



RECORD OF PROCEEDING

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

JANUARY 3, 2011

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

Acting-Mayor Flachsbart 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

ABSENT

Acting-Mayor Barry Flachsbart
Councilmember Matt Segal
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Mike Casey
Councilmember Randy Logan
Councilmember Bob Nation
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the December 6, 2010 Public Hearing, regarding the FY2011 Budget, were submitted for approval. Councilmember Erickson made a motion, seconded by Councilmember Logan, to approve the Public Hearing minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the December 6, 2010 City Council meeting were submitted for approval. Councilmember Nation made a motion, seconded by Councilmember Erickson, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Acting-Mayor Flachsbart announced that City Hall will be closed Monday, January 17, in observance of the Dr. Martin Luther King, Jr. Birthday holiday.

Acting-Mayor Flachsbart next announced that Candidate Filing, for the April 5 Municipal election, ends Tuesday, January 18, at 5:00 p.m.

Acting-Mayor Flachsbart announced that the next meeting of City Council has been scheduled for Wednesday, January 19, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Ms. Stacey Morse, Executive Director of Chesterfield Arts, thanked Acting-Mayor Flachsbart and Council for their past support. Ms. Morse announced that Chesterfield had been awarded a "Creative Community" award, by the Missouri Arts Council and the presentation will take place, in Jefferson City, on February 16. Ms. Morse provided a preview of 2011 projects, classes and events and invited everyone to attend the annual Art Feast fund-raising gala, at the Kemp Auto Museum, on February 5.

Mr. Todd Williams, 1517 Sail Island Court, stated that the Heritage Foundation does not have the approximate \$65,000 needed to mothball the Eberwein farm house and bring it up to code. Mr. Williams requested that the City pursue other options to demolishing the farm house on the Eberwein property.

Mrs. Jane Durrell, 177 Gunston Hall Court, representing the Heritage Foundation, requested that Council vote in favor of rehabilitation of the Eberwein barn and the farm house. Mrs. Durrell provided a handout that described the Heritage Foundation's "Plan for Eberwein Barn and Farmhouse." Acting-Mayor Flachsbart stated that Council received a letter from Former-Mayor Greenwood in support of Mrs. Durrell's position.

Mr. Gary Mudd, Development Director for STAGES St. Louis, expressed appreciation to Acting-Mayor Flachsbart, Council and residents for their support of STAGES-St. Louis. Mr. Mudd said that STAGES-St. Louis is celebrating its 25th anniversary in 2011 and that the residents of Chesterfield comprise the largest percentage of their total subscriber base.

Mr. Rob Grumich, Director of Education & Outreach for STAGES-St. Louis, stated that STAGES-St. Louis partners with area schools to provide a variety of programs and that the STAGES Academy at Chesterfield annually serves approximately 1,000 students.

Acting-Mayor Flachsbart stated that he and Council are very proud to have STAGES in Chesterfield.

Ms. Lynne Johnson, 15125 Conway Road, stated that her house is a “Century Home” and spoke in support of preserving the Eberwein house.

Mr. Harvey Rosenberg, 217 S. Greentrails Drive, stated that Eberwein Park is the only park in the City named after a family and urged Council not to spend any more money on preserving any buildings already on this site, other than the barn on the Eberwein property.

Mrs. Wendy Geckeler, 26 Chesterfield Lakes, stated that she supports preserving the farm house, if it can be accomplished in a fiscally responsible manner.

Ms. Tania Pappas, 15520 Highcroft Drive, spoke in support of preserving the farm house on the Eberwein property.

APPOINTMENTS

Acting-Mayor Flachsbart nominated Mr. Steven J. Wuennenberg for appointment to the Planning Commission to fill an unexpired four-year term. Councilmember Casey made a motion, seconded by Councilmember Logan, to approve this appointment. Acting-Mayor Flachsbart recognized Mr. Wuennenberg in attendance. Councilmember Segal, Chairperson of the Planning/Public Works Committee, stated that this Committee endorsed Mr. Wuennenberg’s appointment to the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Wuenneberg’s term will expire June 4, 2011.

Acting-Mayor Flachsbart next nominated Mr. Timothy N. Renaud for appointment as an “At Large” member to the Architectural Review Board. Councilmember Geiger made a motion, seconded by Councilmember Erickson, to approve this appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Renaud’s two-year term will expire January 2, 2013.

Acting-Mayor Flachsbart next nominated Mr. Richard Clawson for re-appointment to the Architectural Review Board. Councilmember Geiger made a motion, seconded by Councilmember Erickson, to approve this appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Clawson’s two-year term will expire January 2, 2013.

Acting-Mayor Flachsbart next nominated Mr. Matt Adams for re-appointment to the Architectural Review Board. Councilmember Geiger made a motion, seconded by Councilmember Erickson, to approve this appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Adams’ two-year term will expire January 2, 2013.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Matt Segal, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2816 [P.Z. 08-2010, 17531 Wild Horse Creek Road (Larry Mintz)] will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Segal next reported that Bill No. 2817 (Authorizes the Acting-Mayor to Execute an Agreement re: the County Emergency Communications System) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Segal next reported that Bill No. 2818 [P.Z. 09-2010 – Four Seasons West (Schuyer Corp.)] will be read for the first time under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Segal provided a timeline overview of meetings and events that culminated in his Committee’s recommendation to appropriate funds for historic restoration of the Eberwein barn. Councilmember Segal made a motion, seconded by Councilmember Erickson, to appropriate \$117,769 for historic restoration of the Eberwein barn and to appropriate \$21,800 for the first year’s maintenance of this barn; both appropriations will come from the Parks Fund Fund Reserves. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Segal next made a motion, seconded by Councilmember Logan, to approve his Committee’s recommendation to appropriate \$45,500 from Parks Fund Fund Reserves to cover the costs of demolition and lead abatement for the Eberwein house.

Councilmember Erickson made a motion, seconded by Councilmember Flachsbart, to amend this motion to mothball the Eberwein house at a cost of \$221,500 instead of demolition and lead abatement of the house. Discussion ensued. A roll call vote was taken for the passage of the motion to amend with the following results: Ayes – Flachsbart and Erickson. Nays – Fults, Casey, Logan, Segal, Geiger and Nation. Acting-Mayor Flachsbart declared the motion failed.

Councilmember Erickson made a motion, seconded by Councilmember Flachsbart, to amend the original motion to ask Staff to prepare a request for proposal for the sale of the white house and the property immediately surrounding it, conditioned upon the prospective buyer investing and preserving the house within a defined time period and with the expectation of maintaining the residential zoning and compatible use. Discussion ensued. Councilmember Casey stated for the record that he was not at this Committee meeting but would have voted “yes” on the demolition of the Eberwein house. Discussion ensued regarding the proposed sale of the white house. A roll call vote was taken for the passage of the motion to amend with the following results: Ayes –

Fults, Erickson and Flachsbart. Nays – Geiger, Nation, Casey, Logan and Segal. Acting-Mayor Flachsbart declared the motion failed.

Discussion ensued. A roll call vote was taken for the passage of the original motion to approve this Committee's recommendation to appropriate \$45,500 from Parks Fund Fund Reserves to cover the costs of demolition and lead abatement for the Eberwein house with the following results: Ayes – Erickson, Geiger, Nation, Casey, Fults, Logan and Segal. Nays – Flachsbart. Acting-Mayor Flachsbart declared the motion passed.

Councilmember Segal next reported that Bill No. 2819 (Approves Boundary Adjustment Plat for Chesterfield Elementary School) is scheduled for both first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Segal announced that the next meeting of this Committee has been scheduled for Thursday, January 6 at 5:30 p.m.

Parks and Recreation Committee

Councilmember Lee Erickson, Chairperson of the Parks and Recreation Committee, made a motion, seconded by Councilmember Geiger, to approve the recommendation regarding a contract extension with Midwest Pool Management for management operations at the Family Aquatic Center. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Erickson next made a motion, seconded by Councilmember Logan, to approve the recommendation regarding a contract extension with Capri Pool and Aquatics for pool operations and maintenance at the Family Aquatic Center. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Erickson next made a motion, seconded by Councilmember Logan, to approve the recommendation to retain the swim team and eliminate the dive team from the Parks and Recreation program offerings for 2011. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Discussion ensued regarding re-instating the dive team in the future.

Councilmember Erickson next made a motion, seconded by Councilmember Logan, to approve the recommendation regarding revised Family Aquatic Center Pool Rental Rates for 2011. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Finance and Administration Committee

Councilmember Randy Logan, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Casey, to approve Resolution No. 378 (Approves a contract with Chesterfield Arts for Public Art and Art Services). A

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

Councilmember Logan next made a motion, seconded by Councilmember Casey, to approve Resolution No. 379 (Approves a contract with STAGES St. Louis for Performing Arts). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring noted that he had no items requiring action by City Council, at this meeting.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2817 **AUTHORIZES THE MAYOR TO EXECUTE A COOPERATION AGREEMENT FOR EMERGENCY COMMUNICATIONS SYSTEM IMPROVEMENTS IN THE CITY OF CHESTERFIELD (SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2817. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2817 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2817 with the following results: Ayes – Casey, Segal, Fults, Geiger, Erickson, Nation, Logan and Flachsbart. Nays – None. Whereupon Acting-Mayor Flachsbart declared Bill No. 2817 approved, passed it and it became **ORDINANCE NO. 2634**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2816 **REPEALS CITY OF CHESTERFIELD ORDINANCE 2303 AND REPLACING IT WITH A NEW ORDINANCE THAT AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “PC” PLANNED COMMERCIAL DISTRICT TO AN “E-1” ONE ACRE ESTATE DISTRICT FOR A 1.47 ACRE TRACT OF LAND LOCATED AT 17531 WILD HORSE CREEK ROAD (P.Z. 08-2010 17531 WILD HORSE CREEK ROAD {LARRY MINTZ}) (SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2816. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2816 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2816 with the following results: Ayes – Casey, Logan, Fults, Segal, Erickson, Geiger, Nation and Flachsbart. Nays – None. Whereupon Acting-Mayor Flachsbart declared Bill No. 2816 approved, passed it and it became **ORDINANCE NO. 2635**.

BILL NO. 2818 REPEALS ST. LOUIS COUNTY ORDINANCES 11,775 AND 11,355 AND CITY OF CHESTERFIELD ORDINANCE NUMBER 2559 AND REPLACES THEM WITH A NEW ORDINANCE THAT AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “PC” PLANNED COMMERCIAL DISTRICT WITH A NEW “PC” PLANNED COMMERCIAL DISTRICT FOR A 2.35-ACRE TRACT OF LAND LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE STREET ROAD AND RIVER VALLEY DRIVE. (P.Z. 09-2010 FOUR SEASONS PLAZA WEST {SCHUYER CORP.}) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Segal made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2818. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2818 was read for the first time.

BILL NO. 2819 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR CHESTERFIELD ELEMENTARY SCHOOL, FOR A 22.37 ACRE TRACT OF LAND ZONED “NU” NON-URBAN DISTRICT AND “R1” RESIDENCE DISTRICT, LOCATED ALONG WILDHORSE CREEK ROAD AND WEST OF WILDHORSE PARKWAY. (**FIRST AND SECOND READINGS; DEPARTMENT OF PLANNING/PUBLIC WORKS RECOMMENDS APPROVAL**)

Councilmember Segal made a motion, seconded by Councilmember Fults, for the first reading of Bill No. 2819. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2819 was read for the first time.

Councilmember Segal made a motion, seconded by Councilmember Geiger, for the second reading of Bill No. 2819. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2819 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2819 with the following results: Ayes – Erickson, Segal, Casey, Nation, Geiger, Logan, Fults and Flachsbart. Nays – None. Whereupon Acting-Mayor Flachsbart declared Bill No. 2819 approved, passed it and it became **ORDINANCE NO. 2636**.

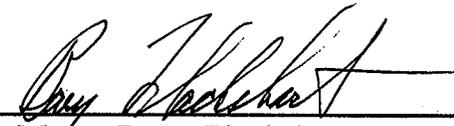
ADDITIONAL REMARKS

In response to Councilmember Fults inquiry, City Administrator Herring stated that the next meeting of the Finance & Administration Committee is scheduled for Monday, January 24, at 5:30 p.m.

ADJOURNMENT

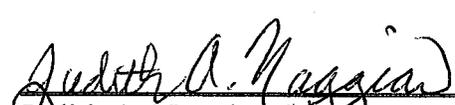
Acting-Mayor Flachsbart adjourned the meeting at 8:40 p.m.





Acting-Mayor Barry Flachsbart

ATTEST:



Judith A. Naggia, City Clerk