



RECORD OF PROCEEDING

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

February 19, 2003

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

The Pledge of Allegiance was led by Girl Scout Troop #1171 from Shenandoah Elementary School: Anna Ellsworth, Kelly McBride, Karlie Pinder, Emily Schnaare, Lauren Skelly. Also in attendance were Troop Leaders Debbie Skelly, Sharon Tureen and Lonna Ellsworth.

Mayor Nations led those in attendance in a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Connie Fults

ABSENT

None

APPROVAL OF MINUTES

The minutes of the February 3, 2003, City Council meeting were submitted for approval. Councilmember Durrell made a motion, seconded by Councilmember Geiger, 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 will be held Monday, March 3.

Councilmember Streeter announced that Director of Finance and Administration Jan Hawn had accepted a position as Director of Finance in the City of Bellevue, Washington. Both Councilmember Streeter and Councilmember Hurt noted that Ms. Hawn had received the Distinguished Budget Presentation Award and the Certificate of Achievement for Excellence in Financial Reporting Award for the past 13 years. Both awards were presented by the Government Finance Officers Association. They both wished her well. Mayor Nations commended Ms. Hawn on the excellent job she has performed on behalf of the City and wished her well in her new venture.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that the City has been awarded a Municipal Parks Commission grant, in the amount of \$189,300, and that the City has also received \$5,000 from Ameren UE from their Smartlights Grant Program, for additional lighting at the Chesterfield Valley Athletic Complex. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to amend the 2003 Budget to reflect acceptance of these Parks grants and approve the bids submitted Musco Lighting for various improvements to the CVAC, including the lighting of additional athletic fields. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart next reported that the Committee recommends acceptance of a donation of land, adjacent to/near the St. Louis County Emergency Operations Center for possible construction of a secondary salt dome and to utilize funds from the ½ cent sales tax fund to ultimately construct the salt dome. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the acceptance of the donation of land adjacent to/near the St. Louis County Emergency Operations Center for possible construction of a secondary salt dome and to utilize funds from the ½ cent sales tax fund to ultimately construction same. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. It was noted that Staff will develop detailed plans and cost estimates, over the coming months, and will forward that information to the Public Works/Parks Committee, for further discussion/review.

Councilmember Flachsbart next reported that the Committee recommends City Council join with the Metropolitan Sewer District (MSD) and other St. Louis County municipalities, as co-permittee in submitting a joint Phase II Stormwater Permit application to the Missouri Department of Natural Resources and to authorize the City Administrator to execute the joint permit application. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to join with the Metropolitan Sewer District

(MSD) and other St. Louis County municipalities, as co-permittee in submitting a joint Phase II storm water permit application to the Missouri Department of Natural Resources and to authorize the City Administrator to execute the joint permit application. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart next reported that Director of Public Works/City Engineer Mike Geisel recommends slight modifications to be made to the Winter Paving Policy, specifically those which define cold weather and when it ceases. Cold weather restrictive procedures are no longer applicable. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the changes in the Winter Paving Policy. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart next reported that Bill No. 2138 (No Parking on Federal Way/Eagle Point Court) and Bill No. 2142 (approves fire hydrants in Spirit Trade Center/Conway on the Grove) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee will be held March 24 at 5:45 p.m.

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for February 26 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2139 (P.Z. 21-2002, THF Chesterfield North Interchange Development) and Bill No. 2143 (approves a Boundary Adjustment Plat for Drury Development Corporation) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Discussion ensued regarding the Mercedes Automotive Museum, as it pertains to the review of sculpture requirements and approval of the Site Development Plan. After some discussion, Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve the Site Development Plan, as recommended by the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Discussion then ensued regarding the sculpture requirements. Councilmember Hurt made a motion, seconded by Councilmember Casey, to direct Staff to work with the Planning Commission to develop a special “Museum District”, which could include

artistic features, as permitted uses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for February 20 at 5:30 p.m. and, at that meeting, there will be a Public Hearing regarding St. Luke's Hospital's request for a Conditional Use Permit.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for the purchase of a compact utility tractor, to be used primarily by the Parks Maintenance Division. Based upon the information provided by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending award of a contract to Turf Professionals in the amount of \$22,272.75 for the purchase of said tractor. Mr. Herring noted that the FY2003 Budget contains an appropriation of \$25,530 for this specific purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Turf Professionals in the amount of \$22,272.75 for the purchase of a compact utility tractor. 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 cracksealing for existing City maintained streets. Based upon a review of the recommendation submitted by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to X-L Contracting Inc., in an amount not to exceed \$125,000, which is the amount contained within the FY2003 Budget, for this specific purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to X-L Contracting Inc., in an amount not to exceed \$125,000 for cracksealing activities. 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 painting of the leisure pool, at the City's Central Park. Having reviewed the recommendation submitted by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to Bazan Painting Company, in an amount not to exceed \$16,400, which is the amount contained within the FY2003 Budget, for this specific purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Bazan Painting Company, in an amount not to exceed \$16,400, for pool painting services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought for the provision of professional services with regard to inspection services required, in conjunction with various street/construction projects. Based upon the recommendations submitted by Mr. Geisel, Mr. Herring joined with him in recommending that authorization be given to employ the services of three different firms: PSI Inc., Shively Geotechnical and Terracon Consulting. Further, Mr. Herring joined with Mr. Geisel in recommending that an appropriation of \$150,000 be approved for payment to these various firms for services rendered during FY2003. The FY2003 Budget contains an allocation of \$180,000 for

these services. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award contracts to PSI Inc., Shively Geotechnical and Terracon Consulting for inspection services and that appropriation of \$150,000 be approved for payment to these various firms for services rendered during FY2003. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought from private firms to provide supplemental, professional testing services, on an as-needed basis during FY2003. Based upon a review of the recommendations submitted by Mr. Geisel, he joined with him in recommending award of a contract to Professional Services Incorporated (PSI) for the provision of supplemental testing and inspection services, in an amount not to exceed \$10,000, which is the amount contained within the FY2003 Budget for this specific purpose. He further noted that should PSI be unable to perform these services, it is the intention of Staff to utilize the other firms recommended by Mr. Geisel in inverse order, based upon their unit bid pricing. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Professional Services Incorporated (PSI) for the provision of supplemental testing and inspection services, at an amount not to exceed \$10,000. 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 Kubota Zero Turn Mower. Based upon the recommendation submitted by Mr. Geisel, Mr. Herring joined with him in recommending an award of a contract to Art's Lawn Mower Shop, in an amount not to exceed \$10,294. He further noted that the FY2003 Budget contains an appropriation of \$12,000 for this purchase. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Art's Lawn Mower Shop, in an amount not to exceed \$10,294. 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 the purchase of a 72 inch reel mower to be used at the Chesterfield Valley Athletic Complex. Having reviewed the information submitted by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to ERB Turf Equipment, in an amount not to exceed \$29,416.00. Mr. Herring noted that the FY2003 Budget contains an appropriation of \$25,000 for this purchase and Mr. Geisel acknowledged that the \$4,416 shortfall must be made up as a result of other savings or expenditure reductions in their Budget. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award of a contract to ERB Turf Equipment, in an amount not to exceed \$29,416.00, for the 72 inch reel mower. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought from five (5) pre-qualified HVAC service companies for a preventive maintenance contract associated with the HVAC system at City Hall. Based upon the recommendation submitted by Assistant Director of Public Works/Assistant City Engineer Brian McGownd, Mr. Herring joined with him in recommending award a contract to Herbig Mechanical, for calendar years

2003, 2004 and 2005, at a total bid not to exceed \$10,900 (2003), \$11,240 (2004) and \$11,600 (2005). Mr. Herring noted that the FY2003 Budget contained an appropriation of \$12,500 for this year's expense for this service. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Herbig Mechanical, for calendar years 2003, 2004 and 2005, at a total bid not to exceed \$10,900 (2003), \$11,240 (2004) and \$11,600 (2005) for HVAC preventative maintenance services at City Hall. 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 the lease/purchase of a new microfilm imager/reader to replace the microfilm machine, currently used by several Departments within the City. Based upon Mr. Geisel's recommendation, Mr. Herring joined with him in recommending that the bid submitted by Microtek Document Imaging Systems, Inc. of \$496.62/month for 36 months be approved by City Council. Mr. Herring noted that with the previous approval by City Council of the lease/purchase of a new engineering copier, the total amount spent for lease/purchasing of equipment is now just under \$18,000.00. There is \$23,000 budgeted for this purpose in the FY2003 Budget. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to accept the bid submitted by Microtek Document Imaging Systems, Inc. of \$496.62/month for 36 months for a microfilm imager/reader. 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 the purchase of a 1-ton, 4-wheel drive truck with snow plow/salt spreader. Based upon his review of the information submitted by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to Feld Chevrolet, in an amount not to exceed \$39,680. Mr. Herring noted that the FY2003 Budget contains \$43,000 for this purchase. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Feld Chevrolet, in an amount not to exceed \$39,680, for a 1-ton, 4-wheel drive truck with snow plow/salt spreader. 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 the purchase of two (2), 2 ½ ton dump trucks with snow plows/salt spreaders. Based upon the information provided to him by Mr. Geisel, he joined with him in recommending award of a contract to Degel Truck Center, in an amount not to exceed \$132,690.52. Mr. Herring noted that the FY2003 Budget contains \$163,380 for the purchase of these two (2) trucks. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Degel Truck Center, in an amount not to exceed \$132,690.52, for two (2), 2 ½ ton dump trucks with snow plows/salt spreaders. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2138 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY

**ADDING PROVISIONS THERETO TO RESTRICT PARKING
ON FEDERAL WAY AND EAGLE POINT COURT (SECOND
READING – PUBLIC WORKS/PARKS COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2138. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2138 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2138, with the following results: Ayes – Geiger, Hurt, Fults, Casey, Streeter, Durrell, Brown and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2138 approved, passed it and it became **ORDINANCE NO. 1916.**

**BILL NO. 2142 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN
SPIRIT TRADE CENTER AND CONWAY ON THE GROVE,
LOCATED WITHIN THE CITY OF CHESTERFIELD (FIRST
AND SECOND READINGS – PUBLIC WORKS/PARKS
COMMITTEE)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2142. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2142 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2142. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2142 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2142, with the following results: Ayes – Casey, Geiger, Durrell, Flachsbart, Brown, Fults, Streeter and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2142 approved, passed it and it became **ORDINANCE NO. 1917.**

LEGISLATION – PLANNING COMMISSION

**BILL NO. 2139 AMENDS THE ZONING ORDINANCE OF THE CITY OF
CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN
“FPNU” FLOOD PLAIN NON-URBAN DISTRICT AND AN
“NU” NON-URBAN DISTRICT TO A “PC” PLANNED
COMMERCIAL DISTRICT FOR A 4.75 ACRE TRACT OF
LAND LOCATED NORTH OF I-64/HIGHWAY 40-61, WEST OF
BOONE’S CROSSING AND SOUTH OF NORTH OUTER
FORTY ROAD (P.Z. 21-2002, THF CHESTERFIELD NORTH
INTERCHANGE DEVELOPMENT L.L.C.) (SECOND
READING – PLANNING COMMISSION RECOMMENDS
APPROVAL; PLANNING AND ZONING COMMITTEE
RECOMMENDS APPROVAL AS AMENDED)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2139. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2139 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Casey, to amend Page 5, Section 4. Access, Item d and eliminate Item e, as it becomes part of Item d. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt made a motion, seconded by Councilmember Brown, to amend Page 9, Section 13. Miscellaneous, Item e. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. City Attorney Beach noted a “housekeeping” item that needed to be addressed. In the first “Whereas” the petitioner should be noted as THF Chesterfield North Interchange Development, L.L.C. Councilmember Streeter made a motion, seconded by Councilmember Casey, to make this change throughout the proposed ordinance, as to the correct name for the petitioner. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was then taken for passage and approval of Bill No. 2139, as amended, with the following results: Ayes – Hurt, Geiger, Brown, Casey, Durrell and Streeter. Nays – Fults and Flachsbart. Whereupon Mayor Nations declared Bill No. 2139 approved, passed it and it became **ORDINANCE NO. 1918.**

BILL NO. 2143 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR DRURY DEVELOPMENT CORPORATION ADJUSTED LOT A, A TRACT OF LAND BEING CREATED FROM LOT C117 ADJUSTED AND PARTS OF C117A ADJUSTED AND C117B ADJUSTED OF THE BOUNDARY ADJUSTMENT PLAT RECORDED IN PLAT BOOK 164, PAGE 86 OF THE RECORDER OF DEED’S OFFICE IN ST. LOUIS COUNTY, MISSOURI, AND PART OF LOT 7 OF THE WEST PART OF U.S. SURVEY 415, AND PARTS OF LOTS 1 AND 2 OF THOMAS K. HUMPHREY’S ESTATE OF U.S. SURVEY 2002, TOWNSHIP 45 NORTH, RANGE 4 EAST, OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI (**FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2143. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2143 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2143. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2143 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2143, with the following results: Ayes – Casey, Brown, Durrell, Streeter, Hurt, Geiger, Fults and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2143 approved, passed it and it became **ORDINANCE NO. 1919.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:35 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk