



**AGENDA REVIEW MEETING  
CHESTERFIELD CITY COUNCIL  
Wednesday, October 7, 2015  
6:30PM**

- 1. Appointments – Mayor Bob Nation**
  - A. ARB**
  - B. Police Board Personnel**
  - C. Vacancy – City Councilmember, Ward I**
  
- 2. Public Health & Safety Committee – Chairperson Elliot Grissom, Ward II**
  - A. Endorsement of Nominee to Police Personnel Board (See: “APPOINTMENTS” paragraph)**
  - B. Bill No. 3054 – Amends Ordinance No. 236 re: “Community Service” (FIRST READING)**
  - C. Bill No. 3055 – Authorizes City Administrator to Sign MoDOT “Work Zone Enforcement” Grant application (FIRST READING)**
  - D. Proposed Budget Amendment/Transfer from General Fund – Fund Reserves re: Expedited Purchase of Police Vehicles (VOICE VOTE)**
  
- 3. Planning and Public Works Committee – Chairperson Connie Fults, Ward IV**
  - A. Recommendation re: General Fund Budget Transfer re: Street Tree Removal Program (VOICE VOTE)**
  - B. Bill No. 3056 - P.Z. 06-2015 - Chesterfield Airport Road (Autozone) (FIRST READING)**

**4. Report from the City Administrator – Michael G. Herring**

**A. Liquor License Requests –**

1. Starbucks Evenings
2. Addie's Thai House

**B. Resolution No. 416 – Authorizes Application For Municipal Parks Grant Funding Re: Veteran's Honor Park**

**C.**

**5. New Business –Mayor Bob Nation**

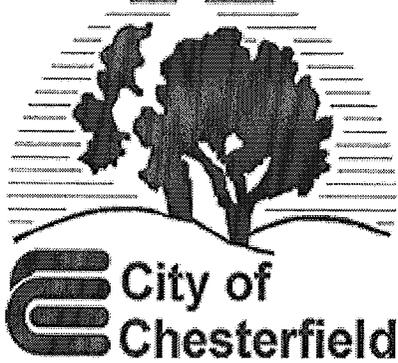
**6. Adjourn –**

**7. Executive Session (Closed Meeting)- RSMo 610.210(1)**

- A. Confidential/Privileged communication by/with the City Attorney.**

**NOTE:** City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees within employee groups (RSMo 610.021(3) 1994; bidding specification (RSMo 610.021(11) 1994; and/or proprietary technological materials (RSMo 610.021(15) 1994.



**AGENDA**  
**CHESTERFIELD CITY COUNCIL MEETING**  
**Chesterfield City Hall**  
**690 Chesterfield Parkway West**  
**Wednesday, October 7, 2015**  
**7:00PM**

- I. CALL TO ORDER** – Mayor Bob Nation
  
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
  
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
  
- IV. ROLL CALL** –City Clerk Vickie Hass
  
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
  - A. City Council Meeting Minutes** – September 9, 2015
  
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
  - A. Next City Council Meeting** – Monday, October 19
  
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
  - A. Proclamation** – National Community Planning Month

**VIII. APPOINTMENTS – Mayor Bob Nation**

**A. ARB**

**B. Police Board Personnel**

**C. Vacancy – City Councilmember, Ward I**

**IX. COUNCIL COMMITTEE REPORTS**

**A. Public Health & Safety Committee – Chairperson Elliot Grissom, Ward II**

1. Endorsement of Nominee to **Police Personnel Board** (See: “**APPOINTMENTS**” paragraph)
2. **Bill No. 3054** – Amends Ordinance No. 236 re: “Community Service” (**FIRST READING**)
3. **Bill No. 3055** – Authorizes City Administrator to Sign MoDOT “Work Zone Enforcement” Grant application (**FIRST READING**)
4. Proposed Budget Amendment/Transfer from General Fund – Fund Reserves re: **Expedited Purchase of Police Vehicles** (**VOICE VOTE**)

**B. Planning and Public Works Committee – Chairperson Connie Fults, Ward IV**

1. **Recommendation re: General Fund Budget Transfer re: Street Tree Removal Program** (**VOICE VOTE**)
2. **Bill No. 3056 - P.Z. 06-2015 - Chesterfield Airport Road (Autozone)** (**FIRST READING**)

**X. REPORT FROM THE CITY ADMINISTRATOR – Michael G. Herring**

**A. Liquor License Request –**

1. Starbucks Evenings
2. Addie’s Thai House

**B. Resolution No. 416 – Authorizes Application For Municipal Parks Grant Funding Re: Veteran’s Honor Park**

**C.**

**XI. OLD BUSINESS – Mayor Bob Nation**

## **XII. NEW BUSINESS – Mayor Bob Nation**

## **XIII. LEGISLATION**

- A. BILL NO. 3054 – AMENDS ORDINANCE 283 OF THE CITY OF CHESTERFIELD BY REPEALING SAID ORDINANCE RELATING TO ALTERNATIVE COMMUNITY SERVICE AND SUBSTITUTING A NEW ORDINANCE IN LIEU THEREOF (FIRST READING)**
- B. BILL NO. 3055 – AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO AN ON-CALL WORK ZONE ENFORCEMENT AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) TO ALLOW COOPERATION BETWEEN THE CHESTERFIELD POLICE DEPARTMENT AND MoDOT FOR THE ON-CALL WORK ZONE ENFORCEMENT PROGRAM (FIRST READING)**

## **XIV. LEGISLATION – PLANNING COMMISSION**

- A. BILL NO. 3056 - AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 1.77 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD WEST OF ITS INTERSECTION WITH ARNAGE BOULEVARD. (FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

## **XV. ADJOURNMENT**

**NOTE:** City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

**Notice** is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City’s representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3) 1994; bidding specification (RSMo 610.021(11) 1994; and/or proprietary technological materials (RSMo 610.021(15) 1994.

**AGENDA REVIEW – Wednesday, October 7 – 6:30PM**

Please note that an AGENDA REVIEW meeting has been scheduled for **6:30pm**, on Wednesday, October 7, 2015. The enclosed AGENDA contains a list of those items to be discussed, by City Council, at this meeting.

As always, if you have any questions regarding any of the items contained within said AGENDA, please let me know. Additionally, if there is anything that you would like ADDED to said AGENDA, please contact either Mayor Nation, or me, prior to Wednesday's meeting.

**NEXT MEETING – WEDNESDAY, OCTOBER 7, 2015**

Please note that the next meeting of City Council will take place on Wednesday, October 7. Each year, City Clerk Vickie Hass forwards a potential list of City Council meetings to the Jewish Community Relations Council. That organization identified **Monday, October 5, as a Jewish holiday (Shemini Atzeret) and affirmed that those of the Jewish faith would not be able to attend a meeting on that date.** It has long been the custom/policy of City Council to avoid such dates for meetings of City Council, City Council Committees and the Planning Commission.

If you have any questions, please contact Ms. Hass or me.

## VACANCY ON CITY COUNCIL

Due to the passing of Councilmember Nancy Greenwood, there is currently a vacancy on City Council, from Ward I. According to City Attorney Harry O'Rourke, **State Law provides that any such vacancy could be filled by the Mayor, who has exclusive authority to nominate someone for this position. However, the Mayor's nominee must be approved by a MAJORITY of City Council.**

PLEASE NOTE that a **SPECIAL ELECTION will be scheduled, for April, 2016, to fill the remaining one year of Councilmember Greenwood's term.** As a result, the qualifying period for the next City election is December 15, 2015 – January 19, 2016 will now apply to both City Council seats, from Ward I, in addition to one year, from Wards II, III and IV.

If you have any questions, please let me know.

## Michael Herring

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**From:** Michael Herring  
**Sent:** Monday, September 21, 2015 9:29 AM  
**To:** 'Barry Flachsbart '; 'Bob Nation'; 'Bridget Nations'; Bruce DeGroot; 'cohibacasey@msn.com'; 'CONNIE FULTS (cfults@charter.net)'; 'Dan Hurt'; 'elliott@grissoms.net'; 'horourke@smhhlaw.com'; 'Michael Herring'; 'Nancy Greenwood'  
**Cc:** Aimee Nassif; Craig White (cwhite@chesterfield.mo.us); Ed Nestor; Jim Eckrich; Libbey Tucker; Mike Geisel; Ray Johnson; Steve Lewis; Thomas McCarthy  
**Subject:** Memorial Service - Nancy Greenwood

I just spoke with Steve Greenwood and his daughter, Kari. A memorial service, for Nancy Greenwood, has now been scheduled at City Hall, for Saturday, 10/17, starting at 11am. Please mark your calendars and plan to attend. TY! MGH

Michael G. Herring, MPA  
City Administrator  
Chesterfield, Missouri

**UPCOMING MEETINGS/EVENTS**

<b>Wednesday, October 7</b>	<b>HAPPY BIRTHDAY TO CAPTAIN LEWIS!</b>
<b>Thursday, October 8</b>	Planning & Public Works Committee (5:30pm)
<b>Monday, October 12</b>	Planning Commission (7pm)
<b>Saturday, October 17</b>	Memorial Service for Councilmember Nancy Greenwood (11am)
<b>Monday, October 19</b>	Next City Council meeting (7pm)



## RECORD OF PROCEEDING

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### MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST

**SEPTEMBER 9, 2015**

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The meeting was called to order at 7 p.m.

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

Mayor Bob Nation  
Councilmember Barry Flachsbart  
Councilmember Bridget Nations  
Councilmember G. Elliot Grissom  
Councilmember Mike Casey  
Councilmember Dan Hurt  
Councilmember Bruce DeGroot  
Councilmember Connie Fults

ABSENT

Councilmember Nancy Greenwood

APPROVAL OF MINUTES

The minutes of the August 17, 2015 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Nations, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, September 21, at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Mr. Jeff Barnett, 1 City Place Drive, St. Louis, stated he was available to answer questions related to TSP 49-2015, Sprint (1850 Baxter Road).

## **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

### **Planning/Public Works Committee**

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3049 (P.Z. 04-2015: Arbors at Wilmas Farm – Rezoning [17508 Wild Horse Creek Road]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 3050 (P.Z. 05-2015: Arbors at Wilmas Farm – PUD [17508 Wild Horse Creek Road]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to approve TSP 49-2015, Sprint (1850 Baxter Rd). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, September 10, at 5:30 p.m.

## **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that International Tap & Bottle House, located at 161 Long Road, #107, has requested an upgrade to a full liquor license to sell liquor by the drink and Sunday sales. Mr. Herring reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Services Division and Police Department. Councilmember Casey made a motion, seconded by Councilmember Grissom, to approve issuance of a new liquor license to International Tap & Bottle House. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Staff is recommending approval of a contract for 2015 Accessible Sidewalk Ramp Improvements, to be funded by the Community Development Block Grant (CDBG) process, which is administered by St. Louis County. Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Herring joined with him in recommending award of a contract to R.V. Wagner, in an amount not to exceed \$41,900, which equals the total allocation of CDBG funds provided to the City. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring asked for approval of Resolution No. 414, which approves issuance of industrial development revenue bonds. The Industrial Development Authority (Authority) of St. Louis County is seeking authorization, from the City of Chesterfield, to issue Industrial Development Revenue Bonds. These bonds will be used to refund bonds issued by the Authority in 2007, and previously approved by the City of Chesterfield, and to finance a new project at The Willows at Brooking Park, which will add 45 independent living units, a parking structure and other improvements. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to adopt Resolution No. 414. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION – PLANNING COMMISSION**

BILL NO. 3049      AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON URBAN DISTRICT TO AN “E-1” ESTATE ONE ACRE DISTRICT FOR A 50.5279 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD WEST OF ITS INTERSECTION WITH LONG ROAD AND EAST OF ITS INTERSECTION WITH ARBOR GROVE COURT (P.Z. 04-2015 ARBORS AT WILMAS FARM {17508 WILD HORSE CREEK ROAD} 18V330035) **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 3049. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3049 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3049 with the

following results: Ayes – Casey, Grissom, Hurt, Flachsbart, Fults, Nations and DeGroot. Nays – None. Whereupon Mayor Nation declared Bill No. 3049 approved, passed it and it became **ORDINANCE NO. 2868.**

**BILL NO. 3050** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “E-1” ESTATE ONE ACRE DISTRICT TO A “PUD” PLANNED UNIT DEVELOPMENT FOR A 50.5279 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD WEST OF ITS INTERSECTION WITH LONG ROAD AND EAST OF ITS INTERSECTION WITH ARBOR GROVE COURT (P.Z. 05-2015 ARBORS AT WILMAS FARM {17508 WILD HORSE CREEK ROAD} 18V330035) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 3050. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3050 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3050 with the following results: Ayes – Hurt, Fults, DeGroot, Nations, Casey, Flachsbart and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 3050 approved, passed it and it became **ORDINANCE NO. 2869.**

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:14 p.m.

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Mayor Bob Nation

**ATTEST:**

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Vickie J. Hass, City Clerk

**PROCLAMATION – NATIONAL COMMUNITY PLANNING MONTH**

Mayor Nation will present the enclosed PROCLAMATION to Mike Geisel, Director of Public Services and Aimee Nassif, Planning/Development Services Director, at Wednesday's meeting.

If you have any questions, please contact either Mr. Geisel, Ms. Nassif or me.



# PROCLAMATION

- WHEREAS,** *change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and,*
- WHEREAS,** *community planning and plans can help manage this change in a way that provides better choices for how people work and live; and,*
- WHEREAS,** *community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and,*
- WHEREAS,** *the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and,*
- WHEREAS,** *the month of October is designated as National Community Planning Month throughout the United States of America and its territories; and*
- WHEREAS,** *The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and*
- WHEREAS,** *the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of Chesterfield; and*
- WHEREAS,** *we recognize the many valuable contributions made by professional community and regional planners of the City of Chesterfield and extend our heartfelt thanks for the continued commitment to public service by these professionals.*

**NOW, THEREFORE, I, BOB NATION, MAYOR OF THE CITY OF CHESTERFIELD, DO HEREBY PROCLAIM THE MONTH OF OCTOBER 2015 AS**

## ***COMMUNITY PLANNING MONTH IN THE CITY OF CHESTERFIELD***

\_\_\_\_\_  
Mayor Bob Nation

**ATTEST:**

\_\_\_\_\_  
Vickie Hass, City Clerk

## APPOINTMENTS

As detailed in the enclosed MEMO, City Clerk Vickie Hass has confirmed that Mayor Nation plans to **re-appoint Mr. Bud Gruchella**, as a member of the **ARB**. If approved by City Council, his two-year **term would expire 8/29/17**. Councilmember Flachsbart, Ward I, supports Mr. Gruchella's re-appointment. Please contact Mayor Nation and/or Councilmember Flachsbart, if you have any questions/concerns, prior to Wednesday's meeting.

Having secured the endorsement of the PH&S Committee, as required by City Council policy, Mayor Nation has indicated his intention to **nominate Mr. John W. Nichols, III**, to serve as a member of the **Police Personnel Board**, replacing Mr. Philip Folsom, who recently resigned. Both Ward 4 Councilmembers have also endorsed Mr. Nichols' appointment. If approved by City Council, Mr. Nichols' **3-year term would expire August 15, 2018**. Please contact Mayor Nation, Councilmember Elliot Grissom, Chairperson – PH&S Committee, Chief Johnson or me, prior to Wednesday's meeting, if you have any questions.

Mayor Nation has also notified me (see attached) of his intention to nominate someone, whom he will announce at Wednesday's meeting, **to fill the vacancy in Ward I**, created by the recent passing of Councilmember Nancy Greenwood. Approval of the Mayor's nomination, to fill this vacancy on City Council, requires an affirmative vote of **FOUR** of the remaining **SEVEN** members of City Council. If approved by City Council, **his/her term would expire April 5, 2016**. That person could, of course, seek election at that time, to fill the one-year remaining on Councilmember Greenwood's term, by qualifying in December. Please contact Mayor Nation prior to Wednesday's meeting, if you have any questions.



## MEMORANDUM

DATE: September 22, 2015  
TO: Michael G. Herring, City Administrator  
FROM: Vickie Hass, City Clerk  
SUBJECT: Re-Appointment to Architectural Review Board

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Mayor Nation intends to nominate the following individual for re-appointment at the October 7, 2015 City Council meeting:

### **Architectural Review Board**

Bud Gruchalla  
14015 Camberra Court  
Chesterfield, MO 63017  
New two-year term expires **8/29/17**

This re-appointment has the support of Councilmember Flachsbart. Please list this re-appointment on the October 7 City Council agenda.

*✓ MGH*  
*9/23/15*

**John W. Nichols III**

132 Brighthurst Dr  
Chesterfield, MO 63005  
(636) 532 2383



**Experience and Education**

**2007 to present – Vice –President and Co-Founder** of Big Picture Ministries, LLC, a Christian organization devoted to encouraging spiritual growth by providing resources and services designed to help people better understand the message of the Bible.

**2003 to present – Board member** at O.A.S.I.S Food Pantry, St. Charles, Missouri, 63301. Responsibilities also include coordinating all OASIS driver pickups.

**2011** - Second Mission Trip to the Kwa Zulu Natal District of South Africa to render physical and spiritual assistance to HIV/AIDS affected orphans.

**2010** – First mission trip to the Kwa Zulu Natal District of South Africa to help HIV/AIDS affected orphans.

**2007** – Retired from St. Louis Public School System.

**1990 to 2007 – High School Teacher**, St. Louis Public School System, St. Louis, Missouri, 63101.

**1988 to 1990 – Research Associate**, Marketing Horizons, Creve Coeur, Missouri, 63141.

**1983** – Received Master of Arts degree in Business Administration (MBA), Southern Illinois University at Edwardsville, Edwardsville, Illinois, 62026.

**1980 to 1988 – Consultant**, owned and operated market research practice, aka, Genesis, St. Louis, Missouri, 63120.

**1979 – Chief Planner**, Economic Opportunity Commission of St. Clair County, East St. Louis, Illinois, 62201.

**1978 to 1979 – Metropolitan Development Planner**, East-West Gateway Coordinating Council, St. Louis, Missouri, 63101.

**1977** – Received Master of Science degree in City and Regional Planning (MSCRP), Southern Illinois University at Edwardsville, Edwardsville, Illinois, 62026.

**1977 – Project Planner**, Ozark Gateway Council of Governments, Joplin, Missouri, 64801.

**1976 – Research Assistant**, Southwestern Illinois Metropolitan and Regional Planning Commission, Collinsville, Illinois, 62234.

**1974** – Received Bachelor of Arts degree in Sociology, Washington University, St. Louis, Missouri, 63130.

**1964 to 1970** – Assorted hourly wage jobs.

**1960 to 1963** – Served as enlisted airman in **United States Air Force**, Beale Air Force Base, California, 95903.

**1960** – Graduated from **O’Fallon Tech High School**, St. Louis, Missouri, 63110.

**1942, March 27** – Birthdate

## Michael Herring

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**From:** rsnation@aol.com  
**Sent:** Friday, October 02, 2015 10:37 AM  
**To:** Michael Herring  
**Cc:** Harry O'Rourke (horourke@smhhlaw.com); Barry Flachsbart (Barryf@mst.edu)  
**Subject:** Re: Council vacancy and appointment

Mike,

I am confirming my intention to nominate a resident to fill the vacancy. Unless legally required, at this time, I prefer not to name my selection as I have not decided which candidate to nominate.

Best Regards,

Bob Nation, Mayor  
City of Chesterfield  
314 249-8725

> On Oct 2, 2015, at 10:07 AM, Michael Herring <mherring@chesterfield.mo.us> wrote:

>

> Mayor: I will proceed with adding this to the 10/7 City Council meeting AGENDA, as you have requested, below. FYI, I checked with Mr. O'Rourke and confirmed that there is NO NEED for a formal "declaration of vacancy". The position officially became "vacant", when Nancy passed away. All that I will need is confirmation from you (an EMAIL response to my EMAIL will certainly suffice) re: whom you will be nominating to fill this vacancy. I will need his/her name and address and anything else you might wish to add. I will include a copy of your email in the packet, so that City Council can review, prior to next Wednesday's meeting. I will need your EMAIL response ASAP, if possible, as I'm trying to finish everything and distribute same to everyone TODAY. MGH

>

> Michael G. Herring, MPA  
> City Administrator  
> Chesterfield, Missouri

>

> -----Original Message-----

> From: Bob Nation [mailto:rsnation@aol.com]

> Sent: Friday, October 02, 2015 9:25 AM

> To: Michael Herring <mherring@chesterfield.mo.us>

> Cc: Harry O'Rourke <horourke@smhhlaw.com>; Barry B. Flachsbart  
<barryf@mst.edu>

> Subject: Council vacancy and appointment

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> Mike,

> With the recommendation of Ward 1 Council Member Flachsbart, I would like  
> for the agenda for the 10/7 council meeting to include a declaration of vacancy (if  
> necessary/appropriate), and the nomination for appointment to fill the vacancy.

Thanks!

>

> Best Regards,

>

> Bob Nation, Mayor

> City of Chesterfield

> 314 249-8725

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> \_\_\_\_\_

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## **RECOMMENDATIONS – PUBLIC HEALTH AND SAFETY (PH&S) COMMITTEE**

As detailed in the enclosed MINUTES, prepared by Chief Ray Johnson, the PH&S Committee met on Wednesday, September 16, 2015.

The following is a list of the actions taken/recommendations made by this Committee, which will be discussed, at Wednesday's City Council meeting:

2. Endorsement of Nominee to **Police Personnel Board** (See: "APPOINTMENTS" paragraph)
3. **Bill No. 3054** – Amends Ordinance No. 236 re: "Community Service" (**FIRST READING**)
5. **Bill No. 3055** – Authorizes City Administrator to Sign MoDOT "Work Zone Enforcement" Grant application (**FIRST READING**)
6. Proposed Budget Amendment/Transfer from General Fund – Fund Reserves re: **Expedited Purchase of Police Vehicles (VOICE VOTE)**

If you have any questions, please contact Chairperson Elliot Grissom, any other member of this Committee, Chief Johnson or me, prior to Wednesday's meeting.

## MEMORANDUM

DATE: September 21, 2015  
TO: Michael G. Herring, City Administrator  
FROM: Chief Ray Johnson   
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE MEETING

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The Public Health and Safety (PH&S) Committee met on Wednesday, September 16, 2015. Those in attendance included Chairperson Elliot Grissom, Councilmember - Ward II, Councilmember Michael Casey, Ward III, Councilmember Connie Fults, Ward IV, Mayor Bob Nation, Chief Ray Johnson and City Administrator Mike Herring. Those also in attendance included Councilmember Dan Hurt, Ward III, Councilmember Bruce DeGroot, Ward IV, Municipal Court Judge Rick Brunk, Captain Ed Nestor, Captain Steve Lewis and four visitors.

The meeting was called to order at 5:30 PM, by Chairperson Grissom.

*★ TO BE DISCUSSED AT WEDNESDAY MTG, 10/7*

1. **Approval of Minutes – January 29, 2015**

Councilmember Casey motioned and Councilmember Fults seconded to approve the minutes from the January 29, 2015 PH&S Committee meeting. The motion carried 3-0.

★ 2. **Candidate Interview – Police Personnel Board**

Chairperson Grissom informed the Committee members that there is currently an opening on the Police Personnel Board due to the resignation of Mr. Philip Folsom. He introduced Mr. John Nichols who has been nominated for the open position by Mayor Nation, with the support/endorsement of Councilmember Connie Fults and Councilmember DeGroot. Councilmember Fults noted Mr. Nichols' extensive background as a member of various civic boards and charitable organizations within the metropolitan area and also his career experiences. After commending Mr. Nichols for his willingness to serve, Councilmember Fults motioned and Councilmember Casey seconded to recommend Mr. Nichols appointment to the Police Personnel Board to City Council. The motion carried 3-0. Mr. Herring noted that, with the Committee's endorsement, Mr. Nichols' nomination, by Mayor Nation, will now be placed on the October 7 City Council meeting AGENDA.

★ 3. **Proposed Amendment to Ordinance No. 236 re: "Community Service"**

Chief Johnson presented a proposed amendment to Ordinance 236 regarding Alternative Community Service (ACS). Judge Brunk explained to the Committee members that the current ordinance allows community service if supervised by a Dept. Head. Previously, this supervision was provided by either a Reserve Officer or a regular Police Officer. This practice, however, was discontinued. Judge Brunk noted that the newly enacted Senate Bill 5 requires courts to offer ACS as an alternative to court fines. With this in mind, the proposed ordinance would allow the Municipal Court to assign community service, if a defendant requests, to an approved program either within or outside of Chesterfield City Limits, without requiring supervision by a City employee, etc. The Municipal Court would be provided with contact information for approved programs and would have approval of any assignment.

Councilmember Grissom inquired about liability insurance coverage for those assigned to ACS. Judge Brunk replied that the participants are covered as long as they are participating in a supervised and approved program.

Councilmember Casey motioned and Councilmember Fults seconded to recommend to City Council the repeal the current ordinance and replace it with this proposed ordinance. The motion carried 3-0. *(SEE BILL # 3054)*

4. **Proposed Amendment to Ordinance No. 148, Section 5-17, "Animals at Large"**

Chief Johnson introduced this item to the Committee members as a result of a concern voiced by a citizen. At this time, the current ordinance requires a dog to be on a leash unless it is not more than fifty (50) feet from a person to whose command the dog is obedient. The concern voiced by a resident is that owners sometimes do not have verbal control of their animal even when it is within the allowed fifty feet distance allowed by the ordinance. After discussion, it was agreed that the situation described by the citizen was an infraction of the current ordinance and should be handled as a violation of the ordinance in effect

Councilmember Grissom made a motion to amend the current ordinance, to better address the situation described above. The motion died for lack of a second.

★ 5. **Recommendation to Authorize Agreement re: MoDOT Work Zone Enforcement Grant**

Chief Johnson informed the Committee of the availability of State grant money through MoDOT, which would provide funding for the Police Department to participate in work zone safety enforcement (traffic control and lane closures) in designated MoDOT work zones, within the City of Chesterfield. The grant timeline begins in 2016 and runs through 2018 and is a "no match" grant, in the amount of \$15,000.00, for 2016. This money would provide for overtime costs for Police Officers working in designated State work zone areas. Participation in the grant requires the City of Chesterfield to adopt an ordinance authorizing the City Administrator to enter into the agreement with MoDOT.

Councilmember Casey motioned and Councilmember Fults seconded to forward the proposed ordinance to City Council, for approval. The motion carried 3-0. *(SEE BILL # 3055)*

★ 6. **Recommendation to amend FY2015 Budget re: purchase of 2016 Chevy Impalas**

Chief Johnson related to the Committee members that the Chevy Impala is being discontinued after the 2016 models. The Chevy Impala is currently the vehicle used as police vehicles. He noted that the 2016 vehicles will only be available for orders placed by November 1, 2015. The Police Department purchases vehicles offered at State bid costs and the Impala model is the least costly of those vehicles offered. If the vehicles are ordered by November 1, 2015, they will not be delivered until 2016. The cost savings for the Chevrolet Impala over other vehicles offered for purchase by State bid would be approximately \$90,000.00: \$60,000.00 for the purchase of replacement vehicles and \$30,000.00 for the outfitting new vehicle models. To order the 2016 vehicles, an adjustment is needed in the current (2015) budget to issue a purchase order. Chief Johnson noted that there would then be no vehicles budgeted in the 2016 budget. Councilmember Casey voiced his approval of this proposal and motioned to approve the request for amending the Police Department's 2015 budget to allow the purchase of these vehicles in the 2015 budget, by transferring the necessary funds from General Fund – Fund Reserves. Councilmember Fults seconded. The motion carried 3-0.

7. **CAPY Proposal For Fundraising**

Chief Johnson informed the Committee members that he had received a request from the CAPY (Chesterfield Alliance for Positive Youth) to allow fund raising activities to solicit funds from area businesses to provide additional funding for CAPY programs. Mr. Earl Barge, Chairman of CAPY, addressed the Committee and noted that currently CAPY is allowed \$3,000.00 each year to provide give-away items such as wrist bands and water bottles, and to pay for an annual pool party and a winter event. Mr. Barge reported that the \$3,000.00 budgeted is inadequate to support the planned activities and requested permission to solicit additional funding from the community.

Following additional discussion, Mr. Casey suggested that the City of Chesterfield consider adding additional budget funding for CAPY rather than allowing CAPY to solicit businesses for additional funding. Councilmember Casey motioned and Councilmember Fults seconded to recommend that the Budget appropriation for CAPY be increased, from \$3,000/year to \$6,000/year, starting with the FY2016 Budget. Mr. Herring noted this this recommendation will now be included in the proposed budget that he submits to City Council for review/approval, later this year.

8. **Regulation of Drones**

Councilmember Hurt restated his previous request, that the City consider regulation of drones and asked Chief Johnson if he was currently developing any recommendations. Councilmember Hurt voiced his support to develop a plan now to regulate the operation of drones at altitudes under 500 feet and prohibiting their operation over private property. Chief Johnson indicated that this task was likely beyond the ability of him and his Staff and suggested that regulations of drones should probably best be handled by the FAA. Councilmember Hurt responded that he would develop proposed regulations and would forward them for review/consideration by this Committee, at a future meeting.

Having no other business, the meeting adjourned at 6:45 PM.

Ray Johnson

3

**From:** Rick Brunk <rblawyer@aol.com>  
**Sent:** Wednesday, August 19, 2015 2:11 PM  
**To:** Ray Johnson  
**Cc:** horourke@smhhlaw.com  
**Subject:** Re: Proposed Ord. re: alternative community service

Chief,

Pursuant to your request, below is a summary of the situation re: Alternative Community Service (ACS).

The City's current ordinance requires that ACS be supervised by a department head. Previously, Reserve Officers, and subsequently, Regular Officers supervised ACS work details within the city. For whatever reason, that process was discontinued.

The Court should not allow/order ACS except as authorized by city ordinance. Requiring the ACS to be performed, essentially for the City, with no other option, may be problematic.

Part of SB 5 requires courts to offer ACS as an alternative to fine(s). To simply return to ACS supervised by a department head at this juncture may satisfy the *letter* of the law, but not the *spirit* of the law because some may be unable to perform ACS according to the City's limited schedule, transportation issues, physical capacity of a particular defendant, etc..

Because SB 5 requires a change, Rob Heege and I thought a more comprehensive approach would be preferable to just editing the current ordinance. We think the version you have will satisfy the letter *and* spirit of the SB 5 requirements. I think Harry O'Rourke has a copy of the version Rob provided. He should be consulted.

I will be pleased to attend the committee meeting(s) if schedule allows.

Let me know if you need anything further.

Rick

SEE BILL #

3054

✓ MBM

## Ray Johnson

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**From:** Ray Johnson  
**Sent:** Friday, August 21, 2015 2:33 PM  
**To:** horourke@smhhlaw.com  
**Subject:** Proposed Ordinance  
**Attachments:** Proposed Ordinance - Community Service.pdf

Mr. O'Rourke..... our current ordinance 238 allows the Court to assign defendants to community service in lieu of a fine or imprisonment, but only on "public streets, highways and alley or other public works or building or public grounds of the City of Chesterfield."

The attached ordinance as proposed by Judge Brunk will extend the Court's authority to assign defendants to community service "for a charitable, religious or educational organization or entity as may be approved and authorized by the Municipal Judge for the City of Chesterfield or authorized by resolution of the City Council."

This proposed ordinance is scheduled for consideration by the Public health and Safety Committee of council at their next meeting on Wednesday Sept. 16, 2015. As City Attorney could you please review the proposed ordinance and let me know if you have any questions or concerns with the new wording? I would like to be able to share your support and/or concerns with the PH&S committee at their meeting. Thanks. If you have any questions or would like to discuss this further, please give me a call. Thanks!!

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE 283 OF THE CITY OF CHESTERFIELD BY REPEALING SAID ORDINANCE RELATING TO ALTERNATIVE COMMUNITY SERVICE AND SUBSTITUTING A NEW ORDINANCE IN LIEU THEREOF.

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

Section 1. Ordinance Number 283 of the City of Chesterfield is hereby repealed and in lieu thereof the City substitutes this ordinance as defined herein.

Section 2. The Municipal Judge for the City of Chesterfield or the person performing the duties of the Municipal Judge may order any person who (a) has been convicted, or (b) has received a suspended imposition of sentence for violating an ordinance of the City of Chesterfield, whether the original punishment be by fine or imprisonment or both, to perform alternative community service, as defined in this ordinance, as a condition of probation or in lieu of a fine or imprisonment or both.

Section 3. Alternative community service may consist of:

A. Service on the public streets, highways and alleys or other public works or buildings or public grounds of the City of Chesterfield, and/or

B. Such other service for a charitable, religious or educational organization or entity as may be approved and authorized by the Municipal Judge for the City of Chesterfield or authorized by resolution of the City Council.

C. The service performed pursuant to A. and/or B. herein above shall be performed without compensation to the defendant for such service.

Section 4. If the alternative community service determined by the Municipal Judge for the City of Chesterfield is pursuant to A. herein above, the Chief of Police, City Engineer, Street Commissioner or other officer of the City of Chesterfield, as may be authorized by resolution of the City Council, is hereby authorized, empowered and directed to assign work to and supervise all persons ordered to perform alternative community service by the Municipal Judge.

Section 5. The Municipal Judge may determine the number of hours of alternative community service that a person shall perform under this ordinance.

Section 6. The authority granted in this ordinance shall be subject to the provisions of Section 559.021 of the Revised Statutes of the State of Missouri.

Section 7. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

# CURRENT ORDINANCE

## Alternative community service.<sup>[1]</sup>

[Ord. No. 238, §§ 1 — 4, 2-6-1989; Ord. No. 283 § 2— 5, 5-1-1989]

(a)

*Authority of Municipal Judge.* The Municipal Judge for the City or the person performing the duties of the Municipal Judge may order any person who (a) has been convicted, or (b) has received a suspended imposition of sentence for violating an ordinance of the City, whether the original punishment be by fine or imprisonment or both, to perform alternative community service, as defined in this section, as a condition of probation or in lieu of a fine or imprisonment or both.

(b)

*Defined.* Alternative community service may consist of service on the public streets, highways and alleys or other public works or buildings or public grounds of the City and such other service as may be authorized by resolution of the City Council.

(c)

*Chief of Police, City Engineer, Street Commissioner, etc., authorized to assign and supervise community service.* The Chief of Police, City Engineer, Street Commissioner or other officer of the City, as may be authorized by resolution of the City Council, is hereby authorized, empowered and directed to assign work to and supervise all persons ordered to perform alternative community service by the Municipal Judge.

(d)

*Number of hours.* The Municipal Judge may determine the number of hours of alternative community service that a person shall perform under this section.

[1]

*State law reference — Authority of City to cause prisoners to labor on public works, RSMo. § 71.220.*



# Chesterfield Police Memorandum



DATE: July 30, 2015  
 TO: Michael G. Herring, City Administrator  
 FROM: Chief Ray Johnson   
 SUBJECT: MODOT GRANT

✓ MGH  
 8/3/15  
 ✓ CDW  
 8.3.15

The purpose of this memorandum is to submit for your consideration the attached proposed ordinance for Council adoption which will qualify our Department as a recipient for Work Zone Enforcement Grants.

Please see the attached memorandum from Lieutenant Michael Thompson regarding the availability of MoDOT Work Zone Enforcement grant money for calendar year 2016.

{ Our City has been tentatively awarded a grant in the amount of \$15,000.00 for calendar year 2016. This is a "no match" grant requiring no commitment of City funds and will cover overtime costs for police enforcement in State work zone enforcement activities.

To qualify for this grant, MoDOT requires that the City of Chesterfield adopt an ordinance authorizing the City Administrator to enter into the agreement with the Missouri Department of Transportation: the proposed ordinance and a copy of the required agreement are attached. Following adoption of the ordinance I will forward the original agreements to you for your execution. I will then return the necessary documentation to MoDOT for implementation of the agreement.

Thank you for your consideration. If you should need any additional information, please advise. Otherwise, please find attached all necessary documents including the proposed ordinance and a copy of the agreement authorizing our Department to participate in the MoDOT Work Zone enforcement grant program.

/dj

ATTACHMENTS

SEE BILL #  
3055  
 ✓ MGH



# Chesterfield Police Memorandum



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Date: July 8, 2015  
To: Chief Ray Johnson, DSN 101  
From: Lieutenant Michael Thompson, DSN 176 *mtt*  
RE: MoDOT Work Zone Enforcement Grant

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Sir:

MoDOT has offered to award monetary grants over the next five years to the City of Chesterfield Police Department to be used for overtime to support Statewide Transportation Improvement Program (STIP) On Call Work Zone Enforcement activities. The amount of the grant will be dependent upon the projects scheduled to be performed during each fiscal year. For FY2016, the City of Chesterfield has been awarded a grant in the amount of \$15,000.00.

I have attached copies of the agreement and program order provided by MoDOT. Three copies of each must be dated and signed by the City Administrator. In addition, MoDOT requires that the City approve an ordinance designating an authorized official (i.e. City Administrator) to enter into this binding agreement with them. I have attached an ordinance for approval by the City Council.

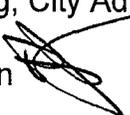
Completed documents can be returned to me for submittal to MoDOT.



# Chesterfield Police Memorandum



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DATE: August 3, 2015  
TO: Michael G. Herring, City Administrator  
FROM: Chief Ray Johnson   
CC: Craig White, Finance Director  
SUBJECT: BUDGET AND VEHICLES

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✓ MGH  
8/5/15

The purpose of this memo is to request permission to issue a purchase order for police vehicles for the 2016 budget year prior to the final budget adoption.

The 2016 Chevy Impala's will only be available for orders placed for the vehicles by November 1, of 2015. After that point in time, the Chevy Impala, our stalwart cost saving vehicle of choice, will no longer be produced for police departments. In its place the choices for vehicles on the State bid, are the Chevrolet Caprice, Dodge Charger, Ford Interceptor, Ford Interceptor SUV, and Chevy Tahoe SUV. I have included pricing below for each vehicle based on this year's State bid in order of least costly to most costly.

The following is the vehicle cost comparison:

Chevy Impala-	\$19,062
Dodge Charger -	\$25,045
Ford Interceptor -	\$25,330
Chevy Caprice-	\$26,681
Chevy Tahoe -	\$28,920

As reflected above, there is a significant cost difference between the Chevy Impala and the other vehicles, with the other available vehicles priced at least \$6,000 more than the cost of the Impala. With the Department's regular and effective rotation plan for vehicles, the potential increased cost for 2016, if we wait to place the order after November 1st will be well over \$60,000.00 additional.

Add to that cost, the outfitting the vehicles with new cages, light bars and other vehicle equipment. Typically, we move this equipment from old to new Impala, but, it will not be possible to reuse current Impala equipment in any of the other make/model vehicles due to their different configurations.

As a result, the additional cost of equipment needed if we transition to a different vehicle model is estimated to be \$30,000.00, for a total 2016 additional cost of vehicle replacement of \$90,000.00 if other than the Chevy Impala (vehicle + equipment).

Therefore, it is my recommendation that the Police Department be authorized to submit a purchase order, for the purchase of Chevy Impala's this one last year of availability, and in effect by doing so, we will avoid incurring the additional approximate \$90,000 next budget year. It is my opinion and the opinion of my staff that this is the most cost effective and logical course of action, pending your concurrence, and approval by council.

Again, this will be the last year we have the opportunity to purchase Chevy Impala's; I recommend we take advantage of this last reduced cost opportunity for police vehicles. Going forward, I will have my staff prepare a budget recommendation and transition plan for the updating of the 2017 police vehicle fleet. Thank you for your consideration. Please advise if you have any questions or require additional information.



MEMO

DATE: August 5, 2015  
TO: Michael G. Herring, City Administrator  
FROM: Craig D. White, Finance Director  
CC: Chief Ray Johnson  
RE: 2016 Police Vehicle Purchase – Budget Considerations

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Per your direction, I have reviewed Chief Johnson's request to issue a 2015 purchase order for police vehicles to be purchased in 2016. As the Chief's memo explains, the Police Department (PD) needs to enter into a vehicle purchase contract this fall in order to secure \$60,000 in savings. The PD does not have sufficient 2015 budget dollars to encumber these funds. **I recommend asking Council to amend the 2015 budget which would allow the City to enter into this contract.** [We would not put any police vehicles in the 2016 budget with the understanding that this contract would be executed in 2016.] In other words, the PO for this contract would be rolled forward, from 2015 to 2016, which would bring the encumbrance and budgeted dollars into the year of the vehicle purchase.

In the end, there would not be any year with double expenditures. This maneuvering simply allows us to enter into a contract this year to purchase police vehicles, at a substantially reduced rate, in 2016. Please let me know if you have any questions.

✓ MGA  
8/5/15

**RECOMMENDATIONS – PLANNING/PUBLIC WORKS (P/PW) COMMITTEE**

As detailed in the enclosed MINUTES, prepared by Mike Geisel, Dir. of Public Services, the P/PW Committee met on Thursday, 9/10. The following is a list of the item, endorsed by this Committee, which now requires review/approval by City Council:

**IIA. Recommendation re: General Fund Budget Transfer, re: Street Tree Removal Program**

**---- P.Z. 06-2015 - Chesterfield Airport Road (Autozone) (FIRST READING)**

If you have any questions, please contact Chairperson Connie Fults, any other member of this Committee, Mr. Geisel or Mr. Eckrich, prior to Monday's meeting.

# MEMORANDUM

TO: Michael G. Herring, City Administrator  
FROM: Mike Geisel, Director of Public Services  
SUBJECT: Planning & Public Works Committee Meeting Summary  
Thursday, September 10, 2015



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, September 10, 2015 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV), **Councilmember Bridget Nations** (Ward II) and **Councilmember Dan Hurt** (Ward III).

Also in attendance were: Councilmember Barry Flachsbart (Ward I); Councilmember Bruce DeGroot (Ward IV); Harry O'Rourke, Interim City Attorney; Planning Commission Chair Stanley Proctor; Planning Commission Member Guy Tilman; Mike Geisel, Director of Public Services; Jim Eckrich, Public Works Director/City Engineer; Mindy Mohrman, City Arborist/Urban Forester; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:34 p.m.

*\* TO BE DISCUSSED AT THE 10/7/15 COUNCIL MEETING*

## I. APPROVAL OF MEETING SUMMARY

### A. Approval of the August 6, 2015 Committee Meeting Summary

Councilmember Nations made a motion to approve the Meeting Summary of August 6, 2015. The motion was seconded by Councilmember Hurt and passed by a voice vote of 3-0.

## II. OLD BUSINESS

### *\** A. 2015 Contracted Street Tree Removals - Update

#### STAFF REPORT

As previously requested by the Planning and Public Works Committee, Mr. Jim Eckrich, Public Works Director/City Engineer, presented an update on the status and costs incurred for tree removals in 2015 and stated the following:

#### Hazardous Trees

1. To date, the City has spent \$110,000 on the removal of 137 dead and/or hazardous trees.
2. The current budget is sufficient to continue removal of hazardous trees for the remainder of the year, however, it does not allow for removal of nuisance trees, i.e., Sweetgum trees and Oak trees infested with Horned Oak Gall, that have not reached a hazardous stage.

### Nuisance Trees

1. No nuisance trees have been removed thus far in 2015.
2. Thirty-six sweetgum trees have been approved for removal subject to budgetary funding. Estimated cost of removal is \$28,800.
3. Twenty-one requests for the removal of trees infested with Horned Oak Gall have been denied. Estimated removal cost is \$16,800.
4. Since the year is roughly 2/3 complete, Staff is projecting an additional 20 more requests for nuisance tree removals at an additional cost of \$16,000.
5. Expected total expenditure for nuisance tree removals in 2015 is \$61,600.

In order to be able to continue the removal of hazardous trees as well as begin the removal of nuisance trees, Staff is recommending an additional \$70,000 be allocated from the General Fund – Fund Reserves for this purpose. If the Committee does not wish to recommend the use of the General Fund-Fund Reserves for this purpose, nuisance tree removals will be postponed until next year.

For clarification purposes, Mr. Mike Geisel, Director of Public Services stated that all requests for nuisance tree removals were generated by the residents and not Staff.

### **DISCUSSION**

In response to Chair Fults' question, Mr. Eckrich confirmed that no nuisance trees have been removed this year, however, 36 have been approved for removal subject to available funding.

Councilmember Flachsbart stated that Chesterfield is a Tree City and the residents take trees very seriously. Since the City has under-budgeted for street tree removals, he felt the Committee should forward a recommendation to Council to allocate the necessary funds to complete appropriate tree removals for the remainder of the year.

The Committee further discussed the impending Emerald Ash Borer infestation and its impact on the City. As part of the Street Tree Replacement Program, the City has reduced the Ash population from 40% to 23% over the last five years by systematically addressing Ash trees as they decline. However, this infestation is a separate issue from nuisance trees. Staff will request additional funding for tree removals in next year's budget. Councilmember Flachsbart suggested allocating more money now to provide Staff with enough money to handle a reasonable number of Ash trees this year. If there is money left at the end of the year, it will roll over to next year and be utilized to complete tree removals at that time.

**Councilmember Hurt made a motion to forward to City Council a recommendation to allocate \$100,000 from the General Fund – Fund Reserves to the Street Tree Removal Program for tree removal and replacement as determined by Staff. The motion was seconded by Councilmember Nations and passed by a voice vote of 3-0.**

*mbt*  
There was additional discussion as to whether additional funding above \$100,000 should be allocated. Councilmember Flachsbart suggested that if Staff determines that a different amount would be more appropriate, that it notify Council and provide the justification. If that occurs, Council could offer an amendment at the City Council meeting.

**[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on allocating additional funds to the Street Tree Removal Program.]**

### III. NEW BUSINESS

#### A. Proposed 2016 Meeting Schedule

Councilmember Hurt made a motion to approve the **Planning & Public Works Committee Proposed 2016 Meeting Schedule**. The motion was seconded by Councilmember Nations and **passed** by a voice vote of 3-0.

### IV. OTHER

Councilmember Hurt requested an update from Interim City Attorney, Harry O'Rourke, regarding his request to research whether the City's policy for snow removal reimbursement on private streets could also be applied to gated communities. Mr. O'Rourke stated that he would have a legal opinion ready for the next Committee meeting.

### V. ADJOURNMENT

The meeting adjourned at 5:47 p.m.



**DATE:** September 11, 2015

**TO:** Michael G. Herring, ICMA-CM  
City Administrator

**FROM:** James A. Eckrich, P.E.  
Public Works Director / City Engineer

**RE:** 2015 Street Trees  
Request for Additional Funding

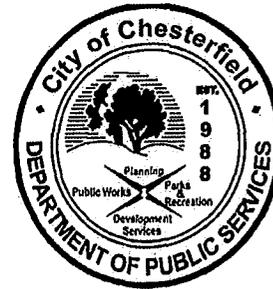
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On September 10, 2015 the Planning and Public Works Committee heard a presentation on the status of 2015 street tree removals, as detailed in the attached memorandum. At that meeting the Planning and Public Works Committee determined that it did want to pursue the removal of nuisance trees (Sweetgum and Oak Trees infested with Horned Oak Gall) in 2015. Additionally, the Committee expressed its desire to make funds available to remove any Ash Trees which become infected with Emerald Ash Borer. Accordingly, the Committee voted unanimously to recommend a supplemental budgetary appropriation in the amount of \$100,000 for street tree removal, funded through a fund transfer from the General Fund – Fund Reserves amounts over the forty percent reserve policy. Should the Committee's recommendation be approved by City Council, a Purchase Order will be written to Hansen's Tree Service, which is the current successful vendor determined through the City's standard competitive bidding process, in the amount of \$100,000. Once the Purchase Order is issued, nuisance tree removal will begin immediately.

#### **Action Recommended**

This matter should be forwarded to the full City Council. If City Council concurs with the recommendation from the Planning and Public Works Committee, it should vote to authorize a transfer of \$100,000 from General Fund – Fund Reserves and the issuance of a Purchase Order to Hansen's Tree Service in the amount of \$100,000 for street tree removal.

✓ MGH  
9/14/15



## MEMORANDUM

**DATE:** August 10, 2015

**TO:** Michael G. Herring, City Administrator

**FROM:** James A. Eckrich, Public Works Director / City Engineer  
Mindy Mohrman, City Arborist/Urban Forester

**RE:** 2015 Contracted Street Tree Removals- Update

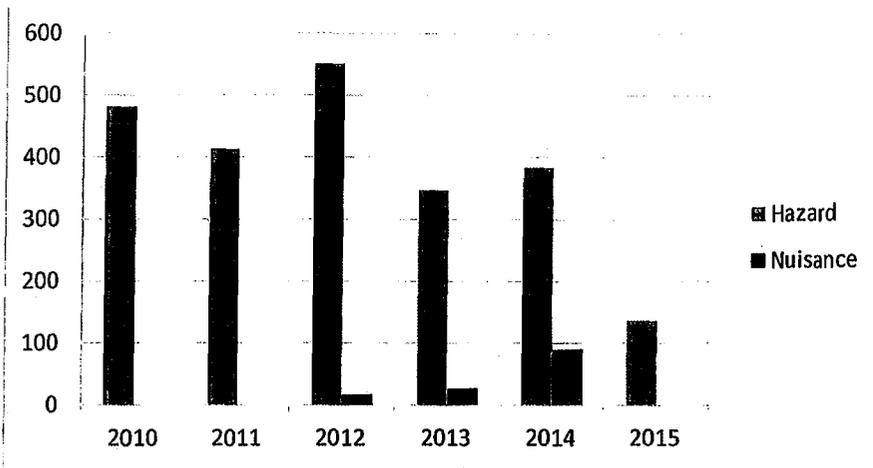
As was directed by the Planning and Public Works Committee, we have prepared an update on the status and costs incurred for tree removals in 2015. You may recall that staff previously reported that City tree removals, both hazardous and nuisance trees, were limited by budget. Although the budget is sufficient to continue removal of those right-of-way trees that have been identified to be imminently hazardous, the budget does not allow us to remove those trees which are identified as nuisance, or where residents have requested a tree removal due to deteriorating disease. In anticipation of this situation, the PPW Committee specifically directed staff to provide a fall update relative to the quantity of tree removals which the City has not been able to satisfy.

To date, the City of Chesterfield has spent approximately \$110,000 on the removal of 137 dead and/or hazardous (Hazard) street trees in 2015. It is anticipated that the remaining \$15,000, along with under-runs in other Miscellaneous Contractual (001-072-5251) expenses, will provide the budgetary funding necessary to remove Hazard trees for the remainder of the year. However, additional funding will not be available to remove any Nuisance trees. For the purpose of this memorandum, Nuisance trees are comprised of Sweet Gum Trees and Oak trees infested with Horned Oak Gall, which have yet to deteriorate to the point where they would be considered a Hazard tree.

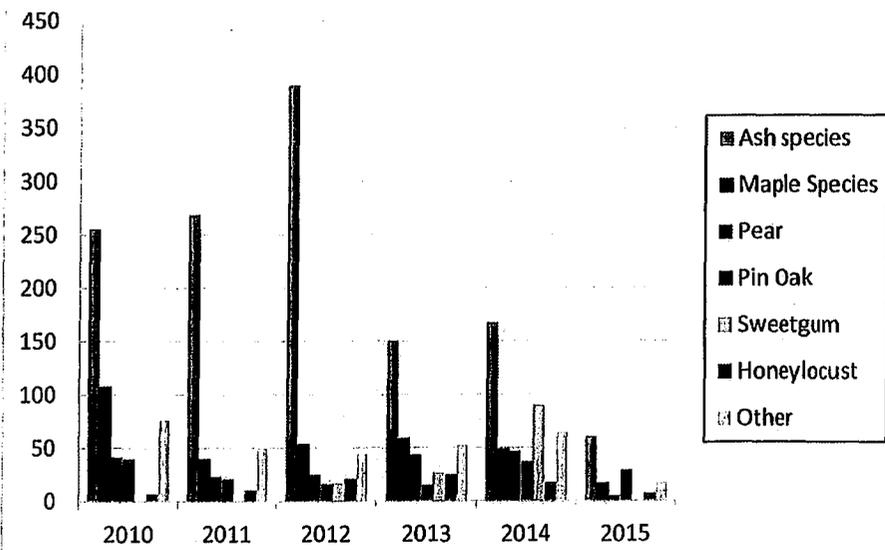
The Nuisance tree removal program was implemented in 2012 and continues to be very popular with City residents. We regularly receive requests to remove Nuisance trees, which are typically restricted to Sweet Gum Trees. However, as you may remember, and as reported to the PPW Committee previously, the City of Chesterfield has a number of Oak trees diseased with Horned Oak Gall which are a nuisance to residents but have yet to deteriorate to the point of being a Hazard tree. Horned Oak Gall is a pervasive and progressive disease. The diseased trees will deteriorate over the course of several years before they die or becomes hazardous.

No Nuisance trees have been removed thus far in 2015. There are currently 36 sweetgum trees that have been approved for removal through the Nuisance tree program, at an estimated cost of \$28,800. Additionally, the City has turned down requests for the removal of 21 trees infested with Horned Oak Gall, at an estimated cost for removal of \$16,800. Because the year is roughly 2/3 complete, we could reasonably project an additional 20 Nuisance Trees (both Sweet Gum and Horned Oak Gall) at an estimated cost of \$16,000. This results in an expected total expenditure for Nuisance trees of \$61,600.

### Total Tree Removals since 2010



### Tree Removals by Species since 2010



The Department of Public Services can remain within the 2015 budget by solely removing dead and hazardous trees. However, in order to remain within budget we would not remove any Nuisance Trees in 2015. This not only does not address the Sweet Gum trees which are bothersome to many of our residents, but it postpones the inevitable removal which will be required of trees infested with Horned Oak Gall.

In order to be able to continue the removal of Hazard Trees, as well as begin the removal of Nuisance Trees in 2015, **I recommend that an additional allocation of \$70,000 be authorized for 2015 tree removals. This allocation would allow the issuance of a Purchase Order to Timberline Professional Tree Care (the 2015 low bidder) for the removal of Nuisance and Hazard trees in 2015.**

Please note that the figures detailed above only address trees that are requested for removal by residents and that meet the City's removal policy. Additional funds above the \$70,000 could be used to continue to realize the City's goal of proactively reducing the ash population and meeting Emerald Ash Borer preparedness goals, for which the City has received very positive recognition state-wide.

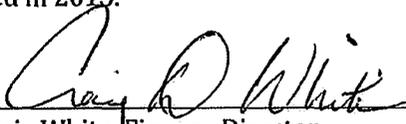
If you have any questions or need additional information, please let me know.

#### **Action Recommended**

This matter should be presented to the Planning and Public Works Committee for consideration. Should the PPW Committee desire to continue tree removal in the current manner, with the addition of the removal of Nuisance Trees, it should recommend the use of \$70,000 from General Fund - Fund Reserves for this purpose. The matter should then be forwarded to City Council for formal approval.

If the PPW Committee does not wish to recommend the use of General Fund - Fund Reserves for this purpose, then City Staff will prioritize hazardous tree removals to remain within Budget, and no Nuisance trees will be removed in 2015.

CONCURRENCE:

  
\_\_\_\_\_  
Craig White, Finance Director

Cc: Michael O. Geisel, Director of Public Services

OK'd  
MBH  
8/11/15

# City Council Memorandum

## Department of Public Services



**To:** Michael Herring, City Administrator  
**From:** Aimee Nassif, Planning and Development Services Director  
**Date:** September 24, 2015  
**CC Date:** October 7, 2015  
**RE:** **P.Z. 06-2015 17505 Chesterfield Airport Road (Autozone)**: A request for a zoning map amendment from a "NU" Non-Urban District to a "PC" Planned Commercial District for 1.77 acres located on the north side of Chesterfield Airport Road, west of its intersection with Arnage Boulevard (17U230254).

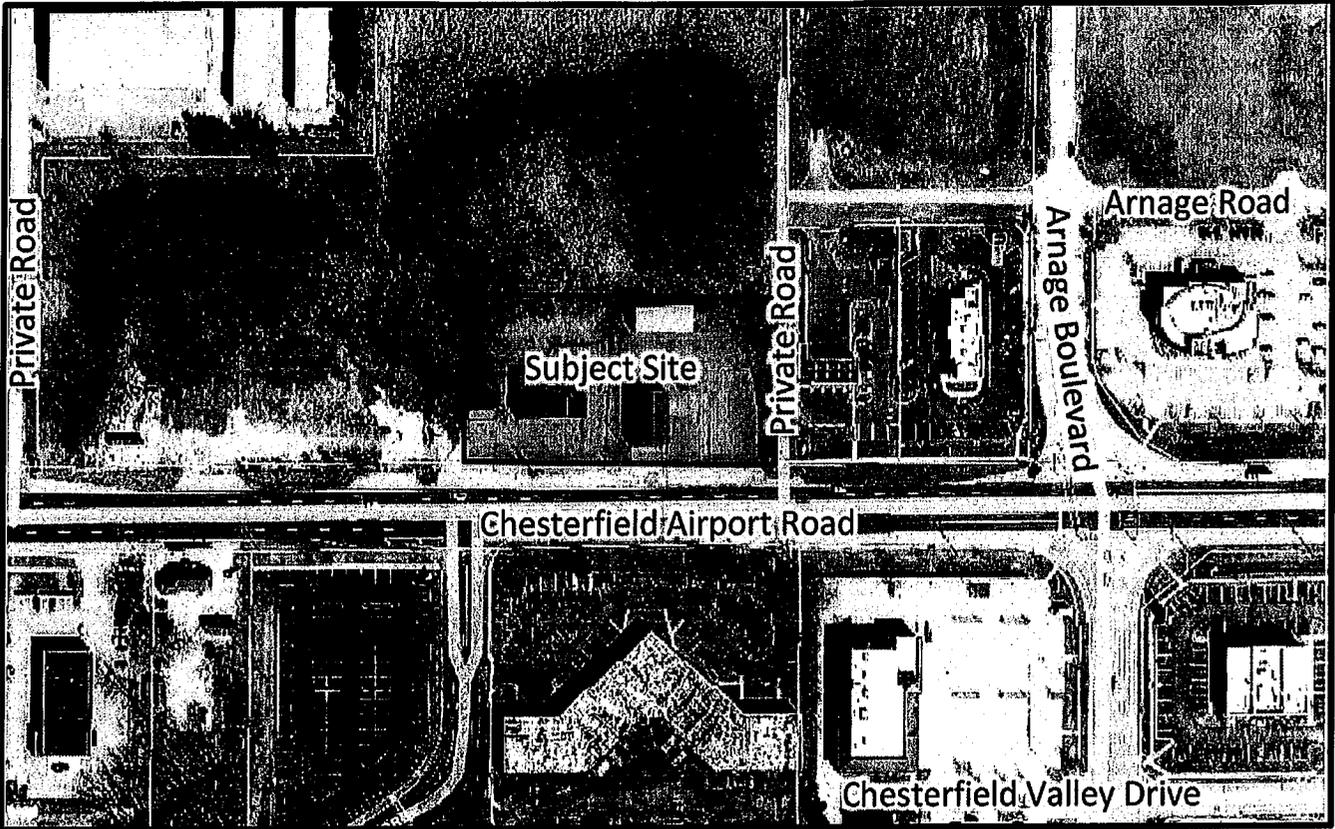
Cochran Engineering, on behalf of The Reding Company, LLC, has submitted a request for a zoning map amendment from the "NU" Non-Urban District to the "PC" Planned Commercial District. As stated in the submitted written narrative, the applicant wishes to rezone the site to allow for redevelopment of the site into two lots, each to contain one building with the building on proposed Lot 1 identified for retail use by an AutoZone automotive parts retailer.

A Public Hearing for this petition was held at the July 13<sup>th</sup>, 2015 Planning Commission meeting. Issues identified at this time included the feasibility of the requested drive-thru uses on proposed Lot 2 in conjunction with the site layout, the location and alignment of the site access from Chesterfield Airport Road, and Staff's recommendation for restrictive language in the Attachment "A" pertaining to the requested use "Vehicle Repair and Service Facility." Following the public hearing, the Petitioner revised the plan to address the access and site layout issues, and Staff drafted restrictive language for the requested "Vehicle Repair and Service Facility" use.

Subsequently a Planning Commission Vote Meeting was held on September 16<sup>th</sup>, 2015, where a motion to approve the petition as amended was passed by a vote of 9-0.

Attached to the legislation, please find a copy of the Attachment A, Preliminary Plan and Project Narrative.

✓ MGH  
10/1/15



## **LIQUOR LICENSE REQUESTS**

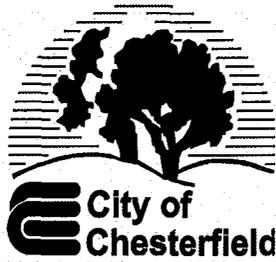
As detailed in the enclosed MEMOS, prepared by Andrea Majoros, Business Assistance Coordinator, a full liquor license, to sell liquor by-the-drink and Sunday Sales, has been requested by the following businesses:

**Starbucks Evenings, located at 1720 Clarkson Rd.**

**Addie's Thai House, located at 13441 Olive Blvd. (upgrade re: Sunday sales)**

As is our practice, both of these applications have already been reviewed and are now recommended for your approval by our Police Dept. and the Planning/Development Services Division of the Dept. of Public Services.

If you have any questions, please contact me PRIOR to Wednesday's meeting.



## **MEMORANDUM**

**DATE:** September 22, 2015

**TO:** Michael G. Herring, City Administrator

**FROM:** Andrea Majoros, Business Assistance Coordinator *am*

**SUBJECT:** **LIQUOR LICENSE REQUEST – CHH CAFÉ, LLC dba  
STARBUCKS EVENINGS (Store #2522)**

---

**Starbucks Evenings #2522 (formerly Starbucks Coffee #2522),**  
1720 Clarkson Rd, has requested a full liquor license to sell liquor by the drink  
and Sunday sales.

Ms. Lorene Samson is the Managing Officer.

This application was reviewed and approved by both the Police Department and  
the Planning/Development Services Division of the Department of Public  
Services.

With City Council approval at the Wednesday, October 7th City Council meeting,  
I will immediately issue this license.

*✓ MGH  
9/23/15*



## **MEMORANDUM**

**DATE:** September 29, 2015

**TO:** Michael G. Herring, City Administrator

**FROM:** Andrea Majoros, Business Assistance Coordinator *AM*

**SUBJECT:** **LIQUOR LICENSE REQUEST (UPGRADE)**  
**- ADDIE'S THAI HOUSE**

---

**Addie's Thai House, 13441 Olive Blvd,** has requested an upgrade to add Sunday Sales to their existing liquor license (liquor by the drink).

Mr. Louis Brinckwirth is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Wednesday, October 7th City Council meeting, I will immediately issue this license.

*AM*  
*10/1/15*

**RESOLUTION NO. 416 – AUTHORIZES APPLICATION FOR MUNICIPAL PARKS GRANT FUNDING RE: VETERAN’S HONOR PARK**

As detailed in the enclosed MEMO, prepared by Tom McCarthy, Parks/Recreation/Arts Director, we are now prepared to formalize and submit an application for **\$500,000**, to the **Municipal Parks Grant Commission**, in support of the City’s efforts to build a **Veteran’s Honor Park**. Passage of the enclosed RESOLUTION is now required, in order for Staff to proceed.

Seeking these grant funds was previously discussed with and endorsed by the P/PW Committee of City Council. As you are also aware, City Council recently authorized/directed that final construction and bid documents be prepared, regarding this project. Currently, the Veteran’s Honor Park Citizens Committee has secured commitments for just under \$500,000 in donations and City Council previously authorized that a similar amount be set-aside in General Fund – Fund Reserves.

If you have any questions, please contact either Mr. McCarthy, Mr. Geisel or me, prior to Wednesday’s City Council meeting. I will request City Council approval, during my report, at the 10/7 City Council meeting.

**A RESOLUTION AUTHORIZING THE CITY OF CHESTERFIELD TO APPLY FOR A ST. LOUIS COUNTY MUNICIPAL PARKS GRANT FOR THE PROCUREMENT AND INSTALLATION OF THE 20,300 SQUARE FOOT VETERANS HONOR PARK AT 631 VETERANS PLACE DRIVE.**

Whereas, the City of Chesterfield is a growing and vibrant community in St. Louis County, and

Whereas, the City Council of the City of Chesterfield deems it desirable and necessary to improve its parks to serve its citizens as well as the general public; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AS FOLLOWS;

An application will be made to the Municipal Parks Grant Program in the County of St. Louis for a Grant-In-Aid to reimburse the City for the construction and installation of the Veterans Honor Park in Central Park, a portion of the cost to construct the Honor Park, by the Municipal Parks Commission upon the City's completion of the project.

Chesterfield Staff will prepare and submit the project proposal to construct the Veterans Honor Park to the Municipal Parks Grant Commission.

The City hereby authorizes the City Administrator to sign and execute the necessary documents for submitting the project proposal application for a Grant-In-Aid under the Municipal Parks Grant Commission.

If a grant is awarded, the City of Chesterfield will enter into a contract with the Commission regarding said grant.

This resolution Passed Ordinance shall be in full force and effect from and after its passage approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

City Clerk

# Municipal Park Grant Commission



## FY 2015-16 Grant Application Round #16

### Certification Page

*Complete the Checklist on last page of Application Part 1 before signing this document.*

**Certification of appropriate official (Mayor/Chairman or City Manager/Administrator):**

“I hereby certify that the governing body of the municipality has approved the submission of this grant application and the information contained in the attached application is true and correct to the best of my knowledge. I understand that this application will be rated in part on the basis of the information submitted and that the submission of incorrect data can result in this application being rejected for consideration for funding.”

Signature: \_\_\_\_\_ Title: City Administrator

Printed Name: Michael Herring Date: \_\_\_\_\_

Attested by City Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Application Completed by (Name and Title): \_\_\_\_\_

Scan and email this page to [staff@stlmuni.org](mailto:staff@stlmuni.org) with application materials.

## Memorandum



**To:** Mr. Herring, City Administrator  
**From:**  Mike Geisel, Director of Public Services  
Tom McCarthy, CPRP  
Director of Parks, Recreation and Arts  
**Date:** 9/23/2015  
**Re:** Municipal Parks Grant Round 16

It's that time of year again and we are looking forward to applying for a St. Louis County Municipal Parks Grant. The City of Chesterfield has received ten grants over the years in the amount of \$2,032,137. The past few years we have received grants for the playground surface upgrades at Central Park, the River's Edge Trail, pavilion and boat dock installation, and the pool splash pad at the Aquatic Center.

Attached is a resolution authorizing our submission of the 2015 grant application for Round 16 of the Municipal Parks Grant Commission, to construct the Veterans Honor Park in Central Park. The resolution authorizes you, as City Administrator, to sign the grant application and is required for application acceptance by the Commission.

As is normally the case, if Chesterfield is successful and awarded the requested Grant funds of \$500,000, we would return to City Council for project authorization and funding.

The grant application deadline is October 30, 2015. Therefore, I request and recommend that this information be forwarded to City Council for action at the regular meeting of City Council scheduled for October 7, 2015 for consideration and passage. By getting this done early, I can send the grant in for an early review to make sure that everything is in order with time for additional information to be added if the Grant Committee sees the need.

If you have any additional questions or require additional information, please let me know at your earliest convenience.

Attachments

  
9/23/15

**LEGISLATION**

**BILL NO. 3054** – AMENDS ORDINANCE 283 OF THE CITY OF CHESTERFIELD BY REPEALING SAID ORDINANCE RELATING TO ALTERNATIVE COMMUNITY SERVICE AND SUBSTITUTING A NEW ORDINANCE IN LIEU THEREOF (**FIRST READING**)

**BILL NO. 3055** – AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO AN ON-CALL WORK ZONE ENFORCEMENT AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) TO ALLOW COOPERATION BETWEEN THE CHESTERFIELD POLICE DEPARTMENT AND MoDOT FOR THE ON-CALL WORK ZONE ENFORCEMENT PROGRAM (**FIRST READING**)

BILL NO. 3054

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE 283 OF THE CITY OF CHESTERFIELD BY REPEALING SAID ORDINANCE RELATING TO ALTERNATIVE COMMUNITY SERVICE AND SUBSTITUTING A NEW ORDINANCE IN LIEU THEREOF.

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

Section 1. Ordinance Number 283 of the City of Chesterfield is hereby repealed and in lieu thereof the City substitutes this ordinance as defined herein.

Section 2. The Municipal Judge for the City of Chesterfield or the person performing the duties of the Municipal Judge may order any person who (a) has been convicted, or (b) has received a suspended imposition of sentence for violating an ordinance of the City of Chesterfield, whether the original punishment be by fine or imprisonment or both, to perform alternative community service, as defined in this ordinance, as a condition of probation or in lieu of a fine or imprisonment or both.

Section 3. Alternative community service may consist of:

A. Service on the public streets, highways and alleys or other public works or buildings or public grounds of the City of Chesterfield, and/or

B. Such other service for a charitable, religious or educational organization or entity as may be approved and authorized by the Municipal Judge for the City of Chesterfield or authorized by resolution of the City Council.

C. The service performed pursuant to A. and/or B. herein above shall be performed without compensation to the defendant for such service.

Section 4. If the alternative community service determined by the Municipal Judge for the City of Chesterfield is pursuant to A. herein above, the Chief of Police, City Engineer, Street Commissioner or other officer of the City of Chesterfield, as may be authorized by resolution of the City Council, is hereby authorized, empowered and directed to assign work to and supervise all persons ordered to perform alternative community service by the Municipal Judge.

Section 5. The Municipal Judge may determine the number of hours of alternative community service that a person shall perform under this ordinance.

Section 6. The authority granted in this ordinance shall be subject to the provisions of Section 559.021 of the Revised Statutes of the State of Missouri.

Section 7. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

BILL NO. 3055

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN ON CALL WORK ZONE ENFORCMENT AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) TO ALLOW COOPERATION BETWEEN THE CHESTERFIELD POLICE DEPARTMENT AND MoDOT FOR THE ON CALL WORK ZONE ENFORCEMENT PROGRAM.**

**WHEREAS**, funding has become available through the Missouri Department of Transportation to be used to support Statewide Transportation Improvement Program (STIP) and to provide support to law enforcement work zone activities; and

**WHEREAS**, the Missouri Department of Transportation has offered to award monetary grants to the City of Chesterfield Police Department beginning in fiscal year 2016 through the end of fiscal year 2018; and

**WHEREAS**, the Chesterfield Police Department will be participating with MoDOT to enforce work zone safety and control traffic and lane closures in designated MoDOT work zones within the City of Chesterfield.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AS FOLLOWS**

Section 1. The City Council of the City of Chesterfield hereby authorizes the City Administrator to apply for and accept grants from the Missouri Department of Transportation beginning in the fiscal year 2016 through the end of fiscal year 2018 to enforce work zone safety in designated MoDOT work zones.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

First Reading Held \_\_\_\_\_



CCO Form: HS3A  
Approved: 07/06 (AMN)  
Revised: 06/13 (ASB)  
Modified:

COPY

Award years: 2014-2018  
Region: SL - St. Louis

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM ON CALL WORK  
ZONE ENFORCEMENT PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Chesterfield, a municipal corporation in the State of Missouri (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) **PURPOSE:** The Commission has authorized funds to be used to support Statewide Transportation Improvement Program (hereinafter, "STIP") On Call Work Zone Enforcement activities. The purpose of this Agreement is to grant the use of such funds to the City.

(2) **ACTIVITY:** The funds which are the subject of this Agreement are provided to support law enforcement work zone activities to further STIP On Call Work Zone Enforcement.

(3) **INDEMNIFICATION:**

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial

Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(4) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(5) COMMISSION REPRESENTATIVE: This Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(6) CITY REPRESENTATIVE: The City's \_\_\_\_\_ is designated as the City's representative for the purpose of administering the provisions of this Agreement. Further, the City's \_\_\_\_\_ shall have the authority to execute Program Orders in accordance with this Agreement.

(7) NONDISCRIMINATION CLAUSE: The City shall also comply with all state and federal statutes applicable to the City relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(8) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(10) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(11) FUNDING/REIMBURSEMENT:

(A) General: With regard to work under this Agreement, the City agrees that funds to implement work zone law enforcement activities shall only be available for reimbursement of eligible costs which have been incurred by the City. The City shall

supply to the Commission copies of all bid information, purchase orders, invoices and, for hours worked, certified payroll (on Program Agreements that include salaries). Any costs incurred by the City prior to authorization and notification to proceed from the Commission are **not** reimbursable costs. The Commission shall not be responsible for any costs associated with the activity herein unless specifically identified in this Agreement or subsequent written amendments or Task Orders.

(B) Peace Officer Standards and Training: Law enforcement work performed by a duly licensed, Peace Officer Standards and Training certified law enforcement officer will be reimbursed.

(12) EQUIPMENT:

(A) Procurement: The City may use its own procurement regulations which reflect applicable state/local laws, rules & regulations provided they adhere to the following:

(1) Equipment with a cost of \$3,000 or more must be purchased on a competitive bid basis, or purchased through use of state cooperative procurement.

(2) Price or rate quotations shall be solicited from at least three (3) sources.

(3) All procurement transactions, regardless of whether by sealed bids or by negotiation, shall be conducted in a manner that provides maximum open and free competition.

(4) The City shall have a clear and accurate description of the item to be purchased. Such description shall not, in competitive procurements, contain features that unduly restrict competition. A "brand name or equal" description may be used as a means to define the performance or other requirement of procurement.

(5) If for some reason the low bid is not acceptable, the City must have written approval from the MHTC prior to bid approval and purchase.

(6) The City will make a good faith effort to utilize minority and women owned businesses within resource capabilities when procuring goods and services.

(B) Disposition: The City shall make written request to the MHTC for instructions on the proper disposition of all items of equipment provided under the terms of this contract with a cost of \$3,000 or more. City must keep and maintain equipment with a cost of under \$3,000 until it is no longer useful for its originally intended purpose.

(C) Replacement: No equipment may be funded on a replacement basis. Participation in equipment and manpower projects must be in addition to the City's previous twelve months authorized strength.

(13) ACCOUNTING: The City shall maintain all documentation in file for audit review; failure to provide supporting documentation at the time of audit could result in

questioned costs. The City must document the following: (1) Receipt of funds, (2) date and amount paid to officers, (3) officer's timesheet (regular hours and overtime hours). Documentation shall be kept available for inspection for representatives of the MHTC for a period of three years following date of final payments. Copies of such records shall be made available upon request.

(14) **PROGRAM ORDER**: On Call Work Zone Enforcement funding will be conducted under a Program Order. Each Program Order must be executed by the Commission and the City's Representative. Each Program Order shall contain, but is not limited to the following:

(A) Program Order Job Number(s).

(B) Funds available for the completion of the Program Order.

(C) Starting and completion dates for the Program Order.

(15) **LIMITS ON OVERTIME**: The City will not be eligible for reimbursement for any individual law enforcement officer working under this grant where said officer is claiming to have worked as a law enforcement officer for more than 16 hours in any 24 hour period.

(16) **USE OF FUNDS**: Any employee of the City whose salary or wages are paid in whole or in part with federal funds is prohibited from participating in certain partisan political activities, including, but not limited to, being a candidate for elective office pursuant to Title 5 United States Code (hereinafter, "U.S.C."), Sections 1501-1508. If an employee of the City participates in activities prohibited by the Hatch Act, the City shall no longer pay that employee's salary or wages with federal funds unless the requirements of 5 U.S.C. Sections 1501-1508 are not applicable to that employee pursuant to 5 U.S.C. Section 1502(c).

(17) **AUDIT OF RECORDS**: The City must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees or representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.

(18) **VENUE**: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(19) **FINAL AUDIT**: The Commission may, in its sole discretion, perform a final audit of project costs. The City shall refund any overpayments as determined by the final audit.

(20) **SOLE BENEFICIARY**: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(21) EMPLOYEES ONLY: The funding granted by the Commission to the City under this Agreement extends only to reimbursement for work zone enforcement by employees of the City covered by the City worker's compensation plan.

(22) DURATION AND EXTENSION: Unless otherwise terminated, this Agreement shall be in effect for five years from the execution of this Agreement. Upon the approval of both parties, the terms and conditions of this Agreement are renewable for an additional two, one year extensions from the date of the expiration of the Agreement. ~~Any extension shall be memorialized in an appropriate Supplemental Agreement and executed by the duly authorized representatives of the parties.~~

(23) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

*[Remainder of Page Intentionally Left Blank]*

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION CITY OF \_\_\_\_\_, MISSOURI

By \_\_\_\_\_ By \_\_\_\_\_

Title \_\_\_\_\_ Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
Commission Counsel

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_

Title \_\_\_\_\_

Ordinance No \_\_\_\_\_

CCO Form: HS09A  
Approved: 07/06 (AMN)  
Revised: 06/13 (ASB)  
Modified:

**PROGRAM ORDER  
TO AGREEMENT DATED \_\_\_\_\_**

Program Order Number: FWZEA85Z

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

Contract Amount: \$15,000.00

Effective Date: July 1, 2015

Completion Date: December 31, 2016

Contractor: Chesterfield Police Department

Mail Invoices/Vouchers to: MoDOT Traffic and Highway Safety Division  
PO Box 270  
Jefferson City, MO 65102

This Program Order is issued under the authority of the Agreement between the Missouri Highway and Transportation Commission (the "Commission") and the City of Chesterfield (the "City") dated \_\_\_\_\_ and is subject to all applicable provisions and covenants of that Agreement, which are incorporated herein by this reference.

*[Remainder of Page Intentionally Left Blank]*

IN WITNESS WHEREOF, the parties hereto have caused this contract to be duly executed intending to be bound thereby.

Executed by the City of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed by the Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

CITY OF \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_  
Title \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary to the Commission

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

**LEGISLATION - PLANNING COMMISSION**

**BILL NO. 3056 - AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 1.77 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD WEST OF ITS INTERSECTION WITH ARNAGE BOULEVARD. (FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL.)**

BILL NO. 3056

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 1.77 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD WEST OF ITS INTERSECTION WITH ARNAGE BOULEVARD. (P.Z. 06-2015 17505 CHESTERFIELD AIRPORT ROAD {AUTOZONE} 17U230254).**

**WHEREAS**, the petitioner, The Reding Company, LLC, has requested a change in zoning from “NU” Non-Urban District to “PC” Planned Commercial District for a 1.77 acre tract of land located on the north side of Chesterfield Airport Road west of its intersection with Arnage Boulevard; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on July 13, 2015; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the change of zoning; and,

**WHEREAS**, the City Council, having considered said request voted to approve the change of zoning request.

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

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “PC” Planned Commercial District for a 1.77 acre tract of land located at 17505 Chesterfield Airport Road and as described as follows:

A tract of land being part of Lots 5 and 6 of the subdivision in partition of the estate of Peter Steffan, deceased, in U.S. surveys 125 and 126, Township 45 North, Range 4 East, according to the plat of said subdivision attached to report of commissioners in partition suit of Kranung, ET AL vs. Steffan, ET AL in cause No. 4189 of the circuit court of St. Louis County, Missouri, A certified copy of which is recorded in Book 80 Page 457 of the St. Louis County records, in

the City of Chesterfield, St. Louis County, Missouri, and said tract being more particularly described as follows:

Beginning at the point of intersection of the northerly line of Chesterfield Airport Road, 100 feet wide, with the easterly line of a parcel described in deed to James Waller recorded in Book 4129 Page 488 of St. Louis County records, said point being 10 feet westerly of the easterly line of said lot 5; thence along the northly line of Chesterfield Airport Road South 89degrees 09 minutes 00 seconds west 385.00 feet to the westerly line of a parcel described in deed to James Waller recorded in Book 4129 Page 492 of said county records; thence along said westerly line North 00 degrees 07minutes 00 seconds east 200.00 feet to the northwesterly corner of said Waller parcel recorded in Book 4192 Page 492; thence along the northerly line of said Waller parcels and the Northerly line of a parcel described in deed to James Waller recorded in Book 2932 Page 441 of said county records, North 89 degrees 09 minutes 00 seconds East 385.00 feet to the northeasterly corner of said Waller parcel recorded in Book 4129 Page 488: thence along the easterly line of said Waller parcel recorded in Book 4129 Page 488 South 00 degrees 07 minutes 00 seconds West 200.00 feet to the Point of Beginning according to Survey No. 118469 executed by James Engineering & Surveying Co., Inc. in May 1993.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the "Attachment A" and the preliminary plan indicated as "Attachment B" which is attached hereto as and made part of.

**Section 3.** The City Council, pursuant to the petition filed by The Reding Company, LLC in P.Z. 06-2015, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 13<sup>th</sup> day of July 2015, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FIRST READING HELD:

## **ATTACHMENT A**

**All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.**

### **I. SPECIFIC CRITERIA**

#### **A. PERMITTED USES**

1. The uses allowed in this "PC" Planned Commercial District shall be:
  - a. Office, dental
  - b. Office, general
  - c. Office, medical
  - d. Retail sales establishment, community
  - e. Retail sales establishment, neighborhood
  - f. Coffee shop, drive thru
  - g. Restaurant, sit down
  - h. Restaurant, fast food
  - i. Restaurant, take out
  - j. Financial Institution, drive-thru
  - k. Dry cleaning establishment, with drive-thru
  - l. Vehicle repair and service facility
2. All permitted uses in this "PC" District that include outdoor storage and/or outdoor activity shall be adequately screened and shown on the Site Development Plan and approved by the City of Chesterfield.
3. In conjunction with use "1" above, the parking and storage of vehicles shall be restricted to periods of time not to exceed 24 hours, located at the rear of the building only, and not visible from Chesterfield Airport Road.
4. Hours of Operation
  - a. All deliveries and trash pick-ups shall be limited to 7:00 AM to 11:00 PM.
  - b. Hours of operation for this development shall not be restricted.

**B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

1. Height

The maximum height of the buildings, exclusive of roof screening, shall not exceed thirty (30) feet.

2. Building Requirements

A minimum of thirty-five percent (35%) open space will be required for each lot within this development.

**B. SETBACKS**

1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, or flag poles will be located within the following setbacks:

- a. Thirty (30) feet from the southern boundary of this district.
- b. Ten (10) feet from the northern boundary of this district.
- c. Five (5) feet from the eastern boundary of this district.
- d. Thirty-five (35) feet from the western boundary of this district.

2. Parking Setbacks

No parking stall or loading space, internal driveway, or roadway, except points of ingress or egress, will be located within the following setbacks:

- a. Thirty (30) feet from the southern boundary of this district.
- b. Ten (10) feet from the northern boundary of this district.
- c. Five (5) feet from the eastern boundary of this district.
- d. Zero (0) feet from the western boundary of this district.

#### **D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development shall be as required in the City of Chesterfield Unified Development Code.
2. Construction Parking
  - a. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
3. Parking lots shall not be used as streets.

#### **E. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Tree Preservation and Landscape Requirements of the City of Chesterfield Unified Development Code.

#### **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Unified Development Code or a Sign Package may be submitted for the planned district. Sign packages shall adhere to the City of Chesterfield Unified Development Code.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

#### **G. LIGHT REQUIREMENTS**

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Unified Development Code.

#### **H. ARCHITECTURAL**

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Unified Development Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

**I. ACCESS/ACCESS MANAGEMENT**

1. Access to this development from Chesterfield Airport Road shall be via one (1) commercial entrance located opposite Valley Center Drive to be expanded and shared by adjacent future development to the west and to provide required sight distance and constructed to Saint Louis County standards as directed by the Saint Louis County Department of Transportation and the City of Chesterfield.
2. Cross access easements shall be provided to adjacent properties to the east, north, and west. Cross access easements shall be 26' wide.
3. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties to the north to eventually connect to the extension of Arnage Road as directed by the Saint Louis County Department of Transportation.
4. Adequate sight distance shall be provided, as directed by the City of Chesterfield, the Missouri Department of Transportation and St. Louis County Department of Highways and Traffic, as applicable.
5. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.

**J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Improve Chesterfield Airport Road to one half of the ultimate section including all storm drainage facilities as directed by the Saint Louis County Department of Transportation.
2. Construct a two-hundred (200) foot right turn deceleration lane on Chesterfield Airport Road as directed by the Saint Louis County Department of Transportation.

3. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. The sidewalk shall be privately maintained; therefore, no public easements shall be required.
4. Obtain approvals from the City of Chesterfield, St. Louis County Highways and Traffic and other entities as necessary for locations of proposed curb cuts and access points.
5. Prior to Special Use Permit issuance by the Saint Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the Saint Louis County Department of Transportation to guarantee completion of the required roadway improvements.
6. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

#### **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Chesterfield Airport Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

## **L. POWER OF REVIEW**

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

## **M. STORMWATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty percent (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.

6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
7. The developer shall be responsible for construction of any required storm water improvements per the Chesterfield Valley Master Storm Water Plan, as applicable, and shall coordinate with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed. Interim facilities shall also provide a no volume increase in runoff to adjacent properties as compared to existing conditions and a site plan showing no concentrated discharge points to adjacent properties. Interim facilities shall provide means to connect to future storm water facilities across the north property.
8. Formal MSD review, approval, and permits are required prior to construction.
9. Post Construction Best Management Practices (BMPs) are required to treat the extents of the project's disturbed area. Volume reduction BMPs shall be the emphasis of the site's post construction water quality strategy and applied to the maximum extent practicable.
10. The project is located within the Caulks Creek Impact area, subject to a surcharge of \$2750.00/acre.
11. Approval from the Monarch Chesterfield Levee District indicating that the final plans conform to their master conveyance plan will be required prior to formal MSD plan approval.

#### **N. SANITARY SEWER**

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. Public sanitary sewers will need to be extended to the site, and would appear to require offsite construction, easement acquisition and dedication of existing offsite private facilities. A combination of a pumping and gravity system may be necessary.

#### **O. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

#### **P. MISCELLANEOUS**

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contribution. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
3. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code, with the exception of the land use designation, shall be required where applicable.

4. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
5. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
6. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.

## **II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS**

- A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.

- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

### **III. COMMENCEMENT OF CONSTRUCTION**

- A. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

### **IV. GENERAL CRITERIA**

#### **A. SITE DEVELOPMENT CONCEPT PLAN**

1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

## **B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

The Site Development Plan shall include, but not be limited to, the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.

14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Unified Development Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Unified Development Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation, Metropolitan St. Louis Sewer District (MSD), and St. Louis County Department of Highways and Traffic.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS**

The Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.

14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

#### **V. TRUST FUND CONTRIBUTION**

- A.** The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<b><u>Type of Development</u></b>	<b><u>Required Contribution</u></b>
General Retail	\$1,990.41/required parking space
Loading Space	\$3,257.06/required parking space

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Highways and Traffic.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- B.** As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development should be retained in the appropriate trust fund.
- C.** Road improvement traffic generation assessment contributions shall be deposited with Saint Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or prior to the issuance of building permits in the case where no S.U.P. is required. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.
- D.** The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2016, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

**E. WATER MAIN**

- 1. The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$800.53 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

2. The primary water line contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before St. Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

#### **F. STORM WATER**

1. The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,539.89 per acre for the total area as approved on the Site Development Plan.
2. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

#### **G. SANITARY SEWER**

1. The sanitary sewer contribution is collected as the Caulks Creek impact fee.
2. The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

#### **VI. RECORDING**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

## **IX. ENFORCEMENT**

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

SEP - 1 2015

Department of Public Services

17505 Chesterfield Airport Road

### Narrative Statement

The property located at 17505 Chesterfield Airport Road measuring approximately 385 ft. wide and 200 ft. deep for a total site area of 1.76 acres is proposed to be redeveloped. The property currently contains three (3) buildings which were constructed in the 1940's and a pole barn style building which was constructed in the 1990's.

The redevelopment will remove all the current buildings, paving, septic tank, etc. and construct a 6,000 SF Autozone auto parts store on the western most portion of the property which will be known as Lot 1. The eastern portion of the property, Lot 2, will be developed in the future as one of the following:

1. Office, dental
2. Office, general
3. Office, medical
4. Retail Sales Establishment, community
5. Retail Sales Establishment, neighborhood
6. Coffee Shop, drive thru
7. Restaurant, sit down
8. Restaurant, fast food
9. Restaurant, take out
10. Financial Institution, Drive Thru
11. Dry Cleaning Establishment with Drive Thru
12. Vehicle Repair and Service Facility

This development will happen in two phases with Lot 1 (Autozone) being constructed immediately upon receiving all approvals and permits required by the City of Chesterfield. Lot 2 should see development within two years.

The project consists of a total of 1.76 acres and Lot 1 will be 0.87 acres (49.4%) while Lot 2 shall be 0.89 acres (50.6%).

The lots on the project shall utilize 30 ft. front setbacks, 10' rear setbacks, 35 ft side setback on the west side of Lot 1 and 5 ft side setback on the east side of Lot 2. The development of each lot shall not exceed 8,500 sf of building per acre. The buildings shall all be single story construction only.

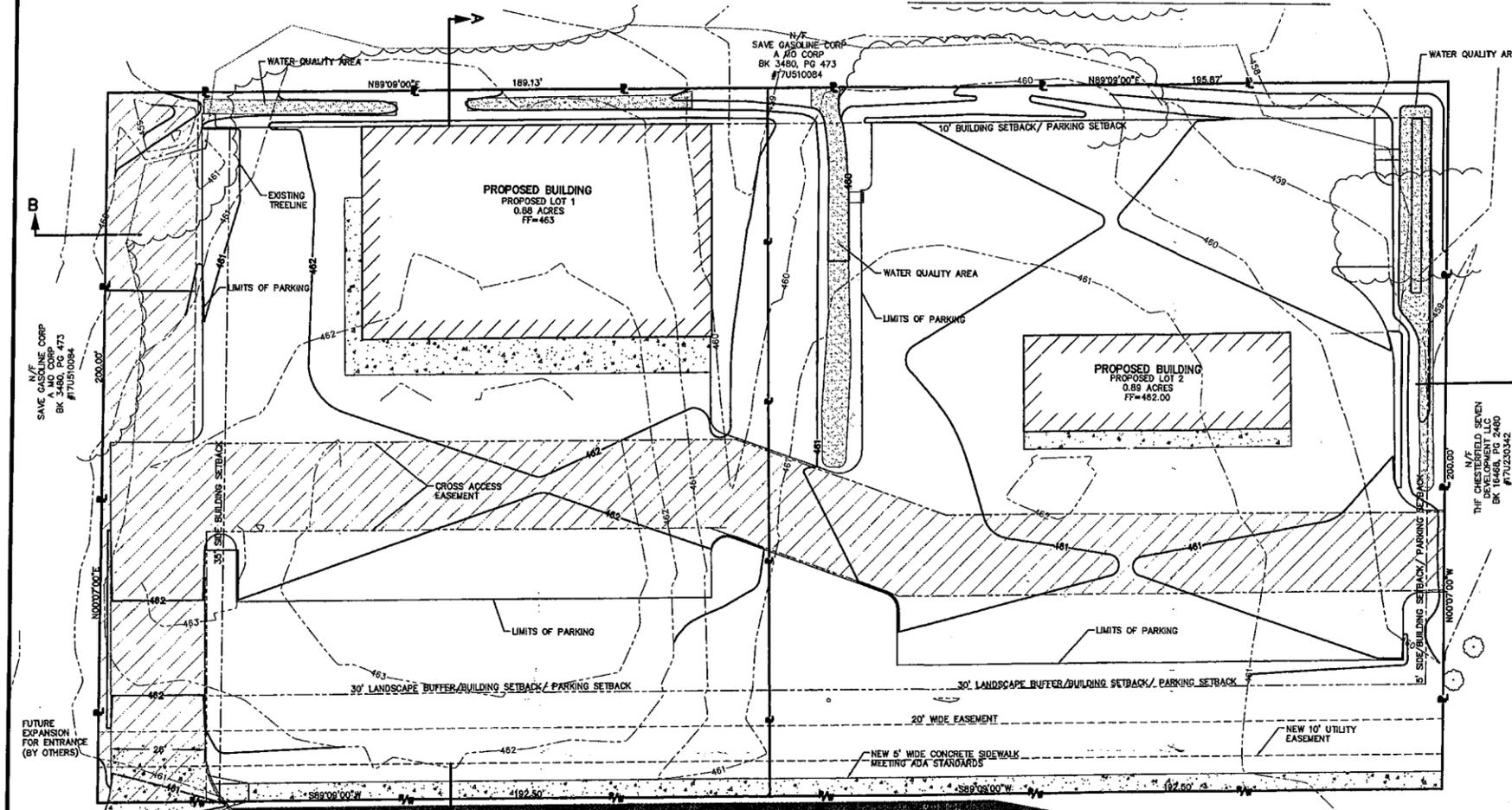
There will be adequate easements established as part of the development to allow for utilities and for cross access between the lots and to future development north of the property.

The development of each lot shall provide adequate parking according to the City's requirements based on the proposed use. The parking stalls and drive aisles shall be sized according to the City's minimum standards with stalls being 9 ft. wide and 19 ft. long with drive aisles being a minimum of 22 ft. wide. Each lot shall also provide the number of loading spaces required by the City's ordinances.

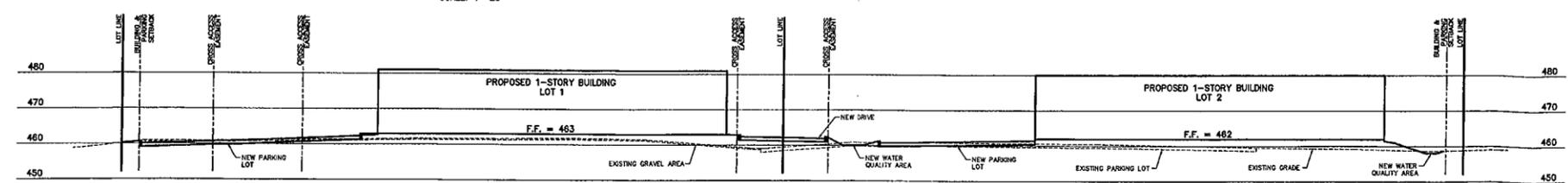
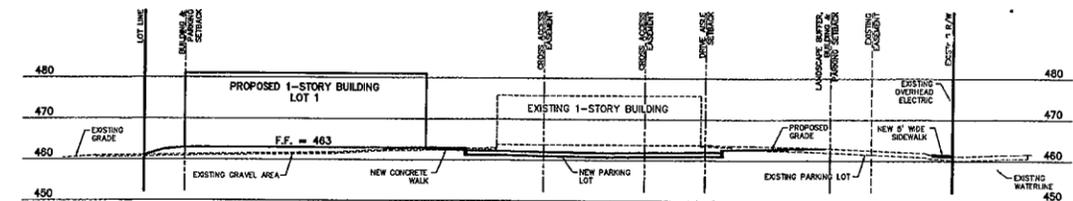
The lighting shall be positioned to provide zero intensity at the lot line. In order to obtain this it may be necessary to provide shielding on the lights in some areas.

Existing trees shall be preserved according to City requirements. The new development shall be landscaped to meet the City's landscape requirements. The development shall include a 30 ft. landscape buffer along Chesterfield Airport Road.

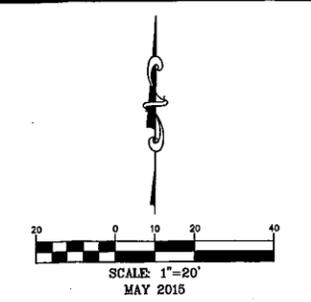
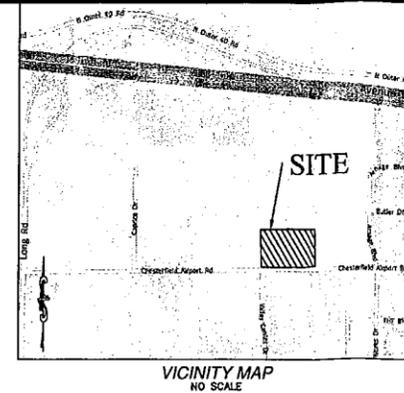
# PRELIMINARY PLAN



VALLEY CENTER DRIVE  
EXISTING ASPHALT PAVEMENT



**DEVELOPER:**  
THE REDING COMPANY, LLC  
2460 EXECUTIVE DRIVE, SUITE 114,  
ST. CHARLES, MO 63303



**LEGEND**

RIGHT OF WAY	---
PROPERTY LINE	---
BUILDING SETBACK	---
EXISTING EASEMENT	---
EXISTING CONTOUR	---
EXISTING CONTOUR IDX	---
EXISTING ASPHALT PAVEMENT	---
EXISTING WATER LINE	---
NEW BUILDING	---
NEW STANDARD DUTY ASPHALT	---
NEW CONCRETE SIDEWALK AND APPROACHES	---
WATER QUALITY AREA	---
CROSS ACCESS EASEMENT	---

- NOTES:**
- TOTAL SITE ACREAGE: 1.77 ACRES
  - EXISTING ZONING: NU - NON-URBAN
  - PROPOSED ZONING: PC - PLANNED COMMERCIAL DISTRICT
  - SETBACKS
  - BUILDING: FRONT - 30', REAR - 10', SIDE - 5' (EAST SIDE LOT 2), SIDE - 35' (WEST SIDE LOT 1)
  - PARKING: FRONT - 30', REAR - 10', SIDE - 5' (EAST SIDE OF LOT 2), SIDE - 0' (WEST SIDE OF LOT 1)
  - LANDSCAPE: FRONT - 30'
  - THE SITE LAND USE SHALL BE COMMERCIAL.
  - THIS SITE IS SERVED BY:  
WATER - MISSOURI AMERICAN WATER  
SEWER - METROPOLITAN ST. LOUIS SEWER DISTRICT  
TELEPHONE - AT&T DISTRIBUTION/CHARTER COMMUNICATIONS/MCI  
ELECTRIC - AMEREN MISSOURI ELECTRIC  
GAS - LAKELOUISE GAS COMPANY
  - THIS SITE FALLS WITHIN THE "UNSHADED ZONE X" AREAS OF 500 YR FLOOD, AREAS PF 100 YR FLOOD WITH AVERAGE DEPTHS LESS THAN 1 FT, OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100 YR FLOOD, PER FIRM, FOR ST. LOUIS COUNTY, MISSOURI MAP NUMBER 28189C0016SK, EFFECTIVE DATE OF FEBRUARY 4, 2015. EFFORTS WILL BE MADE TO DIRECT DRAINAGE TO EXISTING DISCHARGE POINTS.
  - ALL UTILITIES ARE TO BE LOCATED UNDERGROUND.
  - THE PROPOSED BUILDING HEIGHT SHALL BE NO MORE THAN 30 FT.
  - THE SITE SHALL CONFORM TO CITY OF CHESTERFIELD STANDARDS.
  - UNDERGROUND STRUCTURES, FACILITIES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, DEEDS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT KNOWN.
  - ALL ROADWAY DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
  - NO INVESTIGATION HAS BEEN PERFORMED BY COCHRAN REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT SHOWN HEREON.
  - THIS DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY.
  - ALL PAVEMENT STRIPING SHALL BE 4" WIDE PAINTED YELLOW.
  - ACCESSIBLE PARKING STRIPING SHALL BE BLUE.
  - LOCATION, REPLACEMENT, AND CONNECTION OF THE UTILITIES SHALL BE COORDINATED WITH THE UTILITY COMPANIES.
  - TRASH ENCLOSURE IS TO BE MASONRY TO MATCH THE BUILDING AND SCREENED ACCORDING TO CITY REQUIREMENTS.
  - ALL MECHANICAL, HVAC, AND UTILITY EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW ACCORDING TO CITY ORDINANCE.
  - ALL LANDSCAPING MATERIAL AND DESIGN WILL FOLLOW CHESTERFIELD CITY CODES, INCLUDING TYPES OF PLANTS AND SPACING.
  - ALL DISTURBED AREAS INTENDED FOR GRASS SHALL BE SODED.
  - MAXIMUM BUILDING HEIGHT SHALL BE TWO STORIES.
  - OPEN SPACE SHALL BE A MINIMUM OF 35% OF EACH LOT FOR THE DEVELOPMENT.

**PROPERTY DESCRIPTION:**  
FIRST AMERICAN TITLE INSURANCE COMPANY  
FILE NO.: D502006REV1; EFFECTIVE DATE: APRIL 7, 2015  
SCHEDULE "A", NO. 4;

A TRACT OF LAND BEING PART OF LOTS 5 AND 8 OF THE SUBDIVISION IN PARTITION OF THE ESTATE OF PETER STEFFAN, DECEASED, IN U.S. SURVEY 125 AND 126, TOWNSHIP 45 NORTH, RANGE 4 EAST, ACCORDING TO THE PLAT OF SAID SUBDIVISION ATTACHED TO REPORT OF COMMISSIONERS IN PARTITION SUIT OF KRANING, ET AL VS. STEFFAN, ET AL IN CAUSE NO. 4189 OF THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI, A CERTIFIED COPY OF WHICH IS RECORDED IN BOOK 80 PAGE 457 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF CHESTERFIELD AIRPORT ROAD, 100 FEET WIDE, WITH THE EASTERLY LINE OF A PARCEL DESCRIBED IN DEED TO JAMES WALLER RECORDED IN BOOK 4129 PAGE 488 OF THE ST. LOUIS COUNTY RECORDS, AND POINT BEING 10 FEET WESTERLY OF THE EASTERLY LINE OF SAID LOT 5; DEGREES 09 MINUTES 00 SECONDS WEST 385.00 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED IN DEED TO JAMES WALLER RECORDED IN BOOK 4129 PAGE 492 OF SAID COUNTY RECORDS; THENCE ALONG SAID WESTERLY LINE NORTH 00 DEGREES 07 MINUTES 00 SECONDS EAST 200.00 FEET TO THE NORTHWESTERLY CORNER OF SAID WALLER PARCEL RECORDED IN BOOK 4192 PAGE 482; THENCE ALONG THE NORTHERLY LINE OF SAID WALLER PARCEL, AND THE NORTHERLY LINE OF A PARCEL DESCRIBED IN DEED TO JAMES WALLER RECORDED IN BOOK 2932 PAGE 441 OF SAID COUNTY RECORDS, NORTH 89 DEGREES 09 MINUTES 00 SECONDS EAST 385.00 FEET TO THE NORTHEASTERLY CORNER OF SAID WALLER PARCEL RECORDED IN BOOK 4129 PAGE 488; PAGE 488 SOUTH 00 DEGREES 07 MINUTES 00 SECONDS WEST 200.00 FEET TO THE POINT OF BEGINNING ACCORDING TO SURVEY NO. 118469 EXECUTED BY JAMES ENGINEERING & SURVEYING CO., INC. IN MAY 1993.

**BENCHMARKS:**  
PROJECT BENCHMARK:  
ELEV=460.06 (NGVD 1929)  
ST. LOUIS COUNTY BENCHMARK SYSTEM 12-171: "STANDARD ALUMINUM DISK" STAMPED SL-38, 1990. DISK IS SET AT THE NORTHWEST CORNER OF CHESTERFIELD AIRPORT ROAD AND CAPRICE DRIVE.  
SITE BENCHMARK:  
ELEV=463.04  
"O" IN OPEN ON A FIRE HYDRANT LOCATED APPROXIMATELY 60 NORTH OF THE CENTERLINE OF CHESTERFIELD AIRPORT ROAD AND 1,165 FEET EAST OF THE INTERSECTION WITH CAPRICE DRIVE IN CHESTERFIELD, MISSOURI.

**CITY OF CHESTERFIELD**  
PLANNED DISTRICT ORDINANCE  
ATTACHMENT B

**RECEIVED**  
City of Chest.  
SEP - 1 2015  
Department of Public Works

ERIC SCOTT KIRCHNER  
E-2001004618  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF MISSOURI

Eric S. Kirchner No. E-2001004618  
Registered Professional Engineer  
State of Missouri  
for Cochran Engineering & Surveying

**PRELIMINARY PLAN**  
**AUTOZONE**  
**CHESTERFIELD, MISSOURI**

636-332-4574 (cell)  
636-327-0760 (fax)  
www.cochraneng.com  
Cochran Engineering & Surveying  
Civil Engineering  
Architectural  
Site Development  
General Consulting  
Master Planning

North Office  
8 East Main Street  
Chesterfield, Missouri 63305

DATE: 5-12-15  
SCALE: 1"=20'  
PROJ. NO.: M14-7090  
DRAWN BY: ESK  
CHECKED BY: ESK

1 OF 1



## NEWSLETTER - CITY COUNCIL MEETING

### AGENDA REVIEW – Wednesday, October 7 – 6:30PM

Please note that an AGENDA REVIEW meeting has been scheduled for **6:30pm**, on Wednesday, October 7, 2015. The enclosed AGENDA contains a list of those items to be discussed, by City Council, at this meeting.

As always, if you have any questions regarding any of the items contained within said AGENDA, please let me know. Additionally, if there is anything that you would like ADDED to said AGENDA, please contact either Mayor Nation, or me, prior to Wednesday's meeting.

### NEXT MEETING – WEDNESDAY, OCTOBER 7, 2015

Please note that the next meeting of City Council will take place on Wednesday, October 7. Each year, City Clerk Vickie Hass forwards a potential list of City Council meetings to the Jewish Community Relations Council. That organization identified **Monday, October 5, as a Jewish holiday (Shemini Atzeret) and affirmed that those of the Jewish faith would not be able to attend a meeting on that date.** It has long been the custom/policy of City Council to avoid such dates for meetings of City Council, City Council Committees and the Planning Commission.

If you have any questions, please contact Ms. Hass or me.

### VACANCY ON CITY COUNCIL

Due to the passing of Councilmember Nancy Greenwood, there is currently a vacancy on City Council, from Ward I. According to City Attorney Harry O'Rourke, **State Law provides that any such vacancy could be filled by the Mayor, who has exclusive authority to nominate someone for this position. However, the Mayor's nominee must be approved by a MAJORITY of City Council.**

PLEASE NOTE that a **SPECIAL ELECTION will be scheduled, for April, 2016, to fill the remaining one year of Councilmember Greenwood's term.** As a result, the qualifying period for the next City election is December 15, 2015 – January 19, 2016 will now apply to both City Council seats, from Ward I, in addition to one year, from Wards II, III and IV.

If you have any questions, please let me know.

## UPCOMING MEETINGS/EVENTS

<b>Wednesday, October 7</b>	<b>HAPPY BIRTHDAY TO CAPTAIN LEWIS!</b>
<b>Thursday, October 8</b>	Planning & Public Works Committee (5:30pm)
<b>Monday, October 12</b>	Planning Commission (7pm)
<b>Saturday, October 17</b>	Memorial Service for Councilmember Nancy Greenwood (11am)
<b>Monday, October 19</b>	Next City Council meeting (7pm)

## PROCLAMATION – NATIONAL COMMUNITY PLANNING MONTH

Mayor Nation will present the enclosed PROCLAMATION to Mike Geisel, Director of Public Services and Aimee Nassif, Planning/Development Services Director, at Wednesday's meeting.

If you have any questions, please contact either Mr. Geisel, Ms. Nassif or me.

## APPOINTMENTS

As detailed in the enclosed MEMO, City Clerk Vickie Hass has confirmed that Mayor Nation plans to **re-appoint Mr. Bud Gruchella**, as a member of the **ARB**. If approved by City Council, his two-year **term would expire 8/29/17**. Councilmember Flachsbart, Ward I, supports Mr. Gruchella's re-appointment. Please contact Mayor Nation and/or Councilmember Flachsbart, if you have any questions/concerns, prior to Wednesday's meeting.

Having secured the endorsement of the PH&S Committee, as required by City Council policy, Mayor Nation has indicated his intention to **nominate Mr. John W. Nichols, III**, to serve as a member of the **Police Personnel Board**, replacing Mr. Philip Folsom, who recently resigned. Both Ward 4 Councilmembers have also endorsed Mr. Nichols' appointment. If approved by City Council, Mr. Nichols' **3-year term would expire August 15, 2018**. Please contact Mayor Nation, Councilmember Elliot Grissom, Chairperson – PH&S Committee, Chief Johnson or me, prior to Wednesday's meeting, if you have any questions.

Mayor Nation has also notified me (see attached) of his intention to nominate someone, whom he will announce at Wednesday's meeting, **to fill the vacancy in Ward I**, created by the recent passing of Councilmember Nancy Greenwood. Approval of the Mayor's nomination, to fill this vacancy on City Council, requires an affirmative vote of **FOUR** of the remaining **SEVEN** members of City Council. If approved by City Council, **his/her term would expire April 5, 2016**. That person could, of course, seek election at that time, to fill the one-year remaining on Councilmember Greenwood's term, by qualifying in December. Please contact Mayor Nation prior to Wednesday's meeting, if you have any questions.

## **RECOMMENDATIONS – PUBLIC HEALTH AND SAFETY (PH&S) COMMITTEE**

As detailed in the enclosed MINUTES, prepared by Chief Ray Johnson, the PH&S Committee met on Wednesday, September 16, 2015.

The following is a list of the actions taken/recommendations made by this Committee, which will be discussed, at Wednesday's City Council meeting:

2. Endorsement of Nominee to **Police Personnel Board** (See: "APPOINTMENTS" paragraph)
3. **Bill No. 3054** – Amends Ordinance No. 236 re: "Community Service" (**FIRST READING**)
5. **Bill No. 3055** – Authorizes City Administrator to Sign MoDOT "Work Zone Enforcement" Grant application (**FIRST READING**)
6. Proposed Budget Amendment/Transfer from General Fund – Fund Reserves re: **Expedited Purchase of Police Vehicles (VOICE VOTE)**

If you have any questions, please contact Chairperson Elliot Grissom, any other member of this Committee, Chief Johnson or me, prior to Wednesday's meeting.

## **RECOMMENDATIONS – PLANNING/PUBLIC WORKS (P/PW) COMMITTEE**

As detailed in the enclosed MINUTES, prepared by Mike Geisel, Dir. of Public Services, the P/PW Committee met on Thursday, 9/10. The following is a list of the item, endorsed by this Committee, which now requires review/approval by City Council:

### **IIA. Recommendation re: General Fund Budget Transfer, re: Street Tree Removal Program**

--- **P.Z. 06-2015** - Chesterfield Airport Road (Autozone) (**FIRST READING**)

If you have any questions, please contact Chairperson Connie Fults, any other member of this Committee, Mr. Geisel or Mr. Eckrich, prior to Monday's meeting.

## **LIQUOR LICENSE REQUESTS**

As detailed in the enclosed MEMOS, prepared by Andrea Majoros, Business Assistance Coordinator, a full liquor license, to sell liquor by-the-drink and Sunday Sales, has been requested by the following businesses:

**Starbucks Evenings, located at 1720 Clarkson Rd.**

**Addie's Thai House, located at 13441 Olive Blvd.** (upgrade re: Sunday sales)

As is our practice, both of these applications have already been reviewed and are now recommended for your approval by our Police Dept. and the Planning/Development Services Division of the Dept. of Public Services.

If you have any questions, please contact me PRIOR to Wednesday's meeting.

**RESOLUTION NO. 416 – AUTHORIZES APPLICATION FOR MUNICIPAL PARKS GRANT FUNDING RE: VETERAN’S HONOR PARK**

As detailed in the enclosed MEMO, prepared by Tom McCarthy, Parks/Recreation/Arts Director, we are now prepared to formalize and submit an application for \$500,000, to the **Municipal Parks Grant Commission**, in support of the City’s efforts to build a **Veteran’s Honor Park**. Passage of the enclosed RESOLUTION is now required, in order for Staff to proceed.

Seeking these grant funds was previously discussed with and endorsed by the P/PW Committee of City Council. As you are also aware, City Council recently authorized/directed that final construction and bid documents be prepared, regarding this project. Currently, the Veteran’s Honor Park Citizens Committee has secured commitments for just under \$500,000 in donations and City Council previously authorized that a similar amount be set-aside in General Fund – Fund Reserves.

If you have any questions, please contact either Mr. McCarthy, Mr. Geisel or me, prior to Wednesday’s City Council meeting. I will request City Council approval, during my report, at the 10/7 City Council meeting.

**LEGISLATION**

**BILL NO. 3054 – AMENDS ORDINANCE 283 OF THE CITY OF CHESTERFIELD BY REPEALING SAID ORDINANCE RELATING TO ALTERNATIVE COMMUNITY SERVICE AND SUBSTITUTING A NEW ORDINANCE IN LIEU THEREOF (FIRST READING)**

**BILL NO. 3055 – AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO AN ON-CALL WORK ZONE ENFORCEMENT AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) TO ALLOW COOPERATION BETWEEN THE CHESTERFIELD POLICE DEPARTMENT AND MoDOT FOR THE ON-CALL WORK ZONE ENFORCEMENT PROGRAM (FIRST READING)**

**LEGISLATION - PLANNING COMMISSION**

**BILL NO. 3056 - AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 1.77 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD WEST OF ITS INTERSECTION WITH ARNAGE BOULEVARD. (FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL.)**