



## RECORD OF PROCEEDING

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

**NOVEMBER 7, 2016**

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The meeting was called to order at 7:05 p.m.

Mayor Bob Nation 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

Mayor Bob Nation  
Councilmember Barry Flachsbart  
Councilmember Barbara McGuinness  
Councilmember Bridget Nations  
Councilmember Guy Tilman  
Councilmember Dan Hurt  
Councilmember Randy Logan  
Councilmember Tom DeCampi  
Councilmember Bruce DeGroot

APPROVAL OF MINUTES

The minutes of the October 19, 2016 City Council meeting were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Logan, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the October 19, 2016 Executive Session were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Nations, to approve the Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COMMUNICATIONS AND PETITIONS**

Mayor Nation addressed those in attendance by summarizing issues related to Baxter Road. He explained that Baxter Road is a County maintained road and as part of their road rehabilitation project they have decided to eliminate two existing traffic lanes and replace them with dedicated bicycle lanes. He informed everyone that while Baxter Road is located within Chesterfield, St. Louis County is responsible for the maintenance of this road, and he gave a brief summary of the project. The City is scheduled to vote on a Resolution expressing its request for St. Louis County to reconsider their decision and to maintain the existing traffic lanes. Chesterfield is supportive of providing opportunities for bicyclists by providing shared lanes, but is opposed to eliminating traffic lanes. City Administrator Mike Geisel added that the original concept of this project was for the two outer lanes to be shared between motorists and bicyclists.

Mayor Nation recognized St. Louis County, District 7 Council Member Mark Harder and Executive Assistant Chris Howard. Mr. Harder briefly explained his role in this project and expressed his dis-satisfaction with the progress and handling of the project. In response to questions from the audience as to what they can do to be heard, Mr. Harder recommended they attend the next St. Louis County Council meeting and express their thoughts. They may also send letters, make phone calls, etc. The City Council directed City Administrator Mike Geisel to place the St. Louis County meeting information and contact information to the City's website.

The following individuals spoke in opposition to St. Louis County's proposed re-striping of Baxter Road, and encouraged Council to approve Resolution No. 427 (Baxter Road Striping):

Ms. Marianne Scheerer, 2107 Heather Glen  
Mr. Rob Kilo, 16734 Benton Taylor Road, representing the Estates at Baxter Pointe  
Ms. Jil Warmann, 317 Cheval Square Drive  
Ms. Wendy Geckeler (Planning Commissioner), 26 Chesterfield Lakes Road  
Ms. Deb Graf, 16913 Crystal Springs Drive, representing Chesterfield Farms  
Mr. John Belfi, 695 Stonebrook Court, representing Stonebrook Village  
Mr. David Emshoff, 1203 Somerset Field  
Mr. Phil Folsom, 1747 Baxter Forest Valley Court  
Mr. Bill Fetter, 759 Stonebluff Court  
Ms. Debra Shearer, 193 Brighthurst Drive

Ms. Connie Fults, 129 Brighthurst Drive  
Ms. Jeanne Tevlin, 16705 Chesterfield Farms Drive  
Mr. Pete Zassenhaus, 16625 Chesterfield Manor

Mr. Ralph Pfremer (Executive Director and CEO of Trailnet), 15026 Baxter Village Drive, spoke in support of the Baxter Road striping project, but was agreeable to a shared bicycle lane.

Ms. Patty Szymkowicz (Trailnet Volunteer), 373 Brunhaven Court, spoke in support of the Baxter Road striping project.

Mr. Gary Hansen, 1515 Countryside Hill, spoke about the removal of political signs in right-of-way along Wilson Road.

Mayor Nation announced that Mr. Marty Newman, 14960 Broadmont Drive, was in attendance and needed to leave, but wanted to express his appreciation for the completion (under budget) of the Broadmoor Neighborhood Improvement District (NID).

Councilmember McGuinness made a motion, seconded by Councilmember DeGroot, to suspend the rules and allow consideration of Resolution No. 427 (Baxter Road Striping). A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mayor Nation mentioned that, due to time constraints, this did not come through the Planning/Public Works Committee.

Councilmember DeGroot made a motion, seconded by Councilmember Flachsbart, to approve Resolution No. 427 (Baxter Road Striping). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

[Mayor Nation announced a recess and City Council re-convened at 8:54 p.m.]

### **INTRODUCTORY REMARKS**

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, November 21, at 7 p.m.

Mayor Nation announced that Interim City Attorney Chris Graville had compiled some information pertaining to the Doorack lease/purchase option that had not previously been accessible, and that Council had voted in Executive Session to release all such information. He noted that the material will be provided to City Clerk Vickie Hass in approximately one week, and will be made available to the public at that time.

### **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

### **Planning/Public Works Committee**

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember McGuinness, to hold Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]) until the November 21 City Council meeting, at the request of the petitioner. 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 approve the proposed revisions to Public Works Policy Nos. 6-15. Policy Nos. 6, 7, 9, 11 and 15 (Trustee Notification, Tree Limbs, Snow Plowing, Winter Paving, Sewer Openings) to be revised as noted; Policy Nos. 8, 10, 12 and 13 (City Flag, Tree Trimming, Clothing, Concentrated Discharges in Right-of-Way) to be eliminated; and Policy No. 14 (Driveway Access Adjacent to Property Lines) to remain unchanged. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that Bill No. 3117 (Schoettler Road Bridge – Water Main Relocation – Contract for Water Facility Relocation) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3118 (Schoettler Road Bridge – Water Main Relocation – Utility Attachment Agreement) will be read for the first time under the “Legislation” portion of the agenda.

Resolution No. 427 (Baxter Road Striping) was addressed after the “Communications and Petitions” portion of the agenda.

Councilmember Hurt reported that Bill No. 3119 (Spirit Valley Business Park, Lot 4B Storm Water Easement Vacation) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3120 (Two Fire Hydrants for 699 Wild Horse Ridge Road) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, November 10, at 5:30 p.m.

### **Finance and Administration Committee**

Councilmember Bruce DeGroot, Chairperson of the Finance and Administration Committee, reported that Bill No. 3121 (Candidate Filing Procedures) is scheduled for both first and second reading approval under the "Legislation" portion of the agenda.

Councilmember DeGroot reported that Bill No. 3122 (Broadmoor NID) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember DeGroot announced that the next meeting of this Committee has been scheduled for Monday, November 28, at 5:30 p.m. as a Committee of the Whole.

### **Parks, Recreation & Arts Committee**

Councilmember Barbara McGuinness, Chairperson of the Parks, Recreation & Arts Committee, indicated that she had no report this evening.

### **Public Health & Safety Committee**

Councilmember Bridget Nations, Chairperson of the Public Health & Safety Committee, reported that this Committee met on October 24, 2016 and discussed: controlling the deer population, Parkway Central Marching Band practice time, potential legislation regarding truck brake noise and a possible School Resource Officer recommendation.

### **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel reported that Stinson Leonard Street has estimated potential future expenses related to sales tax litigation to be \$100,000. City Council previously authorized services in an amount not to exceed \$120,000. Accordingly, Mr. Geisel recommended that Council authorize the existing contract to be extended to an amount not to exceed \$220,000. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to approve extending the existing contract with Stinson Leonard Street and increasing the funding allocation by \$100,000 to be transferred from General Fund – Fund Reserve. A roll call vote was taken with the following results: Ayes – Flachsbart, DeCampi, Hurt, DeGroot, McGuinness, Logan, Tilman and Nations. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that bids were received and publically opened for the 2016 Crack Sealing Project. Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to Parking Lot Maintenance, in an amount not to exceed \$105,000. This project is fully funded by the Capital Improvement Sales Tax. Councilmember Flachsbart made a motion, seconded by Councilmember McGuinness, to approve this recommendation. A roll call vote was taken with the following results: Ayes – DeCampi, Logan, Tilman, McGuinness, Nations, Hurt, Flachsbart and DeGroot. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that, in accordance with the Secretary of State's recommendation for records retention, Staff is to report on the destruction of records, and such destruction should be acknowledged by Council for the record. Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to receive and file the report regarding destruction of records. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel reported that Valley Beer and Brat (formerly Chesterfield Produce), located at 18521 Outlet Blvd., has requested a new liquor license to sell all kinds of liquor by the drink and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Services Division and Police Department. Councilmember Tilman made a motion, seconded by Councilmember Nations, to approve issuance of a new liquor license to Valley Beer and Brat. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

Councilmember DeCampi requested adding an item to the next Public Health & Safety Committee agenda for discussion, pertaining to a potential "Victims of Crime" ordinance.

Councilmember McGuinness requested adding an item to the next Finance & Administration Committee agenda for discussion, pertaining to the City taking an official position on the subject of the City of St. Louis being annexed into St. Louis County.

### **LEGISLATION**

**BILL NO. 3117      AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR WATER FACILITY RELOCATION WITH THE MISSOURI AMERICAN WATER COMPANY REGARDING UTILITY RELOCATION FOR THE RECONSTRUCTION OF THE SCHOETTLER ROAD BRIDGE OVER CREVE COEUR CREEK (FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3117. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3117 was read for the first time.

BILL NO. 3118      AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A UTILITY ATTACHMENT AGREEMENT WITH THE MISSOURI AMERICAN WATER COMPANY REGARDING UTILITY RELOCATION FOR THE RECONSTRUCTION OF THE SCHOETTLER ROAD BRIDGE OVER CREVE COEUR CREEK **(FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3118. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3118 was read for the first time.

BILL NO. 3119      VACATES A PORTION OF THE CHESTERFIELD VALLEY STORM WATER EASEMENT ON LOT B OF THE SPIRIT VALLEY BUSINESS PARK SUBDIVISION, AS RECORDED IN BOOK 364, PAGE 445 OF THE ST. LOUIS COUNTY RECORDS, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI **(FIRST AND SECOND READING; DEPARTMENT OF PUBLIC SERVICES RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3119. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3119 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the second reading of Bill No. 3119. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3119 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3119 with the following results: Ayes – DeGroot, Logan, DeCampi, Nations, Tilman, Hurt, McGuinness and Flachsbart. Nays – None. Whereupon Mayor Nation declared Bill No. 3119 approved, passed it and it became **ORDINANCE NO. 2918**.

BILL NO. 3120      APPROVES THE INSTALLATION OF TWO FIRE HYDRANTS FOR 699 WILD HORSE RIDGE ROAD WITHIN THE CITY OF CHESTERFIELD **(FIRST AND SECOND READING; DEPARTMENT OF PUBLIC SERVICES RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3120. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3120 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the second reading of Bill No. 3120. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3120 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3120 with the

following results: Ayes – DeCampi, Logan, Nations, DeGroot, Flachsbart, McGuinness, Hurt and Tilman. Nays – None. Whereupon Mayor Nation declared Bill No. 3120 approved, passed it and it became **ORDINANCE NO. 2919**.

**BILL NO. 3121      AMENDS CHAPTER TEN OF THE CHESTERFIELD CITY CODE, COVERING ELECTIONS IN THE CITY OF CHESTERFIELD AND ESTABLISHING THE PROCEDURE FOR CANDIDATE FILING AND SETTING THE FILING PERIOD FOR OFFICE (THREE OPTIONS ARE PROVIDED FOR COUNCIL’S CONSIDERATION)**

Councilmember DeGroot made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 3121 (Option 1). A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3121 was read for the first time.

Councilmember DeGroot made a motion, seconded by Councilmember Flachsbart, to suspend the rules and call for a second reading of Bill No. 3121 (Option 1). A voice vote was taken with a unanimous affirmative result and the motion to suspend the rules was declared passed.

Councilmember DeGroot made a motion, seconded by Councilmember Tilman, for the second reading of Bill No. 3121 (Option 1). A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3121 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3121 (Option 1) with the following results: Ayes – Nations, Hurt, Logan, DeGroot, Tilman, DeCampi and Flachsbart. Nays – McGuinness. Whereupon Mayor Nation declared Bill No. 3121 (Option 1) approved, passed it and it became **ORDINANCE NO. 2920**.

**BILL NO. 3122      DECLARES CERTAIN IMPROVEMENTS OF THE BROADMOOR CONDOMINIUMS NEIGHBORHOOD IMPROVEMENT DISTRICT COMPLETE. AUTHORIZING THE LEVY OF SPECIAL ASSESSMENTS UPON BENEFITTED PROPERTY IN SAID DISTRICT, PROVIDING FOR THE TERMS AND CONDITIONS OF SAID SPECIAL ASSESSMENT AND OTHER ACTIONS IN CONNECTION THEREWITH (FIRST READING; CITY ADMINISTRATION RECOMMENDS APPROVAL)**

Councilmember DeGroot made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3122. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3122 was read for the first time.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 9:42 p.m.

*Bob Nation*

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Mayor Bob Nation

**ATTEST:**

*Vickie J. Hass*

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Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 11/21/16



**DATE:** November 1, 2016  
**TO:** Michael O. Geisel, City Administrator  
**FROM:** Vickie J. Hass, City Clerk *VJH*  
**SUBJECT:** Destruction of Records

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It is the recommended guideline of the Secretary of State that "the disposition of records should be recorded in a document such as the minutes of the City Council or other legally constituted authority that has permanent record status".

The following records have met State retention requirements and have been destroyed:

See attached Records Destruction List

Please add "Destruction of Records in accordance with F&A Policy No. 7 and the Records Retention Schedule for the State of Missouri" to the November 7 City Council agenda.

## Records Destruction List City Clerk Department

Quantity	Date	Record Series Title	Destroyed
*1 box	1993	City Council meeting packets	April 13-17, 2009
*1 box	1996	City Council meeting packets	April 13-17, 2009
*1 box	1997	City Council meeting packets (Jan-Aug)	April 13-17, 2009
*1 box	1997	City Council meeting packets (Sept-Dec)	April 13-17, 2009
*1 box	1998	City Council meeting packets	April 13-17, 2009
*1 box	1999	City Council meeting packets (Jan-Aug)	April 13-17, 2009
*1 box	1999	City Council meeting packets (Sept-Dec)	April 13-17, 2009
*1 box	2000	City Council meeting packets (Jan-Sept)	April 13-17, 2009
*1 box	2000	City Council meeting packets (Oct-Dec)	April 13-17, 2009
*1 box	2001	City Council meeting packets (Jan-June)	April 13-17, 2009
*1 box	2001	City Council meeting packets (July-Dec)	April 13-17, 2009
*1 box	2002	City Council meeting packets	April 13-17, 2009
*1 box	2003	City Council meeting packets	April 13-17, 2009
*1 box	2004	City Council meeting packets	April 8, 2010
*1 box	2005	City Council meeting packets	March 25, 2011
*1 box		Mayor Geiger's documents he requested be shredded	March 2, 2012
*1 box	2006	City Council meeting packets	March 2, 2012
1 box	2007	City Council meeting packets	April 4, 2013
1 box	2008	City Council meeting packets	May 1, 2014
6 boxes	2013	Old Code of Ordinance books (new books printed 2015)	March 19, 2015
1 box	2009	City Council meeting packets	March 19, 2015
1 box	2010	City Council meeting packets	April 21, 2016
1 box	2008-2013	Solicitor Permit Applications	October 20, 2016

\*Files destroyed by former City Clerk Judy Naggiar.

Signature: *Vickie J. Hass*  
Vickie J. Hass, City Clerk

Date: 10/20/16