



## RECORD OF PROCEEDING

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

**February 22, 2006**

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

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

**ABSENT**

Councilmember Barry Streeter

**APPROVAL OF MINUTES**

The minutes of the February 6, 2006, City Council meeting were submitted for approval. Councilmember Casey 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 John Nations welcomed several high school students from Nerinx Hall who were attending the meeting for school credit.

Mayor Nations announced that the next meeting of City Council has been scheduled for March 6 at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Mike Doster, attorney for the petitioner, requested that the amended site development concept plan and site development section plan for “Justus Pointe at Chesterfield Village” be held until the next City Council meeting, on March 6 and supported Bill No. 2421 (P.Z. 15-2005, Chesterfield Airport Road Acquisitions, LLC/Terra Corporate Park).

## **COUNCIL COMMITTEE REPORTS**

### **Finance and Administration Committee**

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for March 8, at 5:30 p.m.

Councilmember Durrell next announced that the Historical Commission will present a free slide presentation on “Life Heroes, Villains, Native Americans, Wars and Disasters”, on March 8 at 7:30 p.m., at City Hall.

### **Public Works/Parks Committee**

Councilmember Mary Brown, Vice Chair of the Public Works/Parks Committee, reported that Bill No. 2423 (Authorizes the installation of fire hydrants at Kendall Bluff) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for February 24, at 7:30 a.m.

### **Planning and Zoning Committee**

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2424 (P.Z. 18-2005, City of Chesterfield (sign calculations) and Bill No. 2425 (P.Z. 24-2005, Kommerz, LLC (Clock Tower Plaza) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda. He also noted that Bill No. 2421 (P.Z. 15-2005, Chesterfield Airport Road Acquisitions, LLC (Terra Corporate Park) is scheduled for second reading approval.

Councilmember Casey made a motion, seconded by Councilmember Flachsart to hold the “Justus Pointe at Chesterfield Village” legislation in conjunction with a letter received today from the attorney representing the petitioner, until the next City Council meeting, which is scheduled to take place on March 6. Councilmember Geiger seconded the motion, but asked that it be amended, to refer the new plans to the Planning and Zoning

Committee for review, prior to the next City Council meeting, scheduled for March 6. Councilmember Casey accepted the amendment. A voice vote was taken, on the amended motion, with a unanimous affirmative result and the motion was declared passed.

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

### **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that a liquor license request has been received from Foodie's Market Place and Deli, located at 17701 Edison Avenue, to sell beer and wine only by the drink and Sunday sales. The application has been approved by both the Police and Planning Departments. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve issuance of the liquor license to Foodie's Market Place and Deli. 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 tandem dump truck, with snow plow and spreader. Based upon review of the information provided to him by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending award of a contract to Degel Truck Center, at a total purchase price of \$82,171.00. Mr. Herring noted that the F.Y.2006 Budget contains an appropriation of \$113,800.00 for this purchase. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to award a contract to Degel Truck Center, at a total purchase price of \$82,171.00. 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), 2.5 ton dump trucks, with snow plows and salt spreaders. Based upon review of 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 \$166,164.00. Mr. Herring noted that the F.Y.2006 Budget contains an appropriation of \$169,800.00 for this purchase. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to award a contract to Degel Truck Center, in an amount not to exceed \$166,164.00. 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 delivery and installation of bleachers at the Chesterfield Valley Athletic Complex (CVAC). Based upon review of the information provided to him by Superintendent of Parks, Recreation and Arts Darren Dunkle, Mr. Herring joined with Mr. Dunkle in recommending award of a contract to Fry and Associates, in an amount not to exceed \$24,668.00, which is the amount contained within the F.Y.2006 Budget, for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Fults, to award

a contract to Fry and Associates, in an amount not to exceed \$24,668.00. 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 utility vehicle, for use within the Parks Division. Based upon review of the information provided to him by Superintendent of Parks, Recreation and Arts Darren Dunkle, Mr. Herring joined with Mr. Dunkle in recommending award of a contract to Erb Equipment, Inc., in an amount not to exceed \$19,194.00. Mr. Herring noted that the F.Y.2006 Budget contains an appropriation of \$20,000.00 for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Fults, to award a contract to Erb Equipment, Inc., in an amount not to exceed \$19,194.00 for the purchase of a utility vehicle. 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 mulching of various rights-of-way, as well as areas around City Hall, Central Park, and the Chesterfield Valley Athletic Complex (CVAC). Based upon review of the information received from Mr. Dunkle, Mr. Herring joined with Mr. Dunkle in recommending award of a contract to Mulch-Tech, in an amount not to exceed \$39,974, which is the amount contained within the F.Y.2006 Budget for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to award a contract to Mulch-Tech, in an amount not to exceed \$39,974. 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 reel mower, for use at the Chesterfield Valley Athletic Complex. Based upon review of the information provided to him by Mr. Dunkle, he joined with him in recommending award of a contract to Erb Equipment, Inc., at a total purchase price of \$34,399.00. Mr. Herring noted that the F.Y.2006 Budget contains an appropriation of \$34,100.00 for this purpose. The savings realized in the purchase of other equipment will be used to cover the difference between the budgeted amount and the actual cost. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to award a contract to Erb Equipment, Inc., at a total purchase price of \$34,399.00. 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 multipurpose sprayer, for use within the Parks Division. Based upon review of the information provided to him, he joined with Mr. Dunkle in recommending award of a contract to Erb Equipment, Inc., in an amount not to exceed \$28,199.00. Mr. Herring noted that the F.Y.2006 Budget contains an appropriation of \$40,000.00 for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to award a contract to Erb Equipment, Inc., in an amount not to exceed \$28,199.00. 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 scheduled replacement of a Skid-Steer Loader for use by the Street Maintenance Division of the Public Works

Department. Having reviewed the information provided to him, he joined with Mr. Geisel in recommending award of a contract to Bobcat of St. Louis, at a net purchase price, including trade-in, of \$14,500. Mr. Herring noted the F.Y. 2006 Budget contains \$14,000 for this purchase and that adequate funding remains within the Equipment Replacement Budget, due to savings realized on other purchases. Councilmember Flacshbart made a motion, seconded by Councilmember Geiger, to award a contract to Bobcat of St. Louis, at a net purchase price, including trade-in, of \$14,500. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **LEGISLATION**

**BILL NO. 2423** APPROVES THE INSTALLATION OF FIRE HYDRANTS LOCATED WITHIN THE CITY OF CHESTERFIELD. (FIRST AND SECOND READINGS – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2423. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2423 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2423. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2423 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2423, with the following results: Ayes – Casey, Brown, Hurt, Fults, Durrell, Geiger and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2423 approved, passed it and it became **ORDINANCE NO. 2244.**

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2421** REPEALS CITY OF CHESTERFIELD ORDINANCE 1708 AND REPLACES IT WITH A NEW ORDINANCE WITH AMENDMENTS RELATIVE TO ADDITIONAL PERMITTED USES AND AMENDMENTS TO SEVERAL AREA, HEIGHT, LOT AND SETBACK REQUIREMENTS FOR A 24.9-ACRE “PI” PLANNED INDUSTRIAL DISTRICT LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD ACROSS FROM ITS INTERSECTION WITH TRADE CENTER BOULEVARD (P.Z. 15-2005, CHESTERFIELD AIRPORT ROAD ACQUISITIONS, LLC/TERRA CORPORATE PARK) (SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2421. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2421 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2421, with the following results: Ayes – Hurt, Brown, Geiger, Casey, Durrell, Flachsbart and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2421 approved, passed it and it became **ORDINANCE NO. 2245.**

**BILL NO. 2424** AMEND CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.168B REGULATING THE CALCULATION OF ATTACHED WALL SIGNS (P.Z. 18-2005, CITY OF CHESTERFIELD/SIGN CALCULATION) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2424. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2424 was read for the first time.

**BILL NO. 2425** AMMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A (C-8) PLANNED COMMERCIAL DISTRICT TO A (P-C) PLANNED COMMERCIAL DISTRICT FOR A 2.61 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD, NORTH OF EDISON AVENUE. (P.Z. 24-2005, KOMMERZ, LLC – CLOCK TOWER PLAZA) **(FIRST READING – PLANNING COMMISSION RECOMMENDS DENIAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED ON THE ATTACHED GREEN SHEET)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2425. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2425 was read for the first time. Councilmember Casey made a motion, seconded by Councilmember Fults, to amend Bill No. 2425 by adopting the revisions that appear on the “green sheet”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to adopt revisions on Page 2, Sections C (1) (d), to read “for ancillary use only.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **ADJOURNMENT**

Mayor Nations adjourned the meeting at 7:23 p.m.

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Mayor John Nations

ATTEST:

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Martha L. DeMay, City Clerk