



RECORD OF PROCEEDING

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

FEBRUARY 18, 2009

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

Boy Scout Troop #848 from Highcroft Ridge Elementary led everyone in the Pledge of Allegiance. Mayor Nations followed with a moment of silent prayer. Mayor Nations recognized and thanked: Cole Edelstein, Drew Edelstein and Greg Andert for their participation in this opening ceremony.

PRESENTATION

Mayor Nations presented a Proclamation to Cole and Drew Edelstein, who reside with their parents, Mark and Miranda Edelstein, at 1884 Schoettler Valley Drive. Mayor Nations commended these two young boys for coming to the aid of their mother, who had a medical emergency, by using skills used in Scouting.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Gene Schenberg
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

None

APPROVAL OF MINUTES

The minutes of the February 2, 2009, City Council meeting were submitted for approval. Councilmember Erickson made a motion, seconded by Councilmember Schenberg, 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 Nations announced that the next meeting of City Council has been scheduled for Monday, March 2, at 7 p.m.

Councilmember Fults announced that the Parks & Recreation Department will hold its first “Chess and Scrabble Game Day” on Saturday, March 7, at City Hall, from 1:00 – 5:00 p.m.

Mayor Nations recognized Derek Grier, who is a candidate for Councilmember in Ward II, and Randy Logan, who is a candidate for Councilmember in Ward III. Both individuals were in attendance at this meeting.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Lee Erickson, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Hurt, to approve a recommendation regarding a proposed “technology shift”, from Novell to Microsoft. A voice vote was taken with an affirmative result (7-0-1, Councilmember Flachsbart “abstained”) and the motion was declared passed.

Councilmember Erickson made a motion, seconded by Councilmember Hurt, to approve the recommendation from the Citizens Committee for the Environment regarding establishing a “Stellar Green Youth Team.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Erickson announced that the next meeting of this Committee has been scheduled for February 23 at 5:30 p.m.

Planning/Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2693 [P.Z. 25-2008, City of Chesterfield (Tree Preservation and Landscape Requirements)] will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, February 19 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for the construction of a gravity outlet, at Pump Station No. 6, which is located behind the reservoir behind Target. Mr. Herring noted that this project would be fully funded by TIF funds set aside to fund this and a variety of other construction projects, within the Chesterfield Valley. Based upon a review of the information provided by Mr. McGownd, Mr. Herring joined with him in recommending award of a contract to Gershenson Construction Company, in an amount not to exceed \$1,750,000. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to award a contract to Gershenson Construction Company, in an amount not to exceed \$1,750,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for a portion of this year's capital projects for Area "B". Public Works Director/City Engineer Brian McGownd confirmed that funding, for the \$1,200,000 total cost associated with this work, is contained within the FY2009 Budget (Capital Improvement Sales Tax Fund). Based upon a review of the information provided by Mr. McGownd, Mr. Herring joined with him in recommending award of a contract to J. H. Berra Paving Company, in an amount not to exceed \$1,200,000. Councilmember Hurt made a motion, seconded by Councilmember Casey, to award a contract to J. H. Berra Paving Company, in an amount not to exceed \$1,200,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Finance and Administration Kelly Vaughn had forwarded to him a list of "budget transfers/budget amendments/purchase order re-appropriations" that now needs City Council approval. Mr. Herring stated this is a "house-keeping" requirement that the City is required to accomplish, each year, at the request/direction of the City's Auditors. Councilmember Fults made a motion, seconded by Councilmember Casey, to approve the recommendation to approve these Budget Transfers/Amendments and purchase order re-appropriations. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2693 AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2367 AND REPLACING IT WITH A NEW TREE PRESERVATION AND LANDSCAPE REQUIREMENTS ORDINANCE WHICH AMENDS THE TREE PRESERVATION AND LANDSCAPE REQUIREMENTS WITHIN THE CITY OF CHESTERFIELD [P.Z. 24-2008 CITY OF CHESTERFIELD (TREE PRESERVATION AND LANDSCAPE

**REQUIREMENTS)] (SECOND READING - PLANNING
COMMISSION RECOMMENDS APPROVAL;
PLANNING/PUBLIC WORKS COMMITTEE
RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2693. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2693 was read for the second time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to amend Bill No. 2693, Section VIII Tree Preservation Plan, D. Criteria, page 12, to include the following language: “4. In order to minimize interference with overhead utility lines, all trees located within existing and proposed easements that are anticipated to include overhead utility lines, shall be removed by the applicant, so as to limit the potential for damage to utility distribution facilities. Specific trees and landscaping materials may be retained if, as approved by the Planning and Development Services Director, they will not damage or interfere with the delivery of utility service at normal mature height.” and to amend Section VIII Tree Preservation Plan, E. Plan Requirements, page 12, to replace with the following language:

“4. Table listing the following, in square feet:

- a. The total site area.
- b. The existing tree canopy coverage, excluding the area in easements and rights-of-way with overhead utility lines as described in section VIII.D.
- c. The tree canopy coverage proposed for removal.
- d. The tree canopy coverage provided for preservation.”

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to further amend Bill No. 2693, Section VIII Tree Preservation Plan, F. Landscape Bonds, page 22, to replace the word “bonds” with the word “sureties” and to replace the word “bond” with the word “surety.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A roll call vote was taken for the passage and approval of Bill No. 2693, as amended, with the following results: Ayes – Nation, Hurt, Fults, Erickson, Schenberg, Flachsbart, Casey and Geiger. Nays – None. Whereupon Mayor Nations declared Bill No. 2693 approved, passed it and it became **ORDINANCE NO. 2512**.

EXECUTIVE SESSION

Councilmember Schenberg made a motion, seconded by Councilmember Geiger, to go into closed session, pursuant to RSMo 610.021(2). A roll call vote was taken with the following results: Ayes – Geiger, Fults, Hurt, Schenberg, Nation, Erickson, Casey and Flachsbart. Nays – None. Whereupon Mayor Nations declared the motion passed.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:15 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggiar, City Clerk