

MEMORANDUM

DATE: July 12, 1993

TO: Michael G. Herring, City Administrator

FROM: William C. Hawn, Director of Public Works/City Engineer

RE: Minutes - Meeting (7/06/93) Public Works/Parks Committee

A meeting of the Public Works/Parks Committee began at 7:05 p.m. on July 6, 1993. Those in attendance included Councilmember Alan Politte, Chairperson, (Ward III), Councilmember Colleen Hilbert (Ward I), Councilmember Ed Levinson (Ward II), Councilmember Dick Hrabko (Ward IV), City Administrator Michael G. Herring, and Director of Public Works/City Engineer William C. Hawn. Also in attendance were Recreation Activities Coordinator Rob Rich, Chairperson Bill Kolath (Highway Beautification Committee), Mary Brown (Highway Beautification Committee), Pat Catanzaro representing the Highway Beautification Committee, and six (6) citizens representing the Estates of Baxter Lane Subdivision.

The following is a listing of those items discussed by the Committee at this meeting:

1. Councilmember Levinson opened the discussion by expressing the concerns of the residents of the Estates of Baxter Lane Subdivision. The original St. Louis County ordinance was written in 1988 for the subdivision. This subdivision is built behind the original subdivision named Baxter Lane. This is a private asphalt street. The City ordinance that was passed stated that the development agreement must be reached between the residents and the developer, Raleigh, Givens, Maynes Development Company. The development agreement indicated the street was to be brought back up to the standards (asphalt overlay) at the completion of construction in Estates of Baxter Lane. The agreement also stated that the trust indentures for the existing subdivision would apply to the new subdivision. The street within both the new portion and the old portion would remain a private street. Individuals from Baxter Lane and the developer got into a disagreement. This dispute was taken to court and the court ruled that the development agreement, or a portion of it, was invalid. The concern is that the developer is building his last house in the Estates of Baxter Lane and the residents are worried that the developer, Larry Maynes, is not going to repair the street. Mr. Herring asked Mr. Hawn to summarize the letter from Doug Beach, City Attorney. Mr. Hawn explained that the City Attorney reviewed this matter and indicated that this subdivision was approved in 1990/1991 for the development at the end of Baxter Lane. As part of the development, it is the understanding

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of the Planning and Public Works Departments that the original indentures were incorporated in this new development. This required two things:

1. It indicated perpetual maintenance of Baxter Lane, and that fell within the original trustee agreement.

2. There was also the indication that the developer would, at the completion of the project, restore any damage done to the existing private street. That matter was contested in court and the judge felt that this was not valid as a condition for this development. It was subsequently thrown out and the judge's ruling and court case is cited on the record plat that was recorded. This was all identified at the time that this was acted on by the City.

The issue of perpetual maintenance still remains. Mr. Beach indicated in his letter that the subdivision trustees might wish to seek their own legal advise on that specific issue to see if the developer can be held to any requirements concerning the issue of perpetual on-going maintenance. Councilmember Politte asked Councilmember Levinson if he had any thoughts on resolving this matter. Councilmember Levinson stated he would like to know the intentions of Larry Maynes. Councilmember Levinson commented that if someone has used or damaged private property, then they should have to bring that property back up to its original condition. The road should be repaired and the improvements for the Estates of Baxter Lane should be completed. Ms. Janet Schlag, Trustee, stated that they are not concerned with the issue of perpetual maintenance. The trustees assumed the responsibility for the maintenance of Baxter Lane. Mr. Beach's letter advised that the trustees should consider checking with legal counsel after reviewing the original trust indentures. The developer adopted the subdivision's trust indentures as conditions for the development. There may be cause for compensation to the subdivision. Councilmember Hrabko inquired about the condition of Baxter Lane. Ms. Janet Schlag, Trustee, commented that the developer did enough damage to the street that it would require an overlay. If the developer had not been there, it would take another five years before the street would need any repair work. Mr. Hawn informed the Committee of the amended agreement from the court case that was noted on the record plat for Baxter Lane. Councilmember Levinson motioned for Mr. Herring to send a letter to Mr. Maynes, asking the developer to let the City know his intentions in resolving the concerns of the subdivision. He should be given a deadline to respond prior to the next meeting of this Committee. Councilmember Hrabko seconded the motion which passed unanimously. John Cowling, President of Baxter Lane Trustee Association, asked the City's help in getting the developer to complete his work on their common ground improvements for their streets. (Mr. Cowling also asked that he be copied on any letters to Mr. Maynes.) Mr. Hawn stated that typically the developer will come to the City, when he has completed his work, and ask for a final inspection. The developer has not done this, so far. The Public Works Department has instituted an interim

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inspection to give the developer some deficiencies that the Department has found to date. The developer will be receiving the preliminary deficiency list in two weeks, and the Trustees will be receiving a copy of the letter sent to Mr. Maynes at that time.

2. Councilmember Politte next introduced Chairperson Bill Kolath of the Highway Beautification Committee. Mr. Kolath explained that he and his committee had been working for several months on the design for a new City limit sign for Chesterfield. He indicated that the committee had initially attempted to secure "free" input from Chesterfield design firms and from various schools/universities in the area, which have graphic design departments. All such efforts were unsuccessful. He reminded the Committee that they had approved \$500 for use in selecting a consultant to assist the committee in preparing this design. With that money, the Highway Beautification Committee had selected Ms. Pat Catanzaro, a Chesterfield businessperson. Mr. Kolath indicated that the design to be presented to the Committee this evening had been unanimously endorsed by the Highway Beautification Committee.

A general discussion followed, after the design was presented to the Committee. General support was expressed by the Committee. Councilmember Levinson indicated that he thought the words "Welcome To" should be included on the sign. Mr. Kolath commented that the committee had discussed that and had rejected that idea. Mr. Kolath noted that these signs are meant to reflect a progressive image for Chesterfield and that, by design, they would not necessarily include many traditional features. Mr. Herring noted that the signs on Highway 40 were to be landscaped and that feature would certainly convey a sense of "welcome". Mr. Herring noted that these signs are designed to last 25-30 years and that the estimated cost to purchase twenty-four signs would be approximately \$30,000. Following additional discussion, Councilmember Levinson made a motion to recommend that City Council approve these new signs, with the following changes: Eliminate gold border around the lettering and around the population sign. The gold border would remain around the interior oval. The sign will have interior lighting, as opposed to flood lights. The Committee acknowledged that this could increase the cost, but indicated that this would present a much more readable and attractive sign. Finally, the signs, especially along Highway 40, will have shrubs and flowers planted along the base. Staff is to prepare a RFP and seek competitive bids for this purchase, if approved by City Council at the July 19, meeting. Councilmember Hilbert seconded this motion and it was approved unanimously. The Committee commended Mr. Kolath, his entire committee and Ms. Catanzaro for their efforts at creating such a unique design for these City limit signs.

3. A motion was made by Councilmember Hrabko to approve the minutes from the 6/10/93 meeting. Councilmember Levinson seconded the motion which passed unanimously.

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4. Mr. Hawn opened the discussion regarding the Storm Sewer Maintenance Policy. Staff had prepared this written version, as requested by City Council. Mr. Hawn noted that some details had been included by Staff, which were not previously discussed by this Committee. Councilmember Hrabko motioned to accept the complete policy. Councilmember Hilbert seconded the motion which passed unanimously.

5. Councilmember Levinson opened the discussion pertaining to the City's approved street tree list. He would like to have the Street Tree List updated. He would like to see the Pin Oak, Elm, and Sycamore species of trees added to the Street Tree List. Mr. Hawn commented that the Street Department is continually replacing sidewalks and curbs which are being damaged by tree roots from trees no longer allowed in City right-of-ways. Councilmember Levinson does not want the street trees to be straight up and down and columnar. He commented that the trees should have crowns and overhang the street. There followed much discussion. Mr. Herring suggested that a separate list be compiled to include trees that are presently in Chesterfield and presently evident in other cities. The downside and/or concerns to planting each of these trees would be indicated on the list. This list shall be added to the agenda for the next meeting, along with the current street list, for final review by the Committee.

6. Mr. Hawn opened discussion regarding the stormwater problems at the 307 Renaldo location. (Mr. and Mrs. Wolfgang Streich) Capital street reconstruction is planned for Renaldo Drive in the near future. Our survey of the sewer under the street indicates a need to replace the sewer at the Streich's location. There is an inlet and sewer under the street in need of replacement, which would include two street inlets. The City has secured a bid to do that repair from Concrete Design, including the work from the edge of the right-of-way back to the inlet in the Streich's backyard. The total cost for this project will be approximately \$13,000, which could be handled as a change order with Concrete Design, with the funding for this to come out of the \$100,000. Appropriated recently by City Council, the funding would be for the street storm sewer and the storm sewer running through the Streich's property. Councilmember Hilbert motioned to approve this proposal, and authorize funding in the amount of \$13,000 from the Stormwater Grant Program. Councilmember Hrabko seconded the motion which passed unanimously.

7. Mr. Hawn recommended that the escrow for Stonebriar Subdivision - Plat I be extended for one (1) year. He commented there have been stormwater problems in this subdivision, and the escrows need to be extended until all problems are resolved. Councilmember Hrabko motioned to approve the escrow extension. Councilmember Hilbert seconded the motion which passed unanimously.

8. Mr. Herring summarized his recommendations for the next steps in determining a site for the Government Center:

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1. The five (5) sites recommended by the City Center Task Force would be the focus for determining a site. If the five (5) sites do not work out, the Public Works/Parks Committee of Council is always free to go beyond these sites and consider others.

2. Regarding the Kangaroo site, Staff should provide a detailed cost-estimate of all on-site improvements and off-site improvements. Mr. Herring and Staff should be authorized to meet with Mark Twain Bank to get more detailed information regarding the "renovations" aspect of the proposed acquisition budget.

3. Regarding the other four (4) sites, Mr. Herring should be authorized to contact the owners of the four (4) sites. Are these sites available? If so, at what price?

4. The City Center Task Force should conduct a public meeting. It would be advertised and promoted in advance. At the meeting, the five (5) alternative sites would be presented. No decisions would be made at this time. The meeting would be to inform the public and let the public know that the process is moving forward on selecting a site.

Councilmember Levinson suggested that the members of the Task Force, who were originally selected from various standing citizen committees in the City, should now take the report back to their various committees for their information and input. Councilmember Hrabko objected to only focusing on these five (5) sites. Councilmember Hrabko informed the Committee that someone affiliated with the City has been telling people that the City has already decided to select the Kangaroo site. The Committee noted that this is not true and that everyone should strive to provide factual information regarding this process of selection. Councilmember Hrabko informed the Committee of a possible opportunity to pursue the Herman Stemme Building #1. He recommended that this site be added to the list of sites. Councilmember Hilbert suggested that one Councilmember should not be negotiating independently and that all sites should be investigated by Staff. The Committee agreed. Mr. Herring asked the Committee to vote on each of the recommendations noted above individually. Item #1 was approved unanimously (4-0), with the understanding that Herman Stemme Building #1 be added to the possible site locations. Item #2 was approved unanimously (4-0). Item #3 was approved unanimously (4-0). Item #4 was approved unanimously (4-0). This item was amended by Councilmember Levinson to suggest that the members of the Task Force make presentations back to each of the citizen committees to which they belong. Councilmember Levinson suggested that the report from the Task Force be made public and that copies be provided to the press, so that the public can become informed. The public should know that this is not the final report, only the beginning of a process. The Committee agreed. The City Center Task Force report will continue to be placed on future agendas.

9. Regarding Parks Consultant selection, Councilmember Levinson made a motion that the Booker Contract be amended as shown on the attached copy of the revised contract.

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Additionally, Staff would communicate to Booker Associates that each site shall be evaluated for health and safety concerns and that this is to be included in the contract. This would include, but not be limited to, flooding and high-powered electrical wires/EMF's. Additionally, the original proposal from Booker is to be an addendum to this contract and the contract is to reflect this fact. The cost shall not exceed \$50,000 and authorization is to be given to Mr. Herring to sign the contract, on behalf of the City of Chesterfield, as amended above on the attached version. Finally, Mr. Beach's comments (see his letter, dated June 30, 1993) should be reflected in the final version of the contract. Councilmember Hilbert seconded the motion, which passed unanimously.

10. Mr. Rob Rich, Recreation Activities Coordinator, opened discussion regarding the site for the proposed sand volleyball court. The American Legion, appears to want the sand volleyball court available only during certain hours when their concession stand is open. There would be no daytime hours or weekend hours. They also want the City to maintain the court on a daily basis. The Committee, during the discussion that followed, noted that these requirements would not be acceptable. Councilmember Levinson asked what alternative sites were available. Councilmember Politte stated that Long Road was still available. The Committee discussed the possibility of a volleyball court in Faust Park on a temporary basis. Mr. Rich suggested that the Manager at Faust Park be contacted to determine if a site could be made available to the City. The Committee agreed that Mr. Rich should pursue this possibility. Additionally, Councilmember Levinson is to contact the American Legion to attempt to have all the requirements noted above removed. This item is to be placed on the next Committee's agenda for further discussion.

Mr. Rich informed the Committee that the 5K Run has been changed to a Sports Day on September 18, 1993. The 5K Run will be a part of the day, but there will be other activities.

Councilmember Hrabko updated the Committee regarding the St. Louis County Fair at Spirit Airport. As soon as the traffic plan is coordinated, the Committee will receive a copy of the traffic plan. He listed the following events: On Friday at noon there will be a special opportunity music cultural event for children. The main entertainment will be a Buckwheat Zydeco Festival in the evening with cajun food. On Saturday, there will be two air shows and Saturday night the major attraction will be a fireworks display. On Sunday, there will be two air shows. The Fair will close at 9:00 p.m. The dates for the Fair are: 9/24, 9/25, and 9/26/93.

Councilmember Levinson discussed the matter of a piece of ground on Kehrs Mill and Wild Horse Creek that belongs to the Hayden Company, that could be passed onto the City. The City could own this ground to build a passive park. The ground covers 10 - 15 acres. Mr. Herring noted that this matter was to be discussed by the P&Z Committee July 7, 1993.

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11. Mr. Hawn updated the Committee regarding the work of the Public Works Citizens Advisory Group which is currently evaluating opportunities to reduce the cost to the City in conducting a stormwater survey. The PWCAG suggested that the City may be able to utilize free assistance from various universities. The PWCAG members will contact Washington University and UMSL's graduate programs.

Mr. Herring inquired about the status of street design standards. Mr. Hawn noted that the PWCAG had finalized some recommendations. Councilmember Hrabko requested that the street design standards recommendations be added to the Committee's next agenda as an "action item".

12. Mr. Herring opened the discussion regarding asphalt overlays. He commented that it was recently suggested by Councilmember Levinson that the 1994 budget include the asphalt overlay of Justus Post. Mr. Herring requested some direction from the Committee.

Mr. Hawn noted that this Committee had suggested that the Public Works Department look at asphalt overlays in a couple of locations this fiscal year (1993). There will be three areas that will be involved: two (2) areas on Claymont Estates Drive and one (1) area on Leiman Drive. Subsequently, Mike Geisel prepared an extensive memorandum report on asphalt overlays. Asphalt overlays are a short-term maintenance fix, but they are not permanent solutions. Councilmember Hrabko recommended that Staff develop recommendations for streets to be considered for possible asphalt overlays in 1994. This list will include Justus Post, at the request of Councilmember Levinson; however, the Committee will vote to approve/reject/modify the final list when it has been completed.

13. The Committee members agreed that the next meeting of this Committee will be on Wednesday, August 11, 1993, at 7:00 a.m.

14. The meeting adjourned at approximately 9:25 p.m.