



**RECORD OF PROCEEDING**

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 16052 SWINGLEY RIDGE ROAD

**MARCH 20, 2000**

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Nancy Greenwood  
Councilmember Barry Flachsbart  
Councilmember Jane Durrell  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Linda Tilley  
Councilmember Mary K. Brown

None

The Pledge of Allegiance was led by Girl Scout Troop #2562 from Incarnate Word School: Anna Bush, Nicole Hietter, Bridget Donnelly, Tess Poelker, Erin Dunn and Julie Lickenbrock. Also in attendance was Troop Leader Debbie Donnelly.

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

APPROVAL OF MINUTES

The minutes of the March 6, 2000, City Council meeting were submitted for approval. Councilmember Durrell made a motion to approve the City Council minutes. Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## INTRODUCTORY REMARKS

Mayor Greenwood presented a proclamation to Sam Doveikis and Joshua Little who have been selected to play Little League baseball in the Japan 2000 World Series in July.

Mayor Greenwood also presented a proclamation to Parkway Central School student representatives from S.T.A.N.D. (Students and Teachers Against Negligent Driving) to promote "Stop On Red" during the month of April. A senior student attending Parkway Central, was killed last year one week before her graduation, by a truck running a red light.

The Citizens Committee for the Environment recognized and commended Mr. Bob Dierberg, President of Dierberg's Markets, and Mr. Jim Gerst, Dierberg's Market Place Store Director, for their participation in starting and sustaining the City's Semi Annual Recycling Drives in November. Ms. Darcy Capstick, Chairperson of this Committee, presented Mr. Dierberg and Mr. Gerst with Green Teaming emblems, which denote the 3 R's (Reduce, Reuse, Recycle), and requested that they be publicly displayed in the store. Ms. Capstick next invited everyone to attend the 9<sup>th</sup> Annual Tree Day and Earth Day on Saturday, April 15 to be held this year in Central City Park.

Mayor Greenwood next announced the issues that have been placed on the April 4, 2000 ballot: Candidates for City Council to be elected from each of the four Wards; the Home Rule Charter Commission proposition, along with 24 Charter Commission candidates; the sewer lateral tax proposition; and, the tobacco sales tax proposition. The Mayor urged everyone to vote on Tuesday, April 4.

Mayor Greenwood announced that the next meeting of City Council has been scheduled for Monday, April 17. This will also be the installation of the newly-elected and re-elected Councilmembers.

## APPOINTMENTS

There were no appointments.

## COMMUNICATIONS AND PETITIONS

Millie Hill, who resides at 46 Witmer Drive, supported the need for a new Government Center, but also expressed a need to form a Home Rule Charter form of government, while expressing concerns over the funding mechanism chosen to finance the new Government Center.

Allan Sheppard, who resides at 826 Judson Manor, opposed the cost of building the new Government Center and supported the need to form a Home Rule Charter form of government.

Harris and Ross Nover, who reside at 37 Baxter Lane and Ben Carafiol, who resides at 14542 White Birch Valley Lane, represented S.T.A.N.D. (Students and Teachers Against Negligent Driving) and requested permission to distribute S.T.A.N.D. stickers to passing motorists at intersections throughout the City. Councilmember Streeter stated the ordinance does not permit people under 21 years of age to solicit in the right-of-way. Mayor Greenwood also stated that Dierberg's Market Place would permit the students to distribute the stickers in front of the store.

Royce Engle, who resides at 135 Ridgecrest, opposed the City removing political signs placed in the rights-of-way and the proposed financing for the new Government Center.

Ben Murphy, who resides at 15696 Silverlake Court, opposed the suggestion to research the issue of placing cameras in intersections to ticket negligent drivers. Mr. Murphy suggested that provisions be made in the new Government Center to video tape meetings of City Council and Standing Committees of Council.

Keith Kramer, who resides at 3 Morganfield Court, supported the suggestion that City of Chesterfield residents have access to the soccer fields located in Chesterfield Valley.

Paul Schifano, 16830 Chesterfield Airport Road, represented the Chesterfield Soccer Association Board of Directors and requested that soccer fields be developed so that children can use them to develop soccer skills and that the fields be used for tournament and league play.

Bill Ware, who resides at 188 River Valley Drive, represented residents of River Bend Subdivision and opposed the increase in traffic on River Bend Drive. Mayor Greenwood stated that she would send a letter to St. Louis County Department of Highways and Traffic and MoDOT to explore additional alternatives to help alleviate these traffic problems.

Mike McCarty, who resides at 73 River Valley Drive, opposed the cost of the new Government Center.

Linda Finkes, who resides at 272 River Valley Drive, expressed concerns regarding the increase of traffic on River Valley Drive.

Laura Lueking, who resides at 15021 Conway Road, supported the need for the City of Chesterfield to become a Home Rule Charter form of government.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Barry Flachsbar, Chairperson of the Public Works/Parks Committee, announced that the next meeting of this Committee has been scheduled for March 22 at 5:30 p.m.

## **Finance and Administration Committee**

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

## **Public Health and Safety Committee**

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that grant funds obtained in 1996 to fund the Police Community Contact Center at Chesterfield Mall will expire on June 30, 2000. The grant provided 100% funding for the facility and a police officer to staff the center. The Committee voted unanimously to continue the program only until the completion of the new Government Center (which will bring the Police Department's location to a central site), utilizing a transfer of \$20,000 from contingency funds, surplus from other police budgeted areas and by soliciting assistance from Mall management to cover the expense of continuing this program at the Mall location. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. It was noted that contingency funds are to be used only after every effort has been made to secure funding from the mall.

Councilmember Casey next reported that the Police Department was selected to participate in a pilot project to encourage traffic safety among local businesses' workforce. The Police Department did not seek out this grant, however, the City of Chesterfield was selected along with one other city in the State of Missouri to participate in this program. There is one year guaranteed funding with the possibility of renewal. The grant funds a police officer's position and one-half of a SMART trailer. Councilmember Casey noted that there was money in the drug forfeiture account to fund the other half of the purchase price of the SMART trailer. The Committee voted unanimously to recommend that City Council accept this grant. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to accept the grant as recommended by the Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next reported that the Police Department has been approved to receive federal funding for two additional School Resource Officers. The grant would provide 100% funding for these officers for approximately two and one-half years. The officers would be placed in Parkway Central and Parkway West Middle Schools. At the end of the funding period, the Parkway School District has agreed to pick up the cost of the officer for 75% of the year, corresponding to the nine months of the year and officers work at the school, and the City would be responsible for the other 25% of the cost of the officers for the time they would work outside of the School District. The Committee voted unanimously to recommend that City Council approve this grant. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to accept the grant funding for the two additional

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

Councilmember Casey next reported that Bill No. 1788, which would establish stop signs at the railroad crossing on Edison Avenue, would be read for the first time under the “Legislation” portion of the agenda.

### **Planning and Zoning Committee**

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that an amendment to the Conditional Use Permit (CUP) Number 10 has been received for St. Luke’s Hospital, located at 232 South Woods Mill Road. Councilmember Brown made a motion, seconded by Councilmember Tilley, to receive and file this amendment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown next reported that an amendment to the Conditional Use Permit (CUP) Number 600 has been received for Montessori Children’s House, located at 14000 Ladue Road. Councilmember Brown made a motion, seconded by Councilmember Tilley, to receive and file this amendment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown next reported that Bill No. 1785 (P.Z. 137-77, Conway Land Company), will be read for the second time during the Council meeting. Councilmember Streeter stated his intention to make a motion under the “Legislation – Planning Commission” portion of the agenda for only the first reading of Bill No. 1789 (approval of the record plat for Nooning Tree Development Plat I), Bill No. 1790 (approval of the record plat for Nooning Tree Development Plat II) and Bill No. 1791 (approval of the record plat for Nooning Tree Development Plat III). Bill No. 1792 (approves vacation of stormwater drainage easement for Chesterfield Grove Lot V) will be read twice under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for March 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 Homewood Suites by Hilton, located at 840 Chesterfield Parkway West, to sell beer and wine only by the drink. The application has been approved by both the Planning and Police Departments. Councilmember Casey made a motion to approve issuance of the liquor license. The motion was seconded by Councilmember Streeter. 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 and it is the recommendation of Director of Public Works/City Engineer Mike Geisel that the firms of Midwest Engineering, Shannon and Wilson and Terracon be selected by City Council for use by the Department, on an as-needed basis, for testing services. The FY 2000 Budget contains an appropriation of \$20,000 for this purpose. Having reviewed the bids, Mr. Herring joined with Mr. Geisel in making this recommendation, for City Council's consideration. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award the bid to Midwest Engineering, Shannon and Wilson and Terracon be selected by City Council for use by the Department, on an as-needed basis, for testing services, in an amount not to exceed \$20,000 for testing services. 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 inspection services associated with "R & S" construction projects during the coming year. Having reviewed the bid information, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel in recommending that the City contract with the firms of Phillips Environmental, Professional Services and Midwest Engineering Services, in an amount not to exceed \$225,000 for their respective services. The FY 2000 "R & S" budget provides \$250,000 for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to award a contract to the firms of Phillips Environmental, Professional Services and Midwest Engineering Services, in an amount not to exceed \$225,000 for inspection services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel recommends that the contract for construction projects within Area B be awarded to D. Bennish Construction Company, in an amount not to exceed \$1,621,440. This is within the overall context of \$7,000,000, which has been budgeted to cover "R & S" construction projects during the coming fiscal year. Based upon all of this information, Mr. Herring joined with Mr. Geisel in recommending acceptance of this bid. Councilmember Brown made a motion, seconded by Councilmember Casey, to approve the bid submitted by D. Bennish Construction Company, in an amount not to exceed \$1,621,440, for construction projects within Area B. . A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel recommends that the contract for construction projects within Area C be awarded to Kelpe Contracting, in an amount not to exceed \$1,498,770. This is within the overall context of \$7,000,000, which has been budgeted to cover "R & S" construction projects during the coming fiscal year. Mr. Herring joined with Mr. Geisel in recommending approval of this recommendation. Councilmember Casey made a motion, seconded by Councilmember Streeter, in recommending approval of the contract with Kelpe Contracting, in an amount not to exceed \$1,498,770, for construction projects within Area C. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that bids were recently sought for the purchase of two (2) skid steer loaders. Having reviewed all of the information, he joined with Mr. Geisel in recommending approval of the low bid submitted by Bobcat of St. Louis, in an amount not to exceed \$31,439.10. This amount reflects a trade-in value of one of our current skid steer loaders. The FY 2000 Budget contains an appropriation of \$34,000 to cover this total expense. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the bid submitted by Bobcat of St. Louis, in an amount not to exceed \$31,439.10 for two skid steer loaders. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## NEW BUSINESS

There was no new business.

## LEGISLATION

BILL NO. 1788 AMENDS ORDINANCE NO. 35, SCHEDULE VI, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A TWO-WAY STOP SIGN ON EDISON AVENUE AT THE EXISTING RAILROAD CROSSING FOR THE MISSOURI CENTRAL RAILROAD (**FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1788. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1788 was read for the first time.

## LEGISLATION – PLANNING COMMISSION

BILL NO. 1785 AMENDS ST. LOUIS COUNTY ORDINANCE NO. 8699, AS AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 12660, AND APPROVES A NEW AMENDED ORDINANCE RELATING TO A “C8” PLANNED COMMERCIAL DISTRICT LOCATED ON CLAYTON ROAD, APPROXIMATELY 400 FEET EAST OF BAXTER ROAD (P. Z. 137-1977, CONWAY LAND COMPANY) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1785. 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 amend Bill No. 1785 by changing Section 4 to Section 5 and adding a new Section 4, calling for review by Council of signage requests. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1785

was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No. 1785, with the following results: Ayes – Streeter, Brown, Casey, Durrell, Hurt, Flachsbart and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1785 approved, passed it and it became **ORDINANCE NO. 1610**.

BILL NO. 1789 PROVIDES FOR THE APPROVAL OF THE 53.9 ACRE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED AND ESCROW AGREEMENT FOR NOONING TREE PLAT I, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED SOUTHEAST OF OLIVE BOULEVARD AND SOUTHWEST OF WHITE ROAD (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1789. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1789 was read for the first time. Councilmember Streeter made a motion to suspend the rules and delay the second reading of Bill No. 1789, in order to give the developer of Nooning Tree the opportunity to address City Council. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter requested Mr. James Piper of McBride and Son Homes, who was present, to address the needs of the residents of the Shenandoah Subdivision during the development of Nooning Tree. Mr. Piper assured City Council that steps will be taken to protect the integrity of Shenandoah during the development of this new subdivision. Councilmember Streeter requested that Mr. Piper send a letter to Mayor Greenwood addressing the existing problems with the development. Councilmember Streeter stated that he would allow the second reading of this legislation on the condition that Mayor Greenwood does not sign Bill Nos. 1789, 1790 and 1791, until a letter is received, committing to address all the existing issues. Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1789. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1789 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1789 with the following results: Ayes – Durrell, Streeter, Tilley, Brown, Casey, Flachsbart and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1789 approved, passed it and it became **ORDINANCE NO. 1611**.

BILL NO. 1790 PROVIDES FOR THE APPROVAL OF THE 27.9 ACRE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED AND ESCROW AGREEMENT FOR NOONING TREE PLAT II, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED SOUTHEAST OF OLIVE BOULEVARD AND SOUTHWEST OF WHITE ROAD (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1790. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1790 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1790. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1790 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1790, with the following results: Ayes – Streeter, Tilley, Casey, Hurt, Brown, Flachsbart and Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1790 approved, passed it and it became **ORDINANCE NO. 1612.**

BILL NO. 1791 PROVIDES FOR THE APPROVAL OF THE 19.6 ACRE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED AND ESCROW AGREEMENT FOR NOONING TREE PLAT III, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT LOCATED SOUTHEAST OF OLIVE BOULEVARD AND SOUTHWEST OF WHITE ROAD (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1791. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1791 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1791. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1791 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1791, with the following results: Ayes – Brown, Casey, Streeter, Tilley, Flachsbart, Hurt and Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1791 approved, passed it and it became **ORDINANCE NO. 1613.**

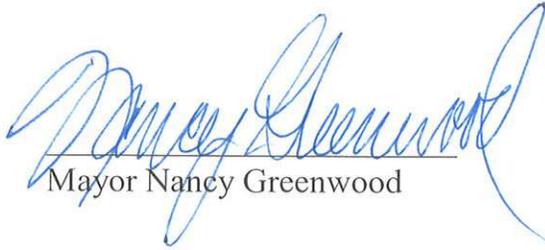
BILL NO. 1792 VACATES A STORMWATER DRAINAGE EASEMENT IN THE CHESTERFIELD GROVE SUBDIVISION FOR LOT V; LOCATED NORTHEAST OF CHESTERFIELD AIRPORT ROAD, AND SOUTH OF HIGHWAY 40 (**FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1792. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1792 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1792. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1792 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1792, with the following results: Ayes – Tilley, Hurt, Brown, Durrell, Flachsbart, Casey and Streeter. Nays - None. Whereupon Mayor Greenwood declared Bill No.1792 approved, passed it and it became **ORDINANCE NO.1614.**

**ADJOURNMENT**

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 9:12 p.m.



Mayor Nancy Greenwood

ATTEST:



Martha L. DeMay, City Clerk