MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, December 10, 2009

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, December 10, 2009 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Barry Flachsbart** (Ward I); **Councilmember Mike Casey** (Ward III); and **Councilmember Lee Erickson** (Ward II). (Councilmember Erickson arrived late as noted under III.E.)

Also in attendance were: Councilmember Randy Logan (Ward III); Councilmember Bob Nation (Ward IV); Maurice L. Hirsch, Jr. Planning Commission Chair; Michael Herring, City Administrator; Mike Geisel, Director of Planning & Public Works; Brian McGownd, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; Annissa McCaskill-Clay, Lead Senior Planner; Mara Perry, Senior Planner; Kristian Corbin, Project Planner; Jeff Paskiewicz, Civil Engineer; and Kristine Kelley, Administrative Assistant.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the November 19, 2009 Committee Meeting Summary.

Councilmember Casey made a motion to approve the Meeting Summary of November 19, 2009**.** The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 3 to 0.**

Chair Fults motioned to change the order of the agenda. The motion was seconded by Councilmember Casey and **passed by a voice vote of 3 to 0.**

III. NEW BUSINESS

E. Solar Thermal Installation

STAFF REPORT

Mr. Mike Herring, City Administrator, introduced Mr. Harvey Rosenberg to the Committee. Mr. Rosenberg is the Special Assistant to Mayor Nations for renewable energy and energy alternatives. He has spent a great deal of time over the last two years investigating alternative energy applications for the City, which would have a reasonable payback interval, and which applications would be readily transferable to the average homeowner. Mr. Herring acknowledged Mr. Rosenberg's contribution noting that he has been working tirelessly on this project as a volunteer for the past two years.

Mike Geisel, Director of Planning & Public Works, also thanked Mr. Rosenberg for his assistance on this project stating that he has been absolutely invaluable and has committed an incredible amount of time as a volunteer. Mr.Rosenberg is very informed and educated on this matter and has graciously shared his expertise with Mr. Geisel.

Mr. Geisel reported that Staff continuously reviews facilities and operations in an effort to identify greater efficiencies. Staff has been reviewing various energy consumption improvements throughout the City's operations for quite some time. An opportunity arose to potentially match up energy consumption with stimulus funding. At that time, Staff was looking at rooftop photo-voltaic panels that would generate energy, but determined that they were not yet cost-effective.

An energy audit has been funded by the City and subsequently completed by an independent engineering firm. This audit identified that the City Hall building is well-maintained, generally energy-efficient, and was at the forefront with the design of the building with respect to the closed loop water system consisting of 183 climate zones with variable air volume units. All City buildings were evaluated, but only the City Hall was recommended for modification. Mr. Geisel further explained that the energy audit suggested two separate energy projects. The first consisting of retrofits to the domestic water and HVAC closed loop system at City Hall. The second was a much more aggressive and complicated project, which would facilitate a wholesale conversion of the Cooling system including absorption chillers. Staff indicated that the first project should be limited to the Domestic and Closed Loop water modifications and that the second project should be considered after a history of direct experience with the technology. If successful, the more aggressive project offered even more positive cost savings.

Mr. Geisel advised the Committee that it is very difficult to verify actual savings due to changes in energy costs, seasonal variations, and other changes outside of the energy itself. In any event, one of the most significant benefits of such a project is energy independence, not just cost savings.

A Chesterfield-based company, Arctic Solar, has a proprietary system of high efficiency geo-solar tubes. While there are multiple manufacturers of Geo-solar collectors, Staff believes that this system provides higher efficiencies and energy offset capabilities. The solar tubes utilize radiant energy, which is even effective on cloudy days. These tubes would heat water in a closed loop circulatory system to a temperature of

210 degrees. The heated water would then be directed to a tempering tank and would be used to reduce the use of the boilers. The tempered water could be directed into the heated domestic water system, as well as into the closed loop HVAC system for heating and humidity control.

As a result, Staff pursued preliminary designs and has started to develop a proposed contract with Arctic Solar. The company believes there are two projects that are fiscally and financially sound for the City Hall building – (1) a solar thermal energy transference system which would reduce the City's use of natural gas for the HVAC and domestic water purpose; and (2) the complete re-work of the HVAC system, which would replace the standard chillers and air-handling units with absorption chillers. The HVAC work would be Phase II as it is a much larger project costing more than $1 million and would have a much larger impact on the site. It is felt that the City would need a year or more of experience with the proposed system before considering Phase II.

If the Committee determines that the energy project is consistent with their objectives, Staff is prepared to continue working with Arctic Solar to develop a contract that would be available for review by Council in January. The project is estimated to cost $350,000, which includes the contractual cost, engineering evaluations, and costs for the City to separately contract for roof and wall penetrations. Inasmuch as this is not a budgeted project, funds would need to be transferred from fund reserves for this project.

Mr. Geisel then explained the payback involved with such a system. The City currently budgets approximately $55,000 annually for natural gas. Mr. Geisel reminded the Committee that verification of savings is very difficult. Gas prices are likely to vary and consumption is not consistent. The larger potential benefit is a direct offset of gas consumption and independence. If Phase I is initiated, it is estimated that payback would occur in about seven years.

DISCUSSION

Considering the current economy and the City's budget, Councilmember Flachsbart asked if there would be any disadvantages to waiting six months before implementing Phase I. Mr. Herring responded that this project would be funded through reserve funds, which are non-budgeted funds. Mr. Geisel stated that the only potential downside to waiting would be the fact that there are other locales that are looking at these alternatives so he feels waiting could put the City behind the curve. Arctic Solar is attempting to establish the local market and the pricing obtained is based on the City being in a lead position.

Chair Fults asked if there are any tax incentives or federal money for this type of project. Mr. Geisel stated that the City has a grant of $219,500 from the Energy Efficiency Community Block Grant. But this grant has a "buy America" provision so this funding cannot be used on this technology since the equipment is manufactured in Germany. This grant money is now being directed to the Riparian Trail.

Staff is continuing to explore grant opportunities for the project but it is not expected that grant money will be available for it. It was noted that there are similar systems being manufactured in the United States but they do not appear to be as efficient.

Councilmember Casey commended everyone involved for their hard work on this project. He felt that the proposed system would have to be implemented in a fairly large complex and asked if there are any LEED-certified buildings that are using this system. Mr. Geisel stated that this system is a direct application for residential use – there currently is a Wildwood residence, which is using this exact system at a much smaller scale. Staff is not aware of any local commercial facilities utilizing this system but it would qualify for LEED credit. It was noted that this technology is used extensively in Europe.

Councilmember Flachsbart asked how the City would help residents transition to this type of technology. Mr. Herring stated that there will be a mini-demonstration in the lobby of City Hall, which will be on a minute-by-minute basis conveying the savings realized in terms of alternative generation of the heat opposed to heat generated from gas. Mr. Geisel added that Staff is directly working with the vendor to develop materials and the residential program for installation.

Councilmember Logan questioned whether the system equipment would be visible on top of the building. Mr. Geisel replied that the tube arrays will be placed on top of the roof – the collectors will be located on the street side of the building and in the rotunda. The tubes on the rotunda will not be visible but the tubes on the face of the roof will be visible.

Mr. Dan Hurt asked if the return on investment was projected by the manufacturing company or by Staff. Mr. Geisel replied that a third-party company did the energy audit. Mr. Hurt expressed concern that as technology changes, the proposed system could be outdated thus affecting the return on investment. Mr. Geisel noted that there are many variables involved and he is not comfortable in using that analysis for this purpose. The system has a lifespan of more than 20 years. He added that the current boilers are 10 years old and are a high maintenance item. Taking them offline or even reducing their use is advantageous. Upkeep on the proposed equipment is “virtually non-existent”.

(Councilmember Erickson arrived at this point.)

Mr. Herring stated that the proposed system appears to be much more efficient compared to other systems with respect to savings that would be realized on an annual basis, and paying for the initial investment in a reasonable period of time.

Councilmember Casey stated that he would prefer to wait and see how the fund reserves are at mid-year before proceeding on this project. Councilmember Flachsbart stated that he has been convinced that now is the time to move forward rather than wait six months.

Councilmember Erickson made a motion directing Staff to prepare a contract on the Solar Thermal Installation project to present to City Council with a recommendation to transfer fund reserves to cover the cost of the project. The motion was seconded by Councilmember Flachsbart **and passed by a voice vote of 3 to 1** with Councilmember Casey voting "no"**.**

II. OLD BUSINESS

A. Eberwein Master Plan, strategy and methodology

STAFF REPORT

Ms. Aimee Nassif, Planning & Development Services Director, gave a PowerPoint Presentation showing aerial photos of the existing site. Ms. Nassif stated the following:

Staff has prepared the Master Plan Strategy and Methodology for the Eberwein Park, which is approximately 18.5 acres of land that the City has recently acquired. There are several structures that still exist on the site, which include the following;

- A Queen Anne style home approximately 2,048 square feet which was built by Ernst Eberwein back in 1895,
- A ranch-style dwelling constructed in 1959, which until recently was occupied by Earl and Virginia Eberwein. The entire property and the existing structures are owned by the City,
- A large red barn and sheds currently exist on the site, which were built around 1850. It was noted that the white frame shed is 364.33 square feet.

The Project Team feels that it is important to maintain the history and the culture of the area. Ms. Nassif is the project manager for the project team. It is recommended that other members of the team include two mayoral appointments from the neighborhood, a representative from the Landmarks Preservation Commission, or the Historical Commission, as well as the Parks & Recreation Arts Citizen Advisory Committee (PRACAC). Ms. Nassif introduced other Staff members on the project team of Kristian Corbin, Project Planner; Jeff Paskiewicz, Civil Engineer; and Darren Dunkle and Steve Jarvis, Parks & Recreation.

Master Plan Strategy

1. Background research and data collection.
2. Project Team meetings to discuss the findings, which will include the nominated citizens as well as the representatives from PRACAC and Landmarks & the Historical Commission. In addition, internal project team review meetings will be held.
3. The Project Team will then give regular updates with sketch drawings for the site and report budget costs.

4. The Project Team will then begin the change of zoning process to zone this tract as "PS" Park and Scenic District to accommodate the uses and the future uses of the site.
5. Finally, the Master Plan design will be prepared for consideration along with a final report which would outline in exact detail everything that the team has completed. It will also include the Lighting Plan, Landscape Plan, Improvement Plans, etc. which will be done in-house by Staff.

Once the Master Plan is approved as developed by the entire Project Team, Staff can proceed to the design and development process. Mr. Geisel mentioned the importance of a Master Plan is to make sure that development will be done right the first time then changes won't have to be made down the road. A survey has been performed and environmental reports for the buildings have been completed. There are hazards and dangers on the site that need to be dealt with. As directed, Staff has developed a Master Plan Strategy for the Committee's review and approval and the Project Team is anxious to move forward.

Design Concepts

The idea of the park is that it be a passive park with the following possible amenities; a trail system, community garden – flower or vegetable, educational rain gardens and an ecological playground, which is a natural play area utilizing boulders, wood material, water features, etc., and a dog park. Staff has done a lot of research on both area dog parks and dog parks nationwide. This park will bring citizens together and create a sense of community.

Mr. Herring suggested the addition of "public art" as one of the park features.

Ms. Nassif noted that the Project Team will also be providing signage and a branding for the entire park. The signage and the structures will maintain a natural and historical appeal. Public art could be included in the playground area and near the entrance.

Master Plan Timetable

The timetable for this project is as follows:

Phase I: To have introductory meetings and identifying the team players with the outside community and have some open-house meetings which will begin in January 2010.

Phase II: To have conceptual site plan drawings drafted. The conceptual plan, along with a status report, will be brought back to the Committee for review and approval.

Phase III: To have preliminary plans completed with projected costs. Staff will begin the Change of Zoning Process.

Phase IV: To have the Master Plan details complete. This will include details such as the park theme, signage, branding, art work, etc.

Phase V: To have the Master Plan details complete for review and consideration. This will include the tree stand delineation, a lighting plan – if relevant,

improvement plans, landscape plans, as well as signage. The whole process for completion of Phases I – V will take approximately nine (9) months.

DISCUSSION

Councilmember Flachsbart recommends speeding up the process by branching off a sub-project for completion – namely, the dog park.

Councilmember Erickson mentioned the strong leadership within the Highcroft Subdivision and suggested that those residents be included in the process.

Councilmember Casey made a motion to approve the Eberwein Master Plan, strategy and methodology as prepared by the Project Team. The motion was seconded by Councilmember Flachsbart with the assumption that the plan will be revised to accelerate the construction of the dog park. The revision was accepted by Councilmember Casey.

Councilmember Erickson concurs with Councilmember Flachsbart as to the acceleration of the dog park, but felt that the generated revenues should exceed the operating expenses.

The motion then passed by a voice vote of 4 to 0.

B. Update on Unified Development Code – Residential, Commercial, Industrial Districts & Parking and Loading Requirements

STAFF REPORT

Aimee Nassif, Planning & Development Services Director, stated that since private development projects have been down, it has offered a great opportunity for Staff to update and remove any inconsistencies in the development regulations. Right now the City of Chesterfield has some outstanding regulations and planning processes in place, but is a little behind the times with a lot of planning trends.

As directed by the Committee, Staff began working on updates to the Residential Districts and updating the Parking Chapter to bring the City up to current standards as compared to municipalities locally and nationwide. This is the largest single zoning ordinance amendment that Staff has ever done, which updates over eight (8) residential districts in the zoning code, along with writing and creating the new Planned Unit Development district (PUD). This project, along with Residential Tear-downs and Additions, and the Parking Chapter will go back to the Ordinance Review Committee beginning in January 2010 then on to the Planning Commission.

When the Residential District and Parking Chapter updates are complete, those regulations will make up a huge chunk of the Unified Development Code. The updates

are being written in the same format and style as the rest of the Unified Development Code. When complete, it will be ready for review then subsequently final codification.

Ms. Nassif also mentioned that Staff has undertaken the first City-wide Parking Study. The City has zoned and built so much development since 1988 and yet Staff has never had the opportunity to go out to those commercial and industrial developments and check whether the parking requirements were appropriate for those sites.

The parking data is being collected, in adherence with parking count recommendations from ITE (International Transportation of Engineers), and is being compiled by teams led by Project Planners, Charlie Campo and Kristian Corbin.

Mr. Geisel noted that when the updates are complete there will be one large comprehensive ordinance that will be consolidated into one document – the Unified Development Code.

The Committee thanked Staff for utilizing the down time to complete such a mammoth project.

The information is for update purposes only. No vote was required.

III. NEW BUSINESS

A. P.Z. 04-2009 13506 Olive Blvd (Spirit Energy): A request for a change of zoning from a "C2" Commercial District to a "PC" Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd at the southwest corner of Olive Blvd and Woods Mill Road (Locator Number 16Q330902).

STAFF REPORT

Ms. Annissa McCaskill-Clay, Lead Senior Planner, stated that she was presenting on behalf of Project Planner Justin Wyse. She then gave a PowerPoint presentation showing the surrounding area and the existing site.

The subject site was previously developed as a filling station. Previous petitions had been brought forth for the property but were not successful – in one case, the petition was withdrawn.

The Petitioners are requesting a change of zoning from a "C-2" Shopping District to a "PC" Planned Commercial District. The current Conditional Use Permit allows for a 24-hour filling station. The site is approximately 0.31 acres.

The main issue discussed at Planning Commission was the matter of access. The Missouri Department of Transportation is allowing a right-in/right-out on Woods Mill Road. Since the 141 extension will be going through, they feel a lot of the traffic currently being seen at this intersection will be mitigated.

The other issue brought forward is the open space for the site. The property was submitted for change of zoning prior to the passage of the new PC-PI ordinances, so for a retail property the open space requirement is 40%. The Petitioners are requesting a reduction to 17.47%. The Staff Report includes open space percentages for other projects in the area. The only other property in the area that has an open space requirement is the now-vacant Dairy Queen site, which has 13% – the other properties surrounding the site have no open space criteria. Planning Commission approved the requested open space reduction by a vote of 8 to 0.

Planning Commission also recommended approval of the project by a vote of 8 to 0.

PLANNING COMMISSION REPORT

Planning Chair Hirsch stated that this site has been in front of the Commission several times and the Commission feels this is a reasonable use of the land. The Commission would have preferred that Dierbergs would allow cross access. The Commission feels that the proposed project is reasonable in terms of the open space, the Attachment A, the uses, internal circulation, and access on both Woods Mill and Olive.

Councilmember Casey made a motion to forward P.Z. 04-2009 13506 Olive Blvd (Spirit Energy) to City Council with a recommendation to approve. The motion was seconded by Councilmember Erickson

Discussion on the Motion

Parking/Uses

Councilmember Flachsbart expressed concern about parking and the use of a filling station.

Mr. Mike Doster, representing the Petitioner, stated that the site is currently approved for a filling station. Because it is a difficult site to develop, they have been working with Staff, the Fire District, and MoDOT to come up with the best solution possible. If the site is rezoned, the Petitioner will have to present a Site Plan to the City. They are concerned that at the Site Plan stage, something will happen that will make it difficult to go forward with the preferred *restaurant* use. Consequently, they have included *filling station* as a proposed use.

Mr. Geisel stated that parking is the most serious issue. He does not think the site could have a dual use and still meet parking requirements. The site must have a very low-intensity use in order to maintain access, drive-thru, and parking spaces.

Mr. Doster stated that if the Site Plan is approved for a restaurant, the Petitioner is willing to drop the *filling station* use.

Councilmember Casey expressed concern that there is no crosswalk or signalization to allow pedestrians to cross Olive or Woods Mill. He would like Staff or the Petitioner to

encourage MoDOT to put in pedestrian access. Mr. Geisel agreed with having pedestrian accessible signals at this location but felt it may not be possible without access right-of-way easements, etc. from the properties on the opposite side. Mr. Doster stated the Petitioner would commit to talking to MoDOT about this issue.

Councilmember Flachsbart made a motion amending the motion to require Automatic Power of Review by City Council. The motion was seconded by Councilmember Casey.

The motion to approve, as amended, passed by a voice vote of 4 to 0.

Note: One bill, as recommended by the Planning Commission, will be needed for the January 4, 2010 City Council Meeting.
See Bill #

[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 04-2009 13506 Olive Blvd (Spirit Energy)].

B. P.Z. 13-2009 Spirit Town Center (Greenberg Development): A request for an amendment to City of Chesterfield Ordinance 2330 to modify the Floor Area and Building Requirements and Setbacks for a 7.8 acre parcel of land zoned "PC" Planned Commercial District located on Chesterfield Airport Road on the southwest corner of its intersection with Goddard Avenue. (17V230055)

STAFF REPORT

Ms. Mara Perry, Senior Planner, gave a PowerPoint presentation showing the surrounding area and the existing site. Ms. Perry stated that this is an ordinance amendment to an existing "PC" Planned Commercial District.

The Petitioner was before the Planning Commission for vote on November 23rd for three changes to the Ordinance:

- Removal of the Floor Area requirement;
- An increase to the Floor Area Ratio under the Building Requirements; and
- Setback modifications.

To date, there has been no development on the site. The Preliminary Plan shows an internal road and no access off of Chesterfield Airport Road. They would still have to meet all of the maximum floor area ratio, the open space, and parking space requirements.

PLANNING COMMISSION REPORT

A recommendation for approval was passed by the Planning Commission by a vote of 8 to 0.

Chair Hirsch stated that the Planning Commission took note of the fact that the Attachment A for the site was written much more strictly than how ordinances are being written today. The specifications were previously written based on the Preliminary Plan submitted at the time of rezoning. Ordinances are now written based on Code requirements and not solely off what was drawn on the Preliminary Plan.

Councilmember Casey made a motion to forward P.Z. 13-2009 Spirit Town Center (Greenberg Development) to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart **and passed by a voice vote of 4 to 0.**

Note: One bill, as recommended by the Planning Commission, will be needed for the January 4, 2010 City Council Meeting.
See Bill #

[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 13-2009 Spirit Town Center (Greenberg Development)].

C. P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company): A request for a change of zoning from a "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 5.2 acre tract of land located at 18614 Olive Street Road, located 4,100 feet west of the intersection of Olive Street Road and Chesterfield Airport Road (Locator Number 17W510093).

STAFF REPORT

Ms. Annissa McCaskill-Clay, Lead Senior Planner, gave a PowerPoint presentation showing the surrounding area and the existing site. Ms. McCaskill-Clay stated that the subject site is being rezoned under the City's new PI District so the Preliminary Plan will be attached to the Ordinance and is subject to approval by City Council.

The prevailing issue at Planning Commission was open space. The new PI District requires 35% open space; the Petitioners are requesting 30% open space. To mitigate the reduced open space, the Petitioner is proposing a landscape berm, a meandering sidewalk, a gazebo and a small water feature fronting on Olive Street Road. Planning Commission approved the open space reduction by a vote of 7 to 1.

The recommendation for approval of the zoning to "PI" was approved by a vote of 8 to 0 on November 23rd.

PLANNING COMMISSION REPORT

Chair Hirsch noted two changes under the new Districts – (1) the uses have been disaggregated with very specific definitions so new petitions are going to appear to be having more uses; and (2) if a Petitioner wants to modify a standard, he will be required to give something back to the City.

With respect to the subject petition, the Planning Commission felt that the proposed landscape design to mitigate the reduction in open space was reasonable taking into consideration the layout of the land and use of the property.

DISCUSSION

Councilmember Logan asked if the Petitioner and Spirit Airport have worked out the issues related to the proposed water feature. It was noted that the water feature has been accepted by the Airport.

Councilmember Flachsbart made a motion to forward P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company) to City Council with a recommendation to approve. The motion was seconded by Councilmember Casey

Discussion on the Motion

Chair Fults reported that Chesterfield Fence is a Chesterfield business and they are moving to a bigger location within the City. EDT is planning to move into the subject site and their lease is up at their current location. The Petitioner is probably going to ask for two readings at the January 4th City Council meeting. Considering that this is a Chesterfield business, Chair Fults asked that the Council grant the two readings in one night.

Councilmember Flachsbart expressed concern about use h. *Filling station and convenience store with pump stations* as he feels it is not an appropriate use for the site. He then **made a motion to remove use h. from the Attachment A. The motion died due to the lack of a second.**

Councilmember Erickson suggested that the required sidewalk be straight as opposed to "meandering" to make it more consistent with possible connections to other sidewalks that may be built on adjacent sites.

The motion to approve passed by a voice vote of 3 to 1 with Councilmember Flachsbart voting "no" **.**

Note: One bill, as recommended by the Planning Commission, will be needed for the January 4, 2010 City Council Meeting.
See Bill #

[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company)].

D. Sidewalk – Claymont Estates Drive

STAFF REPORT

Michael Herring, City Administrator, explained that there is approximately a 500 foot "gap" in the sidewalk adjacent to Claymont Estates Drive, in Ward 3. This section of the sidewalk was never built when Claymont Estates was constructed. This information is being brought to the Committee at the request of Councilmember Casey and the Trustees within the subdivision.

The proposed FY 2010 Budget does not contain specific funding for construction of a new sidewalk at this location.

During the recent F&A "budget workshop", Staff did not identify this as a project that would be coming forward for City Council consideration as Staff was not aware of the existence of this project at that time.

It was noted that the $225,000 that is allocated as part of the City's Capital Improvement Sales Tax Budget is used exclusively for maintenance. In the past, these funds have not been used for construction of new sidewalks. The only new sidewalk constructed is along Clayton Road, which was funded by a direct appropriation from Fund Reserves.

It is not within Staff's purview to initiate a project such as this without Council authorization. It is, however, within the Committee's authority to recommend to City Council that they allocate $25,000, from the $225,000, for this purpose. Otherwise, it will be necessary to transfer $25,000 from the Capital Street replacement account, or from General Fund – Fund Reserves. There is $2.3 million allocated for 2010 for street reconstruction. Another option would be to suggest that the subdivision fund this expense, either via a special assessment or via the establishment of a Neighborhood Improvement District.

Staff is not making any recommendations, but providing the Committee with all the facts necessary to make a viable decision.

Councilmember Flachsbart feels that this is a good idea, but does not agree with taking the money out of the maintenance fund. He feels this project can wait six months, at which time the budget can then be reviewed. If everything is fine at that time, he would be agreeable with funding this project out of fund reserves or the street funds.

There was considerable discussion regarding whether to construct the sidewalk now or wait six months until the budget is more stable.

It was noted by Councilmember Casey that there is a safety concern and for $25,000, he would like to continue with the City's program of being a "walkable City".

Mr. Herring recommended taking the funds out of the $2.3 million for Capital Street Improvement Projects Fund.

Councilmember Casey made a motion recommending that City Council authorize the transfer of $25,000 from the Capital Improvement Sales Tax Budget for the design and construction of the 500 foot sidewalk adjacent to Claymont Estates Drive. The motion was seconded by Councilmember Fults.

Discussion on the Motion

Mr. Geisel recommended that construction is contingent upon approval of the resident of 1717 Claymont Estates Drive granting the necessary easements at no cost to the City.

Councilmember Casey was informed that the resident has agreed to the amendment per the trustees of the subdivision.

Councilmember Casey then amended the original motion to state that transfer of said funds for the construction of the 500 foot sidewalk is contingent upon approval of the resident of 1717 Claymont Estates Drive granting the necessary easements at no cost to the City. Chair Fults accepted the amendment.

Councilmember Erickson stated that there is currently a sidewalk gap near Parkway Central High School in Ward I and questioned why approval would not be granted for it also. It was determined that based on the location of the site, this is not an option due to the following;

- The street is not a City - maintained street.
- Sidewalk is actually to be constructed from Ladue Road to Parkway Central in conjunction with the Highway 141 project.
- Staff had previously provided information to this Committee about extending the sidewalk north of Parkway Central along Woods Mill, but it was very expensive, impacted drainage and residents to a high degree. At that time, the residents indicated to the elected officials that they did not want sidewalks that close to their houses.

There was additional discussion pertaining to construction of other sidewalks throughout the City. Councilmember Erickson suggested that Staff bring a proposal to the Committee containing its recommendations for completing sidewalks where gaps are found. Mr. Herring instead recommended that any additional requests be brought before the Committee for review and consideration.

Mr. McGownd mentioned that the "Bike/Pedestrian Plan" identifies many of the sidewalk gaps.

The motion, as amended, then tied by a voice vote of 2 to 2 with Councilmember Erickson and Councilmember Flachsbart voting "no".

The motion will not be forwarded to City Council.

Mr. Geisel advised the Committee that there are frequently many difficulties in completing these walks. Generally, those people who actually want the sidewalk are not the people whose yard the sidewalk will affect. Those residents who must grant easements are generally reluctant to allow the construction.

F. Edison Avenue – STP Agreement

STAFF REPORT

Brian McGownd, Public Works Director/City Engineer, explained that this is another example of the City trying to leverage funds as much as possible. The City was awarded a Federal Grant to apply a "micro-seal" asphalt coating, onto Edison Avenue from Baxter Road to Long Road. This is the first step to allow construction to take place this summer.

The agreement is a standard document required by the Missouri Department of Transportation (MoDOT) and is similar to other agreements in which the City entered previously.

Councilmember Flachsbart made a motion recommending approval of the proposed ordinance authorizing the City Administrator to execute the STP agreement with the Missouri Highways and Transportation Commission for the Edison Avenue sealcoat project, and to forward to City Council for their consideration. The motion was seconded by Councilmember Casey **and passed by a voice vote of 4 to 0.**

Note: One bill, as recommended by the Planning & Public Works Committee, will be needed for the January 4, 2010 City Council Meeting.
See Bill #

[Please see the attached report prepared by Brian McGownd, Public Works Director/City Engineer, for additional information on Edison Avenue – STP Agreement].

G. Appalachian Trail Phase 1 - STP Agreement

STAFF REPORT

Brian McGownd, Public Works Director/City Engineer, stated that the City was awarded a Federal Grant for the reconstruction of Appalachian Trail from Olive to Beaver Creek. Design of the project is scheduled for 2011 and construction of the project is scheduled for 2012. It was noted that funding for this project will not be available until 2012.

Councilmember Flachsbart made a motion recommending approval of the proposed ordinance to authorize the City Administrator to execute the STP agreement with the Missouri Highways and Transportation Commission for the Appalachian Trail Phase 1 project, and to forward to City Council for their consideration. The motion was seconded by Councilmember Casey **and passed by a voice vote of 4 to 0.**

Note: One bill, as recommended by the Planning & Public Works Committee, will be needed for the January 4, 2010 City Council Meeting.
See Bill #

[Please see the attached report prepared by Brian McGownd, Public Works Director/City Engineer, for additional information on Appalachian Trail Phase 1 - STP Agreement].

IV. ADJOURNMENT

The meeting adjourned at 7:10 p.m.