



RECORD OF PROCEEDING

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

OCTOBER 7, 1998

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

None

The Pledge of Allegiance was led by Mayor Nancy Greenwood.

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

APPROVAL OF MINUTES

The minutes of the September 23, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Casey, to approve the minutes, as corrected. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Casey “Abstained”) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nancy Greenwood recognized Director of Public Works/City Engineer Mike Geisel. Mr. Geisel reported on the projected increases to river levels on the Missouri River, due to the heavy rains recently in the Kansas City area. He stated that there was no reason to be concerned, as projected levels are well below the level at which daily advisories would be issued. However, the situation will continue to be monitored on a daily basis. Councilmember Flachsbart asked that the “flood watch/warning” system be added to the next Public Works/Parks Committee agenda for review/discussion.

Mayor Greenwood announced that Mr. Dan Burden from Walkable Communities, Inc., will present a program on livable and walkable communities to the Mayor and City Council on October 15 at 6 p.m. This program is open to the public.

COMMUNICATIONS AND PETITIONS

Nancy Hardgrove, who resides at 15944 Quiet Oak Road, expressed support for Bill No. 1547 regarding food handling.

Bernice Van Pelt, who resides at 14 Georgetown Road, expressed thanks to the Mayor and City Council on behalf of the residents of Georgetown Road for their support and allocations for the stormwater project. Mayor Greenwood and Councilmember Hurt expressed thanks to Ms. Van Pelt for her involvement in the project.

Rev. David Boogerd, Pastor of St. Thomas United Church of Christ, 17842 Wild Horse Creek Road, expressed support for Resolution 241, regarding P.Z. 18-98, AT&T Wireless PCS, Inc.

Greg Downey, who resides at 310 Steeple Land, expressed opposition to Resolution 241, regarding P.Z. 18-98, AT&T Wireless PCS, Inc.

Paul Ground, attorney for the petitioner, 14611 Manchester Road, expressed support for Resolution 241, regarding P.Z. 18-98, AT&T Wireless PCS, Inc.

Glen Klocke, Nextel Communication, #1 City Place, stated he would be available to answer any questions regarding Resolution 241, regarding P.Z. 18-98, AT&T Wireless PCS, Inc.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1608, regarding the acceptance of public streets in Woodcliffe Place, will be read for the first time under the Legislation portion of the agenda.

Public Health and Safety Committee

Councilmember Larry Grosser, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1547, regarding food handling, will be read for the second time and Bill No. 1610, regarding stop signs on Chesterfield Manor Drive and Lehigh Meadows Drive, will be read for

the first time under the Legislation portion of the agenda.

Councilmember Grosser announced that the next meeting of this Committee has been scheduled for Tuesday, October 13 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that the Committee voted unanimously to recommend that City Council adopt Resolution No. 241, regarding P.Z. 18-98, AT&T Wireless PCS, Inc. A motion was made by Councilmember Brown, seconded by Councilmember Grosser, to adopt Resolution No. 241. Discussion ensued. A motion was made by Councilmember Flachsbart, seconded by Councilmember Streeter, to amend Resolution No. 241 to specify that the any/all users of this cellular telephone tower must notify the Mayor/City Council for the City of Chesterfield when the tower has reached its technological or functional obsolescence. At that time, City Council will review all possible alternatives, including removal of the tower. A voice vote was taken with a unanimous affirmative result and the motion to approve the amendment was declared passed. A voice vote was then taken on Resolution No. 241, as amended, with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Bill No. 1609, regarding a record plat for Insituform, will have both readings under the Legislation portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, October 8 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for various beautification projects, as previously identified and recommended by the Beautification Committee. These projects include the planting of burning bushes, between Swingley Ridge Road and North Outer Forty, across from Nardin Drive, and the planting of five (5) median islands, located on the Chesterfield Parkway, southeast quadrant, between Clarkson Road and Schoettler Valley Drive. These projects also include irrigation systems to maintain the plantings located therein. The FY 1998 Budget contains an appropriation of \$55,000 to cover these expenses. However, the low bid submitted by Suburbia Gardens, totals \$96,310, Director of Public Works/City Engineer Mike Geisel recommends that authorization be granted to award a contract to Suburbia Gardens, in the amount not to exceed \$105,000, which includes contingencies. Mr. Herring joined with

Mr. Geisel in recommending that the contract for this project be awarded to Suburbia Gardens, in an amount not to exceed \$105,000, with the understanding that the funds necessary to cover this entire project will include the budgetary amount noted above (\$55,000), \$30,000 from St. Louis County and \$20,000 to be transferred from the "salt and abrasives" account, due to savings realized by the City during the winter of 1997-98. As a result, revenues totaling \$105,000 will be in place to cover the entire cost of this contract with Suburbia Gardens. Proceeding, at this level of funding, is also recommended by the Beautification Committee. In addition, Mr. Herring noted that two local businesses, Chesterfield Lodging LLC (Hampton Inn) and Swingley Development LLC, have pledged contributions of \$5,000 each to the cost of this project. He commended them for their

participation in this project. Mayor Greenwood, in turn, commended Mr. Herring for his efforts in seeking this additional funding. A motion was made by Councilmember Tilley, seconded by Councilmember Casey, to award the bid to Suburbia Gardens, in an amount not to exceed \$105,000 which includes a transfer of \$20,000 (as noted above), if needed. 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 lighting at the Chesterfield Valley Athletic Complex. Funding for this project was included within the \$1,000,000 appropriation previously approved by City Council. Having reviewed this information, Mr. Herring joined with Mr. Geisel in recommending acceptance of the low bid, submitted by All Purpose Erectors, with a contract not to exceed \$287,866. A motion was made by Councilmember Streeter, seconded by Councilmember Brown, to award the bid to All Purpose Erectors, at a cost not to exceed \$287,866. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt noted for the record that he did not agree with the \$1 million originally appropriated; however, since it was approved by City Council, he is willing to proceed with the allocations as recommended. He reminded Council that this project was originally projected to cost \$250,000, will actually cost approximately \$288,000. Councilmember Hurt expressed his opinion that City Council not increase the \$1 million appropriations for various parks improvements.

Mr. Herring next reported that bids were recently sought for completion of the Georgetown Stormwater Project. This project was included within the FY 1998 Budget appropriation of \$206,000 for various stormwater improvement projects around the City.

Mr. Herring joined with Mr. Geisel in recommending approval of the low bid submitted by Gershenson Construction Company, with a contract not to exceed \$102,000. A motion was made by Councilmember Hurt, seconded by Councilmember Casey, to approve the bid submitted by Gershenson Construction Company, with a contract not to exceed \$102,000. . A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that distribution of the Chesterfield Citizen newsletter would take place around the first of November.

NEW BUSINESS

A motion was made by Councilmember Sheppard, seconded by Councilmember Flachsbart, to direct the Finance and Administration Citizens Advisory Committee to fully evaluate the current tax note established by Council to serve the Parks Bond Issue debt. Councilmember Tilley noted that this issue has already been forwarded to the Finance and Administration Committee of Council. Discussion ensued. A voice vote was taken with a negative result (Councilmembers Flachsbart, Sheppard and Grosser voted "Aye") and the motion was declared defeated.

LEGISLATION

BILL NO. 1547 ESTABLISHES CLEANLINESS REQUIREMENTS FOR THOSE PERSONS WHO HANDLE, PREPARE OR SERVE FOOD TO THE PUBLIC AND PROVIDES A PENALTY FOR VIOLATION

THEREOF (**SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Grosser, seconded by Councilmember Brown, to remove Bill No. 1547 from the table. A roll call vote was taken with the following results: Ayes – Grosser, Hurt, Casey, Tilley and Brown. Nays - Flachsbart, Sheppard and Streeter. The motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Grosser, for a second reading of Bill No. 1547. A voice vote was taken with an affirmative result (Councilmembers Flachsbart, Sheppard and Streeter voted “No”) and the motion was declared passed. Bill No. 1547 was read for the second time. Much discussion ensued. Councilmember Tilley called for the question. A roll call vote was taken with the following results: Ayes – Grosser, Hurt, Casey, Tilley and Brown. Nays - Flachsbart, Sheppard and Streeter. The motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 1547, with the following results: Ayes - Grosser, Hurt, Casey, Tilley and Brown. Nays - Flachsbart, Sheppard, Streeter. Whereupon Mayor Greenwood declared Bill No. 1547 approved, passed it and it became **ORDINANCE NO. 1459**.

BILL NO. 1610 **AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A THREE-WAY STOP SIGN AT THE INTERSECTION OF CHESTERFIELD MANOR DRIVE AND LEHIGH MEADOWS DRIVE THERETO (FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE)**

A motion was made by Councilmember Grosser, seconded by Councilmember Casey, for the first reading of Bill No. 1610. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1610 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Brown, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Brown, for a second reading of Bill No. 1610. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1610 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1610, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1610 approved, passed it and it became **ORDINANCE NO. 1460**.

BILL NO. 1608 **PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN WOODCLIFFE PLACE SUBDIVISION IN THE CITY OF CHESTERFIELD (FIRST READING – PUBLIC WORKS/PARKS COMMITTEE)**

A motion was made by Councilmember Flachsbart, seconded by Councilmember Casey, for the first reading of Bill No. 1608. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1608 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1609 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR INSITUFORM, A RESUBDIVISION OF LOT 2 OF SPIRIT WEST INDUSTRIAL AIRPARK SUBDIVISION LOCATED ON THE NORTHEAST QUADRANT OF THE INTERSECTION OF EDISON AND GODDARD (FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1609. A voice vote was taken with an affirmative result (Councilmember Streeter voted “No”) and the motion was declared passed. Bill No. 1609 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1609. A voice vote was taken with an affirmative result (Councilmember Streeter voted “No”) and the motion was declared passed. Bill No. 1609 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1609, with the following results: Ayes - Flachsbart, Sheppard, Grosser, Hurt, Casey, Tilley and Brown. Nays - Streeter. Whereupon Mayor Greenwood declared Bill No. 1609 approved, passed it and it became **ORDINANCE NO. 1461**.

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Casey, seconded by Councilmember Tilley, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:27 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk