



## RECORD OF PROCEEDING

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

**MARCH 6, 2017**

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The meeting was called to order at 7 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 Nathan Roach

#### APPROVAL OF MINUTES

The minutes of the February 22, 2017 City Council meeting were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Nations, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COMMUNICATIONS AND PETITIONS**

Mr. Ron Gibbs, 341 Strawbridge Drive, spoke on behalf of the Chesterfield Baseball-Softball Association (CBSA) and discussed the positive impacts of the Chesterfield Valley Athletic Complex (CVAC) and their relationship with the City.

## **INTRODUCTORY REMARKS**

Mayor Nation announced the names of candidates for the April 4, 2017 Municipal Election, and recognized those in attendance.

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, March 20, at 7 p.m.

## **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3139 (City Limit Signs) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3140 (Noise Ordinance Enforced Signs) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3141 (Braking Systems) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3142 (P.Z. 08-2016 Breckenridge Materials [17971 N. Outer 40 Rd.]) will be read for the first time under the "Legislation" portion of the agenda. He further explained that the Planning and Public Works Committee had recommended that this petition be held until a viable solution was provided to address dust suppression. Councilmember Hurt indicated that the bill would be introduced and read for the first time, but would subsequently be held until the dust control issue had been addressed to the satisfaction of City Council.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, March 9, at 5:30 p.m.

### **Finance and Administration Committee**

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Flachsbart, to approve a “Meet the Legislators” event, at a cost not to exceed \$3,000 funded by a transfer from General Fund – Fund Reserves. A roll call vote was taken with the following results: Ayes – Nations, Tilman, Roach, Hurt, Flachsbart and Logan. Nays – McGuinness and DeCampi. Whereupon Mayor Nation declared the motion passed.

Councilmember DeCampi made a motion, seconded by Councilmember Flachsbart, to approve a proposed resolution expressing the City’s opposition to Proposition P, the ½ cent sales tax for public safety which St. Louis County has placed on the April ballot. A voice vote was taken with a unanimous affirmative result and the motion to approve the resolution was declared passed. The successful resolution became Chesterfield Resolution No. 433.

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

Councilmember Barbara McGuinness, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember DeCampi, to approve a proposed resolution authorizing the City of Chesterfield to apply for a St. Louis County Department of Health Waste Management Program Grant for the purchase of recycling containers for the Chesterfield Amphitheater. There is no cash contribution required of the City, and the City’s share of the grant match would be provided with in-kind services including expenses of existing personnel and education/marketing materials. A voice vote was taken with a unanimous affirmative result and the motion to approve the resolution was declared passed. The successful resolution became Chesterfield Resolution No. 434.

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

Councilmember Bridget Nations, Chairperson of the Public Health & Safety Committee, announced that Staff will submit a proposal to provide law enforcement services for the City of Clarkson Valley.

Councilmember Nations made a motion, seconded by Councilmember Flachsbart, to approve funding a deer census in an amount not to exceed \$6,000 from General Fund – Fund Reserves. A roll call vote was taken with the following results: Ayes – Logan, McGuinness, DeCampi, Roach, Tilman, Hurt, Nations and Flachsbart. Nays – None. Whereupon Mayor Nation declared the motion passed.

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

City Administrator Mike Geisel reported that the exclusivity contract for soft drinks (Pepsi) in the City’s park facilities expired at the end of 2016. Accordingly, the Parks, Recreation and Arts Department had sought new three year proposals. Based upon

Staff's analysis, the exclusivity proposal offered by Pepsi provides for an annual payment to the City of \$20,000, rebates of \$2 per case and a substantial marketing opportunity on their delivery trucks. Mr. Geisel joined with Parks, Recreation and Arts Director Thomas McCarthy and Superintendent of Recreation Kari Johnson in recommending acceptance of the three year beverage exclusivity proposal as submitted by Pepsi, with up to two additional voluntary option years at the City's discretion. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel reported that the City has sought proposals for the annual Independence Day fireworks display. Based upon review of information provided by Parks, Recreation and Arts Director Thomas McCarthy and Superintendent of Recreation Kari Johnson, Mr. Geisel joined with them in recommending acceptance of the bid proposal offered by J&M Displays at a cost of \$55,000, and approving the optional multi-year agreement. The multiple year option does not obligate the City to fund the annual display. This contract is fully funded by the Parks Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to approve this recommendation. A roll call vote was taken with the following results: Ayes – McGuinness, DeCampi, Tilman, Logan, Nations, Flachsbart, Hurt and Roach. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that the City has sought proposals for daily management and maintenance of the City's aquatic center. Based upon review of information provided by Parks, Recreation and Arts Director Thomas McCarthy and Superintendent of Recreation Kari Johnson, Mr. Geisel joined with them in recommending acceptance of the proposal submitted by Lifeguards Unlimited and authorizing a contract in an amount not to exceed \$268,600 for the 2017 pool season. This contract is fully funded by the Parks Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Tilman, Roach, Flachsbart, Nations, Logan, McGuinness, Hurt and DeCampi. Nays - None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for Selective Slab Replacement, as identified as Project "A". 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 J.M. Marschuetz Construction Company in an amount not to exceed \$1,100,000. This project is fully funded by the Capital Improvement Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Nations, Logan, Roach, DeCampi, McGuinness, Hurt, Tilman and Flachsbart. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for Selective Slab Replacement, as identified as Project "B". 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 E. Meier Contracting in an amount not to exceed \$900,000. This project is fully funded by the Capital Improvement Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Tilman, Flachsbart, Hurt, Logan, Nations, McGuinness, DeCampi and Roach. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for 2017 Construction Testing and Inspection. 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 TSI Geotechnical Incorporated in an amount not to exceed \$105,000 for testing and inspection services required in order to ensure proper construction of the 2017 capital improvement projects. The recommended expenditure is slightly below the \$115,000 allocated for these services in the 2017 Capital Sales Tax Fund budget. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Flachsbart, DeCampi, Tilman, Hurt, Logan, Nations, Roach and McGuinness. Nays – None. Whereupon Mayor Nation declared the motion passed.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION**

**BILL NO. 3139      AUTHORIZES THE EXECUTION OF A MAINTENANCE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE MAINTENANCE OF CITY LIMIT SIGNS LOCATED WITHIN STATE RIGHT OF WAY (SECOND READING; PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3139. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3139 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3139 with the following results: Ayes – DeCampi, McGuinness, Flachsbart, Hurt, Nations, Tilman, Logan and Roach. Nays – None. Whereupon Mayor Nation declared Bill No. 3139 approved, passed it and it became **ORDINANCE NO. 2941**.

BILL NO. 3140      AUTHORIZES THE EXECUTION OF A MAINTENANCE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE MAINTENANCE OF NOISE ORDINANCE ENFORCED SIGNS LOCATED WITHIN STATE RIGHT OF WAY **(SECOND READING; PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3140. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3140 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3140 with the following results: Ayes – Tilman, Logan, Roach, Hurt, Flachsbert, McGuinness, Nations and DeCampi. Nays – None. Whereupon Mayor Nation declared Bill No. 3140 approved, passed it and it became **ORDINANCE NO. 2942.**

BILL NO. 3141      REPEALS ORDINANCE NUMBER 2926 AND ENACTS A NEW ORDINANCE RESTRICTING COMPRESSION RELEASE BRAKING SYSTEMS **(SECOND READING; PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3141. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3141 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3141 with the following results: Ayes – Roach, Flachsbert, Logan, DeCampi, McGuinness, Tilman, Hurt and Nations. Nays – None. Whereupon Mayor Nation declared Bill No. 3141 approved, passed it and it became **ORDINANCE NO. 2943.**

BILL NO. 3142      REQUESTS A ZONING MAP AMENDMENT FROM AN “FPM3” FLOOD PLAIN PLANNED INDUSTRIAL DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 2.688 ACRE AREA OF LAND ON A PORTION OF THE PROPERTY AT 17971 N. OUTER 40 RD., LOCATED ON THE NORTH SIDE OF NORTH OUTER 40 RD., EAST OF THE MISSOURI RIVER (P.Z. 08-2016 BRECKENRIDGE MATERIALS) (16W240041) **(FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL PENDING A REQUIREMENT THAT THE APPLICANT PROVIDE A REMEDY TO DUST SUPPRESSION)**

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3142. A voice vote was taken with an affirmative result (Councilmember McGuinness voted “No”) and the motion was declared passed. Bill No. 3142 was read for the first time.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:55 p.m.

Bob Nation  
Mayor Bob Nation

**ATTEST:**

Vickie J. Hass  
Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 3/20/17