such funds, in connection with the plan of financing:

### *Sources of Funds:*

Par Amount of the Bonds	\$
Net Original Issue Premium	
Total	<u>\$</u>

### *Uses of Funds:*

Project Costs	\$
Costs of Issuance (including Underwriter's Discount)	
Total	<u>\$</u>

## LEGAL MATTERS

Legal matters with respect to the authorization, execution and delivery of the Bonds are subject to the approval of Gilmore & Bell, P.C., St. Louis, Missouri, Bond Counsel to the City, whose approving opinion will be available at the time of delivery of the Bonds. Gilmore & Bell, P.C. will also pass upon certain legal matters relating to this Official Statement.

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinions as to the legal issues explicitly addressed therein. By rendering a legal opinion, the opinion giver does not become an insurer or guarantor of that expression of professional judgment, of the transactions opined upon, or of the future performance of the parties to such transaction, nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

## TAX MATTERS

The following is a summary of the material federal and State of Missouri income tax consequences of holding and disposing of the Bonds. This summary is based upon laws, regulations, rulings and judicial decisions now in effect, all of which are subject to change (possibly on a retroactive basis). This summary does not discuss

all aspects of federal income taxation that may be relevant to investors in light of their personal investment circumstances or describe the tax consequences to certain types of owners subject to special treatment under the federal income tax laws (for example, dealers in securities or other persons who do not hold the Bonds as a capital asset, tax-exempt organizations, individual retirement accounts and other tax deferred accounts, and foreign taxpayers) and, except for the income tax laws of the State of Missouri, does not discuss the consequences to an owner under any state, local or foreign tax laws. The summary does not deal with the tax treatment of persons who purchase the Bonds in the secondary market. Prospective investors are advised to consult their own tax advisors regarding federal, state, local and other tax considerations of holding and disposing of the Bonds.

### **Opinion of Bond Counsel**

In the opinion of Gilmore & Bell, P.C., Bond Counsel to the City, under the law existing as of the issue date of the Bonds:

***Federal and State of Missouri Tax Exemption.*** The interest on the Bonds (including any original issue discount properly allocable to an owner thereof) is excludable from gross income for federal income tax purposes and is exempt from income taxation by the State of Missouri.

***Alternative Minimum Tax.*** The interest on the Bonds is not an item of tax preference for purposes of computing the federal alternative minimum tax.

***Bank Qualification.*** The Bonds have not been designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”).

Bond Counsel’s opinions are provided as of the date of the original issue of the Bonds, subject to the condition that the City comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. The City has covenanted to comply with all such requirements. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal and State of Missouri income tax purposes retroactive to the date of issuance of the Bonds. Bond Counsel is expressing no opinion regarding other federal, state or local tax consequences arising with respect to the Bonds but has reviewed the discussion under the heading “TAX MATTERS.”

### **Other Tax Consequences**

***Original Issue Discount.*** For federal income tax purposes, original issue discount is the excess of the stated redemption price at maturity of a Bond over its issue price. The stated redemption price at maturity of a Bond is the sum of all payments on the Bond other than “qualified stated interest” (i.e., interest unconditionally payable at least annually at a single fixed rate). The issue price of a Bond is generally the first price at which a substantial amount of the Bonds of that maturity have been sold to the public. Under Section 1288 of the Code, original issue discount on tax-exempt bonds accrues on a compound basis. The amount of original issue discount that accrues to an owner of a Bond during any accrual period generally equals (1) the issue price of that Bond, plus the amount of original issue discount accrued in all prior accrual periods, multiplied by (2) the yield to maturity on that Bond (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period), minus (3) any interest payable on that Bond during that accrual period. The amount of original issue discount accrued in a particular accrual period will be considered to be received ratably on each day of the accrual period, will be excludable from gross income for federal income tax purposes, and will increase the owner’s tax basis in that Bond. Prospective investors should consult their own tax advisors concerning the calculation and accrual of original issue discount.

***Original Issue Premium.*** For federal income tax purposes, premium is the excess of the issue price of a Bond over its stated redemption price at maturity. The stated redemption price at maturity of a Bond is the sum of all payments on the Bond other than “qualified stated interest” (i.e., interest unconditionally payable at

least annually at a single fixed rate). The issue price of a Bond is generally the first price at which a substantial amount of the Bonds of that maturity have been sold to the public. Under Section 171 of the Code, premium on a tax-exempt bond amortizes over the term of the bond using constant yield principles, based on the purchaser's yield to maturity. As premium is amortized, the owner's basis in the Bond and the amount of tax-exempt interest received will be reduced by the amount of amortizable premium properly allocable to the owner, which will result in an increase in the gain (or decrease in the loss) to be recognized for federal income tax purposes on sale or disposition of the Bond prior to its maturity. Even though the owner's basis is reduced, no federal income tax deduction is allowed. Prospective investors should consult their own tax advisors concerning the calculation and accrual of bond premium.

***Sale, Exchange or Retirement of Bonds.*** Upon the sale, exchange or retirement (including redemption) of a Bond, the owner of the Bond generally will recognize gain or loss in an amount equal to the difference between the amount of cash and the fair market value of any property actually or constructively received on the sale, exchange or retirement of the Bond (other than in respect of accrued and unpaid interest) and such owner's adjusted tax basis in the Bond. To the extent a Bond is held as a capital asset, such gain or loss will be capital gain or loss and will be long-term capital gain or loss if the Bond has been held for more than 12 months at the time of sale, exchange or retirement.

***Reporting Requirements.*** In general, information reporting requirements will apply to certain payments of principal, interest and premium paid on the Bonds and to the proceeds paid on the sale of the Bonds, other than to certain exempt recipients (such as corporations and foreign entities). A backup withholding tax will apply to such payments if the owner fails to provide a taxpayer identification number or certification of foreign or other exempt status or fails to report in full dividend and interest income. The amount of any backup withholding from a payment to an owner will be allowed as a credit against the owner's federal income tax liability.

***Collateral Federal Income Tax Consequences.*** Prospective purchasers of the Bonds should be aware that ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, certain applicable corporations subject to the corporate alternative minimum tax, financial institutions, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits, certain S corporations with "excess net passive income," foreign corporations subject to the branch profits tax, life insurance companies, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry or have paid or incurred certain expenses allocable to the Bonds. Bond Counsel expresses no opinion regarding these tax consequences. Purchasers of Bonds should consult their tax advisors as to the applicability of these tax consequences and other federal income tax consequences of the purchase, ownership and disposition of the Bonds, including the possible application of state, local, foreign and other tax laws.

Bond Counsel notes that for tax years beginning after December 31, 2022, the interest on the Bonds may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax.

## CONTINUING DISCLOSURE UNDERTAKING

### The Undertaking

The City will enter into the Continuing Disclosure Undertaking to assist the Underwriter in complying with the Rule. The proposed form of the Continuing Disclosure Undertaking is included in this Official Statement as ***Appendix C***. The City is the only "obligated person" with responsibility for continuing disclosure.

## **Prior Compliance**

The City has made similar undertakings with respect to its outstanding obligations to annually file its audited financial statements and certain operating data (together, the “**Annual Report**”) and notices of the occurrence of certain enumerated events. To the best of the City’s knowledge and belief, the City has complied in all material respects with its prior continuing disclosure undertakings under the Rule for the past five years except as follows:

- The City filed a Partial Annual Report for the fiscal year ended November 30, 2021 on May 27, 2022. The City filed unaudited financial statements for fiscal year 2021 and is missing certain operating data, specifically the Sales Tax and Sources of Revenues tables. The City will supplement these filings with the remaining operating data and its audited financial statements as soon as that information is available.
- The City filed certain operating data for the fiscal year ended November 30, 2019 related to outstanding debt ratios and overlapping general obligation debt 57 days late.

## **Ongoing Compliance**

The City’s Director of Finance has been designated as the City’s bond compliance officer and oversees the City’s continuing disclosure obligations. The City has contracted with Gilmore & Bell, P.C. to assist the City’s bond compliance officer with preparation of annual reports and filing on EMMA, and expects to continue to do so in the future.

## **BOND RATING**

Moody’s has assigned the Bonds a rating of “\_\_\_” based on Moody’s evaluation of the creditworthiness of the City. Such rating reflects only the view of Moody’s at the time the rating is given, and the City, the Underwriter and the Municipal Advisor make no representation as to the appropriateness of such rating. An explanation of the significance of the rating may be obtained only from Moody’s. The City furnished Moody’s with certain information and materials relating to the Bonds and the City that has not been included in this Official Statement. Generally, rating agencies base their ratings on the information and materials so furnished and on investigations, studies and assumptions by the rating agencies. There is no assurance that a particular rating will remain in effect for any given period of time or that it will not be revised downward or withdrawn entirely if, in the judgment of the rating agency, circumstances warrant. Any downward revision or withdrawal of the rating may have an adverse effect on the market price and marketability of the Bonds.

## **ABSENCE OF LITIGATION**

As of the date hereof, there is no controversy, suit or other proceeding of any kind pending or, to the City’s knowledge, threatened wherein or whereby any question is raised or may be raised, questioning, disputing or affecting in any way the legal organization of the City or its boundaries, or the right or title of any of its officers to their respective offices, or the legality of any official act in connection with the authorization, issuance and sale of the Bonds, or the constitutionality or validity of the Bonds or any of the proceedings had in relation to the authorization, issuance or sale thereof, or the levy and collection of a tax to pay the principal and interest thereof, or which might affect the City’s ability to meet its obligations to pay the Bonds.

**UNDERWRITING**

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, (the “**Underwriter**”), has agreed to purchase the Bonds at a price of \$ \_\_\_\_\_ (which is equal to the aggregate original principal amount of the Bonds, plus a net original issue premium of \$ \_\_\_\_\_, less an underwriting discount of \$ \_\_\_\_\_). The Underwriter is purchasing the Bonds for resale in the normal course of the Underwriter’s business activities. The Underwriter reserves the right to offer any of the Bonds to one or more purchasers on such terms and conditions and at such price or prices as the Underwriter, in its discretion, determines.

**MUNICIPAL ADVISOR**

Stifel, Nicolaus & Company, Incorporated, St. Louis, Missouri (the “**Municipal Advisor**”), is a registered municipal advisor with the Securities and Exchange Commission and the MSRB. The Municipal Advisor is employed by the City to render certain professional services, including advising the City on a plan of financing. The Municipal Advisor has not undertaken an independent investigation into the accuracy of the information presented in this Official Statement and does not guarantee, warrant or represent the accuracy or completeness of the information contained in this Official Statement.

**MISCELLANEOUS**

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is made to all such documents for full and complete statements of all matters of fact relating to the Bonds, the security for the payment of the Bonds and the rights of the owners thereof. During the period of the offering, copies of drafts of such documents may be examined at the office of the Underwriter; following delivery of the Bonds, copies of such documents may be examined at the corporate trust office of the Paying Agent. The information contained in this Official Statement has been compiled from official and other sources that are deemed to be reliable, and while not guaranteed as to completeness or accuracy, is believed to be correct as of this date.

Any statement made in this Official Statement involving matters of opinion or of estimates, whether or not expressly so stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the information presented herein since the date hereof. This Official Statement is not to be construed as a contract or agreement between the City, the Municipal Advisor, the Paying Agent or the Underwriter and the purchasers or owners of any Bonds.

The City has duly authorized the delivery of this Official Statement.

**CITY OF FLORISSANT, MISSOURI**

By: \_\_\_\_\_  
Mayor

**APPENDIX A**

**INFORMATION REGARDING THE CITY**

**APPENDIX B**

**AUDITOR'S REPORT AND FINANCIAL STATEMENTS  
FOR THE FISCAL YEAR ENDED NOVEMBER 30, 2021**

**APPENDIX C**

**FORM OF CONTINUING DISCLOSURE UNDERTAKING**

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*The information contained in this appendix relates to and has been obtained from the City of Florissant, Missouri (the “City”) and the sources cited herein. The delivery of this Official Statement will not create any implication that there has been no change in the affairs of the City since the date hereof or that the information contained or incorporated by reference in this appendix is correct as of any time subsequent to its date.*

## **GENERAL INFORMATION CONCERNING THE CITY**

### **General**

The City is located in north St. Louis County and lies in the heart of a valley near the confluence of the Missouri River and the Mississippi River. The City operates under a home rule charter adopted by a vote of the people in 1963. The current charter is the fourth charter under which the City has existed as a municipality. The preceding three charters were granted by the State of Missouri (the “**State**”) successively in 1829, in 1843 and in 1857. The City was originally founded in 1786. The City is the largest municipality in St. Louis County having an estimated population of 52,003.

The City has 20 parks within its boundaries that offer lighted ball fields, tennis courts, swimming pools, fishing lakes and more. The City is also home to two recreation centers that each have weight rooms, gyms, meeting rooms and game rooms. Additionally, the Golf Club of Florissant is the only 18-hole championship level municipal-owned golf course in St. Louis County.

The City has a thriving business community convenient to both the City of St. Louis to the east and St. Charles County to the west. Several open air shopping centers are located in the City, including the Shoppes at Cross Keys which was recently redeveloped with great success. A unique area within the City is Old Town Florissant, a large historic area established in 1786, with numerous shops and restaurants. Also special to the City is the Florissant Valley of the Flowers Festival, a four-day event with entertainment, activities and rides celebrated every year since 1963.

### **Type of Government**

The City operates under a Mayor-Council form of government. The City Council, which is comprised of nine council members (one from each ward), is vested with all legislative authority. Council members are elected to serve three-year terms. The Mayor, elected at large to serve a four-year term, is the chief executive officer of the City and possesses all executive and administrative powers of the City. The current Mayor and the members of the City Council are as follows:

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	<u>Year First Elected</u>	<u>Year Present Term Expires</u>
Timothy J. Lowery, Mayor	2019	2023
Andrew Harris, Councilmember, Ward 1	2018	2024
Paul Manganelli, Councilmember, Ward 2	2020	2023
Joseph Eagan, Councilmember and President of the Council, Ward 3	2011	2024
Jeff Caputa, Councilmember, Ward 4	2013	2023
Keith Schildroth, Councilmember, Ward 5	2005	2024
Patrick Mulcahy, Councilmember, Ward 6	2020	2023
Jackie Pagano, Councilmember, Ward 7	2012	2024
Robert Parson Jr., Councilmember, Ward 8	2017	2023
Tommy Siam, Councilmember, Ward 9	2015	2024

Timothy J. Lowery, *Mayor*. Mayor Timothy J. Lowery has served the City for over 29 years. Prior to being elected Mayor in 2019, Mayor Lowery held the position of Chief of Police. He has both a Bachelor’s Degree and a Master’s Degree in Management from Lindenwood University. In addition, he has an Associate’s degree in Criminal Justice from Florissant Valley Community College.

Kimberlee Johnson, *Director of Finance*. Kimberlee Johnson was appointed Director of Finance for the City in June 2018 by then Mayor Thomas Schneider. Ms. Johnson has over twenty-five years of accounting experience with privately held corporations, non-profit organizations and with municipal government. She has a Bachelor of Science in Accounting from the University of Missouri, St. Louis.

## **Employees**

The City currently has 240 full-time and 63 full-time equivalent part-time employees. Benefits provided to full-time employees include: health insurance and life insurance, a retirement plan (see the caption “**Pension Plans**” herein), paid vacation and sick leave. In 2007, the Missouri Supreme Court held that public employees have a constitutional right to collectively bargain under Missouri’s Constitution but no City employees are covered by any collective bargaining agreements. The City has no record of any work stoppages or labor disputes.

## **Pension Plans**

On November 13, 2000 the City Council approved an ordinance amending the pension plan by freezing the plan enrollment into the defined benefit pension plan (the “**Defined Benefit Plan**”) after December 31, 2000 and implementing an elective rollover to a defined contribution money purchase pension plan (the “**Defined Contribution Plan**”) effective January 1, 2001. In January 2021, the City approved plans to stop contributing to the Defined Contribution Plan on behalf of employees and to implement of a new defined benefit pension plan through the Missouri Local Government Employee Retirement System (“**LAGERS**”). The Defined Contribution Plan is still active for employee contributions.

**Defined Benefit Pension Plan.** The Defined Benefit Plan covers all of the City’s employees who work at least 1,000 hours per year and elected to remain in the plan as of January 1, 2001. The Defined Benefit Plan has been closed to new entrants since December 31, 2000. The Defined Benefit Plan was created and is governed by City ordinance. The City contributes to the Defined Benefit Plan based on an actuarially determined amount recommended by an independent actuary. The actuarially determined amount is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance an unfunded accrued liability. Full-time employees of the City do not contribute to the Defined Benefit Plan. For the fiscal year ended November 30, 2021, the City’s contribution to the Defined Benefit Plan was \$250,000, equal to 78.79% of annual covered payroll.

Employees attaining the age of 60 who have completed ten or more years of service are entitled to benefits based upon average earnings and years of service. The Defined Benefit Plan permits early retirement at age 55 with 10 years of continuous service with a benefit reduction of ½% for each full month that the early retirement date precedes the normal retirement date. If the sum of age and service equals or exceeds 85, the benefit is the accrued benefit without reduction for early receipt. The Defined Benefit Plan also provides benefits upon a participant’s death or disability.

The following provides a historical comparison of the City’s actual contributions to the Defined Benefit Plan relative to the actuarially determined contributions for the last five fiscal years of the City:

**Schedule of City Contributions**

<b><u>Year Ended November 30</u></b>	<b><u>Actuarially Determined Contribution</u></b>	<b><u>Actual Employer Contributions</u></b>	<b><u>Contribution Excess/(Deficiency)</u></b>
2021	\$202,514	\$250,000	\$ 47,486
2020	387,613	450,068	62,455
2019	461,923	464,000	2,077
2018	503,249	875,723	372,474
2017	861,178	675,369	(185,809)

The City implemented Governmental Accounting Standards Board (“GASB”) Statement No. 68, *Accounting and Financial Reporting for Pensions – An Amendment of GASB Statement No. 27*, beginning with its audited financial statements for the fiscal year ended November 30, 2015. This Statement requires the City to record net pension liability and pension expense on its financial statements. The net pension liability is the difference between the total pension liability and the plan’s fiduciary net position. The pension expense recognized each fiscal year is equal to the change in the net pension liability from the beginning of the year to the end of the year, adjusted for deferred recognition of certain changes in the liability and investment experience.

As of November 30, 2021, the City had 40 participants (active members, retirees, beneficiaries and inactive, nonretired members) in the Defined Benefit Plan. The City’s accrued pension expense for the year ended November 30, 2021 was (\$258,901) and the net pension liability (asset) attributable to Defined Benefit Plan as of November 30, 2021, recorded on the City’s financial statements, is set forth below.

	<b><u>Net Pension Liability</u></b>
Total Pension Liability	\$10,343,091
Less: Plan Fiduciary Net Position	<u>9,964,731</u>
Net Pension Liability/(Asset)	<u>\$ 378,360</u>

The City’s net pension liability is based on a 6% discount rate. The City’s net pension liability using a 1% higher or lower discount rate at November 30, 2021 would be as follows:

**Net Pension Liability Sensitivity**

	<b><u>1.0% Decrease (5.0%)</u></b>	<b><u>Current Discount Rate (6.0%)</u></b>	<b><u>1.0% Increase (7.0%)</u></b>
City’s Net Pension Liability/(Asset)	\$1,428,202	\$378,360	(\$512,083)

For additional information regarding the Defined Benefit Plan relating to the fiscal year ended November 30, 2021 see “**Note F – Defined Benefit Pension Plan**” in **APPENDIX B**.

**Defined Contribution Plan.** The City’s Defined Contribution Plan is funded through the Massachusetts Mutual Life Insurance Company. All full-time employees who work 1,000 hours or more each plan year and part-time employees who work 35 hours or more per week are eligible to participate in the Defined Contribution Plan.

For employees hired after January 1, 2001, the City contributes 8% of earnings (9% of earnings after completion of ten years of service). In addition, an employee may irrevocably elect a 2% picked-up contribution. The City will match the employee contribution not to exceed 2% of earnings. For employees hired before January 1, 2001, the City contributes 12% of earnings. In addition, an employee may irrevocably elect a 3% picked-up contribution. The City will match the employee contribution not to exceed 3% of earnings. For employees hired after December 1, 2010, the City contributes 6% of earnings. In addition, an employee may irrevocably elect a 4% picked-up contribution. The City will match the employee contribution not to exceed 2% of earnings. For employees hired after July 1, 2013, the City contributes 8% of earnings, and the employee contributes a mandatory 4% of earnings.

Contributions are fully vested after seven years of continuous service. Contributions to the Defined Contribution Plan for the year ended November 30, 2021, amounted to \$277,678 for employees.

For additional information regarding the Defined Contribution Plan relating to the fiscal year ended November 30, 2021 see “**Note K – Defined Contribution Plan**” in **APPENDIX B**.

**Missouri Local Government Employees Retirement System.** The City participates in LAGERS, a multiple-employer public employee retirement system that acts as a common investment and administrative agent for local government entities in the State. LAGERS was created and is governed by State statute and is a defined benefit pension plan that provides retirement, disability and death benefits. The plan is qualified under Section 401(a) of the Internal Revenue Code and is tax-exempt. LAGERS is governed by a seven-member board of trustees consisting of three trustees elected by participating employees, three trustees elected by participating employers and one trustee appointed by the Governor.

LAGERS issues a publicly-available financial report that includes financial statements and required supplementary information. The LAGERS Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021 (the “**2021 LAGERS Annual Report**”) is available at <https://www.molagers.org/financial-reports/>. The link to the 2021 LAGERS Annual Report is provided for general background information only, and the information in the 2021 LAGERS Annual Report is not incorporated by reference herein. The 2021 LAGERS Annual Report provides detailed information about LAGERS, including its financial position, investment policy and performance information, actuarial information and assumptions affecting plan design and policies, and certain statistical information about the plan.

All full-time employees of the City working in a LAGERS-covered department are eligible to participate in LAGERS. As permitted by LAGERS, the City has elected the non-contributory plan, meaning its participating employees do not contribute to the pension plan. The City is required by statute to contribute at an actuarially determined rate for each category of participating employees. For LAGERS’ fiscal year ended June 30, 2021, the City contributed \$1,311,002 to LAGERS on behalf of participating employees. The City’s actuarially determined contribution rates for 2021 were 11.8% for general employees and 13.0% for police, and the City’s actuarially determined contribution rates for 2022 are 10.7% for general employees and 12.3% for police. All full-time employees and elected officials make a required contribution of 4% of their salaries as well.

For additional information regarding the City’s participation in LAGERS relating to the fiscal year ended November 30, 2021 see “**Note F – Defined Benefit Pension Plan**” in **APPENDIX B**. For additional information regarding LAGERS, see the 2021 LAGERS Annual Report.

### **Other Post-Employment Benefits**

GASB No. 45, *Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pension Plans*, establishes accounting and financial reporting standards for post-employment benefits other than pensions. As part of a total compensation package, many governments offer post-employment benefit plans other than pensions such as healthcare, life insurance and so forth. GASB Statement No. 45 establishes standards for the measurement, recognition and display of other post-employment benefit expenses and expenditures and related liabilities and assets, note disclosure, and, if applicable, required supplementary information in the financial reports of state and local government employers.

The City provides healthcare benefits to employees defined as City retirees who have attained age 55 plus 10 years of service as long as the retiree pays the monthly premium. Individual and spousal medical and prescription drug benefits are available to retirees in the City’s fully-insured plan. Retirees must contribute the entire monthly premium for single/family coverage. Life insurance coverage in the amount of \$5,000 is also provided to retirees. The City’s annual other post-employment benefit cost is calculated based on the annual required contribution of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The annual required contribution represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and to amortize any unfunded actuarial liabilities. For the fiscal years ended November 30, 2018, 2019, 2020 and 2021, the City recognized other post-employment benefit expense (asset) of \$83,154, \$90,716, \$201,015 and (\$1,146,792), respectively. For more details see “**Note L – Other Post-Employment Benefits (OPEB) Other Than Pensions**” in **APPENDIX B**.

### **Risk Management**

The City manages risks of loss related to employee life, health and disability, workers’ compensation, property and liability by purchasing commercial insurance. There was no significant reduction in insurance coverage during the year ended November 30, 2021 and settlement amounts have not exceeded insurance coverage for the past four fiscal years.

### **Municipal Utilities and Services**

The City provides a full range of services associated with municipalities of similar size and type, including police, engineering and public works, recreation, legislative, municipal court, health, welfare and administration. These services are financed from revenues of the City. Missouri-American Water Company provides water service to the City, The Metropolitan St. Louis Sewer District provides sewer service to the City and Gateway Disposal contracts with the City for solid waste collection services. AmerenUE provides electricity and Spire Gas provides natural gas to the City.

### **Public Safety**

The City maintains its own police department. The police department is comprised of 94 sworn officers and 22 civilian employees, with 10 open police officer positions the City is currently seeking to fill. The department provides services to the City through three operational bureaus: Bureau of Field Operations, Bureau of Support Services, and Bureau of Investigation. The department participates in a county-wide task force focusing on narcotics offenders and an area-wide major case squad to provide rapid response of investigative personnel at major crime scenes.

Fire protection and emergency medical services are provided by the Florissant Valley Fire Protection District and the Black Jack Fire Protection District. Both districts are political subdivisions separate from the City and are supported by their own separate tax levies.

### **Communications**

Telecommunications services are provided by numerous telecommunications providers. Residents of the City are able to receive broadcast signals from all St. Louis radio and television stations. Local newspapers include the *St. Louis Post-Dispatch* and *The Independent News*.

### **Transportation**

The City is approximately two miles northwest of St. Louis-Lambert International Airport. In addition, there is easy access to Interstate 270 and Interstate 70, as well as Innerbelt 170. The City is also on the Metrobus route, which provides public transportation to a number of communities within the St. Louis Metropolitan Area as well as access to Metrolink, the region's light-rail transit system. The City is served by all major freight carriers and package delivery services and several railways serve the greater St. Louis area with the main yards being in downtown St. Louis. Amtrak passenger train service is also available. Local facilities for barge transportation are located at the Port of Metropolitan St. Louis. The Port is serviced by all major barge lines and is the northern most year-round ice-free port on the inland waterway.

### **Educational Institutions and Facilities**

The City is served by the Ferguson-Florissant School District and the Hazelwood School District. Hazelwood School District is one of the largest school districts in the St. Louis Metropolitan Area. These districts are independent of the City and have their own officials, budgets, administrators and taxing powers. Both districts are currently assigned "accredited" status by the Missouri Department of Elementary and Secondary Education, the highest accreditation status given to Missouri school districts. In addition, several private educational institutions are located in the City, including North County Christian School, All Saints Academy and Sacred Heart School.

Lindenwood University operates a learning center in the City which offers a variety of classes. Also St. Louis Christian College, an accredited four-year Bible College specializing in training Christians for ministry, is located in the City. Other post-secondary educational facilities located in the surrounding area include both public and private colleges and universities such as St. Louis Community College, University of Missouri-St. Louis, Lindenwood University, Washington University, St. Louis University, Maryville University and Webster University.

### **Medical and Health Facilities**

Northwest HealthCare is located within the City and offers 24-hour emergency care and a variety of outpatient services and physician practices. Northwest HealthCare is associated with Christian Hospital, a licensed 482-bed acute-care medical center located approximately five miles east of the City. The location also includes the Siteman Cancer Center at Northwest HealthCare. The City is also served by DaVita Dialysis Centers, Delmar Gardens North, a skilled nursing and rehabilitation center, St. Sophia Health and Rehabilitation Center, a skilled nursing center, and several other skilled care facilities. Also located in the surrounding area are Washington University Medical Center at Barnes-Jewish Hospital, St. Louis University Hospital, and Mercy Medical Center, as well as numerous doctor's offices, nursing facilities and other healthcare providers.

## Employment

The following table sets forth the total labor force, number of employed and unemployed workers in the City and, for comparative purposes, the unemployment rates for the City, St. Louis County, the State of Missouri and the United States for the years 2017 through 2021:

<b>City of Florissant Labor Force</b>				<b>Unemployment Rates</b>			
<u>Year</u>	<u>Employed</u>	<u>Unemployed</u>	<u>Total</u>	<u>City of Florissant</u>	<u>St. Louis County</u>	<u>State of Missouri</u>	<u>United States</u>
2021	26,211	1,648	27,859	5.9%	4.5%	4.4%	5.3%
2020 <sup>(1)</sup>	25,494	2,104	27,598	7.6	6.3	6.1	8.1
2019	27,029	953	27,982	3.4	2.9	3.1	3.7
2018	26,771	939	27,710	3.4	2.9	3.2	3.9
2017	26,716	1,090	27,806	3.9	3.4	3.7	4.4

<sup>(1)</sup> As of January 2020 (before the COVID-19 pandemic), the unemployment rates were 4.0% for the City, 3.2% for the County, 3.6% for Missouri, and 4.0% for the United States.

Source: U.S. Department of Labor, Bureau of Labor Statistics.

The following list sets forth the names and approximate employment of the top ten employers in the St. Louis Metropolitan Statistical Area as of April 2022:

<u>Employer</u>	<u>Type of Business</u>	<u>Employees</u>
BJC HealthCare	Health care	29,595
Washington University	Education	18,805
Mercy	Health care	15,410
Boeing Defense, Space & Security	Aerospace engineering and manufacturing	14,865
SSM Health	Health care	14,600
Scott Air Force Base	Military	13,000
Schnuck Markets Inc.	Grocery retailer	8,658
Saint Louis University	Education	6,596
City of St. Louis	Government	6,489
Special School District of St. Louis County	Education	5,773

Source: St. Louis Business Journal.

## Housing

The median value of owner-occupied housing units in the City, St. Louis County and the State of Missouri are estimated to be as follows:

City of Florissant	\$ 99,900
St. Louis County	206,700
State of Missouri	163,600

Source: United States Census Bureau, 2016-2020 American Community Survey 5-Year Estimates.

## Demographic Statistics

**Population.** According to the U.S. Census Bureau, the population patterns for the City, St. Louis County and the State of Missouri have been as follows:

<u>City of Florissant</u>			<u>St. Louis County</u>		<u>State of Missouri</u>	
<u>Year</u>	<u>Population</u>	<u>Percentage Change</u>	<u>Population</u>	<u>Percentage Change</u>	<u>Population</u>	<u>Percentage Change</u>
2020	52,533	+0.7%	1,004,125	+0.5%	6,154,913	+2.8%
2010	52,158	+3.3	998,954	-1.7	5,988,927	+7.0
2000	50,497	-1.4	1,016,315	+2.3	5,595,211	+9.3
1990	51,206	-7.5	993,529	+2.0	5,117,073	+4.1
1980	55,372	N/A	973,896	N/A	4,916,686	N/A

Source: United States Census Bureau; Decennial Census.

The following table sets forth the population by age categories for the City, St. Louis County and the State of Missouri:

<u>Age</u>	<u>City of Florissant</u>	<u>St. Louis County</u>	<u>State of Missouri</u>
Under 5 years	3,124	58,550	371,046
5-19 years	10,269	184,864	1,167,950
20-24 years	3,148	61,076	408,372
25-44 years	14,304	247,300	1,564,833
45-64 years	13,241	264,396	1,578,575
65 and over	7,134	179,993	1,033,384
Median Age	36.9	40.4	38.7

Source: United States Census Bureau, 2016-2020 American Community Survey 5-Year Estimates.

**Other Statistics.** The following table presents median family income for the City, St. Louis County and the State of Missouri:

	<u>Median Family Income</u>
City of Florissant	\$73,794
St. Louis County	90,540
State of Missouri	72,834

Source: United States Census Bureau, 2016-2020 American Community Survey 5-Year Estimates.

The following table presents per capita personal income<sup>(1)</sup> for St. Louis County and the State of Missouri for the years 2016 through 2020, the latest date for which such information is available:

<u>Year</u>	<u>St. Louis County Per Capita Personal Income</u>	<u>State of Missouri Per Capita Personal Income</u>
2020	\$78,804	\$51,697
2019	74,361	48,945
2018	71,604	47,250
2017	66,407	45,393
2016	66,515	44,424

<sup>(1)</sup> **“Per Capita Personal Income”** is the annual total personal income of residents divided by the resident population as of July 1. **“Personal Income”** is the sum of net earnings by place of residence, rental income of persons, personal dividend income, personal interest income, and transfer payments. **“Net Earnings”** is earnings by place of work - the sum of wage and salary disbursements (payrolls), other labor income, and proprietors’ income - less personal contributions for social insurance, plus an adjustment to convert earnings by place of work to a place-of-residence basis. Personal Income is measured before the deduction of personal income taxes and other personal taxes and is reported in current dollars (no adjustment is made for price changes).

Source: U.S. Department of Commerce, Bureau of Economic Analysis.

## FINANCIAL INFORMATION CONCERNING THE CITY

### Accounting, Budgeting and Auditing Procedures

The financial statements of the City have been prepared in conformity with generally accepted accounting principles, as applied to government units. GASB is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant accounting policies of the City are described below.

**Basis of Accounting.** The Government-wide financial statements are reported in the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be measurable and available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to claims and judgments, are recorded only when payment is due.

**Fund Accounting.** The accounts of the City are organized on the basis of funds or account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures. The various funds are summarized by type in the general purpose financial statements. The fund types and account groups used by the City are discussed below.

**Governmental Fund Types.** Governmental funds are those through which most governmental functions of the City are financed. The acquisition, use and balances of the City's expendable financial resources and the related liabilities are accounted for through governmental funds. The measurement focus is upon determination of changes in financial position. The following are the City's major governmental fund types:

*General Fund* – The General Fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

*Capital Improvements Fund* – The Capital Improvements Fund is used to account for financial resources designated for the acquisition or improvements of capital assets within the City's departments.

*Park Improvement Fund* – The Park Improvement Fund is used to account for improvements in the City's parks.

*Court Building Fund* – The Court Building Fund is used to account for special court amounts and acquisition of the court building.

The City also reports the following fund types:

*Pension Trust Fund* – The Pension Trust Fund is used to account for assets held in a trustee capacity for the City's eligible employees.

**Budget Policies.** The City follows the following procedures in establishing the budgetary data reflected in the financial statements:

1. The Mayor submits to the City Council a proposed operating budget for the fiscal year commencing the following December 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted in the City to obtain taxpayer comments.
3. The budget is adopted by the affirmative vote of a majority of the members of the City Council no later than three days prior to the end of each respective fiscal year. Should the City Council take no final action by this date, the budget, as submitted, shall be deemed to have been adopted.
4. The current year budget includes amendments. The City Council is authorized to transfer budgeted amounts between departments within any fund and to alter the total expenditures of any fund. All appropriations not spent or legally encumbered at year-end lapse.
5. Budgets are formally integrated into the City's internally generated financial statements as a management control device during the year for all funds budgeted.

## **The General Fund**

In accordance with established accounting procedures of governmental units, the City records its financial transactions under various funds. The largest is the General Fund, from which all general operating expenses are paid and to which taxes and all other revenues not specifically allocated by law or contractual agreement to other funds are deposited. The City's audited financial statements for the fiscal year ended November 30, 2021 are included in this Official Statement as **APPENDIX B**. Copies of prior fiscal year's audits and financial reports are on file with the City. The following table sets forth the revenues, expenditures and fund balances for the City's General Fund for the last four fiscal years:

**SUMMARY OF OPERATIONS  
FISCAL YEARS ENDED NOVEMBER 30**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
<b>REVENUES</b>				
Taxes	\$16,358,589	\$15,871,645	\$15,080,388	\$16,418,560
Licenses and Permits	1,818,018	1,718,648	1,661,641	1,814,285
Charges for Services	1,602,873	1,477,320	995,980	1,372,606
Miscellaneous	1,529,406	1,227,744	1,014,371	1,064,077
Investment Income	75,910	118,612	80,783	70,452
Fines and Forfeits	1,091,812	1,300,207	671,130	531,025
Intergovernmental	<u>433,131</u>	<u>775,575</u>	<u>4,739,591<sup>(1)</sup></u>	<u>1,158,903</u>
Total Revenues	<u>\$22,909,739</u>	<u>\$22,489,751</u>	<u>\$24,243,884</u>	<u>\$22,429,908</u>
<b>EXPENDITURES</b>				
Current:				
General Governmental	\$ 4,971,169	\$ 4,881,839	\$ 4,203,505	\$ 4,527,146
Culture and Recreation	3,751,993	3,486,334	2,309,260	2,545,748
Public Safety	11,961,612	12,048,212	12,604,354	12,109,760
Public Works and Health	<u>4,541,944</u>	<u>4,443,530</u>	<u>3,891,075</u>	<u>4,112,858</u>
Total Expenditures	<u>\$25,226,718</u>	<u>\$24,859,915</u>	<u>\$23,008,194</u>	<u>\$23,295,512</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<u>\$ (2,316,979)</u>	<u>\$ (2,370,164)</u>	<u>\$ 1,235,690</u>	<u>\$ (865,604)</u>
<b>OTHER FINANCING SOURCES (USES)</b>				
Insurance Proceeds	\$ 87,765	\$ 48,695	\$ 34,576	\$ 30,452
Transfers In	1,922,419	2,123,000	3,255,680	3,554,785
Transfers Out	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Other Financing Sources (Uses)	<u>\$ 2,010,184</u>	<u>\$ 2,171,695</u>	<u>\$ 3,290,256</u>	<u>\$ 3,585,237</u>
<b>NET CHANGE IN FUND BALANCES</b>	\$ (306,795)	\$ (198,469)	\$ 4,525,946	\$ 2,719,633
<b>FUND BALANCE -- BEGINNING OF YEAR</b>	<u>\$10,245,622</u>	<u>\$ 9,938,827</u>	<u>\$ 9,740,358</u>	<u>\$14,507,020<sup>(2)</sup></u>
<b>FUND BALANCE -- END OF YEAR</b>	<u>\$ 9,938,827</u>	<u>\$ 9,740,358</u>	<u>\$14,266,304</u>	<u>\$17,226,653</u>

<sup>(1)</sup> Includes \$3,586,958 received from the St. Louis County Municipal Relief Fund to cover allowable costs for necessary expenditures incurred due to the COVID-19 public health emergency.

<sup>(2)</sup> Amount restated to include adjustments to record equitable sharing activity and custodial funds activity.

Source: City's audited financial statements for the fiscal years ended November 30, 2018 - 2021.

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**Sources of Revenue**

The City finances its general operations through taxes and other sources. The estimated sources of revenue for the fiscal year ended November 30, 2021 are shown below:

<u>Source</u>	<u>Amount</u>	<u>Percent of Total</u>
Taxes	\$16,418,560	73.20%
Licenses and Permits	1,814,285	8.09
Charges for Services	1,372,606	6.12
Miscellaneous	1,064,077	4.74
Investment Income	70,452	0.31
Fines and Forfeits	531,025	2.37
Intergovernmental	<u>1,158,903</u>	<u>5.17</u>
Total	<u>\$22,429,908</u>	<u>100.00%</u>

Source: City’s Audited Financial Statements for the fiscal year ended November 30, 2021.

**Sales Taxes.** The City’s largest source of revenue is its share of a 1% county-wide sales tax on retail sales through a pool comprised of unincorporated St. Louis County and many of the cities throughout St. Louis County. The amount of sales tax distributed is based on a two-part formula providing for either a distribution based upon retail sales that occur within the pre-1984 municipal boundaries or on a per capita basis as a part of a “county-wide pool” of those cities who do not opt to receive sales tax on a point of sale basis. Per capita distribution is adjusted on a decennial basis using the latest census figures and are not adjusted on an interim basis except in the case of incorporation of new cities or growth by annexation.

Beginning in 2017, pool cities generally receive at least 50% of the tax revenue generated in that specific city or unincorporated area. No city or unincorporated area receives less than the amount of sales tax revenue it received in 2014. Future State legislation may affect the distribution of the county-wide sales tax which could adversely impact the City’s finances.

In 1996, the voters of the City approved a one-half cent capital improvement sales tax, and in 1998, the voters of the City approved a one-fourth cent park improvement sales tax. In 2007, the voters of the City approved an additional one-fourth cent park improvement sales tax for a total park improvement sales tax rate of one-half cent. In November 2015 the voters of the City approved a one-fourth cent general municipal sales tax. In 2017, the voters of St. Louis County approved a one-half cent public safety sales tax. The county-wide public safety sales tax generated \$2,852,662, \$2,882,824, \$2,702,720 and \$2,971,063 in fiscal years ended November 30, 2018, 2019, 2020 and 2021, respectively.

The following table shows the proceeds of the one percent general sales tax, one-half percent capital improvement sales tax, one-half percent park improvement sales tax and one-fourth cent general municipal sales tax for the last 5 years:

<u>Year</u>	<u>1% General Sales Tax</u>	<u>1/2% Capital Improvement Sales Tax</u>	<u>1/2% Park Improvement Sales Tax</u>	<u>1/4% General Municipal Sales Tax</u>
2021	\$8,537,941	\$3,705,899	\$3,883,832	\$1,656,545
2020	7,544,080	3,437,723	3,520,657	1,573,237
2019	7,967,252	3,505,916	3,415,085	1,531,199
2018	8,073,327	3,537,691	3,507,969	1,553,696
2017	7,681,559	3,395,045	3,360,485	1,505,282

Source: City’s audited financial statements for the fiscal years ended November 30, 2017 - 2021.

**Utilities Gross Receipt Tax.** The City levies a 7% gross receipts tax on electric, gas, telephone and water companies within the City. The utility tax accounted for approximately 24.24% of the City’s general fund revenues in the fiscal year ended November 30, 2021. The utility tax is collected by the utility companies at the time of monthly billing and is remitted to the City within 20 days following the last day of each month.

**Property Tax.** The City’s property tax is levied each year on the assessed value listed as of January 1 for all real and personal property located in the City. Property taxes attach as an enforceable lien on property as of January 1. Taxes levied in October are due and payable prior to December 31. Since 1998, the City has voluntarily reduced the property tax rate to zero. Pursuant to the Ordinance, the City has authorized the levy of a direct annual tax on all taxable tangible property within the City sufficient to produce amounts necessary for the payment of the principal of and interest on the Bonds each year. For further information, see the caption “PROPERTY TAX INFORMATION.”

## DEBT STRUCTURE OF THE CITY

### Debt Ratios and Related Information

Population:	52,003
Assessed Valuation (2022) <sup>(1)</sup> :	\$720,985,670
Estimated Actual Value (2022):	\$3,191,549,460
Outstanding Direct General Obligation Debt:	\$10,000,000*
Per Capita Direct General Obligation Debt:	\$192.30*
Ratio of Direct General Obligation Debt to Assessed Valuation:	1.39%*
Ratio of Direct General Obligation Debt to Estimated Actual Value:	0.31%*
Overlapping General Obligation Debt <sup>(2)</sup> :	\$40,824,637
Direct and Overlapping General Obligation Debt <sup>(3)</sup> :	\$50,824,637*
Per Capita Overlapping General Obligation Debt:	\$977.34*
Ratio of Direct and Overlapping General Obligation Debt to Assessed Valuation:	7.05%*
Ratio of Direct and Overlapping General Obligation Debt to Estimated Actual Valuation:	1.59%*

<sup>(1)</sup> Includes state and locally assessed real estate and personal property; as certified on July 1, 2022 (not finalized).

<sup>(2)</sup> For further details see the caption “DEBT STRUCTURE OF THE CITY – Overlapping General Obligation Indebtedness.”

<sup>(3)</sup> Includes the Bonds.

Source: St. Louis County Department of Revenue; U.S. Census Bureau Estimates.

### General Obligation Indebtedness

Article VI, Sections 26(b) and 26(c) of the Constitution of Missouri limits the net outstanding amount of authorized general obligation bonds for a city to 10 percent of the assessed valuation of the city. Article VI, Sections 26(d) and 26(e), however, provide that a city may, with the required voter approval, issue general obligation bonds in an amount not to exceed an additional 10 percent of assessed valuation for the purpose of acquiring rights-of-way; constructing, extending and improving streets and avenues; constructing, extending and improving sanitary or storm sewer systems; or purchasing or constructing waterworks or electric light plants; provided that the total general obligation indebtedness of a city does not exceed 20 percent of the assessed valuation. The legal debt margin of the City based upon the 2022 assessed valuation is calculated as follows:

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\* Preliminary; subject to change.

2022 Assessed Valuation	\$720,985,670
Debt Limit (20% of Assessed Valuation)	144,197,134
Less: General Obligation Bonds Outstanding <sup>(1)</sup>	<u>10,000,000</u>
Legal Debt Margin	<u>\$134,197,134</u>

<sup>(1)</sup> Includes the Bonds.

Following the issuance of the Bonds, the Bonds will be the only general obligations of the City outstanding. The following table sets forth the debt service requirements on the Bonds:

<b>Fiscal Year Ending November 30</b>	<b>Principal*</b>	<b>Interest</b>	<b>Total</b>
2023		\$	\$
2024	\$305,000		
2025	325,000		
2026	345,000		
2027	360,000		
2028	385,000		
2029	405,000		
2030	425,000		
2031	450,000		
2032	475,000		
2033	505,000		
2034	530,000		
2035	560,000		
2036	595,000		
2037	625,000		
2038	665,000		
2039	700,000		
2040	740,000		
2041	780,000		
2042	<u>825,000</u>		
TOTAL	<u>\$10,000,000*</u>	<u>\$</u>	<u>\$</u>

### Overlapping General Obligation Indebtedness

The following table sets forth the overlapping general obligation indebtedness of political subdivisions with boundaries overlapping the City that will be outstanding on October 1, 2022, and the percent attributable to the City. The table was compiled from information furnished by the jurisdictions responsible for the debt, and the City has not independently verified the accuracy or completeness of such information. Furthermore, political subdivisions may have ongoing programs requiring the issuance of substantial additional bonds, the amounts of which cannot be determined at this time.

\* Preliminary; subject to change.

<u>Taxing Jurisdiction</u>	<u>Outstanding General Obligation Indebtedness</u>	<u>Percent Applicable to City</u>	<u>Amount Applicable to City</u>
St. Louis County <sup>(1)</sup>	\$ 64,395,000	2.36%	\$ 1,519,722
Ferguson R-2 Reorganized School District	38,655,000	35.02	13,536,981
Hazelwood School District	164,146,828	13.38	21,962,846
Black Jack Fire Protection District	6,320,000	7.27	459,464
Florissant Valley Fire Protection District	<u>4,465,000</u>	74.93	<u>3,345,624</u>
Totals	\$277,981,828		<u>\$40,824,637</u>

(1) Overlapping bonded indebtedness excludes neighborhood improvement district general obligation bonds which are paid from special assessments.

Source: St. Louis County Collector's Office, Taxing jurisdictions' records and Municipal Securities Rulemaking Board (EMMA).

### Other Obligations of the City

Obligations secured by annually appropriated funds do not constitute an indebtedness for purposes of any Missouri statutory or constitutional debt limit. Such obligations are payable solely from annually appropriated funds of a governmental body available therefor and neither taxes nor a specific source of revenues can be pledged to make payments on such obligations. Any increase in taxes required to generate sufficient funds with which to make payments on such obligations are subject to voter approval.

**Special Obligation Bonds.** In December 2016, the City issued its Special Obligation Bonds, Series 2016 in the aggregate principal amount of \$8,030,000 (the "**Series 2016 Bonds**") to finance the costs of making energy efficiency improvements to the civic center and renovating and improving the municipal court building. The Series 2016 Bonds are subject to annual appropriations of the City. The City has historically used and expects to continue using a portion of the proceeds of the City's capital improvement sales tax and park improvement sales tax to make debt service payments on the Series 2016 Bonds; however, the proceeds of those taxes are not pledged to the payment of the Series 2016 Bonds. As of October 1, 2022, the Series 2016 Bonds were outstanding in the principal amount of \$5,725,000.

**Certificates of Participation.** In 2021, the City delivered \$6,375,000 original principal amount of Refunding Certificates of Participation (City of Florissant, Missouri, Lessee), Series 2021 (the "**Series 2021 Certificates**"), for the purpose of (a) prepaying a Lease/Purchase Agreement between the City and BOFK, N.A. (the "**2019 Lease**"), and (b) prepaying the Certificates of Participation (City of Florissant, Missouri Lessee), Series 2011 (the "**Series 2011 Certificates**"). The Series 2011 Certificates were delivered to finance (i) HVAC improvements for the City Hall, the James J. Eagan Civic Center, the Police Headquarters, the John F. Kennedy Civic Center, the City's municipal golf course and the Florissant Government Building, (ii) construction of a salt storage facility, (iii) improvements to the City's aquatic center, and (iv) improvements to St. Ferdinand Park. The 2019 Lease was entered into by the City to finance the acquisition and installation of certain equipment and other improvements to City facilities. The equipment consisted of heating, ventilation and air conditioning equipment and other energy savings related equipment located in the City's John F. Kennedy Community Center, the City Hall and Police Headquarters. The Series 2021 Certificates are currently outstanding in the principal amount of \$5,825,000. The Series 2021 Certificates are payable solely from rental payments to be paid by the City, subject to annual appropriation. The City intends to annually budget and appropriate capital improvement sales tax revenues and park improvement sales tax revenues to pay debt service on the Series 2021 Certificates. Those revenues are not pledged as security for the payment of the Series 2021 Certificates and there can be no assurance that the City will appropriate the funds for payment of the Series 2021 Certificates.

**Debt Service Requirements of Other Obligations**

The following schedule shows the yearly debt service payments required for the outstanding annual appropriation obligations of the City.

<u>Fiscal Year Ended November 30</u>	<u>Series 2016 Bonds</u>	<u>Series 2021 Certificates</u>	<u>Total Debt Service Requirements</u>
2022	\$ 687,443.76	\$ 741,250.00	\$ 1,428,693.76
2023	687,593.76	584,750.00	1,272,343.76
2024	687,293.76	587,450.00	1,274,743.76
2025	686,543.76	584,700.00	1,271,243.76
2026	688,993.76	586,650.00	1,275,643.76
2027	685,793.76	583,150.00	1,268,943.76
2028	685,668.76	584,350.00	1,270,018.76
2029	684,843.76	585,100.00	1,269,943.76
2030	693,318.76	585,400.00	1,278,718.76
2031	689,937.50	585,250.00	1,275,187.50
2032	0.00	584,650.00	584,650.00
2033	0.00	583,600.00	583,600.00
2034	0.00	587,100.00	587,100.00
Totals	<u>\$6,877,431.34</u>	<u>\$7,763,400.00</u>	<u>\$14,640,831.34</u>

**Future Debt**

The City is not currently anticipating any future borrowings.

**History of Debt Payment**

The City has never defaulted on any indebtedness.

**PROPERTY TAX INFORMATION**

**Property Valuations**

*Assessment Procedure.* All taxable real and personal property within the City is assessed by the St. Louis County Assessor. Missouri law requires that personal property be assessed at 33-1/3% of true value (except for a few subclasses of minimal value that are assessed at a lower percentage) and that real property be assessed at the following percentages of true value:

Residential real property .....	19%
Agricultural and horticultural real property.....	12%
Utility, industrial, commercial, railroad and all other real property .....	32%

On January 1 in every odd-numbered year, each County Assessor must adjust the assessed valuation of all real property located within the county in accordance with a two-year assessment and equalization maintenance plan approved by the State Tax Commission.

The County Assessor is responsible for preparing the tax roll each year and for submitting the tax roll to the Board of Equalization. The County Board of Equalization has the authority to adjust and equalize the values of individual properties appearing on the tax rolls.

**Current Assessed Valuation.** The following table shows the total assessed valuation and the estimated actual valuation, by category, of all taxable tangible property situated in the City according to the assessment for January 1, 2022, as certified on July 1, 2022, including state assessed railroad and utility property:

<u>Category</u>	<u>Assessed Valuation</u>	<u>Assessment Rate</u>	<u>Estimated Actual Valuation</u>
Real estate:			
Residential	\$445,958,590	19%	\$2,347,150,474
Commercial <sup>(1)</sup>	140,368,780	32	438,652,438
Agricultural	40,070	12	333,917
State Assessed Railroad and Utility	<u>12,463,540</u>	32	<u>38,098,631</u>
Sub-Total	\$598,830,980		\$2,786,136,828
Personal property			
Regular <sup>(1)</sup>	\$120,600,890	33-1/3 <sup>(2)</sup>	\$ 361,802,670
State Assessed Railroad and Utility	<u>1,553,800</u>	33-1/3 <sup>(2)</sup>	<u>4,661,400</u>
Sub-Total	\$122,154,690		\$ 366,464,070
<b>TOTAL</b>	<b><u>\$720,985,670</u></b>		<b><u>\$3,191,549,460</u></b>

<sup>(1)</sup> Includes assessed valuation for Locally Assessed Railroad & Utilities.

<sup>(2)</sup> Assumes all personal property is assessed at 33-1/3%; because certain subclasses of tangible personal property are assessed at less than 33-1/3%, the estimated actual valuation for personal property would likely be greater than that shown above. See the caption “**PROPERTY TAX INFORMATION - Property Valuations - Assessment Procedure**” herein.

Source: St. Louis County Department of Revenue.

**History of Property Valuations.** The total assessed valuation of all taxable tangible property situated in the City, including state and locally assessed railroad and utility property according to the assessments of December 31 in the years 2017 through 2021:

<u>Year</u>	<u>Assessed Valuation</u>	<u>% Change</u>
2021	\$691,674,121	+9.13%
2020	633,792,768	+0.07
2019	633,344,294	+13.31
2018	558,951,726	-1.72
2017	568,752,925	N/A

Source: St. Louis County Collector’s Office.

### Property Tax Levies and Collections

**Tax Collection Procedure.** Property taxes are levied and collected for the City by St. Louis County. The City must fix its ad valorem property tax rates and certify them to the County Clerk not later than October first for entry in the tax books.

The County Clerk receives the county tax books from the County Assessor, which sets forth the assessments of real and personal property. The County Clerk enters the tax rates certified to him by the local taxing bodies in the tax books and assesses such rates against all taxable property in the City as shown in the books. The County Clerk forwards the tax books by October 31 to the County Collector, who is charged with levying and collecting taxes as shown therein. The County Collector extends the taxes on the tax rolls and issues the tax statements in early December. Taxes are due by December 31 and become delinquent if not paid to the County Collector at that time. All tracts of land and city lots on which delinquent taxes are due are charged a penalty of eighteen percent of each year's delinquency. All lands and lots on which taxes are delinquent and unpaid are subject to sale at public auction in August of each year.

The County Collector is required to make disbursements of collected taxes to the City each month. Because of the tax collection procedure described above, the City will receive the bulk of its moneys from local property taxes in the months of December, January and February.

**Tax Rates.** The City may levy a property tax for operating expenses without annual voter approval but the City Council cannot raise the rate above the levy approved in the last election without voter approval. The City is allowed to increase the total revenue received from property taxes by an annual approved growth in the consumer price index and for new construction. Prior to the imposition of the debt service levy discussed below, the City has voluntarily reduced the tax rate levied to \$0.00 per \$100 of assessed valuation since 1998.

The City is also authorized under Article VI, Section 26(f) of the Missouri Constitution to levy an annual tax on all taxable tangible property therein sufficient to pay the interest and principal of any bonded indebtedness as it falls due and to retire the same within 20 years from the date of issue. The City Council may set the tax rate for debt service, without limitation as to the rate or amount, at the level required to make such payments. The City does not currently levy a property tax but will levy such a tax while the Bonds are outstanding. The City expects the tax rate for the debt service fund for 2022 to equal \$0.12 (per \$100 of assessed valuation).

### Major Property Taxpayers

The ten largest property taxpayers in the City according to their 2021 assessed valuations are listed below:

<u>Name</u>	<u>Assessed Valuation</u>	<u>Percent of Total Assessed Value</u>
1. CK Center LLC	\$11,265,230	1.63%
2. TPAF V Pelican Cove LLC	5,406,340	0.78
3. Aspen Apartments LLC	5,171,400	0.75
4. Florissant Market LLC	4,947,720	0.71
5. THF Florissant Development LLC	4,672,540	0.68
6. Kensington Square W80 LLC	4,185,150	0.60
7. Broadway Sycamore Partners LLC ET AL	3,301,610	0.48
8. MIMG LXXXVI River Chase LLC	3,193,390	0.46
9. M Ostreicher Family Partnership LLC	3,180,040	0.46
10. Laclede Gas Company	<u>3,166,890</u>	<u>0.46</u>
Total	<u>\$48,490,310</u>	<u>7.01%</u>

Source: St. Louis County Collector's office.

## **Tax Abatement and Tax Increment Financing**

Under Missouri law, tax abatement is available for redevelopers of areas determined by the governing body of a municipality to be “blighted.” The Land Clearance for Redevelopment Authority Law authorizes ten-year tax abatement pursuant to Sections 99.700 to 99.715, Revised Statutes of Missouri. Redevelopment corporations formed pursuant to Chapter 353, Revised Statutes of Missouri, may seek real property tax abatement for up to 25 years. In addition, the Industrial Development Corporations Law, Chapter 100, Revised Statutes of Missouri, authorizes real and personal property tax abatement for industrial development and other commercial projects.

The Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, Revised Statutes of Missouri, makes available tax increment financing for redevelopment projects in certain areas determined by the governing body of a municipality or county to be a “blighted area,” “conservation area” or “economic development area,” each as defined in such statute.

Neither tax abatement nor tax increment financing diminishes the amount of property tax revenues currently collected by the City in an affected area, but instead acts to freeze such revenues at current levels and deprives the City and other taxing districts of future increases (in whole or in part, depending on the terms of the transaction) in ad valorem property tax revenues that otherwise would have resulted from increases in assessed valuation in such areas until the tax increment financing obligations issued are repaid or the tax abatement period terminates.

There are currently no tax abatement projects or tax increment financing projects active in the City.

\* \* \*

1 INTRODUCED BY COUNCIL AS A WHOLE  
2 SEPTEMBER 26, 2022

3  
4 BILL NO. 9820

ORDINANCE NO.

5  
6 **AN ORDINANCE FIXING AND ESTABLISHING THE RATE OF TAXATION**  
7 **TO BE LEVIED UPON ALL REAL ESTATE AND TANGIBLE PERSONAL**  
8 **PROPERTY IN THE CITY OF FLORISSANT, COUNTY OF ST. LOUIS, STATE**  
9 **OF MISSOURI, FOR THE YEAR 2022, FOR THE PAYMENT OF INTEREST**  
10 **AND PRINCIPAL ON THE GENERAL OBLIGATION BONDS AUTHORIZED**  
11 **BY THE VOTERS AT THE SPECIAL BOND ELECTION ON AUGUST 2, 2022.**

12  
13 WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised  
14 and held on September 26, 2022, setting forth the assessed valuation of real and personal property in the  
15 City and the estimated tax rate for 2022, and

16  
17 WHEREAS, failure to meet this certification could put at risk the tax revenues that are needed to  
18 pay the interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond  
19 Election on August 2<sup>nd</sup>, 2022.

20  
21 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
22 FLORISSANT, MISSOURI, AS FOLLOWS:

23  
24 SECTION 1. That there be and is hereby levied on all real estate and certain tangible personal  
25 property, subject to taxation in the City of Florissant, County of St. Louis, State of Missouri, for the year  
26 2022:

27  
28 A tax for the payment of interest and principal on General Obligation Bonds of 12 cents (\$0.12) for each  
29 One Hundred Dollars (\$100.00) of assessed valuation on all Real Estate and tangible Personal Property.

30  
31  
32 SECTION 2. This ordinance shall be in full force and effect after its passage and approval, as  
33 provided by law.

34  
35 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

36  
37 \_\_\_\_\_  
38 Joe Eagan  
39 President of the Council  
40 City of Florissant

41  
42 Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

43  
44 \_\_\_\_\_  
45 Timothy J. Lowery  
46 Mayor, City of Florissant

47  
48 ATTEST:

49  
\_\_\_\_\_  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

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**BILL NO. 9821**

**ORDINANCE NO. \_\_\_\_**

**OF THE**

**CITY COUNCIL**

**OF THE**

**CITY OF FLORISSANT, MISSOURI**

**PASSED**

**OCTOBER 10, 2022**

---

**AUTHORIZING**

**NOT TO EXCEED \$10,000,000  
GENERAL OBLIGATION BONDS  
SERIES 2022**

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**INTRODUCED BY COUNCIL AS A WHOLE  
SEPTEMBER 26, 2022**

**BILL NO. 9821**

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2022, OF THE CITY OF FLORISSANT, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.**

---

**WHEREAS**, the City of Florissant, Missouri (the “City”), is a municipal corporation and constitutional charter city operating under a home rule form of government and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

**WHEREAS**, the City is authorized under the provisions of Article VI, Section 26 of the Constitution of Missouri, as amended, and Section 95.115 et seq., of the Revised Statutes of Missouri, as amended (collectively, the “General Obligation Bond Law”), to incur indebtedness and issue and sell general obligation bonds of the City to evidence such indebtedness for lawful purposes, upon obtaining the approval of at least four-sevenths of the qualified electors of the City voting on the proposition to incur indebtedness at a municipal, primary or general election; and

**WHEREAS**, pursuant to the General Obligation Bond Law, an election was duly held in the City at the primary election on Tuesday, August 2, 2022 (the “Election”), on the following proposition:

**PROPOSITION A**

**Shall the City of Florissant, Missouri, issue its general obligation bonds in an amount up to Ten Million Dollars (\$10,000,000) for the purpose of constructing aquatic centers? The authorization of said bonds will authorize the levy and collection of an annual tax in addition to the other taxes provided for by law on all taxable tangible property in the City sufficient to pay the interest and principal of said bonds as they fall due and to retire the same within twenty years from the date thereof.**

**WHEREAS**, the votes cast at the Election were duly canvassed as provided by law, and it was found and declared that more than four-sevenths of the qualified voters within the boundaries of the City voting at the Election on the proposition voted in favor of the issuance of the bonds, the vote on the proposition having been 4,320 votes for the issuance of the bonds and 2,773 votes against the issuance of the bonds; and

**WHEREAS**, the City has not issued any of the bonds authorized at the Election, and the City now desires to issue all of the bonds so authorized; and

**WHEREAS**, as a result of current market conditions relating to the sale of the Bonds and the unexpected increased costs of the Project in excess of contingencies considered when seeking voter authorization, the City has determined it is necessary and advisable to generate funds from the sale of certain Bonds which are issued with original issue premium, which includes costs of issuance of the Bonds, by agreeing to accept bids for the Bonds at a purchase price in excess of 100% of the principal amount of the Bonds; and

**WHEREAS**, the City acknowledges that the interest rates payable on the bonds which generate original issue premium (the “Premium Bonds”) will result in debt service payments that are higher than if the Premium Bonds had been sold at interest rates equal to the yield on each maturity of the Premium Bonds; and

**WHEREAS**, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants at this time to authorize the issuance and delivery of the bonds pursuant to the General Obligation Bond Law for the purposes aforesaid as herein provided;

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

## **ARTICLE I**

### **DEFINITIONS**

**Section 101. Definitions of Words and Terms.** In addition to words and terms defined elsewhere herein, the following words and terms as used in this Ordinance shall have the following meanings:

**“Beneficial Owner”** means whenever used with respect to a Bond, the Person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such Person’s subrogee.

**“Bond Counsel”** means Gilmore & Bell, P.C., St. Louis, Missouri, or other attorneys or firm of attorneys with a nationally recognized standing in the field of municipal bond financing selected by the City.

**“Bond Payment Date”** means any date on which principal or Redemption Price of or interest on any Bond is payable.

**“Bond Register”** means the books for the registration, transfer and exchange of Bonds kept at the office of the Paying Agent.

**“Bonds”** means the not to exceed \$10,000,000 General Obligation Bonds, Series 2022, authorized and issued by the City pursuant to this Ordinance.

**“Business Day”** means a day, other than a Saturday, Sunday or holiday, on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its banking operations.

**“Cede & Co.”** means Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“**City**” means the City of Florissant, Missouri, and any successors or assigns.

“**Code**” means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the Treasury Department proposed or promulgated thereunder.

“**Continuing Disclosure Undertaking**” means the Continuing Disclosure Undertaking dated as of October 1, 2022, in substantially the form attached hereto as **Exhibit C**.

“**Debt Service Fund**” means the fund by that name referred to in **Section 501** hereof.

“**Defaulted Interest**” means interest on any Bond which is payable but not paid on any Interest Payment Date.

“**Defeasance Obligations**” means any of the following obligations, if and to the extent the same are at the time legal for investment of the City’s funds:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are not subject to redemption prior to maturity or the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations serving as security for the obligations (plus any cash in an escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations serving as security for the obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) the obligations are rated in the same rating category as United States Government Obligations or higher by a nationally recognized rating service.

“**DTC**” or “**Securities Depository**” means The Depository Trust Company of New York, New York.

**“FAST Agent”** means the Paying Agent when acting as agent for DTC in accordance with rules established by DTC for Fast Automated Securities Transfers.

**“Federal Tax Certificate”** means the Federal Tax Certificate executed by the City on the date of issuance of the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

**“Fiscal Year”** means the fiscal year of the City, currently the period beginning December 1 and ending November 30.

**“Final Terms Certificate”** means the Final Terms Certificate, in substantially the form attached hereto as **Exhibit E**, executed and delivered by the Mayor and Director of Finance pursuant to **Section 210** hereof and attached to this Ordinance as of the date of issuance of the Bonds.

**“Interest Payment Date”** means the Stated Maturity of an installment of interest on any Bond.

**“Maturity”** means, when used with respect to any Bond, the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

**“Ordinance”** means this Ordinance adopted by the governing body of the City, authorizing the issuance of the Bonds, as amended from time to time.

**“Outstanding”** means, when used with reference to Bonds, as of any particular date of determination, all Bonds theretofore authenticated and delivered hereunder, except the following Bonds:

(a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of **Section 701** hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

**“Participant”** means any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

**“Paying Agent”** means BOKF, NA, St. Louis, Missouri, and any successors or assigns.

**“Permitted Investments”** means any legally permissible investment of the City’s funds.

**“Person”** means any natural person, corporation, partnership, limited liability company, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

**“Project”** means constructing municipal aquatic centers in the City.

**“Project Fund”** means the fund by that name referred to in **Section 501** hereof.

**“Purchaser”** means the original purchaser of the Bonds, identified in the Final Terms Certificate.

“**Rebate Fund**” means the fund by that name referred to in **Section 501** hereof.

“**Record Date**” for the interest payable on any Interest Payment Date means the 15th day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“**Redemption Date**” when used with respect to any Bond to be redeemed means the date fixed for the redemption of such Bond pursuant to the terms of this Ordinance.

“**Redemption Price**” when used with respect to any Bond to be redeemed means the price at which such Bond is to be redeemed pursuant to the terms of this Ordinance, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date, which price is to be stated as a percentage of the principal amount of those Bonds to be redeemed.

“**Registered Owner**” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

“**Representation Letter**” means, collectively, the Representation Letter from the City to the Securities Depository and the Representation Letter from the Paying Agent to the Securities Depository with respect to the Bonds.

“**Special Record Date**” means the date prior to the payment date of Defaulted Interest fixed by the Paying Agent pursuant to **Section 204** hereof.

“**Stated Maturity**” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Ordinance as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“**United States Government Obligations**” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payments on obligations issued or guaranteed by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the same rating category or higher as the United States of America by a nationally recognized rating service and such obligations are held in a custodial account for the City’s benefit.

## ARTICLE II

### AUTHORIZATION OF BONDS

**Section 201. Authorization of Bonds.** There shall be issued and hereby are authorized and directed to be issued the City’s General Obligation Bonds, Series 2022, in an original principal amount not to exceed \$10,000,000 (the “Bonds”), as set forth in the Final Terms Certificate, subject to the limitations set forth in **Exhibit D** attached hereto, which are being issued for the purpose of providing funds to (a) pay the costs of the Project and (b) pay the costs of issuing the Bonds.

**Section 202. Description of Bonds.**

(a) The Bonds shall consist of fully-registered bonds, numbered from 1 upward in order of issuance, in denominations of \$5,000 or any integral multiple thereof. The Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be substantially in the form set forth in **Exhibit A** attached hereto, and shall be subject to registration, transfer and exchange as provided in **Section 205** hereof.

(b) All of the Bonds shall be dated the date of original issuance and delivery thereof. The Bonds shall become due on March 1 in the years and in the amounts on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in **Article III** hereof, set forth in the Final Terms Certificate. The Bonds shall bear interest at the rates per annum (computed on the basis of a 360-day year of twelve 30-day months) set forth in the Final Terms Certificate from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on September 1, 2023.

**Section 203. Designation of Paying Agent.**

(a) BOKF, NA, St. Louis, Missouri is hereby designated as the City's paying agent for the payment of principal or Redemption Price of and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds.

(b) The City will at all times maintain a Paying Agent meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent by (i) filing with the Paying Agent then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent and appointing a successor, and (ii) causing notice of the appointment of the successor Paying Agent to be given by first class mail to each Registered Owner. The Paying Agent may resign by giving written notice by first class mail to the City and the Registered Owners not less than 60 days prior to the date such resignation is to take effect. No resignation or removal of the Paying Agent shall become effective until a successor has been appointed and has accepted the duties of Paying Agent.

(c) Every Paying Agent appointed hereunder shall at all times be a commercial banking association or corporation or trust company located in the State of Missouri organized and doing business under the laws of the United States of America or of the State of Missouri, authorized under such laws to exercise trust powers and subject to supervision or examination by federal or state regulatory authority.

(d) The Paying Agent shall be paid its fees and expenses for its services in connection with the Bonds.

**Section 204. Method and Place of Payment of Bonds.**

(a) The principal or Redemption Price of and interest on the Bonds shall be payable in any coin or currency of the United States of America that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

(b) Payment of the principal or Redemption Price of and interest on each Bond shall be made (1) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or such other address furnished to the Paying Agent in writing by such Registered Owner or (2) by electronic transfer to such Registered Owner upon written notice signed by such Registered Owner and given to the Paying Agent not less than 15 days prior to the Record Date for such payment, containing

the electronic transfer instructions including the name and address of the bank, the bank's ABA routing number and account number to which such Registered Owner wishes to have such transfer directed and an acknowledgment that an electronic transfer fee may be applicable.

(c) Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Registered Owner of such Bond on the relevant Record Date and shall be payable to the Registered Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent unless the City and the Paying Agent agree to a shorter time period) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment, unless the City and the Paying Agent agree to a shorter time period. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Registered Owner of a Bond entitled to such notice at the address of such Registered Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

(d) The Paying Agent shall keep a record of payment of the principal, Redemption Price and interest paid on all Bonds and, upon the written request of the City, shall forward a copy or summary of such records to the City.

#### **Section 205. Registration, Transfer and Exchange of Bonds.**

(a) The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Paying Agent or such other office designated by the Paying Agent for the registration, transfer and exchange of Bonds as herein provided. Each Bond when issued shall be registered in the name of the owner thereof on the Bond Register.

(b) Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal payment office of the Paying Agent, or such other office designated by the Paying Agent, the Paying Agent shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange. Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Registered Owner thereof or by the Registered Owner's duly authorized agent.

(c) In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The City shall pay the fees and expenses of the Paying Agent for the registration, transfer and exchange of Bonds provided for by this Ordinance and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Paying Agent, are the responsibility of the Registered Owners of the Bonds. If any Registered Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Registered Owner sufficient to pay any governmental charge required to be paid as a result of

such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Registered Owner hereunder or under the Bonds.

(d) The City and the Paying Agent shall not be required to (i) register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption, or (ii) register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

(e) The City and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Registered Owner or upon the Registered Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

(f) At reasonable times and under reasonable regulations established by the Paying Agent, the Bond Register may be inspected and copied by the Registered Owners of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Registered Owners whose authority is evidenced to the satisfaction of the Paying Agent.

#### **Section 206. Execution, Registration, Authentication and Delivery of Bonds.**

(a) Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the City Clerk and shall have the official seal of the City affixed or imprinted thereon. In case any officer whose signature appears on any Bond ceases to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

(b) The Mayor and City Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the State Auditor of Missouri as provided by law, and, when duly executed and registered, to deliver the Bonds to the Paying Agent for authentication.

(c) The Bonds shall have endorsed thereon a certificate of authentication substantially in the form set forth in **Exhibit A** attached hereto, which shall be manually executed by an authorized signatory of the Paying Agent, but it shall not be necessary that the same signatory sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Ordinance or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Paying Agent. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Ordinance. Upon authentication, the Paying Agent shall deliver the Bonds to or upon the order of the Purchaser, or shall hold the Bonds as FAST Agent for the benefit of the Beneficial Owners (as hereinafter defined), upon payment to the City of the purchase price of the Bonds plus accrued interest thereon, if any, to the date of their delivery.

**Section 207. Mutilated, Destroyed, Lost and Stolen Bonds.**

(a) If (i) any mutilated Bond is surrendered to the Paying Agent or the Paying Agent receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (ii) there is delivered to the Paying Agent such security or indemnity as may be required by the Paying Agent to save each of the City and the Paying Agent harmless, then, in the absence of notice to the Paying Agent that such Bond has been acquired by a bona fide purchaser, the City shall execute and the Paying Agent shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

(b) If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the City may, in its discretion, direct the Paying Agent to pay such Bond instead of delivering a new Bond.

(c) Upon the issuance of any new Bond under this Section, the City or the Paying Agent may require the payment by the Registered Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

(d) Every new Bond issued pursuant to this Section shall constitute a replacement of the City's prior obligation, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Bonds.

**Section 208. Cancellation and Destruction of Bonds Upon Payment.** All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be canceled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so canceled and shall file an executed counterpart of such certificate with the City.

**Section 209. Preliminary and Final Official Statement.**

(a) The Preliminary Official Statement, in substantially the form attached hereto as **Exhibit B**, is hereby ratified and approved, and the final Official Statement is hereby authorized and approved by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final Official Statement as so supplemented, amended and completed, and the use and public distribution of the final Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

(b) For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "SEC"), the City hereby deems the information contained in the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of such Rule.

(c) The City agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, an electronic copy of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the SEC and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

#### **Section 210. Sale of Bonds.**

(a) The City agrees to sell the Bonds to the Purchaser at the purchase price set forth in the Final Terms Certificate, upon the terms and conditions set forth therein and with such changes therein as shall be approved by the Mayor and Director of Finance.

(b) The Mayor or Director of Finance are hereby authorized to, without any further authorization or direction from the City Council, (1) approve the purchase price for the Bonds, the principal amounts by maturity, the interest rates, the optional redemption provisions, and the other final terms of the Bonds, subject to the limitations set forth in **Exhibit D** attached hereto, (2) execute the Final Terms Certificate in substantially the form attached to this Ordinance as **Exhibit E**, and (3) award the sale of the Bonds or reject all bids, for and on behalf of and as the act and deed of the City, which approval will be conclusively evidenced by the execution by the Mayor or Director of Finance of the Final Terms Certificate, provided that the final terms of the Bonds set forth therein shall meet all of the requirements of this Ordinance and the Notice of Bond Sale. Upon execution, the Final Terms Certificate will be attached and made part of this Ordinance.

#### **Section 211. Securities Depository.**

(a) The Bonds shall be initially issued as one single authenticated fully registered bond for each Stated Maturity. Upon initial issuance, the ownership of such Bonds shall be registered in the Bond Register of the City kept by the Paying Agent in the name of Cede & Co., as nominee of DTC. The Paying Agent and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or Redemption Price of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to Registered Owners of Bonds under this Ordinance, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Paying Agent nor the City shall be affected by any notice to the contrary. Neither the Paying Agent nor the City shall have any responsibility or obligation to any Participant, any Person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other Person which is not shown on the Bond Register kept by the Paying Agent as being a Registered Owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal or Redemption Price of or interest on the Bonds, with respect to any notice which is permitted or required to be given to Owners of Bonds under this Ordinance, with respect to the selection by DTC or any Participant of any Person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as Registered Owner of the Bonds. The Paying Agent shall pay all principal or Redemption Price of and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal or Redemption Price of and interest on the Bonds to the extent of the sum or sums so paid. No Person other than DTC (or the Paying Agent as Fast Agent) shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the City to make payments of principal or Redemption Price of and interest. Upon delivery by DTC to the Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (d) hereof.

(b) If Participants holding a majority position in the Bonds determine that it is in the best interest of the Beneficial Owners that they be able to obtain certificated bonds, the Participants may notify DTC and the Paying Agent, whereupon DTC shall notify the Participants of the availability through DTC of bonds. In such event, the Bonds will be transferable in accordance with paragraph (d) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Paying Agent and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (d) hereof.

(c) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal or Redemption Price of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the Representation Letter.

(d) If any transfer or exchange of Bonds is permitted under paragraph (a) or (b) hereof, such transfer or exchange shall be accomplished upon receipt by the Paying Agent from the Registered Owners thereof of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Ordinance. If Bonds are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of this Ordinance shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds and the method of payment of the principal or Redemption Price of and interest on such Bonds. In the event that Bonds are issued to holders other than DTC, the Paying Agent may rely on information provided by DTC or any Participant as to the names, addresses of and principal amounts held by the Beneficial Owners of the Bonds.

### ARTICLE III

#### REDEMPTION OF BONDS

##### **Section 301. Redemption of Bonds.**

(a) *Optional Redemption.* The optional redemption provisions, if any, shall be set forth in the Final Terms Certificate.

(b) *Mandatory Redemption.* Any Bonds subject to mandatory redemption and payment prior to their stated maturity (the "Term Bonds") designated in the Final Terms Certificate shall be subject to the following mandatory redemption requirements. At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired, (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Registered Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical, or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection (b)) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection (b). Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity in chronological

order, and the principal amount of Term Bonds of the same Stated Maturity to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.

### **Section 302. Selection of Bonds to be Redeemed.**

(a) The Paying Agent shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Paying Agent at least 45 days prior to the Redemption Date of the City's written instructions specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in **Section 303** hereof are met. The foregoing provisions of this paragraph shall not apply to the mandatory redemption of Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the City and whether or not the Paying Agent shall hold in the Debt Service Fund moneys available and sufficient to effect the required redemption.

(b) Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the Outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such order of their Stated Maturities as shall be determined by the City, and Bonds of less than a full Stated Maturity shall be selected by the Paying Agent in \$5,000 units of principal amount in such equitable manner as the Paying Agent may determine.

(c) In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond are selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Registered Owner of such Bond or the Registered Owner's duly authorized agent shall present and surrender such Bond to the Paying Agent (i) for payment of the Redemption Price and interest to the Redemption Date of such \$5,000 unit or units of face value called for redemption, and (ii) for exchange, without charge to the Registered Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Registered Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the Redemption Date to the extent of the \$5,000 unit or units of face value called for redemption (and to that extent only).

### **Section 303. Notice and Effect of Call for Redemption.**

(a) Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on the City's behalf by mailing a copy of an official redemption notice by first class mail at least 30 days but not more than 60 days prior to the Redemption Date to the State Auditor of Missouri and each Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register.

(b) All official notices of redemption shall be dated and shall contain the following information:

(i) the Redemption Date;

(ii) the Redemption Price;

(iii) if less than all Outstanding Bonds are to be redeemed, the identification number, Stated Maturity and, in the case of partial redemption of any Bonds, the respective principal amounts of the Bonds to be redeemed;

(iv) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and

(v) the place where such Bonds are to be surrendered for payment of the Redemption Price.

(c) Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

(d) With respect to optional redemptions, such notice may be conditioned upon moneys being on deposit with the Paying Agent on or prior to the Redemption Date in an amount sufficient to pay the Redemption Price on the Redemption Date. If such notice is conditional and moneys are not received, such notice shall be of no force and effect, the Paying Agent shall not redeem such Bonds and the Paying Agent shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not so received and that such Bonds will not be redeemed.

(e) Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, the Paying Agent shall prepare for the Registered Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be canceled and destroyed by the Paying Agent as provided herein and shall not be reissued.

(f) The failure of any Registered Owner to receive the foregoing notice or any defect therein shall not invalidate the effectiveness of the call for redemption of any other Bond.

(g) In addition to the foregoing notice, further notice shall be given by the Paying Agent on the City's behalf as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed.

(i) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP number, if any, of each Bond being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the Stated Maturity of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed.

(ii) Each further notice of redemption shall be filed on the Electronic Municipal Market Access system for municipal securities disclosures (“EMMA”) established and maintained by the Municipal Securities Rulemaking Board (or any successor to EMMA established by the Municipal Securities Rulemaking Board), at least one day before the mailing of notice to Registered Owners. If EMMA ceases to exist, then each further notice of redemption shall be sent by first class, registered or certified mail or overnight delivery, as determined by the Paying Agent, to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(h) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed therewith the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

(i) The Paying Agent is also directed to comply with any mandatory standards then in effect for processing redemptions of municipal securities established by the SEC. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

## ARTICLE IV

### SECURITY FOR AND PAYMENT OF BONDS

**Section 401. Security for the Bonds.** The Bonds are general obligations of the City payable as to principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the City’s territorial limits. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal or Redemption Price of and interest on the Bonds as the same become due.

#### **Section 402. Levy and Collection of Annual Tax.**

(a) For the purpose of providing for the payment of the principal or Redemption Price of and interest on the Bonds as the same become due, there is hereby levied upon all of the taxable tangible property within the City a direct annual tax sufficient to produce the amounts necessary for the payment of such principal or Redemption Price and interest as the same become due and payable in each year.

(b) The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the City’s other ad valorem taxes are levied and collected. The proceeds derived from said taxes shall be deposited in the Debt Service Fund, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal or Redemption Price of and interest on the Bonds as and when the same become due, taking into account scheduled mandatory redemptions, if any, and the fees and expenses of the Paying Agent.

(c) If at any time said taxes are not collected in time to pay the principal or Redemption Price of and interest on the Bonds when due, the City’s Director of Finance is hereby authorized and directed to pay said principal or Redemption Price and interest out of the City’s general funds and to reimburse said general funds for money so expended when said taxes are collected.

## ARTICLE V

### ESTABLISHMENT OF FUNDS; DEPOSIT AND APPLICATION OF MONEY

**Section 501. Establishment of Funds.** There have been or shall be established in the treasury of the City and shall be held and administered by the Director of Finance of the City the following separate funds:

- (a) Debt Service Fund.
- (b) Project Fund.
- (c) Rebate Fund.

**Section 502. Deposit of Bond Proceeds.** The net proceeds received from the sale of the Bonds shall be deposited or disbursed simultaneously with the delivery of the Bonds as described in the Final Terms Certificate.

#### **Section 503. Application of Money in the Project Fund.**

(a) Moneys in the Project Fund shall be used solely for the purpose of (1) paying the costs of the Project in accordance with the plans and specifications prepared therefor and approved by the City Council, including any alterations in or amendments to said plans and specifications deemed advisable and approved by the City Council and (2) paying the costs and expenses of issuing the Bonds.

(b) The Finance Director shall make withdrawals from the Project Fund solely for the above-stated purposes. Such withdrawals shall be made only upon a duly authorized certificate executed by the Finance Director that such payment is being made for a purpose within the scope of this Ordinance and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. The City Council hereby approves the disbursement of funds for payment of the costs and expenses incident to the issuance of the Bonds together with any other amounts hereafter approved by the City Council.

(c) Upon completion of the purpose for which the Bonds have been issued, any surplus remaining in the Project Fund shall be transferred to and deposited in the Debt Service Fund.

#### **Section 504. Application of Money in Debt Service Fund.**

(a) All amounts paid and credited to the Debt Service Fund shall be expended and used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Paying Agent. The Director of Finance is authorized and directed to withdraw from the Debt Service Fund sums sufficient to pay principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day when such principal or Redemption Price, interest and fees of the Paying Agent will become due. If, through the lapse of time or otherwise, the Registered Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the City. All money deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject

to all of the provisions contained in this Ordinance and shall be held in trust by the Paying Agent for the benefit of the Registered Owners of the Bonds entitled to payment from such money.

(b) Any moneys or investments remaining in the Debt Service Fund after the retirement of the Bonds and any other indebtedness of the City shall be transferred and paid into the City's general fund.

**Section 505. Deposits and Investment of Money.**

(a) Moneys in each of the funds created by and referred to in this Ordinance shall be deposited in a bank or banks or other legally permitted financial institutions located in the State of Missouri that are members of the Federal Deposit Insurance Corporation. All such deposits shall be continuously and adequately secured by the financial institutions holding such deposits as provided by the laws of the State of Missouri. All moneys held in the funds created by this Ordinance shall be kept separate and apart from all other funds of the City so that there shall be no commingling of such funds with any other funds of the City.

(b) Moneys held in any fund referred to in this Ordinance may be invested by the Director of Finance in accordance with the investment policy of the City, as such policy may be amended from time to time, in accordance with this Ordinance and the Federal Tax Certificate, in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any fund shall accrue to and become a part of such fund.

**Section 506. Nonpresentment of Bonds.** If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the City to the Registered Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Registered Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Ordinance or on, or with respect to, said Bond. If any Bond is not presented for payment within one year following the date when such Bond becomes due at Maturity, the Paying Agent shall repay without liability for interest thereon, to the City the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the City, and the Registered Owner thereof shall be entitled to look only to the City for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the City shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

**Section 507. Payments Due on Saturdays, Sundays and Holidays.** In any case where a Bond Payment Date is not a Business Day, then payment of the principal or Redemption Price of and interest on the Bonds need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

**Section 508. Application of Money in the Rebate Fund.**

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to pay arbitrage rebate, and neither the City nor the Registered Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Federal Tax Certificate.

(b) The City shall periodically determine the amount of arbitrage rebate due under Section 148(f) of the Code in accordance with the Federal Tax Certificate, and the City shall make payments to the United States of America at the times and in the amounts determined under the Federal Tax Certificate. Any money remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any arbitrage rebate, or provision made therefor, shall be released to the City.

(c) Notwithstanding any other provision of this Ordinance, including in particular **Article VII** hereof, the obligation to pay arbitrage rebate and to comply with all other requirements of this Section and the Federal Tax Certificate shall survive the defeasance or payment in full of the Bonds.

## ARTICLE VI

### REMEDIES

**Section 601. Remedies.** The provisions of this Ordinance, including the covenants and agreements herein contained, shall constitute a contract between the City and the Registered Owners of the Bonds, and the Registered Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Registered Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Registered Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of this Ordinance or by the Constitution and laws of the State of Missouri;

(b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owners of the Bonds.

**Section 602. Limitation on Rights of Registered Owners.** The covenants and agreements of the City contained herein and in the Bonds shall be for the equal benefit, protection and security of the legal owners of any or all of the Bonds. All of the Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, or date of Maturity or right of prior redemption as provided in this Ordinance. No one or more Registered Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Registered Owners of such Outstanding Bonds.

**Section 603. Remedies Cumulative.** No remedy conferred herein upon the Registered Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies consequent thereon. No delay or omission of any Registered Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver

of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owners of the Bonds by this Ordinance may be enforced and exercised from time to time and as often as may be deemed expedient. If any suit, action or proceedings taken by any Registered Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to such Registered Owner, then, and in every such case, the City and the Registered Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Registered Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

**Section 604. Exception for Continuing Disclosure.** This **Article VI** shall not apply to **Section 805** hereof regarding the City's continuing disclosure obligations, and Registered Owners or Beneficial Owners (as defined in the Continuing Disclosure Undertaking) of the Bonds shall have no remedies for enforcement of said obligations other than the remedies provided for in **Section 805** hereof and the City's Continuing Disclosure Undertaking.

## ARTICLE VII

### DEFEASANCE

#### **Section 701. Defeasance.**

(a) When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Ordinance and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Ordinance if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State of Missouri and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the scheduled interest payments thereon, in trust for and irrevocably appropriated thereto, money and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of and redemption premium, if any, on said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City has elected to redeem such Bonds and (2) either notice of such redemption has been given, or the City has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Paying Agent to give such notice of redemption in compliance with **Section 302(a)** hereof.

(b) Any money and Defeasance Obligations that at any time shall be deposited by or on behalf of the City with the Paying Agent or other commercial bank or trust company for the purpose of paying and discharging any of the Bonds or the scheduled interest payments thereon shall be and are hereby assigned, transferred and set over to the Paying Agent or other commercial bank or trust company in trust for the respective Registered Owners of the Bonds, and such money shall be and is hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or other commercial bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Ordinance.

(c) To accomplish a defeasance of the principal of the Bonds or scheduled interest payments thereon when the City will rely on interest to be earned on any Defeasance Obligations deposited more than 180 days prior to the full payment of the principal of the Bonds or scheduled interest payments thereon, the

City shall cause to be delivered to the Paying Agent (1) a report of an independent firm of nationally recognized certified public accountants or such other firm as may be acceptable to Bond Counsel verifying the sufficiency of the escrow established to pay the principal of the Bonds or scheduled interest payments thereon in full at the Stated Maturity or Redemption Date thereof, (2) an escrow deposit agreement or escrow instruction letter between the City and an escrow agent and (3) an opinion of Bond Counsel to the effect that the principal of the Bonds or scheduled interest payments thereon are no longer “Outstanding” under this Ordinance. Bonds shall be deemed “Outstanding” under this Ordinance unless and until they are in fact paid and retired or the criteria of this Section are met.

## ARTICLE VIII

### MISCELLANEOUS PROVISIONS

**Section 801. Tax Covenant.** The City covenants and agrees to comply with all provisions and requirements of the Federal Tax Certificate, which is hereby approved, with such changes therein as shall be approved by the Mayor and the Bond Compliance Officer (as defined therein), which officers are hereby authorized to execute the Federal Tax Certificate for and on behalf of the City, such officer’s signature thereon being conclusive evidence of his or her approval thereof.

#### **Section 802. Annual Audit.**

(a) Annually, promptly after the end of the Fiscal Year, the City will cause an audit to be made of its funds and accounts for the preceding Fiscal Year by an independent certified public accountant or firm of independent certified public accountants.

(b) Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the City Clerk. Such audits shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Registered Owner of any of the Bonds, or by anyone acting for or on behalf of such taxpayer or Registered Owner.

(c) As soon as possible after the completion of the annual audit, the governing body of the City shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Ordinance, the City shall promptly cure such deficiency.

#### **Section 803. Amendments.**

(a) Notwithstanding the City’s obligations under the Continuing Disclosure Undertaking, which may be modified as provided therein, the rights and duties of the City and the Registered Owners, and the terms and provisions of the Bonds or of this Ordinance, may be amended or modified at any time in any respect by ordinance of the City with the written consent of the Registered Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Registered Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the City Clerk, but no such modification or alteration shall:

- (i) extend the maturity of any payment of principal or interest due upon any Bond;
- (ii) alter the optional redemption provisions of any Bond;

(iii) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond;

(iv) permit preference or priority of any Bond over any other Bond; or

(v) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Ordinance.

(b) Any provision of the Bonds or of this Ordinance may, however, be amended or modified by ordinance duly adopted by the City Council at any time in any legal respect with the written consent of the Registered Owners of all of the Bonds at the time Outstanding.

(c) Without notice to or the consent of any Registered Owners, the City may amend or supplement this Ordinance for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Registered Owners.

(d) Every amendment or modification of the provisions of the Bonds or of this Ordinance, to which the written consent of the Registered Owners is given, as above provided, shall be expressed in an ordinance adopted by the City Council amending or supplementing the provisions of this Ordinance and shall be deemed to be a part of this Ordinance. A certified copy of every such amendatory or supplemental ordinance, if any, and a certified copy of this Ordinance shall always be kept on file in the office of the City Clerk, shall be made available for inspection by the Registered Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Ordinance, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or of this Ordinance will be sent by the City Clerk to any such Registered Owner or prospective Registered Owner.

(e) Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the City Clerk a copy of the ordinance of the City hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Registered Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

(f) The City shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Ordinance which affects the duties or obligations of the Paying Agent under this Ordinance.

#### **Section 804. Notices, Consents and Other Instruments by Registered Owners.**

(a) Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Registered Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Registered Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds (other than the assignment of the ownership of a Bond as provided for in the form of Bond set forth in **Exhibit A** attached hereto), if made in the following manner, shall be sufficient for any of the purposes of this Ordinance, and shall be conclusive in favor of the City and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(i) The fact and date of the execution by any Person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the Person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(ii) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

(b) In determining whether the Registered Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Ordinance, Bonds owned by the City shall be disregarded and deemed not to be Outstanding under this Ordinance, except that, in determining whether the Registered Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Registered Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Registered Owners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the City.

**Section 805. Continuing Disclosure.** The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Undertaking as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Mayor is hereby authorized to execute the Continuing Disclosure Undertaking, in substantially the form attached hereto as **Exhibit C**, to make the Bonds subject to the Continuing Disclosure Undertaking. Upon the City's failure to comply with the Continuing Disclosure Undertaking, any Registered Owner may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this Section.

**Section 806. Electronic Transactions.** The transaction described herein may be conducted and related documents may be sent, received or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

**Section 807. Further Authority.** The officers of the City, including the Mayor, Director of Finance, City Clerk and Deputy City Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. The City Clerk is authorized and directed to attest the execution of any documents, certificates and instruments that are necessary or desirable to carry out the intent of this Ordinance.

**Section 808. Parties Interested Herein.** Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give or grant to, any person or entity, other than the City, the Paying Agent and the Registered Owners, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent and the Registered Owners.

**Section 809. Severability.** If any section or other part of this Ordinance, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance.

**Section 810. Governing Law.** This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Section 811. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** by the City Council of the City of Florissant, Missouri, this 10th day of October, 2022.

Adopted this 10th day of October, 2022.

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President of the Council  
City of Florissant

Approved this 10th day of October, 2022.

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Mayor, City of Florissant

(SEAL)

ATTEST:

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City Clerk

First Reading: September 26, 2022

**EXHIBIT A  
TO ORDINANCE**

**(FORM OF BONDS)**

**EXCEPT AS OTHERWISE PROVIDED IN THE ORDINANCE (DESCRIBED HEREIN), THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY (DESCRIBED HEREIN) OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.**

**UNITED STATES OF AMERICA  
STATE OF MISSOURI**

**Registered  
No. \_\_\_\_\_**

**Registered  
\$ \_\_\_\_\_**

**CITY OF FLORISSANT, MISSOURI**

**GENERAL OBLIGATION BOND  
SERIES 2022**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated Date</u>	<u>CUSIP Number</u>
_____ %	March 1, _____	October 25, 2022	_____

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS**

**THE CITY OF FLORISSANT, MISSOURI**, a municipal corporation and constitutional charter city operating under a home rule form of government and political subdivision of the State of Missouri (the “City”), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, the principal amount shown above on the Maturity Date shown above unless called for redemption prior to said Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months) from the Dated Date shown above or from the most recent Interest Payment Date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 in each year, beginning on September 1, 2023, until said principal amount has been paid.

The principal or Redemption Price of this Bond shall be paid at maturity or upon earlier redemption to the Person in whose name this Bond is registered on the Bond Register (as hereinafter defined) at the maturity or Redemption Date thereof, upon presentation and surrender of this Bond at the principal payment office of BOKF, N.A., St. Louis, Missouri (the “Paying Agent”), or such other office designated by the

Paying Agent. The interest payable on this Bond on any Interest Payment Date shall be paid to the Person in whose name this Bond is registered on the registration books maintained by the Paying Agent (the “Bond Register”) at the close of business on the Record Date for such interest, which shall be the fifteenth day (whether or not a Business Day) of the calendar month of the applicable Interest Payment Date. The principal or Redemption Price of and interest on this Bond shall be payable (1) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or such other address furnished to the Paying Agent in writing by such Registered Owner or (2) by electronic transfer to such Registered Owner upon written notice signed by such Registered Owner and given to the Paying Agent not less than 15 days prior to the Record Date for such payment, containing the electronic transfer instructions including the name and address of the bank, the bank’s ABA routing number and account number to which such Registered Owner wishes to have such transfer directed and an acknowledgment that an electronic transfer fee may be applicable. The principal or Redemption Price of and interest on this Bond shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

This Bond is one of an authorized series of bonds of the City designated “General Obligation Bonds, Series 2022,” aggregating the principal amount of \$10,000,000 (the “Bonds”), issued by the City for the purpose of providing funds to (a) pay the costs of the Project and (b) pay the costs of issuing the Bonds, under the authority of and in full compliance with the City’s Charter and the Constitution and laws of the State of Missouri, and pursuant to an election duly held within the boundaries of the City and an ordinance duly passed (the “Ordinance”) and proceedings duly and legally had by the City Council of the City. *Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the Ordinance.*

At the option of the City, the Bonds or portions thereof maturing on March 1, 20\_\_ and thereafter may be called for redemption and payment prior to their Stated Maturity on March 1, 20\_\_ and thereafter as a whole or in part at any time in such order of maturity determined by the City (Bonds of less than a full maturity to be selected in multiples of \$5,000 in such equitable manner as the Paying Agent shall designate) at the redemption price of 100% of the principal amount thereof plus accrued interest thereon to the redemption date.

[\*The Bonds maturing on March 1, 20\_\_ are subject to mandatory redemption and payment prior to maturity pursuant to the mandatory redemption requirements of the Ordinance on March 1, 20\_\_ and each March 1 thereafter to maturity at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date.\*]

Notice of redemption, unless waived, is to be given by the Paying Agent by mailing an official redemption notice by first class mail at least 30 days but not more than 60 days prior to the Redemption Date to the State Auditor of Missouri and each Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register maintained by the Paying Agent. Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the Redemption Date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the City defaults in the payment of the Redemption Price) such Bonds or portions of Bonds shall cease to bear interest.

The Bonds constitute general obligations of the City payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are irrevocably pledged for the prompt payment of the principal or Redemption Price of and interest on the Bonds as the same become due.

The Bonds are issuable in the form of fully-registered Bonds in the denominations of \$5,000 or any integral multiple thereof.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature, registered in the nominee name of the Securities Depository, is being issued and required to be delivered to and immobilized with the Securities Depository or with the Paying Agent as the Securities Depository's FAST Agent. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants. The Paying Agent and the City will recognize the Securities Depository nominee, while the Registered Owner of this Bond, as the owner of this Bond for all purposes, including (a) payments of principal or Redemption Price of and interest on, this Bond, (b) notices and (c) voting. Transfers of principal or Redemption Price and interest payments to participants of the Securities Depository will be the responsibility of such participants and other nominees of such Beneficial Owners. The Paying Agent and the City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal or Redemption Price of and interest on this Bond shall be made in accordance with existing arrangements between the Paying Agent, the City and the Securities Depository.

**EXCEPT AS OTHERWISE PROVIDED IN THE ORDINANCE, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.**

This Bond may be transferred or exchanged, as provided in the Ordinance, only on the Bond Register kept for that purpose at the principal payment office of the Paying Agent, or such other office designated by the Paying Agent, upon surrender of this Bond together with a written instrument of transfer or authorization for exchange satisfactory to the Paying Agent duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any authorized denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Ordinance and upon payment of the charges therein prescribed. The City and the Paying Agent may deem and treat the Person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or Redemption Price and interest due hereon and for all other purposes.

The proceedings relating to the issuance of the Bonds have been presented to and filed with the State Auditor of Missouri, who has examined the same and has issued a certificate that such proceedings comply with the laws of the State of Missouri and that the conditions of the contract under which the Bonds were ordered to be issued have been complied with.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Ordinance until the Certificate of Authentication hereon has been executed by the Paying Agent.

**IT IS HEREBY DECLARED AND CERTIFIED** that all acts, conditions and things required to be done and to exist precedent to and in the issuance of the Bonds have been done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Missouri;

that a direct annual tax upon all taxable tangible property situated in the City has been levied for the purpose of paying the principal or Redemption Price of and interest on the Bonds when due; and that the total indebtedness of the City, including this Bond and the series of which it is one, does not exceed any constitutional or statutory limitation.

**IN WITNESS WHEREOF**, the **CITY OF FLORISSANT, MISSOURI**, has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk and its official seal to be affixed or imprinted hereon.

**CERTIFICATE OF AUTHENTICATION**

**CITY OF FLORISSANT, MISSOURI**

This Bond is one of the Bonds of the issue described in the within-mentioned Ordinance.

By: \_\_\_\_\_  
Mayor

Registration Date: \_\_\_\_\_

**BOKF, NA,**  
Paying Agent

(Seal)

ATTEST:

By \_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
City Clerk

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**ASSIGNMENT**

**FOR VALUE RECEIVED**, the undersigned hereby sells, assigns and transfers unto

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Print or Type Name, Address and Social Security Number  
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ agent to transfer the within Bond on the books kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

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NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Medallion Signature Guarantee:

**EXHIBIT B  
TO ORDINANCE**

**PRELIMINARY OFFICIAL STATEMENT**

*[On file in the office of the City Clerk]*

**EXHIBIT C  
TO ORDINANCE**

**CONTINUING DISCLOSURE UNDERTAKING**

*[On file in the office of the City Clerk]*

**EXHIBIT D  
TO ORDINANCE**

**PARAMETERS OF BOND SALE**

1. Original Principal Amount: Not to exceed \$10,000,000.
2. Purchase Price: No less than 108% or more than 112% of the original principal amount of the Bonds.
3. Final Maturity: The Bonds shall not mature later than March 1, 2042.
4. True Interest Cost: Not to exceed 5.0%. “True Interest Cost” means the interest rate necessary to discount the debt service payments from the payment dates to the delivery date of the Bonds to an amount equal to the purchase price paid to the City. True Interest Cost is expressed as an annual percentage rate, and present value is computed on a semiannual basis using a 30/360 day-count convention.
5. Weighted Average Maturity: Not less than 10 years and not greater than 13 years.
6. Optional Redemption: The Bonds shall be subject to optional redemption not later than March 1, 2032.

\* \* \*

**EXHIBIT E  
TO ORDINANCE**

**FINAL TERMS CERTIFICATE**

The undersigned, on behalf of the City of Florissant, Missouri (the “City”), in connection with the issuance of the City’s General Obligation Bonds, Series 2022 (the “Bonds”), certify pursuant to **Section 210** of the Ordinance authorizing the issuance of the Bonds passed by the City Council on October 10, 2022 (the “Ordinance”), as follows:

1. Original Principal Amount. The Bonds are issued in the original principal amount of \$\_\_\_\_\_.
2. Purchase Price. The purchase price of the Bonds, which is \_\_\_\_\_% of the original principal amount of the Bonds, is calculated as follows:

Original Principal Amount	\$
Plus: [*Net*] Original Issue Premium	
Less: Underwriter’s Discount	_(_____)
Total Purchase Price	<u>\$_____</u>

3. Final Maturity of the Bonds. The final maturity of the Bonds is March 1, 20\_\_.
4. True Interest Cost. The True Interest Cost of the Bonds, determined in accordance with **Exhibit D** to the Resolution, is \_\_\_\_\_%.
5. Weighted Average Maturity. The weighted average maturity of the Bonds is \_\_\_\_\_ years.
6. Maturity Schedule. The Bonds will mature on the dates and in the amounts and bear interest at the rates that follow:

<u>Stated Maturity (March 1)</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Stated Maturity (March 1)</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>
20__	\$	%	20__	\$	%
20__			20__		
20__			20__		
20__			20__		
20__			20__		
20__			20__		
20__			20__		
20__			20__		
20__			20__		
20__			20__		

\* Term Bonds

7. Optional Redemption: At the option of the City, the Bonds maturing on March 1, 20\_\_ and thereafter may be called for redemption and payment prior to the Stated Maturity thereof on March 1, 20\_\_ and thereafter, in whole or in part at any time, in such amounts for each Stated Maturity as

shall be determined by the City at the Redemption Price of 100% of the principal amount thereof, plus accrued interest thereon to the Redemption Date.

8. [\*Mandatory Sinking Fund Redemption. The Bonds maturing in the years 20\_\_ and 20\_\_ (the “Term Bonds”) identified in paragraph 6 are subject to mandatory redemption and payment prior to the Stated Maturity thereof pursuant to the mandatory redemption requirements of **Section 301(b)** of the Ordinance at a Redemption Price of 100% of the principal amount thereof, plus accrued interest thereon to the Redemption Date on March 1 in each of the years and in the amounts set forth below:

Term Bonds Maturing March 1, 20\_\_

<u>Year</u>	<u>Principal Amount</u>
20__	\$
20__	
20__ <sup>+</sup>	

+Final Maturity

Term Bonds Maturing March 1, 20\_\_\*]

<u>Year</u>	<u>Principal Amount</u>
20__	\$
20__	
20__ <sup>+</sup>	

+Final Maturity

9. Deposit and Use of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited or disbursed simultaneously with the delivery of the Bonds, as follows:
- (a) Any accrued interest on the Bonds shall be deposited in the Debt Service Fund and applied in accordance with **Section 504** of the Ordinance.
  - (b) The balance of the proceeds derived from the sale of the Bonds (\$\_\_\_\_\_) shall be deposited in the Project Fund and shall be applied in accordance with **Section 503** of the Ordinance.

[Remainder of Page Intentionally Left Blank]

The terms set forth in this Final Terms Certificate are within the limitations of **Exhibit D** to the Ordinance.

Delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF FLORISSANT, MISSOURI**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Director of Finance

**CERTIFICATE**

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Ordinance of the City of Florissant, Missouri, adopted by the City Council on October 10, 2022 authorizing the issuance of General Obligation Bonds, Series 2022, as the same appears of record in my office, and that said Ordinance has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: October 25, 2022

(Seal)

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City Clerk of the City of  
Florissant, Missouri

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**CONTINUING DISCLOSURE UNDERTAKING**

**Dated as of October 1, 2022**

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**by the**

**CITY OF FLORISSANT, MISSOURI**

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**\$10,000,000  
General Obligation Bonds  
Series 2022**

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## CONTINUING DISCLOSURE UNDERTAKING

This **CONTINUING DISCLOSURE UNDERTAKING** dated as of October 1, 2022 (this “*Undertaking*”) is executed and delivered by the **CITY OF FLORISSANT, MISSOURI** (the “*Issuer*”).

### RECITALS

1. This Undertaking is executed and delivered by the Issuer in connection with the issuance by the Issuer of **\$10,000,000 General Obligation Bonds, Series 2022** (the “*Bonds*”), pursuant to an ordinance adopted by the governing body of the Issuer on October 10, 2022 (the “*Ordinance*”).

2. The Issuer is entering into this Undertaking for the benefit of the Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the “*Rule*”). The Issuer is the only “obligated person” (as defined by the Rule) with responsibility for continuing disclosure hereunder.

In consideration of the foregoing, the Issuer covenants and agrees as follows:

#### ***Section 1. Definitions.***

In addition to the definitions set forth in the Ordinance, which apply to any capitalized term used in this Undertaking unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“*Annual Report*” means any Annual Report filed by the Issuer pursuant to, and as described in, **Section 2** hereof.

“*Beneficial Owner*” means any registered owner of any Bonds and any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“*Business Day*” means a day other than (a) a Saturday, Sunday or legal holiday, (b) a day on which banks located in any city in which the principal corporate trust office or designated payment office of the trustee, any paying agent or the Dissemination Agent, as applicable, is located are required or authorized by law to remain closed or (c) a day on which the Securities Depository or the New York Stock Exchange is closed.

“*Dissemination Agent*” means any entity designated in writing by the Issuer to serve as dissemination agent pursuant to this Undertaking and which has filed with the Issuer a written acceptance of such designation.

“*EMMA*” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at [www.emma.msrb.org](http://www.emma.msrb.org).

“*Financial Obligation*” means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation;

or (c) guarantee of (a) or (b) in this definition; provided however, the term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

“*Fiscal Year*” means the **12-month** period beginning on **December 1** and ending on **November 30** or any other **12-month** period selected by the Issuer as its Fiscal Year for financial reporting purposes.

“*Material Events*” means any of the events listed in **Section 3** hereof.

“*MSRB*” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with the Rule.

“*Participating Underwriter*” means any of the original underwriter(s) of the Bonds required to comply with the Rule in connection with the offering of the Bonds.

## ***Section 2. Provision of Annual Reports.***

- (a) The Issuer shall, not later than **180** days after the end of the Issuer’s Fiscal Year, commencing with the Fiscal Year ending November 30, 2022, file with the MSRB, through EMMA, the following financial information and operating data (the “*Annual Report*”):
- (1) The audited financial statements of the Issuer for the prior Fiscal Year prepared in accordance with the accounting principles described in the notes to the financial statements included as **Appendix B** to the final Official Statement for the Bonds and audited by its independent auditors. If audited financial statements are not available by the time the Annual Report is required to be filed pursuant to this Section, the Annual Report shall contain unaudited financial statements in a format similar to the audited financial information contained in the final Official Statement relating to the Bonds, and the audited financial statements shall be filed in the same manner as the Annual Report promptly after they become available.
  - (2) Updates as of the end of the Fiscal Year of certain financial information and operating data related to the Bonds, as described in **Exhibit A** hereto, with such modifications to the formatting and general presentation thereof as deemed appropriate by the Issuer; provided, any substantive change to information provided shall be made only in accordance with **Section 6** hereof.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues with respect to which the Issuer is an “obligated person” (as defined by the Rule), which have been filed with the MSRB and are available through EMMA or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB on EMMA. The Issuer shall clearly identify each such other document so included by reference.

In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package and may cross-reference other information as provided in this Section; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required

above for the filing of the Annual Report if they are not available by that date. If the Issuer's Fiscal Year changes, it shall give notice of such change in the same manner as for a Material Event under **Section 3** hereof.

- (b) The Annual Report shall be filed with the MSRB in such manner and format as is prescribed by the MSRB.

**Section 3. Reporting of Material Events.**

No later than **10** Business Days after the occurrence of any of the following events, the Issuer shall give, or cause to be given, to the MSRB, through EMMA, notice of the occurrence of any of the following events with respect to the Bonds ("*Material Events*"):

- (a) principal and interest payment delinquencies;
- (b) non-payment related defaults, if material;
- (c) unscheduled draws on debt service reserves reflecting financial difficulties;
- (d) unscheduled draws on credit enhancements reflecting financial difficulties;
- (e) substitution of credit or liquidity providers, or their failure to perform;
- (f) adverse tax opinions; the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
- (g) modifications to rights of bondholders, if material;
- (h) bond calls, if material, and tender offers;
- (i) defeasances;
- (j) release, substitution or sale of property securing repayment of the Bonds, if material;
- (k) rating changes;
- (l) bankruptcy, insolvency, receivership or similar event of the Issuer (which shall be deemed to occur as provided in the Rule);
- (m) the consummation of a merger, consolidation or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (n) appointment of a successor or additional trustee or the change of name of the trustee, if material;
- (o) incurrence of a Financial Obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation of the Issuer, any of which affect security holders, if material; and
- (p) default, event of acceleration, termination event, modification of terms or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

If the Issuer has not submitted the Annual Report to the MSRB by the date required in **Section 2(a)** hereof, the Issuer shall send a notice to the MSRB of the failure of the Issuer to file in substantially the form attached hereto as **Exhibit B** on a timely basis the Annual Report, which notice shall be given by the Issuer in accordance with this **Section 3**.

***Section 4. Termination of Reporting Obligation.***

The Issuer's obligations under this Undertaking shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If the Issuer's obligations under this Undertaking are assumed in full by some other entity, such entity shall be responsible for compliance with this Undertaking in the same manner as if it were the Issuer, and the Issuer shall have no further responsibility hereunder. If such assumption occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such assumption in the same manner as for a Material Event under **Section 3** hereof.

***Section 5. Dissemination Agent.***

The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Undertaking and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign as dissemination agent hereunder at any time upon **30** days prior written notice to the Issuer. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report (including without limitation the Annual Report) prepared by the Issuer pursuant to this Undertaking.

***Section 6. Amendment; Waiver.***

Notwithstanding any other provision of this Undertaking, the Issuer may amend this Undertaking and any provision of this Undertaking may be waived, provided that bond counsel or other counsel experienced in federal securities law matters provides the Issuer with its written opinion that the undertaking of the Issuer contained herein, as so amended or after giving effect to such waiver, is in compliance with the Rule and all current amendments thereto and interpretations thereof that are applicable to this Undertaking.

In the event of any amendment or waiver of a provision of this Undertaking, the Issuer shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (a) notice of such change shall be given in the same manner as for a Material Event under **Section 3** hereof, and (b) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

***Section 7. Additional Information.***

Nothing in this Undertaking shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Undertaking or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is required by this Undertaking. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is specifically required by this Undertaking, the Issuer shall have no obligation under this Undertaking to update such information or include it in any future Annual Report or notice of occurrence of a Material Event.

***Section 8. Default.***

If the Issuer fails to comply with any provision of this Undertaking, any Participating Underwriter or any Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Undertaking. A default under this Undertaking shall not be deemed an event of default under the Ordinance or the Bonds, and the sole remedy under this Undertaking if there is any failure of the Issuer to comply with this Undertaking shall be an action to compel performance.

***Section 9. Beneficiaries.***

This Undertaking shall inure solely to the benefit of the Issuer, the Participating Underwriter and the Beneficial Owners from time to time of the Bonds and shall create no rights in any other person or entity.

***Section 10. Severability.***

If any provision in this Undertaking, the Ordinance or the Bonds shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions of this Undertaking shall not in any way be affected or impaired thereby.

***Section 11. Electronic Transactions.***

The arrangement described herein may be conducted and related documents may be sent, received or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

***Section 12. Governing Law.***

This Undertaking shall be governed by and construed in accordance with the laws of the State of Missouri.

[Remainder of Page Intentionally Left Blank.]

**IN WITNESS WHEREOF**, the Issuer has caused this Undertaking to be executed as of the day and year first above written.

**CITY OF FLORISSANT, MISSOURI**

By: \_\_\_\_\_  
Timothy J. Lowery, Mayor

**EXHIBIT A  
TO CONTINUING DISCLOSURE UNDERTAKING**

**FINANCIAL INFORMATION AND OPERATING DATA TO BE  
INCLUDED IN ANNUAL REPORT**

The financial information and operating data relating to the City contained in the tables in the following-described sections of Appendix A to the final Official Statement for the Bonds:

- (a) **“FINANCIAL INFORMATION CONCERNING THE CITY – The General Fund”**  
(but only to the extent not otherwise provided under Section 2(a)(1) above);
- (b) **“FINANCIAL INFORMATION CONCERNING THE CITY – Sources of Revenue”**
- (c) **“DEBT STRUCTURE OF THE CITY – Debt Ratios and Related Information”** (but  
excluding overlapping indebtedness ratios);
- (d) **“PROPERTY TAX INFORMATION – Property Valuations”**
- (e) **“PROPERTY TAX INFORMATION – Major Property Taxpayers.”**

**EXHIBIT B  
TO CONTINUING DISCLOSURE UNDERTAKING**

**FORM OF NOTICE OF FAILURE TO FILE ANNUAL REPORT**

**Issuer/Obligated Person:** City of Florissant, Missouri (the “City”)

**Issues to which this  
Notice relates:** General Obligation Bonds, Series 2022 (the “Bonds”)

**CUSIP Numbers for Issue to which this Report relates:**

<u>Maturity Date</u>	<u>CUSIP Number</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
2024		2034	
2025		2035	
2026		2036	
2027		2037	
2028		2038	
2029		2039	
2030		2040	
2031		2041	
2032		2042	
2033			

**NOTICE IS HEREBY GIVEN** that the City has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Undertaking dated as of October 1, 2022 by the City. [The City anticipates that the Annual Report will be provided by \_\_\_\_\_, 20\_\_.]

**For additional information, contact:**

Director of Finance  
City of Florissant, Missouri  
955 Rue St. Francois Street  
Florissant, Missouri 63031  
(314) 839-7610

**Date Submitted:** [Date]

**CITY OF FLORISSANT, MISSOURI**

1 INTRODUCED BY COUNCILMAN EAGAN  
2 SEPTEMBER 26, 2022

3  
4 BILL NO. 9822

ORDINANCE NO.

5  
6 **ORDINANCE AUTHORIZING A TRANSFER OF \$20,000 FROM BUDGET**  
7 **ACCOUNT NO. 03-5-03-52000 “STREET CONTRACTS” TO BUDGET**  
8 **ACCOUNT NO. 03-5-03-33000 “MATERIALS AND SUPPLIES” FOR THE**  
9 **ADDITIONAL CONCRETE SLAB REPLACEMENT.**

10  
11 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST. LOUIS  
12 COUNTY, MISSOURI, AS FOLLOWS:

13  
14  
15 Section 1: There is hereby authorized a transfer of \$20,000 from Budget  
16 Account No. 03-5-03-52000 “Street Contracts” to Budget Account No. 03-5-03-33000  
17 “Materials and Supplies” for additional concrete slab replacement.

18  
19 Section 2: This ordinance shall become in force and effect immediately upon its passage  
20 and approval.

21  
22 Adopted this \_\_\_\_ day of \_\_\_\_\_, 2022.

23  
24 \_\_\_\_\_  
25 Joseph Eagan  
26 President of the Council  
27 City of Florissant

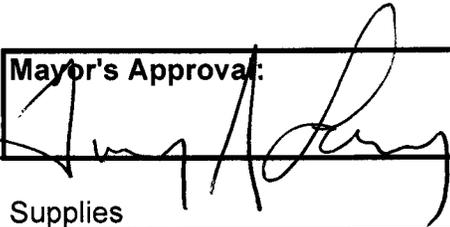
28 Approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

29  
30 \_\_\_\_\_  
31 Timothy J. Lowery  
32 Mayor, City of Florissant

33 ATTEST:

34  
35 \_\_\_\_\_  
36 Karen Goodwin, MPPA/MMC/MRCC,  
37 City Clerk

**FLORISSANT CITY COUNCIL  
AGENDA REQUEST FORM**

9/21/2022	<b>Mayor's Approval:</b> 																																				
Agenda Date Requested:	9/26/2022																																				
Description of request:	Budget transfer Material& Supplies																																				
Transfer of Funds from																																					
(See Attached Memo)																																					
Department:	Public Works																																				
Recommending Board or Commission:	N/A																																				
Type of request:	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%;">Ordinances</th> <th style="width:5%;">X</th> <th style="width:40%;">Other</th> <th style="width:5%;"></th> </tr> </thead> <tbody> <tr> <td>Appropriation</td> <td></td> <td>Liquor License</td> <td></td> </tr> <tr> <td>Transfer</td> <td>X</td> <td>Hotel License</td> <td></td> </tr> <tr> <td>Zoning Amendment</td> <td></td> <td>Special Presentations</td> <td></td> </tr> <tr> <td>Amendment</td> <td></td> <td>Resolution</td> <td></td> </tr> <tr> <td>Special Use Transfer</td> <td></td> <td>Proclamation</td> <td></td> </tr> <tr> <td>Special Use</td> <td></td> <td>Subdivision</td> <td></td> </tr> <tr> <td>Budget Amendment</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Y/N</td> <td></td> <td>Y/N</td> </tr> </tbody> </table>	Ordinances	X	Other		Appropriation		Liquor License		Transfer	X	Hotel License		Zoning Amendment		Special Presentations		Amendment		Resolution		Special Use Transfer		Proclamation		Special Use		Subdivision		Budget Amendment					Y/N		Y/N
	Ordinances	X	Other																																		
	Appropriation		Liquor License																																		
	Transfer	X	Hotel License																																		
	Zoning Amendment		Special Presentations																																		
	Amendment		Resolution																																		
	Special Use Transfer		Proclamation																																		
	Special Use		Subdivision																																		
Budget Amendment																																					
	Y/N		Y/N																																		
Public Hearing needed: Yes / No	N 3 readings? : Yes / No																																				
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<p><b>Note:</b> Please include all attachments necessary for documents to be generated for inclusion on the Agenda. All agenda requests are to be turned in to the City Clerk by 5pm on Tuesday prior to the Council meeting.</p>	<p>For City Clerk Use Only:</p> <p>Introduced by: _____</p> <p>PH Speaker: _____</p>																																				



Memo To: City Council

Date: September 22, 2022

Thru: Mayor Timothy J. Lowery

From: Todd M. Hughes, P.E.  
Director of Public Works and Health

Copy: Kimberlee Johnson

Subject: **Budget Transfer for Material & Supplies – Capital Improvement Fund**

Due to higher than forecasted material costs and better weather, the Street division would like to do more concrete slab replacement.

**Therefore, I respectfully request that \$20,000 be transferred from Capital Improvement – Street contracts Account 03-5-03-52000 to Account 03-5-03-33000 Material & Supplies.**

Thank you in advance.

Respectfully submitted,

  
\_\_\_\_\_  
Todd M Hughes, P.E.