

## *St. Louis City Ordinance 63672*

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 295

INTRODUCED BY ALDERMAN MARY ROSS

An ordinance recommended and approved by the Airport Commission, the Board of Public Service and the Board of Estimate and Apportionment establishing a project (the "Cemetery Project") at Lambert-St. Louis International Airport, providing for the acquisition of certain real and personal property rights for purposes of aviation obstruction removals and land use compatibility for parcels within Washington Park Cemetery in St. Louis County, Missouri as described herein, such authorization including the disinterment, transportation and reinterment of human remains, the removal of structures, utilities, trees and obstructions, the grading and seeding of disturbed areas, the modification, renovation and construction of office facilities for the administration of the Cemetery Project and the construction, renovation and operation of an on site field office, the securing of services for construction management, security, grief counseling and legal services, archaeology services and other services and work related to the Cemetery Project at a total estimated cost of Forty Million Dollars (\$40,000,000); appropriating One Million Dollars (\$1,000,000) from the Airport Development Fund to be expended for payment of costs for work authorized herein and providing for the receipt of supplemental appropriations, when authorized by ordinance, into this ordinance as funds become available to continue the work herein authorized; authorizing the City Counselor to acquire said real and personal property rights by purchase, lease or condemnation; authorizing the Board of Public Service to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the work authorized herein; providing that any contract let hereunder, shall be subject to the Charter of the City of St. Louis and any Missouri State Laws or Regulations applicable thereto; authorizing and directing the Comptroller of the City of St. Louis to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the Comptroller; authorizing the Director of Airports to make such applications and provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program or other programs for which these authorized expenditures might qualify and to authorize the deposit of such

reimbursements into this ordinance to partially defray the cost of the Cemetery Project; directing that all contracts let under authority of this ordinance be in compliance with all applicable minority and women or disadvantaged business enterprise requirements and in compliance with all applicable Federal, State, and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity; and containing an emergency clause.

WHEREAS, Ordinance No. 58638 approved August 20, 1982, as amended by Ordinance No. 62397 approved October 21, 1991, established and provided for the payment of the costs of an Expansion and Improvement Program at Lambert-St. Louis International Airport (the "Airport") which provided for the acquisition of real property rights for the purposes of noise mitigation, aviation obstruction removals, land use compatibility, the disinterment and reinterment of human remains from a portion of the Washington Park Cemetery as described therein (the "Cemetery Project") and other related work, as authorized therein, on property located proximate to existing Airport property in St. Louis County, Missouri;

WHEREAS, for operational and accounting purposes it is in the best interest of the City of St. Louis hereafter to separate additional legislation pertaining to the Cemetery Project from Ordinance No. 58638 approved August 20, 1982, as amended by Ordinance No. 62397 approved October 21, 1991, and to obtain renewed ordinance authority for the Cemetery Project independent of Ordinance No. 58638 as amended;

WHEREAS, the St. Louis Airport Commission, the Board of Public Service and the Board of Estimate and Apportionment, have recommended and approved this undertaking at the Airport providing for the acquisition of certain real and personal property rights for purposes of aviation obstruction removals and land use compatibility for parcels within the Washington Park Cemetery as described herein, the disinterment, transportation and reinterment of human remains, the removal of structures, utilities, trees and obstructions, the grading and seeding of disturbed areas, the modification, renovation and construction of office facilities for the administration of the Cemetery Project and the construction, renovation and operation of an on site field office, the securing of services for construction management, security, grief counseling and legal services, archaeology services and other services and work related to the Cemetery Project at a total estimated cost of Forty Million Dollars (\$40,000,000); and

WHEREAS, it is necessary to appropriate One Million Dollars (\$1,000,000) from the Airport Development Fund established under authority of Ordinance

59286, Section 13, approved October 26, 1984 to be expended for payment of costs authorized herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There is hereby established a project (the "Cemetery Project") at Lambert-St. Louis International Airport (the "Airport"), recommended and approved by the Airport Commission, the Board of Public Service and the Board of Estimate and Apportionment, providing for the acquisition of certain real and personal property rights for purposes of aviation obstruction removals and land use compatibility of parcels within Washington Park Cemetery in St. Louis County, Missouri as described herein, such authorization including the disinterment, transportation and reinterment of human remains, the removal of structures, utilities, trees and obstructions, the grading and seeding of disturbed areas, the modification, renovation and construction of office facilities for the administration of the Cemetery Project and the construction, renovation and operation of an on site field office, the securing of services for construction management, security, grief counseling and legal services, archaeology services and other services and work related to the Cemetery Project and to said parcels in an area of the Washington Park Cemetery owned by the City of St. Louis generally located in the following described boundaries for a total estimated cost of Forty Million Dollars (\$40,000,000).

A. A tract of land being part of Lot 5 of Lewellyn Brown Estate; part of Section 13 of Washington Park Cemetery per Plat Book 40 Page 41; part of Section 14 of Washington Park Cemetery per Plat Book 40 Page 39; and part of Section 15 of Washington Park Cemetery per Plat Book 40 Page 40, all in U.S. Survey 656, Township 46 North, Range 6 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the intersection of the Northeastern corner of a tract of land conveyed to Younger Cemetery per the deed recorded in Book 8010 Page 989 Parcel No. 1 of the St. Louis County Records, the Southeastern corner of a tract of land conveyed to the City of St. Louis per the deed recorded in Book 6587 Page 9 Parcel No. 1 of the St. Louis County Records, and the Eastern line of Lot 5 of Lewellyn Brown Estate; thence South 08 degrees 15 minutes 01 seconds West along the Eastern line of Lot 5 of Lewellyn Brown Estate, 338.63 feet to a point at the Northeastern corner of a tract of land conveyed to Drury Displays, Inc. per the deed recorded in Book 8008 Page 1601 Parcel No. 2; thence leaving the Eastern line of Lewellyn Brown Estate along the Northern property line of said Drury Displays, Inc., North 71 degrees 11 minutes 59 seconds West, 506.88 feet to a point; thence along a curve to the right whose

radius point bears North 64 degrees 57 minutes 42 seconds West, 63.58 feet from the last described point with an arc length of 91.60 feet to the point of tangency; thence North 66 degrees 24 minutes 59 seconds West, 381.50 feet to a point on the Eastern right-of-way line of Country Day Drive, 40.00 feet wide (abandoned); thence leaving said Northern property line of said Drury Displays, Inc., along said Eastern right-of-way line North 38 degrees 24 minutes 23 seconds East, 279.79 feet to a point; thence North 23 degrees 56 minutes 31 seconds East, 487.20 feet to the Southwestern corner of a tract of land conveyed to the City of St. Louis per the deed recorded in Book 6587 Page 9 Parcel No. 1 of the St. Louis County Records; thence leaving said Eastern right-of-way line of Country Day Drive along the Southern property line of said City of St. Louis tract along a curve to the left whose radius point bears North 25 degrees 09 minutes 03 seconds East, 20.00 feet from the last described point with an arc length of 7.76 feet to the point of tangency; thence South 87 degrees 06 minutes 19 seconds East, 1.30 feet to a point; thence along a curve to the right whose radius point bears South 02 degrees 53 minutes 41 seconds West, 71.31 feet from the last described point with an arc length of 100.15 to the point of tangency; thence South 06 degrees 38 minutes 19 seconds East, 68.03 feet to a point; thence along a curve to the left whose radius point bears North 83 degrees 21 minutes 41 seconds East, 451.70 feet from the last described point with an arc length of 248.11 feet to the point of tangency; thence South 38 degrees 08 minutes 49 seconds East, 70.89 feet to a point; thence along a curve to the left whose radius point bears North 51 degrees 51 minutes 11 seconds East, 176.08 feet from the last described point with an arc length of 72.37 feet to the point of tangency; thence South 61 degrees 41 minutes 49 seconds East, 204.93 feet to a point; thence South 67 degrees 08 minutes 35 seconds East, 137.75 feet to the point of beginning and containing 9.157 acres per calculations by Bax Engineering Company, Inc. during the month of October 1991. The basis of bearings for this description is the centerline of Interstate Highway 70 as shown on the plans of the Interstate Highway 70 and Highway I-170 interchanges, Project No. I-170-5 (137).

SECTION TWO. There is hereby authorized an initial appropriation of One Million Dollars (\$1,000,000) from the Airport Development Fund established under Ordinance No. 59286, Section 13, approved October 26, 1984 to be expended for payment of costs authorized herein and providing for the receipt of supplemental appropriations when authorized by ordinance into this ordinance as funds become available to continue the Cemetery Project.

SECTION THREE. The City Counselor of the City of St. Louis is hereby authorized to acquire said property rights by purchase, lease, or condemnation.

SECTION FOUR. The Board of Public Service is hereby authorized to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the Cemetery Project.

SECTION FIVE. It is hereby provided that any contract let hereunder, shall be subject to the Charter of the City of St. Louis and any Missouri State Laws or Regulations applicable there.

SECTION SIX. The Comptroller of the City of St. Louis is hereby authorized to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the Comptroller of the City of St. Louis.

SECTION SEVEN. The Director of Airports is hereby authorized to make such applications, to provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program or other programs for projects herein authorized where such costs are deemed eligible and monies made available for reimbursement under Federal law or contract and to authorize the deposit of such reimbursements into this ordinance to partially defray the cost of the Cemetery Project;

SECTION EIGHT. All contracts let under authority of this ordinance shall be in compliance with all applicable minority and women or disadvantage business enterprise requirements and in compliance with all applicable Federal, State and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity.

SECTION NINE. This being an ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV., Section 20 of the City Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

<b>Legislative History</b>				
<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>01/26/96</b>	<b>01/26/96</b>	<b>T&amp;C</b>		
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>

<b>02/23/96</b>			<b>03/01/96</b>	<b>03/08/96</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>63672</b>				