



RECORD OF PROCEEDING

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

MARCH 16, 2015

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

Mayor Bob Nation
Councilmember Barry Flachsbart
Councilmember Nancy Greenwood
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Connie Fults

ABSENT

Councilmember DeGroot

APPROVAL OF MINUTES

The minutes of the February 18, 2015 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Greenwood, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced the upcoming Municipal Election on Tuesday, April 7 and encouraged everyone to vote.

Mayor Nation announced that the next meeting of City Council has been scheduled for Wednesday, April 22, at 7 p.m. The Swearing-In Ceremony for all newly-elected officials will also take place that evening.

COMMUNICATIONS AND PETITIONS

Mr. Andrew Selman, Missouri Public Affairs Director for Employer Support of the Guard & Reserve (ESGR), and Rear Admiral Lee Metcalf, State Chair of Missouri ESGR, recognized the City of Chesterfield, the Chesterfield Police Department and four police supervisors for exemplary support of personnel in the Guard and Reserves. Lt. Greg Lehman, Sgt. Mark Bruegenhemke, Sgt. Laura Obermeyer and Sgt. Bob Wickenhauser were presented with individual Patriot awards for their support of Officer Ryan Broeker's family during his wife's recent five month deployment.

Mr. Mike Doster, DosterUllom, LLC, 16090 Swingley Ridge, gave an update on Bill No. 2998 (Provides for the Approval of a Boundary Adjustment Plat – Four Seasons Plaza), stating that agreements have been reached with neighbors and all requirements have been met for this request. He requested, on behalf of the petitioner, that Bill No. 3021 (P.Z. 11-2014 – THF Chesterfield Development LLC [The Commons]) be sent back to Planning/Public Works Committee. Mr. Doster then stated he was available to answer questions related to Bill No. 3024 (P.Z. 17-2014, Steve W. Wallace [H.V. Real Estate Corp.]).

APPOINTMENTS

Mayor Nation nominated Mr. Mick Weber, c/o MW Weber Architects, 129 Long Road, for re-appointment to the Architectural Review Board. Councilmember Grier made a motion, seconded by Councilmember Grissom, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Weber's new two-year term will expire March 18, 2017.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Derek Grier, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Grissom, for approval of Resolution No. 410 (Performing Arts Agreements), which authorizes the City Administrator to execute contracts with Stages-St. Louis and St. Louis Civic Orchestra. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Planning/Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2998 (Provides for the Approval of a Boundary Adjustment Plat – Four Seasons Plaza) is scheduled for both first and second reading approval, under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt reported that Bill No. 3016 (Provides for Acceptance of Terra Vista Drive and Terra Vista Court as Public Streets) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3017 (Provides for Acceptance of Pine Copse Path, Oak Stand Path, Oak Stand Court, Maple Rise Path and Willow Weald Path as Public Streets) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3018 (Provides for Installation of Stop Signs at Various Intersections Involving Pine Copse Path, Oak Stand Path, Oak Stand Court, Maple Rise Path and Willow Weald Path) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3019 (Provides for Acceptance of Park Circle Drive and Main Circle Drive as Public Streets) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt reported that Bill No. 3020 (Provides for Acceptance of Outlet Boulevard and Premium Way as Public Streets) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Greenwood, to refer Bill No. 3021 (P.Z. 11-2014 – THF Chesterfield Development LLC [The Commons]) back to the Planning and Public Works Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that Bill No. 3023 (Provides for the Approval of a Lot Split – Boone’s Crossing Northeast Interchange, Lot 1) is scheduled for both first and second reading approval, under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt reported that Bill No. 3024 (P.Z. 17-2014, Steve W. Wallace [H.V. Real Estate Corp.]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, March 19, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Jet's Pizza, 1635 Clarkson Road, has requested a new liquor license, to sell beer and wine, plus Sunday sales. Mr. Herring 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 Grissom made a motion, seconded by Councilmember Casey, to approve issuance of a new liquor license to Jet's Pizza. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that TF Pie Chesterfield, dba Pie Five Pizza Company, 17215 Chesterfield Airport Road, has requested a new liquor license, to sell beer and wine, plus Sunday sales. Mr. Herring 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 Grissom made a motion, seconded by Councilmember Casey, to approve issuance of a new liquor license to TF Pie Chesterfield, dba Pie Five Pizza Company. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Total Wine & More, 1781 Clarkson Road, has requested a new liquor license, to sell all kinds of intoxicating liquor by the drink (to cover alcohol "tastings"), packaged liquor, and Sunday sales. Mr. Herring 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 Grissom made a motion, seconded by Councilmember Casey, to approve issuance of a new liquor license to Total Wine & More. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff, as authorized in advance by City Council, applied for grant funding from the Municipal Parks Grant Commission for playground re-surfacing at Central Park and Chesterfield Valley Athletic Complex (CVAC). The grant application has been approved for \$265,844 which requires a matching appropriation of \$67,126 by the City. Authorization is needed for the City Administrator to execute a grant agreement, officially accepting these grant funds and authorize a transfer of \$67,126 from the Parks Sales Tax Fund – Fund Reserves to cover our local match, and amend the Budget to include total expenditures and total revenues that this item represents.

Councilmember Hurt made a motion to refer the items requiring budget amendments back to the Parks and Recreation Committee for review. There was no second to the motion and Mayor Nation declared the motion failed. Councilmember Flachsbart requested the Finance and Administration Committee discuss ways to "tag" grant applications in the future so they are attached to the budget in some way and "tagged" for Fund Reserves.

Councilmember Casey made a motion, seconded by Councilmember Fults, to authorize the City Administrator to execute this grant agreement, transfer \$67,126 from the Parks Sales Tax Fund – Fund Reserves, and amend the Budget, with all of this in mind. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff, as authorized in advance by City Council, applied for grant funding to off-set the total cost of a project to enhance the existing pond at Eberwein Park. As a result, if approved by City Council, grant funds provided by the Missouri Naturalists program, totaling \$37,735 will reduce the total City cost for that project to \$24,500 plus an additional \$1,323 of in-kind services. Councilmember Greenwood made a motion, seconded by Councilmember Flachsbart, to authorize the City Administrator to execute a grant agreement and authorize a transfer of \$24,500 from the Parks Sales Tax Fund – Fund Reserves. In so doing, City Council will be authorizing a budget amendment, on both the revenue and expenditure side, to cover the entire cost for this project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff is recommending an extension to a previously negotiated contract with Midwest Pool Management, at the same rate as 2014, at a cost not to exceed \$278,825. The pricing for this optional contract extension was obtained when bids were originally sought in 2012. Based upon Staff's recommendation, City Council authorized a multi-year contract with Midwest Pool Management at that time, which included options for contract extensions in both 2015 and 2016. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve this contract extension in an amount not to exceed \$278,825. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Mike Herring reported that Staff is recommending award of a contract for Selective Slab Replacement – Project "A". Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Herring joined with him in recommending award of a contract to Amcon Municipal Concrete in an amount not to exceed \$900,000. Councilmember Hurt made a motion, seconded by Councilmember Greenwood, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Mike Herring reported that Staff is recommending award of a contract for Selective Slab Replacement – Project "B". Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Herring joined with him in recommending award of a contract to Amcon Municipal Concrete in an amount not to exceed \$900,000. Councilmember Greenwood made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Mike Herring reported that Staff is recommending award of a contract for Selective Slab Replacement – Project "C". Based upon review of information

provided by Public Works Director/City Engineer Jim Eckrich, Mr. Herring joined with him in recommending award of a contract to Spencer Contracting in an amount not to exceed \$350,000. Councilmember Flachsbart made a motion, seconded by Councilmember Greenwood, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff is recommending an extension to the current contract with Westport Pools, for daily maintenance operations at the City's Family Aquatic Center. The option to extend was included with the original bid award when City Council first approved a contract with Westport Pools in 2012. If approved by City Council, the cost for 2015 will actually be less than the cost of the previous year. Councilmember Casey made a motion, seconded by Councilmember Grissom, to approve this contract extension. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 3016 PERTAINS TO THE ACCEPTANCE OF TERRA VISTA DRIVE AND TERRA VISTA COURT AS PUBLIC STREETS IN THE CITY OF CHESTERFIELD (SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3016. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3016 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3016 with the following results: Ayes – Greenwood, Fults, Hurt, Grissom, Flachsbart, Grier and Casey. Nays – None. Whereupon Mayor Nation declared Bill No. 3016 approved, passed it and it became **ORDINANCE NO. 2834.**

BILL NO. 3017 PERTAINS TO THE ACCEPTANCE OF PINE COPSE PATH, OAK STAND PATH, OAK STAND COURT, MAPLE RISE PATH AND WILLOW WEALD PATH AS PUBLIC STREETS IN THE CITY OF CHESTERFIELD (SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3017. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3017 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3017 with the following results: Ayes – Grier, Casey, Hurt, Fults, Flachsbart, Grissom and Greenwood. Nays – None. Whereupon Mayor Nation declared Bill No. 3017 approved, passed it and it became **ORDINANCE NO. 2835**.

BILL NO. 3018 AMENDS ORDINANCE NUMBER 35, SCHEDULE VI, INTERSECTION STOPS, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO INCLUDE PINE COPSE PATH, OAK STAND PATH, OAK STAND COURT, MAPLE RISE PATH, AND WILLOW WEALD PATH (**SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Greenwood, for the second reading of Bill No. 3018. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3018 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3018 with the following results: Ayes – Casey, Greenwood, Flachsbart, Grier, Grissom, Hurt and Fults. Nays – None. Whereupon Mayor Nation declared Bill No. 3018 approved, passed it and it became **ORDINANCE NO. 2836**.

BILL NO. 3019 PERTAINS TO THE ACCEPTANCE OF PARK CIRCLE DRIVE AND MAIN CIRCLE DRIVE AS PUBLIC STREETS IN THE CITY OF CHESTERFIELD (**SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Fults, for the second reading of Bill No. 3019. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3019 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3019 with the following results: Ayes – Grier, Greenwood, Fults, Casey, Hurt, Grissom and Flachsbart. Nays – None. Whereupon Mayor Nation declared Bill No. 3019 approved, passed it and it became **ORDINANCE NO. 2837**.

BILL NO. 3020 PERTAINS TO THE ACCEPTANCE OF OUTLET BOULEVARD AND PREMIUM WAY AS PUBLIC STREETS IN THE CITY OF CHESTERFIELD (**SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 3020. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 3020 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3020 with the following results: Ayes – Greenwood, Hurt, Grier, Grissom, Fults, Casey and Flachsbart. Nays – None. Whereupon Mayor Nation declared Bill No. 3020 approved, passed it and it became **ORDINANCE NO. 2838**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2998 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR FOUR SEASONS PLAZA FOR A 16.26 ACRE TRACT OF LAND ZONED “C-2” SHOPPING DISTRICT AND “PC” PLANNED COMMERCIAL DISTRICT LOCATED SOUTH OF OLIVE BOULEVARD AND WEST OF WOODS MILL ROAD (16Q220719, 16Q210763 AND 16Q220690) (FIRST AND SECOND READINGS; DEPT. OF PUBLIC SERVICES RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2998. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2998 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2998. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Greenwood voted “No”) and the motion was declared passed. Bill No. 2998 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2998 with the following results: Ayes – Casey, Grier, Fults, Grissom and Hurt. Nays – Greenwood and Flachsbart. Whereupon Mayor Nation declared Bill No. 2998 approved, passed it and it became **ORDINANCE NO. 2839**.

BILL NO. 3023 PROVIDES FOR THE APPROVAL OF A LOT SPLIT PLAT FOR BOONE’S CROSSING NE INTERCHANGE LOT 1, FOR A 4.167 ACRE TRACT OF LAND ZONED “PC” PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF US HIGHWAY 40/INTERSTATE 64 AND IMMEDIATELY EAST OF ITS INTERSECTION WITH BOONE’S CROSSING (17U620172) (FIRST AND SECOND READINGS; DEPT. OF PUBLIC SERVICES RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 3023. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3023 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 3023. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3023 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3023 with the following

results: Ayes – Grissom, Flachsbart, Casey, Fults, Hurt and Grier. Nays – Greenwood. Whereupon Mayor Nation declared Bill No. 3023 approved, passed it and it became **ORDINANCE NO. 2840.**

BILL NO. 3024 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 1328 TO MODIFY DEVELOPMENT CONDITIONS AND ADD LAND USES FOR A 2.93 ACRE TRACT OF LAND, MORE OR LESS, ZONED C8, PLANNED COMMERCIAL LOCATED SOUTHEAST OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND LONG ROAD {P.Z. 17-2014 STEVE W WALLACE (H.V. REAL ESTATE CORP.) 17U140441, 17U140450, 17U140461 & 17U140472} (FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 3024. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3024 was read for the first time.

ADJOURNMENT

Mayor Nation entertained a motion to reconvene into Executive Session. Councilmember Flachsbart made a motion, seconded by Councilmember Grier, to go into closed session, pursuant to RSMo 610.021(3) for the purpose of allowing for confidential communication among the City’s elected officials regarding personnel matters. A roll call vote was taken with the following results: Ayes – Greenwood, Grier, Fults, Grissom, Casey, Hurt and Flachsbart. Nays – None. Whereupon Mayor Nation declared the motion passed.

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:45 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk