



**RECORD OF PROCEEDING**

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 16052 SWINGLEY RIDGE ROAD  
APRIL 19, 1999

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood  
Councilmember Barry Flachsbart  
Councilmember Allan Sheppard  
Councilmember Barry Streeter  
Councilmember Larry Grosser  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Linda Tilley  
Councilmember Mary K. Brown

ABSENT

None

The Pledge of Allegiance was led by Girl Scout Troop #3097 from Parkway Central High School: Kristina Frank, Lauren Strasser and Melissa Lebens. Monica Streeter from Troop #4500 also participated in the ceremony. In addition, Troop Leaders Sue Lebens and Carol Frank were in attendance.

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

APPROVAL OF MINUTES

The minutes of the March 15, 1999, City Council meeting were submitted for approval. Councilmember Grosser made a motion to approve the City Council minutes. Councilmember Tilley seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**SWEARING-IN CEREMONY**

Mayor Nancy Greenwood recognized and requested Judge Rick Brunk to preside at the swearing-in ceremony. Judge Brunk administered the Oath of Office to Councilmember-Elect Jane Durrell – Ward I; Councilmember Barry Streeter – Ward II; Councilmember Dan Hurt – Ward III; and, Councilmember Mary Katherine Brown – Ward IV.

A roll call vote was taken, again, this time with the re-elected and newly elected officials of the City of Chesterfield with the following results:

**PRESENT**

**ABSENT**

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

None

**INTRODUCTORY REMARKS**

Mayor Greenwood presented City Clerk Marty DeMay with a plaque from the International Institute of Municipal Clerks in recognition of Ms. DeMay’s recent acceptance into the Academy for Advanced Education.

Mayor Greenwood next presented a plaque to former Councilmember Allan Sheppard for his dedication and service to the City of Chesterfield while serving as Councilmember to residents in Ward I. Mr. Sheppard expressed his gratitude for this opportunity.

Councilmember Durrell expressed her thanks to those who supported her in her recent victory.

Mayor Greenwood next congratulated all successful candidates.

Mayor Greenwood announced that the City of Chesterfield has recently had its bond rating upgraded by Moody’s from Aa2 to Aa1. She thanked Staff for their excellent presentation to representatives from Moody’s in order to achieve this upgraded rating. Mayor Greenwood noted that Chesterfield is the only City in St. Louis County to have acquired an Aa1 bond rating.

Mayor Greenwood next announced that the City has, once again, received the Tree City USA Award for having met the required criteria to be considered for this award.

Mayor Greenwood next announced that the City has been awarded the Communitree Award

for having positive tree management practices to maintain the health and safety of trees. Both of these awards were the result of the hard work and dedication of the Citizens Committee for the Environment and the Beautification Committee.

Mayor Greenwood next announced that the results of the 1998 construction season Customer Satisfaction Survey have been received. The results indicate that in four of the five scoring categories, the contractors, operations and projects were rated between “good” and “excellent” and that the fifth category, “Timeliness of Repairs,” was rated between “fair” and “good.” Mayor Greenwood stated that the results of the survey clearly show that the residents have positive feelings regarding the work the City is doing for them in this area of our operation.

Mayor Greenwood next announced that a special City Council will be held April 20 at noon for the issuance and sale of \$15,125,000 of general obligation bonds as a result of Propositions “R” & “S” for road/street and sidewalk construction.

## **COMMUNICATIONS AND PETITIONS**

Alan Cohen, an attorney who indicated that he was speaking on behalf of the Trustees of The Gallery Subdivision, expressed his concern with the high rate of speed vehicles travel on White Birch Lane.

Jim Zaitz, who resides at 13207 Cantina, expressed his concern regarding traffic issues associated with the fruit/vegetable stands located off Olive Street Road. Some discussion ensued and it was suggested that this item be put on the next Public Health and Safety Committee agenda for further discussion.

Betty Wordlaw, who resides at 13216 Matador Drive, expressed her desire to see “No Parking” on Olive Street Road for the patrons of the fruit/vegetable stands due to safety concerns.

Ted Allison, who resides at 2126 Chesterfield Place, requested the status of the Sunset Assisted Living development. Mr. Herring replied that this item should appear on the May 3 City Council meeting agenda.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1674 regarding P.C. 108-86, Shell Oil Company, would be considered for adoption under the Legislation portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for April 22 at 5:30 p.m.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that bids were recently sought for the purchase and installation of fifteen (15) five-row bleachers for the Chesterfield Valley Athletic Complex. Having reviewed the information, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel in recommending award of this contract to E. H. Langhorst Construction Company, in an amount not to exceed \$57,383. Councilmember Flachsbart made a motion to award the contract to E. H. Langhorst Construction Company, in an amount not to exceed \$57,383. Councilmember Streeter seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for selective slab replacement projects within Area "C," as funded by the passage of Propositions "R" & "S." The FY1999 Construction Fund Budget for Propositions "R" & "S" projects contains \$7,000,000 for street improvement projects citywide. Mr. Herring reviewed this information and joined with Mr. Geisel in recommending approval of a contract with M & H Concrete Contractors, in an amount not to exceed \$1,226,000, which is an amount in excess of the actual low bid, to allow for contingencies, additional work and final field-measured quantities. He noted that the City has previous experience working with this firm. Councilmember Flachsbart made a motion to award the bid to M & H Concrete Contractors, in an amount not to exceed \$1,266,000. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for selective slab replacement projects within Area "D," as funded by the passage of Propositions "R" & "S." The FY1999 Construction Fund Budget for Propositions "R" & "S" projects contains \$7,000,000 for street improvement projects citywide. Having reviewed this information, Mr. Herring joined with Mr. Geisel in recommending approval of a contract with J. M. Marschuetz Construction Company, in an amount not to exceed \$1,165,000, which is an amount in excess of the actual low bid, to allow for contingencies, additional work and final field-measured quantities. He noted that the City has previous experience working with this firm. Councilmember Flachsbart made a motion to award the bid to J. M. Marschuetz Construction Company, in an amount not to exceed \$1,165,000. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the construction of a pavilion at the Central City Park. Having reviewed this information, he joined with Mr. Geisel in recommending approval of the bid submitted by Henty Construction Company, in an amount not to exceed \$84,998. Mr. Herring noted that Sachs Properties has agreed to reimburse the City \$30,000, making the net cost to the City, after reimbursement, \$54,998. He further noted that adequate funds exist to cover this entire expense. Councilmember Streeter made a motion to accept bid submitted by Henty Construction Company, in an amount not to exceed \$84,998. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed.

Mr. Herring next reported that the May/June/July issue of the Chesterfield Citizen newsletter

is scheduled for distribution to all residents and businesses during the first week of May.

Mr. Herring next reported that a liquor license request has been received from Sophia's Cafe, located at 13441 Olive Boulevard. They are requesting to sell all kinds of liquor by the drink to be consumed on the premise and Sunday sales. The fee will be prorated to June 30, 1999. The application has been reviewed and approved by the Police and Planning Departments. Councilmember Grosser made a motion to approve issuance of the liquor license to Sophia's Café. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed.

### **NEW BUSINESS**

Mayor Greenwood recognized President Pro Tem Dan Hurt who read the list of assignments for 1999-2000 for the four standing Council Committees:

#### **Finance and Administration Committee**

Councilmember Jane Durrell – Ward I  
Councilmember Barry Streeter – Ward II  
Councilmember Dan Hurt – Ward III  
Councilmember Mary Brown – Ward IV

#### **Planning and Zoning Committee**

Councilmember Jane Durrell – Ward I  
Councilmember Barry Streeter – Ward II  
Councilmember Mike Casey – Ward III  
Councilmember Mary Brown – Ward IV

#### **Public Health and Safety Committee**

Councilmember Barry Flachsbart – Ward I  
Councilmember Larry Grosser – Ward II  
Councilmember Mike Casey – Ward III  
Councilmember Linda Tilley – Ward IV

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

Councilmember Barry Flachsbart – Ward I  
Councilmember Larry Grosser – Ward II  
Councilmember Dan Hurt – Ward III  
Councilmember Linda Tilley – Ward IV

Councilmember Hurt made a motion to approve the Committee assignments. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the

motion was declared passed. Mr. Hurt noted that Chairpersons, Vice Chairpersons and Council liaisons would be determined at the first regularly scheduled meeting of each of the Committees.

Councilmember Tilley reported that Bill HJR 20, which has been passed out of Committee, deals with the ability of Elk lodges, VFWs, churches, and “charitable” organizations to be given the right to operate slot machines without approval by the community where they are located. Discussion ensued. Councilmember Tilley made a motion, seconded by Councilmember Flachsbart, to request that Mayor Greenwood write a letter to Chesterfield’s legislative delegation on behalf of the City of Chesterfield encouraging them to defeat HJR 20. Mr. Herring was also directed to notify the St. Louis County Municipal League and Missouri Municipal League of the City’s stand on this issue. A voice vote was taken with a unanimous result and the motion was declared passed.

### **LEGISLATION – PLANNING COMMISSION**

BILL NO. 1674      AMENDS ST. LOUIS COUNTY ORDINANCE NO. 13,057 FOR AND REPEALING CITY OF CHESTERFIELD ORDINANCE NO. 821 FOR A NEW AMENDED ORDINANCE RELATING TO A “C-8” PLANNED COMMERCIAL DISTRICT LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF CHESTERFIELD PARKWAY EAST AND OLIVE BOULEVARD (P.C. 108-86, SHELL OIL COMPANY) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1674. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1674 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1674. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1674 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1674, with the following results: Ayes - Flachsbart, Durrell, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No.1674 approved, passed it and it became **ORDINANCE NO. 1512.**

### **ADJOURNMENT**

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Tilley 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 7:58 p.m.

ATTEST:

Martha L. DeMay, City Clerk