



RECORD OF PROCEEDING

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

FEBRUARY 5, 2018

The meeting was called to order at 7:04 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 Ben Keathley
Councilmember Guy Tilman
Councilmember Dan Hurt
Councilmember Randy Logan
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the January 17, 2018 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Tilman, 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. Bryan Aston, 10411 Clayton Road, stated that he was available to answer any questions pertaining to Bill No. 3177 (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) and Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]).

Ms. Jeannie Aumiller, McBride & Son Homes, 16091 Swingley Ridge, urged the support of Council pertaining to Bill No. 3175 (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] Ordinance Amendment).

Mr. Brett Hardesty, 232 Chesterfield Industrial, stated that he was available to answer any questions pertaining to Bill No. 3184 (Grand Reserve Record Plat).

Mr. Stan McCurdy, 10411 Clayton Road, stated that he was available to answer any questions pertaining to Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]).

Mr. Mike Doster, 16090 Swingley Ridge Road, stated that he was available to answer any questions pertaining to Bill No. 3172 (P.Z. 16-2017 Chesterfield Village Mall [Shelbourne Senior Living]) and Bill No. 3174 (P.Z. 21-2017 Clock Tower Plaza [Kommerz LC]).

Mr. Mike Falkner, 5055 Newbaumgartner, St. Louis, stated that he was available to answer any questions pertaining to Bill No. 3173 (P.Z. 18-2017 Falling Leaves Estates II).

Mr. Jon Lerman, 16800 Lansbrooke Court, spoke in support of Bill No. 3181 (Victims' Rights Ordinance).

INTRODUCTORY REMARKS

Mayor Nation announced the names of the candidates for the upcoming April 3, 2018 Municipal Election and recognized those in attendance:

Councilmember – Ward I
Barry Flachsbert (incumbent)

Councilmember – Ward III
Randy Logan (incumbent)
Michael Moore

Councilmember – Ward II
Jami Dolby
Mary Ann Mastorakos

Councilmember – Ward IV
William Lawson
Tom DeCampi (incumbent)

Mayor Nation announced that City Hall will be closed on Monday, February 19 in observance of Presidents' Day.

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

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Guy Tilman, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3172 (P.Z. 16-2017 Chesterfield Village Mall [Shelbourne Senior Living]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3173 (P.Z. 18-2017 Falling Leaves Estates II) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3174 (P.Z. 21-2017 Clock Tower Plaza [Kommerz LC]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3175 (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N. Outer 40 Rd] Ordinance Amendment) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3176 (P.Z. 15-2017 MPD Investments [14781 N. Outer 40 Rd] Ordinance Amendment) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3177 (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3184 (Grand Reserve Record Plat) is scheduled for both first and second reading approval under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3179 (River Valley Drive Right-of-Way Vacation) is scheduled for both first and second reading approval under the "Legislation" portion of the agenda.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to approve recommended updates to the public hearing advertising process. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilman announced that the next meeting of this Committee has been scheduled for Thursday, February 22, at 5:45 p.m.

Finance and Administration Committee

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Logan, to approve proposed revisions to City Council Policy No. 1 (Membership – Non-Statutory Committees); thereby eliminating City Council Policy No. 8 (Non-Statutory Board/Commission/Committee Membership) and City Council Policy Re: Composition of Management Information Systems Citizens Advisory Committee (MISCAC). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to refer City Council Policy No. 22 (First/Second Readings of Legislation) back to the Finance and Administration Committee for further review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Logan, to approve proposed revisions to City Council Policy No. 24 (Statutory Committee Nominees – Interviews); thereby eliminating City Council Policy No. 33 (Planning Commission Candidates). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to refer City Council Policy No. 29 (Executive Session) back to the Finance and Administration Committee for further review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to approve proposed revisions to Finance and Administration Policy No. 25 (Citizen of the Year Award). A voice vote was taken with an affirmative result (Councilmembers Logan, Flachsbart and Ohley voted "No") and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Logan, to approve the proposed policy pertaining to land acquisition as recommended by the Finance and Administration Committee. Councilmember Logan made a motion, seconded by Councilmember Tilman, to amend the policy by adding the phrase prepared

by the City Administrator “with the reason(s) or cause(s) for such deviation SHALL BE described in the official record” to the end of the policy. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to further amend the language to remove the words “shall be” from the added phrase. A voice vote was taken with a unanimous affirmative result and the motion to amend was passed. A voice vote was taken on the proposed amended policy, with a unanimous affirmative result, and the main motion, as amended, was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Flachsbart, to authorize staff to submit the boundary plan map amendment documents, as recommended by the Finance and Administration Committee, to the St. Louis County Boundary Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi reported that Bill No. 3180 (City Administrator’s Compensation) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember DeCampi reported that Bill No. 3181 (Victims’ Rights Ordinance) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember DeCampi reported that Bill No. 3182 (Public Works Board of Variance) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember DeCampi announced that the next meeting of this Committee has been scheduled for Monday, February 26, at 5:30 p.m.

Parks, Recreation & Arts Committee

Councilmember Randy Logan, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember Tilman, to approve a transfer of \$8,500 from the Parks Fund – Fund Reserve to fund the relocation of the existing community garden which is being displaced by private development. A roll call vote was taken with the following results: Ayes – McGuinness, Hurt, Ohley, Logan, DeCampi, Tilman, Flachsbart and Keathley. Nays – None. Whereupon Mayor Nation declared the motion passed.

Councilmember Logan reported that funding for the Parks Master Plan will be addressed under the “City Administrator” portion of the agenda.

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, indicated that he had no report this evening.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Bill No. 3183 (Renewal of St. Louis County Communications Contract) will be read for the first time under the “Legislation” portion of the agenda.

Mr. Geisel requested authorization to proceed with the Parks Master Plan. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to authorize the City Administrator to execute a contract with Pros Consultants to complete an update to the Parks Master Plan, in an amount not to exceed \$60,000, using the funds originally allocated within the Parks Fund in the 2017 approved budget and as included in the projected expenditures when developing the 2018 adopted budget.

Councilmember Keathley pointed out that there had been some confusion about whether or not the City of Chesterfield would be eligible for grants without completing an updated Parks Master Plan. He explained that the City would be eligible for grants without an updated Parks Master Plan, but that is a component in deciding who receives the grant money. He continued by stating that our Parks Department depends heavily on grant money and it would be a tremendous loss to the City to miss out on a grant opportunity because we chose not to update the Parks Master Plan.

A roll call vote was taken on the motion to proceed with the Parks Master Plan, with the following results: Ayes – Hurt, Tilman, Ohley, Keathley, McGuinness, Logan, Flachsbart and DeCampi. 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. 3179 Vacates a portion of the River Valley Drive right of way in part of U.S. Survey 387 Township 46 North, Range 5 East of the 5th Principal Meridian in the City of Chesterfield, St. Louis County, Missouri **(First & Second Readings) Department of Public Works recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 3179. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3179 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to suspend the rules to allow for second reading of Bill No. 3179. Councilmember Keathley questioned the reason for urgency in suspending the rules for a second reading. City Attorney Chris Graville recommended suspending the rules to allow the second reading in order to reverse the conveyance of property back to the subdivision as quickly as possible. A voice vote was taken with a unanimous affirmative result and the motion to suspend the rules was declared passed.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3179. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3179 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3179 with the following results: Ayes – Tilman, Flachsbart, Keathley, Logan, Hurt, McGuinness, DeCampi and Ohley. Nays – None. Whereupon Mayor Nation declared Bill No. 3179 approved, passed it and it became **ORDINANCE NO. 2979**.

Bill No. 3180 Sets the 2018 salary for the City Administrator. **(First & Second Readings) F&A Committee recommends approval**

Councilmember DeCampi made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3180. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3180 was read for the first time.

Councilmember DeCampi made a motion, seconded by Councilmember Logan, to suspend the rules to allow for second reading of Bill No. 3180. Councilmember Keathley questioned the reason for urgency in suspending the rules for a second reading. City Attorney Chris Graville responded that although he had prepared the bill with the expectation that it would be read twice since it was merely affirming a decision made by City Council previously, there is not a current urgent justification necessitating a second reading. A roll call vote was taken with the following results: Ayes – Flachsbart, Hurt, Logan and Tilman. Nays – McGuinness, Ohley, Keathley and DeCampi. City Attorney Graville stated that a two-thirds majority is required to suspend the rules under Robert's Rules of Order. Therefore, the second reading will occur at the next City Council meeting.

Bill No. 3181 Amends Chapter 19 - Municipal Court of the Municipal Code of the City of Chesterfield, Missouri by adding Section 19-16 titled "Victim's Bill of Rights" **(First Reading) F&A Committee recommends approval**

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3181. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3181 was read for the first time.

Bill No. 3182 Authorizes the elimination of the Public Works Board of Variance
(First Reading) F&A Committee recommends approval

Councilmember DeCampi made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3182. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3182 was read for the first time.

Bill No. 3183 Authorizes the City Administrator of the City of Chesterfield to execute a renewal agreement with St. Louis County for the establishment of a communications agreement between the City of Chesterfield and St. Louis County **(First Reading)**

Councilmember Flachsbart made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3183. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3183 was read for the first time.

LEGISLATION – PLANNING COMMISSION

Bill No. 3172 Amends the Zoning Ordinance of the City of Chesterfield by changing the boundaries of a “C8” Planned Commercial District to a “UC” Urban Core District for an 8.2 acre tract of land located southeast of the intersection of Chesterfield Parkway West and Chesterfield Center (P.Z. 16-2017 Chesterfield Village [Shelbourne Senior Living] - 18S110148) **(Second Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3172. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3172 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3172 with the following results: Ayes – Hurt, Logan, Tilman, Flachsbart, Ohley, DeCampi, McGuinness and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3172 approved, passed it and it became **ORDINANCE NO. 2980**.

Bill No. 3173 Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of an existing “PUD” Planned Unit Development to a “LLR” Large Lot Residential District for a 17.4 acre tract of land located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road (P.Z. 18-2017 Falling Leaves Estates II — 19T220214, 19T210161) **(Second Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3173. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3173 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3173 with the

following results: Ayes – Flachsbart, McGuinness, Logan, Keathley, Hurt, Tilman, DeCampi and Ohley. Nays – None. Whereupon Mayor Nation declared Bill No. 3173 approved, passed it and it became **ORDINANCE NO. 2981.**

Bill No. 3174 Amends City of Chesterfield Ordinance 2442 to revise development restrictions in a “PC” Planned Commercial District for 2.61 acres located north of Edison Avenue and northeast of the intersection of Chesterfield Commons East Road and Edison Avenue. (17T240243) (P.Z 21-2017 Clock Tower Plaza) **(Second Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3174. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3174 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3174 with the following results: Ayes – Tilman, Ohley, Flachsbart, DeCampi, Logan, McGuinness, Hurt and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3174 approved, passed it and it became **ORDINANCE NO. 2982.**

Bill No. 3175 Repeals City of Chesterfield Ordinance Number 2055 to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] 17U610139, 17U520258, 17U520269) Green Sheet Amendment included **(First Reading) Planning Commission recommends approval; Planning & Public Works Committee recommends approval, as amended**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3175. Councilmember Ohley made a motion, seconded by Councilmember Hurt, to amend the main motion by accepting the green sheet amendments. A voice vote was taken on the green sheet amendment, with a unanimous affirmative result and the motion to amend was passed. A voice vote was then taken on the main motion, as amended, with a unanimous affirmative result and the main motion, as amended, was declared passed. Bill No. 3175 was read for the first time.

Bill No. 3176 Repeals City of Chesterfield Ordinance Number 2411 to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd] 17U610139, 17U520258, 17U520269) **(First Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3176. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3176 was read for the first time.

Bill No. 3177 Amends City of Chesterfield Ordinance Number 2449 for a “PC&R” Planned Commercial and Residence District located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) **(First Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3177. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3177 was read for the first time.

Bill No. 3178 Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of a “PC&R” Planned Commercial and Residential District, the “C8” Planned Commercial District and the “LLR” Large Lot Residential District to an “R-6AA” Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development] 17T310016, 18T630173, 18T630205, 18T640226) **(First Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3178. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3178 was read for the first time.

Bill No.3184 Provides for the approval of a record plat and escrow agreements for the Grand Reserve Subdivision, an 11.87 acre tract of land zoned “R-3” Residence District for a 0.722 acre portion and “R-4” Residence District for an 11.159 acre portion and located east of the intersection of Olive Boulevard and Chesterfield Parkway **(First & Second Readings) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3184. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3184 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3184. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3184 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3184 with the following results: Ayes – Hurt, McGuinness, DeCampi, Tilman, Ohley, Keathley,

Flachsbart and Logan. Nays – None. Whereupon Mayor Nation declared Bill No. 3184 approved, passed it and it became **ORDINANCE NO. 2983**.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:33 p.m.

Bob Nation
Mayor Bob Nation

ATTEST:

Vickie J. Hass
Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 2/21/2018