



## RECORD OF PROCEEDING

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

**MARCH 21, 2016**

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

Boy Scout Troop #597 from Ascension Catholic Church led everyone in the Pledge of Allegiance and Mayor Nation followed with a moment of silent prayer. Mayor Nation recognized and thanked John Harrop, Ryan Kelly, Michael Copenhaver and Sam Thompson for their participation in this opening ceremony. Also in attendance was Troop Leader Daniel Koschoff. Mayor Nation presented a Proclamation to Boy Scout Troop #597 commemorating their participation.

A roll call was taken with the following results:

#### PRESENT

Mayor Bob Nation  
Councilmember Barry Flachsbart  
Councilmember Barbara McGuinness  
Councilmember G. Elliot Grissom  
Councilmember Mike Casey  
Councilmember Dan Hurt  
Councilmember Bruce DeGroot  
Councilmember Connie Fults

#### ABSENT

Councilmember Bridget Nations

#### APPROVAL OF MINUTES

The minutes of the March 7, 2016 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Flachsbart, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Ms. Vitula Skillman, City Clerk of Wentzville, and Ms. Tonya Hawkins, Deputy City Clerk of Troy, presented the Missouri Registered City Clerk Certification to City Clerk Vickie Hass and congratulated her on this achievement.

Mayor Nation presented a Proclamation to Sharanya Kumar for registering a perfect score on her SAT test. Ms. Kumar is one of only two students in Missouri, from the Class of 2015, to achieve a perfect score on this test.

Mayor Nation presented Mr. Tom Owen as the 2015 Citizen of the Year. Mr. Owen has dedicated his time to mentoring Scouts of Troop 597 for 16 years. He has helped over 35 young men earn the Eagle Scout ranking, the highest achievement in Scouting. Mr. Owen has involved the Scouts in countless service projects in the community, and he has served as a trustee of the Baxter Lakes Subdivision.

Mayor Nation announced the upcoming Municipal Election on Tuesday, April 5 and encouraged everyone to vote.

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

## **COMMUNICATIONS AND PETITIONS**

Mr. Andy Shanfeld, 171 Henning Drive, spoke in opposition to the proposed closure of River Valley Drive.

Former Mayor Bruce Geiger, 14787 Greenloch Court, expressed his appreciation and thanks to City Administrator Michael Herring for his 28 years of excellent service to the City of Chesterfield. He also expressed his thanks to Councilmembers Casey and Grissom for their years of Service to the City.

Former Mayor John Nations, 8 Baxter Lane, expressed his appreciation to Councilmember Mike Casey, Councilmember Elliot Grissom and Mr. Herring for their service to the City of Chesterfield. He also congratulated Mr. Tom Owen for his Citizen of the Year recognition.

Ms. Jan Misuraca, 1414 Sycamore Manor Drive, expressed her thanks to the Mayor, Council and Mr. Herring for their support of the Veteran's Honor Park.

Mr. Harvey Rosenberg, 217 S. Greentrails Drive, expressed his appreciation to Mr. Herring for his leadership and loyalty to the City.

Judge Doug Beach, 14565 Ansonborough Drive, expressed his appreciation to Mr. Herring for his excellent service and contributions to the City of Chesterfield over the past 28 years.

Messrs. Terry Dowdy, Philip Wentz, Pat Cunningham, Brian Barnard, Michael Turnquist, Mike Doster, Ken Capps and David Brammeier stated they were available to answer questions related to the Site Development Plan for Four Seasons Plaza, Lot 2 (Panera).

Mr. Steve Kling, Jenkins & Kling PC, 150 W. Meramec Ave., Clayton, stated he was available to answer questions related to Bill No. 3075 (P.Z. 13-2015, Chesterfield Valley Square [Burgundy Arrow, LLC]) and made a few comments clarifying the petitioner's zoning request.

Councilmember Dan Hurt expressed his appreciation to Councilmembers Casey and Grissom for their years of service to the City of Chesterfield. He also thanked Mr. Herring for his hard work and dedication to the City for the past 28 years.

Councilmember Mike Casey expressed his thanks to Mr. Herring for his many contributions to the City. He also recognized Mr. Herring's family in the audience, and thanked them for their support.

Mayor Nation thanked Councilmembers Casey and Grissom for their years of service. He also expressed his appreciation to Mr. Herring for his service to the City of Chesterfield.

Mr. Herring expressed his gratitude to several people, including members of the media, his family, the Management Team, his Administrative Assistant, former City officials and current Mayor and Councilmembers for their support and encouragement over the years.

## **APPOINTMENTS**

Mayor Nation stated that he does not anticipate a motion for Bill No. 3070 (Appointment of City Attorney). However, it will come up under the "Legislation" portion of the agenda if Council should decide to act on it.

## **COUNCIL COMMITTEE REPORTS**

### **Finance and Administration Committee**

Councilmember Barry Flachsbart, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember DeGroot, to hold Bill Nos. 3076, 3077 and 3078 (Amends Previously-Adopted Ordinances re: City Attorney, Prosecuting Attorney and Municipal Judge) until the May 2 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart reported that Bill No. 3080 (Authorizes Refunding of Existing Debt) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Monday, March 28, at 5:30 p.m.

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

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Grissom, to approve Site Development Plan (Four Seasons Plaza, Lot 2 [Panera]). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults made a motion, seconded by Councilmember DeGroot, to hold Bill No. 3079 (Restricts Parking on River Valley Dr.) until April 20. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults reported that Bill No. 3081 (Authorizes Execution of Road Relinquishment Agreements with MoDOT) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults reported that Bill No. 3075 (P.Z. 13-2015, Chesterfield Valley Square [Burgundy Arrow, LLC]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, March 24, at 5:30 p.m.

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

City Administrator Mike Herring reported that Resolution No. 420 authorizes the City Administrator to execute contracts with Stages-St. Louis and St. Louis Civic Orchestra. He explained this is an annual occurrence, following the adoption of the City’s annual operating budget, which contains funding for both entities. This Resolution is “housekeeping” in nature, but it details the services/benefits to be provided to Chesterfield citizens for the coming year. Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, to approve Resolution No. 420 with amendment to remove paragraph four under Section 1 (A). A voice vote was taken with an affirmative result (5-1-1 – Councilmember McGuinness voted No and Councilmember DeGroot abstained) and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Flachsbart, to hold the bid results for River Valley Drive Closure until the April 20 City Council

meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff is recommending award of a contract for Slab Replacement Project “C” – Broadmoor Condos Neighborhood Improvement District (NID). 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 \$1,435,000. Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve this recommendation and transfer of \$1,435,000 from General Fund – Fund Reserves. This entire amount will be reimbursed by residents of the Broadmoor Condos over a 20 year period, as previously discussed and approved by City Council. 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**

Noting that he and City Administrator Herring had shared the following information with the PRESS, immediately following the March 7 City Council meeting, Mayor Nation publically announced the results of a vote taken at the March 7 Executive Session meeting: “Councilmember Nations made a motion, seconded by Councilmember Grissom, to pay the \$17,000 invoice submitted by Mr. O’Keefe, which had been previously authorized by City Council, for legal services associated with an investigation into allegations made against Mayor Nation. A roll call vote was taken with the following results: Ayes – Casey, Fults, Nations, Grissom. Nays – Flachsbart, McGuinness, Hurt, DeGroot. Mayor Nation broke the tie by voting No and then declared the motion failed.”

### **LEGISLATION**

**BILL NO. 3080      AUTHORIZES THE CITY OF CHESTERFIELD, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF REFUNDING A PORTION OF THE OUTSTANDING CERTIFICATES OF PARTICIPATION (CITY OF CHESTERFIELD, MISSOURI, LESSEE) SERIES 2008; AND AUTHORIZES THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH (FIRST AND SECOND READINGS; FINANCE/ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember McGuinness, for the first reading of Bill No. 3080. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3080 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 3080. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3080 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3080 with the following results: Ayes – Casey, McGuinness, DeGroot, Hurt, Fults, Flachsbart and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 3080 approved, passed it and it became **ORDINANCE NO. 2888**.

**BILL NO. 3081      AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE ROAD RELINQUISHMENT AGREEMENTS WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PORTIONS OF TOREADOR DRIVE AND ELBRIDGE PAYNE ROAD (FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 3081. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3081 was read for the first time.

**LEGISLATION – PLANNING COMMISSION**

**BILL NO. 3075      AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "PI" PLANNED INDUSTRIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 6.07 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD WEST OF ITS INTERSECTION WITH PUBLIC WORKS DRIVE (P.Z. 13-2015, CHESTERFIELD VALLEY SQUARE (BURGUNDY ARROW, LLC) (17U230320) (FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3075. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3075 was read for the first time.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:26 p.m.

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Mayor Bob Nation

**ATTEST:**

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Vickie J. Hass, City Clerk